



# കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം  
EXTRAORDINARY

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## KERALA REAL ESTATE REGULATORY AUTHORITY

### NOTIFICATION

No. 76/K-RERA/2020.

19th March, 2020.

In exercise of the powers conferred under sub-sections (1) and (2) of Section 85 of the Real Estate (Regulation and Development) Act, 2016 (Central Act No.16 of 2016), the Kerala Real Estate Regulatory Authority hereby makes the following Regulations:—



KERALA REAL ESTATE REGULATORY AUTHORITY (GENERAL)  
REGULATIONS, 2020

CHAPTER I

1. *Short title and commencement.*— (1) These Regulations may be called the Kerala Real Estate Regulatory Authority (General) Regulations, 2020.

(2) These regulations shall be applicable to the whole State of Kerala.

(3) These Regulations shall come into force as on the date of its Notification in the Official Gazette.

CHAPTER II

2. *Definitions.*— (1) In these Regulations, unless the context otherwise requires,—

- (i) “Act” means the Real Estate (Regulation and Development) Act, 2016 (Central Act No. 16 of 2016);
- (ii) “address for service” means the address furnished by a party or his authorized agent, or his legal practitioner, chartered accountant, company secretary, cost accountant for service of summons, notices or other processes may be effected;
- (iii) “Authority” means Kerala Real Estate Regulatory Authority established by the Government of Kerala under sub-section (1) of Section 20 of the Act;
- (iv) “authorized person” means a person authorized by the complainant or respondent or applicant to represent him/her before the Authority or the Adjudicating Officer and includes the persons as explained in the Section 56 of the Act;
- (v) “claim for compensation” means complaint filed before the Adjudicating Officer;
- (vi) “Code” means the Code of Civil Procedure, 1908, as amended from time to time;
- (vii) “complaint” means a complaint filed under Section 31 of the Act;
- (viii) “complainant” means a person, who has filed complaint under Section 31 of the Act before the Authority or the Adjudicating Officer, as the case may be;
- (ix) “Regulations” means the Kerala Real Estate Regulatory Authority (General) Regulations, 2020 as amended from time to time;



- (x) “Rules” means the Kerala Real Estate (Regulation and Development) Rules, 2018 as amended from time to time.

(2) Words and Expressions not defined in this Regulations but defined in the Act or Rules shall have the same meaning respectively as assigned to them in the Act and the Rules.

### CHAPTER III

3. *Submission of application and fee for registration.*— (1) The payment of fee under Section 4 and Section 9 of the Act read with sub-rule (4) of Rule 3 and sub-rule (2) of Rule 11 respectively shall be in the form of demand draft drawn on a schedule bank payable at Thiruvananthapuram in favor of the ‘Kerala Real Estate Regulatory Authority’ until online payment system is introduced by the Authority.

(2) If the application for Registration filed under Section 4 or Section 9 of the Act is incomplete, a letter or mail shall be sent to the promoter or agent as the case may be to furnish the required particulars within such time as the Authority deems fit.

*Explanation.*— 30 days period specified in sub-section (1) of Section 5 of the Act and sub-rule (1) of Rule 12 of the Rules shall exclude the above said period granted to the applicant .

(3) The Authority in exercising the powers under sub-section (7) of Section 9 of the Act read with Rule 14 of the Rules to revoke the registration granted to an agent, a notice shall be caused to the Applicant giving fifteen days time to furnish his explanation and calling him for enquiry and by granting a personal hearing before the Authority on the day as specified in the notice.

(4) The Authority in exercising the powers under sub-clause (b) of sub-section (1) of Section 5 and sub-clause (b) of sub-section (3) of Section 9 of the Act to reject an application for registration, a notice shall be issued to the applicant giving fifteen days time to furnish such explanation and or call upon him to appear in person or through a representative for such enquiry before the Authority on the day specified in the notice.

*Explanation.*— 30 days period specified in sub-section (1) of Section 5 of the Act and sub-rule (1) of Rule 12 of the Rules shall exclude the above said period granted to the applicant .

(5) If after the personal hearing, the Authority is still not satisfied with the information provided in the application, it shall reject such application or, if after due notice for personal hearing has been given and if the party does not appear for these hearings consecutively for two hearings on the date specified in the notice, the Authority shall reject the application for default.



(6) If the promoter or agent continuously fails to take steps to register the project or agent as contemplated under Section 3 or Section 9 of the Act respectively, even after rejection of application for registration of project or agent either in default or on merits, the Authority shall take action against the promoter or agent as provided under Section 59 or 62 of the Act respectively.

(7) The Authority may *suo moto* or on receipt of a complaint from an allottee to the effect that a project or agent which is registrable under the provisions of the Act has not been done so, the Authority may issue a show cause notice calling upon the promoter/agent to register. Such show cause notice to the promoter/ agent shall be issued by the Authority by registered post/courier service/email to the last known address of the promoter/agent. If the notice is not served for want of specific address or any other particulars, or if it is returned unserved, the Authority may issue for a second time and again the notice is not served, the Authority shall order for a publication in one vernacular daily in the region in which he is residing or his office is situated for appearance on a particular date and even after the publication, if the party does not appear on that date before the Authority, then the Authority may pass orders on merits of the case treating him as *exparte*.

#### CHAPTER IV

##### 4. *Formats of Certificates of Architect, Engineer and Chartered Accountant and Bank.*—

(1) The promotor shall maintain separate book of accounts for each project.

(2) The promoter shall furnish a certificate from the bank on their letter head in Form No. 1 under Section 4(2)(1)(D) of the Act along with the application.

(3) The certificates to be issued by the Architect, Engineer and Chartered Accountant in practice for withdrawal of money from the separate account maintained under Section 4(2)(1)(D) of the Act shall be in Form No. 2, Form No. 3 and Form No. 4 respectively.

(4) The annual report on statement of accounts in Form No.5 issued in accordance with the 3rd proviso to Section 4(2)(1)(D) of the Act shall be certified and signed by a Chartered Accountant in practice and uploaded by the promoter in the allotted webpage on the website of the Authority on or before 31st October of every year until the project is completed.

(5) The promoter shall designate an Architect, an Engineer, a Chartered accountant who issues certificates for the project to enable withdrawal of amounts from the separate account opened in compliance of the provisions under Section 4(2)(1)(D) of the Act for the work completed and such Architect, Engineer and Chartered Accountant shall not be changed without intimation to the Authority.

