



Rajasthan RERA

Rajasthan Real Estate Regulatory Authority

2nd & 3rd Floor, RSIC Wing, Udyog Bhawan,

Tilak Marg, C-Scheme, Jaipur-302005

Phone No.: 0141-2851900 Website: <http://rera.rajasthan.gov.in>

Minutes of 19th Meeting of the Authority – 27.09.2024

The 19th meeting of the Rajasthan Real Estate Regulatory Authority was held on 27.09.2024 at 11:30 AM under the Chairmanship of Smt. Veenu Gupta, Hon'ble Chairperson of the Authority, in the Conference Room of the Authority at Udyog Bhawan, Jaipur.

Present:

1. Smt. Veenu Gupta, Hon'ble Chairperson
2. Sh. Sudhir Kumar Sharma, Hon'ble Member

In attendance:-

1. Sh. Richhpal Singh Kulhari, Adjudicating Officer and Acting Registrar
2. Sh. Madhu Sudan Sharma, Assistant Account Officer

Agenda-wise discussion held and decisions taken:

Agenda-1. Confirmation of the minutes of 18th Meeting of the Authority held on 7th June, 2024.

Decision

- 19.1 The Minutes of 18th meeting of the Authority were confirmed.

Agenda-2. Discussion on registration of industrial plot schemes being developed by RIICO.

Decision

- 19.2 In 13th meeting of the Authority held on 17.04.2023, the matter with regard to registration of Industrial plot schemes being developed by RIICO was discussed in view of a reference received from UDH, Department, Government of Rajasthan and a decision was taken that such schemes were required to be registered with Rajasthan RERA as Real Estate Project (Agenda No. 5). Accordingly, reply was sent to UDH, Department under intimation to the RIICO. Now one U.O. Note has been forwarded by the UDH, Department under section 83 of the Real Estate (Regulation and Development) Act, 2016, therefore, the Authority is revisiting on this aspect, in view of the U.O. Note dated 09.10.2023 received

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from RIICO. In the said U.O. Note various reasons for exclusion of RIICO Industrial Plots from the ambit of RERA are given, stating inter-alia amongst others that RIICO is not taking any advance money from the prospective buyers and is developing the Industrial areas from its own sources; the RIICO being a Government Organization is bound to give concession as per Government Schemes for the plots to be allotted to War-Widow, Ex-Serviceman, SC-ST etc; the RIICO is working on no profit no lose basis; the RIICO also allots big size plots on undeveloped basis which are developed by the entrepreneurs at their own level as per their own requirement.

After due discussions and deliberations and taking note of the factors stated by RIICO this Authority is of the view that the Industrial Plots Schemes being developed by RIICO are not liable to be registered with this Authority.

Agenda-3. Discussion on Authority order no. F.1(229)RJ/RERA/2021/3595 dated 13.12.2022 issued in regard to submission of hard copy of Application for Registration of Project.

Decision

19.3

Vide order No. 3595 dated 13.12.2022 the promoters were required to submit the hardcopy of application within 30 days from the date of issue of RC failing which delay processing charges of Rs. 1000/- per day were made to be payable before or at the time of depositing of hardcopy. Besides registration, the promoters are applying for exemption of projects which involves the same process and accordingly hardcopy of the application are being deposited with the Authority. Therefore, it is resolved to clarify that the delay processing charges are equally applicable on the deposit of hardcopy of qua the exemption certificates.

Agenda-4. Discussion on the reimbursement of Landline Telephone & Mobile to Rajasthan RERA officials engage in RERA-related activities.

Decision

19.4

After discussion it is resolved to accept the proposals made by registry for reimbursement of landline telephone and mobile to

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the RERA officials engaged in RERA related activities with the stipulations and conditions as narrated therein.

Agenda-5. To decide further course of action of the Project "Sunrisers" of promoter SNG Real Estate Private Limited

Decision

19.5

At present three guards of REXCO have been deployed on the site for watch and ward of the said project, who are being paid a sum of Rs. 83,000/- per month which appears to be on higher side. Therefore, it is resolved that three guards be deployed through Manpower agency engaged with RERA at the earliest. While taking over of the project by new incumbents, they shall prepare inventory list in presence of the promoter and submit the same before the Authority.

Agenda-6. Any other matter with the permission of Hon'ble Chairperson, RERA.

Decision With the permission of the Chair the following matters were also taken:-

19.6.1

**Completion Certificates issued by Private
Authorized by Local Bodies.**

Architects

It has been observed that while submitting the Completion Certificate (CC) the concerned architect is not enclosing the certificate authorizing him/her to issue such certificates. Therefore, it is resolved that while submitting the CC, he/she shall submit/upload copy of the valid certificate of empanelment.

It has also been come to notice that many a times such CC's are deposited with the local bodies after a lapse of considerable long time whereas the same is required to be deposited within 3 days with the competent authorities. Therefore, this issue be brought to the notice of the UDH, Department.

19.6.2

**Power of Attorney Holder as Promoter in Plotted
Development Projects.**

This Authority vide order no. F1(31)RJ/RERA/2019/1067 dated 18.04.2022, has directed to allow the registered power of attorney



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in lieu of a registered development agreement in favour of the promoter which has further been provided in Regulation 3(3) of RERA Regulations, 2024. In this regard it has been observed that in some cases the revocable power of attorney is being submitted. Such power of attorney can be revoked at any point of time before completion of the project jeopardizing the rights and interests of the allottees and sometimes even that of the landowner/promoter and may also create disputes amongst the stake holders. Therefore, in order to avoid such a situation it is resolved that in case of plotted development projects such power of attorney should preferably be irrevocable till completion of the project. However, in case of revocable power of attorney it should be supported by registered MOU/JV/Development Agreement or the land owner should be made other promoter.

16.6.3

Consideration of Court Fee Leviable on Complaints.

For the present an amount of Rs. 1000/- is being paid by the complainants on filing the complaint under section 31 of the RERA Act. This amount was fixed at the time of inception of the RERA. It appears to be on the quite lower side in comparison to the fee being charged by other RERAs. After due discussion and detailed deliberations it is resolved that with effect from 01.11.2024 an amount of Rs. 2000/- shall be required to be paid by the complainant on each complaint.

There being no other business, the meeting ended with a vote of thanks to the Chair.

(R. S. Kulhari)

Registrar



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No. F1 (31) RJ/RERA/2019/

Dated: 30.09.2024

Copy to the following for information and necessary action:

1. PS to Chairperson
2. PS to Member
3. PS to Adjudicating Officer
4. PS to Registrar
5. Assistant Account Officer
6. Guard File
7. Website of RERA

[Signature]
Registrar 30/9/24