

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Patna, dated: 1st August 2024

NOTIFICATION

No- 01 Bihar RERA/Gen.Regulations/2024. In Exercise of the powers conferred **under** Section 85 of the Real Estate (Regulation and Development) Act, 2016, the Bihar Real Estate Regulatory Authority, hereby makes the following Regulations.

1. **Short title, extent, commencement and application:**

- (1) These Regulations may be called the Bihar Real Estate Regulatory Authority (General) Regulations, 2024.
- (2) It shall extend to the whole of the State of Bihar.
- (3) These Regulation shall come into force with immediate effect.
- (4) These Regulations shall apply in relation to all matters falling within the jurisdiction of the Real Estate Regulatory Authority in the State of Bihar.

2. **Definitions:**

- (1) In these Regulations, unless the context otherwise requires: -
 - (i) “Act” means the Real Estate (Regulation and Development) Act, 2016 (as amended from time to time);
 - (ii) “**Application**” for registration of real estate project before the Authority means an application complete in all respect and accompanied by all the requisite documents and prescribed fee/late charge **or additional charge** as per the relevant provisions of RERA Act, 2016, Rules **and** Regulations made there under and orders/directions issued in this regard by the Authority from time to time.
 - (iii) “**Adjudication**” means the process of arriving at decisions on complaints received by the Authority under Section 31 of the Act or by the Adjudicating Officer under Section 31 read with Section 71 of the Act;
 - (iv) “**Authority**” means the Bihar Real Estate Regulatory Authority;
 - (v) “**Chairperson**” means the Chairperson of the Authority;
 - (vi) “**Consultant**” includes any person or any organisation, not in the regular employment of the Authority, who/ which may be engaged on a short-term basis to assist the Authority on the matter required to be dealt with by the Authority under the Act and the Rules and Regulations made there under;

- (vii) **“Form”** means the form and forms appended to the RERA Act, 2016, Rules and Regulations made there under.
- (viii) **“Member”** means a **Member** of the Authority appointed under Section 21 of the Act **for the purpose of exercise of any responsibility or the authority vested into a Member under the Act or Rules;**
- (ix) **“Officer”** means an officer of the Authority;
- (x) **“Proceedings”** means and includes proceedings of all nature that the Authority may conduct in the discharge of its functions under the Act and the Rules and Regulations **made there under;**
- (xi) **“Regulation”** means the Bihar Real Estate Regulatory Authority (General) Regulations 2024.
- (xii) **“Rule”** means the Bihar Real Estate (Regulation and Development) Rules, 2017 made by the Government of Bihar under the Act. (as amended from time to time);
- (xiii) **“Secretary”** means the Secretary of the Authority;
- (xiv) **“Section”** means the section of the Real Estate (Regulation and Development) Act, 2016.
- (xv) **“Property”** means property of any kind, whether movable or immovable and includes any right or interest in such property.
- (xvi) **“Late Charge”**: - The promoter or agent, as the case may be, shall be required to pay to the Authority the late charges at the rates, as may be determined by Regulations, general or special order of the Authority, declared or uploaded on the website of the Authority from time to time;
- (xvii) **“Additional Charge”**: - The promoter or agent, as the case may be, shall be required to pay to the Authority the additional charges at the rates, as may be determined by general or special order of the Authority, declared and uploaded on the website of the Authority from time to time;
- (xviii) **“Booking Amount”** means the advance payment or an application fee or any amount howsoever named and would be the amount paid by the flat / plot / home buyer to the promoter at the time of the booking of flat / plot / home with an intention to purchase the same at the given cost, in accordance with Section 13(1) of the RERA Act, 2016.
- (2) Words or expressions occurring in these Regulations and not defined herein but defined in the Act or the Rules shall bear the same meanings respectively assigned to them in the Act and the Rules made there under.

3. Formats of Certificates of Architect, Engineer, and Chartered Accountant: The Certificates to be issued by the project architect, project engineer, and chartered accountant in practice for withdrawal of money from the separate account maintained under section 4(2) (1) (D) shall be in Form 1, 2 and 3 respectively as well as shall be submitted with the application of registration of ongoing projects and along with Form 7 as specified under Regulation 9 (3).

Explanation 1. The Chartered Accountant certifying the progress of the registered real estate project for the purpose of withdrawal of amounts from the separate account should be a "different entity" than the Chartered Accountant, who is the Statutory Auditor of the promoter's enterprise.

Explanation 2.-If the Form No.4 issued by the Chartered Accountant, in Practice, who is not the Statutory Auditor of the promoter's enterprise reveals that any certificate issued by the project Architect, Engineer, or the Chartered Accountant for withdrawal of funds from the separate bank account has false or incorrect information and the amounts collected for a particular project have not been utilized for the project and the withdrawal has not been in compliance with the proportion to the percentage of project work completed, the Authority in addition to taking penal action as contemplated in the Act and the Rules, may in its discretion also take up the matter with the regulatory body concerned of the Architect, Engineer or Chartered Accountant, as the case may be, for necessary penal action against the said professional, which may include cancellation of registration of membership for practice.

4. Formats of various Certificates in Plotted Development Project: In the case of a plotted development project, the various Certificates for withdrawal of money from the separate account maintained under Section 4 (2) (1) (D) shall be in Form 1, 2, and 3 with applicable referential modification as to the Plotted Development Project details.

5. Every application submitted under Section 4 or Section 6 or Section 9 of the Act shall be submitted to the Authority online along with all the details, relevant documents, and stipulated fees as well as additional charge/ late charges, if any.

(1) The promoter shall submit an application for registration along with an affidavit stating therein that the share distribution of flats, shops, apartments, towers including parking/ garage, others, if any, and plots are exclusively within his/ her share available for marketing and same will be mentioned in the registration certificate to be issued by the Authority.

(2) The promoter or agent as the case may be, who fails to submit all the requisite documents or does not comply with other requirements of registration as per the provisions of the Act,

Rules, and Regulations made there under even after an opportunity is given to the applicant to rectify the deficiency in a period as specified by the Authority depending on the merit of the case, shall be treated as incomplete and would be liable to be rejected.

- (3) If the defect in application persists and the application is not complete as per the provision of the Act, Rules, and Regulations made there under, it shall be liable to be rejected in accordance with the provision of Section 5(1) (b) of the Act, after an opportunity is given to the applicant of being heard in the matter, after being served an advance notice of a period of 7 days from the date of the issuance of the notice.
- (4) In case an application is rejected as per Regulation 5(3) above, the Promoter or Agent, as the case may be, may make a fresh application to the Authority along with the fee / late charge / additional charge as the case may be as if it is a new/fresh application for registration/extension.
- (5) Stage-wise time schedule of completion of the project in the form of a milestone chart describing the important items of work, Building/Tower/Block-wise of the project shall be uploaded by the promoter on the webpage of the project on the website of RERA, Bihar, within 30 days from the date of registration of the project.
- (6) The promoter shall submit details of revised milestones of the development work of the project to be completed within the revised completion date along with the application for extension of registration of the project in Form 'E' as prescribed in Bihar Real Estate (Regulation & Development) Rules 2017 and upload the same on the webpage of the project on the website of RERA, Bihar.

6.Landowner to be treated as Promoter or Allottee - (1) The Authority or the Adjudicating Officer, as the case may be while disposing of applications under Section 31(1) of the Act, would decide whether the landowner, who has entered into a registered Development Agreement with the promoter, would be considered as an allottee or a promoter, depending upon the facts and circumstances of the complaint that may be placed before it.