*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. 5 issued by the Chartered Accountant in practice reveals that any certificate issued by the Architect, Engineer or the Chartered Accountant in Form No. 2, Form No. 3 and Form No. 4 respectively has false or incorrect information, the amount collected for a particular project have not been utilized for the project and the withdrawal has not been complied with development of the project, the Authority may, apart from taking action against the promoter under the Act and Rules, also bring the matter to the concerned respective regulatory body of the said Architect, Engineer or Chartered Accountant, for necessary penal action against them.

(6) The affidavit to be submitted by the promotor as per Section 4(2)(1) of the Act shall be prepared in a non-judicial stamp paper worth Rs. 100 and duly attested by an Advocate/Notary public.

5. *Additional disclosures by promoters on their webpage after registration and other disclosures.*–(1) After registration of the project before the Authority and after receiving Login Id and password, all the details of the project as required under sub-section (1) of Section 11 of the Act and sub-rule (1) of Rule 17 of the Rules shall be uploaded by the promoter within seven days from the date of registration, on the allotted web page on the website of the Authority.

(2) The webpage as mandated above shall be updated once in every three months by the promoter.

(3) The certificates from Architect, Engineer and Chartered Accountant in Form 2, 3 & 4 respectively shall from time to time be uploaded on the web page of the promoter on the website of the Authority. Till the web portal of the Authority is ready, the promotor shall make available copies of such certificates on demand by any allottee.

(4) Upon completion of the registered project in all respects as promised to the allottees, the promoter shall upload a certificate from an Architect in Form No. 6 on his web page on the website of the Authority.

(5) The promoter shall prominently display in laminated form, the sanctioned plans, layout plans along with specifications as approved by the competent authority and also the Project Registration Certificate issued by the Authority at the project site.

(6) In all advertisement and publicity related to the projects in any media but not limited to print, electronic or social media (including press, electronic media, pamphlets, banners, posters or publicity in any form), shall bear the registration details of the project with the Authority.

(7) The promoter shall also disclose any other information as ordered by the Authority from time to time.



## CHAPTER V

6. *Procedure for dealing with complaints before the Authority.*— (1) Any complaint filed before the Authority under Section 31 of the Act read with Rule 36 shall be in Form No. M annexed to the Rules accompanied by a fee of Rs.1,000/-. The payment of fees shall be in the form of Demand Draft drawn on a scheduled bank payable at Thiruvananthapuram in favor of the “Kerala Real Estate Regulatory Authority”.

(2) The aggrieved person shall submit three sets of complaints and sufficient copies required to be sent to the respondents along with supporting documents to the Authority by registered post or in person in office until the filing of complaint is made web based. The counter/reply statement shall be also be submitted in three sets along with sufficient copies to be served to the complainants.

(3) Filing of complaint and payment of fee shall be made online once the Authority make its web portal operational.

(4) The complaint shall be presented either by the complainant himself or through an advocate or through an authorized representative as contemplated under Section 56 of the Act.

(5) An authorized representative other than advocate shall furnish an authorization in Form No. 7.

(6) When a number of complaints are made to the Authority based on similar facts and seeking the same or similar relief against the same promoter in the same project, the Authority shall ordinarily club all such complaints, hear them jointly and dispose them through a common order.

(7) The designated officer of the Authority may, at any time, call upon the party to produce such further materials as and when he is directed by the Authority in this regard.

## CHAPTER VI

7. *Claim for compensation before the Adjudicating Officer.*—(1) Any claim for compensation filed before the Adjudicating Officer under Section 31 of the Act read with Rule 37 shall be in Form N annexed to the Rules accompanied by a fee of Rs.1,000/-. The payment of fees shall be in the form of Demand Draft drawn on a scheduled bank payable at Thiruvananthapuram in favor of the “Kerala Real Estate Regulatory Authority”.

(2) The aggrieved person shall submit three sets of claim for compensation and sufficient copies required to be sent to the respondents along with supporting documents to the Authority by registered post or in person in office until the filing of claim for compensation is made web based. The counter/reply statement shall be also be submitted in three sets along with sufficient copies to be served to the complainants.



(3) Filing of claim for compensation and payment of fee shall be made online once the Authority make its web portal operational.

(4) The claim for compensation shall be presented either by the complainant himself or through an advocate or through an authorized representative as contemplated under Section 56 of the Act.

(5) An authorized representative other than advocate shall furnish an authorization in Form No. 7.

(6) When a number of claims for compensation are made to the Adjudicating officer based on similar facts and seeking the same or similar relief against the same promoter in the same project, the Adjudicating officer shall ordinarily club all such claim for compensation, hear them jointly and dispose them through a common order.

(7) An officer designated on this behalf may, at any time, call upon the party to produce such further materials as and when he is directed in this regard.

## CHAPTER VII

8. *Presentation, scrutiny and numbering.*—(1) Pagination of the complaint/claim for compensation filed before the Authority or the Adjudicating Officer, as the case may be, in continuous manner beginning from the complaint/claim for compensation along with annexures.

(2) Every interlineations, eraser or correction or deletion in any complaint or claim for compensation or document shall be initialed by the party concerned or his authorized representative.

(3) Every complainant shall affix his signature and shall state his name in capitals near his signature and initial or sign at the bottom of each page of the complaint/claim for compensation.

9. *Endorsement and scrutiny.*—(1) The person, in charge of the receipt of the complaint/claim for compensation or any other documents, whenever any complaint/claim for compensation is filed or any other documents is received, would immediately affix on them, the seal of the Authority with date. At the time of receipt of complaint/claim for compensation, it is the duty of the concerned clerk to verify whether requisite number of copies along with necessary index is submitted and on such receipt, the concerned clerk will sign on the first page in the main sheet as well as in the copies and assign current number for every complaint/claim for compensation and pass it for scrutiny to the officer concerned.

(2) The scrutiny officer of the Authority shall, on receipt of the complaint/claim for compensation from the receiving branch, scrutinize the same as expeditiously as possible.

(3) On scrutiny of the complaint/claim for compensation if it is found to be defective or incorrect in conformity with the provisions of the Act or Rule or Regulations thereunder, the Authority/Adjudicating Officer as the case may be, return it for compliance in the proper



form granting 15 days time or such time as the Authority/Adjudicating Officer deems fit. If the complaint/claim for compensation is not duly represented with all compliance within the time granted, it may be treated as a complaint/claim for compensation not in conformity and shall be posted before the Authority/the Adjudicating Officer as the case may be, for dismissal for default. In such an event, the complaint/ claim for compensation fee shall be forfeited. There shall be no bar for the complainant for filing afresh the complaint/claim for compensation.

