



The Gazette of Meghalaya

PUBLISHED BY AUTHORITY

No. 9

Shillong, Thursday, February 27, 2020

8th Phalguna, 1941 (S. E.)

Separate paging is given on this part in order that it may be filed as a separate compilation.

PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 20th January, 2020.

No.SW(S) 8/2020/22. - The following Resolution dated 20th January, 2020 passed by the Meghalaya Legislative Assembly is hereby published for general information.

MEGHALAYA LEGISLATIVE ASSEMBLY

RESOLUTION

Whereas, Article 334 of the Constitution lays down that the provisions of the Constitution relating to the reservation of seats for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indian community by nomination in the House of People and Legislative Assemblies of the States shall cease to have effect on the expiration of the period of 70 years from the commencement of the Constitution. In other words, these provisions will cease to have effect on the 25th January, 2020, if not extended further.

Whereas, although the Scheduled Castes and the Scheduled Tribes have made considerable progress in the last 70 years, the reasons which weighed with the Constituent Assembly in making provisions with regard to the aforesaid reservation of seats have not yet ceased to exist. Therefore, with a view to retaining the inclusive character as envisioned by the founding fathers of the Constitution, it is proposed to continue the reservation of seats for the Scheduled Castes and the Scheduled Tribes for another 10 years i.e. upto 25th January, 2030.

Whereas the Lok Sabha and the Rajya Sabha have passed the Constitution (One Hundred and Twenty Sixth Amendment) Bill, 2019 in the month of December, 2019 and has forwarded to the State Legislature for ratification before the Bill is placed for assent of the President of India.

Now, this House ratifies the amendments to the Constitution of India falling within the purview of clause (d) of proviso to clause (2) of Article 368, proposed to be made by the Constitution (One Hundred and Twenty-Sixth Amendment) Bill, 2019, as passed by both the Houses of Parliament.

Certified that the above Resolution was unanimously approved by the Meghalaya Legislative Assembly on the 20th January, 2020.

Dated Shillong
The 20th January, 2020

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.

SAMPATH KUMAR,
Commissioner & Secretary to the Govt. of Meghalaya,
Social Welfare Department.

The 12th February, 2020.

No.UAU.187/2009/443. - In exercise of the powers conferred by section 84 of the Act and in pursuance of sub-clause (i) of clause (g) of Section 2 of the Real Estate (Regulation and Development) Act, 2016 (16 of 2016), the State Government, hereby makes the following rules namely:-

CHAPTER I

PRELIMINARY

1. **Short title and Commencement.**- (1) These rules may be called the Meghalaya Real Estate (Regulation and Development) (General) Rules, 2020.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**- (1) In these rules, unless the context otherwise requires.-
 - (a) “Act” means the Real Estate (Regulation and Development) Act, 2016 (16 of 2016);
 - (b) “Appropriate Government” means the Government of the State of Meghalaya;
 - (c) “Association of allottees” means a collective of the allottees of a real estate project, by whatever name called, registered under any law for the time being in force, acting as a group to serve the cause of its members, and shall include the authorised representatives of the allottees;
 - (d) “Authenticated copy” shall mean a self-attested copy of any document;
 - (e) “Authority” means any authority or local body or a body corporate, so assigned by State Government for Regulation of the Real Estate;
 - (f) “Form” means a Form appended to these rules; and
 - (g) “Section” means a Section of the Act.(2) Words and expressions used but not defined in these rules, but defined in the Act, shall have the meanings respectively assigned to them in the Act.

CHAPTER II

REAL ESTATE PROJECT

3. **Information and documents to be furnished by promoter for registration of real estate project.**- (1) A promoter shall furnish the following information and documents, along with those specified under Section 4 of the Act, for registration of the project with the Authority, namely:-
 - (a) authenticated copy of the PAN card of the promoter;
 - (b) annual report including audited profit and loss account, balance sheet, cash flow statement, directors report and the auditor’s report of the promoter for the immediately preceding three financial years; and where annual report is not available, the audited profit and loss account, balance sheet, cash flow statement

and the auditor's report of the promoter for the immediately preceding three financial years;

- (c) the number of open parking areas and the number of covered parking areas available in the real estate project;
- (d) authenticated copy of the legal title deed reflecting the title of the promoter to the land on which development of project is proposed along with legally valid documents for chain of title with authentication of such title;
- (e) details of encumbrances on the land on which development of project is proposed including details of any rights, title, interest, dues, litigation and name of party in or over such land or non encumbrance certificate through an advocate having experience of at least ten years from the revenue authority not below the rank of **Additional Deputy Commissioner**, as the case may be;
- (f) where the promoter is not the owner of the land on which development of project is proposed details of the consent of the owner of the land along with a copy of the collaboration agreement, development agreement, joint development agreement or any other agreement, as the case may be, entered into between the promoter and such owner and copies of title and other documents reflecting the title of such owner on the land on which project is proposed to be developed;
- (g) name, photograph, contact details and address of the promoter if it is an individual and the name, photograph, contact details and address of the chairman, partners, directors, as the case may be, and the authorised person in case of other entities;

(2) An application to the Authority for registration of the Real Estate Project shall be made in writing in Form 'A' in triplicate, until the procedure is made web based for filing of such application.

(3) The promoter shall pay a registration fee at the time of application for registration by way of a demand draft or a bankers cheque drawn on any scheduled bank or through online payment mode, as the case may be, for a sum calculated at the rate of,-

- (a) in case of group housing project,- **five rupees** per square meter for projects where the area of land proposed to be developed does not exceed one thousand square meters; or **rupees ten** per square meter for projects where the area of land proposed to be developed exceeds one thousand square meters, but shall not be more than **five lakhs** rupees;
- (b) in case of mixed development (residential and commercial) project,- **ten rupees** per square meter for projects where the area of land proposed to be developed does not exceed one thousand square meters; or **fifteen rupees** per square meter for projects where the area of land proposed to be developed exceeds one thousand square meters, but shall not be more than **seven lakhs rupees**;

- (c) in case of commercial projects, - *twenty rupees* per square meter for projects where the area of land proposed to be developed does not exceed one thousand square meters; or *twenty five rupees* per square meter for projects where the area of land proposed to be developed exceeds one thousand square meters, but shall not be more than *ten lakhs rupees*;
- (d) in case of plotted development projects, - *five rupees* per square meter, but shall not be more than *two lakhs rupees*.

(4) The declaration to be submitted under clause (1) of sub-section (2) of Section 4 of the Act shall be in Form 'B', which shall include a declaration stating that the promoter shall not discriminate against any allottees at the time of allotment of any apartment, plot or building, as the case may be.

4. Additional disclosure by promoters of ongoing projects. - (1) Upon the notification for commencement of sub-section (1) of Section 3 of the Act, the promoter of an ongoing project which has not received completion certificate shall, within the time specified in the said sub-section, make an application to the Authority as provided in rule 3.

(2) The promoter shall in addition to disclosures provided in rule 3 disclose the following information, namely, -

- (a) the original sanctioned plan, layout plan and specifications and the subsequent modifications carried out, if any, including the existing sanctioned plan, layout plan and specifications;
- (b) the total amount of money collected from the allottees and the total amount of money used for development of the project including the total amount of balance money lying with the promoter;
- (c) status of the project (extent of development carried out till date and the extent of development pending) including the original time period disclosed to the allottees for completion of the project at the time of sale including the delay and the time period within which he undertakes to complete the pending project, which shall be commensurate with the extent of development already completed, and this information shall be certified by an Engineer, an Architect and a Chartered Accountant in practice.

(3) The promoter shall disclose the size of the apartment based on carpet area even if earlier sold on any other basis such as *super area, super built up area*, built up area etc. which shall not affect the validity of the agreement entered into between the promoter and the allottees to that extent.

(4) In case of plotted development, the promoter shall disclose the area of the plot being sold to the allottees as per the layout plan.

(5) For ongoing projects that have not received completion certificate, on the date of commencement of the Act, the promoter shall, within a period of three months of the

application for registration of the project with the Authority, deposit in the separate bank account, seventy percent of the amounts already realized from the allottees, which have not been utilized for construction of the project or the land cost for the project as required under sub-clause (d) of clause (1) of sub-section (2) of Section 4 of the Act, which shall be used for the purposes specified therein.

5. **Grant or rejection of registration of project.**— (1) Upon the registration of a project as per section 5 of the Act read with rule 3 and rule 4, as the case may be, the Authority shall issue a registration certificate with a registration number in Form ‘C’ to the promoter.

(2) In case of rejection of the application as per Section 5 of the Act, the Authority shall inform the applicant in Form ‘D’:

Provided that the Authority may grant an opportunity to the applicant to rectify the defects in the application within such time period as may be specified by it.

6. **Extension of registration of project.**- (1) The registration granted under the Act, may be extended by the Authority, on an application made by the promoter in Form ‘E’ in triplicate, until the application procedure is made web based, within three months prior to the expiry of the registration granted.

(2) The application for extension of registration shall be accompanied with a demand draft or a bankers cheque drawn on any Scheduled Bank or through online payment mode, as the case may be, for an amount equivalent to half the registration fees as prescribed under sub-rule (3) of rule 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 for the project, along with documents supporting such reasons:

Provided that where the promoter applies for extension of registration of the project due to force majeure he shall not be liable to pay any fee.

(3) The extension of registration of the project shall not be beyond the period provided as per local laws for completion of the project or phase thereof, as the case may be.

(4) In case of extension of registration, the Authority shall inform the promoter about such extension in Form ‘F’ and in case of rejection of the application for extension of registration the Authority shall inform the promoter about such rejection in Form ‘D’:

Provided that the Authority may grant an opportunity to the promoter to rectify the defects in the application within such time period as may be specified by it.

7. **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 about such revocation in Form ‘D’.

CHAPTER III
REAL ESTATE AGENT

8. **Application for registration by the Real Estate Agent.**- (1) Every Real Estate Agent required to register as per sub-section (2) of Section 9 of the Act shall make an application in writing to the Authority in Form 'G' in triplicate, until the application procedure is made web based, along with the following documents, namely:-
- (a) the brief details of his enterprise including its name, registered address, type of enterprise (proprietorship, societies, partnership, company etc.);
 - (b) the particulars of registration (whether as a proprietorship, partnership, company, society etc.) including the Bye-laws, Memorandum of Association, Articles of Association etc. as the case may be;
 - (c) name, address, contact details and photograph of the real estate agent, if it is an individual's name and the name, address, contact details and photograph of the Partners, Directors etc. in case of other entities;
 - (d) the authenticated copy of the PAN card of the Real Estate Agent; and
 - (e) the authenticated copy of the address proof of the place of business.
- (2) The Real Estate Agent shall pay a registration fee at the time of application for registration by way of a demand draft or a bankers cheque drawn on any scheduled bank or through online payment, as the case may be, for a sum of *ten thousand rupees* in case of the applicant being an individual or *fifty thousand rupees* in case of the applicant other than an individual.
9. **Grant of registration to the Real Estate Agent.**- (1) On receipt of the application under rule 8, the Authority shall within a period of thirty days either grant registration to the Real Estate Agent or reject the application, as the case may be:
- Provided that the Authority may grant an opportunity to the Real Estate Agent to rectify the defects in the application within such time period as may be specified by it.
- (2) Upon the registration of a Real Estate Agent, the Authority shall issue a registration certificate with a registration number in Form 'H' to the Real Estate Agent.
 - (3) In case of rejection of the application, the Authority shall inform the applicant in Form 'I'.
 - (4) The registration granted under this rule shall be valid for a period of five years.
10. **Renewal of registration of Real Estate Agent.**- (1) The registration granted to a Real Estate Agent under the Act may be renewed, on an application made by the real estate agent in Form 'J' in triplicate, until the application procedure is made web based, which shall not be less than three months prior to the expiry of the registration granted.
- (2) The application for renewal of registration shall be accompanied with a demand draft or a bankers cheque drawn on any scheduled bank or through online payment, as the case may be, for a sum of *five thousand rupees* in case of the Real Estate Agent being an individual or *twenty five thousand rupees* in case of the Real Estate Agent other than an individual.
 - (3) The Real Estate Agent shall also submit all the updated documents set out in clauses (a) to (e) of sub-rule (1) of rule 8 at the time of application for renewal.

