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उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश तथा
अधिसूचनाएं।

Rajasthan Real Estate Regulatory Authority

NOTIFICATION

Jaipur, March 14, 2024

S.O.576.-In exercise of the powers conferred by sub-section (1) and clause (i) of sub-section (2) of section 85 of the Real Estate (Regulations and Development) Act, 2016 (Central Act No. 16 of 2016) the Rajasthan Real Estate Regulatory Authority, in supersession of the Rajasthan Real Estate Regulatory Authority Regulations of 2017 as amended from time to time, hereby makes the following regulations, namely:-

Chapter- I **Preliminary**

1. Short Title and Commencement.- (1) These regulations may be called the Rajasthan Real Estate Regulatory Authority Regulations, 2024.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-(1) In these regulations, unless the context otherwise requires,-

- (i) “Act” means the Real Estate (Regulation and Development) Act, 2016 (Central Act No. 16 of 2016);
- (ii) “Adjudicating Officer” means the adjudicating officer appointed under sub-section (1) of section 71 of the Act;
- (iii) “Adjudication” means the process of arriving at decisions on complaints filed with the Authority or the adjudicating officer under section 31 of the Act;
- (iv) “Authority” means the Rajasthan Real Estate Regulatory Authority;
- (v) “Authorized Officer” means the officer authorized by the Authority to enforce and execute the order(s) / decision(s) / direction(s)/ decrees(s) of the Authority and the Adjudicating Officer passed from time to time;

- (vi) "Building" includes any structure or erection or part of a structure or erection which is intended to be used for residential, commercial or for the purpose of any business, occupation, profession or trade, or for any other related purposes;
- (vii) "Chairperson" means the Chairperson of the Authority and includes the interim Regulatory Authority designated under third proviso of sub-section (1) of section 20 of the Act;
- (viii) "Company" means a company incorporated and registered under the Companies Act, 2013 (18 of 2013) and includes-
 - (i) A corporation established by or under any Central Act or State Act;
 - (ii) A development authority or any public authority established by the Government in this behalf under any law for the time being in force.
- (ix) "Concerned Authority" means Authority, Adjudicating Officer or any officer acting as such in a particular context.
- (x) "Court" means a civil, criminal or revenue court and includes any tribunal or any other authority constituted under any law for the time being in force to exercise judicial or quasi-judicial functions;
- (xi) "Decree" means the order, directions, decision etc. issued by the Authority and Adjudicating Officer;
- (xii) "Decree-holder" means any person in whose favour a decree has been passed or an order capable of execution has been made;
- (xiii) "District" means the local limits of the jurisdiction of a Civil Court of original jurisdiction (hereinafter called a "District Court"), and includes the local limits of the ordinary original civil jurisdiction of a High Court;
- (xiv) "Estimated Cost of Real Estate Project" means the total cost involved in developing the Real Estate Project and includes the land cost, taxes, cess , GST, development cost and other charges;
- (xv) "Family" includes husband, wife minor son and unmarried daughter wholly dependent on a person.
- (xvi) "Form" means a form appended to these regulations;
- (xvii) "Immovable Property" includes land, buildings, rights of ways, light or any other benefit arising out of land and things attached to the earth or permanently fastened to anything which is attached to earth, but not standing timber, standing crops or grass;
- (xviii) "Interest" Means the rates of interest payable by the promoter or the Allottee, as the case may be.

Explanation- For the purpose of this clause-

- (i) The rate of interest chargeable from the Allottee by the Promoter, in case of default, shall be equal to the rate of interest which the Promoter shall be liable to pay the Allottee, in case of default;
- (ii) The interest payable by the Promoter to the Allottee shall be from the date the Promoter received the amount or any part thereof till the date the amount or part thereof and interest thereon is refunded and the interest payable by the Allottee to the Promoter shall be from the date the Allottee defaults in payment to the Promoter till the date it is paid.
- (xix) "Judgment-debtor" means any person against whom a decree has been passed or an order capable of execution has been made;
- (xx) "Legal representative" means a person who in law represents the estate of a deceased person and includes any person who intermeddles with the estate of the deceased and where a party sues or is sued in a representative character the person on whom the estate devolve on the death of the party so suing or sued.
- (xxi) "Local Authority" means the Municipal Corporation or Municipality or Panchayats or any other Local Body constituted under any law for the time being in force for providing municipal services or basic services, as the case may be, in respect of areas under its jurisdiction.
- (xxii) "Member" means the member of the Authority;
- (xxiii) "Mesne Profits" of property means those profits which the person in wrongful possession of such property actually received or might with ordinary diligence have received therefrom, together with interest on such profits but shall not include profits due to improvements made by the person in wrongful possession;
- (xxiv) "Movable Property" includes growing crops;
- (xxv) "Notification" means a notification published in the official gazette and the expression notified shall be construed accordingly.
- (xxvi) "Officer" means an officer of the Authority;
- (xxvii) "Order" means the formal expression of any decision or directions of the Authority and Adjudicating Officer;
- (xxviii) "Person" includes-
 - (i) An individual;
 - (ii) A Hindu undivided family;
 - (iii) A company;
 - (iv) A firm under the Indian Partnership Act, 1932 (9 of 1932) or the Limited Liability Partnership Act, 2008 (6 of 2009), as the case may be;
 - (v) A competent authority;

- (vi) An association of persons or a body of individuals whether incorporated or not;
- (vii) A co-operative society registered under any law relating to co-operative societies;
- (viii) Any such other entity as the appropriate Government may, by notification, specify in this behalf.
- (xxix) "Prescribed" means prescribed by rules;
- (xxx) "Project" means the Real Estate Project as defined in the Act.
- (xxxi) "Promoter" means the Promoter/ Builder/ Developer as defined in the Act.
- (xxxii) "Proceedings" means and includes proceedings of all nature that the Authority or the Adjudicating Officer may conduct in discharge of its functions under the Act or the rules and regulations made thereunder;
- (xxxiii) "Registrar" means the Registrar of the Authority and shall include such other officer(s) of the Authority who may be authorized by the Chairperson to carry out any function under the Act or the Rules and for that purpose report directly to the Chairperson or a member or Adjudicating Officer;
- (xxxiv) "Regulations" means the Rajasthan Real Estate Regulatory Authority Regulations, 2024 as amended from time to time;
- (xxxv) "RERA Retention Account" means the separate account to be maintained by the promoter in a scheduled bank as per section 4(2)(l)(D) of the Act;
- (xxxvi) "Rules" means the Rajasthan Real Estate (Regulation and Development) Rules, 2017;

(2) Words and expressions used therein but not defined in these regulations have the same meaning respectively assigned to them in the Act and the rules made thereunder.

Chapter-II

Real Estate Project

3. Registration of a Real Estate Project.-

(1) The Promoter is required to make a promoter profile and furnish the following information and documents, alongwith those specified under section 4 of the Act, for registration of the real estate project with the Authority namely:-

- (i) authenticated copy of the PAN card of the promoter;
- (ii) audited balance sheet of the promoter for the preceding financial year or a declaration if the organization is new;
- (iii) Individual/Organization Details;
- (iv) Address for Official Communication;
- (v) Contact Details;
- (vi) Details of Partners/Directors alongwith their KYC Details;

Thereafter, the promoter shall submit an online application for registration of a Real Estate Project alongwith the registration fee, as prescribed under Rajasthan Real Estate (Regulation and Development) Rules, 2017 alongwith standard fee or any other fee as prescribed by the Authority from time to time under Regulation 65(3) of the Regulations and furnish the following information and documents, alongwith those specified under the section 4 of the Act:-

- (i) Project Status & Details of Registering Project;
- (ii) Litigation Details of Registering Project;
- (iii) Land Details of Registering Project;
- (iv) Details of Separate Bank Account as per Section 4(2)(1)(D) of The Act;
- (v) Project Cost Details;
- (vi) Project Common Area Details - development work for whole project
- (vii) Plot Details/Building and Apartment Type Details;
- (viii) Allottee(s) Details, if any;
- (ix) Encumbrance Details, if any;
- (x) Project Related - Legal Documents;
- (xi) Project Related - Approved Documents;
- (xii) Project Related - Common Documents;

(2) For registration of the project following drawings need to be uploaded mandatorily, duly sealed and signed by a qualified engineer, as part of the online application.

- (i) For registration of a project under Plotted Development category:

- (a) Rain Water Harvesting/ Recharging;
- (b) Sanitation (Storm Water Drainage, Sewerage, STP, Solid Water Disposal, etc.);
- (c) Electrification (Transformer, Solar Energy, etc.);
- (ii) For registration of a project other than plotted development category:
 - (a) Structural drawings.
 - (b) SLD of services like storm water, sewerage, water supply and electricity supply.

However, the promoter is required to submit following drawings in detail, before obtaining the completion certificate for the project:-

- (a) Services drawings (SLD/ distribution details after LT panel, earthing layout, external lighting plan/ layout, TV & telephone riser diagram, lighting arrester location & pit location, coordination drawings, fire detection & alarm system layout of all floor);
- (b) Architectural drawings:- (for all floors, stilt floor workings, typical floor working plan, terrace floor, 3-D views if any, elevation & section details, staircase/ balcony railing details, finishing, painting;
- (c) Fire fighting;
- (d) Common Plumbing (Plumbing specification, water schematic drawing, internal water supply & drainage external water supply & drainage, external sewage layout. pump room layout);
- (e) Electrical (showing Internal lighting layout all floor including main LT panel & all other panels layouts & G.A. cable tray drawings with section of all floor, main SLD with cable size);

(3) Where promoter is not the owner of the project land, the Authority will entertain such collaboration agreement, development agreement, joint development agreement or any other agreement, as the case may be, duly executed, entered into between promoter and the owner, only if such agreement is registered under the Indian Registration Act, 1908.

Provided that in case, such agreement was executed before 12.02.2020 & stamp duty was paid at the prevailing rates and the document is certified by Inspector General/ Dy. Inspector General (Registration & Stamps) or Collector (Stamps) to have been duly stamped, it will be accepted by the Authority, without insisting on its registration.

Provided further that for the purpose of registration of a plotted development project, where the promoter is not the owner of the project land, the Authority will, in lieu of a registered development agreement, accept a

Power of Attorney duly executed by such owner in favour of the promoter, only if such Power of Attorney is registered under the Indian Registration Act, 1908.

(4) The promoter applying for registration of the project on the basis of Partnership Deed or Limited Liability Partnership such deed are required to be registered with the Registrar of firms or the registrar of companies, as the case may be. Such deeds be also necessarily registered under the Indian Registration Act, 1908. Besides, whenever any partner retires or there is any change in any constituent of Partnership Deed / LLP such as - change of partners, change in ratio of profit or loss, change in list of properties owned by the firms etc. by way of Supplementary-cum-Retirement Deed or otherwise, such modified or Supplementary Deed is also required to be registered under the Indian Registration Act, 1908. Without such registration the deed/ document shall not be entertained by the Authority for the purpose of registration or for any change during the upcoming of the project.

4. Grant or rejection of registration of the project.-

(1) Upon filing of the application for registration of a project under section 4 of the Act, the proceedings of same may be seen online. If the application is found in order the Authority shall grant an online registration certificate with a registration number in Form-C to the promoter within 30 days.

(2) In case of rejection of the application as per section 5 of the Act, the Authority shall inform the applicant in Form-D online within 30 days.

Provided that no application for registration shall be rejected unless, the applicant has been given an opportunity of being heard in the matter.

5. Submission of Quarterly Progress Reports (QPRs) for Registered Real Estate Projects.

Every promoter shall have to submit QPR and update the project details online under section 11(1) of the Act read with rule 16(1)(D) of the Rules. Non-submission of QPR shall attract a penalty as provided under section 61 of the Act.

(1) The promoters shall submit all their QPRs online, using the QPR button on their dashboard;

(2) For submitting QPRs, the quarters are defined as January to March, April to June, July to September and October to December. First QPR becomes due at the end of quarter in which a project is registered and the last QPR becomes due at the end of the quarter in which the project is completed and completion certificate is submitted to the Authority;

(3) As per the Rajasthan Real Estate (Regulation and Development) Rules, 2017, QPR for a quarter has to be submitted within one month of the end of quarter.

(4) Promoters will be able to submit QPRs for their project only for the period of validity of its registration. QPRs for the period beyond the validity of registration can be submitted only after getting the registration of the project extended by filing an online application therefor.

6. Submission of Annual Progress Reports (APRs) for Registered Real Estate Projects.-

(1) In accordance with the proviso third to clause (l) of sub-section (2) of section 4 of the Act, the promoter shall upload the annual progress report on statement of accounts, in Form R-4 duly certified and signed by the Chartered Accountant who is the statutory auditor of the promoter's enterprise.

(2) If in Form R-4 issued by the statutory auditor as per sub-regulation (1) above it is found that any certificate issued by the Project Architect, Engineer or the Chartered Accountant has given false or incorrect information, or the amounts collected for a particular project have not been utilized for the said project or the withdrawal has not been in compliance with the proportion to the percentage of completion of the project, the Authority in addition to taking penal actions as contemplated in the Act and the rules, shall also take up the matter with the concerned regulatory body of the said professionals of the Architect, Engineer or Chartered Accountant, for necessary penal action against them including removal from membership

(3) For submitting APRs, a year shall always mean financial year starting from 1st April and ending on 31st March next. First APR becomes due at the end of the year in which a project is registered and the last APR becomes due at the end of the year in which the project has been completed, i.e., the year in which Completion Certificate has been obtained;

(4) Promoters will be able to submit APRs for their project only for the period of validity of its registration. APRs for the period beyond the validity of registration can be submitted only after getting the registration of the project extended by filing an online application therefor;

(5) As per aforesaid provisions of the Act, Rules and the Regulations, the promoter is required to submit the APR latest by 31st December of that financial year.

(6) Form R-4 prescribed under the Regulations will form the basis of every APR. Therefore, the promoters shall obtain Form R-4 from the Chartered Accountant (who is the statutory auditor of the promoter's enterprise) at the end of each year and submit the APR online, based thereon. The promoter shall ensure that there is no mismatch between the data provided in Form R-4 so obtained and the data provided in APR. However, since the figures of 'Total (100%) amount collected for the project' are not captured in Form R-4, these

may be provided in APR based on the booking and sale records, books of accounts and/or bank accounts of the promoter's enterprise.

(7) As per the aforesaid provisions of the Act and the Regulations, Form R-4 has to be issued by a Chartered Accountant in practice, who is the statutory auditor of the promoter's enterprise. And such Chartered Accountant cannot issue Form R-3 for the project which is required to be issued by a Chartered Accountant who is a different entity than the Chartered Accountant who is the statutory auditor of the promoter's enterprise.

7. Extension of registration of the project.-

(1) The registration granted under section 5 of the Act, may be extended as per section 6 of the Act, on an online application made by the promoter in Form-E prior to the expiry of the registration. However, application made after the expiry of registration of the project shall attract penalty or any other fee as prescribed by the Authority from time to time.

Provided that where extension of registration is due to *force majeure* the Authority may at its discretion waive the fee/standard fee/ penalty for extension of registration.

(2) The application for extension of registration shall be accompanied with payment in online mode, for an amount equivalent to half of the registration fee as specified under sub-rule (3) of rule 3 and standard fee under regulation 65(3) along with an explanatory note setting out the reasons for delay in the completion of the project and the need for extension of registration of the project, along with documents supporting such reasons.

(3) Extension beyond one year- In case the project is not completed within the extended period the Authority in its discretion may consider on merits of specific case to decide whether it will be in the better interest of completion of the project to allow the same promoter by extending registration beyond one year.

For this purpose, the promoter shall have to file an application alongwith proof of deposit of prescribed fee as also the consent of atleast 2/3rd of the allottees or submit list of all allottees alongwith their mobile no., email address and postal address so that hearing notices may be issued to them. The exceptional and compelling circumstances and reasons due to which the project could not be completed even within the extended period are to be narrated. Such application is required to be filed before expiry of the validity period. However, it can be filed after the expiry of the validity period on deposit of standard fee, penalty etc. as prescribed.

Before deciding the application, besides the promoter, the allottees or the Association of allottees or any society like Residential Welfare Association (RWA), as the case may be, will be given an opportunity of being heard. If the consent of the allottees as above is not made available, the promoter has to submit name, contact details, email and postal address of the allottees so that the notice for hearing may be issued to them accordingly.

Explanation I - No promoter will be entitled to an extension beyond one year as a matter of right. Such exception will be granted only where the Authority is convinced that there were compelling circumstances and reasons that have delayed the project and the promoter is likely to complete the project within the period so extended.

Explanation II - The decision of the Authority shall be taken on case to case basis depending on circumstances of each case. The decision taken in one case will not be construed as precedent for another case. The Authority shall be free to impose any special condition(s) that it may consider necessary and proper in the circumstances of a particular case.

(4) In case of extension of registration the Authority shall grant the online certificate for extension of registration in Form-F to the promoter. In case of rejection of the application for extension of registration the Authority shall inform the promoter, in Form-D about the same:

Provided that no application for extension of registration shall be rejected unless, the applicant has been given an opportunity of being heard in the matter.

8. Suspension of registration of the project.-

Upon the suspension or withdrawal of the suspension of registration of a project, the Authority shall inform the promoter online through dashboard.

9. Revocation of registration of the project.-

Upon the revocation of registration of a project as per section 7 of the Act, the Authority shall inform the promoter online through dashboard in Form-D about such revocation. The Registrar of Authority shall ensure the compliance of the direction given in the orders including recovery of penalty imposed, if any, as also with regard to further course of action in view of section 8 of the RERA Act as directed by the Authority.