Explanation 1 Since the landowner causes a project to be constructed as defined in Section 2(zk) of the Act, he along with the promoter would be jointly responsible for fulfilling the obligations to the allottees as mentioned in the Agreement for sale, if;

- (a) The Development Agreement specifically mentions that the landowner has to actively participate in the construction or development of the project along with the promoter, or
- (b) The Development Agreement, which states the distribution of share of profits and revenues between promoter and landowner in addition to the share of flats or developed plots, or

(c) The landowner markets, advertises, or sells his/her share of apartments before the project is completed in all respects.

Explanation 2.-In matters filed for compensation for defective title of the land, on which the project is being developed as mentioned in Section 18(2) of the Act, the landowner would be jointly responsible for the payment of compensation, as may be decided, by the Adjudicating Officer.

7. Other Fees:

(1) The promoter or agent, as the case may be, shall be required to pay to the Authority the additional charge / late charge at the rates, as may be determined by general or special order of the Authority and declared on website of the Authority from time to time in the following matters: -

- (i) Fee/ late charge / additional charge for the periodical updation of website;
- (ii) Fee/ late charge / additional charge for late submissions and for permission for changes required to be made in the application for registration, before or after registration;
- (iii) Fee/ late charge / additional charge for any other matter.

8.Display Boards-(1) The promoter shall erect a weather proof geo Tagged (mentioning the latitude and longitude of the project) Display Board of a minimum size of 5’X4’ at the project site with the information regarding the name and registration number of the project along with the QR Code issued by the Authority, date of registration, phases of the project, number of towers, number of stories (tower wise) etc. in bold letter and legible language, so that the information may be visible throughout the season / year, till completion of the project.

(2) In the case of plotted development, Promoter shall erect Display Board as mentioned in Sub Regulation (1) above regarding the approved Site Plan indicating the entire area of the projects i.e., roads, water supply, external services, the revenue details of the land of the project i.e., Plot Number, Khata Number, Thana Number and Lay-out Plan superimposed on the Revenue Map, in bold and legible letters so that the information remains displayed till completion of the project.

(3) Name and contact details of the authorised representative of the promoter including the website of promoter, shall also be displayed on the Board as mentioned in Sub Regulation (1) above.

9. Information/Documents to be uploaded by Promoter on the web-page of the project which remains available on the website of the Authority –

1. In Addition to annual report required under rule 16(1) (c) (ii) of Bihar Real Estate (Regulation and Development) Rules, 2017 of a particular financial year till 30th September of the succeeding financial year, the promoter shall upload on the website of the RERA, Bihar in the webpage of the project the statement of accounts of the project(s) in Form 4 (issued in accordance with third proviso to section 4(2)(1)(D) of the Act,) duly certified and signed by the Chartered accountant in practice who is not auditor of the promoter enterprise.
2. All promoter/developers of a Real Estate Project shall upload on the website of RERA, Bihar in the webpage of the project about any change (addition/deletion) in the board of Directors of the company/Partners of the firm within a month of occurrence.
3. The promoter shall upload on the webpage of the project on the website of the Authority Quarterly progress report in Form no. - 7 along with Form no. – 1, 2, 3, dated picture of Display Board as per regulation 8(1) and QR Code of the project issued by the RERA, Bihar appended with this Regulation within 15 days of expiry of preceding quarter.
4. The promoter shall also upload on the webpage of the project in the Authority's website the following: -
 - a. Certificate given by a Civil Engineer, Architect and Chartered Accountant in practice, that the amount withdrawn from the bank up to the end of the quarter in question is commensurate with the physical progress of the project.
 - b. Certificate given by the Architect and Civil Engineer that the progress of the project is as per the milestone chart submitted by the promoter.
 - c. Milestone Chart/Bar Chart/Gantt Chart depicting progress of Block/ Tower/Building-wise various level of construction clearly indicating whether the project in progress is as per time schedule or lagging behind.
5. In case any promoter fails to upload Quarterly Statements/Reports as prescribed in Sub – Regulation (3)& (4)of Regulation 9 within stipulated time, he shall be liable to pay penalty which may extend up to 5% of the estimated cost of the real estate project as determined by the Authority under the provision of Section 61 of the Act. However, he may opt to upload QPR and Reports after paying late charge as prescribed below: -

| S.no. Delay | Late Charge |
|----------------------------------|--|
| 1. For 1 day to 15 days of delay | Rs. 25,000/- (Rupees twenty-five thousand) |

| | |
|------------------------------------|---|
| 2. For 16 days to 30 days of delay | Rs. 50,000/- (Rupees fifty thousand) |
| 3. For 31 days to 60 days of delay | Rs. 1,25,000/- (Rupees one lakh twenty-five thousand) |
| 4. Beyond 60 days of delay | Rs. 3,00,000/- (Rupees three lakh) |

(6) In case the promoter provides or submits incomplete Quarterly Statements / Quarterly Progress Report with incomplete information and/ or facts as prescribed in Sub – Regulation (3)& (4)of Regulation 9, then he shall be liable to pay a charge of Rs. 50,000/- (Rupees fifty thousand).

(7) In case the promoter provides or submits Quarterly Statements / Quarterly Progress Report with false information and/ or facts as prescribed in Sub – Regulation (3)& (4)of Regulation 9, then he shall be liable to pay additional charge of Rs. 1,00,000/- (Rupees one lakh).

(8) In case the promoter fails to upload geo tagged dated picture of display board as per regulation 8(1) in Quarterly Statements / Quarterly Progress as prescribed within stipulated time, he shall be liable to pay late charge as prescribed below: -

| S.no. | Delay | Late charge |
|-------|---------------------------------|---|
| 1. | For 1 day to 15 days of delay | Rs. 10,000/- (Rupees ten thousand) |
| 2. | For 16 days to 30 days of delay | Rs. 30,000/- (Rupees thirty thousand) |
| 3. | For 31 days to 60 days of delay | Rs. 75,000/- (Rupees seventy-five thousand) |
| 4. | Beyond 60 days of delay | Rs. 2,00,000/- (Rupees two lakh) |

10. Application charge for extension of registration under section 6: - The promoter is required to pay additional charge alongwith fee for making an application for extension of registration of real estate project with the Authority as per Section 6 of the RERA Act, 2016 read with Rule 6(2) of the Bihar RERA Rules, 2017: -

| S. no. | Period of extension | Additional Charge |
|--------|-----------------------------|-----------------------------------|
| 1. | Up to 6 months of extension | Rs. 4,00,000/- (Rupees four lakh) |

- | | | |
|--|-----|-------------------------------------|
| 2. More than six months but up to 12 months of extension | Rs. | 10,00,000/- (Rupees ten lakh) |
| 3. In special cases if beyond 12 months | Rs. | 20,00,000/- (Rupees twenty lakh) |

11. Application late charge for extension of registration under section 6 :- The promoter is required to pay fee as per Bihar RERA Rules 2017 for extension of registration of real estate project to the Authority complete application in all respect along with the consent of majority of the allottees and allotments letters thereof as per Section 6 of the RERA Act, 2016 read with Rule 6(2) of the Bihar RERA Rules, 2017 within 3 months prior to lapse of registration of project but in case of late filing of extension application, he shall be liable to pay late charge as prescribed below:-

| S.No. | Delay in days | Late charge |
|-------|--|--------------------------------------|
| | Within 3 months after lapse of registration | Rs. 2,00,000/- (Rupees two lakh) |
| | After 3 months but within 6 months after lapse of registration | Rs. 5,00,000/- (Rupees two lakh) |
| | Beyond 6 months after lapse of registration | Rs. 10,00,000/- (Rupees ten lakh) |

12. The promoter shall pay a late charge of Rs. 50,000/- for every month of delay or part thereof for delay on the late submission of Annual Statement of Audited Account as required in Section 4(2)(1)(D) of the Act.