(4) In case of renewal of registration, the Authority shall inform the Real Estate Agent about the same in Form 'K' and in case of rejection of the application for renewal of registration the Authority, shall inform the real estate agent in Form 'I':

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

Provided further that the Authority may grant an opportunity to the Real Estate Agent to rectify the defects in the application within such time period as may be specified by it.

(5) The renewal granted under this rule shall be valid for a period of five years.

11. **Revocation of registration of Real Estate Agent.**- The Authority may, due to reasons specified under sub- (7) of Section 9 of the Act, revoke the registration granted to the Real Estate Agent or renewal thereof, as the case may be, and intimate the Real Estate Agent of such revocation in Form 'I'.
12. **Books of accounts, records and documents.**- The Real Estate Agent shall maintain and preserve its books of account, records and documents in accordance with the provisions of the Income Tax Act, 1961 (43 of 1961), as amended from time to time, and the rules made there under.
13. **Other functions of a Real Estate Agent.**- The Real Estate Agent shall provide assistance to enable the allottee and promoter to exercise their respective rights and fulfil their respective obligations at the time of booking and sale of any plot, apartment or building, as the case may be.

CHAPTER IV

DETAILS TO BE PUBLISHED ON THE WEBSITE OF THE AUTHORITY

14. **Details to be published on the website.**- (1) The Authority shall ensure that the following information, as applicable, shall be made available on its website in respect of each project registered under the Act, namely:-
- (a) details of the promoter including the following, namely, -
- (i) promoter or group profile
- (A) a brief detail of his enterprise including its name, registered address, type of enterprise (proprietorship, limited liability partnership, society, partnership, company, competent authority) and the particulars of registration as such enterprise and in case of a newly incorporated or registered entity, brief details of the parent entity including its name, registered address, type of enterprise (whether as proprietorship, societies, limited liability partnership, partnership, company, competent authority);
- (B) background of promoter. - work experience of the promoter and in case of a newly incorporated or registered entity work experience of the chairman, directors, partners, as the case may be and that of the authorised persons of the parent entity;

- (C) name, address, contact details and photograph of the promoter in case of an individual and the name, address, contact details and photograph of the chairman, directors, partners, as the case may be and that of the authorised persons.
- (ii) track record of the promoter, -
 - (A) number of years of experience of the promoter or parent entity, as the case may be, in Real Estate Development in the Union territory;
 - (B) number of years of experience of the promoter or parent entity, as the case may be, in Real Estate Development in other States or Union territories;
 - (C) number of completed projects and area constructed till date in the past five years including the status of the projects, delay in its completion, details of type of land and payments pending;
 - (D) number of ongoing projects and proposed area to be constructed launched in the past five years including the status of the said projects, delay in its completion, details of type of land and payments pending;
 - (E) details and profile of ongoing and completed projects for the last five years as provided under clause (b) of sub-section (2) of Section 4 of the Act.
- (iii) litigation,- Details of litigation in the past five years in relation to the Real Estate Projects developed or being developed by the promoter.
- (iv) Website, -
 - (A) web link of the promoter or parent entity, as the case may be;
 - (B) web link of the project
- (b) details of the Real Estate Project including the following, namely, -
 - (i) advertisement and prospectus issued in regard to the project;
 - (ii) compliance and registration-
 - (A) authenticated copy of the approvals and commencement certificate received from the Competent Authority as provided under clause (c) of sub-section (2) of Section 4 of the Act;
 - (B) the sanctioned plan, layout plan and specifications of the project or the phase thereof, and the whole project as sanctioned by the Competent Authority as provided under clause (d) of sub- section (2) of Section 4 of the Act;
 - (C) details of the registration granted by the Authority under the Act;
- (iii) apartment, plot and garage related details -
 - (A) details of the number, type and carpet area of apartments for sale in the project along with the area of the exclusive balcony or verandah areas and the exclusive open terrace areas with the apartment, if any, or details of the number, type and area of plots for sale in the project or both, as the case may be;

- (B) details of the number and area of garage for sale in the project;
- (C) details of the number of open parking areas and covered parking areas available in the real estate project;
- (iv) registered Agents,- names and addresses of Real Estate Agent for the project;
- (v) consultants,- Details, including name and addresses, of contractors, architect, structural engineers and other persons concerned with the development of the Real Estate Project such;
 - (A) name and address of the person;
 - (B) names of promoters;
 - (C) year of establishment;
 - (D) names and profile of key projects completed;
- (vi) location,- the details of the location of the project, with clear demarcation of land dedicated for the project along with its boundaries including the latitude and longitude of the end points of the project;
- (vii) development Plan,-
 - (A) the plan of development works to be executed in the proposed project and the proposed facilities to be provided thereof including fire fighting facilities, drinking water facilities, emergency evacuation services, use of renewable energy etc;
 - (B) a detailed note explaining the salient features of the proposed project including access to the project, design for electric supply including street lighting, water supply arrangements and site for disposal and treatment of storm and sullage water, and any other facilities and amenities or public health services proposed to be provided in the project;
 - (C) Gantt charts or milestone charts and project schedule:- the plan of development works to be executed in the project and the details of the proposed facilities to be provided thereof and the timelines to achieve the same;
 - (D) the stage wise time schedule of completion of the project, including the provisions for civic infrastructure like water, sanitation and electricity etc;
- (c) financial details of the promoter, -
 - (i) the authenticated copy of the PAN card of the promoter;
 - (ii) the annual report including audited profit and loss account, balance sheet, cash flow statement, directors report and the auditor's report of the promoter for the immediately preceding three financial years and where annual report is not available then the audited profit and loss account, balance sheet, cash flow statement and the auditor's report of the promoter for the immediately preceding three financial years and in case of newly incorporated or registered entity such information shall be disclosed for the parent entity;

- (d) the promoter shall upload the following updates on the webpage for the project, within fifteen days from the expiry of each quarter, namely, -
- (i) list of number and types of apartments or plots, booked;
 - (ii) list of number of garages booked;
 - (iii) status of the project, -
 - (A) status of construction of each building with photographs;
 - (B) status of construction of each floor with photographs;
 - (C) status of construction of internal infrastructure and common areas with photographs;
 - (iv) status of approvals, -
 - (A) approvals received;
 - (B) approvals applied and expected date of receipt;
 - (C) approvals to be applied and date planned for application;
 - (D) modifications, amendment or revisions, if any, issued by the Competent Authority with regard to any sanctioned plans, layout plans, specifications, license, permit or approval for the project;
- (e) the details of approvals, permissions, clearances, legal documents. -
- (i) approvals, -
 - (A) authenticated copy of the license or land use permission, building sanction plan and the commencement certificate from the Competent Authority obtained in accordance with the laws applicable for the project, and where the project is proposed to be developed in phases, an authenticated copy of the license or land use permission, building sanction plan and the commencement certificate for each of such phases;
 - (B) authenticated copy of the site plan or site map showing the location of the project land along with names of revenue estates, **survey numbers, cadastral numbers, khasra numbers** and area of each parcels of the project land; and **any such other revenue details applicable in the State to be issued as per direction of the appropriate Government;**
 - (C) authenticated copy of the layout plan of the project or the phase thereof, and also the layout plan of the whole project as sanctioned by the Competent Authority and other specifications of the project;
 - (D) floor plans for each tower and block including clubhouse, amenities and common areas;
 - (E) any other permission, approval, or license that may be required under applicable law including fire no-objection certificate, permission from **Municipal, MUDA, PHE** department etc;

- (F) authenticated copy of occupancy certificate and completion certificate including its application;
- (ii) legal documents, -
 - (A) the details including the proforma of the application form, allotment letter, agreement for sale and the conveyance deed;
 - (B) authenticated copy of the legal title deed reflecting the title of the promoter to the land on which development of project is proposed along with legally valid documents for chain of title with authentication of such title;
 - (C) land title search report from an advocate having experience of at least ten years;
 - (D) details of encumbrances on the land on which development of project is proposed including details of any rights, title, interest, dues, litigation and name of any party in or over such land or non encumbrance certificate through an advocate having experience of at least ten years from the revenue authority not below the rank of **Additional Deputy Commissioner**, as the case may be;
 - (E) where the promoter is not the owner of the land on which development is proposed details of the consent of the owner of the land along with a copy of the collaboration agreement, development agreement, joint development agreement or any other agreement, as the case may be, entered into between the promoter and such owner and copies of title and other documents reflecting the title of such owner on the land proposed to be developed;
 - (F) details of mortgage or charge, if any, created on the land and the project;
- (f) Contact details- contact address, contact numbers and email-id of the promoter, authorised person and other officials related to the project.
 - (2) The Authority shall maintain a database and ensure that the information specified therein shall be made available on its website in respect of each project revoked or penalised, as the case may be
 - (3) The Authority shall ensure that the following information shall be made available on its website in respect of each real estate agent registered with it or whose application for registration has been rejected or revoked, namely:-
 - (a) For real estate agents registered with the Authority;
 - (i) registration number and the period of validity of the registration of the Real Estate Agent with the Authority;
 - (ii) brief details of his enterprise including its name, registered address, type of enterprise (whether as proprietorship, societies, partnership,

- company etc);
- (iii) particulars of registration as proprietorship, societies, partnership, company etc. including the Bye-laws, Memorandum of Association, Articles of Association etc, as the case may be;
 - (iv) name, address, contact details and photograph of the Real Estate Agent, if it is an individual and the name, address, contact details and photograph of the Partners, Directors etc. in case of other persons;
 - (v) authenticated copy of the PAN card of the real estate agent;
 - (vi) authenticated copy of the address proof or the place of business and the contact address, contact numbers and email-id of the Real Estate Agent and its other officials;
- (b) In case of applicants whose application for registration as a Real Estate Agent have been rejected or Real Estate Agents whose registration has been revoked by the Authority-
- (i) registration number and the period of validity of the registration of the Real Estate Agent with the Authority;
 - (ii) brief details of his enterprise including its name, registered address, type of enterprise (whether as proprietorship, societies, partnership, company etc);
 - (iii) name, address, contact details and photograph of the real estate agent if it is an individual and the name, address, contact details and photograph of the partners, directors etc. in case of other persons;
- (c) such other documents or information as may be specified by the Act or the rules and regulations made there under;
- (d) The Authority shall maintain a back-up, in digital form, of the contents of its website in terms of this rule, and ensure that such back-up is updated on the last day of each month.

