

UTTAR PRADESH REAL ESTATE REGULATORY AUTHORITY

Naveen Bhavan, Rajya Niyojan Sansthan,
Kala Kankar House, Old Hyderabad, Lucknow-226007
Date – 27th February, 2019

UTTAR PRADESH REAL ESTATE REGULATORY AUTHORITY (GENERAL) REGULATIONS, 2019

No. UP RERA - 2019/Gen. Regulations/19.—In exercise of the powers conferred on it under Section 85 of the Real Estate (Regulations and Development) Act, 2016 and of all other powers enabling it in that behalf, the Uttar Pradesh Real Estate Regulatory Authority, hereby, makes the following Regulations :—

Short Title, Objective, Commencement and Extent

- 1. (a)** These regulations may be called the Uttar Pradesh Real Estate Regulatory Authority (General) Regulations, 2019.
- (b)** The objective of these Regulations is to establish procedures for the general functioning of the Authority and for the conduct of the business of the Authority.
- (c)** These Regulations shall come into force on the date of their publication on the website of the Authority.
- (d)** These Regulations shall apply to all matters falling within the jurisdiction of the Authority in the State of Uttar Pradesh.

Definitions

2. (a) In these Regulations, unless the context otherwise requires :—

- (i)** “Act” means the Real Estate (Regulation and Development) Act, 2016 as amended from time to time;
- (ii)** “Adjudication” means the process of arriving at decisions on complaints submitted to the Authority or the Adjudicating Officer under section 31 of the Act ;
- (iii)** “Chairperson” means the Chairperson of the Authority ;
- (iv)** “Authority” means the Uttar Pradesh Real Estate Regulatory Authority ;
- (v)** “Consultant” includes any person, not in the employment of the Authority, who may be appointed as such to assist the Authority on any matter required to be dealt with by the Authority under the Act and the Rules and Regulations made there under ;
- (vi)** “Member” means a member of the Authority ;
- (vii)** “Proceedings” mean and include proceedings of all nature that the Authority may conduct in discharge of its functions under the Act and the Rules and Regulations;
- (viii)** “Secretary” means the Secretary of the Authority ;
- (ix)** “Officer” means an Officer of the Authority ;
- (x)** “Regulations” mean the Uttar Pradesh Real Estate Regulatory Authority (General) Regulations, 2019 as amended from time to time ;

“Rules” mean the rules framed by Government of Uttar Pradesh under the Real Estate (Regulation and Development) Act, 2016 and as amended from time to time.

(b) Words or expressions occurring in these Regulations and not defined herein, but defined in the Act or the Rules, shall bear the same meaning as respectively assigned to them in the Act and the Rules.

(c) In construing these Regulations, the singular shall include the plural and vice versa.

Formats of Certificates of Architect, Engineer and Chartered Accountant

3. The certificates, issued by the project architect, project engineer, chartered accountant and submitted to the banks for getting release of money from the designated separate account of the project shall be in Forms REG-1, 2 and 3 respectively. The certificate issued by the project architect on completion of each of the building/wing of the real estate project shall be in Form REG-4.

Additional Disclosures by Promoters on the Website and Project site

4. In addition to 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 section 4 and 11 of the Act and Rule 3 of the Uttar Pradesh Real Estate (Regulation and Development) Rules, 2016, the promoter shall upload the following details on his webpage on the website of the Authority:–

(a) The annual report on statement of accounts, in Form REG-5 [issued in accordance with the third proviso to section 4 (2) (l) of the Act] duly certified and signed by the chartered accountant who is the statutory auditor of the promoter's enterprise.

Explanation 1 :- The chartered accountant certifying the progress of the registered real estate project for the purpose of withdrawal of amounts from the separate account should be an entity different from the chartered accountant who is the statutory auditor of the promoter's enterprise.