(4) Fee paid with complaint/claim for compensation shall be entered immediately on the receipt in the register and the same should be initialed by the Cashier or Accounts Officer and the Section Officer on every day. The official in charge of cash section and Section Officer shall after verifying the entries in the prescribed register along with Demand Drafts put their initials in the relevant columns in the said register as token of acknowledgement.

10. *Registration and Numbering.*—(1) Every complaint filed under Section 31 of the Act read with Rule 36 of the Rules, shall after checking and scrutiny, be numbered as Complaint No. and registered in the appropriate register maintained in this behalf.

(2) Every claim for compensation filed under Section 31 of the Act read with Rule 37 of the Rules, shall after checking and scrutiny be numbered as Compensation Claim Petition No. (CCP. No.) and registered in the appropriate register maintained in this behalf.

(3) Interlocutory Application filed along with the Complaint shall be numbered separately as I.A. No.

## CHAPTER VIII

11. *Notice and service.*—(1) The Authority and Adjudicating Officer shall issue Notice in Form No. 8(A) and 8(B) respectively to the respondent along with one copy of the complaint/claim for compensation by giving 15 days time or such time as the Authority/Adjudicating Officer deems fit for appearing before the Authority/Adjudicating Officer with reply, if any, for hearing. On that date the Authority/Adjudicating Officer will take up the hearing. The Authority/the Adjudicating officer will also take into consideration the plea of contest or not in that hearing and accordingly decide the matter granting time for enquiry. If the matter is settled amicably between the parties, both the parties shall file a joint memo of settlement with clear terms, on the basis of such terms the Authority/Adjudicating Officer shall record the same and dispose the complaint/ claim for compensation. In failure of arriving compromise between the parties, enquiry shall be proceeded as per the provisions of the Act, Rules and Regulations.

(2) If any person fails, neglects or refuses to appear in person or through his authorized representative as directed by the Authority/Adjudicating Officer, the Authority/the Adjudicating Officer shall have the power to proceed with the enquiry in the absence of such person or persons after recording the reasons for doing so and appropriate





decision shall be taken by the Authority on the basis of available documents and evidence on record.

12. *Service of process.*—(1) When a notice of complaint or claim for compensation or interlocutory application issued by the Authority or the Adjudicating Officer, copies of the same and other supporting documents filed therewith, if any, shall be served on the other side with acknowledgement.

(2) Whenever notice is ordered by private service, the complainant, unless already served on the other side in advance, shall arrange to serve the copy of complaint/claim for compensation and other documents by registered post or courier service and file affidavit of service with its proof of acknowledgement before the date fixed for hearing.

(3) Where, after a notice has been issued to the other side and returned unserved and the complainant fails to take necessary steps within a period as ordered by the Authority or the Adjudicating Officer from the date of return of the notice of the respondents, the case shall be posted for dismissal for non-prosecution.

(4) The Authority or the Adjudicating Officer shall take steps to serve notice to respondents by post as per the address given in the complaint/claim for compensation on payment made by the complainant. If the notice sent by the Authority or the Adjudicating officer is not served for any defect in the address or any other reason for more than two occasions, then the complainant shall be directed by the Authority or the Adjudicating officer as the case may be to take substituted service by making a publication in a vernacular daily in the place of address of the respondents of the site or registered office or residence at his cost.

(5) The party who has engaged a legal practitioner or any other authorized representative to appear for him before the Authority or the Adjudicating Officer shall not be entitled to be heard in person unless permitted by the Authority.

## CHAPTER IX

13. *Examination of Witness and Issue of Commissions.*—(1) The Authority/Adjudicating Officer may permit examination of witnesses only when it is deemed fit by the Authority/Adjudicating Officer and the summary procedure as provided in the Code shall be followed.

(2) The witness called by the complainant shall be numbered consecutively as CWs and those by the respondent as RWs.

(3) The documents when produced shall be marked as follows,—

(i) if relied upon by the complainant's side, they shall be numbered as "A" series;

(ii) if relied upon by the respondent's side, they shall be numbered as "B" series;



(iii) any documents produced by the third party on summons by the Authority or any expert evidence or documents produced at the request of the Authority or any Government documents/commission documents shall be marked “X” series.

(4) For the purpose of commission of examination of witnesses, any documents required from the Authority, a copy of such documents shall be provided to the commission by the Authority.

#### CHAPTER X

14. *Authority’s office, office hours, sittings and language.*—(1) The Office of the Authority shall be at Thiruvananthapuram. The Authority may, by order, establish benches and its offices at other places within its jurisdiction.

(2) The Authority shall follow the office timings and holidays as notified by the State Government in the Kerala Government Gazette.

(3) The Authority may conduct its proceedings at the head office or at any other place within its jurisdiction as decided by the Authority on any working days and time as directed by the Chairperson.

15. *Officers of the Authority.*—(1) The Authority shall have the power to appoint employees other than officers on deputation for discharging various duties. The qualifications, experience and terms and conditions of service of such employees shall be as specified by the Authority.

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

16. *Duties and Responsibilities of Secretary of the Authority.*—(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 Chairperson. The Authority may sue or be sued in the name of the Secretary.

(2) The Authority, in the discharge of its function under the Act, may take such assistance from the Secretary as it may deem fit.

(3) In particular, and without prejudice to the generality of the provision of sub regulations (1) and (2) of this regulation, the Secretary shall have the following powers and perform the following duties, viz,—

(i) he shall have custody of the records and the seal of the Authority;

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

(iii) he shall have responsibility to receive the application for registration of real estate projects, scrutiny and the whole procedure related to such registration of projects as per the provisions of the Act and Rules;



(iv) he shall scrutinize documents, including, inter alia, complaints applications or reference and shall be entitles to seek clarifications or rectifications upon the same and issue appropriate directions to the acceptance or rejection of such documents;

(v) he shall prepare or cause to be prepared briefs and summaries of pleadings presented by various parties in case filed before the Authority;

(vi) he shall carryout such functions under the Act or the Rules, as may be delegated to him by the Chairperson, by the general or special order;

(vii) he shall assist the Authority in the proceedings relating to the powers exercisable by the Authority, as directed by the Chairperson;

(viii) he shall provide notice for meeting, prepare the agenda for meetings and minute the proceedings of the Authority's meetings;

(ix) he shall authenticate the orders passed by the Authority;

(x) he shall, so far as it is possible, monitor compliance of the orders passed by the Authority and shall forthwith bring to the notice of the Authority any non- compliance thereof;

(xi) he shall have the right to collect from the State Government or other offices, companies and firms or any other party as may be directed by the Chairperson, such information and record, report , documents etc. as the case may be considered necessary for the purpose of efficient discharge of the functions of the Authority under the Act and Rules and place the same before the Authority.