10. Revision of Maps.-

The promoter is required to submit an online application of Map Revision through its dashboard for any revision of map, including curtailment of the project, change of project category, phasing of project, addition in number of Floors and alterations in the sanctioned plans, layout plans and specifications

and the nature of fixtures, fittings and amenities described therein in respect of the apartment, plot or building, as the case may be, with consent of allottee(s) under clause (i) & (ii) of sub-section (2) of section 14 of the RERA Act.

Explanation:- The application for revision of map is required to be submitted within 30 days from the date of revision of map by the competent authority.

11. Maintenance of the separate project accounts.-

(1) Opening of the Account:-

- (i) The promoter shall to open following 3 accounts in the bank for the real estate project before applying for its registration in RERA. The details of which are to be submitted along with the application for the registration of the project.
 - (a) Collection Account: In this account 100% receipts from the allottee(s) shall be deposited. The amount so received shall be transferred to retention account and promoter account in 70:30 ratio at the earliest but not beyond 30 days of receipt.
 - (b) RERA Retention Account: In this account 70% funds shall be transferred from the Collection Account and the amount of project finance, if any;
 - (c) Promoter's Account: In this account 30% amount shall be transferred from the collection account and the loan amount taken by the promoter on the security other than project property;
- (ii) The account be opened in the term "RERA Retention Account" showing the name of the project.
- (iii) There shall be only one Separate Bank Account in the name of Retention Account for a real estate project which shall be a no-lien account. However, if the project is developed in phases then separate bank account shall be maintained for each phase, as the case may be.
- (iv) The Promoter, while applying for the registration of the project with RERA, shall submit an affidavit as per the format given in Form R-7 for the ongoing project or Form R-8 for the new project alongwith a Copy of the Passbook/ Bank Statement of the Account.
- (v) If there are more than one promoter in the project, necessary contractual or legal arrangements for operating the account shall be made by the principal promoter who is registering the project and the same shall be submitted along with the application for registration.
- (vi) The Promoter shall give an undertaking at the time of applying for registration of the project to the following effect:
"We shall comply with the provision of section 4(2)(I)(D) of the Real Estate (Regulations and Development) Act, 2016 and the Rule

and Regulations made in that regards and ensure that the project accounts are operated by us in compliance therewith and the directions of the Authority in relation to the project accounts, particularly, the Collection Account and Retention Account”.

(2) Deposits in Account:-

- (i) All the money collected from the allottees from time to time shall be deposited in collection account.
- (ii) The promoter may avail the option of flexi account to keep the amount in the shape of fixed deposit in auto renewal mode to fetch the interest. The fixed deposit so created shall be of “no lien” nature and no “over draft” can be sanctioned over it. It shall remain linked with the main RERA Retention Account.
- (iii) The Promoter shall utilize the seventy percent (70 %) of the amount collected from the allottee(s) from time to time and also the loan taken on the project property for the construction and cost of land only. However, any loan taken by the promoter for completion of the project on security of properties other than project land, such amount shall be utilized for the construction and development work only and be deposited in promoters 30% account.
- (iv) The Promoter may use not more than thirty percent (30 %) of the amount collected from the allottee(s) for other than construction and land cost of the project. Such amount may be used for other expenditure relating to the project or the company. The remaining seventy percent of all the money collected from the allottee(s) from time to time and the entire amount availed as project finance from the bank/lending institution has to be spent on the construction and the cost of land only which will be demonstrated by the certificate of the Chartered Accountant in **Form R-3** as given in Regulations No. 11(3) of the Regulation.
- (v) In case of refund of amount to the allottee on cancellation of booking or withdrawal from project or due to order of Authority / Court / Tribunal the principal amount shall be paid in the ratio of 70:30 from RERA Retention Account and promoter's account respectively. However, the expenditures like the amount of the interest or the compensation or cost or brokerage etc. will be paid by the promoter from promoter's account only.
- (vi) In case the promoter has collected the amount of Interest Free Maintenance Security (IFMS) from the allottees, the promoter shall transfer the said amount after deducting expenses incurred and maintenance and other dues, if any, to the Residents' Welfare Association (RWA) or its nominee or to a service agency/ service company entrusted with the maintenance and management of the

project in accordance with the provisions of the Rajasthan Apartment Ownership Act, 2015, provided the Promoter makes disclosure to this effect at the time of booking. However, the promoter shall furnish the details of amount so received and transferred under this head at the time of submissions of completion certificate and occupancy certificate of the project to the Authority for the closure of RERA Retention Account.

(3) Forms of Certificates to be given by Architect, Engineer and Chartered Accountant.—

- (i) For withdrawal of amount from RERA Retention Account maintained under the provisions of sub-clause-(D) of clause (l) of sub-section (2) of section 4 of the Act, in respect of each real estate project to cover the cost of the project, the promoter, before the withdrawal of amount shall upload and display, compulsorily the following three certificates on his webpage of the website of the Authority, namely:-
 - (a) Certificate in the Form R-1 from the Project Architect certifying the percentage of completion of construction work of each of the building(s) of the project;
 - (b) Certificate in the Form R-2 from the Project Engineer for the actual cost incurred on the construction work of each of the building(s) of the said project; and
 - (c) Certificate in the Form R-3 from a practicing Chartered Accountant, for the cost incurred on construction cost and the land cost. The practicing Chartered Accountant shall also certify the proportion of the cost incurred on construction and land cost to the total estimated cost of the project. The total estimated cost of the project multiplied by such proportion shall determine the maximum amount which can be withdrawn by the promoter from the RERA Retention Account.
- (ii) The promoter shall be required to follow the aforesaid procedure at the time of every withdrawal from the retention account till Completion and Occupancy Certificate in respect of the project are obtained.
- (iii) On receipt of Completion Certificate and Occupancy Certificate in respect of the project from the competent authority including empanelled architect, as authorized by Urban Development Housing Department from time to time, the entire balance amount lying in the separate retention account can be withdrawn by the promoter as per Provision of Regulation 11(8).
- (iv) Banks while releasing the funds from the 70% RERA Retention Account should not ask for the submission of Form R1, R2 & R3

with Bank, but the Bank should refer to the uploaded certificates on the website of the Authority and then to act accordingly.

(4) Withdrawals from the RERA Retention Account:-

No money can be withdrawn from this account by the promoter except through the following manner:

- (i) As per the second proviso of section 4 (2) (l) (D) of the Act, the amounts from the Separate Bank Account shall be withdrawn by the promoter after it is certified by an Architect, an Engineer and a Chartered Accountant in practice that the withdrawal is in proportion to the percentage of completion of the project.
- (ii) As per rule 5 of the Rules 2017, for the purposes of sub-clause (D) of clause (l) of sub-section (2) of section 4, the land cost shall be the cost incurred by the promoter, whether as an outright purchase or on lease and will include revenue or area share given to land owner in lieu of land under any kind of agreement such as Joint Venture, Joint Development etc. in case the Promoter is not the owner of the land, amount paid to land owner, incidental costs related to acquisition of land such as stamp duty, brokerage, settlement costs of litigation, premiums paid to government authorities related to land, interest on finance for purchase of land, litigation costs incurred for land acquisition, property and other taxes, fees, premiums paid.

Explanation 1:- Where the promoter, due to inheritance, gift or otherwise, is not required to incur any cost towards acquisition of ownership and title of the land parcels proposed for the real estate project, the cost of land shall be reckoned on the basis of the value of land as ascertained from the DLC rate determined by the competent authority of the State and prevalent on the date of registration of real estate project.

Explanation 2:- To determine the fair market value of the purchased / acquired cost of land or development rights or lease rights in real estate projects, the acquired cost shall be the “indexed cost of the acquisition” or DLC rate determined by the competent authority of the State, prevalent on the date of registration of real estate project, whichever is higher.

- (iii) For the purposes of sub-clause (D) of clause (l) of sub-section (2) of section 4, the construction cost shall be the cost incurred by the promoter, towards the on-site expenditure for the physical development of the project including fees/ charges payable to the

Architects, Consultants, Project Managers/staff including Engineers, Marketing Agents etc. fees/ charges/ security deposit payable to various departments/ authorities, labor cess, VAT, GST, which are incurred during the development of the project.

- (iv) For any withdrawal from the amount deposited in a separate bank account under Section 4 (2) (l) (D) of the Act in respect of registered project, the promoter shall have to obtain three certificates as given in Regulation 11(3) of the regulations.
- (v) The promoter shall upload the three certificates on the website of the Authority while filing the quarterly progress report of the project, or through Post Registration uploads, if otherwise required during the particular quarter.
- (vi) The RERA Authority may permit the promoter to withdraw the balance amount available in the RERA Retention Account after the completion of the project and fulfillment of the conditions provided under Section 11 and 17 of the Act.

(5) Reporting to the Authority:-

- (i) The promoter shall upload three certificates on the website of the Authority while filing the quarterly progress report of the project.
- (ii) As per the third proviso of Section 4 (2) (l) (D) of the Act, the promoter shall get his accounts audited within six months after the end of every financial year by a Chartered Accountant in practice, and shall upload on the website of the Authority a statement of accounts duly certified and signed by such Chartered Accountant and it shall be verified during the audit that the amounts collected for a particular project have been utilized for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.
- (iii) The annual progress report on statement of accounts shall be in Form R-4 as provided under the Regulation 6 of the Regulations.
- (iv) The Chartered Accountant shall verify that there is no lien or charge on the RERA Retention Account. The promoter and/or Chartered Accountant shall obtain no lien/ charge certificate from the bank and upload the same on the website of the Authority along with the quarterly progress report of the project.

(6) Powers of the Authority on the separate Retention Account of the Project:-

- (i) The Authority, upon revocation of the registration of the project, shall direct the bank holding the project bank account specified under sub-clause (D) of clause (l) of sub-section (2) of section 4 of

the Act, to freeze the account and thereafter take such further necessary actions, including consequent de-freezing of the RERA Retention Account, for facilitating the remaining development works in accordance with the provisions of section 8 of the Act.

- (ii) The Authority may, in the interest of the allottee(s) and the project, get the separate bank account, along with any other account(s) in which the money from the allottee(s) of the project has been collected or appropriated, verified/audited by an auditing firm/auditor/ Chartered Accountant from time to time in discharge of its functions under section 34 of the Act and rule 24 of the Rules. The promoter shall facilitate such auditor or the Chartered Accountant by providing all the information and documents as may be required to complete such verification or the audit, as the case may be, under the orders of the Authority. Noncompliance of these directions by the promoter in any manner will be punishable under section 63 of the Act with penalty which may be up to five percent of the cost of the project.
- (iii) The cost of such audit or verification of the account of the project shall be borne by the promoter in the manner as decided by the Authority.

(7) Changing RERA Retention Account.-

- (i) The promoter may change the RERA Retention Account from one Bank to another Bank with the prior permission of the Authority.
- (ii) For seeking permission for changing RERA Retention Account, promoter shall have to submit an online application in Form R-4A along with fee as prescribed by the Authority from time to time under Regulation 65(3) of the regulations along with the following documents:
 - (a) Latest Account Statement / Copy of Passbook of the existing RERA Retention Account; and
 - (b) Latest Account Statement / Copy of Passbook of the account proposed as new RERA Retention Account.
- (iii) After the RERA Retention Account is permitted to be changed, promoter is also required to submit an online application in Form R-4B along with the following documents within 30 days without any fee. If the online application in Form R-4B is submitted after 30 days, promoter has to deposit the standard fee or any other fee as prescribed by the Authority from time to time under Regulation 65(3) of the regulations:

- (a) Certificate from bank having new RERA Retention Account, in Form R-4C;
- (b) Certificate of Chartered Accountant, in Form R-4D;
- (c) Account statement or copy of passbook or letter of bank as proof of closure of old RERA Retention Account.

(8) Closure of the separate Retention Account on completion of the Project:-

Upon completion of the project as per the sanctioned design and the specifications, the promoter shall submit the following documents on the website of the Authority:-

- (i) The Completion Certificate and the Occupancy Certificate.
- (ii) Certificate in Form R-1, Form R-2 and Form R-3 of the last quarter.
- (iii) Declaration supported by notarized affidavit in the format prescribed in Form R-9.
- (iv) Certificate of the Architect certifying that the project has been completed as per the approved design and specifications in Form R-10.
- (v) Disclosure of IFMS Fund collected from the allottees.
- (vi) If satisfied, the Authority will issue a formal permission to the promoter to close the RERA Retention Account of the project and withdraw the balance amount, if any. However, the promoter will not be absolved of any responsibilities not discharged by him and not disclosed by it to the Authority at the time of the application for the closure of the separate bank account of the project.

12. Modification of Promoter of Project Profile.-

The Promoter may update/correct/modify the project details and promoter details, even for the change of promoter in respect of any registered project, using its dashboard on RERA web portal. This service has two sections viz: promoter modification and project modification.

13. Online modules for post registration applications.-

The following modules may be used while filing any application after the registration of a Real Estate Project.

- (1) For seeking extension of estimated finish date of the project, use project extension module;

- (2) For updation of revised building plans/layout plans of the project, use map revision module;
- (3) For changing details of the separate bank account maintained under section 4(2)(1)(D) of the Act, use RERA Retention Account change module;
- (4) For updation of encumbrances on the project, use encumbrance change module;
- (5) For uploading partial Completion Certificate, Completion Certificate, Occupancy Certificate, certificate of insurance and registration certificate of RWA, use the documents upload button provided for each registered project;
 Partial Completion Certificate, Completion Certificate, Occupancy Certificate must be issued by the Competent Authority in all the registered project. If the same has not been issued by the Competent Authority then
 - (i) In case of plotted development, Partial Completion Certificate, Completion Certificate must be issued by the Committee headed by Collector or the SDO as the case may be, in accordance with Government of Rajasthan Revenue (Group-IV) No. F.6(6)Rev.6/92/Pt./14 dated 02.04.2007 and as amended by the Government of Rajasthan Revenue (Group-IV) No. F.6(6)Rev.6/2014/50 dated 29.06.2021, as per amended rule 9 for the schemes situated in the Rural areas; and
 In case where plots are not mortgaged in the approved layout plan by the Competent Authority for schemes situated in the urban area and are approved as per Township Policy then, as a proof promoter has to submit an undertaking that no plots have been mortgaged in the scheme. In such cases, Completion Certificate of the Chartered Engineer may be accepted by the Authority.
 - (ii) In case of other than plotted development, Partial Completion Certificate, Completion Certificate, Occupancy Certificate with checklist must be issued by the Empanelled Architect registered with the Town Planning Authority alongwith fee receipt and the acknowledgement letter of submission of Partial Completion Certificate, Completion Certificate, Occupancy Certificate in the Competent Authority.
- (6) For submission of quarterly updates, use QPR module;
- (7) For submission of annual report on statement of accounts of the project, use APR module;
- (8) For other updation/corrections/modifications to be made in project details, use project profile modification module;

- (9) For any updation/corrections/modifications to be made in promoter details, use promoter profile modification module.

14. Publication of Advertisements.-

(1) Promoter or real estate agent, as the case may be, shall not publish any advertisements for projects in any media including press, electronic media, pamphlets, banners, posters or publicity in any form for booking of sale of units or for receipt of any advance sum from the allottee, unless the project is registered by the Authority.

(2) The promoter shall prominently display Quick Response (“QR”) code on each and every Project promotion/advertisement/ relevant media.

- The QR code must be published in a manner that is legible, readable and detectable.
- The QR code must be published along with the RAJRERA registration number and the website address.
- The above shall apply to the following mediums of promotion/advertisement and in any other medium as may be directed by the Authority.
 - Print media like Advertisements on Newspaper/ Magazines/ Journals/ Printed flyers/ Brochures/ Catalogues/ Leaflets/ Prospectus/ Standees etc. on Project Sites/ Sales Office.
 - Websites/ webpages of Projects and Social Media Advertisements like youtube, facebook, Instagram, LinkedIn etc (only RERA registration No. with URL and not valid for QR).
 - Any other Advertisements where QR codes can be published.

QR code to be published wherever the use of QR (ie scanning) is feasible for user & directing the user to the relevant portal.

(3) The registration No. (Exemption number or court order, if any) and website shall be published in a legible, readable and detectable font size and color in print media and social media.

(4) The contents on social media such as- Facebook, Whatsapp, Instagram, Youtube or any platform without aforesaid requirement shall be viewed seriously. The contents already uploaded on social media are allowed to be modified within 15 days positively. Any laxity for updation or non mentioning as stated above for new contents upon social media shall be treated violative of the directions and liable for penalty under relevant provisions of the statutes.

(5) In case, the promoter has obtained the exemption certificate with regard to registration of a particular project from the RERA Authority or exemption by

way of any judicial order of the Authority or any court, the promoter shall publish the Exemption number or the number of case and date of decision, as the case may be, in the same manner as prescribed for publication.

(6) The builders shall inform the Authority for appointment/authorization of their real estate agents. These agents are also required to be registered with the authority under the provisions of section-9 of the Act. The advertisement, documents/contents published on print/social media intended for sale/book the unit by real estate agents or promoter/builder without their registration number, rera web address, e-mail, postal address (as applicable) etc. shall attract penal provisions of the Act if not complied with.

(7) The promoters/builders are required to timely update the status of their real estate agents on quarterly basis or otherwise as directed by the authority on this issue.

(8) Any deviation or leniency in compliance of directions shall be monitored by the office of the Registrar to take cognizance of any violative and contumacious acts against the provisions of the statute or any directions of the authority.

15. Display Boards.-

(1) The promoter shall erect a weather proof display board of the minimum size of 5'x4' at the project site with the information regarding the name and registration number of the project or (Exemption number or Court order, if any) including website of Authority, date of registration, phases of the project, number of towers, number of stories (tower-wise) etc. in bold letter and legible language, so that the information may be visible throughout the season/ year, till completion of the project.

(2) In case of plotted development, promoter shall erect display board as mentioned in sub-regulation (1) above regarding the approved site plan indicating the entire area of the projects i.e., roads, water supply, external services, sewerage, electricity line, parks etc. the revenue details of the land of the project i.e., plot number, khata number, khasra number and lay-out plan superimposed on the revenue map, in bold and legible letters so that the information remains displayed till completion of the project.