Explanation 2 :- If the Form REG-5 issued by the statutory auditor reveals that any certificate issued by the project architect, engineer or the chartered accountant has false or incorrect information and the amounts collected for a particular project have not been utilized for the project and the withdrawal has not been commensurate 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 i.e. architect, engineer or chartered accountant, for necessary penal action against them, including dis-memberment.

(b) The sanctioned plans, layout plans, along with specifications, approved by the Competent Authority shall be prominently displayed by the promoter at the project land site.

Authority's office, office hours and sittings

5. The Authority shall have its headquarters at Lucknow and its NCR regional office/bench at Gautam Budhnagar . The Authority may, by order, establish benches/regional offices, comprising one or more members or only its officials, at some other suitable location(s) in the state for efficient discharge of its functions.

6. The Authority shall follow the office timings and holidays as notified from time to time by the State Government for its offices at Lucknow and elsewhere, unless otherwise decided by the Authority.

7. The Authority may conduct its proceedings at the headquarters or regional office notified by the state government or at any other place within its jurisdiction on days and time as directed by the Chairperson.

Language of the Authority

8. The proceedings of the Authority shall be conducted in Hindi, provided that the Authority shall allow any person to plead or represent his case in English as well.

9. The Authority, at its sole discretion, may accept complaint petitions made in a language other than in Hindi or English, provided that the same is accompanied by a translation thereof in Hindi or English. Provided also that such translation may be dispensed with at the discretion of the Authority.

10. Any translation which is agreed to by the parties to the proceedings or which any of the parties furnish may be accepted by the Authority as a true translation.

11. The Authority may, in appropriate cases, direct translation of Petitions and their accompanying documents into Hindi or English.

Authority to have seal of its own

12. Any document requiring authentication by the Authority shall be issued under the seal of the Authority, and shall be signed by the Secretary or such other Officer as authorized by the Chairperson in this behalf.

Officers of the Authority

13. (a) Whereas the Secretary and the Finance controller will be appointed by the Government, all other officers and staff shall be appointed by the Authority. The qualifications, experience and terms and conditions of service and appointment of such Officers and employees shall be subject to regulations made by the Authority in this behalf.

(b) The Authority may appoint or engage Consultants to assist the Authority in the discharge of its functions.

14. (a) The secretary shall be the Principal Executive Officer of the Authority and shall exercise his powers and perform his duties under the superintendence, direction and control of the Chairman.

(b) The Authority, in the discharge of its functions under the Act, may take such assistance from the secretary as it may deem appropriate.

(c) In particular, and without prejudice to the generality of the provisions of sub-regulations (a) and (b) of this regulation, the Secretary shall have the following powers and perform the following duties, viz:-

(i) He shall have custody of the records and the seal of the Authority.

(ii) He shall receive or cause to receive all documents, including, inter alia, complaints, applications or reference pertaining to the Authority.

(iii) He shall scrutinize or get scrutinized 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.

- (iv)** He shall prepare or cause to be prepared briefs and summaries of pleadings presented by various parties in cases filed before the Authority.
- (v)** He shall carry out such functions under the Act or the Rules, as may be delegated to him by the Chairperson, by general or special order.
- (vi)** He shall assist the Authority in the proceedings relating to the powers exercisable by the Authority, as directed by the Chairperson.
- (vii)** He shall provide notice for meetings, prepare the agenda for meetings and minute the proceedings of the meetings of the authority.
- (viii)** He shall authenticate the orders passed by the Authority.
- (ix)** He 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.
- (x)** He 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.

15. In the absence of the Secretary, the Officer of the Authority designated by the Chairperson in this behalf, shall discharge the functions of the Secretary.

16. The Chairperson shall, 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 the Secretary or any other Officer of the Authority, if found appropriate.

17. The Secretary, with the written approval of the Chairperson, may delegate to any Officer of the Authority any functions required by these Regulations or otherwise to be discharged by the Secretary.

Meetings

18. This section shall be applicable to the meetings of the Authority, other than the adjudicatory proceedings of the Authority.