CHAPTER V
INTEREST PAYABLE BY THE PROMOTER AND ALLOTTEE
AND TIMELINES FOR REFUND

15. **Interest payable by promoter and allottees.**- The rate of interest payable by the promoter to the allottee or by the allottee to the promoter, as the case may be, shall be the ***State Bank of India highest Marginal Cost of Lending Rate plus two per cent***:
Provided that in case the State Bank of India Marginal Cost of Lending Rate is not in use it would be replaced by such benchmark lending rates which the State Bank of India may fix from time to time for lending to the general public.
16. **Timelines for refund.**- Any refund of monies along with the applicable interest and compensation, if any, payable by the promoter in terms of the Act or the rules and regulations made thereunder, shall be payable by the promoter to the allottee within 45 (forty-five) days from the date on which such refund along with applicable interest and compensation, as the case may be, becomes due.

CHAPTER VI
REAL ESTATE REGULATORY AUTHORITY

17. **Selection of Chairperson and other Members of Authority.**- (1) As and when vacancies of Chairperson or any other Member in the Authority exist or arise, or are likely to arise, the appropriate Government may make a reference to the Selection Committee in respect of the vacancies to be filled.
- (2) The Selection Committee may, for the purpose of selection of the Chairperson or Member of the Authority, follow such procedure as deemed fit **will cause to call for application** for appointment as Chairperson or Member of the Authority.
- (3) The Selection Committee shall select **not less than three persons to suggest a panel of names** for each vacancy and recommend the same to the appropriate Government.
- (4) The Selection Committee shall make its recommendation to the appropriate Government within a period of sixty days from the date of reference made under sub-rule (1).
- (5) The appropriate government shall within thirty days from the date of receipt of the recommendation by the Selection Committee, appoint one of the persons recommended by the Selection Committee for the vacancy of the Chairperson or other Members, as the case may be. **However the appropriate Government may send back the recommendation to the Selection Committee for re-consideration with reasons for such reference in case of Chairperson or Member which shall not be more than two occasion, in respect of each position.**

18. **Salary and allowances payable and other terms and conditions of service of Chairperson and other Members of Authority.**- (1) The salaries and allowances payable to the Chairperson and other Members of the Authority shall be as follows, -
- (a) the Chairperson shall be paid a consolidated monthly salary of two lakh fifty thousand rupees and shall not be entitled to any allowance relating to house and vehicle; **or alternatively appropriate Government may decide a consolidated monthly salary minus pension along with other perks and facilities as entitled to the last post held by the person;**
 - (b) the Member shall be paid a consolidated monthly salary of two lakh rupees **minus pension and equivalent to his last position in the State Government.**
2. The Chairperson and other Member shall be entitled to leave **as admissible to State Government servants.**
 3. The other allowances and conditions of service of the Chairperson and the Members shall be such as may be determined by the appropriate Government from time to time.
19. **Administrative powers of the Chairperson of Authority.**- (1) The Chairperson of the Authority shall exercise the administrative powers in respect of, -
- (a) matters pertaining to staff strength, wages and salary structures, emoluments, perquisites and personnel policies;
 - (b) matters pertaining to creation and abolition of posts;
 - (c) matters pertaining to appointments, promotions and confirmation for all posts;
 - (d) acceptance of resignations by any Member, officer or employee of the Authority;
 - (e) officiating against sanctioned posts;
 - (f) authorisation of tours to be undertaken by any Member, officer or employee of the Authority within **and outside India;**
 - (g) matters in relation to reimbursement of medical claims;
 - (h) matters in relation to grant or rejection of leaves;
 - (i) permission for hiring of vehicles for official use;
 - (j) nominations for attending seminars, conferences and training courses in India or abroad
 - (k) permission for invitation of guests to carry out training course;
 - (l) matters pertaining to staff welfare expenses;
 - (m) sanction or scrapping or write-off of capital assets which due to normal wear and tear have become unserviceable or are considered beyond economical repairs;
 - (n) matters relating to disciplinary action against any Member, officer or employee of the Authority;
2. The Chairman of the Authority shall also exercise such other powers that may be required for the efficient functioning of the Authority and enforcement of the provisions of the Act and the rules and regulations made there under.
20. **Salary and allowances payable to and the other terms and conditions of service of the officers and of the employees of Authority.**- (1) The conditions of service of the officers and employees of the Authority in the matter of pay, allowances, leave, joining time, joining

time pay, age of superannuation and other conditions of service, shall be regulated in accordance with such rules and regulations as are, from time to time, applicable to officers and employees of the appropriate Government and drawing the corresponding scales of pay.

(2) The appropriate Government shall have the power to relax the provisions of any of these rules in respect of any class or category of officers or employees.

21. Functioning of Authority.

(1) The office of the Authority shall be located at such place as may be determined by the appropriate Government by notification.

(2) The working days and office hours of the Authority shall be the same as that of the normal working days and office hours of the other offices of the appropriate Government.

(3) The official common seal and emblem of the Authority shall be such as the appropriate Government may specify.

(4) Every notice, order and direction of the Authority shall bear the seal of the Authority which shall be in custody with the person designated by the Chairperson.

(5) The Authority shall ordinarily have sittings at its headquarters and at such other places as the Chairperson may by general or special order specify.

22. Additional powers of Authority.

(1) In addition to the powers specified in clause (iv) of sub-section (2) of Section 35 of the Act, the Authority shall exercise the following additional powers:-

(a) require the promoter, allottees or real estate agent to furnish in writing such information or explanation or produce such documents within such reasonable time, as it may deem necessary;

(b) requisitioning, subject to the provisions of Sections 123 and 124 of the Indian Evidence Act, 1872 (1 of 1872), any public record or document or copy of such record or document from any office.

(2) The Authority may call upon such experts or consultants from the fields of economics, commerce, accountancy, real estate, competition, construction, architecture, law or engineering or from any other discipline as it deems necessary, to assist the Authority in the conduct of any inquiry or proceedings before it.

(3) The Authority may in the interest of the allottees, inquire into the payment of amounts imposed as penalty, interest or compensation, paid or payable by the promoter, in order to ensure that the promoter has not,-

(a) withdrawn the said amounts from the account maintained under sub-clause (D) of clause(1) of sub-section(2) of Section 4 of the Act; or

(b) used any amounts paid to such promoter by the allottees for that real estate project for which the penalty, interest or compensation is payable, or any other real estate project; or

(c) recovered the amounts paid as penalty, fine or compensation from the allottees of the relevant real estate project or any other real estate project.

23. **Recovery of interest, penalty and compensation.**- The recovery of the amounts due, such as interest, penalty or compensation shall be recovered as arrears of land revenue in the manner provided under applicable local laws.

CHAPTER VII

REAL ESTATE APPELLATE TRIBUNAL

24. **Establishment of Appellate Tribunal.**-

- (1) The appropriate Government on consultation with the neighbouring state may notify an Appellate Tribunal of that particular state to function as the Real Estate Appellate Tribunal of the State. Rules will be applicable as notified by the concerned state.
- (2) Provided that, until the establishment of an Appellate Tribunal, the appropriate Government shall designate, by order, any Appellate Tribunal Functioning under any law for the time being in force, to be the Appellate Tribunal to hear appeals under the Act.
- (3) Provide further that after the Appellate Tribunal under rule 1 is established, all matters pending with the Appellate Tribunal designated to hear appeals, shall stand transferred to the Appellate Tribunal so established and shall be heard from the stage such appeal is transferred.

CHAPTER VIII

OFFENCE AND PENALTY

25. **Terms and conditions and the fine payable for compounding of offence.**- (1) The Court shall, for the purposes of compounding any offence punishable with imprisonment under the Act, accept an amount as specified in the Table below:

Offence	Amount to be paid for compounding the offence
Punishable with imprisonment under sub section (2) of section 59 of the Act.	<i>ten per cent.</i> of the estimated cost of the real estate project.
Punishable with imprisonment under section 64 of the Act.	<i>ten per cent.</i> of the estimated cost of the real estate project.
Punishable with imprisonment under section 66 of the Act.	<i>ten per cent.</i> of the estimated cost of the plot, apartment or building, as the case may be, of the real estate project, for which the sale or purchase has been facilitated.
Punishable with imprisonment under section 68 of the Act.	<i>ten per cent.</i> of the estimated cost of the plot, apartment or building, as the case may be.

- (2) The promoter, allottees or real estate agent, as the case may be, shall comply with the orders of the Authority or the Appellate Tribunal, within the period specified by the court, which shall not be more than thirty days from the date of compounding of the offence.
- (3) On payment of the sum of money in accordance with sub-rule (1) and subsequent to compliance of the orders of the Authority or the Appellate Tribunal as provided in sub-rule (2), any person in custody in connection with that offence shall be set at liberty and no proceedings shall be instituted or continued against such person in any court for that offence.
- (4) The acceptance of the sum of money for compounding an offence under sub-rule (1), by the Court shall be deemed to be an acquittal within the meaning of section 300 of the Code of Criminal Procedure, 1973 (2 of 1974).

CHAPTER IX

FILING OF COMPLAINT WITH THE AUTHORITY AND THE ADJUDICATING OFFICER

26. ***Filing of complaint with the Authority and inquiry by Authority.***- (1) Any aggrieved person may file a complaint with the Authority for any violation under the Act or the rules and regulations made thereunder, save as those provided to be adjudicated by the adjudicating officer, in Form 'L', in triplicate, until the application procedure is made web based, which shall be accompanied by a fee of one thousand rupees in the form of a Demand Draft or a Bankers Cheque drawn on a Scheduled Bank in favour of Authority and payable at the branch of that bank at the station where the seat of the said Authority is situated or through online payment, as the case may be.
- (2) The Authority shall for the purpose of deciding any complaint as specified under sub-rule (1), follow summary procedure for inquiry in the following manner, namely, -
 - (a) upon receipt of the complaint, the Authority shall issue a notice along with particulars of the alleged contravention and the relevant documents to the respondent;
 - (b) the respondent against whom such notice is issued under clause (a) of sub-rule (2), may file his reply in respect of the complaint within the period as specified in the notice;
 - (c) the notice may specify a date and time for further hearing and the date and time for the hearing shall also be communicated to the complainant;
 - (d) on the date so fixed, the Authority shall explain to the respondent about the contravention alleged to have been committed in relation to any of the provisions of the Act or the rules and regulations made thereunder and if the respondent;
 - (i) pleads guilty, the Authority shall record the plea, and pass such orders including imposition of penalty as it thinks fit in accordance with the provisions of the Act or the rules and regulations, made thereunder;
 - (ii) does not plead guilty and contests the complaint, the Authority shall demand an explanation from the respondent;

- (e) In case the Authority is satisfied on the basis of the submissions made that the complaint does not require any further inquiry it may dismiss the complaint;
 - (f) in case the Authority is satisfied on the basis of the submissions made that there is need for further hearing into the complaint it may order production of documents or other evidence on a date and time fixed by the Authority;
 - (g) the Authority shall have the power to carry out an inquiry into the complaint on the basis of documents and submissions;
 - (h) the Authority shall have the power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any documents which in the opinion of the adjudicating officer, may be useful for or relevant to the subject matter of the inquiry, and in taking such evidence, the Authority shall not be bound to observe the provisions of the Indian Evidence Act, 1872 (11 of 1872);
 - (i) on the date so fixed, the Authority upon consideration of the evidence produced before it and other records and submissions is satisfied that:-
 - i). the respondent is in contravention of the provisions of the Act or the rules and regulations made thereunder, it shall pass such orders including imposition of penalty as it thinks fit in accordance with the provisions of the Act or the rules and regulations made thereunder;
 - ii). the respondent is not in contravention of the provisions of the Act or the rules and regulations made thereunder, the Authority may, by order in writing, dismiss the complaint, with reasons to be recorded in writing
 - (j) if any person fails, neglects or refuses to appear, or present himself as required before the Authority, the Authority shall have the power to proceed with the inquiry in the absence of such person or persons after recording the reasons for doing so;
- (3) The procedure for day to day functioning of the Authority, which have not been provided the Act or the rules made thereunder, shall be as specified by regulations made by the Authority.
- (4) Where a party to the complaint is represented by an authorised person, as provided under section 56 of the Act, a copy of the authorisation to act as such and the written consent thereto by such authorised person, both in original, shall be appended to the complaint or the reply to the notice of the complaint, as the case may be.