13. The promoter shall submit following documents in addition to documents submitted under Section 4 of RERA Act read with Rule 3 and 4 of Bihar RERA Rules 2017: -

1. To show the financial worth of the promoter to meet at least ten percent of the estimated development cost of the project to take up the initial cost of the project a statement of asset and liabilities of the Promoter's entity and its director(s)/ partner(s)/ proprietor/ other entity as the case may be as on the date of submission of the application, duly certified by Chartered accountant.
2. Details of all projects under taken by the director(s)/ partner(s)/ proprietor(s)/ firm/ LLP/ other entity of the company in other capacities, either as individual or as part of other entities, during the last five years along with the details of cases filed in the said projects as mentioned by the promoter and orders passed.
3. The memorandum of the division of share between the promoter and landowner available for marketing and selling on affidavit cum declaration in prescribed format duly signed by the promoter and landowner(s).

4. The promoter shall furnish on affidavit, with the full details of movable and immovable properties of this concern along with details of such properties of its directors/ partners/ proprietor/ other entity, as the case may be.
- 14. Application fee for change in Bank Account of the project:** - In case the promoter applies for change in ‘Separate Account’ of the project (opened during the registration of the project), it may be allowed after promoter pays an application fee of Rs. 50,000/- (Rupees fifty thousand only) along with requisite documents, and certificates subject to the fulfilment of the provisions as laid down in Section 4(2)(1)(D), Section 11(4)(g) and Section 11(4)(h) of the Act.
- 15.** The Promoter shall specifically mention the Booking Amount in the Schedule – C of the Agreement to Sale executed between the Promoter and Allottee.
- 16. Authority’s Office, Office Hours and Sittings.** - (1) The head office of the Authority shall be at Patna. The Authority may, by order, establish benches and its offices at other places in the State.
- (3) The Authority may conduct its proceedings at the head office or at any other place within its jurisdiction on days and time as directed by the Chairperson.
- 17. Language of the Authority.** - (1) The proceedings of the Authority shall be conducted in English or Hindi.
- (2) The Authority, at its sole discretion, may accept complaint petitions made in English or Hindi.
- (3) The Authority may, in appropriate cases, direct translation of Petitions and the accompanying documents into English or Hindi.
- 18. Seal of the Authority.** - Any document requiring authentication by the Authority shall be issued under the seal of the Authority, and shall be signed by the Secretary, Officer on Special Duty or other Officer authorized by the Authority in this behalf.
- 19. Functions of Secretary:** - [(1) The Secretary shall be the Principal Executive Officer of the Authority and shall exercise his powers and perform his duties under the control of the Authority.
- (2) In particular, and without prejudice to the generality of the provisions of sub-regulation (3) of this regulation, the Secretary shall have the following powers to perform the following duties, viz: -
- a. He shall be custodian of the records and the seal of the Authority;
 - b. He shall receive or cause to receive all documents, including, inter alia, complaints, applications or reference pertaining to the Authority;

- c. He shall scrutinize documents, including, inter alia, complaints, applications, or references, and shall be entitled to seek clarifications or rectifications upon the same and issue appropriate directions pertaining to the acceptance or rejection of such documents;
 - d. He shall prepare or cause to be prepared briefs and summaries of pleadings presented by various parties in cases filed before the Authority.
 - e. He shall carry out such functions under the Act and the Rules, as may be delegated to him by the Authority, by general or special order;
 - f. He shall assist the Authority in the proceedings relating to the powers exercisable by the Authority, as directed by the Chairperson,
 - g. He shall provide notice for meetings, prepare the agenda for meetings, and record the minutes of the proceedings of the Authority's meetings:
 - h. He shall authenticate the orders passed by the Authority,
 - i. He shall, so far as it is possible, monitor compliance of the orders passed by the Authority and shall forthwith bring to the notice of the Authority any noncompliance thereof;
 - j. He shall have the right to collect from the State Government or local authorities or other offices, companies and firms or any other party as may be directed by the Authority, such information and record, report, documents, etc. as may be considered necessary for the purpose of efficient discharge of the functions of the Authority under the Act and the Rules and place the same before the Authority.
- (3) In the absence of the Secretary, an officer of the Authority designated by the Chairperson in this behalf shall exercise the powers and discharge the functions of the Secretary.
- (4) The Chairperson shall in addition to the powers vested under Section 25 of the Act and Rule 21, at all times, have the power, either on an application made by any interested or affected party or suo-moto, to review, revoke, revise, modify, amend, alter or otherwise change any order issued or action taken by any Officer of The Authority, if considered appropriate.
- (5) The Members may, with the written approval of the Chairperson, delegate to any Officer of the Authority any function required by these Regulations or otherwise to be exercised by the Secretary.

20. Meetings of the Authority -(1) The provisions contained in sub regulations (2), (3), (4), (5), (6), (7) and (8) below, shall be applicable to the meetings of the Authority, other than the adjudicatory proceedings of the Authority.

- (2) The quorum for the meetings of the Authority shall be two.

- (3) If in any meeting of the Authority duly convened, the quorum is not present, the meeting shall stand adjourned for the next suitable date & time and place as decided by the Authority.
- (4) The Chairperson shall preside over the meetings and conduct the business. Members stationed at Benches, outside Patna, may participate in the meetings Through video conferencing. If the Chairperson is unable to be present in the meetings for any reason, or where there is no Chairperson, the senior Member present shall preside over at the meeting.
- (5) All questions which come up before any meetings of the Authority shall be decided by a majority of votes of the Members present and voting. In the event of equality of votes, the Chairperson or in his absence, the Member presiding shall have a second or casting vote.
- (6) Save as otherwise provided in these Regulations, every Member shall have one vote.
- (7) The Secretary or in his absence an Officer of the Authority designated by the Chairperson, shall record the minutes of the meetings and maintain a register which will, amongst other things, contain the names and designation of Members and invitees present in the meeting, a record of proceedings and notes of dissent, if any. In case of dissent, the draft minutes shall, as soon as practicable, be sent to the Chairperson.
- (8) The decision taken in a meeting of the Authority shall be recorded in the minutes in a clear and concise manner, along with reasons and a copy of the approved minutes shall be sent to all the members. In case the minutes record any statement/submission made by an invitee, a copy of the minutes shall be sent to such invitee.

21. Adjudication Proceedings before the Authority.- For Adjudication Proceedings with respect to complaints filed with the Authority Under Section 31 of the Act read with Rule 36 of the Bihar Real (Regulation and Development) Rules 2017, and Suo Motu Cases Under Section 3 of the Act, the Chairperson may, by general order or specific order, direct that specific matter or issues shall be heard and decided by a Single Bench of Chairperson or Member or Double Bench of either the Chairperson or any Member or Members of the Authority.

22. Authorized Representative. - A person who is a party to any proceedings before the Authority may either appear in person or authorise any other person as specified under Section 56 of the Act to present his case before the Authority and to do all or any of the acts for the purpose:

Provided that the person appearing on behalf of any person in any proceeding before the Authority shall file a Memorandum of Authorisation/Vakalatnama, in [Form 5] herein:

Provided further that the Authority may, from time to time, determine the terms and conditions subject to which the allottees may authorize representative(s) to plead on their behalf. In such cases the Authority shall have the power to summon and enforce the attendance of all persons who are concerned with the Real Estate Project, including lenders, landowners in

case of joint venture or development agreement as well as the persons who have accorded permissions to the Real Estate Project, as Competent Authority.

23. Orders of the Authority. -(1) The Authority, Chairperson, Members, Adjudication Officer and any officer of the Authority with the delegated powers of the Authority as the case may be, after hearing a proceeding shall pass orders in such proceedings, and such orders shall be signed by the Chairperson, Members, Adjudicating Officer or any officer of the Authority or the Authority, as the case may be.