19. The quorum for the meetings of the Authority shall be three.

20. If in any of the meetings of the Authority duly convened, the quorum is not complete, the meeting shall stand adjourned for the next working day at the same time and venue unless directed otherwise by the chairman.

21. The Chairperson shall preside over the meetings and conduct the business. Members stationed at a place other than the scheduled venue, may participate in the meetings through video conferencing. If the Chairperson is unable to be present in the meetings for any reason, or where the post of the chairman is vacant, a Member chosen by the members present amongst themselves at the meeting shall preside.

22. (a) 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 an equality of votes, the Chairperson, or in his absence the Member presiding, shall have a second or casting vote.

(b) Save as otherwise provided in these Regulations, every Member shall have one vote.

23. (a) The Secretary 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.

(b) The decision taken in a meeting of the Authority shall be recorded in the minutes in a clear and concise manner, along with reasons. In case the minutes record any statement/submission made by an invitee, a copy of the minutes shall be sent to such invitee. **(c)** The minutes of the previous meeting shall be confirmed by circulation or at the next meeting of the Authority.

Adjudication proceedings

24. (a) 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 of the Authority.

(b) The Authority, in consultation with the state government, will appoint Adjudicating Officers on the Panel of U.P. RERA for the purposes of adjudicating the matters of compensation admissible under the Act.

(c) The aggrieved persons will be required to file complaints before the Authority online in form - M. The claims of compensation will also be included in form - M itself. While the Authority will decide all the questions of breaches of the Act, Rules and Regulations, it will refer the question relating to the adjudication of compensation to one of the Adjudicating Officers on the Panel of U.P. RERA who will then decide the matter expeditiously and preferably within 60 days.

(d) The Adjudicating Officers on the Panel of U.P. RERA will hold their courts at Lucknow or Gautam Buddh Nagar as decided by the Chairman. The complaints relating to the districts of NCR will be heard at Gautam Buddh Nagar whereas complaints from the remaining districts of the State will be heard at Lucknow.

Vacancies, etc., not to invalidate proceedings

25. No act or proceedings of the Authority shall be questioned or shall be invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Authority.

Authorized Representative

26. A person who is a party to any proceedings before the Authority may either appear in person or authorise any other person to present his case before the Authority and to do all or any of the acts for the purpose: Provided that, the person appearing on behalf of any person in any proceeding before the Authority shall file a Memorandum of Authorisation, in Form REG-6 herein.

Orders of the Authority

27. The Authority/Chairperson/Member (s) hearing a proceeding shall pass orders in such proceedings, and such orders shall be signed/digitally signed by the Chairperson/Members of the Authority hearing such proceeding. Every order made by the Authority shall be a reasoned order.

28. All orders and decisions issued by the Authority shall be communicated in a manner laid down by the Authority, as expeditiously as possible from the date of passing thereof to all parties in the proceeding.

Authority's records-documentation, inspection, confidentiality and accessibility

29. The Authority shall, as soon as may be practicable, maintain an indexed database of its records including, inter alia, complaints filed, details of hearings conducted, orders / documents issued from time to time.

30. (a) Subject to sub-regulation (c) herein, records of the Authority shall be open to inspection by all, subject to the payment of the fee and complying with the terms as the Authority may direct.

(b) The Authority shall, on such terms and conditions as the Authority considers appropriate, provide for supply of certified copies of documents and papers available with the Authority to any person, applying online/offline in Form 7, subject to the payment of fee and complying with the terms as the Authority may direct. 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 (14) working days from the date of receipt of request.

(c) The Authority may, by 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, and the Authority may also direct that such document, papers, or materials shall not be used in any manner except as specifically authorised by the Authority.

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

Interim Orders, investigation, inquiry, collection of information, etc

32. The Authority may pass such ad-interim or interim orders, as the Authority may consider appropriate at any stage of any proceedings, having regard to the facts and circumstances of the case.