(3) Name and contact details of the authorized representative of the promoter including the website of promoter, shall also be displayed on the board as mentioned in sub regulation (1) above.

16. Provision for taking over the project as per Section 8 of the RERA Act:-

The Authority shall adopt the following procedure for carrying out the completion of the lapsed project or the project revoked under section 7 of the RERA Act

(1) The Registrar alongwith at least two other representatives as directed by the Authority shall visit the site and will take possession after preparing inventory of the structure, available material and other ancillary articles. In case of need the officials of the Authorities while taking possession, may take due assistance of the local authorities such as Police/ local administration etc. as required in the circumstances of the case.

(2) A public notice shall be published at least in two widely circulated newspapers with regard to such lapsed /revoked project and about taking over the possession of the project by the Authority.

(3) The Registrar shall invite claims from all the stakeholders in the project including the erstwhile promoter. The claimants may be advised to file online complaints as per Section 31 of the RERA Act before the Authority or Adjudicating Officer in addition to filing the claim before the Registrar as per notification.

(4) For further proceedings the Authority may constitute a committee who shall oversee the process of proceedings under Section 8 of the Act. The said committee shall consist as many members as decided by the Authority from time to time.

(5) Thereafter a 30 days' notice shall be given to the promoter calling upon him to provide documents, information and other necessary details such as financial statement, Engineer Certificate, Architect Certificate, list of allottees with available contract details, details of total sale consideration, amount already received from the allottees, sum receivable, details of landowner/ investor of the project, details of sold and unsold units of the project. If the details are not provided, a reminder of 15 days may be sent with a direction to furnish the same failing which the Registrar shall prepare all these details on the basis of the record available with the RERA. In case the details are provided by the promoter the same shall be matched with the details available with the RERA & a comprehensive site report shall be prepared.

(6) For overall assessment with regard to the development already occurred on the site, financial aspect already involved and required for the purpose of completion of the project etc., the Authority shall engage one of the firms empanelled with the Authority for this purpose. For engaging such firm the procedure as provided under Rajasthan Transparency in Public Procurement Act, 2012 (RTPP Act, 2012) and Rajasthan Transparency in

Public Procurement Rule 2013 (RTPP Rules, 2013) shall be followed. The said firm shall submit a report prepared by the experts consisting of one registered Architect, one registered Civil Engineer, one Chartered Accountant or any other expert as required in the peculiar circumstance of any particular project.

(7) The firm so engaged shall submit its report as per the terms and conditions of the agreement prescribed time to the Authority.

(8) The Authority as per requirement of section 8 of the Act may consult with the State Government to take such action as it may deem appropriate including carrying out of the remaining development works by competent authority or by association of allottees or in any other manner.

(9) After receiving due consultation from State Government the information regarding project shall be sent to the Association of Allottees. If the Association of allottees is not formed, the formation of the same shall be insisted upon and after such formation the information shall be sent to the newly formed Association of Allottees.

(10) After receiving the details from Association of Allottees, the said Association shall be asked to present the scheme for development of the project within specified time period. If Association of Allottees fails to present the scheme within prescribed time or the Authority is not satisfied with the scheme so presented, the Authority may reject the proposal received from Association of Allottees.

(11) In case of rejection of proposal received from Association of Allottees or on non –receipt, the Authority shall have two options for completion of the project-

(i) The Authority may transfer all the rights, titles, assets and liabilities including ownership of the project to the Government agencies like- Housing Board, UIT or any other competent authority working in this field to act as new promoter as per the terms and conditions decided by the Authority. Or

(ii) Any other builder or promoter may be assigned the task of completion of project by transferring rights, title, interest including ownership as well as the assets and liabilities to the new promoter by inviting public bid in consonance with the RTPP Act, 2012 and the Rules 2013 made thereunder on the terms and conditions as decided by the Authority.

(12) The new promoter shall have to apply for registration of the project afresh. However, no fresh registration fee shall be charged from the promoter/Government Agency/Competent Authority engaged for completion of the revoked / lapsed project.

(13) The developing agency/ builder/ promoter shall be liable to comply with the terms and conditions as decided by the Authority and

modified/ amended from time to time as per requirement and exigencies of the project.

(14) After completion of the project by adopting any of the above options, if there remains any surplus amount, the same shall be firstly appropriated towards the office expenditure / expenses incurred by the office of RERA on this whole process and then the remaining amount, if any may be appropriated by the Authority as deemed proper.

Chapter- III

Real Estate Agent

17. Registration of the Real Estate Agent:-

(1) Every Real Estate Agent is required to be registered as per sub-section (2) of section 9 of the Act, by submitting an application electronically in Form-H to the Authority along with the documents as prescribed under Rule 10 of Rules, 2017.

(2) The Real Estate Agent shall pay a registration fee online as prescribed under Rule 10(2) of the Rules.

18. Grant of Registration to the Real Estate Agent:-

(1) Upon receipt of application of a Real Estate Agent as per section 9 read with rule 10, the Authority shall issue an online registration number to the Real Estate Agent within 30 days from the date of receipt, if the application is found in order. Such registration certificate shall be issued in Form I.

(2) In case of rejection of the application as per section 9, the Authority shall inform online in Form-J to the applicant.

Provided that no application for registration shall be rejected unless, the applicant has been given an opportunity of being heard in matter.

19. Renewal of registration of Real Estate Agent:-

(1) The registration granted under section 9 may be renewed, on an application made by the Real Estate Agent electronically in Form-K to the Authority through the official website of the Authority which shall not be less than three months prior to the expiry of the registration granted.

(2) Applicant needs to make an online payment of prescribed fees as per Rule 10(2) of the Rules.

(3) The Real Estate Agent shall also upload all the updated documents setout in clause (a) to (f) of sub-rule (1) of Rule 10 of the Rules at the time of application for renewal.

(4) The Authority shall grant the certificate for renewal of registration online in Form-L to the Real Estate Agent and in case of rejection of the application for renewal of registration the Authority, shall inform the Real Estate Agent online in Form-J, within 30 days from the date of receipt of application.

Provided that no application for renewal of registration shall be rejected unless, the applicant has been given an opportunity of being heard.

(5) All the applications for registration or renewal of Real Estate Agent shall be scrutinized and processed by the Registrar or any other officer as authorized in this behalf. The final disposal of the application for registration or the renewal of registration of Real Estate Agent shall be made by the Registrar at its own level.

Chapter-IV

Officers and Functions of office of the Authority

20. Officers of the Authority.-

(1) The Authority, subject to the provisions of sub-rule (2) of rule 22 of the rules, may appoint or engage consultants or experts to assist the Authority in discharge of its functions.

(2) The Registrar shall be the principal Executive Officer of the Authority and shall exercise his powers and perform his duties under the control of the Authority.

(3) The Authority, in discharge of its functions under the Act, may take such assistance from the Registrar as it may deem fit.

(4) The Authority shall have the power to fix the qualifications and experience for the various employees for discharging various duties and perform certain functions. The terms and conditions of service and appointment of such employees shall be subject to such conditions as may be specified by the Authority.

(5) The Authority may appoint, engage, empanel or retain consultants, lawyers, pleaders and experts to assist the Authority in discharge of its functions.

21. Powers and duties of Registrar.-

(1) In particular and without prejudice to the generality of the provisions of regulation 20, the Registrar shall have the following powers and perform the following duties, namely:—

- (i) all the transactions and business of the Authority shall be done in the name of the Registrar of the Authority;
- (ii) shall have the custody of records and the seal of the Authority;
- (iii) shall receive or cause to be received all documents, including inter alia, complaints, applications or reference pertaining to the Authority;
- (iv) shall scrutinize documents, including inter alia, complaints, applications or references and shall be entitled to seek clarifications or rectifications upon the same and issue appropriate directions pertaining to the acceptance or rejection of such documents;
- (v) shall prepare or cause to be prepared briefs and summaries of pleadings presented by various parties in cases filed before the Authority or Adjudicating Officer or any other Court;
- (vi) shall finally dispose of the matters of agent registration at its level after due scrutiny of documents
- (vii) shall issue show cause notice to the respondents as per Rule 35 or 36 of the Rules specifying the time to file the reply and the next date of appearance as per direction of the Authority or Adjudicating Officer;
- (viii) shall carry out or cause to be carried out orders or directions passed by the Authority or Adjudicating Officer, as the case may be, in execution proceedings;
- (ix) shall carry out such orders and functions under the Act or the rules, as may be delegated to him by the Chairperson by general or special order;
- (x) shall assist the Authority in the proceedings relating to the powers exercisable by the Authority, as directed by the Chairperson;
- (xi) shall provide notice for meetings of Authority, prepare the agenda of meetings and record the minutes of proceedings.
- (xii) shall authenticate the orders passed by the Authority;
- (xiii) shall, so far as it is possible, monitor compliance of the orders passed by the Authority and shall forthwith bring to the notice of the Authority any non-compliance thereof;
- (xiv) shall have the right to collect from the State Government or other offices, companies and firms or any other party as may be directed by the Chairperson, such information and record, report,

documents, etc., as may be considered necessary for the purpose of efficient discharge of the functions of the Authority under the Act and the rules and place the same before the Authority.

(xv) shall have the power to sue and be sued for and on behalf of the Authority.

(2) In the absence of the Registrar, the officer of the Authority designated by the Chairperson in this behalf, shall exercise the functions of the Registrar.

(3) The Chairperson shall in addition to the powers vested under Section 25 of the Act and Rule 21, at all times, have the power, either on an application made by any interested or affected party or suo-moto, to review, revoke, revise, modify, amend, alter or otherwise change any order issued or action taken by any Officer of the Authority, if considered appropriate.

(4) The Members may, with the written approval of the Chairperson, delegate to any Officer of the Authority any function required by these Regulations or otherwise to be exercised by the Registrar.

(5) The Registrar may, with the written approval of the Chairperson, delegate to any officer of the Authority any function required by these Regulations or otherwise to be exercised by the Registrar.

22. Meetings.-

(1) This regulation shall be applicable to the meetings of the Authority, other than the adjudicatory proceedings of the Authority.

(2) The Chairperson shall preside over the meetings and conduct the business. If the Chairperson is unable to be present in the meetings for any reason, or where there is no Chairperson, the senior most member present shall preside over at the meeting.

(3) All questions which come up before any meetings of the Authority shall be decided by a majority of votes of the members present and voting. In the event of equality of votes, the Chairperson or in his absence, the member presiding shall have a second or casting vote.

(4) Save as otherwise provided in these regulations, every member shall have one vote.

(5) The Registrar or in his absence an officer of the Authority designated by the Chairperson, shall record the minutes of the meetings and maintain a register which will, amongst other things, contain the names and designation of members and invitees present in the meeting, a record of proceedings and notes of dissent, if any. The draft minutes shall, as soon as practicable, be sent to the Chairperson and the attending members.

(6) The decision(s) taken in a meeting of the Authority shall be recorded in the minutes in a clear and concise manner alongwith reasons. In case the minutes record any statement/submission made by an invitee, a copy of the minutes shall be sent to such invitee.

(7) The minutes of the previous meeting shall be confirmed by circulation or at the next meeting of the Authority.

Chapter-V

Adjudication of complaints

23. Manner of filing the complaint:-

(1) Any person entitled to a relief under the provisions of the Act, the Rules or the Regulations or the agreement made between the parties, may file a complaint with the Authority/ Adjudicating Officer for violation or contravention of the provisions of the Act or the Rules or the Regulations or the agreement against any promoter, allottee, or real estate agent.

Explanation: For the purpose of this regulation “Person” shall include the promoter, land owners, the association of allottee or voluntary consumer association registered under any law for the time being in force.

(2) The complaint shall be filed online and hardcopy of the complaint alongwith affidavits duly attested by the Oath Commissioner shall be filed in the office of the Authority within 7 days with equal number of copies for the opposite parties.

(3) Every complaint, application, reply, affidavit, annexure to complaints or the reply etc. shall be in the English / Hindi language and shall be typed on one side of a superior quality A4 or Legal size paper having 70 GSM only with font Times New Roman, font size 14 in double space with margins 1.25” on top, 0.75” on bottom, 1.75” on left side and 0.75 on the right side. It shall be headed “Before The Rajasthan Real Estate Regulatory Authority, Jaipur”. There shall be verbatim copy, in case any document is required to be filed. No memo of complaint or application etc. or copy thereof shall be accepted unless it is legible.

However, the photocopy of the annexure to complaint may be filed which should legible, properly spaced with proper font size etc. mentioned herein above and self attested to be a true copy.

(4) The mobile number and the email address provided by the complainant in complaint shall be called Registered Mobile Number (RMN) and Registered Mail ID (RMID) of the complainant. All correspondence with the complainant after receipt of the complaint by the Authority shall be made on his RMN and RMID. A notice/ communication made by the Authority through both these channels shall be deemed to be a proper service of notice to the complainant. Notice/ Communication

through post will not be necessary when a communication through the RMN and RMID is made.

(5) Every complaint shall clearly contain particulars of dispute and the relief claimed and shall also be accompanied by copies of such documents as are necessary to substantiate the claim made in the complaint. A brief description of the project is required to be annexed in the prescribed performa as Annexure A. In case the space provided in the online module is found to be insufficient then elaborate complaint may be attached as Annexure B with the complaint showing enclosure of such attachment in the column 4 (facts of the case) of the prescribed format of the complaint. The documents referred in the complaint shall be marked in a sequence showing as “C/1, C/2.....

(6) A complaint shall be referred to as “N” if filed before the Authority and “O” if filed before the Adjudicating Officer followed by the number and year of filing.

(7) On filing of each and every complaint, an online number will be generated.

(8) All the complaints shall be examined by the office of the Registrar of the Authority to ensure that they are legible and all the annexure in the complaint are properly annexed. Complaints not accompanied by the prescribed fee shall be objected and an intimation shall be sent in this regard to the complainant on his registered mobile number and registered email address.

(9) The scrutiny shall be made observing inter alia as:

- a. Whether the complaint is within the territorial jurisdiction of this Authority, i.e. the project in question is located in Rajasthan;
- b. Whether the subject matter of the complaint is under purview of RERA Act;
- c. Whether the complaint is within the jurisdiction of the Authority or the Adjudicating Officer and has been filed in appropriate Form (Form-‘N’ or Form- ‘O’, as the case may be);
- d. Whether the complainant is an aggrieved person. In the case of complaints filed by the allottees, it shall be particularly seen that the complaint has been filed in the name of the person(s) in whose favour the agreement for sale has been executed or the booking receipt or allotment letter has been issued; and
- e. Whether name and other particulars of the respondent(s) have been correctly shown as per the project details registered with the Authority or the agreement for sale or other documents submitted with the complaint.

(10) If there is any defect in filing of complaint, the particulars of such defects shall be recorded and the party or his legal practitioner or

Chartered Accountant or company secretary or cost accountant or any other its authorized officer shall be informed about all the defects directing them to remove such defects within stipulated period not exceeding 15 days.

(11) In case, the party disputes the correctness of the defects so pointed out or the defects are not removed the matter shall be placed before the Authority or Adjudicating Officer, as the case may be for appropriate orders.

(12) In case, the complaint is found in order, the same shall be placed before the Authority / Adjudicating Officer, as the case may be, for consideration and upon finding a prima-facie case Authority / Adjudicating Officer may order to issue notice to the respondent(s).

(13) While filing Execution Application, Restoration Application, application for setting aside ex-parte order and application for rectification of order the same procedure as mentioned in this regulation shall be followed.

(14) All other miscellaneous applications including interim/ intervening applications shall be filed online / offline. Every such application shall be entertained on furnishing a fee of Rs. 200/- online on the website of RERA account.

24. Issue of notice:-

(1) A 15 days notice or for such period as directed by Authority / Adjudicating Officer for filing reply shall be issued online / offline (speed post or through courier service or by hand (dasti) if so directed by the Authority and Adjudicating Officer) in complaint to the respondent(s) along with copy of complaint and documents by indicating the next date for appearance. A copy of such notice may be endorsed to the complainant requiring him to appear on the date fixed.

(2) On the next date, the Registrar may direct the party(ies) to appear before the Conciliation forum for amicable settlement with the consent of the parties. On completion of conciliation proceedings, the conciliation forum shall return the file to the Registrar for fixing the next date to appear before the concerned Authority or the Adjudicating Officer, as the case may be.

(3) Where there is question of raising presumption of service, it shall be presumed that notice is delivered unless received back by the office within thirty days from the date of issue of notice. Service of notice to the complainant / respondent through email or other electronic mode will be treated "as complete" on the complainant/ respondent.

(4) When notices are sought to be effected by speed post or courier service it shall be ascertained that the courier is of good repute.

(5) While empanelling the courier for the purpose of effecting service, security deposit may also be taken as decided by the Authority.

(6) The respondent(s) shall submit one copy of its reply alongwith affidavits duly attested by the Oath Commissioner at least 7 days before the next date. The document filed with the reply shall be referred and marked “as R/1, R/2.....” and shall also send a copy thereof to the complainant on his RMID before the next date.

(7) After the opposite party or respondent(s) has put in appearance, no application or document shall be received by the Registrar unless it bears an endorsement that the copy thereof has been served upon the opposite party.

25. Continuance of Proceedings after death, etc.-

(1) Where in a proceeding, any of the parties to the proceeding dies or is adjudicated as an insolvent or in the case of a company under liquidation/winding-up, the proceeding shall continue with the successors-in-interest, the executor, administrator, receiver, liquidator or other legal representative of the party concerned, as the case may be.

(2) In case any person wishes to bring on record the successors-in-interest, etc., the application for the purpose shall be filed within ninety days from the event requiring the successors-in-interest to be brought on record. The Authority or Adjudicating Officer, as the case may be, may condone the delay, if any, for sufficient reasons.