(2) All orders and decisions shall be certified by the Officer empowered in this behalf by the Chairperson and shall bear the official seal of the Authority and shall be uploaded on the website of the Authority.

24. Records of the Authority. -

1. The Authority shall maintain an indexed database of its records including, inter alia, complaints filed, details of hearings conducted, orders /documents issued from time to time.
2. The Chairperson shall on such terms and conditions as he considers appropriate provide for supply of certified copies of orders, documents and papers available with the Authority to any person, applying in Amended Form 6, subject to the payment of requisite fee as may be decided by the Chairperson from time to time and complying with such terms as the Chairperson may direct. The Chairperson shall designate an officer for ensuring timely response to requests received for supply of certified copies of documents within a period of 14 (fourteen) working days from the date of receipt of request.
3. The Chairperson may, by order, direct that any information, documents and papers/materials maintained by the Authority shall be confidential or privileged and shall not be available for inspection or supply of certified copies, and the Chairperson may also direct that such document, papers, or materials shall not be used in any manner, except as specifically authorized by the Chairperson.
4. The Authority shall endeavour to make information involving public interest accessible and available to the public, through its website.
5. The Chairperson may depute an officer of the Authority, as Information Officer as provided under the Right to Information Act, 2005 and another officer of the Authority as Appellate Authority under the said RTI Act.

25. Interim Orders, Investigation, collection of Information etc.:

- (1) The Authority may pass such ad-interim or interim orders, as the Authority may consider appropriate at any stage of any proceedings, having regard to the facts and circumstances of the case.
- (2) The Authority may make such direction or order as it thinks fit for collection of information, inquiry, investigation etc. and without prejudice to the generality of its powers, including, inter alia, the following: -
 - (a) The Authority may, at any time, direct the Secretary or any one or more officers or any other person as the Authority considers appropriate to study, investigate or furnish information with respect to any matter within the jurisdiction of the Authority under the Act and the Rules;
 - (b) The Authority may, for the above purpose, give such other directions, as it may deem fit and state the time within which the report is to be submitted or information furnished;
 - (c) The Authority may issue or authorise the Secretary or an officer to issue directions to any person to produce before it and allow to be examined and kept by an officer of the Authority directed in this behalf the books, accounts, etc., or to furnish any information to the designated officer;
 - (d) The Authority may issue such directions, for the purpose of collection of any information, particulars or documents that the Authority considers necessary in connection with the discharge of its functions under the Act and the Rules;
 - (e) If any such report or information obtained appears to the Authority to be insufficient or inadequate, the Authority or the Secretary or an officer authorised for the purpose may give directions for further inquiry, report and furnishing of information;
 - (f) The Authority may direct such incidental, consequential and supplemental matters to be attended to which may be considered relevant in connection with the above;
 - (g) The Authority may for the above purpose take help of police or such other authorities that may be considered necessary and expedient.
- (3) If the report or information obtained in accordance with Regulation 25 (2) above or any part thereof is proposed to be relied upon by the Authority for forming its opinion or view in any proceedings, the parties to the proceedings shall be given a reasonable opportunity for filing objections and making submissions on such report or information.

26. Confidentiality:

- (1) The Bench hearing the matter shall appraise and determine whether any documents or evidence provided to it by any party and claimed by that party to be of a confidential nature merit being withheld from disclosure to other parties as being confidential and shall provide brief reasons in writing for arriving at its conclusion.
- (2) If the Bench is of the view that the claim for confidentiality is justified the Bench may direct that the same may be not provided to such parties as the Bench may deem fit. However, the party claiming the confidentiality shall provide a brief non-confidential summary of the substance of the documents found to be confidential and the import of the same.
- (3) Notwithstanding with the above it shall be open to the Bench to take into consideration the contents of documents found to be confidential in arriving as its decision.

27. Rectification of Order – Any person may file a rectification petition in reference to an order passed under Section 31 of the Act as provided in Section 39 of the Act along with a fee of Rs. 250/- (Rupees two hundred fifty only).

28. Continuance of Proceedings after Death etc.

- (1) Where in a proceeding, any of the parties to the proceeding dies or is adjudicated as an insolvent or in the case of a company under liquidation/winding up, the proceeding shall continue with the other partners, successors-in-interest, the executor, administrator, receiver, liquidator or other legal representative of the party concerned, as the case may be.
- (2) The Authority may, for reasons to be recorded, treat the proceedings as abated in case the Authority so directs and dispense with the need to bring the successors-in-interest on the record of the case.
- (3) In case any person wishes to bring on record the successors-in-interest, etc., the application for the purpose shall be filed within 90 (ninety) days from the event requiring the successors-in-interest to be brought on record. The Authority may condone the delay, if any, for sufficient reasons.

29. Issue of orders and directions: Subject to the provisions of the Act, Rules and Regulations, the Authority may, from time to time, issue orders and directions in regard to the implementation of the Regulations and procedure to be followed as it deems fit.

30. (1.) Documents to be submitted on Completion of Project. On Completion of project, the Promoter shall submit following documents: -

- i. In case Occupancy Certificate is not issued by the Competent Authority concerned, the authenticated copy of Completion Certificate given by Certified Architect submitted before competent Authority for issuance of the Occupancy Certificate including the notice submitted there under.
- ii. The Certificate of Chartered Accountant clearly indicating the total fund spent on the project.
- iii. Current photograph of the project showing front, side and back elevation of building developed.
- iv. Number of Sale Deed(s) executed from the share of the Promoter.
- v. An Affidavit stating
 - a. That the Promoter has provided all the services as per the Agreement for Sale, prospectus and brochure.
 - b. That the number of complaint cases pending against the promoter.

(2.) The Authority after being satisfied on the basis of such documents that the project is complete, may issue a letter to the promoter on his written request, discharging him from all the responsibilities as per Section 4(2)(1)(D) with intimation to the bank concerned where the separate account of the project is being maintained on the written request of promoter.

31. Saving of Inherent power of the Authority:

- (1) Nothing in the Regulations shall be deemed to limit or otherwise affect the inherent power of the Authority to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Authority.
- (2) Nothing in these Regulations shall bar the Authority from adopting in conformity with the provisions of the Act or Rules, a procedure, which is at variance with any of the provisions of these Regulations including summary procedure, if the Authority, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for so dealing with such a matter or class of matters.

(3) Nothing in the Regulations shall bar the Authority from dealing with the matter or exercise of any power under the Act or Rules for which no regulations have been framed, and the Authority may deal with such matters, powers, and functions in a manner as it thinks fit.

32. Execution of Orders -Any Order(s) passed by The Authority, Chairperson, Members, Adjudication Officer and any officer of the Authority with the delegated powers of the Authority as the case may be needs to be complied in stipulated times. In case the Respondent party Respondent/ Promoter fails to comply with the order, within such time, the complainant may file Execution Petition accompanied with a fee of Rs. 100/- (Rupees one hundred) or as may be prescribed from time to time, in Form 8 appended with the Regulation.

33. Power to Remove Difficulties: If any difficulty arises in giving effect to any of the provisions of the Regulations, the Authority may remove such difficulties, by such general or special order, which is not inconsistent with the provisions of the Act or Rules and which appears to be necessary or expedient for the purpose of removing the difficulties.

34. Extension of Time Prescribed: Subject to the provisions of the Act or the Rules, the time prescribed by the Regulations or by order of the Authority for doing any act may be extended (whether it has already expired or not) for sufficient reason by an order of the Authority.

35. Effect of non-compliance: Failure to comply with any requirement of the Regulations shall not invalidate any proceeding merely by reason of such failure unless the Authority is of the view that such failure has resulted in miscarriage of justice.