(4) In the absence of the Secretary, the Officer of the Authority designated by the Chairperson in this behalf, shall exercise the functions of the Secretary.

(5) The Chairperson shall, at all times, have the power, either on an application made by any interested or affected party or *suo motu*, to review, revoke, revise, modify, amend, alter or otherwise change any order issued or action taken by the Secretary or any Officer of the Authority, if considered appropriate.

(6) The Secretary 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.

17. *Language of the Authority.*—(1) The proceedings of the Authority shall be conducted in English, provided the Authority shall also allow any person to plead or represent his case in Malayalam.

(2) The Authority, at its own discretion, may accept complaint or petition made in Malayalam.



(3) The Authority, at its sole discretion, may accept complaint or petitions made in any language other than in Malayalam or English, provided the same is to be accompanied by a translation thereof in English attested by a Notary.

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

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 Officer authorized by the Chairperson in this behalf.

## CHAPTER XI

19. *Meetings of the Authority.*—(1) Chairperson shall preside over the meetings conducted.

(2) If the Chairperson, for any reason, is unable to attend a meeting of the Authority, any other member chosen by the Members present amongst themselves at the meeting, shall preside over the meeting.

(3) All questions which come up before any meeting of the Authority shall be decided by a majority of votes by the Members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the person presiding shall have a second casting vote.

(4) With the permission of the Chairperson or other Member presiding over the meeting, as the case may be, urgent questions may be added to the agenda at any time before the conclusion of the meeting, or any item on the agenda may be deleted or carried over to a subsequent meeting.

(5) The Chairperson for the meeting of the Authority may, if he considered necessary, also invite any expert, qualified in the matter to be discussed at any meeting, to attend any meeting of the Authority, with a view to facilitate meaningful discussion and such expert may participate any proceedings of the meeting; but shall have no right to vote. Every expert invited to attend any meeting of the Authority other than the Members, Officers or employees of the Authority, shall be entitled to a payment for each meeting of the Authority attended by him as decided by the Authority from time to time.

(6) Any member, who has a direct or indirect pecuniary or other interest in any matter including those relating to immediate family, coming up for consideration in meeting of the Authority and he shall not take any part in any deliberation or decision of the Authority, with respect of that matter.

For the purpose of this Regulation, immediate family shall include wife or husband or son or daughter (whether biological or adopted), parents, brothers or sisters or any person related to any of them by blood or marriage, whether they are dependent on the such member or not.



(7) Any member who is found in violation to the principles laid out in sub-regulation (6) above shall be liable to necessary action as per the provisions of the Act and Rules made thereunder.

(8) The Authority may, from time to time, appoint such committees or sub-committees consisting of such members and other employees or officers or outside experts in that field as it deems fit, to advise the Authority on such matters as may be decided and subject to such directions as the Authority may give.

(9) If any doubt arises as to the interpretation of these Regulation, the decision of the Authority shall be final and binding on all concerned.

(10) 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.

(11) The decision taken in a meeting of the Authority shall be recorded in the minutes book in a clear and concise manner. In case, the minutes record any statement/submission made by an invitee, a copy of that part shall be sent to such invitee.

(12) The recorded minutes of the meeting will be duly signed by all the Members present.

20. *Orders of the Authority.*—(1) Any orders arrived at after hearing the Authority shall be duly signed by all the members present.

(2) All orders and decisions shall be certified by an officer empowered in this behalf by the Chairperson and shall bear the official seal of the Authority and be communicated as expeditiously as possible from the date of passing thereof to all parties in the proceeding.

(3) The Authority may pass such interim orders, as the Authority may consider appropriate at any stage of any proceedings, having regard to the facts and circumstances of the case.

(4) The Authority may, at any time, direct anyone 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.

(5) General orders and directions by the Authority to promoter, allottees, agents or public shall be conveyed as public notices through the website of the Authority.

21. *Collection of information.*—(1) 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.



(2) If any such report or information obtained appears to the Authority to be insufficient or inadequate, the Authority or an Officer authorized for the purpose may give directions for further inquiry, report and furnishing of information.

(3) The Authority may direct such incidental, consequential and supplemental matters to be attended to which may be considered relevant in connection with the above.

(4) If the report or information obtained in accordance with Regulation 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.

22. *Confidentiality.*—(1) The Authority 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, merits 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 Authority is of the view that the claim for confidentiality is justified, the Authority may direct that the same be not provided to such parties as the Authority may deem fit.

(3) Notwithstanding the above, it shall be open to the Authority to take into consideration the contents of the documents found to be confidential in arriving at its decision.

(4) The Authority may direct any person either to appear to give evidence or to produce any documents or books of accounts and such documents or evidences produced may be ordered to be kept in the safe custody of any one of the officers of the Authority.

## CHAPTER XII

23. *Maintenance of registers and documents of the Authority.*—(1) The Authority shall maintain an indexed database of its records including complaints filed, details of hearings conducted, orders issued or any other documents.

(2) Whenever it is discovered that a record or portion of a record or a document on the file of a record is missing, the loss shall be immediately reported in writing to the designated officer and he in turn shall report it to the chairperson.

(3) One copy of the entire registration file including note file and documents pertaining to the registration of projects shall be kept as permanent record.

(4) Except permanent record, all other records shall be ordered to be destroyed by the designated officer after six years from the final conclusion of the proceedings.

*Explanation.*— For the purpose of this Regulation permanent record shall include registers mentioned in sub-clause (1) of Regulation 23 and such other records as may be ordered to be included by the Chairperson.



(5) Entry regarding destruction shall be made in the relevant columns of a separate register.

### CHAPTER XIII

24. *Inspection of record.*— (1) The parties to any complaint or their legal representative may be allowed to inspect the record of the Authority by making an application in Form No. 9 on payment of Rs. 500/- for each record/file. The payment of fees shall be in the form of Demand Draft drawn on a scheduled bank payable at Thiruvananthapuram in favor of the “Kerala Real Estate Regulatory Authority”.