33. 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 :-

(a) The Authority may, at any time, direct the Secretary or any other Officer(s) or any other person as the Authority considers 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 furnished.

(c) The Authority may issue or authorise the Secretary or any other 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 the 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 Secretary or an Officer authorised for the purpose may give directions for further inquiry, report and furnishing of information.

(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.

34. If the report or information obtained in accordance with Regulation 33 above 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.

Confidentiality

35. (a) The Authority 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.

(b) 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.

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.

Review of decisions, directions, and orders

36. (a) Any person aggrieved by a direction, decision or order of the Authority, from which (i) no appeal has been preferred or (ii) which has been passed ex-parte or (iii) from which no appeal is allowed, may, upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the direction, decision or order was passed or on account of some mistake or error apparent from the face of the record, or for any other sufficient reasons, may apply for a review of such decisions, directions and orders, within forty-five (45) days of the date of the direction, decision or order, as the case may be, to the Authority.

The Authority may review suo moto an order passed by an officer authorized by it under Section 81 of the Act , within one year of such an order, if it is convinced that order passed by such an officer is beyond the jurisdiction conferred on him. However, no such order will be passed without giving the interested parties reasonable opportunity of hearing.

(b) An application for review such decisions, directions and order, shall be filed in the same manner as a complaint under these Regulations.

(c) The Authority shall for the purposes of any proceedings for reviewing of its decisions, directions and orders, shall be vested with the same powers as are vested in a civil court under the Code of Civil Procedure, 1908.

(d) When it appears to the Authority that there is no sufficient ground for reviewing decisions, directions and orders, the Authority shall reject such application.

When the Authority is of the opinion that the reviewing of its decisions, directions and orders should be granted, it shall grant the same provided that no such application will be granted without prior notice to the opposite party to enable him/her to appear and to be heard in support of the decision or order, the review of which is applied for.

Continuance of Proceedings after death, etc.

37. (a) 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.

(b) The Authority may, for reasons to be recorded, treat the proceedings as abated in case the Authority so directs and dispense with the need to bring the successors-in-interest on the record of the case.

(c) In case any person wishes to bring on record the successors-in-interest, etc., the application for the purpose shall be filed within ninety (90) days from the event requiring the successors-in-interest to be brought on record. The Authority may condone the delay, if any, for sufficient reasons.

Issue of orders and directions

38. 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 and procedure to be followed.

Saving of inherent power of the Authority

39. Nothing in the Regulations shall be deemed to limit or otherwise affect the inherent power of the Authority to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Authority.

40. Nothing in these Regulations shall bar the Authority from adopting in conformity with the provisions of the Act or Rules, a procedure, which is at variance with any of the provisions of these Regulations including summary procedures, 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.

41. 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 a manner it thinks fit.

General power to amend/rectify

42. The Authority may, at any time and on such terms as to costs or otherwise, as it may think fit, amend any defect or error in any proceedings before it (including any clerical or arithmetical error in any order passed by the Authority), and all necessary amendments, rectifications shall be made for the purpose of determining the real question or issue arising in the proceedings. Provided that if the Authority desires to make amendments or rectifications in order to determine the real question or issue arising the Authority shall provide an opportunity to the parties affected by such amendment or rectification touching the real question or issue to make representations and submissions with respect to the proposed amendment or rectification.

Power to remove difficulties

43. 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.

Extension or abridgement of time prescribed

44. 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.

Effect of non-compliance

45. 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.

Costs

46. (a) 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.

(b) The costs shall be paid within thirty (30) 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.

Administrative Charges and Standard Fees

47. The Authority may, by order, fix standard fees, including annual fees, to be levied on the promoters or real estate agents or allottees for inspection of documents, certified copies of documents, the updating of website, database management and maintenance of the website.

Rajive Kumar,
Chairman,
Uttar Pradesh Real Estate Regulatory Authority

ARCHITECT'S CERTIFICATE

(To be submitted at the time of Registration of Ongoing Project and for withdrawal of Money from Designated Separate Account) - Project Wise

No.....