27. Filing of complaint with the adjudicating officer and inquiry by adjudicating officer.- (1) Any aggrieved person may file a complaint with the adjudicating officer for interest and compensation as provided under Section 12, 14, 18 and 19 of the Act in Form 'M' in triplicate, until the application procedure is made web based, which shall be accompanied by a fees of one thousand rupees in the form of a demand draft or a bankers cheque drawn on a scheduled bank in favour of the Authority and payable at the branch of that bank at the station where the seat of the said Authority is situated or through online payment, as the case may be.

- (2) The adjudicating officer shall for the purposes of adjudging interest and compensation follow summary procedure for inquiry in the following manner, namely:-
- (a) Upon receipt of the complaint, the adjudicating officer shall issue a notice along with particulars of the alleged contravention and the relevant documents to the respondent;
 - (b) The respondent against whom such notice is issued under clause (a) of sub-rule (2) may file his reply in respect of the complaint within the period as specified in the notice;
 - (c) The notice may specify a date and time for further hearing and the date and time for the hearing shall also be communicated to the complainant;
 - (d) On the date so fixed, the adjudicating officer shall explain to the respondent about the contravention alleged to have been committed in relation to any of the provisions of the Act or the rules and regulations made thereunder and if the respondent,-
 - (i) pleads guilty, the adjudicating officer shall record the plea, and by order in writing, order payment of interest as specified in rule 15 and such compensation as he thinks fit, as the case may be, in accordance with the provisions of the Act or the rules and regulations, made thereunder;
 - (ii) does not plead guilty and contests the complaint, the adjudicating officer shall demand an explanation from the respondent;
 - (e) In case the adjudicating officer is satisfied on the basis of the submissions made that the complaint does not require any further inquiry it may dismiss the complaint;
 - (f) in case the adjudicating officer is satisfied on the basis of the submissions made that there is need for further hearing into the complaint it may order production of documents or other evidence on a date and time fixed by him;
 - (g) the adjudicating officer shall have the power to carry out an inquiry into the complaint on the basis of documents and submissions;
 - (h) the adjudicating officer shall have the power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any documents which in the opinion of the adjudicating officer, may be useful for or relevant to the subject matter of the inquiry, and in taking such evidence, the adjudicating officer shall not be bound to observe the provisions of the Indian Evidence Act, 1872 (11 of 1872);
 - (i) on the date so fixed, the adjudicating officer upon consideration of the evidence produced before him and other records and submissions is satisfied that the respondent is,-
 - (i) liable to pay interest and compensation, as the case may be, he may, by order in writing, order payment of interest as specified in rule 15 and such compensation as he thinks fit, as the case may be, in accordance with the provisions of the Act or the rules and regulations made thereunder; or
 - (ii) not liable to any interest and compensation, as the case may be, he may, by order in writing, dismiss the complaint, with reasons to be recorded in writing;

- (j) if any person fails, neglects or refuses to appear, or present himself as required before the adjudicating officer, the adjudicating officer shall have the power to proceed with the inquiry in the absence of such person or persons after recording the reasons for doing so.
- (3) The procedure for day to day functioning of the adjudicating officer, which have not been provided by the Act or the rules made thereunder, shall be as specified by regulations made by the Authority.
- (4) Where a party to the complaint is represented by an authorised person, as provided under Section 56 of the Act, a copy of the authorisation to act as such and the written consent thereto by such authorised person, both in original, shall be appended to the complaint or the reply to the notice of the complaint, as the case may be.

CHAPTER XI

BUDGET AND REPORT

28. Budget, accounts and audit.-

- (1) At the end of each financial year the Authority shall prepare a budget, maintain proper accounts and other relevant records and prepare an annual statement of accounts in Form 'N'.
- (2) The Authority shall preserve the accounts and other relevant records prepared under sub-rule (1) for a minimum period of five years.
- (3) The accounts and other relevant records under sub-rule (1) shall be signed by the Chairperson, Members, Secretary and the officer in-charge of Finance and Accounts.
- (4) The accounts of the Authority and the audit report shall, as soon as possible, be submitted to the appropriate Government.

29. Annual Report. –

- (1) The Authority shall prepare its annual report in Form 'O'.
- (2) The Authority may also include in the Annual Report such other matters as deemed fit by the Authority for reporting to the appropriate Government.
- (3) The annual report shall, after adoption at a meeting of the Authority and signed by the Chairperson and Members and authenticated by affixing the common seal of the Authority, with requisite number of copies thereof, be submitted to the appropriate Government within a period of one hundred and eighty days immediately following the close of the year for which it has been prepared.

By order etc.,

Under Secretary to the Govt. of Meghalaya,
Urban Affairs Department.

FORM 'A'
[See rule 3(2)]
APPLICATION FOR REGISTRATION OF PROJECT

To

The Real Estate Regulatory Authority (Name of Place)

Sir,

[I/We] hereby apply for the grant for registration of [my/our] project to be set up at
_____ Block _____ District _____ State _____.

1. The requisite particulars are as under, -

- (i) Status of the applicant - [individual / company / proprietorship firm / societies / partnership firm / competent authority etc.];
- (ii). In case of individual-
 - (a) Name:
 - (b) Father's Name:
 - (c) Occupation:
 - (d) Address:
 - (e) Contact Details (Phone number, E-mail, Fax Number etc.):
 - (f) Name, photograph, contact details and address of the promoter:

OR

In case of [firm/societies/trust/company/limited liability partnership/competent authority etc.]

- (a) Name:
 - (b) Address:
 - (c) Copy of registration certificate as [firm / societies / trust / company / limited liability partnership / competent authority, etc]:
 - (d) Main objects:
 - (e) Contact Details (Phone number, E-mail, Fax Number, etc):
 - (f) Name, photograph, contact details and address of [chairman / partners / directors] and authorised person etc:
- (iii) Pan No. _____ of the promoter;
 - (iv) Name and address of the bank or banker with which account in terms of sub-clause (D) of clause (1) of sub-section (2) of Section 4 of the Act will be maintained _____.
 - (v) Details of project land held by the applicant _____.
 - (vi) Brief details of the projects launched by the promoter in the last five years, whether already completed or being developed, as the case may be, including the current status of the said projects, any delay in its completion, details of cases pending, details of type of land and payments pending etc, _____.
 - (vii) Agency to take up external development works _____ [Local Authority / Self Development];

- (viii) Registration fee by way of a demand draft / bankers cheque dated_____ drawn on _____ bearing No._____ for an amount of Rs._____/ - calculated as per sub-rule (3) of rule 3 or through online payment as the case may be_____ (give details of online payment such as date paid transaction no. etc.);
- (ix) Any other information the applicant may like to furnish

2. [I/We] enclose the following documents, namely:-

- (i) authenticated copy of the PAN card of the promoter;
- (ii) annual report including audited profit and loss account, balance sheet, cash flow statement, directors report and the auditors report of the promoter for the immediately preceding three financial years and where annual report is not available, the audited profit and lost account, balance sheet, cash flow statement and the auditors report of the promoter for the immediately preceding three financial years;
- (iii) authenticated copy of the legal title deed reflecting the title of the promoter to the land on which development of project is proposed along with legally valid documents for chain of title with authentication of such title;
- (iv) details of encumbrances on the land on which development of project is proposed including details of any rights, title, interest, dues, litigation and name of any party in or over such land or no encumbrance certificate from an advocate having experience of at least ten years or from the revenue authority not below the rank of **Additional Deputy Commissioner**, as the case may be;
- (v) where the promoter is not the owner of the land on which development of project is proposed details of the consent of the owner of the land along with a copy of the collaboration agreement, development agreement, joint development agreement or any other agreement, as the case may be, entered into between the promoter and such owner and copies of title and other documents reflecting the title of such owner on the land on which project is proposed to be developed.
- (vi) an authenticated copy of the approvals and commencement certificate from the competent authority obtained in accordance with the laws as may be applicable for the real estate project mentioned in the application, and where the project is proposed to be developed in phases, an authenticated copy of the approvals and commencement certificate from the competent authority for each of such phases;
- (vii) the sanctioned plan, layout plan and specifications of the proposed project or the phase thereof, and the whole project as sanctioned by the competent authority;
- (viii) the plan of development works to be executed in the proposed project and the proposed facilities to be provided thereof including fire-fighting facilities, drinking water facilities, emergency evacuation services, use of renewable energy;
- (ix) the location details of the project, with clear demarcation of land dedicated for the project along with its boundaries including the latitude and longitude of the end points of the project;

- (x) proforma of the allotment letter, agreement for sale, and the conveyance deed proposed to be signed with the allottees;
 - (xi) the number, type and the carpet area of apartments for sale in the project along with the area of the exclusive balcony or verandah areas and the exclusive open terrace areas with the apartment, if any;
 - (xii) the number and areas of garage for sale in the project;
 - (xiii) the number of open parking areas and the number of covered parking areas available in the real estate project;
 - (xiv) the names and addresses of his real estate agents, if any, for the proposed project;
 - (xv) a declaration in Form 'B'
3. [I/We] enclose the following additional documents and information regarding ongoing projects, as required under rule 4, and under other provisions of the Act or the rules and regulations made thereunder, namely:-
- (i)
 - (ii)
 - (iii)
-
4. [I/We] solemnly affirm and declare that the particulars given herein are correct to [my/our] knowledge and belief and nothing material has been concealed by [me/us] therefrom.