36. Costs:

(1) Subject to such condition and limitation, as may be directed by the Authority/Bench, the costs of and incidental there to, all proceedings shall be awarded at the discretion of the Authority/Bench and the Authority/Bench shall have full power to determine, by whom or out of what funds and to what extent such costs are to be recovered and give all necessary directions for the aforesaid purposes.

(2) The Costs shall be paid within 60 (sixty) days from the date of the order or within such time as the Authority/Bench may, by order, direct. If a party fails to comply with an order for costs within the stipulated time, the order of the Authority/Bench awarding costs shall be executed forthwith in the same manner as a decree/order of a Civil Court.

37. Administrative Charges and Standard Fees: The Authority may, by order, fix standard fees to be levied on the litigating parties, promoters or real estate agents or

determine, by whom or out of what funds and to what extent such costs are to be recovered and give all necessary directions for the aforesaid purposes.

- (2) The Costs shall be paid within 60 (sixty) days from the date of the order or within such time as the Authority/Bench may, by order, direct. If a party fails to comply with an order for costs within the stipulated time, the order of the Authority/Bench awarding costs shall be executed forthwith in the same manner as a decree/order of a Civil Court.
37. **Administrative Charges and Standard Fees:** The Authority may, by order, fix standard fees to be levied on the litigating parties, promoters or real estate agents or allottees for inspection of documents, certified copies of documents, the updating of website, database management and maintenance of the website etc.
38. **Personnel Policy:** Personnel policies of RERA, Bihar will be as per to the HR Manual / Regulations issued by the Authority from time to time.
39. **Adherence to legal norms:** In the absence of anything specifically mentioned in the Act or Rules, the Authority may adhere to the extant statutes and rules.
40. **Repeal:** Bihar Real Estate Regulatory Authority (General) Reg, 2021 and Bihar Real Estate Regulatory Authority (General) (Amendment) Regulations, 2022 are hereby repealed.

By Order of the Authority


Secretary
RERA Bihar

ARCHITECT'S CERTIFICATE

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

Date-----

To,
The _____ (Name & Address of Promoter),

Subject: Certificate of Percentage of Completion of Construction Work of----- No. of Building(s)/----- Wing(s) of the----- Phase of the Project [Bihar RERA Registration Number] situated on the Plot bearing C.N. No/CTS No./Survey No./ Final Plot No. -----demarcated by its boundaries (latitude and longitude of the end points) ----- to the North ----- to the South -----to the East ----- to the West of Division ----- --- village -----Block----- District ----- PIN ----- -----admeasuring ----- sq.mts. area being developed by [Promoter's Name]-----

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

1. Following technical professionals are appointed by Owner / Promoter:—

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

Based on Site Inspection, with respect to each of the Building/Wing of the aforesaid Real Estate Project, I certify that as on the date of this certificate, the Percentage of Work done for each of the

| S. N o. | Task/Activity | Percentage of Actual Work Done | Projected date of completion (DD/MM/YYYY) |
|---------------|---|--------------------------------------|---|
| 1. | Excavation(if any) | | |
| 2. | Basements(if any) | | |
| 3. | Podiums(if any) | | |
| 4. | Plinth | | |
| 5. | Stilt Floor | | |
| 6. | Slabs of Super Structure | | |
| 7. | Internal walls, Internal Plaster, Floorings, Doors and Windows within Flats /Premises. | | |
| 8. | Sanitary Fittings within the Flat/Premises, Electrical Fittings within the Flat/Premises | | |
| 9. | Staircases, Lifts Wells and Lobbies at each Floor level, Overhead and Underground Water Tanks. | | |
| 10. | External plumbing and external plaster, elevation, completion of terraces with waterproofing of the Building/Wing. | | |
| 11. | Installation of Lifts, water pumps, Fire Fighting Fittings and Equipment as per CFO NOC, Electrical fittings, Mechanical Equipment, compliance to conditions of environment/CRZ NOC, Finishing to entrance lobby/splint protection, paving of areas appurtenant to Building/Wing, Compound Wall and all other | | |

Yours Faithfully,

Signature & Name (IN BLOCK LETTERS) of L.S/ Architect
(Registration No./License No.)

TABLE B

Internal and External Development Works in respect of the entire Registered Phase.

| S. No. | Common Areas and Facilities | Proposed (Yes/No) | Percentage of actual Work Done (As on date of the Certificate) | Projected date of completion (dd/mm/yyyy) |
|--------|--|-------------------|--|---|
| 1. | Internal Roads &Footpaths | | | |
| 2. | Water Supply | | | |
| 3. | Sewerage (Chamber, Line, Septic Tank, STP) | | | |
| 4. | Storm Water Drains | | | |
| 5. | Landscaping & Tree Planting | | | |
| 6. | Street Lighting | | | |
| 7. | Community Buildings | | | |
| 8. | Treatment and Disposal of Sewage and Sullage Water | | | |
| 9. | Solid Waste Management & Disposal | | | |
| 10. | Water Conservation/Rain Water Harvesting | | | |
| 11. | Energy Management | | | |
| 12. | Fire Protection and Fire Safety Requirements | | | |
| 13. | Closed Parking | | | |

[See Regulation 3]

ENGINEER'S CERTIFICATE

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

Date :-----

To,
The _____ (Name & Address of Promoter),

Subject : Certificate of Cost Incurred for Development of [Project Name] _____ for Construction of _____ building(s)/ _____ Wing(s) of the _____ Phase (Bihar RERA Registration Number) situated on the Plot bearing Khesra No/ Khata No./Thana No./ Tauzi No../C.N.No./CTSNo./SurveyNo./Final Plot No. _____ demarcated by its boundaries (latitude and longitude of the end points) _____ to the North _____ to the South _____ to the East _____ to the West of Division _____ Village _____ Block _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by [Promoter] _____

Ref: Bihar RERA Registration Number _____

Sir,

I/ We _____ have undertaken assignment of certifying Estimated Cost for the Subject Real Estate Project proposed to be registered under Bihar RERA, being _____ Building(s)/ _____ Wing(s) of the _____ Phase situated on the plot bearing C.N. No./CTS No./Survey No./ Final Plot No. _____ of Division _____ Village _____ Taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by [Owner/Promoter]

1. Following technical professionals are appointed by Owner / Promoter :—

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

2. We have estimated the cost of the completion to obtain Occupation Certificate/ Completion Certificate, of the Civil, MEP and Allied works, of the Building(s) of the project. Our estimated cost

calculations are based on the Drawings/plans made available to us for the project under reference by the Developer and Consultants and the Schedule of items and quantity for the entire work as calculated by _____ Quantity Surveyor* appointed by Developer/Engineer, and the assumption of the cost of material, labour and other inputs made by developer, and the site inspection carried out by us.

3. We estimate Total Estimated Cost of completion of the building(s) of the aforesaid project under reference as Rs. _____ (Total of Table A and B). The estimated Total Cost of project is with reference to the Civil, MEP and allied works required to be completed for the purpose of obtaining occupation certificate / completion certificate for the building(s) from the _____ being the Planning Authority under whose jurisdiction the aforesaid project is being implemented.

4. The Estimated Cost Incurred till date is calculated at Rs. _____ (Total of Table A and B). The amount of Estimated Cost incurred is calculated on the base of amount of Total Estimated Cost.

5. The Balance cost of Completion of the Civil, MEP and Allied works of the Building(s) of the subject project to obtain Occupation Certificate / Completion Certificate from _____ (planning Authority) is estimated at Rs. _____ (Total of Table A and B).