Date:

Subject: Certificate of Percentage of Completion of Construction Work of _____ No. of Building(s)/ _____ Block(s) of the _____ Phase of the Project [UPRERA Registration Number] situated on the _____ Khasra No/ Plot 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 _____ Competent/ Development authority _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by [Promotor's Name]

I/We _____ have undertaken assignment as Architect/Licensed Surveyor of certifying Percentage of Completion Work of the _____ Building(s)/ _____ Block/ Tower (s) of _____ Phase of the Project, situated on the Khasra No/ Plot no _____ of village _____ tehsil _____ competent/ development authority _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by [Promotor's Name]

1. Following technical professionals are appointed by owner / Promotor :-

- (i) M/s/Shri/Smt _____ as L.S. / Architect ;
- (ii) M/s/Shri/Smt _____ as Structural Consultant
- (iii) M/s/Shri/Smt _____ as MEP Consultant
- (iv) M/s/Shri/Smt _____ as Site Supervisor

Based on Site Inspection, with respect to each of the Buildings /Blocks/Towers of the aforesaid Real Estate Project, I certify that as on the date of this certificate, the Percentage of Work done for each of the Buildings /Blocks/Towers of the Real Estate Project as registered vide number _____ under UPRERA 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 the Table B.

Table A

Sr. No.	Task/Activity	Percentage Work Done
1	Excavation	
2	_____ number of Basement(s) and Plinth	
3	_____ number of Podiums	
4	Stilt Floor	
5	_____ number of Slabs of Super Structure	
6	Internal walls, Internal Plaster, Flooring within Flats/Premises, Doors and Windows in each of the Flats/Premises	
7	Sanitary Fittings within the Flat/Premises, Electrical Fittings within the Flat/premises	
8	Staircases, Lift Wells and Lobbies at each Floor level connecting Staircases and Lifts, Overhead and Underground Water Tanks	
9	The external plumbing and external plaster, Elevation, completion of terraces with waterproofing of the Building /Block/Tower	
10	Installation of lifts, water pumps, Fire Fighting Fittings and Equipments as per CFO NOC, Electrical fittings to Common Areas, electro-mechanical equipments, Compliance to conditions of environment/CRZ NOC, Finishing to entrance lobby/s, plinth protection, paving of areas appurtenant to Building /Block/Tower, Compound Wall and all other requirements as may be required to obtain Occupation/Completion Certificate	

Table B**Internal & External Development Works in Respect of the Entire Registered Phase**

S No	Common Areas and Facilities, Amenities	Proposed (Yes/No)	Details	Percentage of Work done
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	Other (Option to Add more)			

**Yours
Faithfully**

**Signature & Name (IN BLOCK LETTERS) OF L.S./Architect
(License NO.....)**

ENGINEER'S CERTIFICATE (On Letter Head)

(For The Purpose of Registration of Project and for withdrawal of Money from Designated Separate Account) - Project Wise

Subject: Certificate of Percentage of Completion of Construction Work of _____ No. of Building(s)/ _____ Block(s) of the _____ Phase of the Project [UPRERA Registration Number] situated on the Khasra No/ Plot 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 _____ Competent/ Development authority _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by [Promotor's Name]

I/We _____ have undertaken assignment as Project Engineer for certifying Percentage of Completion Work of the _____ Building(s)/ _____ Block/ Tower (s) of _____ Phase of the Project, situated on the Khasra No/ Plot no _____ of village _____ tehsil _____ competent/ development authority _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by [Promotor's Name]

This is to certify that I have undertaken assignment of certifying estimated cost and expenses incurred on actual on site construction for the Real Estate Project mentioned above.