Dated

Place:

Yours faithfully
Signature and seal of applicant(s)

FORM 'B'**[See rule 3(4)]****DECLARATION, SUPPORTED BY AN AFFIDAVIT WHICH SHALL BE SIGNED BY THE
PROMOTER OR ANY PERSON AUTHORISED BY THE PROMOTER****AFFIDAVIT CUM DECLARATION**

Affidavit cum Declaration of [Mr./Ms]_____ promoter of the project / duly authorised by the promoter of the project, vide its/his/their authorisation dated_____];

I _____ promoter of the project / duly authorised by the promoter of the project] do hereby solemnly declare, undertake and state as under;

1. That [I / promoter] [have / has] a legal title to the land on which the development of the project is proposed OR
_____ [have/has] a legal title to the land on which the development of the proposed project is to be carried out and a legally valid authentication of title of such land along with an authenticated copy of the agreement between such owner and promoter for development of the real estate project is enclosed herewith;
2. That the said land is free from all encumbrances
Or
That details of encumbrances _____ including details of any rights, title, interest, dues, litigation and name of any party in or over such land.
3. That the time period within which the project shall be completed by [me / the promoter]_____.
4. That seventy per cent. of the amounts realised by [me / the promoter] for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose.
5. That the amounts from the separate account, to cover the cost of the project, shall be withdrawn by [me / the promoter] in proportion to the percentage of completion of the project.
6. That the amounts from the separate account shall be withdrawn by [me / the promoter] after it is certified by an engineer, an architect and a chartered accountant in practice that the withdrawal is in proportion to the percentage of completion of the project.

7. That [I / the promoter] shall get the accounts audited within six months after the end of every financial year by a chartered accountant in practice, and shall produce 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 utilised for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.
8. That [I / the promoter] shall take all the pending approvals on time, from the competent authorities.
9. That [I / the promoter] [have / has] furnished such other documents as have been prescribed by the Act and the rules and regulations made thereunder.
10. That [I / the promoter] shall not discriminate against any allottee at the time of allotment of any apartment, plot or building, as the case may be.

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 at _____ on this ____ day of _____

Deponent

FORM 'C'
[See rule 5(1)]

REGISTRATION CERTIFICATE OF PROJECT

This registration is granted under Section 5 of the Act to the following project under project registration number _____:

[Specify Details of Project including the project address]:

1. [in the case of an individual] [Mr./Ms] _____
son of [Mr./Ms] _____ **Block** _____ **District** _____ **State** _____.

OR

[in the case of a firm / society / company / competent authority etc] _____ firm / society / company competent authority etc] _____ having its [registered office / principal place of business] at _____.

2. This registration is granted subject to the following conditions, namely:-
- (i) The promoter shall enter into an agreement for sale with the allottees as prescribed by the appropriate Government;
 - (ii) The promoter shall execute and register a conveyance deed in favour of the allottee or the association of the allottees, as the case may be, of the apartment, plot or building, as the case may be, or the common areas as per Section 17 of the Act;
 - (iii) The promoter shall deposit seventy per cent. of the amount realised by the promoter in a separate account to be maintained in a schedule bank to cover the cost of construction and the land cost to be used only for that purpose as per sub-clause (D) of clause (1) of sub-section (2) of Section 4 of the Act;
 - (iv) The registration shall be valid for a period of _____ years commencing from and ending with _____ unless extended by the Authority in accordance with the Act and the rules made thereunder;
 - (v) The promoter shall comply with the provisions of the Act and the rules and regulations made thereunder;
 - (vi) The promoter shall not contravene the provisions of any other law for the time being in force as applicable to the project;
3. If the above mentioned conditions are not fulfilled by the promoter, the Authority may take necessary action against the promoter including revoking the registration granted herein, as per the Act and the rules and regulations made thereunder;

Dated:

Place :

Signature and seal of the Authorised Officer
Real Estate Regulatory Authority

FORM 'D'**[See rule 5(2), rule 6(4), rule 7]****INTIMATION OF REJECTION OF APPLICATION FOR REGISTRATION OF
PROJECT/REJECTION OF APPLICATION FOR EXTENSION OF REGISTRAION OF
PROJECT/REVOCAION OF REGISTRATION OF PROJECT**

From : The Real Estate Regulatory Authority (name of the Place)

To,

Application/Registration] No. _____

Dated _____

You are hereby informed that your application for registration of your project is rejected.

OR

You are hereby informed that your application for extension of the registration of your project is rejected.

OR

You are hereby informed that the registration granted to your project is hereby revoked.

For reason set out _____

Dated:

Place:

Signature and seal of the Authorised Officer

Real Estate Regulatory Authority

FORM 'E'**[See rule 6(1)]****APPLICATION FOR REGISTRATION OF EXTENSION OF REGISTRAION**

From : _____

To, _____

Application/Registration] No. _____

Dated _____

I/We hereby informed apply for extension of registration of the following project

registered with the Authority vide project registration certificate bearing No. _____, which expires on _____,

As required [I/We] submit the following documents and information, namely:-

- (i) A demand Draft No. / Bankers Cheque No. _____ dated _____ for Rupees _____ for favour of _____ drawn on _____ bank as extension fee as provided under sub- rule (2) of rule 6 or through online payment as the case may be _____ (give details of online payment such as date paid, transaction no. etc.);
- (ii) Authenticated Plan of the project showing the stage of development works undertaken till date;
- (iii) Explanatory note regarding the state of development works in the project and reason for not completing the development works in the project within the period declared in the declaration submitted in Form 'B' at the time of making application for the registration of the project _____;
- (iv) Authenticated copy of the [permission/approval] from the competent authority which is valid for a period which is longer than the proposed term of extension of the registration sought from the Authority;
- (v) The authenticated copy of the project registration certificate; and
- (vi) Any other information as may be specified by regulations;

Dated :

Place :

Yours faithfully,

Signature and seal of the applicant(s)

FORM 'F'
[See rule 6(4)]

CERTIFICATE FOR EXTENSION OF REGISTRATION OF PROJECT

This extension of registration is granted under Section 6 of the Act, to the following project;

registered with the Authority vide project registration certificate bearing No. _____ of:-

1. [In the case of an individual] [Mr./Ms.] _____ son of [Mr./Ms.] _____ **Block** _____ District _____
_____ **State.**

Or

[in the case of a firm / society / company / competent authority etc.] _____ [firm / society / company competent authority etc.] _____ having its [registered office/principal place of business] at _____.

2. This extension of registration is granted subject to the following conditions, namely:-

1. The promoter shall execute and register a conveyance deed in favour of the allottee or the association of the allottees, as the case may be, of the apartment, plot or building, as the case may be, or the common areas as per Section 17 of the Act;
2. The promoter shall deposit seventy per cent. of the amounts realised by the promoter in a separate account to be maintained in a schedule bank to cover the cost of construction and the land cost to be used only for that purpose as per sub-clause (D) of clause (1) of sub-section (2) of Section 4 of the Act;
3. The registration shall be extended by a period of _____ [days / weeks / months] and shall be valid until _____;
4. The promoter shall comply with the provisions of the Act and the rules and regulations made thereunder;
5. The promoter shall not contravene the provisions of any other law for the time being in force as applicable to the project;
6. If the above mentioned conditions are not fulfilled by the promoter, the Authority may take necessary action against the promoter including revoking the registration granted herein, as per the Act and the rules and regulations made thereunder;

Dated:

Place:

Signature and seal of the Authorised Officer
Real Estate Regulatory Authority

FORM 'G'**[See rule 8(1)]****APPLICATION FOR REGISTRATION OF REAL ESTATE AGENT**

To

The Real Estate Regulatory Authority (Name of Place)

Sir,

[I/We] apply for the grant of registration as a real estate agent to facilitate the sale or purchase of any plot, apartment or building, as the case may be, in real estate projects registered in the _____ Union Territory in terms of the Act and the rules and regulations made thereunder:-

1. [In the case of an individual] [Mr./Ms.]_____ son of [Mr./Ms.]_____ **Block** _____ District _____
_____ **State.**

Or

[in the case of a firm / society / company / competent authority etc.]_____ [firm / society / company competent authority etc.]_____ having its [registered office/principal place of business] at _____.

2. The requisite particulars are as under:-
- (i). Status of the applicant, whether [individual / company / proprietorship firm / societies / partnership firm /limited liability partnership etc];
 - (ii). In case of individual;-
 - (a) Name of [Individual / Proprietorship firm]
 - (b) Father's Name
 - (c) Occupation
 - (d) Address
 - (e) Contact Details (Phone number, e-mail, Fax Number etc);
 - (f) Name, photograph, contact details and address of the proprietor;

OR

In case of [firm / societies / company etc.]

- (a) Name
- (b) Address
- (c) Copy of registration certificate as [firm / societies / company etc];
- (d) Major activities
- (e) Contact Details (Phone number, e-mail, Fax Number etc.);
- (f) Name, photograph, contact details and address of [partners / directors etc];
- (iii) Particulars of registration as [proprietorship, societies, partnership, company etc.] including the bye-laws, memorandum of association, articles of association etc. as the case may be;
- (iv). Authenticated copy of the address proof or the place of business;
- (v). Details of registration in any other State or Union Territory;
- (vi). Any other information as specified by regulations;

3 [I/We] enclose the following documents along with, namely:-

- (i). Demand Draft / Bankers Cheque No. _____ dated _____ for the sum of Rupees _____ in favour _____ drawn on _____ bank as registration fee as per sub-rule (2) of rule 8 or through online payment as the case may be _____ (give details of online payment such as date paid, transaction no. etc.);
- (ii). Authenticated copy of the PAN card of the real estate agent; and
- (iii). Authenticated copy of the registration as a real estate agent in any other State or Union Territory, if applicable;

4. [I/We] solemnly affirm and declare that the particulars given in herein are correct to [my /our] knowledge and belief and nothing material has been concealed by [me/us] therefrom;

Dated:

Place:

Yours faithfully,
Signature and seal of the applicant(s)

FORM 'H'**[See rule 9(2)]****REGISTRATION CERTIFICATE OF REAL ESTATE AGENT**

1. This registration is granted under Section 9 of the Act with registration certificate bearing No. _____ to:-

[In the case of an individual] [Mr./Ms.] _____ son of
[Mr./Ms.] _____ **Block** _____ District _____
_____ **State**.

Or

[in the case of a firm / society / company / competent authority
etc.] _____ [firm / society / company competent authority
etc.] _____ having its [registered office/principal place of
business] at _____.

to act as a real estate agent to facilitate the sale or purchase of any plot, apartment or building, as the case may be, in real estate projects registered in the _____ **State** in terms of the Act and the rules and regulations made thereunder;

2. This registration is granted subject to the following conditions, namely:-
- (i). The real estate agent shall not facilitate the sale or purchase of any plot, apartment or building, as the case may be, in a real estate project or part of it, being sold by the promoter which is required but not registered with the Authority;
 - (ii). The real estate agent shall maintain and preserve such books of account, records and documents as provided under rule 12;
 - (iii). The real estate agent shall not involve himself in any unfair trade practices as specified under clause (c) of Section 10 of the Act;
 - (iv). The real estate agent shall facilitate the possession of all information and documents, as the allottee is entitled to, at the time of booking of any plot, apartment or building, as the case may be;
 - (v). The real estate agent shall provide assistance to enable the allottee and promoter to exercise their respective rights and fulfil their respective obligations at the time of

booking and sale of any plot, apartment or building, as the case may be;

- (vi). The real estate agent shall comply with the provisions of the Act and the rules and regulations made thereunder;
- (vii). The real estate agent shall not contravene the provisions of any other law for the time being in force as applicable to him;
- (viii). The real estate agent shall discharge such other functions as may be specified by the Authority by regulations;

3.. The registration is valid for a period of five years commencing from _____ and ending with _____ unless renewed by the Authority in accordance with the provisions of the Act or the rules and regulations made thereunder;

4. If the above mentioned conditions are not fulfilled by the real estate agent, the Authority may take necessary action against the real estate agent including revoking the registration granted herein, as per the Act and the rules and regulations made thereunder;

Dated:

Place:

Signature and seal of the Authorised Officer
Real Estate Regulatory Authority

FORM 'I'**[See rule 9(3), 10(4), 11]****REJECTION OF APPLICATION FOR REGISTRATION OF REAL ESTATE
AGENT/REJECTION OF APPLICATION FOR RENEWAL OF REGISTRATION OF
REAL ESTATE AGENT/REVOCATION OF REAL ESTATE AGENT**

From

The Real Estate Regulatory Authority (Name of Place)

To,

[Application / Registration No.] _____

Dated _____

You are hereby informed that your application for registration as real estate agent is rejected.