Provided that the inspection of records of a pending or decided case before the Authority shall be allowed only on the order of the Authority.

(2) The person inspecting the records shall not in any manner cause dislocation, mutilation, tampering to the records in the course of inspection.

(3) The person inspecting the records shall not make any marking on any record or paper so inspected and taking notes, if any, of the documents or records. No electronic gadgets are allowed inside the record room. In the court hall or in any hearing before the Authority or the Adjudicating Officer, no cellphone or any other electronic gadget can be used or operated.

(4) The person supervising the inspection may, at any time, prohibit further inspection, if in his opinion, any of the records are likely to be damaged in the process of inspection or the person inspecting the records has violated or attempted to violate the provisions of these regulations and shall immediately make a report about the matter to the designated officer and seek further orders from the designated officer and such notes shall be made in relevant column of the Inspection Register.

(5) The designated officer shall cause to maintain a Register of Records for the purpose of inspection of documents or records and shall obtain therein the signature of the person making such inspection on the Register as well as on the application on the conclusion of inspection.

### CHAPTER XIV

25. *Discovery, production and return of documents.*—(1) Summoning, discovery and production of documents shall be regulated by Section of 35(2) of the Act and proviso (a) and (b) of sub rule (1) of Rule 25 of the Rules and also as per the provisions of Rule 64 of Civil Rules of Practice as amended from time to time.

(2) The Authority may, *suo motu* issue summons/notices for production of documents or other documents in the custody of any public officer or any other party.

(3) An application for return of the documents produced shall be numbered. Such application shall be filed with a notice to the parties who produced the documents. No such application shall be entertained after the destruction of the records.



(4) The Authority may, at any time, direct return of documents produced subject to such conditions as it deems fit.

#### CHAPTER XV

26. *Certified copies of order.*—(1) The Authority shall, on payment of Rs. 500/- provide certified copies of documents available with the Authority to any person, applying in Form No. 10. The payment of fees shall be in the form of Demand Draft drawn on a Scheduled Bank payable at Thiruvananthapuram in favor of the “Kerala Real Estate Regulatory Authority”.

(2) The parties to the proceedings are entitled to get one free copy of the order of the Authority or Adjudicating Officer either by post or in person.

(3) The Authority shall designate an officer for ensuring timely response to requests received for supply of certified copies of documents who shall endeavor to dispatch the certified copies of documents requested for as expeditiously as possible within a period of 30 working days from the date of receipt of request.

#### CHAPTER XVI

27. *General power to amend or rectify.*— The Authority may, at any time remove any defect or error apparent on the face of the record in any proceedings before it (including any clerical or arithmetical error in any order passed by the Authority), on an application filed by any one of the aggrieved party within 60 days from the date of the order. The Authority shall not pass any order on the said application if entertained without giving notice to others.

#### CHAPTER XVII

28. *Power to remove difficulties.*—If any difficulty arises in giving effect to any of the provisions of this Regulations, the Authority may, by general or special order, do anything not being inconsistent with the provisions of the Act or Rules made thereunder, which appears to be necessary or expedient for the purpose of removing the difficulties.

#### CHAPTER XVIII

29. *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 procedures, if the Authority, in view of the special circumstance of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for so dealing with such a matter or class of matters.

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

30. *Continuance of proceedings after death, etc.*—(1) Where any of the parties to the proceeding dies or is adjudicated as insolvent or in the case of a company under liquidation/winding up, the proceeding shall continue with other parties, successors-in-interest, the executor, administrator, 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 and in case the Authority so directs be dispense with the need to bring successors in-interest on the record of the case.

(3) In case any person wishes to bring on record the successor-in-interest, the application for the purpose shall be filed within sixty days, failing which proceedings shall be treated as abated.

31. *Extension or abridgement of time prescribed.*— The time prescribed by the Regulations or by order of the Authority for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by an order of the Authority, subject to the provisions of the Act and the Rules.

32. *Administrative charges.*—The Authority may, by order, fix charges, to be levied on the promoters or real estate agents or allottees for inspection of documents, certified copies of documents, the updating of website, database management and maintenance of the website.

By the order of the Authority,

(sd.)

*Secretary (Legal).*



FORM No. 1

[See Regulation 4(2)]

**(Format for furnishing a certificate from the bank in their letter pad duly signed by the competent authority with official seal for maintaining an account exclusively for the project concerned.)**

To,

Kerala Real Estate Regulatory Authority,

.....

Sir,

Subject: Application for project registration –  
opening of a separate account for the project –  
certificate issued – Reg.

With reference to the application for registration of project \_\_\_\_\_(Project name), situated within the jurisdiction of ----- ( Name of Local Body) it is certified that Sri / M/s. \_\_\_\_\_has / have opened an account / maintaining an account in account no. \_\_\_\_\_exclusively for the project approved in Permit No. \_\_\_\_\_issued by the----- (Panchayat/ Municipality/Corporation), in compliance of sub-clause (D) of clause (1) of sub-section (2) of Section 4 of the Act.

Office Seal

*Signature of the Manager/Authorized Official*

Date:



FORM No. 2

[See Regulation 4(3)]

**ARCHITECT'S CERTIFICATE***(on the letter head)*

(To be uploaded by the promotor on his webpage on the website of the Authority before withdrawal of money from separate account)

No. ....

Date:.....

To

\_\_\_\_\_

*(Name & address of the Promoter)*

Sir,

Subject : Certificate of percentage of completion of \_\_\_\_\_  
 \_\_\_\_\_ Project, bearing Authority Registration  
 Number \_\_\_\_\_ situated in \_\_\_\_\_  
 (Panchayat/ Municipality/ Corporation) being developed by  
 \_\_\_\_\_ *[promotor's Name]*

I/We \_\_\_\_\_ *(name & address of Architect)*,  
 have undertaken assignment as Architect for certifying percentage of Completion of  
 construction work of the above mentioned project on land comprising of Survey/ Re-survey  
 No: \_\_\_\_\_ of \_\_\_\_\_ Block, \_\_\_\_\_ village,  
 \_\_\_\_\_ Taluk, \_\_\_\_\_ District  
 admeasuring \_\_\_\_\_ sq.metres area, being developed by  
 \_\_\_\_\_ *[promotor's Name]* as per the  
 approved plan.