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

TABLE A

**Building /Wing bearing Number _____ or called _____
(to be prepared separately for each Building /Wing of the Real Estate Project)**

| Sr. No. | Particulars | Amounts |
|---------|--|-----------|
| 1 | Total Estimated cost of the building/wing as on _____ date of Registration is | Rs. _____ |
| 2 | Cost incurred as on _____ (based on the Estimated cost) | Rs. _____ |
| 3 | Work done in Percentage (as Percentage of the estimated cost) | _____ % |
| 4 | Balance Cost to be Incurred (Based on Estimated Cost) | Rs. _____ |
| 5 | Cost Incurred on Additional /Extra Items as on _____ not included in the Estimated Cost (Annexure A) | Rs. _____ |

TABLE B

(To be prepared for the entire registered phase of the Real Estate Project)

| Sr. No. | Particulars | Amounts |
|----------------|--|----------------|
| 1 | Total Estimated cost of the Internal and External Development Works including amenities and Facilities in the layout as on _____ date of Registration is | Rs. _____ |
| 2 | Cost incurred as on _____ (based on the Estimated cost). | Rs. _____ |
| 3 | Work done in Percentage (as Percentage of the estimated cost). | _____ % |
| 4 | Balance Cost to be Incurred (Based on Estimated Cost). | Rs. _____ |
| 5 | Cost Incurred on Additional /Extra Items as on _____ not included in the Estimated Cost (Annexure A). | Rs. _____ |

Yours Faithfully,

Signature of Engineer.

(Licence No.)

*** Note :**

1. The scope of work is to complete entire Real Estate Project as per drawings approved from time to time so as to obtain Occupation Certificate/Completion Certificate.
2. (*) Quantity survey can be done by office of Engineer or can be done by an independent Quantity Surveyor, whose certificate of quantity calculated can be relied upon by the Engineer. In case of independent Quantity Surveyor being appointed by Developer, the name has to be mentioned at the place marked (*) and in case quantity are being calculated by office of Engineer, the name of the person in the office of Engineer, who is responsible for the quantity calculated should be mentioned at the place marked (*).
3. The estimated cost includes all labour, material, equipment and machinery required to carry out entire work.
4. As this is an estimated cost, any deviation in quantity required for development of the Real Estate Project will result in amendment of the cost incurred / to be incurred.
5. All components of work with specifications are indicative and not exhaustive

Annexure A

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

[See Regulation 3]

CHARTERED ACCOUNTANT'S CERTIFICATE (On Letter Head)
(FOR REGISTRATION OF A PROJECT AND SUBSEQUENT WITHDRAWAL OF MONEY)

Cost of Real Estate Project _____
 Bihar RERA Registration Number _____

| Sr. No. | Particulars | Amount (₹) Estimated Incurred |
|------------|--|--------------------------------------|
| 1.i | Land Cost : | |
| | <ul style="list-style-type: none"> a. Acquisition Cost of Land or Development Rights, lease Premium, lease rent, interest cost incurred or payable on Land Cost and legal cost. b. Amount of Premium payable to obtain development rights, FSI, additional FSI, fungible area, and any other incentive under DCR from Local Authority or State Government or any Statutory Authority. c. Acquisition cost of TDR (if any) d. Amounts payable to State Government or competent authority or any other statutory authority of the State or Central Government, towards stamp duty, transfer charges, registration fees etc; and e. Land Premium payable as per annual statement of rates (ASR) for redevelopment of land owned by public authorities. f. Under Rehabilitation Scheme: <ul style="list-style-type: none"> (i) Estimated construction cost of rehab building including site development and infrastructure for the same as certified by Engineer. (ii) Actual Cost of construction of rehab building incurred as per the books of accounts as verified by the CA. | |
| | Note : (for total cost of construction incurred, Minimum of (i) or (ii) is to be considered). | |
| | <ul style="list-style-type: none"> (iii) Cost towards clearance of land of all or any encumbrances including cost of removal of legal/illegal occupants, cost for providing temporary transit accommodation or rent in lieu of Transit Accommodation, overhead cost, | |

- (iv) Cost of ASR linked premium, fees, charges and security deposits or maintenance deposit, or any amount whatsoever payable to any authorities towards and in project of rehabilitation.

Sub-Total of Land Cost

| Sr.No. | Particulars | Amount (₹) |
|---------------|--------------------|---------------------------|
| | | Estimated Incurred |

ii Development Cost/ Cost of Construction :

- a. (i) Estimated Cost of Construction as certified by Engineer.
- (ii) Actual Cost of construction incurred as per the books of accounts as verified by the CA.

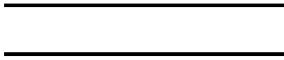
Note : (for adding to total cost of construction incurred, Minimum of (i) or (ii) is to be considered).

(iii) On-site expenditure for development of entire project excluding cost of construction as per (i) or (ii) above, i.e. salaries, consultants fees, site overheads, development works, cost of services (including water, electricity, sewerage, drainage, layout roads etc.), cost of machineries and equipment including its hire and maintenance costs, consumables etc.

All costs directly incurred to complete the (i) construction of the entire phase of the project registered.

- b. Payment of Taxes, cess, fees, charges, premiums, interest etc. to any statutory Authority.
- c. Principal sum and interest payable to financial institutions, scheduled banks, non-banking financial institution (NBFC) or money lenders on construction funding or money borrowed for construction;

Sub-Total of Development Cost



- 2. Total Estimated Cost of the Real Estate Project [1(i) + 1(ii)] of Estimated Column.
- 3. Total Cost Incurred of the Real Estate Project [1(i) + 1(ii)] of Incurred Column.
- 4. % completion of Construction Work
(as per Project Architect's Certificate)
- 5. Proportion of the Cost incurred on Land Cost and Construction Cost to the Total Estimated Cost. (3/2 %)
- 6. Amount Which can be withdrawn from the Designated Account.
Total Estimated Cost * Proportion of cost incurred (Sr. number 2 * Sr. number 5)
- 7. Less: Amount withdrawn till date of this certificate as per the Books of Accounts and Bank Statement.
- 8. Net Amount which can be withdrawn from the Designated Bank Account under this certificate.

This certificate is being issued for RERA compliance for the Company [Promoter's Name] and is based on the records and documents produced before me and explanations provided to me by the management of the Company.

Yours Faithfully,

Signature of Chartered Accountant (Membership Number.....)

Name _____

(ADDITIONAL INFORMATION FOR ONGOING PROJECTS)

| Sr. No. | Particulars | Amount (₹) Estimate Incurred |
|----------------|--|---|
| 1. | Estimated Balance Cost to Complete the Real Estate Project (Difference of Total Estimated Project cost less Cost incurred) (calculated as per the Form IV) | |

| | | |
|----|---|--|
| 2. | Balance amount of receivables from sold apartments (as per Annexure A to this certificate(as certified by Chartered Accountant as verified from the records and books of Accounts) | |
| 3. | (i) Balance Unsold area (to be certified by Management and to be verified by CA from the records and books of accounts) (ii) Estimated amount of sales proceeds in respect of unsold apartments (calculated as per ASR multiplied to unsold area as on the date of certificate, to be calculated and certified by CA)as per Annexure A to this certificate | |
| 4. | Estimated receivables of ongoing project. Sum of 2 + 3 (ii) | |
| 5. | Amount to be deposited in Designated Account – 70% or 100% If 4 is greater than 1, then 70 % of the balance receivables of ongoing project will be deposited in designated Account If 4 is lesser than 1, then 100% of the of the balance receivables of ongoing project will be deposited in designated Account | |

This certificate is being issued for RERA compliance for the Company [Promoter's Name] and is based on the records and documents produced before me and explanations provided to me by the management of the Company.