26. Adjournment and Orders of the Authority/ Adjudicating Officer-

(1) Every proceedings before the Authority and Adjudicating Officer shall be conducted as expeditiously as possible and as per the provisions of the Act and Rules.

(2) If the complainant or his authorized representative fails or neglects to appear, as required, before the Authority or Adjudicating Officer, as the case may be, the complaint may be dismissed in his absence, by an order in writing, with reasons to be recorded.

Provided that such complaint may be restored on filing an application in prescribed Form-X R-31with prescribed fees, if sufficient grounds for non-appearance were found after service of notice to the opposite party in the prescribed Form R-32,if required.

(3) In case, the respondent/ opposite party fails, neglects or refuses to appear or present himself as required before the Authority or Adjudicating Officer, as the case may be, such person /party shall be proceeded ex-parte by the order in writing and the complaint shall be decided on merit in absence of the such person/ opposite party.

Provided that the respondent may be allowed to participate in proceedings by setting aside the ex-parte order, if sufficient reasons are shown for his absence on the application filed with requisite fee.

(4) The Authority or Adjudicating Officer, as the case may be, may if sufficient cause is shown, at any stage of the proceeding grant time to the parties or to any of them, and may from time to time adjourn the hearing of the complaint for reasons to be recorded in writing.

(5) In every complaint the Authority or Adjudicating Officer, as the case may be, shall fix a day for the further hearing of the case, and shall make such orders as to costs occasioned by the adjournment or such higher costs as it deems fit. The cost imposed may be given to the other party or parties to defray his or their expenses or directed to be deposited in the account of Rajasthan State Legal Service Authority or as deemed appropriate by the Authority or Adjudicating Officer.

(6) All the orders with regard to adjourning the matter shall be signed by the Chairperson and or members of the Authority or Adjudicating Officer.

(7) Every order shall be passed as expeditiously as possible but not later than 15 days after conclusion of final arguments. Every page of the order shall be signed by the Chairperson and/ or Member or Adjudicating Officer, as the case may be. Every such order passed by Authority / Adjudicating Officer shall be a reasoned order and be communicated within five working days to both the parties on their RMID.

(8) Final judgments or orders delivered by the Authority or Adjudicating Officer, as the case may be, shall be uploaded on the website of the Authority and will become a part of its database accessible to the public.

(9) The Authority may adopt any procedure as it deems appropriate to arrive at a decision with mutual consent of both the parties. The consent so accorded by both the parties shall be furnished as a joint statement in writing by both the parties and the Authority or Adjudicating Officer, as the case may be, may deliver its judgment or order based on such consent.

Chapter VI

Execution of orders, directions, decisions

Provisions for execution of the order, direction or decision passed by the Adjudicating Officer or the Regulatory Authority, as the case may be, as also recovery of interest or penalty or compensation imposed on the promoter are provided under Section 40 of the Act. As per Section 40(1) of the Act, the recovery of the interest, penalty or compensation is required to be made as prescribed as arrears of the land revenue. Rule 25 prescribes that the recovery of amounts due as arrears of land revenue shall be made in the manner as provided in Rajasthan Land Revenue Act, 1956 and the rules made thereunder.

Section 40(2) of the Act deals with the execution of orders passed by the Adjudicating Officer, Authority. In this regard Rule 26 of the Rules prescribes that such orders shall be enforced in the same manner as if it were a decree or order made by the Principal Civil Court in a suit pending therein, and it shall be lawful, in the event of inability to execute such order, by sending the same to the principal Civil Court.

The execution is the enforcement by the process of the court of its own decree/ order. As per Section 36 of Civil Procedure Code the provisions relating to the execution of decrees are applicable to the execution of orders also. The term 'order' is defined under Section 2(14) of the Civil Procedure Code as the "formal expression of any decision of a Civil Court which is not a decree". It is not limited to orders made under the Civil Procedure Code.

A conjoint reading of all the provisions reveals that any of the provisions may be invoked in execution proceedings depending on the kind of order, direction, location and nature of the properties to be attached and the circumstances of the particular matter.

27. Application for Execution:-

(1) All the execution proceedings shall be commenced by filing an online/ offline application under Section 40 of the Act read with Rule 25 and Rule 26 of the rules in prescribed form either personally or do so through an Authorized Representative as provided under section 56 of the Act.

(2) The application for execution shall be filed before the Authority

or the Adjudicating Officer, as the case may be, on a legal paper/ A4 with fee of Rs. 500/- with equal number of copies for opposite party in the format prescribed, supported by an affidavit duly attested by the Oath Commissioner.

- (3) (i) The application for execution shall comprise of the following :-
- a) Performa for execution, mentioning brief facts, calculation sheet and with reliefs sought in prescribed form by the Authority Form R-11;
 - b) Index Form R- 12;
 - c) List of assets (movable or immovable) of the respondent/ JD/ company as well as its directors, Form R- 13;
 - d) Undertaking in assertion of claim as well as documents Form R- 14;
 - e) Other supporting documents, if any;
 - f) Self attested copy of the final order / decree

(ii) On submission of the application for execution a separate online registration number shall be generated showing number and year of the execution application.

(4) The Authorized officer shall prepare a register of the applications received.

(5) All the applications for execution shall be examined by the office of the Authority to ensure that they are legible and in the prescribed format and all Forms mentioned above and documents cited in the application are duly annexed.

(6) In case an application is found to be in the prescribed format, the same shall be placed before the authorized officer or the Authority for consideration and intimation of listing shall be given to the applicant. However, if it is not in the prescribed format, a communication shall be sent regarding the deficiencies and the applicant shall be directed to rectify the same within 15 days. Only a complete application in the prescribed format shall be deemed to be an application for execution.

(7) The Authority or the Adjudicating Officer, as the case may be, shall consider the application and may order to issue notice in the prescribed Form R-30 or Form R-30/1 to the respondent. The notice to the respondent / judgment debtor shall be sent on registered email available with the Authority in its database or as directed by the Authority or Adjudicating Officer.

(8) The name, mobile number and email of the person or agency through whom the applicant/ respondent wishes to be represented shall also be deemed to be the registered mobile number and registered email of the applicant/ respondent. A notice on such mobile number or email shall be

deemed to be a proper service of notice to the applicant/ respondent. The Authority shall send all communications to the applicant/ respondent as well as to his representative, but a notice/ communication to any one of them will be deemed to be a proper notice/communication to the applicant/ respondent.

(9) The respondent/judgment debtor may file objection to the execution application along with affidavit duly attested by the Oath Commissioner. The respondent shall also send a copy of his objection to the applicant. The authorized officer shall place the application along with the objection received from the respondent before the Authority/Adjudicating Officer. The objection to the application for execution may also be e - filed before the Authority.

(10) In his objection, the respondent should specifically answer the assertions made by the applicant on affidavit supported by documents if any or specifically deny the same. In case, the same are denied, the reasons and proof thereof must be given and documents, if any, in support of the assertions should be annexed.

(11) The objection of the respondent / judgment debtor shall be in the same format as prescribed for filing the application. It may be comprised of the following parts:

- i. Index;
- ii. Reply to the application or any other additional facts in the knowledge of the respondent/ judgment debtor may best stated along with evidence and affidavit;
- iii. Objection to the calculation sheet submitted by the applicant;
- iv. Any other submission of the respondent;
- v. Objection to the relief sought by the applicant; and
- vi. An undertaking in support of assertions as well as documents filed with the objection.

(12) Ordinarily, no adjournment to either of the parties shall be given. Adjournment may be granted on furnishing sufficient ground by recording reasoning in writing otherwise, the adjournment shall be granted with cost which may be decided by the Authority or Adjudicating Officer, depending upon facts and circumstances of the case.

(13) Every application for execution, objection, undertaking, and annexure to the application or any other miscellaneous application shall be legible, properly spaced and duly verified by the parties.

28. Suo Moto execution proceedings-

The Authority may initiate suo moto execution proceedings in the name of Registrar for the recovery of refund, penalty, interest etc. The Registrar shall prepare or cause to be prepared the file within 30 days. Further proceedings shall be conducted as per procedure prescribed for execution in these regulations.

29. Delegation of Powers to Adjudicating Officer for execution of orders of Authority –

In view of Section 81 of the Act the Authority may, by general or specific order, delegate or transfer any or all the execution proceedings pertaining to enforcement of the order, direction or decision passed by the Authority to the Adjudicating Officer for the execution of the same.

30. Establishment of Execution Wing in Authority-

The Authority may establish an execution wing for expeditious disposal of execution applications which will oversee and streamline all the execution matters including the recovery certificates sent to the District Collectors for recovery. This wing shall also deal with the matters/ orders passed under Section 7 and 8 of the RERA Act with regard to lapsed and taken over project(s) and ensure effective implementation thereof. For functioning of the wing, the Authority may engage/ appoint as many officers and employees as required from time to time.

31. Execution under Section 40(1) read with rule 25 of the Act-

In case the amount due against the promoter or allottee(s) or real estate agent is required to be recovered as arrears of land revenue by following the provisions of Rajasthan Land Revenue Act, 1956, a recovery certificate to the Collector of the district concerned in Form R- 15 is ordered is to be issued by the Adjudicating Officer or Authority, as the case may be. The execution wing of the Authority shall coordinate with the respective District Collectors from time to time for execution of such orders.

The Chairperson of the Authority may convene a meeting with concerned District Collectors to sensitize them and to provide the guidelines for further course of action. Such meeting may be conducted by virtual mode or physical mode at specified intervals to review the cases.

32. Execution under Section 40(2) of the Act read with rule 26 of the Rules-

Unless the context otherwise requires every order/decision or direction made by the Authority is to be enforced as a decree of a civil court and wherever the word decree occurs in the rules/ regulations/ order made by the authority may be construed as the order/ decision/ direction of the authority enforceable under section 40(2) of the Act read with rule 26. The Authority or Adjudicating Officer shall pass appropriate order as deemed fit for enforcement of its order, direction or decision in the manner as provided for execution of decree following the procedure laid down in CPC and these regulations.

33. Execution of orders for possession or any other order passed by Authority-

On filing of execution application for execution of such orders the Authority shall issue a 15days notice to the promoter under Section 38, 40 or 63 of the RERA Act mentioning that in case of failure to comply with the orders, the penalty to the extent of 5% of the cost of the project may be imposed as per Section 63 of the RERA Act. If the promoter fails to appear before the Authority the service may be effectuated by a public notice. In case the compliance of the order, the proceedings shall be terminated at once. However, in case of non-compliance of the order, the Authority shall pass order as per provisions of the RERA Act and rules and regulations made thereunder. During the execution proceedings the Authority may also refer the matter to the conciliation forum for amicable settlement.

34. Execution of order for payment of money.-

In case, any order or decision or direction to a person is with regard to payment of certain amount passed by the Authority or the Adjudicating Officer, as the case may be, and that person against whom such order / directions etc. has been passed refuses/denies to pay that amount, his movable property in execution of that order or decree as prescribed under Order 21 Rule 30 CPC in Form R-16shall be attached.

35. Execution of order for immovable property-

In case, any order or direction or decision is with regard to possession of a particular flat or building or commercial unit and who refuses to obey the same, the Authority or the Adjudicating Officer, as the case may be, may issue a warrant to give possession as per the provisions of Order 21 Rule 35 CPC in Form R-17.

36. Discretionary power of the Authority and adjudicating officer to issue show cause for arrest and imprisonment of judgment debtor:-

(1) In case, any order, direction or decision for execution of a decree for payment of money by arrest and detention in the civil prison, Authority or the Adjudicating Officer, as the case may be, instead of issuing warrant for arrest may issue notice to the judgment debtor calling upon him to appear before the Adjudicating Officer, Authority on the specified date to show cause why he should not be committed to civil prison as per provision of Order 21 Rule 37 in From R-18. Such notice shall not be necessary if the Adjudicating Officer, Authority is satisfied by affidavit or otherwise that Judgment-debtor may likely to be absconded or leave the local limits of jurisdiction of the Adjudicating Officer or Authority with intent to defeat and delay the process of execution of the decree/Order.

(2) Where appearance is not made in obedience to the said notice the Authority or Adjudicating Officer shall, if the decree holder so requires, issue a warrant for the arrest of the judgment-debtor as mentioned hereinafter.

Provided that above provision i.e., 36(1) & (2) shall not be invoked and applicable in case of a female judgment debtor.

37. Warrant of arrest to direct Judgment- debtor to be brought up and warrant of committal of Judgment-debtor:-

In case, any order or direction or decision for execution of decree by way of arrest and detention, the Authority or the Adjudicating Officer, as the case may be, may issue warrant of arrest as per provisions of Order 21 Rule 38 CPC in Form R- 19 and send that person to civil jail by issuance of warrant of committal as per provisions of Order 21 Rule 40 CPC in Form R-20.

38. Release of person imprisoned or detained in execution.-

(1) When judgment debtor appears or brought before Adjudicating Officer, Authority and seeks time to comply with the order under execution he may be released on furnishing security on imposing certain condition in this regard as deemed appropriate.

(2) In case, judgment debtor fails to comply as mention in clause (1) above he may on deposit of requisite expenditure by decree holder be sent to civil jail upto a period of three months. On sending to civil imprisonment, if thereafter judgment debtor complies with the order he may be released immediately by issuing of an order as per section 58 and 59 CPC in form R-21.

39. Attachment of immovable property in execution-

In case, any order or direction or decision to the judgment debtor prohibiting him from transferring and creating any charge over some property , the Authority or the Adjudicating Officer, as the case may be, may pass an order as per the provisions of Order 21 Rule 54 CPC in Form R-22.

40. Under-taking of assets to be made by Judgment-debtor in case decree/order for payment of money-

To comply with the order/direction/decision the Adjudicating Officer, Authority under section order 21 rule 41(2) CPC direct the judgment debtor by giving show cause notice, to disclose its assets on affidavit in Form R-23, by which mode he/she intends to satisfy the order/ direction/ decision etc. Disobedience of the order in this regard shall attract the provision of Order 21 rule 41(3) CPC.

41. Proclamation of sale by public auction in execution-

In case, where the decree is for payment of money, the Authority or the Adjudicating Officer, as the case may be, may issue warrant of sale of the property under attachment to recover the amount due as per the provisions of Order 21 rule 66 in Form R- 24, R-24/1, R-24/2, R-24/3 by following the procedure as prescribed under order 21 rule 54 to 59 and rule 64 to 73 of CPC.

42. Delivery of movable property sold in execution-

In case, where the attached property has been put to auction and sold, the person in possession of that property may be prohibited from delivering that property to anyone except the auction - purchaser in Form R-25. The property shall be sold by following procedure as prescribed under order 21 Rule 74 to 79 CPC.

43. Order sending decree/order for execution to another court and issue of precepts-

In case, where the order or direction issued by the Authority or the Adjudicating Officer, as the case may be, is not complied with for whatever reasons, a certificate of non - satisfaction of decree alongwith a certificate of execution of decree may be transferred to another court as per the provisions of Order 21 Rule 6 CPC in Form R-26 and a precept as per the provision of Section 46 CPC in Form R- 27 may be issued.

44. Invocation of provisions of Civil Procedure Code-

Wherever the regulations are silent on any aspect, the provisions with regard to execution as provided in Civil Procedure Code, 1908 may be invoked as required, in view of the facts of the matter.

**Chapter-VII
Miscellaneous****45. Arrangement in Rajasthan Real Estate Regulation Authority-**

(1) The Head Quarter of the Authority shall be at Jaipur. However, the Authority/ Adjudicating Officer may conduct the proceedings at any other place within its jurisdiction on days and time as decided by the Chairperson.

(2) Adjudicating Officer and Rajasthan Real Estate Regulatory Authority being not a regular court, shall have the arrangements as to depict it distinct from a court.

(3) In the hall in which the Authority / Adjudicating Officer shall hear the parties, the dais shall not be kept more than 30 centimeter in height than the place earmarked for the parties to occupy.

(4) At the dais of the hall, the Chairperson and the Members of the Authority shall use the same type of chairs at the same level and these chairs need not have high backs.

(5) The complainant and the respondent may appear in person or through Counsel / Chartered Accountant / Company Secretary/ Cost Accountant / Legal Representative duly authorized by party concerned or through online of the website of the Authority.

(6) In the Court Room or in any hearing before the Authority/ Adjudicating Officer use of cell phone or any other electronic gadgets shall not be used or operated unless permitted to do so in the manner provided for the purpose of hearing.

(7) The Calendar of the State Government shall, subject to specific modification by the Chairperson, be followed for the purpose of sitting of the Authority/ Adjudicating Officer.

(8) The Authority shall follow the holidays as notified from time to time by the State Government of Rajasthan subject to specific modification by the Chairperson.

(9) The office working hours of the Authority shall be from 9.30 AM. to 6.00 P.M. With 30 minutes recess from 1.30 P.M. to 2 P.M.

46. Dress Code-

(1) The Chairperson and the Members of the Authority as well as Adjudicating Officer while presiding over the proceedings of the cases-

a. shall wear simple and sober dress;

b. shall not wear-

(i) Flashy dress or dress displaying any affluence;

(ii) Jeans or T-shirts;

(iii) Such dress, as may be prescribed for judges of the High Court or the District Court.

(2) The complainant, opposite party, counsel/ Chartered Accountant / Company Secretary/ Cost Accountant / Legal representative shall also follow the dress code as per clause (a) and sub-clauses (i) and (ii) of clause (b) of this regulation.

47. Hearing hours-

Subject to the provisions of any rules made in this behalf, the normal working hours of the Rajasthan Real Estate Regulation Authority for hearing matters shall be as fixed from time to time by the Chairperson of the Authority.

48. Cause List-

(1) The Cause List of the cases to be heard on the following day shall be made ready before the close of the working hours of the preceding day and displayed on the notice board and shall also be hosted on the website.

