



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 the 7th Meeting of the Authority – 10.08.2021

The 7th meeting of the Rajasthan Real Estate Regulatory Authority was held on 10.08.2021 under the Chairmanship of Shri Nihal Chand Goel, Hon'ble Chairman of the Authority.

Present:

1. Shri Nihal Chand Goel, Hon'ble Chairman (in Chair)
2. Shri Shailendra K. Agarwal, Hon'ble Member
3. Shri Salvinder Singh Sohata, Hon'ble Member

In attendance:

1. Shri Hari Kumar Godara, Adjudicating Officer
2. Shri Ramesh Chandra Sharma, Registrar

Agenda-wise discussion and decisions taken:

Agenda-1 - Confirmation of the minutes of 6th Meeting of the Authority held on 24th February, 2021

- 7.1 The Minutes of 6th meeting of the Authority were confirmed.

Agenda-2 - Further hearing by the Authority in complaints against the petitioners in the light of clarification dated 28.07.2021 issued by the Hon'ble High Court in D.B. Civil Writ Petition No. 5145/2021 V.N. Buildtech Pvt. Ltd. V/s Rajasthan Real Estate Regulatory Authority and connected matters

- 7.2 All complaints filed against the petitioners shall remain stayed until further orders of the Hon'ble High Court.

Agenda-3 - Clarification of the powers of the Adjudicating Officer with regard to adjudging matters specified under the RERA Act, 2016 and compliance of the orders passed by the Authority or the Adjudicating Officer

- 7.3 When filed, Registry will check each and every complaint (whether filed in Form 'N' or Form 'O') with regard to jurisdiction, to determine whether it falls within the jurisdiction of the Authority or the Adjudicating Officer according to the procedure laid down in Amit

Kumar Lamba V/s Shekhar Home Developers decided by the Authority on 23.04.2019. For deciding whether a complaint is to be referred to the Authority or to the Adjudicating Officer or the complainant is to be advised to file it in the other Form, Deputy Registrar will send it to Registrar. On the basis of relief claimed in the complaint filed, Registrar will decide whether it is to be referred to the Authority or to the Adjudicating Officer. The complaints wherein refund is demanded shall necessarily be referred to the Authority.

Agenda-4 - Other Matters

7.4 Following decisions were taken in other matters that were taken up for discussion with the permission of the Chair:-

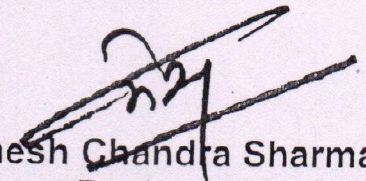
7.4.1 To know the status of compliance of the provisions regarding separate account under section 4(2)(I)(D) of the RERA Act, as a sample survey, bank accounts, books of accounts and other relevant records of any ten projects will be checked and it will be ascertained whether compliance of provisions of the said section 4(2)(I)(D) and relevant rules and regulations is being made by the promoters in depositing into and withdrawing monies from separate bank account. The report will be submitted to the Authority for considering appropriate steps that may need to be taken or directions that may need to be issued for securing full compliance of the said provisions.

7.4.2 A proposal shall be sent to the Government for delegation of powers of Collector under section 260(1) of the Land Revenue Act, 1956 read with section 40 of the RERA Act, to Registrar of the Authority for recovering, as arrears of land revenue, the amounts of interest, penalty or compensation ordered by the Authority or the Adjudicating Officer, as the case may be.

7.4.3 Separately, a suitable proposal shall be sent to the Government for creation of the posts of Tehsildar, Nazir and Patwaris, etc. for strengthening execution/enforcement function of the Authority.

7.4.4 While accepting Form R-5, Deputy Registrars (Court) will get E-mail address and Mobile Number of authorized person noted thereon. When the Regulations are amended next, Form R-5 shall be modified to incorporate these details in the Form itself.

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



(Ramesh Chandra Sharma)
Registrar

No. F1(31)RJ/RERA/ 2019/1382

Dated:17.08.2021

Copy to the following for information and necessary action:

1. PS to Chairman
2. PS to Member (Shri Shailendra K. Agarwal)
3. PS to Member (Shri Salvinder Singh Sohata)
4. PS to the Adjudicating Officer
5. PS to Registrar
6. Joint Registrar (Administration)-cum-AO
7. Joint Registrar (Law)
8. Joint Registrar (Projects)
9. Dy. Registrar (Complaints)
10. Dy. Registrar (Court)
11. Dy. Registrar (Legal)
12. AR (Projects), for posting it on website of the Authority
13. Guard File


Registrar