Yours Faithfully,

Signature of Chartered Accountant,

(Membership Number-----)

Name _____

Annexure A

Statement for calculation of Receivables from the Sales of the Ongoing Real Estate Project

Sold Inventory

| Sr. No. | Flat No. | Carpet Area (in sq.mts.) | Unit Consideration as per Agreement/Letter of Allotment | Received Amount | Balance Receivable |
|---------|----------|--------------------------|---|-----------------|--------------------|
|---------|----------|--------------------------|---|-----------------|--------------------|

(Unsold Inventory Valuation)
Ready Recknor Rate as on the date of Certificate
of the Residential/Commercial premises Rs. _____ per sq.mts.

| Sr.No. | Flat No. | Carpet Area (in sq.mts.) | Unit Consideration as per Read Reckoner |
|---------------|-----------------|---|--|
|---------------|-----------------|---|--|

**ON THE LETTER HEAD OF CHARTERED ACCOUNTANT (WHO IS NOT STATUTORY
AUDITOR
OF THE PROMOTER'S COMPANY/FIRM)
ANNUAL REPORT ON STATEMENT OF ACCOUNTS**

To [NAME AND ADDRESS OF PROMOTER]

SUBJECT: Report on Statement of Accounts on project fund utilization and withdrawal by
[Promoter] for the period from _____ to _____ with respect to Bihar RERA
Reg. Number _____

1. This certificate is issued in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 read along with the Bihar Real Estate (Regulation and Development) Rules, 2017.
2. I/We have obtained all necessary information and explanation from the Company, during the course of our audit, which in my/our opinion are necessary for the purpose of this certificate.
3. I/We hereby confirm that I/We have examined the prescribed registers, books and documents, and the relevant records of [Promoter] for the period ended _____ and hereby certify that:
 - i. M/s _____ (Promoter) have completed _____ % of the project titled _____ (Name) BiharRERA Reg. No. _____ located at _____
 - ii. Amount collected during the year for this project is Rs. _____ and amounts collected till date is Rs. _____
 - iii. Amount withdrawn during the year for this project is Rs. _____ and amount withdrawn till date is Rs. _____
4. I/We certify that the [Name of Promoter] has utilized the amounts collected for _____ project only for that project and the withdrawal from the designated bank account(s) of the said project has been in accordance with the proportion to the percentage of completion of the project.

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

(Signature and Stamp/Seal of the Signatory CA)

**Place:
Date:**

**Name of the Signatory:
Full Address:
Membership No:
Contact No:
Email:**

IN,

**THE BIHAR REAL ESTATE REGULATORY AUTHORITY,
AT PATNA.**

Authorisation/ Vakalatnama For

RERA/ Complaint/ Suo-Motu/Execution No. _____

In the matter ofPetitioner(s)/Complainant

V/s

.....Respondent(s)/ Opposite Party(s)

Memo of Authorisation

I /We-----

the petitioner/respondent above named do hereby nominate, appoint and constitute-----
-----Advocate/s bearing License No-----
-----,Place of sitting and Mobile No-----Email
ID:-----to act, plead and appear on my/our behalf in the aforesaid
matter.

IN WITNESS WHERE OF, I/We have set and subscribed my/ our hands to this writing on this -----
-----day of -----

(Signature of Advocate)

(Signature of Client)

Place _____ **Date** _____

BEFORE THE BIHAR REAL ESTATE REGULATORY AUTHORITY

Application for inspection/obtaining copies of documents/records

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

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

Place :

Date:

Signature

Name:

Address:

Mob. No:

Office Use

Granted inspection on _____ / Rejected

Granted copies of documents on _____/Rejected

Secretary / Officer/ Nominee of the Authority

By order of The Chairman, RERA, Bihar

Secretary, RERA, Bihar, Patna

FORM-7
[REGULATION-9]

Quarterly progress report for quarter ending March/June/sept/December of ____ (year)

| I. PARTICULARS OF PROMOTERS | | | |
|--|--|--------------|--|
| Promoter's Registration Number/CIN No/Partnership deed no/LLP Details/Any other registration with MSME Or Govt. Bodies | | Name of Firm | |
| Firm Address : | | | |
| Total Experience of promoter in Real Estate sector | | | |
| Total Experience in Real Estate after Implementation of RERA | | | |
| No of Project done Before Implementation of RERA | <ol style="list-style-type: none"> 1. Residential 2. Commercial 3. Residential-cum Commercial 4. Plotted project | | |
| No of Project done After Implementation of RERA | <ol style="list-style-type: none"> 1. Residential 2. Commercial 3. Residential-cum Commercial 4. Plotted project | | |

| II. PARTICULARS OF PROJECT | | | |
|--|--|---|--|
| Project Registration Number | | Name of Project/Phase Of Registered Project | |
| Name of Promoter | | Project Address | |
| Name of Co-promoter | | | |
| Project Registration is valid up to | | | |
| Starting date of Project or Phase of the Project | | | |
| Type of Project or Phase of the Project | <ol style="list-style-type: none"> 1. Residential 2. Commercial 3. Residential-cum-Commercial 4. Plotted project | | |
| Period of validity of map by the Competent Authority | | | |

III. DISCLOSURE OF SOLD/BOOKED INVENTORY OF APARTMENTS

| Building/Block Number | Apartment Type | Carpet Area | Total Number of sanctioned apartments | Total Number of Apartments in Promoter's share – 1. Booked/Allotted - 2. Sold- | Total Number of Apartments in Landowner's share – 3. Booked/Allotted - Sold - |
|---|--|----------------|---------------------------------------|--|---|
| | 1. 1BHK 2. 2BHK 3. 3BHK 4. Shop 5. Bungalow- 6. Plot etc. | | | Percentage of booking | Percentage of booking |
| If the booking percentage exceeds 50% of the total booking then Information about formation of association of allottees. | | | | | |
| Association of allottees name | | | | | |
| Details of allottees - Name, Address, Email id (if any), contact number. These details may not be available to common people. | | | | | |
| Name | Address | contact number | | Email id (If any) | |

IV. DISCLOSURE OF SOLD/BOOKED INVENTORY OF GARAGES

| Building/Block Number | Total Number of Sanctioned Garages | Total Number of Garages: 1. Booked/Allotted - 2. Sold - |
|-----------------------|------------------------------------|---|
| | | |

V. DETAILS OF BUILDING APPROVALS

(If already filed along with Registration Application, then there is no need of further filing)

| S.No. | Name of the Approval/ N.O.C./Permission/ Certificate | Issuing Authority | Applied Date | Issuance Date | Enclosed as Annexure No. |
|-------|--|-------------------|--------------|---------------|--------------------------|
| | | | | | |

| | | | | | |
|----|---|--|--|--|--|
| 1. | NOC for Environment | | | | |
| 2. | Fire N.O.C. | | | | |
| 3. | Water Supply Permission | | | | |
| 4. | NOC from Airport Authority Of India | | | | |
| 5. | Other Approval(s),if any, Required for the Project. | | | | |

VI. CONSTRUCTION PROGRESS OF THE PROJECT

1. Plan Case No. _____ (To be added for each Building/Wing)

| S.No. (1) | Tasks/Activity (2) | Percentage of Actual Work Done (As on date of the Certificate) (3) | Expected Completion date in (dd/mm/yyyy) Format |
|--------------|--|---|---|
| 1. | Excavation(if any) | | |
| 2. | Basements(if any) | | |
| 3. | Podiums(if any) | | |
| 4. | Plinth | | |
| 5. | Stilt Floor | | |
| 6. | Slabs of Super Structure | | |
| 7. | Internal walls, Internal Plaster, Floorings, Doors and Windows within Flats /Premises. | | |
| 8. | Sanitary Fittings within the Flat/Premises, Electrical Fittings within the Flat/Premises | | |
| 9. | Staircases, Lifts Wells and Lobbies at each Floor level, Overhead and Underground Water Tanks. | | |
| 10. | External plumbing and external plaster, elevation, completion of terraces with waterproofing of the Building/Wing. | | |
| 11. | Installation of Lifts, water pumps, Fire Fighting Fittings and Equipment as per CFO NOC, Electrical fittings, Mechanical | | |

| | | | |
|--|--|--|--|
| | Equipment, compliance to conditions of environment/CRZ NOC, Finishing to entrance lobby/splint protection, paving of areas appurtenant to Building/Wing, Compound Wall and all other | | |
| | requirements as me be required to complete project as per Specifications in Agreement of Sale. Any other activities. | | |

