

**RAJASTHAN REAL ESTATE REGULATORY AUTHORITY  
NAGAR NIYOJAN BHAWAN, JLN MARG JAIPUR**

No. F. 1(5) RJ/RERA / 2017

Jaipur, Date:

**18 OCT 2017**

**NOTIFICATION**

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 hereby makes the Rajasthan Real Estate Regulatory Authority Regulations, 2017

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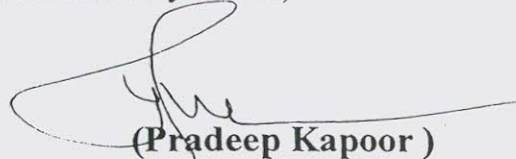
(Mukesh Sharma)

Chairperson

**Rajasthan Real Estate Regulatory  
Authority**

**Copy forwarded to the followings for information and n/a :-**

1. Under Secretary (Housing) Government of India, Ministry of Housing and Urban Poverty Alleviation (Housing Section) Room no. 220, C Wing, Nirman Bhawan, New Delhi-110011
2. Principal Secretary to Hon'ble Chief Minister, Government of Rajasthan, Jaipur
3. P.S. to Hon'ble Minister for Urban Development Deptt. Jaipur
4. P.S. to Chief Secretary, Government of Rajasthan, Jaipur
5. P.S. to Addl. Chief Secretary, Urban Development Deptt. Jaipur
6. P.S. to Principal Secretary to the Government, Law Department, Government of Rajasthan
7. Presiding Officer, Food Safety Appellate Tribunal, Swasthaya Bhawan, C-Scheme Jaipur & Appellate Tribunal under RERA.
8. Joint Secretary I, II & III Urban Development Deptt. Jaipur
9. Sr. D.S. UDH to upload the notification in Deptt. Website.
10. Commissioner Jaipur/Jodhpur/Ajmer Development Authority
11. Chief Town Planner, Rajasthan, Jaipur
12. Director, Local Bodies, Rajasthan, Jaipur
13. All Divisional Commissioner Rajasthan.
14. All Distract Collector, Rajasthan,
15. All Chairman/Secretary, Urban Improvement Trust.
16. Director, Printing & Stationary Deptt. Rajasthan for Publication of the Rajasthan Real Estate Regulatory Authority Regulations, 2017 notification in next issue of Extra Ordinary State Gazette immediately.
17. Superintendent, Govt. Central Press, Jaipur for Publication of the Rajasthan Real Estate Regulatory Authority Regulations, 2017 notification in next issue of Extra Ordinary State Gazette immediately. Forty copies of the Gazette notification may kindly sent to this Deptt. Earliest. A soft copy in CD are enclosed for necessary Action)
18. Guard File



(Pradeep Kapoor)

**Registrar, Rajasthan Real Estate Regulatory  
Authority**

**RAJASTHAN REAL ESTATE REGULATORY AUTHORITY  
NAGAR NIYOJAN BHAWAN, JLN MARG JAIPUR**

No. F. 1(5) RJ/RERA / 2017

Jaipur, Date:

**NOTIFICATION**

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 hereby makes the following regulations, namely:—

**1. Short Title and Commencement.-** (1) These regulations may be called the Rajasthan Real Estate Regulatory Authority Regulations, 2017.

(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) “Adjudication” means the process of arriving at decisions on complaints filed with the Authority or the adjudicating officer under section 31 of the Act;
  - (iii) “Authority” means the Rajasthan Real Estate Regulatory Authority;
  - (iv) “Chairperson” means the Chairperson of the Authority and includes the interim Real Estate Regulatory Authority designated under third proviso of sub-section (1) of section 20 of the Act;
  - (v) “Form” means a form appended to these regulations;
  - (vi) “Member” means the member of the Authority;
  - (vii) “Officer” means an officer of the Authority;
  - (viii) “Proceedings” means and includes proceedings of all nature that the Authority may conduct in the discharge of its functions under the Act or the rules and regulations made thereunder;
  - (ix) “Registrar” means the registrar of the Authority;
  - (x) “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 meanings respectively assigned to them in the Act and the rules made thereunder.

**3. Forms of Certificates to be given by Architect, Engineer and Chartered Accountant.**— (1) For the purposes of withdrawal of amount time to time from separate account maintained under the provisions of sub-clause-(D) of clause (1) 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:-

- (i) the certificate from the project Architect certifying the percentage of completion of construction work of each of the building of the project;
- (ii) the certificate from the project Engineer for the actual cost incurred on the construction work of each of the building of the said project; and
- (iii) the certificate 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 separate account.

(2) The promoter shall be required to follow the aforesaid procedure at the time of every withdrawal from the separate account till occupancy/completion certificate in respect of the project is obtained.

(3) On receipt of completion certificate in respect of the project, from the competent authority, the entire balance amount lying in the separate account can be withdrawn by the promoter.

(4) The certificates, issued by the project Architect, Engineer and Chartered Accountant and required to be uploaded by the promoter on his webpage of the Authority website before getting release of money from the separate account, as per this regulation and under the provisions of sub-clause (D) of clause (1) of sub-section (2) of section 4, shall be in Form R-1, Form R-2 and Form R-3 respectively.

**4. Additional disclosures by promoters on the website and project site:**

(1) In addition to all the details of the proposed Real Estate project, to be uploaded by the promoter on his webpage on the website of the Authority, as required under sub-section (1) of section 11 of the Act and rule 3 read with rule 16 of the rules and regulation 3 above,-

- (a) in accordance with the third proviso to clause (1) of sub-section (2) of section 4 of the Act, the promoter shall upload the annual 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.

Explanation :- The Chartered Accountant certifying the progress of the registered real estate project for the purpose of withdrawal of