1. Following technical professionals were consulted by me for verification /for certification of the cost:

- (i) M/s/Shri/Smt _____ as Architect
- (ii) M/s/Shri/Smt _____ as Structural Consultant
- (iii) M/s/Shri/Smt _____ as MEP Consultant
- (iv) M/s/Shri/Smt _____ as Site Supervisor

2. The project is still ongoing. We have estimated the cost of the completion of the civil, MEP and allied works, of the Building(s) of the project. Our estimated cost calculations are based on the drawings/plans made available to us for the project under reference by the Promoter, Developer and Consultants and the Schedule of items and quantity for the entire work as calculated by Quantity Surveyor appointed by the Promoter, and the fair assumption of the cost of material, labour and other inputs made by developer, and the site inspection carried out by us.

3. We estimate the Total Cost for completion of the project under reference as Rs._____ (Total of S.No. 1 in Tables A and B) including cost of development of common facilities. The estimated Total Cost of project is with reference to the Civil, MEP and allied works required to be completed for obtaining occupation certificate/completion certificate for the building(s) from the concerned Competent Authority under whose jurisdiction the previously mentioned project is being implemented.

4. The estimated actual cost incurred till date_____is calculated at Rs._____ (Total of S. No. 2 in Tables A and B). The amount of Estimated Cost Incurred is calculated based on amount of Total Estimated Cost.

5. The Balance cost of Completion of the Civil, MEP and Allied works of the Building(s) of the subject project to obtain Occupation Certificate/Completion Certificate from the Competent Authority is estimated at Rs. _____ (Total of S.No. 4 in Tables A and B).

6. I certify that the Cost of Civil, MEP and allied work for the aforesaid Project as completed on the_____ date is as given in Tables A and B below :

Table A

Building/Wing/Tower bearing Number _____ or called _____

(To be prepared separately for each Building /Wing of the Real Estate Project/Phases. In case of more than one building, label as Table-A1, A2, A3 etc.)

S.No.	Particulars	Amounts
1	Total Estimated cost of the building/wing as on date of Building Permission from Competent Authority. (based on the original Estimated cost)	Rs
2	Cost incurred as on Date (Based on the actual cost incurred as per records)	Rs
3	Value of Work done in Percentage (as Percentage of the estimated cost) (Row 2 / Row 1) *100)	%
4	Balance Cost to be incurred (Based on Estimated Cost) (1-2)	Rs
5	Cost incurred on Additional/ Extra Items not included in the Estimated Cost (Annexure A)	Rs
6	Work done in percentage (as Percentage of Estimated Cost plus additional/Extra items ((Row 2 + Row 5) / (Row 1 + Row 5) *100)	%
(Enclose separate sheets for the cost calculations for each unit/building or tower)		

TABLE B

Internal & External Development works and common amenities
(To be prepared for the entire registered phase of the Real Estate Project)

S.No.	Particulars	Amounts
1	Total Estimated cost of the Internal and External Development Works including common amenities and facilities in the layout as on date of Permission from Competent Authority (based on the original Estimated Cost).	Rs
2	Cost incurred as on_(based on the actual cost incurred as per records)	Rs
3	Work done in Percentage (as Percentage of the estimated cost) (Row 2 / Row 1) *100)	%
4	Balance Cost to be Incurred (Based on Estimated Cost) (1-2)	Rs
5	Cost incurred on Additional/ Extra Items not included in the Estimated Cost (Annexure A)	Rs
6	Work done in percentage (as Percentage of Estimated Cost plus additional/Extra items ((Row 2 + Row 5) / (Row 1 + Row 5) *100)	%
(Enclose separate sheet for the cost calculations)		

Signature of Engineer
Name
Address
Aadhar No.
PAN No.