This is to certify that I/we have undertaken assignment of certifying Completion of construction work of the Real Estate Project mentioned above:

1. The following technical professionals (*name and address*) are appointed by owners/ promotor for the project:–

- i. M/s/Mr/Ms..\_\_\_\_\_ as Engineer;
- ii. M/s/Mr/Ms \_\_\_\_\_ as Structural Consultant;
- iii. M/s/Mr/Ms \_\_\_\_\_ as MEP Consultant;
- iv. M/s/Mr/Ms \_\_\_\_\_ as Quantity Surveyor

2. Based on site Inspection by the undersigned on\_\_\_\_\_ (*date*) 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 Building/ Block of the Real Estate Project as registered vide number \_\_\_\_\_ with the Authority is as per Table-A herein below. The percentage of the work executed with respect to each of the activity of the entire phase is detailed in the Table B.

**Table A**

(To be prepared separately for each Building/ Block of the Project)

Building/Block Number: \_\_\_\_\_

<i>Sl. No.</i>	<i>Task/ Activity</i>	<i>Percentage of work done</i>
1	Excavation	
2	_____ number of basement(s) and plinth	
3	_____ number of podiums	
4	Stilt Floor	



5	_____ number of slabs of super structure	
6	Internal walls, internal plaster, flooring within apartment/ flats/ premises, doors and windows in each of the flats/premises	
7	Sanitary fittings within the apartment/ flat/ premises, electrical fittings within the apartment/flat/premises	
8	Staircases, lift wells and Lobbies at each floor level connecting Staircases and lifts, overhead and Underground water tanks	
9	The external plumbing and external plaster, elevation, completion of terraces with water proofing of the building/Block	
10	Installation of lifts, water pumps, fire fighting fittings and Equipment as per Fire & Rescue Services CFO NOC, electrical fittings to common areas, electro-mechanical equipment, compliance to conditions of environment/CRZ NOC, finishing to entrance lobby/s, plinth protection, paving of areas appurtenant to building/block/tower, compound wall and all other requirements as may be required to obtain Occupation/Completion Certificate	

**Table B**

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

<i>Sl. No.</i>	<i>Common Areas and Facilities, Amenities</i>	<i>Proposed (yes/No)</i>	<i>Details</i>	<i>Percentage of work done</i>
1	Internal roads & foot paths			
2	Water Supply			
3	Sewerage (chamber, lines, septic tank, STP)			
4	Storm water drains			
5	Landscaping & tree planting			
6	Street lightening			



7	Community buildings			
8	Treatment and disposal of sewage and sullage water			
9	Solid waste management & disposal			
10	Water conservation, Rain water harvesting Percolating well/pit			
11	Energy management			
12	Fire protection and fire safety requirements			
13	Electrical meter room, sub-station, receiving station			
14	Others (Option to add more)			

Yours faithfully,

*(Signature of Architect)*

Name: \_\_\_\_\_ *(in Block letters)*

Address: \_\_\_\_\_

\_\_\_\_\_

(Registration No.: \_\_\_\_\_ of the Council of Architecture)



FORM No. 3

[See Regulation 4(3)]

**ENGINEER'S CERTIFICATE***(on the letter head)*

(To be uploaded by the promotor on his webpage on the website of the Authority before withdrawal of money from separate account )

No. \_\_\_\_\_

Date: \_\_\_\_\_

To

\_\_\_\_\_

*(Name & address of the Promoter)*

Sir,

Subject : Certificate of cost incurred for development of \_\_\_\_\_  
*(name of project)* bearing Authority Registration Number  
\_\_\_\_\_ situated in \_\_\_\_\_ (Panchayat/  
Municipality/ Corporation) being developed by \_\_\_\_\_  
*[promotor's Name]*

I/We \_\_\_\_\_ *(name & address of Engineer)*,  
have undertaken assignment as Engineer for certifying Estimate cost for the above mentioned  
project on land comprising of Survey/Re-survey No.: \_\_\_\_\_ of  
\_\_\_\_\_ Block, \_\_\_\_\_ village,  
\_\_\_\_\_ Taluk, \_\_\_\_\_ District  
measuring \_\_\_\_\_ *(area of land)* sq.metres area, being developed by  
\_\_\_\_\_ *[promotor's name]*.

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



The following technical professionals (*name and address*) are appointed by owners/  
promotor:—

- (i) M/s/Mr/Ms. \_\_\_\_\_ as Architect;
- (ii) M/s/Mr/Ms \_\_\_\_\_ as Structural Consultant;
- (iii) M/s/Mr/Ms. \_\_\_\_\_ as MEP Consultant;
- (iv) M/s/Mr/Ms. \_\_\_\_\_ as site Supervisor

2. We have estimated the cost of completion of the civil, MEP and allied works of the building(s) of the project. Our estimated cost calculations are based on the drawings/plans made available to us for the project under reference by the Developer/promotor and Consultants and the schedule of items and quantity for the entire work as calculated by Quantity Surveyor appointed by the Developer/Engineer, and the fair assumption of the cost of material, labor and other inputs made by promoters/ developers, and the site inspection carried out by us.
3. We estimate the total cost for completion of the buildings of the afore said project under reference as Rs. \_\_\_\_\_ (*Total of Sl.No.1 in tables A and B*) including cost of development of common facilities. The estimated total cost of project is with reference to the civil, MEP and allied works required to be completed for obtaining occupation certificate for the building(s) from the \_\_\_\_\_ (*name of competent authority*) under whose jurisdiction the aforesaid project is being implemented.
4. Based on site inspection by undersigned on \_\_\_\_\_ date, the estimated actual cost incurred till date \_\_\_\_\_ is calculated at Rs. \_\_\_\_\_ (*Total of Sl.No. 2 in Tables A and B*). The amount of Estimated Cost incurred is calculated based on amount of Total Estimated Cost.