(2) The cause list shall split into such different parts as may be decided by the Hon'ble Chairperson of the Rajasthan Real Estate Regulation Authority.

(3) Every cause list shall contain following particulars –

- a. Serial Number
- b. Number of the Complaint
- c. Title of the Complaint
- d. Names of the person or Counsel / Chartered Accountant / Company Secretary/ Cost Accountant / Legal representative appearing for the parties.

(4) If a date of hearing has been given in the presence of the parties or their Counsel / Chartered Accountant / Cost Accountant / Company Secretary / Legal representative or its authorized officer, it shall not be a ground for non appearance for the reason that the cause list does not show the matter or contains incorrect entry or there is omission of the particulars of the matters.

49. Language of the Authority :-

The proceedings of the Authority or the Adjudicating Officer, as the case may be, shall be conducted in English or Hindi;

50. Adjudication proceedings of the Authority.-

For adjudication proceedings with respect to complaints filed with the Authority, the Authority may, by order, direct that specific matters or issues be heard and decided by a single bench of either the Chairperson or any member(s) of the Authority. The Chairperson shall be the master of the roster who may allot any case to any of the member(s) for adjudication of the same.

51. Disposal of cases filed by Senior Citizen(s)/Widow/ Differently Abled person(s)-

The Authority/ Adjudicating Officer shall make endeavour for disposal of the cases filed by or against the senior Citizen(s)/Widow/ Differently Abled person(s) on priority basis so as to ensure expeditious disposal of the same.

52. Authorized Representative.-

(1) A person who is a party to any proceedings before the Authority or Adjudicating Officer may either appear in person or authorize any other person to present his case before the Authority and to do all or any of the acts for the purpose as prescribed and explained in section 56 of the RERA Act. However, the party who has engaged a legal practitioner to appear for him before the Authority/ Adjudicating Officer shall not be entitled to be heard in person unless so permitted.

(2) The person appearing on behalf of any person in any proceeding before the Authority or Adjudicating Officer shall file an Authorization Letter in Form R-5 Vakalatnama containing the email address and mobile number of the person appearing.

Explanation:- For the purpose of this Regulation the Officers of the parties /promoters as mentioned in Section 56 of the RERA Act shall necessarily be the employee or Architect or Engineer or contacting person whose details are given in Registered Project.

(3) The Authority shall have the power to summon and enforce the attendance of all persons who are concerned with the real estate project, including lenders, as well as the persons who have accorded permissions to the real estate project, as Competent Authority.

53. Inspection, accessibility of records and supply of certified copy of orders/ documents/ papers and judgments.—

(1) The records of the Authority shall be open to inspection by all, subject to the payment of the fee and after complying with the terms as the Authority may direct:

Provided that subject to the provisions of the Right to Information Act, 2005, the Authority may, by an order, direct that any information, documents and papers/materials maintained by the Authority, shall be confidential or privileged and shall not be available for inspection or supply of certified copies. The Authority may also direct that such document, papers, or materials shall not be used in any manner except as specifically authorized by the Authority.

(2) The Authority shall on such terms and conditions as it considers appropriate, provide for supply of certified copies of orders or documents and papers available with the Authority to the parties or any other person, applying in Form R-6, subject to the payment of fee and after complying with the terms as the Authority may direct.

(3) The Authority shall designate an officer for ensuring timely response to requests received for supply of certified copies of documents who shall endeavour to dispatch the certified copies of documents requested for

within a period of fourteen working days from the date of receipt of said request.

(4) The Authority shall endeavour to make information involving public interest accessible and available to the public, including, inter alia, through its website.

54. Maintenance of record-

(1) The files of the Complaints, Executions and Restoration shall be maintained in two parts duly paginated namely as-

Part A – (i) File cover

(ii) Index

(iii) Note sheet / order sheets/ orders

(iv) Complaint/ documents

(v) Reply/ documents

(vi) Rejoinder/ documents

(viii) Judgment / decree/ recovery certificate

Part B :- (i) Notices / process/ service report

(ii) Miscellaneous applications/ early listing application/ adjournment application/ any other miscellaneous papers / letters

(iii) Application for interim relief / application for impleading party

(iv) Vakalat nama/ R-5/ authorization letter

(2) The files of the Projects shall be maintained duly paginated namely as:-

Part A:-

1. Summary

Promoter & Project online

Summary,

RC, Form F, Form D

2. All types of Approvals

Approval letter for Layout Plan, for Building Plans, Elevation & Section drawings

3. Legal

Inspection Receipt of Sub-Registrar Office, Advocate Search Report, Jamabandi, 90-A order, Lease deed, Sale deeds Development Agreement, Joint

	Venture, Power of Attorney (PoA), Memorandum of Understanding (MoU)
4. Affidavits	Form G, Form B, New Project, Bank Account
5. Promoter documents	Partnership/ LLP Deeds, MCA data and Memorandum of Articles etc.
6. Completion Documents	Completion Certificate, Partial Completion Certificate, Occupancy Certificate, Mortgage free letter
7. Gantt Charts	For In-progress projects

Part B:-

1. All type of declaration
2. Form A
3. Service Drawings
4. Google Location
5. Brochure of Project
6. PAN and Aadhar Documents
7. MoA and AoA
8. Gantt Chart of completed projects

55. Preservation of Record:-

(1) Record of Complaints, Executions and Restoration:-

The records of the disposed / decided, complaints, Executions, Restoration Applications shall be kept for the period mentioned below.

- (a) Part A for a period of 20 years.
- (b) Part B for a period of 2 years.

(2) Record of Project Cell:-

- (a) Part A for Seven years.
- (b) Part B for one year.

(3) The record shall be weeded out as per direction / orders issued by the Chairperson from time to time.

56. Confidentiality.-

(1) The Authority, subject to the provisions of Right to Information Act, 2005, shall appraise and determine whether any document or evidence provided to it by any party and claimed by that party to be of a confidential

nature merits being withheld from disclosure to other parties as being confidential and shall provide brief reasons in writing for arriving at its conclusion.

(2) If the Authority is of the view that the claim for confidentiality is justified the Authority may direct that the same be not provided to such parties as the Authority may deem fit. However, the party claiming the confidentiality shall provide a brief non-confidential summary of the substance of the documents found to be confidential and the import of the same.

(3) Notwithstanding the above, it shall be open to the Authority to take into consideration the contents of the documents found to be confidential in arriving at its decision.

57. Investigation, inquiry, collection of information, etc.-

(1) The Authority may make such direction or order as it thinks fit for collection of information, inquiry, investigation, entry, search, seizure and without prejudice to the generality of its powers, including inter alia, the following, namely :—

- (a) the Authority may, at any time, direct the Registrar or any one or more officers or any other person as the Authority considers it appropriate to study, investigate or furnish information with respect to any matter within the jurisdiction of the Authority under the Act and the rules;
- (b) the Authority may, for the above purpose, give such other directions as it may deem fit and state the time within which the report is to be submitted or information be furnished;
- (c) the Authority may issue or authorize the Registrar or an officer to issue directions to any person to produce before it and allow to be examined and kept by an officer of the Authority directed in this behalf, the books, accounts, etc., or to furnish any information to the designated officer;
- (d) the Authority may issue such directions for the purpose of collection of any information, particulars or documents that the Authority considers necessary in connection with discharge of its functions under the Act and the rules;
- (e) if any such report or information obtained, appears to the Authority to be insufficient or inadequate, the Authority or the Registrar or an officer authorized for the purpose may give directions for further inquiry, report and furnishing of information; and
- (f) the Authority may direct such incidental, consequential and supplemental matters to be attended to which may be considered relevant in connection with the above.

(2) If the report or information obtained as above in accordance with this regulation or any part thereof is proposed to be relied upon by the Authority for

forming its opinion or view in any proceedings, the parties to the proceedings shall be given a reasonable opportunity for filing objections and making submissions on such report or information.

58. Rectification of decisions, directions, and orders.-

(1) An application for rectification of orders under section 39 of the Act shall be filed in the same manner as a complaint under the rules and regulations in the prescribed performa Form R-28 on payment of rupees 200/-.

(2) When it appears to the Authority or Adjudicating Officer, as the case may be, that there is no sufficient ground for any rectification in order it shall reject such application.

(3) When the Authority or Adjudicating Officer, as the case may be, is of the opinion that the application deserves to be granted, it shall grant the same.

Provided that no such application shall be granted without previous notice as per **Form R-29** to the opposite side or party to enable him to appear and to be heard.

59. Issue of orders and directions.-

Subject to the provisions of the Act, rules and regulations, the Authority may, from time to time issue orders and directions in regard to the implementation of the regulations.

60. Inherent powers of the Authority.-

(1) Nothing in these regulations shall bar the Authority from adopting, in conformity with the provisions of the Act or rules, a procedure, if the Authority in view of the special circumstance of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for so dealing with such a matter or class of matters.

(2) Nothing in the regulations shall bar the Authority to deal with any matter or exercise any power under the Act or rules for which no regulations have been framed, and the Authority may deal with such matters, powers and functions in accordance with the provisions of the Act and the rules made thereunder.

61. Power to remove difficulties.-

If any difficulty arises in giving effect to any of the provisions of the regulations, the Authority may, by general or special order, do anything not being inconsistent with the provisions of the Act or rules, which appears to be necessary or expedient for the purpose of removing the difficulties.

62. Extension or abridgement of time prescribed.-

Subject to the provisions of the Act or the rules, the time prescribed by the regulations or by order of the Authority for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by an order of the Authority.

63. Effect of non-compliance.-

Failure to comply with any requirement of the regulations shall not invalidate any proceeding merely by reason of such failure unless the Authority is of the view that such failure has resulted in miscarriage of justice.

64. Costs.-

(1) Subject to such condition and limitation as may be directed by the Authority, the costs of and incidental to, all proceedings shall be awarded at the discretion of the Authority and the Authority shall have full power to determine by whom or out of what funds and to what extent such costs are to be paid and give all necessary directions for the aforesaid purposes.

(2) The costs shall be paid within thirty days from the date of the order or within such time as the Authority may, by order, direct. If a party fails to comply with an order for costs within the permitted period, the order of the Authority awarding costs shall be executed forthwith in the same manner as a decree/order of a Civil Court.

65. Administrative Charges and Standard Fees.-

(1) In case a promoter applies for withdrawal of application for registration of the project before the expiry of the period of thirty days of receipt of the application, registration fee, to the extent of five percent paid or rupees twenty five thousand whichever is more, shall be retained by the Authority and the remaining amount shall be refunded online in accordance with sub-rule (5) of rule 3 of the rules on furnishing the details of account.

(2) In the following cases registration fee, to the extent of five percent paid, shall be retained by the Authority towards administrative charges and the remaining amount shall be refunded online to the applicant in accordance with sub-rule (5) of rule 3 of the rules on furnishing the details of account:-

- (i) rejection of application for registration of a project;
- (ii) rejection of application for registration of a real estate agent;
- (iii) rejection of application for extension of registration of a project; and
- (iv) rejection of application for renewal of registration of real estate agent.

(v) rejection of application for map revision of a project.

(3) The Authority shall, by order, fix standard fees including annual fees to be levied on the promoters or real estate agents or allottee(s) or for inspection

of documents, certified copies of documents, the updating of website, database management and maintenance of the website.

66. Authority to have seal of its own.-

(1) Any document requiring authentication by the Authority shall be issued under the seal of the Authority, and shall be signed by the Registrar or other Officer of the Authority authorized by the Chairperson in this behalf.

(2) The official common seal and emblem of the Authority shall be such as may be specified by the State Government under sub-rule (3) of rule 23 of the rules.

67. Repeals and Savings.-

(1) The Rajasthan Real Estate Regulatory Authority Regulations, 2017 are hereby repealed except as herein specifically preserved or are by implication reserved from repeal, subject to the saving clauses herein contained.

(2) The Authority reserves the right to make any amendment in the regulations as and when required.

(3) Any regulation amending or repealing any clause of this regulation shall not be deemed or construed to abate any pending action based upon such amended or repealed regulation, nor shall the passage of such regulation prevent the arrest, detention and punishment of any violation of such regulation committed prior to the effective date of such regulation.

FORM-N

[see rule 35(1)]

Complaint to the Real Estate Regulatory Authority under section 31 of the Real Estate (Regulation and Development) Act, 2016

For use of Regulatory Authority(s) office:

Date of filing: _____

Date of receipt by post/at counter/online: _____

Complaint No.: _____ year _____

Signature of the Registrar/Secretary: _____

Seal _____

BEFORE THE REAL ESTATE REGULATORY AUTHORITY(Name of place)

Between

_____ Complainant(s)

And

_____ Respondent(s)

Details of claim:

1. Particulars of the complainant(s):

(i) Name of the complainant:

(ii) Address of the office / residence of the complainant:

(iii) Address for service of all notices:

(iv) Contact details (Phone/Mobile/e-mail):

2. Particulars of the respondents:

(i) Name(s) of respondent:

(ii) Address of the office / residence of the respondent:

(iii) Address for service of all notices:

(iv) Contact details (Phone/Mobile/e-mail):

3. Jurisdiction of the Real Estate Regulatory Authority:

The complainant declares that the subject matter of the claim falls within the jurisdiction of the Real Estate Regulatory Authority.

4. Facts of the case:

[give a concise statement of facts and grounds for complaint]

.....

5. Relief(s) sought:

In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s)

[Specify below the grounds of relief(s) and the legal provisions (if any) relied upon]

.....

6. Interim order, if prayed for:

Pending final decision on the complaint the complainant seeks issue of the following interim order:

[Give here the nature of the interim order prayed for with reasons]

.....

7. Complainant or matter is not pending with any other court, etc.:

The complainant further declares that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

8. Particulars of bank draft/bankers cheque/online payment in respect of the fee in terms of sub-rule (1) of rule 35:

- (i) Amount
- (ii) Name of the bank on which drawn
- (iii) Demand draft/ bankers cheque number
- (iv) Details of online payment

9. List of enclosures:

[Specify the details of enclosures with the complaint along with index of documents]

Verification

I _____ (full name in block letters) son/daughter/wife of _____ aged _____ R/o _____ the complainant do hereby verify that the contents of paragraphs 1 to 9 above are true in my best knowledge and belief and that I have not suppressed any material fact(s).

Date:

Place:

Signature of the complainant(s)

Instructions: (1) Every complaint filed shall be fairly and legibly type-written, lithographed or printed in double spacing on one side of standard petition paper with an inner margin of about 4 centimeters width on top and with a right margin on 2.5 centimeters and left margin of 5 centimeters, duly paginated, indexed and stitched together in paper book form. (2) Every complaint shall be presented along with an empty file size envelope bearing full address of the respondent and where the number of respondents are more than one, then sufficient number of extra empty file size envelopes bearing full address of each respondent shall be furnished by the party preferring the complaint.

FORM-O

[see rule 36(1)]

Application to Adjudicating Officer

(Claim for compensation under section 31 read with section 71 of the Real Estate (Regulation and Development) Act, 2016)

For use of Adjudicating Officer's office:

Date of filing: _____

Date of receipt by post/at counter/online _____

Complaint No.: _____ Year _____

Signature of the Authorized Officer: _____

Seal _____

BEFORE THE ADJUDICATING OFFICER..... (Name of place)

Between

_____ Applicant

And

_____ Respondent

Details of claim:

1. Particulars of the applicant:

- (i) Name of the applicant:
- (ii) Address of the existing office / residence of the applicant:
- (iii) Address for service of all notices:
- (iv) Contact details (Phone/Mobile/e-mail):
- (v) Details of allotment:

2. Particulars of the respondents:

- (i) Name(s) of respondent:

- (ii) Office address of the respondent:
(iii) Address for service of all notices:
(iv) Contact details (Phone/Mobile/e-mail):
(v) Registration number and address of the project:

3. Jurisdiction of the Adjudicating Officer:

The applicant declares that the subject matter of the claim falls within the jurisdiction of the adjudicating officer.

4. Facts of the case:

[give a concise statement of facts and grounds of claim against the promoter]
.....

5. Compensation(s) sought:

In view of the facts mentioned in paragraph 4 above, the applicant prays for the following compensation(s) _____

[Specify below the compensation(s) claimed explaining the grounds of claim(s) and the legal provisions (if any) relied upon]

6. Claim is not pending with any other court etc.:

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other tribunal(s).

7. Particulars of bank draft/bankers cheque/online payment in respect of the fee in terms of sub-rule (1) of rule 36:

- (i) Amount
(ii) Name of the bank on which drawn
(iii) Demand draft/ bankers cheque number
(iv) Details of online payment

8. List of enclosures:

[Specify the details of enclosures with the complaint along with index of documents]

Verification

I _____ (full name in block letters) son/daughter/wife of _____ aged _____

R/o _____ the applicant do hereby verify that the contents of paragraphs 1 to 8 above are true in my best of knowledge and belief and that I have not suppressed any material fact(s).

Place:

Date:

Signature of the applicant(s)

Instructions:

(1) Every application shall be fairly and legibly type-written, lithographed or printed in double spacing on one side of standard petition paper with an inner margin of about 4 centimeters width on top and with a right margin on 2.5 centimeters and left margin of 5 centimeters, duly paginated, indexed and stitched together in paper book form.

(2) Every application shall be presented along with an empty file size envelope bearing full address of the respondent and where the number of respondents are more than one, then sufficient number of extra empty file size envelopes bearing full address of each respondent shall be furnished by the party preferring the application.