OR

You are hereby informed that your application for the renewal of the registration as real estate agent is rejected.

OR

You are hereby informed that the registration granted to you as real estate agent is hereby revoked.
for the reason set out _____.

Dated:

Place:

Signature and seal of the Authorised Officer

Real Estate Regulatory Authority

FORM 'J'**[See rule 10(1)]****APPLICATION FOR RENEWAL OF REGISTRATION OF REAL ESTATE AGENT**

From:

To,

The Real Estate Regulatory Authority (Name of Place)

Sir,

[I/We] apply for renewal my/our registration as a real estate agent under registration certificate bearing No. _____, which expires on _____:-

1. As required [I/We] submit the following documents and information, namely:-
 - (i). A demand draft / bankers cheque No. _____ dated _____ for rupees of _____ in favour of _____ drawn on _____ bank as renewal fee as per sub-rule (2) of rule 10 or through online payment as the case may be _____(give details of online payment such as date paid, transaction no. etc.);
 - (ii) The authenticated copy of the registration certificate; and
 - (iii) Status of the applicant, whether [individual / company / proprietorship firm / societies / partnership firm / limited liability partnership etc];
 - (iv) In case of individual-
 - (a) Name of [Individual / Proprietorship Firm]

- (b) Father's Name
- (c) Occupation
- (d) Address
- (e) Contact Details (Phone number, e-mail, Fax Number etc)
- (f) Name, photograph, contact details and address of the proprietor

OR

In case of [firm / societies / company etc]:-

- (a) Name
 - (b) Address
 - (c) Copy of registration certificate as [firm / societies / company etc.]
 - (d) Major activities
 - (e) Contact Details (Phone number, e-mail, Fax Number etc.)
 - (f) Name, photograph, contact details and address of [partners / directors etc.];
- (v) particulars of registration as [proprietorship, societies, partnership, company etc.] including the bye-laws, memorandum of association, articles of association etc. as the case may be;
- (vi) authenticated copy of the address proof of the place of business;
- (vii) authenticated copy of the PAN card of the real estate agent;
- (viii) authenticated copy of the registration as a real estate agent in any other State or Union Territory, if applicable;
- (ix) Any other information as specified by regulations;
2. [I/We] solemnly affirm and declare that the particulars given in herein are correct to [my /our] knowledge and belief and nothing material has been concealed by [me/us] therefrom.

Dated:

Place:

Yours faithfully,
Signature and seal of the applicant(s)

FORM 'K'**[See rule 10(4)]****CERTIFICATE FOR RENEWAL OF REGISTRATION OF REAL ESTATE AGENT**

1. This renewal of registration is granted under Section 9 of the Act to-

[In the case of an individual] [Mr./Ms.] _____ son of
[Mr./Ms.] _____ **Block** _____ District _____
_____**State**.

Or

[in the case of a firm / society / company / competent authority
etc.] _____ [firm / society / company competent authority
etc.] _____ having its [registered office/principal place of
business] at _____.

In continuation to registration certificate bearing No. _____, of
_____.

2. This renewal of registration is granted subject to the following conditions, namely:-

- (i) The real estate agent shall not facilitate the sale or purchase of any plot, apartment or building, as the case may be, in a real estate project or part of it, being sold by the promoter which is required but not registered with the Authority;
- (ii) The real estate agent shall maintain and preserve such books of account, records and documents as provided under rule 12;
- (iii) The real estate agent shall not involve himself in any unfair trade practices as specified under clause (c) of Section 10 of the Act;
- (iv) The real estate agent shall facilitate the possession of all information and documents, as the allottee is entitled to, at the time of booking of any plot, apartment or building, as the case may be;
- (v) The real estate agent shall provide assistance to enable the allottee and promoter to exercise their respective rights and fulfil their respective obligations at the time of booking and sale of any plot, apartment or building, as the case may be;
- (vi) The real estate agent shall comply with the provisions of the Act and the rules and regulations made thereunder;

- (vii) The real estate agent shall not contravene the provisions of any other law for the time being in force as applicable to him;
- (viii) The real estate agent shall discharge such other functions as may be specified by the Authority by regulations;
3. The registration is valid for a period of five years commencing from _____ and ending with _____ unless renewed by the Authority in accordance with the provisions of the Act or the rules and regulations made thereunder;
4. If the above mentioned conditions are not fulfilled by the real estate agent, the Authority may take necessary action against the real estate agent including revoking the registration granted herein, as per the Act and the rules and regulations made thereunder;

Dated:

Place:

Signature and seal of the Authorised Officer

Real Estate Regulatory Authority

FORM 'L'**[See rule 26(1)]****COMPLAINT TO THE AUTHORITY**

For use of Regulatory Authority(s) office:

Date of filing: _____

Date of [receipt at the filing counter of the Registry / receipt by post / online filing]: _____.

Complaint No.: _____

Signature: _____

Registrar: _____

IN THE REGULATORY AUTHORITIES OFFICE (Name of place)

Between

_____ Complainant(s)

AND

_____ Respondent(s)

Details of claim:

1. Particulars of the complainant(s):
 - (i) Name(s) of the complainant:
 - (ii) Address of the existing office / residence of the complainant:
 - (iii) Address for service of all notices:
 - (iv) Contact Details (Phone number, e-mail, Fax Number etc.):
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 number, e-mail, Fax Number etc.):
3. Jurisdiction of the Authority:

The complainant declares that the subject matter of the claim falls within the jurisdiction of the 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 relief(s) claimed explaining 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 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 [demand draft / bankers cheque or online payment] in respect of the fee in terms of sub-rule (1) of rule 26:

(i) Amount

(ii) Name of the bank on which drawn

(iii) [Demand draft number / bankers cheque / online payment transaction no.]

9. List of enclosures:

(i) Copies of the documents relied upon by the complainant and referred to in the complaint.

(ii) An index of documents

(iii) Other documents as annexed along with the complaint

Signature of the complainant(s)

Verification

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

Dated:

Place:

Signature of the complainant(s)

Instructions:

- (1) Every complaint shall be filed in English and in case it is in some other Indian language, it shall be accompanied by a copy translated in English and 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 four centimetres width on top and with a right margin on 2.5 cm, and left margin of 5 cm, 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 'M'
[See rule 27(1)]
COMPLAINT TO THE ADJUCATING OFFICER

Claim for interest and compensation under Section 31 of the Act read with Section 71 of the Act

For use of Adjudicating Officers office:

Date of filing: _____

Date of [receipt at the filing counter / receipt by post / online filing]: _____

Complaint No.: _____

Signature: _____

Authorised Officer: _____

IN THE ADJUDICATING OFFICERS OFFICE (Name of place)

Between

_____ Complainant(s)

AND

_____ Respondent(s)

Details of claim:

1. Particulars of the complainant(s):
 - (i) Name(s) of the complainant:
 - (ii) Address of the existing office / residence of the complainant:
 - (iii) Address for service of all notices:
 - (iv) Contact Details (Phone number, e-mail, Fax Number etc.):
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
 - (v) Registration no. and address of project:
3. Jurisdiction of the adjudicating officer :

The complainant 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 complainant 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 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).

7. Particulars of [demand draft / bankers cheque or online payment] in respect of the fee in terms of sub-rule (1) of rule 27:

- (i) Amount:
- (ii) Name of the bank on which drawn:
- (iii) [Demand draft number / bankers cheque / online payment transaction no.]

8. List of enclosures

- (i) Copies of the documents relied upon by the complainant and referred to in the complaint.
- (ii) An index of documents.
- (iii) Other documents as annexed along with the complaint.

Signature of the complainant(s)

Verification

I _____ (name in full block letters) [son / daughter] of _____ the complainant do hereby verify that the contents of paragraphs [1 to 8] are true to my personal knowledge and belief and that I have not suppressed any material fact(s).

Dated:

Place:

Signature of the complainant(s)

Instructions:

- (1) Every complaint shall be filed in English and in case it is in some other Indian language, it shall be accompanied by a copy translated in English and 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 four centimetres width on top and with a right margin on 2.5 cm, and left margin of 5 cm, 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 'N'

[See rule 28(1)]

ANNUAL STATEMENT OF ACCOUNTS

Receipts and Payments Account

For the year ended _____

(In Rupees)

A/c Code	Receipts	Current year	Previous Year	A/c Code	Payments	Current year	Previous year
		As on	As on			As on	As on
1.	To Balance Brought down:			13.	By Chairperson and Members:		
1.1.	To Bank			13.1.	By Pay and Allowances		
1.2.	To Cash in hand			13.2.	By Other benefits		
2.	To Fee, Charges and Fine:			13.3.	By Travelling expenses:		
2.1.	To Fees			13.3.1.	By Overseas		
2.2.	To Charges			13.3.2.	By Domestic		
2.3.	To Fines			14.	By Officers:		
2.4.	To Others (specify)			14.1.	By Pay and Allowances		
3.	To Grants:			14.2.	By Retirement benefits		
3.1.	To Accounts with Government			14.3.	By Other benefits		
3.2.	To Others (specify)			14.4.	By Travelling expenses:		
4.	To Gifts			14.4.1.	By Overseas		
5.	To Seminars and conferences			14.4.2.	By Domestic		
6.	To Sale of Publications			15.	By Staff:		
7.	To Income on investments and deposits:			15.1.	By Pay and Allowances		

7.1.	To Income on investments			15.2.	By Retirement benefits		
7.2.	To Income on Deposits			15.3.	By Other benefits		
8.	To Loans:			15.4.	By Travelling expenses:		
8.1.	To Government			15.4.1.	By Overseas		
8.2.	To Others (specify)			15.4.2.	By Domestic		
9.	To Sale of Assets			16.	By Hire of Conveyance		
10.	To Sale of Investments			17.	By Wages		
11.	To Recoveries from pay bills:			18.	By Overtime		
11.1.	To Loans and Advances Principal Amount			19.	By Honorarium		
11.2.	To Interest on Loans and Advances			20.	By Other office expenses		
11.3.	To Miscellaneous			21.	By Expenditure on Research		
51	To Others (specify)			22.	By Consultation expenses		
				23.	By Seminars and conferences		
				24.	By Publications of Authority		
				25.	By Rent and Taxes		
				26.	By Interest on Loans		
				27.	By Promotional Expenses		
				28.	By Membership fee		
				29.	By Subscription		
				30.	By Purchase of Fixed Assets (specify)		
				31.	By Investments and Deposits:		
				31.1.	By Investments		
				31.2.	By Deposits		
				32.	By Security Deposits		
				33.	By Loans and Advances to:		
				33.1	By Employees:		