5. The Balance cost of completion of the civil, MEP and allied works of the building(s) of the subject project to obtain Occupation Certificate from the \_\_\_\_\_ (*name of competent authority*) is estimated at Rs. \_\_\_\_\_ (total of Sl. No. 4 in Tables A and B).
6. I certify that the cost of civil, MEP and allied work for the aforesaid project as completed on the date of this certificate is as given in Tables A and B below:

**Table A**

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

Building/Block Number : \_\_\_\_\_

<i>Sl. No.</i>	<i>Particulars</i>	<i>Amounts</i>
1	Total estimated cost of the building/block as on date of building permission from competent Authority (based on the original estimated cost)-Registration	Rs.
2	Cost incurred as on _____ date (Based on the actual cost incurred as per records)	Rs.
3	Value of work done in percentage (as percentage of the estimated cost) (Row2/Row1)*100)	
4	Balance cost to be incurred (Based on estimated cost) (Row1 - Row2)	Rs.
5	Cost incurred on additional/extra items as on _____ not included in the estimated cost (Table C)	Rs.



**Table B****Internal & external development works in respect of the entire registered phase**

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

<i>Sl. No.</i>	<i>Particulars</i>	<i>Amounts</i>
1	Total estimated cost of the internal and external development works including common amenities and facilities in the layout as on date of permission from competent authority (based on the original estimated cost)	Rs.
2	Cost incurred as on _____ (based on the actual cost incurred as per records)	Rs.
3	Work done in percentage (as percentage of the estimated cost) (Row 2/Row1)*100	%
4	Balance cost to be incurred (based on Estimated cost) (Row1-Row2)	Rs.
5	Cost incurred on additional/extra items not included in the estimated cost (Table C)	Rs.

Yours faithfully,

*(Signature of Engineer)*

Name: \_\_\_\_\_

(Name in block letters)

(With stamp of Engineer, local body licence no. if any )

Local Body Licence No. valid till (Date).....

*Note.-*

- (i) The scope of work is to complete entire Real Estate Project as per drawings approved from time to time so as to obtain Occupancy Certificate.
- (ii) (\*) 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 Promoter, 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 (\*).

- (iii) The estimated cost includes all labour, material, equipment and machinery required to carry out entire work.
- (iv) 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.
- (v) All components of work with specifications are indicative and not exhaustive.

### **Table-C**

#### **List of extra/additional items executed with cost**

(Which were not part of the original estimate of total cost)

*(Signature of Engineer)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

(With stamp of Engineer, local body licence no. if any )

Local Body Licence No. valid till (Date).....



FORM No. 4

[See Regulation 4(3)]

**CHARTERED ACCOUNTANT'S CERTIFICATE (On Letter Head)**

(To be uploaded by the promotor on his webpage on the website of the Authority before withdrawal of money from separate account)

No. \_\_\_\_\_

Date: \_\_\_\_\_

To

\_\_\_\_\_

*(Name & address of the Promoter)*

Sir,

Subject : Certificate of Chartered Accountant under Section 4(2)(1)(D) of the Act for withdrawal of money from the separate account opened for the Real Estate Project registered with the Authority bearing registration number -----

I/We \_\_\_\_\_ *(name & address of Chartered Accountant)*, have undertaken assignment of certifying cost incurred for the above mentioned project.



<i>Sl. No.</i>	<i>Particulars</i>	<i>Estimated Cost in Rs. (Column A)</i>	<i>Amount incurred and paid in RS. (Column B)</i>
1	<p>(I) Land Cost</p> <p>(a) Cost of land or development rights, lease premium, lease rent, interest cost incurred or payable on Land cost and legal cost;</p> <p>(b) Amount payable to obtain development rights, additional FSI, and any other incentive under DR from Local Authority or State Government or any statutory authority, if any;</p> <p>(c) Acquisition cost of TDR (Transfer of Development Rights), if any;</p> <p>(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</p> <p>(e) Land premium payable as per annual statement of rates (ASR) for redevelopment of land owned by Public authorities</p> <p>(f) Under redevelopment/rehabilitation scheme:</p> <p>(i) Estimated construction cost of redeveloped/rehab building including site</p>		



	<p>development and infrastructure for the same as certified by engineer (Column A);</p> <p>(ii) Actual cost of redeveloped/rehab building incurred as per the books of accounts as verified by the CA (Column B);</p> <p><i>Note.</i>—(For total cost of construction incurred, minimum of (i) or (ii) is to be considered).</p> <p>(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.</p> <p>(iv) Fee, charges and security deposits or maintenance deposit, or any amount whatsoever payable to any authorities towards and in project of rehabilitation.</p>		
	<p><b>Sub Total Land Cost (in Rs.)</b></p>		



<i>Sl. No.</i>	<i>Particulars</i>	<i>Total cost Estimated (Column A)</i>	<i>Amount incurred and paid (Column B)</i>
	<p>(II) Development cost/cost of construction</p> <p>a. (i) Estimated cost of construction as certified by Engineer (Column A).</p> <p>(ii) Actual cost of construction incurred and paid as per the books of accounts as verified by the CA (Column B).</p> <p><i>Note.</i>—(For adding total cost of construction incurred, minimum of (i) or (ii) is to be considered).</p> <p>(iii) On-site expenditure for development of entire project excluding cost of construction as per(i) or (ii) above, ie salaries, consultants fees, site overheads, development works, cost of services (including water, electricity, sewerage, drainage, layout roads etc.) cost of machineries and equipment including hire and maintenance costs, consumables etc. all costs directly incurred to complete the construction of the</p>		



	<p>entire project registered.</p> <p>b. Payment of taxes, cess, fees, charges, premiums, interest etc. to any statutory authority.</p> <p>c. Interest payable to financial institutions, scheduled banks, non-banking institutions on construction funding or money borrowed for construction.</p>		
	<p><b>Sub Total (of developmental cost)</b></p>		

2. Total Estimated cost of the Real Estate Project (1(I) + 1(II) of Estimated cost) Column A Rs.-----
3. Total cost incurred and paid on the Real Estate Project (1(I) +1(II)) of incurred and paid Column B Rs.-----
4. Percentage of completion of construction Work (as per Project Architect’s Certificate on completion of project) -----%
5. Proportion of the cost incurred and paid on Land Cost and construction cost to the Total Estimated Cost (Sl. No. 3/2)-----%
6. Amount which can be withdrawn from the Designated Account Total Estimated Cost X Proportion of cost incurred and paid (Sl. Number 2 X Sl. Number 5). Rs.-----
7. Less : Amount withdrawn till date of this certificate as per the Books of Accounts and Bank statement. Rs.-----
8. Net Amount which can be withdrawn from the Designated Bank Account under the certificate. Rs.-----





**Details of separate account for the project**

Bank Name:

Branch Name:

Account No.:

IFSC Code:

Opening Balance (as on \_\_\_\_\_)

Deposit during the period

Withdrawals during the period

Closing Balance (as on \_\_\_\_\_)

This certificate is being issued as required under Section 4(2)(1)(D) of the Act for the (Promoter's Name)\_\_\_\_\_ and project------(Name of the project )bearing Authority registration number ----- and is based on the records and document as produced before me and explanations provided to me by the management of the company; based on the verification of books of accounts till (date)\_\_\_\_\_.