Annexure A
Regulation 23(5)

Brief Description of the Project (to be filed with the complaint)

1. Complaint Number	
2. Details of Applicant (including co-allottee, if any)	
3. Details of Respondent	
4. Project Description	
A. Name of Project	
B. Category of Project (Registered/Liable to be registered)	
C. Registered (yes / No)	
D. Registration Number	
E. Validity Period of Registration	
F. Current Physical Status	
5. Details of unit booked -	
A. Unit Number	
B. Consideration	
C. Paid Amount	
D. Date of Agreement	
E. Expected date of possession	
6. Relief Sought (In brief)	
7. Any Other Information	

FORM R-1

APPENDIX

[see Regulation 11(3)(i)(a)]

CERTIFICATE BY ARCHITECT

(To be uploaded by the Promoter on his webpage on the RERA website before withdrawal of money from RERA Retention Account)

To,

The _____ (Name & Address of Promoter),

Subject: Certificate of percentage of completion of construction work of _____ Building(s) of the _____ Phase of the Project (RERA Registration Number _____) situated on the Plot bearing No. _____ demarcated by its boundaries (latitude and longitude of the endpoints) _____ to the North _____ to the South _____ to the East _____ to the West _____ village _____ Tehsil _____ District _____ PIN _____ admeasuring _____ sq.mts. Area being developed by _____ [Promoter's Name]

Sir,

I/ We _____ have undertaken assignment as Architect of certifying percentage of completion of construction work of the _____ Building(s) of the _____ Phase of the Project, situated on the plot bearing No. _____ village _____ Tehsil _____ District _____ PIN _____ admeasuring _____ sq.mts. Area being developed by _____ [Promoter's Name]

1. Based on site inspection, with respect to each of the Building of the aforesaid Real Estate Project, I certify that as on the date _____, the percentage of work done for each of the building of the Real Estate Project (registration number _____ under Rajasthan RERA), is as per TABLE-A herein below. The percentage of the work executed with respect to each of the activity of the entire phase is detailed in TABLE-B.

TABLE-A

Building Number _____ (to be prepared separately for each Building of the Project)

Sr. No.	Tasks /Activity	Percentage of work done (Approximately)
(1)	(2)	(3)
1	Excavation	
2	number of Basement(s) and Plinth	
3	Stilt Floor	
4	number of Slabs of Super Structure	
5	Internal Walls, Internal Plaster, Floorings within Flats/Premises, Doors and Windows to each of the Flat/Premises.	
6	Sanitary Fittings within the Flat/Premises, Electrical Fittings within the Flat/Premises.	
7	Staircases, Lifts Wells and Lobbies at each Floor level connecting Staircases and Lifts, Overhead and Underground Water Tanks.	
8	The external plumbing and external plaster, elevation, completion of terraces with waterproofing of the Building/Wing.	
9	Installation of lifts, water pumps, Fire Fighting Fittings and Equipment as per CFO NOC, Electrical fittings to Common Areas, electro, mechanical equipment, Compliance to conditions of environment /CRZ NOC, Finishing to entrance lobby/s, plinth protection, paving of areas appurtenant to Building, Compound Wall and all other requirements as may be required to obtain Completion Certificate.	

TABLE-B

Internal and External Development Works in respect of the entire Registered Phase/Project.

Sr. No.	Common areas and Facilities/Amenities	Proposed (Yes/No)	Percentage of Work done	Details
(1)	(2)	(3)	(4)	(5)
1	Internal Roads & Footpaths.			
2	Water Supply			
3	Sewerage (chamber, lines, Septic Tank , STP).			
4	Storm Water Drains			
5	Landscaping& Tree Planting.			
6	Street Lighting			
7	Community Buildings			
8	Treatment and disposal of sewage and sullage water.			
9	Solid Waste management & Disposal.			
10	Water conservation, Rain water harvesting.			
11	Energy management			
12	Fire protection and fire safety requirements			
13	Electrical meter room, sub-station, receiving station.			
14	Others (Option to Add more).			

Yours Faithfully,

Signature & Name
(IN BLOCK LETTERS) of
Architect
(Address)

Place:

Date:

FORM R-2

[See Regulation 11(3)(i)(b)]

CERTIFICATE BY ENGINEER

(To be uploaded by the Promoter on his webpage on the RERA website before
withdrawal of money from RERA Retention Account - Project wise)

To,

The _____

(Name & Address of Promoter),

Subject : Certificate of Cost Incurred for Development of [Project Name] for Construction of _____ building(s) of the _____ Phase (RERA Registration Number _____) situated on the Plot bearing No. _____ demarcated by its boundaries (latitude and longitude of the end points) _____ to the North _____ to the South _____ to the East _____ to the West of Village _____ Tehsil _____ District _____ PIN _____

_____admeasuring _____sq.mts. area being developed by
[Promoter].

Sir,

I/ We _____ have undertaken assignment of certifying Estimated Cost for the Subject Real Estate Project proposed to be registered under RERA-Rajasthan, being _____ Building(s) of the _____ Phase situated on the plot bearing No. _____ of Village _____ Tehsil _____ District _____ PIN _____ admeasuring _____sq.mts. area being developed by [Owner/Promoter]

1. We have estimated the cost of the completion to obtain Occupation Certificate/ Completion Certificate, of the Civil and Allied works, of the Building(s) of the project. The Schedule of items and quantity for the entire work as calculated by _____ quantity Surveyor appointed by Developer/Engineer, and the assumption of the cost of material, labour and other inputs made by developer, and the site inspection carried out by us.
2. We estimate Total Estimated Cost of completion of the building(s) of the aforesaid project under reference as Rs. _____ (Total of Table A and B). The estimated Total Cost of project is with reference to the Civil and allied works required to be completed for the purpose of obtaining Occupation Certificate / Completion Certificate for the building(s).
3. The Estimated Cost incurred till date is calculated at Rs. _____ (Total of Table A and B). The amount of Estimated Cost incurred is calculated on the base of amount of Total Estimated Cost.
4. The Balance cost of Completion of the Civil and Allied works of the Building(s) of the subject project to obtain Occupation Certificate / Completion Certificate from _____ (planning Authority) is estimated at Rs. _____ (Total of Table A and B).
5. I certify that the Cost of the Civil and allied work for the aforesaid Project as completed on the date of this certificate is as given in Table A and B below :

TABLE A

Building bearing Number _____ or called _____
(to be prepared separately for each Building of the Real Estate Project)

Sr. No	Particulars	Amounts
(1)	(2)	(3)
1	Total Estimated cost of the building as on _____ date of Registration is	Rs.
2	Cost incurred as on _____ (based on the Estimated cost)	Rs.
3	Work done in Percentage (as Percentage of the estimated cost)	%
4	Balance Cost to be Incurred (Based on Estimated Cost)	Rs.
5	Cost Incurred on Additional /Extra Items as on _____ not included in the Estimated Cost (Annexure A)	Rs.

TABLE B

(to be prepared for the entire registered phase of the Real Estate Project)

Sr. No	Particulars	Amounts
(1)	(2)	(3)
1	Total Estimated cost of the Internal and External Development Works including amenities and Facilities in the layout as on _____ date of Registration is	Rs.
2	Cost incurred as on _____ (based on the Estimated cost).	Rs.
3	Work done in Percentage (as Percentage of the estimated cost).	 %
4	Balance Cost to be Incurred (Based on Estimated Cost).	Rs.
5	Cost Incurred on Additional/Extra Items as on _____ not	Rs.

	included in the Estimated Cost (Annexure A).	
--	--	--

Place

Date

Yours Faithfully,

Signature of Engineer.

(Address.)

* Note :

1. The scope of work is to complete entire Real Estate Project as per drawings approved from time to time so as to obtain Occupation Certificate/Completion Certificate.
2. The estimated cost includes all labour, material, equipment and machinery required to carry out entire work.
3. As this is an estimated cost, any deviation in quantity required for development of the Real Estate Project will result in amendment of the cost incurred / to be incurred.
4. All components of work with specifications are indicative and not exhaustive.

Annexure A

List of Extra/Additional Items executed with Cost (which were not part of the original Estimate of Total Cost) (1) (2) (3)

FORM R-3

[see Regulation 11(3)(i)(c)]

CERTIFICATE BY CHARTERED ACCOUNTANT (On Letter Head)

(to be uploaded by the Promoter on his webpage on the RERA website before
withdrawal of money from RERA Retention Account)

Cost calculation of Real Estate Project.....

RERA Registration Number.....

Sr. No.	Particulars	Estimated Amount in Rs.	Incurred amount in Rs.
(1)	(2)	(3)	(4)
1	1. (A) Land Cost : (i) revenue or area share given to land owner in lieu of land under any kind of agreement such as Joint Venture, Joint Development etc, in case the Promoter is not the owner of the land, (ii) amount paid to land owner, (iii) incidental costs related to acquisition of land such as stamp duty, brokerage, settlement costs of litigation, premiums paid to government authorities related to land,		

	(iv) interest on finance for purchase of land, (v) litigation costs incurred for land acquisition, (vi) property and other taxes, fees, premiums paid.		
	Sub-Total of LAND COST		
	(B) Development Cost/ Cost of Construction: (a) (i) Estimated Cost of Construction as certified by Engineer. (ii) Actual Cost of construction incurred as per the books of accounts as verified by the CA. Note: (for adding to total cost of construction incurred, minimum of (i) or (ii) is to be considered). (iii) On-site expenditure for development of entire project (excluding cost of construction as per (i) or (ii) above), i.e. salaries, consultants fees, site overheads, development works, cost of services (including water, electricity, sewerage, drainage, layout roads etc.), cost of machineries and equipment including its hire and maintenance costs, consumables etc. All costs directly incurred to complete the construction of the entire phase of the project registered. b. Payment of Taxes, cess, fees, charges, Approval cost for construction etc. premiums, interest etc. to any statutory Authority. c. Principal sum and interest payable to financial institutions, scheduled banks, non-banking financial institution (NBFC) or money lenders on construction funding or money borrowed for construction & Project.		
	Sub-Total of Development Cost		

	2. Total Estimated Cost of the Real Estate Project [1(A) + 1(B)] of Estimated Column. 3. Total Cost Incurred of the Real Estate Project [1(A) + 1(B)] of Incurred Column. 4. Percentage completion of construction work (as per Project Architect's Certificate) 5. Percentage of the Cost incurred on Land Cost to the Total Estimated Cost. 6. Percentage of the Cost incurred on Construction Cost to the Total Estimated Cost. 7. Amount which can be withdrawn from the RERA Retention Account. (to be calculated as below) Total Estimated Cost (item 2 above) total percentage of cost incurred (as mentioned at item 5 & 6)	Rs..... Rs..... % % % Rs.....
	8. Less: Amount withdrawn till date of this certificate as per the Books of Accounts and Bank Statement since inception of the project (This shall also include 70% of the amounts already realized till date and not provided in the Separate Bank Account). 9. Net Amount which can be withdrawn from the Separate Bank Account under this certificate.	Rs..... Rs.....

This certificate is being issued for the Project..... (RERA Registration No.....) in compliance of the provisions of section 4 (2) (I) (D) of the Act and is based on the records and documents produced before me and explanations provided to me by the management of the Promoter.

Yours Faithfully,

Signature of Chartered Accountant
(Membership Number.....)

Name
Address.....
Contact details

FORM R-4

[see Regulation 11(5)(iii)]

ANNUAL REPORT ON STATEMENT OF ACCOUNTS

(on the letter head of Chartered Accountant, who is statutory auditor of
the promoter's company/firm)To [name and address of promoter]
.....
.....Subject : Report on Statement of Accounts on project fund utilization and withdrawal by
[Promoter] for the period from ____ to ____ with respect to the project (RERA
Registration Number _____)

1. This certificate is issued in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 read alongwith the Rules and Regulations made thereunder.
2. I/We have obtained all necessary information and explanation from the Promoter-Company, during the course of our audit, which in my/our opinion are necessary for the purpose of this certificate.
3. I/We hereby confirm that I/We have examined the prescribed registers, books and documents, and the relevant records of [Promoter] for the period endedand here by certify that:
 - i. M/S..... (Promoter) have completed% of the project titled..... (Name)RERA Registration No..... located at
 - ii. Amount collected during the year for this project is Rs. And amounts collected till date is Rs.....
 - iii. Amount withdrawn during the year for this project is Rs..... and amount withdrawn till date is Rs.
4. I/We certify that the [Name of Promoter] has utilized the amounts collected for..... Project only for that project and the withdrawal from the separate bank account of the said project has been in accordance with the proportion to the percentage of completion of the project.
(If not, please specify the amount withdrawn in excess of eligible amount or any other exceptions).

(Signature and Stamp/Seal of the Signatory CA)

Name of the Signatory :

Full Address :

Membership No.:

Contact No. :

Place :

Date :

FormR-4A

[see Regulation 11(7)(ii)]

Application for Chang in RERA Account

To

The Registrar,

Rajasthan Real Estate Regulatory Authority,

Jaipur.

Ref: Project Name_____

Promoter Name:_____

Project Registration No._____

Dear Sir,

I/ We hereby apply for the Authority's approval for change in RERA Account of the project,as
per the following details:

Reason for change of Account:	
-------------------------------	--

Existing RERA Account	
Bank Name	
Branch Name	
Account Holder's Name	
Account No.	
IFSC Code	
Closing Bank Balance (as on _____) in Rs.	
Proposed RERA Account	
Bank Name	
Branch Name	
Account Holder's Name	
Account No.	
IFSC Code	
Opening Bank Balance (as on _____) in Rs.	

I/We solemnly affirm, declare and undertake that-

- The particulars given herein are correct to my/our knowledge and belief.
- I shall freeze all withdrawals from the existing RERA account until the Authority conveys its decision on this RERA account change application.
- All withdrawals till date from the existing RERA account are as per section 4(2)(I)(D) of the Act.
- On getting permission from RERA for change of RERA account, the balance of existing RERA account will be transferred in the new RERA account within 15 days.
- After the RERA account is changed and fund transferred to the new RERA account, I/We shall furnish the details in Forms R-4B, R-4C and R-4D.

Date: _____

Place: _____

Yours faithfully

Name, signature and seal of the Promoter/Authorized Signatory

- Enclosures:
- 1) Account Statement/copy of pass book of the existing RERA Account, in support of the closing Bank Balance and other particulars thereof, indicated herein above.
 - 2) Account Statement/copy of pass book of the proposed RERA Account, in support of the opening Bank Balance and other Particulars thereof, indicated herein above.
 - 3) Copy of receipt of fee Rs. _____, deposited for change of RERA Account.]

Form R-4B

[see Regulation 11(7)(iii)]

Confirmation Letter of Change in RERA Account

To

The Registrar,
Rajasthan Real Estate Regulatory Authority,
Jaipur.

Ref: Project Name_____

Promoter Name:_____

Project Registration No._____

Dear Sir,

With reference to my/our application for change in RERA Account submitted on

_____ And as per the terms and conditions mentioned in the approval
received from the Authority vide letter/email dated

_____, I/we confirm that RERA Account of the project has been changed, old RE
RA Account has been closed and an amount of Rs. _____ (In words:.) has been
transferred to the new RERA Account, as per the following details:

Old RERA Account	
Bank Name	
Branch Name	
Account Holder's Name	
Account No.	
IFSC Code	
Balance amount at the closing of account on (date) _____ (in Rs.)	

New RERA Account	
Bank Name	
Branch Name	
Account Holder's Name	
Account No.	
IFSC Code	
Amount transferred into this account from old RERA Account on (date) _____ (in Rs.)	

I/We solemnly affirm, declare and undertake that—

- a. The particulars given herein above are correct to my/our knowledge and belief; and
 b. I/We shall operate the new RERA Account in accordance with the provisions of section 4(2)(I)(D) of the Act.

Date: _____

Place: _____

Yours faithfully,

Name, signature and seal of the Promoter/ Authorized Signatory

- Enclosures: 1) Certificate from bank having new RERA Account, in Form R-4C.
 2) Certificate of Chartered Accountant, in Form R-4D.
 3) Account Statement, copy of pass book or letter of bank, as proof of Closure of old RERA Account.]

Form R-4C

[see Regulation 11(7)(iii)(a)]
 Certificate from Bank having new RERA Account

To

The Registrar,
 Rajasthan Real Estate Regulatory Authority,
 Jaipur.

Sub: Details of RERA Account.

Ref: Project Name _____

Promoter Name: _____

Project Registration No. _____

Dear Sir,

This is to certify that the promoter _____ has the bank account operational with our bank as per the following details:

Bank Name	
Branch Name	
Account Holder's Name	
Account No.	
IFSC Code	
Bank Balance(as on _____)	

Included in the above bank balance is a sum of Rs. _____ (In words: _____)

_____) which has been transferred or credited into the above mentioned bank account on date__.

Date: _____

Place: _____

Yours faithfully,

Name, signature and seal of the Bank official.]

FormR-4D

[see Regulation11(7)(iii)(b)]
Certificate of Chartered Accountant

To

The Registrar,

Rajasthan Real Estate Regulatory Authority,

Jaipur.

Ref: Project Name_____

Promoter Name:_____

Project Registration No._____

Dear Sir,

Withreferencetopromoter'sapplicationforchangeinRERAAccountsubmittedon

_____And as per the terms and conditions mentioned in the approval received from the Authority vide letter/email dated_____,I/we confirm that RERA Account of the project has been changed, old RERA Account has been closed and an amount of Rs._____(In words:_____)has been transferred to the new RERA Account, as per the following details:

Old RERA Account	
Bank Name	
Branch Name	
Account Holder's Name	
Account No.	
IFSC Code	
Balance amount at the closing of account on(date) _____(in Rs.)	

New RERA Account

Bank Name	
Branch Name	
Account Holder's Name	
Account No.	
IFSC Code	
Amount transferred into this account from old RERA Account on (date)__(in Rs.)	

I/We further confirm that the old RERA Account, until it was closed as above, was operated by the promoter in accordance with the provisions of section 4(2)(I)(D) of the Act.