				33.1. 1.	By Bearing Interest		
				33.1. 2.	By Not bearing Interest		
				33.2.	By Suppliers/contractors		
				33.3.	By others (specify)		
				34.	By Repayment of loan		
				35.	By Others		
				35.1.	By Leave Salary and Pension		
				35.2.	Contribution		
				35.3.	By Audit Fee		
				35.4.	By Misc:		
				36.	By Balance carried down:		
				36.1	By Bank		
				36.2	By Cash in hand		
	Total				Total		

Chairperson (Signature)

Member(s) (Signature)

Secretary (Signature)

Officer In-charge (Finance and Accounts)

Income and Expenditure Account

For the period 1st _____ to 31st _____

(In Rupees)

A/c Code	Expenditure	Schedule	Current Year As on	Previous Year As on	A/c Code	Income	Schedule	Current Year As on	Previous Year As on
13.	To Chairperson and Members				2.	By Fee, Charges and Fine	A		
13.1.	To Pay and Allowances				2.1.	By Fee			
13.2.	To Other benefits	C			2.2.	By Charges			
13.3.	To Travelling Expenses				2.3.	By Fines			
13.3.1.	To Overseas				2.4.	By Others (specify)			

13.3. 2.	To Domestic				3.	By Grants	B		
14.	To Officers				3.1.	By Account with Government			
14.1.	To Pay and Allowance				3.2.	By Others Specify			
14.2.	To retirement Benefits	D			4.	By Gifts			
14.3.	To Other Benefits	C			5.	By Seminars and Conferences			
14.4.	To Traveling Expenses				6.	By Sale of Publications			
14.4. 1.	To Overseas				7.	By Income on investments and Deposits			
14.4. 2.	To Domestic				7.1.	By Income on investments			
15.	To Staff				7.2.	By Income on Deposits			
15.1.	To Pay and Allowances				11.2.	By Interest on Loan and Advances			
15.2.	To Retirement Benefits	D			12.	By Miscellaneous Income			
15.3.	To Other Benefits	C			12.1.	By Gain on Sales of Assets			
15.4.	To Travelling expenses					By Excess of expenditure over income			
15.4. 1.	To Overseas					(Transferred to Capital Fund Account)			
15.4. 2.	To Domestic								
16.	To hire of Conveyance								
17.	To Wages								
18.	To Overtime								

19.	To Honorarium								
20.	To Other office expenses	E							
21.	To expenditure on Research								
22.	To Consultation expenses								
23.	To Seminars and conferences								
24.	To Publications of Authority								
25.	To Rent and Taxes								
26.	To Interest on loans								
27.	To Promotional Expenses								
28.	To membership fee	F							
29.	To Subscription	G							
35.	To Others								
35.1.	To Leave Salary and Pension								
35.2.	Contribution								
35.3.	To Audit Fee								
35.4.	To Misc.								
37.	To Depreciation	H							
48.	To Loss on sale of Assets								
49.	To Bad Debts written off								

50.	To Provision for bad and doubtful debts								
	To Excess of income over expenditure								
	(Transferred to Capital Fund Account)								
	Total:					Total:			

Chairperson (Signature)

Member(s) (Signature)

Secretary (Signature)

Officer In-charge (Finance and Accounts)

Balance Sheet as on 31st (Month) (Year) _____

(In Rupees)

A/c Code	Liabilities	Schedule	Current Year As on	Previous Year As on	A/c Code	Assets	Schedule	Current Year As on	Previous Year As on
40.	Funds	I			43.	Fixed Assets	H		
40.1.	Capital Fund Add Excess of Income over Expenditure/ less excess of Expenditure over Income				43.1.	Gross Block at Cost Less Cumulative depreciation			
40.2.	Other Funds (Specify)				42.2.	Net Block			
41.	Reserves	J			44.	Capital Work-in-progress	M		
8.	Loans	K			31.	Investments & Deposits	N		
8.1.	Government				31.1.	Investment			
8.2.	Others				31.2.	Deposits			
42.	Current Liabilities and provisions	L			33.	Loans and Advances	O		
					3.1.	Account with Government	S		
					45.	Sundry Debtors	P		

					36.	Cash and Bank Balances	Q		
					46.	Other Current Assets	R		
	Total					Total			
	Accounting Policies and Notes to	T							

Instructions:

- (1) The Schedules referred / referenced above shall be prepared by the Authority based on accounting principles followed by the appropriate Government or by other regulatory authorities or as suggested by the Comptroller and Auditor General of India from time to time.
- (2) The Schedules referred to above shall form an integral part of the Income and Expenditure Account or the Balance Sheet, as the case may be.

Chairperson (Signature)

Member(s) (Signature)

Secretary (Signature)

Officer In-charge (Finance and Accounts)

FORM 'O'
[See rule 29(1)]

ANNUAL REPORT TO BE PREPARED BY THE AUTHORITY

A. Introduction:

- (i) Chairman's statement:
- (ii) Objectives:
- (iii) Important achievements:
- (iv) The year in review:
 - (a) Landmark decisions.
 - (b) Legislative work.
 - (c) Outreach programme.
- (v) Capacity building:
- (vi) International engagements:
- (vii) Impact on:
 - (a) Allottees:
 - (b) Promoters:
 - (c) Real Estate Agents:
 - (d) Economy:

B. Registration of promoters and real estate agents under the Act:

I. In relation to Promoters

Serial Number	Name of promoter	Address of promoter	Description of project for which registration has been issued	Fee paid	Registration Number
1	2	3	4	5	6

Date of issue of registration	Date on which registration expires	Date of extension of registration with period of extension	Remark
7	8	9	10

II. In relation to Real Estate Agents

Serial Number	Name of Real Estate Agent	Address of Real Estate Agent	Registration Fee paid	Registration Number	Date of issue of registration certificate	Date on which registration certificate expires	Date and period of renewal of registration certificate	Remark
1	2	3	4	5	6	7	8	9

C. Number of cases filed before the Authority and the adjudicating officer for settlement of disputes and number of cases disposed:

Sl. No.	No. of cases pending in the last quarter with the Authority	No. of cases received during the quarter by the Authority	No. of cases disposed of by the Authority

Sl. No.	No. of cases pending in the last quarter with the adjudicating officer	No. of cases received during the quarter by the adjudicating officer	No. of cases disposed of by the adjudicating officer

D. Statement on the periodical survey conducted by the Authority to monitor the compliance of the provisions of the Act by the promoters, allottees and real estate agents:

Sl. No.	Survey conducted during the quarter with details	Observation of Authority	Remedial steps taken

E. Statement on steps taken to mitigate any non-compliance of the provisions of the Act and the rules and regulations made thereunder by the promoters, allottees and real estate agents:

Sl. No.	Subject	Steps taken	Results achieved

F. Statements on directions of the Authority and the penalty imposed for contraventions of the Act and the rules and regulations made thereunder and statement on interest and compensations ordered by the adjudicating officer:

Sl. No.	Name of the promoter	Details of the directions issued by the Authority / adjudicating officer	Penalty / interest / compensations imposed	Whether paid

Sl. No.	Name of the allottee	Details of the directions issued by the Authority / adjudicating officer	Penalty / interest / compensations imposed	Whether paid

Sl. No.	Name of the real estate agent	Details of the directions issued by the Authority / adjudicating officer	Penalty / interest / compensations imposed	Whether paid

- G. Investigations and inquiries ordered by the Authority or the adjudicating officer: A brief narrative of investigations and inquiries taken up by the Authority or the adjudicating officers and references received from the competent authority or the appropriate Government.
- H. Orders passed by the Authority and the adjudicating officer: A brief narrative of orders passed by the Authority or the adjudicating officers separately for where no offence is made out, and in case offence is proved, category-wise for each category of orders passed along with a tabular statement indicating the sections under which the order was passed and brief particulars of the orders.
- I. Execution of the orders of the Authority and imposition of penalties: (i) monetary penalties – details of recovery of penalty imposed, details of penalty imposed but not recovered, total number of matters and total amount of monetary penalty levied, total amount realized by resorting to rule 23; (ii) matters referred to court under section 59 of the Act – total number of matters referred to the court during the year, total number of matters disposed of by the court during the year, total number of matters pending with the court at the end of the year; (iii) matters referred to court for execution of order under section 40 of the Act – total number of matters referred to the court during the year, total number of matters disposed of by the court during the year, total number of matters pending with the court at the end of the year.

- J. Execution of the orders of the adjudicating officer and imposition of interest and compensation: (i) interest and compensations – details of interest and compensation imposed, details of interest and compensation imposed but not paid, total number of matters and total amount of interest and compensations imposed, total amount realized by resorting to rule 23; and (ii) matters referred to court for execution of order under section 40 of the Act – total number of matters referred to the court during the year, total number of matters disposed of by the court during the year, total number of matters pending with the court at the end of the year.
- K. Appeals:
- (i) Number of appeals filed against the orders of the Authority or the adjudicating officer in the year:
 - (ii) Number of appeals pending at the beginning of the year:
 - (iii) Appeals filed during the year:
 - (iv) Number of appeals allowed by the Appellate Tribunal during the year:
 - (v) Number of appeals disallowed by the Appellate Tribunal during the year:
 - (vi) Brief write up on the appeals allowed by the Appellate Tribunal:
- L. References received from the appropriate Government under Section 33 of the Act: a brief narrative on references received from the appropriate Government under Section 33 of the Act providing for – number of references received during the year, number of references disposed of during the year, number of references pending at the end of the year.
- M. Advocacy measures under sub-section (3) of Section 33 of the Act: a brief narrative on activities undertaken under sub- section (3) of Section 33 of the Act – (i) workshops, seminars and other interactions with public / experts / policy-makers / regulatory bodies on laws and policies relating to the real estate sector and for creating awareness on the same; (ii) papers and studies published for advocacy on laws and policies relating to the real estate sector and for creating awareness on the same; (iii) consultation papers published/placed on website of the Authority; (iv) analytical papers prepared and examined; (v) others.
- N. Administration and establishment matters: (i) report of the Secretary; (ii) composition of the Authority; (iii) details of Chairperson and Members appointed in the year and of those who demitted office (iv) details of adjudicating officers appointed in the year and those who demitted office; (v) organizational structure; (vi) a tabular statement containing information on personnel in the Authority, category-wise: sanctioned posts, posts filled up, vacancies, appointments made in the year etc.
- O. Experts and consultants engaged: details of number of experts and consultants appointed in the year and of those who demitted office.
- P. Employee welfare measures, if any, beyond the regular terms and conditions of employment, undertaken by the Authority.