Annexure A

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

Form-REG-3

CHARTERED ACCOUNTANT'S CERTIFICATE (On Letter Head)

(FOR THE PURPOSE OF WITHDRAWL OF MONEY FROM DESIGNATED SEPARATE ACCOUNT OF PROJECT) - PROJECT WISE

Information as on _____

Certification work Assigned vide letter No.----- Dated :-

Subject: Certificate of amount incurred on [Project Name] for Construction of _____Tower/Block/Building(s) _____ situated on Khasra no./Plot 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 _____ Competent Authority/Development Authority, District _____, PIN _____, admeasuring sq. meter area, being developed by _____[Promoter] **having RERA Registration No.-----, Designated A/C No.-----Bank Name-----**

		Rs.in lacs	Rs. In lacs
S.No.	Particulars	Total Cost Estimated	Amount incurred (actual out-flow) till now
1	2	3	4
1	Land Cost (a) Acquisition cost of land (purchase or through agreement with land owner) and legal costs on land transaction; (b) Amount payable to obtain development rights, additional FAR and any other incentive under Local Authority or State Government or any Statutory Authority, if any; (c) Acquisition cost of TDR (Transfer of Development Rights), if any; (d) Amounts payable to State Government or competent authority or any other statutory authority of the State or Central Government towards stamp duty, transfer charges, registration fees etc. (if not included in para (a) above); (e) Interest (Other than Penal Interest, Penalties etc) paid to FI, Scheduled Banks, NBFC and "Unsecured Loan at State Bank of India - Marginal cost of Fund based lending Rate (SBI -MCLR)" on money borrowed for purchase of land and also to ,Competent Authority.		
	SUB TOTAL LAND COST (in Rs.)	0	0

S.No.	Particulars	Total Cost Estimated	Amount incurred (actual out-flow) till now
1	2	3	4
2	Project Clearance Fees (a) Fees paid to RERA (b) Fees paid to Local Authority (c) Consultant/Architect Fees (directly attributable to project) (d) Any other (specify)		
	SUB TOTAL FEES PAID (in Rs.)	0	0
3A	Cost of Development And construction (a) Cost of services (water, electricity to construction site) , Site Overheads; (b) Depreciation cost of machinery and equipment purchased, or hired and maintenance costs, consumables etc., (so long as these costs are directly incurred in the construction of the concerned project); (c) Cost of material actually purchased; (d) Cost of Salary and Wages (excluding cost of salaries of employees of the company not directly attached to project);		
	Sub Total of Construction Cost (in Rs.) (sum of (a) to (d) of Row 3a)	0	0
3B	Cost of construction incurred (As Certified by Project Engineer)		
3C	Total Construction Cost (Lower of 3A and 3B.)		
3D	Interest (Other than Penal Interest and Penalties etc.) paid to Financial Institution , Scheduled Banks , NBFC and Unsecured Loan at "SBI-MCLR" on money borrowed for construction)		
3	TOTAL DEVELOPMENT AND CONSTRUCTION COST (Row 3C +3D)		
4	TOTAL COST OF PROJECT (Row 1+ Row 2+ Row 3)	0	0
5	Percentage completion of Construction Work completed (as per Project Engineer, Architect's Certificate)		0
6	Percentage completion of Total project (Proportionate cost incurred on the project to the total estimated cost) (Col.4 of row 4 / Col.3 of row 4)%		
7	Total amount received from allottees till date since Inception of the Project (in Rs.)		
8	70% Amount to be deposited in Designated Account (0.7*Row 7)		0
9	Cumulative Amount that can be withdrawn from Designated a/c, i.e. (Total Estimated Cost * Proportionate Cost Incurred on the Project) (Column 3 of Row 4 * row 6)		

10	Amount actually withdrawn till date since inception of the project (This shall include 70% of the amounts already realised till date but not deposited in the designated Account)	0
11	Balance available in Designated A/c.	
12	Amount that can be withdrawn from the designated Bank A/C under this certificate (Row 9 – Row 10)	0

This certificate is being issued on specific request of M/s (Name of the Promoter) for UP RERA compliance. The certification is based on the information and records produced before us/me and is true to the best of our/my knowledge and belief.