Yours faithfully,

Name, signature, seal of the Chartered Accountant
and membership number"

Date: _____

Place: _____

FORM R-5
[see Regulation 52(2)]
Memo of Authorization

BEFORE THE RAJASTHAN REAL ESTATE REGULATORY AUTHORITY

Complaint No.....

In the matter of

..... Applicant

V/s. Respondent(s)

I/We,the above named applicant / respondent do hereby nominate and appoint....., to act, plead and appear on my/our behalf in the aforesaid matter.

IN WITNESS WHEREOF I/We have set and subscribed my/our hands to this writing on this..... day of

Signature
(Complainant/Respondent)

Mobile No.

Email Add.

Place : _____

Date : _____

Address for Correspondence

I/We accept
(Signature and name of authorized person)
Mobile No.
Email Add

FORM R-6

[See Regulation 53(2)]

BEFORE THE RAJASTHAN REAL ESTATE REGULATORY AUTHORITY

Application for inspection/obtaining copies of documents/records

Application No. RAJ-RERA-R-6

I hereby apply for grant of permission to inspect/obtain copies of the following documents /records. The details are as follows :

1. Applicant Name and Address:-

- (a) Name
- (b) Moblie No.
- (c) Email ID
- (d) Address line 1
- (e) Address line 2
- (f) State
- (g) District
- (h) Tehsil
- (i) Pin Code

2. You the applicant are a party to the case or the authorized representative of a party to the case?

- (a) Authorized representative of a party
- (b) Name of the party whose authorized representative you are
- (c) Is the authorization letter already filed

3. Do you want to inspect any documents/ records?

4. Do you want to obtain copies of any documents/ records?

Sr. No.	Complaint No./File No.	Title of File	Details of documents / records of which copy is required

Total No. of page:

No. of copies required of each page:

No. pages:

You want to collect copies by which mode:

5. The amount of fee payable

(a) Application fee for inspection of documents/ records:

(b) Application fee obtaining certified copies of documents/ records:

(c) Per-page charges for certified copy of documents/ records

If the number of pages is 1 to 10: Nil

If the number of pages is more than 10: Rs. 5/- for each page in excess of 10

(d) Postal charges, if the copies are required to be sent by speed post to the applicant at his address given in this application:

(Additional fee may be asked based on the actual No. of pages or on actual basis where the special nature of job so demands.)

Particulars of Payments :-

Payment amount

payment Slip

Place :

Date :

Signature and name of the Applicant

Address :

For office Use

Granted inspection on _____ / Rejected

Granted copies of documents on _____ / Rejected

Registrar / Officer in-charge of the Authority

.....
.....Form R-7

[See Regulation 11(1)(iv)]

Affidavit for Separate Bank Account (Notarized)

(For Ongoing Projects)

To,

Rajasthan Real Estate Regulatory Authority,

.....
.....

Sub: Affidavit / Declaration for Separate Bank Account of ongoing Projects

I, Promoter of an Ongoing Project and Registration ID / duly authorized by the promoter of the Ongoing Project and Registration ID do hereby solemnly declare, undertake and state that the bank account no. opened at (Branch) of (Bank) declared to Rajasthan Real Estate Regulatory Authority is the Separate Bank Account opened for the above mentioned project. I also declare that there is no lien placed by the bank or any other financial institution on the Separate Bank Account.

Deponent

Verification

The Contents of my above Affidavit cum Declaration and the supporting documents are true and correct and nothing material has been concealed by me therefrom.

Verify by me at on this date of

Deponent

Form R-8

[See Regulation 11(1)(iv)]

Affidavit for Separate Bank Account (Notarized)

(New Project)

To,

Rajasthan Real Estate Regulatory Authority,

.....
.....

Sub: Affidavit / Declaration for Separate Bank Account of Project

I, Promoter of the proposed project/ duly authorized by the promoter of the proposed project, do hereby solemnly declare, undertake and state that there is no lien placed by the bank or any other financial institution on the Separate Bank Account No. opened at (Branch) of (Bank).

Deponent

Verification

The Contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me therefrom.

Verify by me at on this date of

Deponent

Form R-9

[See Regulation 11(8)(iii)]

Affidavit (Notarized)

(For closer of the separate bank account on completion of the Project)

I,.....age.....years, residing at/having office atPromoter of the.....Real Estate project/duly authorized by Promoter of the..... Real Estate project vide his/ their authorization dated.....in this regard, do hereby solemnly declare, undertake and state on oath in compliance of Section 17 of the Real Estate (Regulation and Development) Act, 2016 as under:

1. That, I/Promoter have/has registered out/their.....Real Estate project under the Real Estate (Regulation and Development) Act, 2016 with Rajasthan Real Estate Regulatory Authority vide Registration no.....dated.....
2. That, the said project is completed and has received Occupancy Certificate no.....dated.....issued by(In the case of Industrial Development Authority).
3. That, I/Promoter have /has formed and registered..... (Name of Society/ Company) Co-operative Housing Service Society having registration no.....for the said project and at present Mr./Ms./Mrs.....is the Chairman of the Society or company board.
4. That, all the development work and construction of the common areas and facilities of the said project has been completed and is ready to use. The nature, extent and description of the common areas and facilities of said projects are particularly described in Annexure-A, annexed hereunder.
5. That, project Architect Mr. / Ms. / Mrs.....whose COA no. ishas given Form R-1.
6. That, Chartered Accountant, Mr. / Ms. / Mrs.....Registration no.....has given final Form R-3.
7. That, till date out of the totalunits, we have bookednumber of units and balance.....number of units are still pending.
8. That, I/Promoter have not availed any loan/the loan has been paid off, and as such there is no Encumbrance on the legal titles or rights of the Allottee(s) or the Association of Allottee(s) of the said project.
9. That, I/Promoter or contractor engaged at project.....have paid Rs.towards all the applicable Labourcess under Building and Other Construction Workers Welfare cess Act, 1996 to the Government Authorities and I hereby submit the Payment receipt in this regard.
10. That, I/Promoter have paid all the sums due to the Government Authorities.
11. That, all necessary compliances under the Real Estate (Regulation and Development) Act, 2016 and Rules made thereunder have been completed by.....date. Date of my said project completion isas indicated in my RERA Registration.
12. That all certificates/ documents as required in Direction No. 6 have been submitted to Rajasthan RERA/Uploaded on RERA portal.

Deponent

Verification

The Contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me therefrom.

Verified by me aton thisdate of.....

Deponent

Annexure –A
List of Common Areas and Facilities

S. No.	Name/ Particulars of Common Areas	Facilities including Measurements and Brief Details

Form R-10
[See Regulation 11(8)(iv)]
ARCHITECTS CERTIFICATE
(To be issued on completion of entire project)

Date :

To
The(Name & Address of Promoter)

Subject : Certificate of Completion of Construction Work of
.....Building/.....Wing of the Building with common
development and civic infrastructure of the Project (RAJ-RERA Registration Number) situated on the
Plot bearing C.N. No./CTS No./Survey No./Final Plot No.....demarcated by its
boundaries (latitude and longitude of the end points).....to the
North.....to the Southto the East.....to the West of
Division.....Village.....
Tehsil.....District.....PIN.....admeasuring
.....sq. mts area being developed by Promoter's Name).....

Sir,

I/We.....have undertaken assignment as Architect/ Engineer of certifying
completion of construction work of.....Building /..... wing of the
Building with common development and civic infrastructure situated on the plot bearing C.N.
No./CTS No./Survey No./Final Plot No.....of
Division.....Village.....
Tehsil.....District.....PIN.....admeasuring
..... sq.mts area being developed by Promoter's Name).....

Following technical professionals are appointed by Owner/ Promoter: - (as applicable)

- (i) Mr./Ms./Mrs.....as Architect / Engineer
(ii) Mr./Ms./Mrs.....as Structural Consultant
(iii)Mr./Ms./Mrs.....as MEP Consultant
(iv)Mr./Ms./Mrs.....as Site Supervisor/ Clerk
of Works

Based on the Completion Certificate received from Structural Engineer and Site Supervisor/ Clerk of
Works and to the best of my/our knowledge I/We hereby certify that
.....Building/.....wing of the
Building has been completed in all aspects and is fit for occupancy for which it has been erected/ re-
erected / constructed and enlarged. The.....Building/..... wing
of the Building has been granted Occupancy Certificate/ Completion Certificate bearing

number.....datedby..... (Local Planning Authority).

I Further certify that all common amenities and civic infrastructure i.e., Common plot internal approach road, internal storm water drainage, water supply, drainage network, percolation well, lights, parking lots etc. has been completed in all aspects and is fit for use.

Your faithfully

Signature & Name (In Block Letters) of L.S./ Architect with (License No.....)

FORM R-11

[see Regulation 27(3)(i)(a)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN

Performa for Execution

APPLICATION FOR EXECUTION OF DECREE/ORDER/DIRECTIONS

Fee Rs.
500/- to be
paid online
in RERA
Account

I.....Decree-holder, hereby apply for execution of the order/
directions herein-below setforth:-

S. N.	Particulars/ Details of the Case
1.	Complaint No. :-
2.	Name of Parties :-
3.	Date of final order & period within which order was to be complied :-
4.	Whether any appeal preferred from the date of decree, if applicant has knowledge, then full detail thereof :-
5.	Payment or adjustment made if any after order/ decree :-
6.	Previous execution application if any, with date and result thereof :-
7.	Recoverable amount with interest due upon the order :-
8.	Amount of cost awarded if any :-
9.	Against whom to be executed :-
10.	Mode in which the assistance is required :-i.e. Attachment and sale of moveable or immovable property or arrest and detention of the Opponent/ Original respondent or execution of sale deed or possession of property or any other specific relief.
11.	Brief facts, calculation sheet and relief sought :

	
12.	Details of Annexures (attached with the complaint) :-
I.....declare that what is us stated herein is true to the best of my knowledge and belief. Dated, the day of20..... Signed.....	

FORM R-12
[see Regulation 27(3)(i)(b)]
BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN

It should indicate page numbers in the execution application. An illustration for the index is given below:

Index
Applicant (Name and Address)
V/S
Respondent (Name and Address)

Sr. No.	Content	Page No.
1	Execution application in prescribed Form R-11	
2	List of assets (movable or immovable) of the respondent/ JD/ company as well as its directors, if any by decree holder Form R-13	
3	Undertaking Form R-14	
4	Copy of Final Order/ Decree/ Directions	
5	Annexures	

(Page numbering to be done as per actual number of pages)

Signatures of Decree-holder/Complainant

FORM R-13

[see Regulation 27 (3)(i)(c)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
LIST OF ASSETS (MOVABLE OR IMMOVABLE) OF THE RESPONDENT/ JD/ COMPANY AS
WELL AS ITS DIRECTORS, IF ANY BY DECREE HOLDER

A.B. Decree-holder
Versus

C.D.
Judgment-debtor

I of state on Oath/solemn affirmation
as follows :-

1. Full name of Judgment Debtor (Block capitals)
2. Address details
3. The employment, trade or profession of the JD is that of
Place of work
.....
4. Present annual/ monthly/ weekly income, after paying income-tax (if any available
with the Decree Holder) is as follows :-
 - (a) From employment, trade or profession
Rs.
 - (b) From other sources Rs.
5. The JD possesses the following :-
 - (a) Banking accounts; (details to be given)
 - (b) Stocks and shares; (details to be given)
 - (c) Life and endowment policies; (details to be given)
 - (d) House property; (details to be given)
 - (e) Other property; (details to be given)
 - (f) Other securities; (details to be given)

Signatures of Decree Holder

FORM R-14

[see Regulation 28(3)(i)(d)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
UNDERTAKING

I S/o
R/o do hereby solemnly affirm and state as under :

1. That all the facts and submissions made in this complaint are true and correct and nothing material has been concealed therein.
2. That no similar Execution complaint is pending before any other Authority, Court of Law or any other Tribunal (if it is pending, the details thereof should be given).
3. No stay has been granted by any appellate Authority or the tribunal or the Court of Law against the order passed by the Authority.
4. The decree/order has been partly executed/ not been executed till date against the respondent.

(DEPONENT/ DECREE HOLDER)

Verification:

The statement made by me above is true to the best of my knowledge and belief.

Date:

Place:

(DEPONENT/ DECREE HOLDER)

FORM R-15

[see Regulation (31)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
RECOVERY CERTIFICATE

To,

The District Collector,

District.....,

Rajasthan

Memo No.

Dated :

A sum of Rs.is payable on account of refund/ interest/ penalty etc. by son of..... resident of.....who is believed to be.....to have property consisting of.....at your District.

Subject to the provisions of the Rajasthan Land Revenue Act, 1956, the said sum is recoverable by you as if it were arrears of land revenue which accrued in your own District and you are hereby directed to recover it and to remit in the bank account of the Authority, i.e. Rajasthan Real Estate Regulatory Authority either by an account payee cheque or by way of bank draft or through RTGS/ NEFT under intimation to the Authority//Adjudicating Officer for payment to the complainant/ Decree Holder/ Authority/Adjudicating Officer.

Authorized Officer,
Rajasthan Real Estate Regulatory Authority.

Enclosure : Copy of order dated.....

FORM R-16

[see Regulation (34)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
WARRANT OF ATTACHMENT FOR MOVABLE PROPERTY IN EXECUTION OF A DECREE
FOR MONEY AS ORDERED BY THE AUTHORITY.
(Title of the Complaint)

To,

.....
Whereas.....(Name of Respondent) was ordered by decree of this Authority passed on the day of 20....., complaint No. of 20....., to pay/ remit in the bank

account of the complainant/ Decree Holder.....or Authority, i.e. Rajasthan Real Estate Regulatory Authority the sum of Rs. as noted in the margin; and whereas the said sum of Rs. has not been paid; These are to command you to attach the movable property of the said..... son of resident ofas set forth in the schedule hereunto annexed, or which shall be pointed out to you by the said complainant....., and unless the said respondent/judgment-debtor shall pay to you the said sum of Rs. together with Rs. besides the cost of this attachment, to hold the same until further orders from this Authority.

You are further commanded to return this warrant on or before the day of..... 20....., with an endorsement certifying the day on which and manner in which it has been executed, or why it has not been executed.

Schedule of the Property

Issued today this..... day of, 20.... under my signatures & seal.

Authorized Officer,
Rajasthan Real Estate Regulatory Authority.

Decree/ Order			
Principal/ Refund			
Interest			
Costs			
Penalty			
Cost of execution			
Further interest			
Total			

FORM R-17

[see Regulation (35)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
WARRANT OF AUTHORIZATION TO GIVE POSSESSION OF LAND, ETC.

(O. 21, R. 35 CPC)

(Title of the complaint)

To,

.....
Whereas the under mentioned property is in the occupancy of.....son ofresident ofand has been decreed to be given possession to.....son ofresident of i.e. the complainant in this complaint; You are hereby directed to put the said complainant in possession of the same, and you are hereby authorized to remove any person bound by the decree who may refuse to vacate the same.

GIVEN under the direction and seal of the Authority, this.....day20.....

Schedule of the Property to be given possession.

.....
.....

Issued today this..... day of, 20.... under my signatures & seal.

Authorized Officer,
Rajasthan Real Estate Regulatory Authority.

FORM R-18

[See Regulation 36(1)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
NOTICE TO SHOW CAUSE WHY WARRANT OF ARREST SHOULD NOT ISSUE

(O. 21, R. 37 CPC)

(Title of the complaint)

To,

Whereas has made application to this Court for execution of decree in suit No. of 20..... by arrest and imprisonment of your person, you are hereby required to appear before this Court on the Day of 20....., to show cause why you should not be committed to the civil prison in execution of the said decree..... Given under my hand and the seal of the Court, this day of 20.....

Authorized Officer,
Rajasthan Real Estate Regulatory Authority

FORM R-19

[See Regulation 37]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
WARRANT OF ARREST IN EXECUTION

(O. 21, R. 38 CPC)

(Title of the complaint)

To,

Superintendent of Police/Station House Officer/ Concerned Police Officer.

Whereas (Name of respondent/JD) was adjudged by a decree of the Authority in complaint No. of 19....., dated, the day of 19....., to pay to the decree holder the sum of Rs. as noted in the margin, and whereas the said sum of Rs. has not been paid to the said decree-holder or/ and to Authority in satisfaction of the said decree. These are to command you to arrest the said judgment-debtor and unless the said judgment-debtor should pay to you the said sum of Rs. together with Rs. for the cost of executing this process, to bring the said respondent before the Authority with all convenient speed.

You are further commanded to return this warrant on or before the day of 20..... with an endorsement certifying the day on which and manner in which it has been executed, or the reason why it has not been executed.

Issued today this day of, 20.... under my signatures & seal.

Authorized Officer,
Rajasthan Real Estate Regulatory Authority.

Decree/ Order			
Principal/ Refund			
Interest			
Costs			
Penalty			
Execution			
Total			

FORM R-20
[See Regulation 37]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
WARRANT OF COMMITTAL OF JUDGMENT-DEBTOR TO JAIL
(O. 21, R. 40 CPC)
(Title of the complaint)

To,

The Officer in charge of the Jail/Superintendent of Jail.
.....

Whereas.....son ofresident of who has been brought before this Authority this.....day of.....20....., under a warrant in execution of a decree which was made and pronounced by the said Authority on the day of 20....., and by which decree, it was ordered that the said judgment-debtor..... should pay; And whereas the said judgment-debtor has not obeyed the decree nor satisfied the Authority that he is entitled to be discharged from custody; You are hereby commanded and required to take and receive the said judgment-debtor into the civil prison and keep him imprisoned therein for a period not exceeding or until the said decree shall be fully satisfied, or the said judgment-debtor shall be otherwise entitled to be released according to terms and provisions of Section 58 of the Code of Civil Procedure, 1908; and the Authority does hereby fix Rs.per diet as the rate of the monthly allowance for the subsistence of the said judgment-debtor during his confinement under this warrant of committal.

Issued today this _____ day of _____, 20.... under my signatures & seal.