VII. AMENITIES AND COMMON AREA AND EXTERNAL INFRASTRUCTURE DEVELOPMENT WORKS

| S. No. | Common Areas and Facilities | Proposed(Yes/No) | Percentage of actual Work Done (As on date of the Certificate) | Expected Completion date in (dd/mm/yyyy) Format |
|--------|--|------------------|--|---|
| (1) | (2) | (3) | (4) | (5) |
| 1. | Internal Roads &Footpaths | | | |
| 2. | Water Supply | | | |
| 3. | Sewerage (Chamber, Line, Septic Tank, STP) | | | |
| 4. | Storm Water Drains | | | |
| 5. | Landscaping & Tree Planting | | | |
| 6. | Street Lighting | | | |
| 7. | Community Buildings | | | |

| | | | | |
|------|--|--|--|--|
| 8. | Treatment and Disposal of Sewage and Sullage Water | | | |
| 9. | Solid Waste Management & Disposal | | | |
| 10 . | Water Conservation /Rain Water Harvesting | | | |
| 11 . | Energy Management | | | |
| 12 . | Fire Protection and Fire Safety Requirements | | | |
| 13 . | Closed Parking | | | |

| | | | | |
|---------|--|--|--|--|
| 1 4. | Open Parking | | | |
| 1 5. | Electrical Meter Room, Sub- Station, Receiving Station | | | |
| 1 6. | Others (Option to Add More) | | | |

VIII. A EXTERNAL AND INTERNAL DEVELOPMENT WORKS IN CASE OF PLOTTED DEVELOPMENT

| | | PROPOSED YES/NO. | PERCENTAGE OF ACTUAL WORK DONE (As on date Of certificate) | Expected Completion date in (dd/mm/yy) Format |
|----|---|---------------------|--|---|
| 1. | Internal Roads and foot paths | | | |
| 2. | Water Supply | | | |
| 3. | Sewerage Chambers Septic Tank | | | |
| 4 | Drains | | | |
| 5. | Parks, Land Scaping and Tree Planting | | | |
| 6. | Street Lighting | | | |
| 7. | Disposal of sewage & sullage water | | | |
| 8. | Water conservation/Rain Water Harvesting | | | |
| 9. | Energy Management | | | |

IX. GEO TAGGED AND DATE PHOTOGRAPH OF (EACH BLOCK) OF THE PROJECT

| | | | |
|-----|--------|-----------------|--|
| (A) | Sr.No. | | |
| | 1. | Front Elevation | |

| | | | |
|-----|----|--------------------------|--|
| | 2. | Rear Elevation | |
| | 3. | Side Elevation | |
| (B) | | Photograph of each floor | |

| X. FINANCIAL PROGRESS OF THE PROJECT | | |
|---|---|------------------------|
| S.No (1) | Particulars (2) | Amount (In Rs.) (3) |
| 1. | Project Account No. | |
| 2. | Estimated Cost of the Project including land cost at The start of the Project | |
| 3. | Estimated Development Cost of the Project at the start of the Project.(Excluding Land Cost) | |
| 4. | Any Variation in Development Cost which is declared at the start of the Project . | |
| 5. | Amount received during the Quarter | |
| 6. | Actual Cost Incurred during the Quarter | |
| 7. | Net amount at end of the Quarter | |
| 8. | Total expenditure on Project till date | |
| 9. | Cumulative fund collected till the end of Quarter in question | |
| 10. | Cumulative expenditure done till the end of Quarter In question | |

| XI. DETAILS OF MORTGAGE OR CHARGE IF ANY CREATED | |
|---|--|
| | |
| | |

| XII. MISCELLANEOUS | |
|---------------------------|--|
| A | List of Legal Cases(if any) – On Project / Promoter |
| 1 | Case No. |
| 2 | Name of Parties |
| 3 | No of Execution Cases against this project Case No. Name of Parties |
| 4 | No of Suo - Moto cases against this project Case No. Name of Parties |

| | | |
|--|--|--|
| 5 · | No of Certificate cases /PDR cases against this project Case No. Name of Parties | |
| B | Sale/Agreement for Sale During the Quarter | |
| 1 · | Sale Deed | |
| 2 · | Agreement for Sale | |
| 3 · | No. of possessions given to allottees | |
| XIII.PERCENTAGEOFWORKALONGWITHMILESTONECHART | | |
| Weather the project in progress is as per time schedule or lagging behind? | | |

Undertaking:

I/we solemnly affirm, declare and undertake that all the details stated above are true to the best of my knowledge and nothing material has been concealed here from. I am/we are executing this undertaking to attest to the truth of all the foregoing and to apprise the Authority of such facts as mentioned as well as for whatever other legal purposes this undertaking may serve.

Signature of Promoter

Name:

Date:

(Form 8)

**Regulation No.32
EXECUTION FORM**

[See Order 21 CPC, Section 40 of RERA Act,2016& Rule 25/26 of Bihar RERA Rules,2017.]
APPLICATION FOR EXECUTION BEFORE AUTHORITY/ADJUDICATING OFFICER
Execution Case Under Section 40 read with Rule25/26.

For use of Regulatory Authority(s) office: Date of filing: _____

Date of receipt by the Registry through online filing: _____ Execution Case No.: _____ Original Complaint

No: _____ Signature: _____

Registrar: _____ IN THE REGULATORY AUTHORITY'S OFFICE (Name of Place)..... Complainant (s)

Between _____ Respondent(s)

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 Respondent (s) _____

- (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 Executing District Magistrate (DM)/ Principal Civil Court _____ (if required).

The complainant declares that the subject matter of the claim falls within the jurisdiction of the _____ District Magistrate (DM)/ Principal Civil Court.

4. Facts & Date of Original Order/s. _____

[Give a concise operating part of Order] _____

5. Relief(s) sought:

In view of the facts mentioned in paragraph 4 above, the Complainant prays for the following relief/s under Section/s _____

6. Execution Case pending with any other court, etc.:

The complainant further declares that the matter regarding which this execution petition has been made is not pending before any court of law or any other authority or any other tribunal(s)

7. Particulars of online payment and Court Fee in respect of the fee in terms of Rule 25/26 of the Bihar Real Estate (Regulation & Development) Rules,2017.

(i) Amount-Rs.

(ii) Name of the bank payable at- Account No. 296800101053609, IFSC – PUNB0296800

(iii) Online payment details (IFSC Code & Account No.)-

8. List of enclosures:

(i) Copies of the Final Order relied upon by the Complainant and referred to in the Execution Case.

(ii) An index of documents.

(iii) Other documents as annexed along with the Execution Case.

Signature of the Complainant(s).

Verification

I _____ (name in full block letters), Son/Daughter/wife of _____ resident of village/mohalla - _____, P.S. - _____, District - _____, State - _____, complainant in RERA/CC/...../....., do hereby verify and solemnly affirms that the content of the aforementioned paragraphs are true to the best of my knowledge and belief and that I have not suppressed any material fact(s).

Place:

Date:

Signature of the Complainant(s) / Executant.

Instructions:

- (1) Every Execution case shall be filed in English/Hindi and in case it is in some other Indian language, it shall be accompanied by a copy translated in English/Hindi 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 Execution case 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 fill size envelope bearing full address of each respondent shall be furnished by the party preferring the execution.