Signature of Chartered Accountant with seal
(Name of the Chartered Accountant)
(Membership Number)

FORM- REG -4
(See Regulation 3)

ARCHITECT'S CERTIFICATE

(To be issued on completion of each of the Building/Wing)

Date:

To

The _____ (Name & Address of Promoter),

Subject : Certificate of Completion of Construction Work of _____ Building/ Wing of the Building of the project [UPRERA 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 to the West Taluka sq.mts. area North _____ to the _____ South _____ to the East _____ -to the West of Division _____ Village _____ Taluka _____ -District _____ PIN _____ admeasuring _____ Sq Mtrs.area being developed by [Promoter's Name]

Sir,

I/ We _____ have undertaken assignment as Architect /Licensed Surveyor of certifying Completion of Construction Work of _____ Building/ _____ Wing of the Building situated on the plot bearing C.N. No. /CTS No. /Survey No. / Final Plot No. _____ of Division _____ Village _____ Taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by [Promoter's Name]

2. Following Technical Professionals are appointed by Owner / Promoter :-- (i) M/s /Shri/Smt _____ as L.S. / Architect ;

(ii) M/s /Shri/Smt _____ as Structural Consultant (iii) M/s /Shri/Smt _____ as MEP Consultant

(iv) M/s /Shri/Smt _____ as Site Supervisor.

3. Based on Completion Certificate received from Structural Engineer and Site Supervisor;

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 is granted Occupancy Certificate/Completion Certificate bearing number _____ dated _____ by _____ (Local Planning Authority).

Yours Faithfully,

Signature and Name (IN BLOCK LETTERS) of L.S / Architect with

(Licence No.....)

FORM – REG - 5
[see Regulation 4]

(ON THE LETTER HEAD OF CHARTERED ACCOUNTANT (WHO IS STATUTORY AUDITOR OF THE PROMOTER'S COMPANY/FIRM)

ANNUAL REPORT ON STATEMENT OF ACCOUNTS 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 UPRERA Regn. No

1. This certificate is issued in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 (herein referred as Act) read along with the Uttar Pradesh Real Estate (Regulation and Development) Rules, 2016 (herein referred as Rules) .

2. I/We have obtained all necessary information and explanation from the 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 ended _____ and hereby certify that:

i. M/S.____ (Promoter) have completed _____% of the project titled __(Name) UP RERA Regn. 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 designated separate bank account(s) of the said project has been in compliance with the proportion to the percentage of completion of the project as mentioned under Section 4 (2)(I)(D) of the Act.

(If not, please specify the amount withdrawn in excess of eligible amount or any other exceptions).

Place : Date :

(Signature and Stamp/Seal of the Signatory CA)

Name of the Signatory :

Full Address :

Membership No.:

Contact No. : E mail :

Note : (If part of the year in a Financial Year (FY) , please mention the period constituted during the FY)

FORM- REG - 6
(see Regulation 26)

MEMORANDUM OF AUTHORISATION

BEFORE THE UTTAR PRADESH REAL ESTATE REGULATORY AUTHORITY

Complaint No. /

In the matter of

..... Petitioner

V/s. Respondent(s) Memo of Authorisation

I/We,the petitioner/respondent abovenamed do hereby nominate, appoint and constitute
....., 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
.....

Place : _____ [Petitioner/Respondent]

Date : _____ Address for Correspondence

Signature

I/We accept

Signature

FORM- REG- 7
[See Regulation 30]

BEFORE THE UTTAR PRADESH REAL ESTATE REGULATORY AUTHORITY

Application for inspection/obtaining copies of documents/records

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

1. Name and Address of the person seeking permission to inspect/obtain copies of the documents/records.
2. Whether he is party to the case or he is the authorised representative of any party. [Furnish necessary particulars]
3. Details of papers/documents sought to be inspected/copies required.
4. Date and duration of the inspection sought
5. The amount of fee payable (as per relevant Regulations) and the mode of payment.

Place:

Date:

Office Use

Granted inspection on _____ / Rejected Granted copies of documents on _____ / Rejected

Signature

Secretary / Officer/ Nominee of the Authority _____