Authorized Officer,
Rajasthan Real Estate Regulatory Authority.

FORM R-21
[See Regulation 38(2)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
ORDER FOR THE RELEASE OF A PERSON IMPRISONED IN EXECUTION OF A DECREE
(SECTIONS 58, 59 CPC)
(Title of the complaint)

To,

The Officer in charge of the Jail/Superintendent of Jail
.....

Under orders passed this day by the Authority, you are hereby directed to set freeson ofresident ofrespondent/judgment-debtor now in your custody..... (on grounds as specified)

Dated.....

Authorized Officer,
Rajasthan Real Estate Regulatory Authority.

ORM R-22

[See Regulation 39]
 BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
 ATTACHMENT IN EXECUTION
 PROHIBITORY ORDERS, WHERE THE PROPERTY CONSISTS OF
 IMMOVABLE PROPERTY
 (O. 21, R. 54 CPC)
 (Title of the complaint)

To,

.....
 S/o
 R/o

Respondent.

Whereas you have failed to satisfy a decree passed against you on the Day of.....in complaint No..... of 20....., in favour of complainant.....for Rs.....; It is ordered that you, the said judgment-debtor be, and you are hereby, prohibited and restrained, until the further orders of the Authority, from transferring or charging the property specified in the schedule hereunto annexed, by sale, gift or otherwise, and that all person be, and that they are hereby, prohibited from receiving the same by purchase, gift or otherwise.

It is also ordered that you should attend the Authority on the.....Day of20..... to take notice of the date fixed for setting the terms of the proclamation of sale.

Issued today this day of....., 20... under my signatures & seal.

Sd/-
 Authorized Officer,
 Rajasthan Real Estate Regulatory Authority.

Schedule of the Property

.....

FORM R-23

[See Regulation 40]
 BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
 UNDERTAKING OF ASSETS TO BE MADE BY A JUDGMENT-DEBTOR
 (SELF ATTESTED)
 [Order XXI, Rule 41(2) CPC]

A.B

Decree-holder.

V/s

C.....

Judgment-debtor.

IS/oR/osolemnly on affirmation
 declare as under :-

1. My full name is(Block Capitals)
2. I live at
3. I am married/single/widower (widow)/divorced
4. The following persons are dependent upon me :-
5. My employment, trade or profession is that of carried on by me at
6. I am a director of the following companies :-
7. My present annual/monthly/weekly income, after paying income-tax, is as follows :-
 (a) From my employment, trade or profession Rs.
 (b) From other sources Rs.
8. (a) I own the house in which I live; its value is Rs.

I pay as outgoings by way of rates, mortgage, interest, etc., the annual sum of Rs.

(c) I pay as rent the annual sum of Rs.

9. I possess the following:—

Banking accounts;

Stocks and shares;

(a) Life and endowment policies; give particulars.

(b) House property;

(c) Other property;

(d) Other securities;

10. The following debts are due to me:— (give particulars)

(a)

(b)

(Judgment Debtor)

That the above particulars given by me are correct to the best of my knowledge and belief.

Date:

Place:

(Judgment Debtor)

FORM R-24

[See Regulation 41]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN WARRANT OF SALE OF PROPERTY IN EXECUTION OF A DECREE FOR MONEY (O. 21, R. 66 CPC) (Title of the complaint)

To,

.....
These are to command you to sell by auction, after giving Day's previous notice, by affixing the same in the Authority complex, and after making due proclamation, theproperty attached under a warrant from this Authority, dated the day of.....20....., in execution of a decree in favour of in complaint No.of 20....., or so much of the said property as shall realize the sum of Rs..... being the..... of the said decree and costs still remaining unsatisfied.

You are further commanded to return this warrant on or before the day of 20___, with an endorsement certifying the manner in which it has been executed, or the reason why it has not been executed.

Issued today this.....day of.....20.... under my signatures & seal.

Schedule of Property to be auctioned

.....
.....

Sd/-

Authorized Officer,

Rajasthan Real Estate Regulatory Authority.

FORM R-24/1

[See Regulation 41]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
NOTICE OF THE DAY FIXED FOR SETTLING A SALE PROCLAMATION

(O. 21, R. 66 CPC)

(Title of the complaint)

To,

Son of

Resident of

Judgment-debtor.

Whereas in the above-named complaint (name of the complainant), the decree-holder, has applied for the sale of property (details); you are hereby informedthat theday of 20....., has been affixed for settling the terms of the proclamation of sale.

Issued today thisday of, 20..... under my signatures & seal.

Sd/-

Authorized Officer,
Rajasthan Real Estate Regulatory Authority.

FORM R-24/2

[See Regulation 41]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
PROCLAMATION OF SALE

(O. 21, R. 66 CPC)

(Title of the complaint)

complaint No..... of 20....., decided by the of in which was..... Son of was the complainant andson ofwas respondent.—Notice is hereby given that, under rule 64 of Order XXI of the Code of Civil Procedure, 1908, an order has been passed by this Authority for the sale of the attached property mentioned in the annexed schedule, in satisfaction of the claim of the decree-holder in the complaint (1) mentioned in the margin, amounting with costs and interest up to date of sale to the sum of.

The sale will be by public auction, and the property will be put up for sale in the lots specified in the schedule. The sale will be of the property of the judgment-debtor above-named as mentioned in the schedule below; and the liabilities and claims attaching to the said property, so far as they have been ascertained, are those specified in the schedule against each lot.

In the absence of any order of postponement, the sale will be held by at the monthly sale commencing at O'clock on the at In the event, however, of the debt above specified and of the costs of the sale being tendered or paid before the knocking down of any lot, the sale will be stopped.

At the sale, the public is generally invited to bid, either personally or by duly authorized agent. No bid by, or on behalf of, the judgment-creditors above-mentioned, however, will be accepted, nor will any sale to them be valid without the express permission of the Authority previously given. The following are the further Conditions of sale :- The particulars specified in the schedule below have been stated to the best of the information of the Authority, but the Authority will not be answerable for any error, misstatement or omission in this proclamation.

1. The amount by which the biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount bid, or as to the bidder, the lot shall at once be again put up to auction.
2. The highest bidder shall be declared to be the purchaser of any lot, provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the

Authority or officer holding the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.

3. For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it subject always to the provisions of rule 69 of Order XXI.
4. In the case of movable property, the price of each lot shall be paid at the time of sale or as soon after as the officer holding the sale directs, and in default of payment the property shall forthwith be again put up and re-sold.
5. In the case of immovable property, the person declared to be the purchaser shall pay immediately after such declaration a deposit of 25 per cent. On the amount of his purchaser-money to the officer conducting the sale, and in default of such deposit the property and forthwith be put up again and re-sold.
6. The full amount of the purchase-money shall be paid by the purchaser before the Authority closes on the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.
7. In default of payment of the balance of purchase-money within the period allowed, the property shall be resold after the issue of a fresh notification of sale. The deposit, after defraying the expenses of the sale, may, if the Authority thinks fit, be forfeited to Government and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum for which it may be subsequently sold.

(i) Schedule of Property/ Details

.....

(ii) No. of Plots.

.....

(iii) Description of property to be sold, with the name of each owner where there are more judgment-debtors than one.

.....

(ii) The revenue assessed upon the estate or part of the estate, if the Property to be sold is an interest in estate or a part of an estate paying revenue to Government

.....

(iii) Detail of any encumbrances to which the property is liable.

.....

(iv) Claims, if any, which have been put forward to the property and any other known particular bearing on its nature and value.

.....

(v) The value of the property as stated by the decree holder.

.....

(vi) The value of the property as stated by the judgment-debtor

Issued today this _____ day of _____, 20..... under my signatures & seal.

Sd/-
 Authorized Officer,
 Rajasthan Real Estate Regulatory Authority.

FORM R-24/3

[See Regulation 41]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
ORDER FOR CAUSING SERVICE OF PROCLAMATION OF SALE

(O. 21, R. 66 CPC)

(Title of the complaint)

To,

.....

Whereas an order has been made for the sale of the property of the judgment-debtor specified in the schedule hereunder annexed, and whereas theday of 2020, has been fixed for the sale of the said property, copies of the proclamation of sale are by this warrant made over to you, and you are hereby ordered to have the proclamation published within each of the properties specified in the said schedule, to affix a copy of the said proclamation on a conspicuous part of each of the said properties and afterwards on the Authority Complex, and then to submit to this Authority a report showing the dates on which and the manner in which the proclamations have been published.

Date day of 20.....

Schedule of the Property to be auctioned.

.....

.....

Sd/-

Authorized Officer,

Rajasthan Real Estate Regulatory Authority.

FORM R-25

[See Regulation 42]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
NOTICE TO PERSON IN POSSESSION OF MOVABLE PROPERTY

SOLD IN EXECUTION

(O. 21, R. 79 CPC)

(Title of the complaint)

To,

.....

Son of

Resident of

Whereas.....S/o.....R/o..... has become the purchaser at a public sale in execution of the decree in the above complaint ofnow in your possession. You are hereby prohibited from delivering possession of the said property to any person except the said.....

Issued today this..... day of, 20.... under my signatures & seal.

Schedule of the Property

.....

.....

Sd/-

Authorized Officer,

Rajasthan Real Estate Regulatory Authority.

FORM R-26

[See Regulation 43]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
ORDER SENDING DECREE FOR EXECUTION TO ANOTHER COURT
(O. 21, R. 6 CPC)

(Title of the complaint)

Whereas the decree-holder in the above complaint has applied to this Authority for a certificate to be sent to the Court of..... at for execution of the decree in the above complaint by the said Court, alleging that the judgment-debtor resides or has property within the local limits, of the jurisdiction of the said Court, and it is deemed necessary and proper to send a certificate to the said Court under Order XXI, rule 6, of the Code of Civil Procedure, 1908, it is ordered :

That a copy of this order be sent to (name of the Court)..... with a copy of the decree and of any order which may have been made for execution of the same and a certificate of non-satisfaction.

Datedday of.....20

Sd/-

Authorized Officer,

Rajasthan Real Estate Regulatory Authority.

FORM R-27

[See Regulation 43]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
PRECEPTS
(Section 46 CPC)
(Title of the complaint)

Upon hearing the decree-holder, it is ordered that this precept be sent to the Court ofat under section 46 of the Code of Civil Procedure, 1908, with directions to attach the property specified in the annexed schedule and to hold the same pending any application which may be made by the decree-holder for execution of the decree.

Schedule of the property to be attached.

.....

.....

Dated..... day of..... 20 Suggested Ammendments}

Place:

FORM R-28

[See Regulation 58]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN
Application for Rectification of Order
(Under Section 39 of the RERA Act)

Fee Rs. 200/- to be paid online in RERA Account
--

1. Rectification Application No. : RAJ-RERA RECT

- Applicant

FORM R-29

[See Regulation 58]

Notice For Hearing On Rectification Application

RAJ-RERA-C-20...../D.....

Jaipur, Dated:

To,

.....

Sub: Rectification Application No..... in complaint No. RAJ-RERA-C-
titledV/s.....

Sir,

Whereas the Applicant has filed an application for Rectification of order dated..... Passed in above complaint. Therefore, you are hereby directed to appear in person or through authorized representative or counsel for hearing before the Authority on.....

If you fail to appear for hearing on the above given date and time, necessary orders will be passed in accordance with law, without further notice.

A copy of application for rectification of order is enclosed herewith. You may file a reply online.

Please note that the Authority also provides a choice of appearance through video conferencing. If you desire to be heard through video conferencing, you have to send a request e-mail to hna.rera@rajasthan.gov.in well in advance. In case of any technical problems, you may contact Mr. Uday Jha on mobile no. 9413345832. If the hearing is adjourned, a fresh request will need to be sent accordingly, for appearance through video conferencing at the subsequent hearing(s).

Enclosure: Copy of Application for Rectification.

By order

Deputy Registrar

FORM 30

[See Regulation 27(7)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN

Notice for Execution of Order

RERA-RAJ-C-20_

Jaipur, Dated:

To,

.....

Sub: Complaint No. RAJ-RERA-C-.....titledv/s

Sir,

Whereas the complainant above-named has filed an application for execution of this Authority's order dated passed in the aforesaid complaint.

Now, therefore, you are hereby directed to show cause and submit your reply alongwith self-attested supporting documents in one set at least one week before the date of hearing, as to (1) why a per-day penalty be not imposed on you under section 63 of the Real Estate (Regulation and Development) Act, 2016 for non-compliance of the Authority's aforesaid order; (2) why action should

not be taken under section 40 of the said Act read with rule 25 and rule 26 of the Rajasthan Real Estate (Regulation and Development) Rules, 2017 to enforce recovery of the amount ordered to be paid to the complainant and/ or other directions contained therein; and (3) why registration of your project be not revoked under section 7 of the said Act on the ground of your failure to comply with order/ directions of this Authority.

In accordance with Rule 35(2)(c) of the Rajasthan Real Estate (Regulation and Development) Rules, 2017 and regulations made in that regard, you are also directed to appear before the Authority, in person or through your authorized representative or counsel, on at 11:00 AM for a hearing on this application.

Please note that on your failure to submit reply within the given time or appear for hearing on the given date and time, the matter will proceed further and appropriate decision will be taken by the Authority on the basis of available documents and evidence on record.

Please note that the Authority also provides a choice of appearance through video conferencing. If you desire to be heard through video conferencing, you have to send a request e-mail to hna.rera@rajasthan.gov.in well in advance. In case of any technical problems, you may contact Mr. Uday Jha on mobile no. 9413345832. If the hearing is adjourned, a fresh request will need to be sent accordingly, for appearance through video conferencing at the subsequent hearing(s).

Enclosures: Copy of application of Execution

By Order

Deputy Registrar

FORM 30/1

[See Regulation 27(7)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN

Notice for Execution of Order

No.F-5() RJ/RERA/Comp./202_
To

Jaipur, Dated :

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.....
.....

Sub: Execution Application No. RAJ-RERA-C-

titled:.....
.....

Whereas the applicant above-named has filed an application for execution of order dated passed by Hon'ble Adjudicating Officer in the aforesaid complaint and whereas you have not complied with the said order as yet.

Now, therefore, you are hereby directed to show cause and submit your reply alongwith self-attested supporting documents if any, in one set at least one week before the date of hearing, as to why action should not be taken under section 40 of the said Act read with rule 25 and contained therein;

and rule 26 of the Rajasthan Real Estate (Regulation and Development) Rules, 2017 to enforce recovery of the amount ordered to be paid to the complainant on the ground of your failure to comply with aforesaid order/ directions.

In accordance with Rule 35(2)(c) of the Rajasthan Real Estate (Regulation and Development) Rules, 2017 and regulations made in that regard, you are also directed to appear before the Hon'ble Adjudicating Officer, in person or through your authorized representative or counsel, on at 3.00 P.M. for a hearing on this application.

Please note that on your failure to submit reply within the given time or appear for hearing on the given date and time, the matter will proceed further and appropriate decision will be taken by the Hon'ble Adjudicating Officer on the basis of available documents and evidence on record.

Enclosure :- Copy of application for execution, along with a copy of order dated

By order

Asstt. Registrar
Adjudicating Officer, RERA

Copy to the applicant: for information and for appearing before the Adjudicating Officer on at 3.00 P.M.

Asstt. Registrar
Adjudicating Officer, RERA

FORM 31

[See Regulation 26(2)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN



Rajasthan RERA

Form X

DETAILS:

1. Application No. :
2. Title of Case
3. Complaint No. :
4. Applicant :
5. Non-Applicant(s)

1. DATE OF IMPUGNED ORDER SOUGHT TO BE RECALLED:

.....

2. CAUSE OF NON-APPEARANCE:

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3. UPLOAD DOCUMENTS:

Sr.No.	Document Name	Upload Document
a.		
b.		
c.		

4. RELIEF(S) SOUGHT:

.....

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.....

DECLARATION/UNDERTAKING:



The Applicant do hereby declare and undertake:

- 1) That the contents paragraph no. 2 & 3 above are true to the best of my knowledge and belief and that I have not suppressed any material fact(s).
 - 2) That I am ready and prepared to argue the original matter on merits on the very date the present Application for recall is allowed and that I shall not seek any adjournment of hearing if this application is allowed and I am called upon to argue the original matter there and then.
 - 3) That I have not prepared any appeal under the Act against the impugned order
- OR

That I have preferred an Appeal vide Appeal No.

Note: If an appeal has been preferred, the authority may not allow this application.

PARTICULARS OF PAYMENT OF STANDARD FEE:

Payment Amount	Payment Slip
₹5,000/-	

FORM 32

[See Regulation 26(2)]

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, RAJASTHAN

Notice For Hearing/ Order

RAJ-RERA-C-

Jaipur,

Dated:

To,

.....
.....
.....

Sub: Complaint No. RAJ-RERA-CX.....titledv/s

Sir,

Whereas the respondent has filed an application for restoration of order dated passed in above complaint. Therefore, you are hereby directed to appear in person or through authorized representative or counsel for hearing before the Authority on Wednesday, at

If you fail to appear for hearing on the given date and time, necessary orders will be passed in accordance with Law, without further notice.

A copy of application of restoration is enclosed herewith for complainant.

Please note that the Authority also provides a choice of appearance through video conferencing. If you desire to be heard through video conferencing, you have to send a request e-mail to hna.rera@rajasthan.gov.in well in advance. In case of any technical problems, you may contact Mr. Uday Jha on mobile no. 9413345832. If the hearing is adjourned, a fresh request will need to be sent accordingly, for appearance through video conferencing at the subsequent hearing(s).

By Order

Deputy Registrar

[No. F.1(5) RJ/RERA /2023]

VEENU GUPTA,

CHAIRPERSON,

**RAJASTHAN REAL ESTATE,
REGULATORY AUTHORITY.**

Government Central Press, Jaipur.