- Q. Budget and Accounts: (i) budget estimates and revised estimates, under broad categories; (ii) receipts under broad categories in the Real Estate Regulatory Fund established under sub-section (1) of Section 75 of the Act; (iii) actual expenditure under broad categories; (iv) balance available in the Real Estate Regulatory Fund under sub-section (1) of section 75 of the Act; (v) any other information.
- R. International cooperation: A brief narrative of international cooperation, if any, undertaken by the Authority.
- S. Capacity Building: A brief narrative of capacity building initiative undertaken including (i) number of employees (category wise and grade wise) trained in house with details of such programmes like content, duration and faculty; (ii) number of employees (category wise and grade wise) trained by outside institutions (separately within Indian and outside India) with details of names of institutions and duration also to specify whether training was under internship, exchange programme, fellowships, study leave, special arrangements with foreign universities/institutions; (iii) expenditure of capacity building initiatives.
- T. Ongoing programmes: A brief narrative of ongoing programmes.
- U. Right to Information: A brief narrative of (i) number of applications received by CPIO/ACPIO seeking information under RTI Act; (ii) Number of applications for which information has been provided by CPIO; (iii) number of applications pending with CPIO; (iv) number of appeals filed before the First Appellate Authority against the order of CPIO; (v) number of appeals which have been disposed of by First Appellate Authority; (vi) number of appeals pending with the First Appellate Authority; (vii) number of applications/appeals not disposed of in the stipulated time frame.

Chairperson (Signature)

Member(s) (Signature)

The 6th December, 2019.

No.FEA.10/2004/Pt./65. - In pursuance of clause (f) of Section 4 of the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Act, 2011 the Medium Term Fiscal Plan, 2019-20 has been formulated along with projections for the next three fiscal years 2020-21, 2021-22 and 2022-23.

The projections and assumptions made while formulating the Medium Term Fiscal Plan are enclosed at **Annexure A and B** respectively.

E. Y. CHEN,

Director Institutional Finance & *Ex-Officio*,
Joint Secretary to the Government of Meghalaya,
Finance (Economic Affairs) Department.

Annexure - A

Medium Term Fiscal Plan 2019-20

(Rs in crore)

Sl. No	Items	Projections									
		2013-14 (Actual)	2014-15 (Actual)	2015-16 (Actual)	2016-17 (Actual)	2017-18 (Actual)	2018-19 (Pre-Actual)	2019-20 BE	2020-21	2021-22	2022-23
1	2	3	4	5	6	7	8	9	10		
I	Total Receipts (exclusive of borrowings)	6287.21	6448.04	7062.19	8957.76	9290.92	9736.63	14462.90	16104.75	17435.25	18923.02
1	Revenue Receipts	6266.73	6428.28	7043.11	8938.95	9273.47	9718.62	14437.96	16077.31	17405.08	18889.83
A	Own Tax Revenue	949.29	939.22	1056.81	1186.01	1450.09	1804.62	2089.80	2388.75	2731.05	3133.01
i)	Sales Tax /VAT/GST	723.65	726.20	811.79	931.06	766.63	1433.46	1650.00	1897.52	2182.18	2509.53
ii)	State Excise	162.66	151.14	170.03	168.98	199.30	263.50	289.85	321.73	357.12	396.41
iii)	Stamps & Duties	9.78	9.90	12.74	17.19	20.25	19.39	21.33	24.74	28.70	33.29
iv)	Motor vehicles	36.72	39.38	42.01	48.22	67.01	69.94	100.00	114.41	130.89	159.69
v)	Other Taxes	16.48	12.60	20.24	20.56	396.90	18.33	28.62	30.34	32.16	34.09
B	Own Non-Tax Revenue	598.15	343.29	228.60	685.23	366.62	427.70	600.57	714.68	850.47	1012.06
C	Total Own Revenue (A+B)	1547.44	1282.51	1285.41	1871.24	1816.71	2232.32	2690.37	3103.42	3581.52	4145.07
D	Share in Central Taxes	1301.96	1381.68	3276.46	3911.05	4323.14	4877.69	5422.37	5964.61	6561.07	7217.17
E	Grants	3417.33	3764.09	2481.24	3156.66	3133.62	2608.61	6325.22	7009.28	7262.49	7527.58
i)	State Plan Grants	2046.28	2580.18	1240.15	2263.52						
ii)	CS/C.Sponsored / NEC	449.63	380.20	567.23	252.66	2633.65	2345.11	6209.74	6396.03	6587.91	6785.55
iii)	Grants from Finance Commission (FC)	883.00	783.30	639.60	557.50	499.97	225.60	115.48	613.25	674.58	742.03
a)	Plan Grants										
b)	Non Plan Grants (Rev Deficit + other than RD)	883.00	783.30	639.60	557.50	499.97	225.60	115.48	613.25	674.58	742.03
iv)	Non Plan Grants other than FC	38.42	20.41	34.26	82.98		37.90	0.00	0.00	0.00	0.00
#	Recovery of loans	20.48	19.76	19.08	18.81	17.45	18.01	24.94	27.43	30.18	33.20

Sl. No	Items	(Rs in crore)									
		2013-14 (Actual)	2014-15 (Actual)	2015-16 (Actual)	2016-17 (Actual)	2017-18 (Actual)	2018-19 (Pre-Actual)	2019-20 BE	Projections		
1	2	3	4	5	6	7	8	9	10	10	
III	Total Expenditure (exclusive of discharge of internal debt and repayment of loans to centre)	6669.39	7426.46	7616.97	9657.16	9528.17	11762.70	15785.74	16949.29	18581.14	20364.12
A	Revenue Expenditure	5551.59	6251.86	6347.73	8336.54	8422.68	10255.94	13699.48	14706.31	16169.41	17770.65
i)	Interest Payments	371.50	405.10	465.88	522.23	591.18	528.66	746.16	682.61	743.34	801.97
ii)	Salaries	2418.24	2885.22	2989.41	3887.21	4020.93	5788.50	6186.37	6623.71	7286.08	8014.68
iii)	Pensions	450.87	514.94	589.43	647.85	750.90	1004.91	854.69	896.51	986.16	1084.78
2	New Pension Scheme										
v)	Other Expenditure	2310.98	2446.60	2303.01	3279.25	3059.67	2933.87	5912.26	6503.49	7153.83	7869.22
B	Capital Outlay	1075.47	1118.49	1110.89	1289.79	1083.44	1417.28	1730.30	1851.42	1981.02	2119.69
C	Lending	42.33	56.11	158.35	30.83	22.05	89.48	355.96	391.56	430.71	473.78
III	Revenue Surplus /Deficit	-715.14	-176.42	-695.38	-602.41	-850.79	537.32	-738.48	-1371.00	-1235.67	-1119.18
IV	Fiscal Deficit	382.18	978.42	554.78	699.40	237.25	2026.07	1322.84	844.54	1145.89	1441.10
V	Primary Surplus/Deficit	10.68	573.32	88.90	177.17	-353.93	1497.41	576.68	161.93	402.55	639.13
VI	Total Liabilities as on 31st March	6267.40	6749.63	7152.84	8981.69	9483.25	10623.68	11814.16	13276.22	14849.42	16359.36
VII	Revenue Surplus/Deficit as % of GSDP	-3.12	-0.76	-2.77	-2.23	-2.85	1.63	-2.04	-3.44	-2.82	-2.32
VIII	Fiscal Deficit as % of GSDP	1.67	4.21	2.21	2.58	0.79	6.14	3.65	2.12	2.61	2.99
IX	Total Outstanding Debt as % of GSDP	27.32	29.05	28.48	33.18	31.76	32.22	32.57	33.28	33.84	33.89
X	GSDP	22938.24	23234.53	25117.36	27067.35	29863.63	32971.70	36268.87	39895.76	43885.33	48273.87

Note : Assumptions on the projection made for the fiscal year 2020-21 to 2022-23 is at Annexure -B

Annexure -B

Assumptions used for making projections

Sl.No	Items	Assumptions
A	Total Receipts	This is a derived figure calculated as : Total Receipts = Total Revenue Receipts + Recovery of Loans
A1	Revenue Receipts	This is a derived figure calculated as : Total Revenue Receipts = Own Tax Revenue + Own Non Tax Revenue+Share in Central Taxes + Grants
A1 (i)	Own Tax Revenue	This is a derived figure calculated as : Own Tax Revenue = Sales Tax + State Excise+Stamp and Duties+Motor Vehicles+Other Taxes
	Sales Tax /VAT/GST	Growth rate of 15% over 2019-20 (BE) is used for the projections on the basis of the trend in the revenue earned.
	State Excise	Growth rate of 11% over 2019-20 (BE) is used for the projections on the basis of the trend in the revenue earned under the tax revenue.
	Stamps & Duties	Growth rate of 16% over 2019-20 (BE) is used for the projections on the basis of the trend in the revenue earned under the tax revenue.
	Motor vehicles	Growth rate of 14.41% over 2019-20 (BE) is used for the projections on the basis of the trend in the revenue earned under the tax revenue.
	Other Taxes	Growth rate of 6% is used for the projections on the basis of the trend in the revenue earned under the tax revenue.
A1(ii)	Own Non Tax Revenue	Growth rate of 19% over 2019-20 (BE) is used for the projections on the basis of the trend in the revenue earned under Non tax revenue.
A1(iii)	Share in Central Taxes	The award period of the 14th Finance Commission expires with the current Financial Year 2019-20 and the 15th Finance Commission is yet to submit its report. Hence, on the basis of trend analysis, the growth rate for the same is estimated at 10% (rounded off) over 2019-20 (BE) for the projections .
A1(iv)	Grants	This is a derived figure calculated as : Grants = State Plan Grants + CS/CSS/NEC+Grants from the Finance Commission + Other Non Plan Grants other than the Finance Commission.ry of Loans
A2	Capital Receipt / Recovery of loans	As the average trend growth rate yields a negative figure, the GSDP growth rate of 10% over 2019-20 (BE) is used for the projections

Sl.No	Items	Assumptions
B	Total Expenditure	This is a derived figure calculated as : Total Expenditure = Revenue Expenditure + Capital Expenditure
B1	Revenue Expenditure	This is a derived figure calculated as : Revenue Expenditure = Interests payments + Salaries + Pensions + Other Expenditure
B1(i)	Interest Payments	The projected interest payment is based on the repayment schedule which are available with Finance Department.
B1(ii)	Salaries	Growth rate of 10% over 2019-20 (BE) after deducting arrear pay is used taking into account the increase in dearness allowance, increment and creation of posts.
B1(iii)	Pensions	Growth rate of 10% over 2019-20 (BE) after deducting arrear pension is used taking into account the increase in dearness allowance.
B1(iv)	Other Expenditure	As the average trend growth rate is very low, the GSDP growth rate of 10% over 2019-20 (BE) is used for the projections.
B2	Capital Expenditure	This is a derived figure calculated as : Capital Expenditure = Capital Outlay + Lending
B2(i)	Capital Outlay	Average trend growth rate of 7% (rounded off) over 2019-20 (BE) is used for the projections
B2(ii)	Lending	As the average trend growth rate is very high, the GSDP growth rate of 10% over 2019-20 (BE) is used for the projections.
C	Total liabilities	This is a derived figure calculated as : Total Liabilities = Outstanding Liabilities (Market Borrowings, Loans from Financial Institutions, Loans from GOI, Provident Fund, Reserve Fund, Deposits and Advances as on 31st March of the preceding + Net addition of the same during the current year.