Yours Faithfully,

Name and Signature of Chartered Accountant with stamp

For (Name of CA Firm)

Partner/Proprietor

(Membership Number.....)



**ADDITIONAL INFORMATION**

1. Estimated Balance Cost to complete the Real Estate Project (Difference of Total Estimated Project cost less cost incurred)-Rs.-----
2. Balance amount of receivables from booked apartments as per Annexure-A to this certificate (as certified by Chartered Accountant as verified from the records and books of Accounts)
3. Estimated amount of sale proceeds in respect of unbooked apartment as per Annexure A to this certificate in Rs.-----
4. Estimated receivables of the project (Sum of 2 + 3) in Rs.-----
5. Amount to be deposited in separate account-70% or 100% . If 4 is greater than 1, then 70% of the balance receivables of the project will be deposited in separate account. If 4 is lesser than 1, then 100% of the balance receivables of Ongoing project will be deposited the separate account.

Yours faithfully,

Name and Signature of Chartered Accountant with stamp for (Name of CA firm)

Partner/ Proprietor

(Membership Number .....)



**Annexure-A**

Statement for calculation of Receivables from the Sales of the ongoing Real Estate Project :

**Booked Inventory**

<i>Sl. No.</i>	<i>Block /Type/Bungalow/ category (as per Form 1)</i>	<i>Flat/Bungalow Carpet area/ Office/Plot ( in Sq.Mts.) No.</i>	<i>Area of exclusive balcony/ verandah (Sq. mts.)</i>	<i>Unit amount Consideration as per Agreement (as per Clause 1(b) of the Model Form of Agreement to be entered between Promoter and Allottees (s))</i>	<i>Received Amount</i>	<i>Balance Amount</i>
----------------	---	---	---	--	------------------------	-----------------------

**Total Proposed**

**Total Booked**

**No. of Covered parking**

**No. of Garages.**

**(Un booked Inventory Valuation)**

**Of the Residential/commercial premises Rs.**

**Per Sq. mts.**

<i>Sl. No.</i>	<i>Block/Type (as per Form 1)</i>	<i>Flat/Office/ Plot No.</i>	<i>Carpet Area ( in Sq. Mts)</i>	<i>Area of exclusive balcony/verandah (Sq . mts.)</i>	<i>Estimated Amount of Sale Proceeds</i>



FORM No. 5  
[See Regulation 4(4)]  
[On the letter head of Chartered Accountant in practice]

**ANNUAL REPORT ON STATEMENT OF ACCOUNTS**  
**(As required under Section 4(2)(I)(D) of the Act)**

To

(NAME & ADDRESS OF PROMOTER)

Subject: Report on Statement of Accounts on project fund utilization and withdrawal by..... (Name of the promoter) for the financial year with respect to Project having Authority Registration Number.....

1. This certificate is issued in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 read along with the Kerala Real Estate (Regulation and Development) Rules, 2018.

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, book of accounts and documents and the relevant records of .....(name of promoter) related with the above project for the financial year.....and hereby certify that:

(i) Opening balance in the separate account is Rs.....during the financial year.....

(ii) Amount collected from the allottee during the financial year is Rs. ....



(iii) Amount deposited in the separate account during the financial year is

Rs. ....

(iv) Amount withdrawn from the separate account during the financial year

is Rs. ....

(v) Closing balance in the separate account during the financial year is

Rs.....

4. I/We certify that the .....(Name of Promoter) has withdrawn amounts from the separate account in accordance with the provisions of the Act and Rules and have been utilized the amounts for the project. (If not, please specify the amount withdrawn in excess of eligible amount or any other exceptions)

*(Signature and Stamps/Seal of the Signatory )*

Place:

Date:

Name of the Signatory:

Full Address Membership No.:

e-mail:

Contact No.:



FORM No. 6

[See Regulation 5(4)]

**ARCHITECT'S CERTIFICATE***(on the letter head)*

(To be uploaded by the promotor on his webpage on the website of the Authority on completion of the Real Estate Project)

No. ....

Date:.....

To

\_\_\_\_\_

*(Name & address of the Promoter)*

Sir,

Subject : Certificate of completion of ----- Project, bearing Authority Registration Number \_\_\_\_\_ situated in \_\_\_\_\_ (Panchayat/ Municipality/ Corporation) being developed by \_\_\_\_\_ [*promotor's Name*]

Sir,

- I/We \_\_\_\_\_ (*name & address of Architect*), have undertaken assignment as Architect for certifying Completion of the \_\_\_\_\_ project bearing Authority Registration Number \_\_\_\_\_, which is/are situated in \_\_\_\_\_ (Panchayat/Municipality/Corporation) on land comprising of Survey/Re-survey No.: \_\_\_\_\_ of \_\_\_\_\_ Block, \_\_\_\_\_ village, \_\_\_\_\_ Taluk, \_\_\_\_\_ District



admeasuring \_\_\_\_\_ sq. metres area, being developed by  
 \_\_\_\_\_ [promotor's Name] as  
 per the approved plan.

2. The following technical professionals (*name and address*) are appointed by owners/  
 promotor for the project.–

- (i) M/s/Mr/Ms. \_\_\_\_\_ as Architect;
- (ii) M/s/Mr/Ms \_\_\_\_\_ as Structural Consultant;
- (iii) M/s/Mr/Ms \_\_\_\_\_ as MEP Consultant;
- (iv) M/s/Mr/Ms \_\_\_\_\_ as Quantity Surveyor.

3. Based on Completion Certificate received from Structural Engineer and Site  
 Supervisor, details furnished by the promoter as to the promises made to the allottees  
 and to the best of my/our knowledge, I/We hereby certify that the above  
 mentioned project has been completed in all aspects as promised to the allottees of the  
 project.

Yours Faithfully,

(Signature of Architect)

Name: \_\_\_\_\_ (in Block letters)

Address: \_\_\_\_\_

Registration No.: \_\_\_\_\_



FORM No. 7

[See Regulations 6(5) &amp; 7(5)]

**BEFORE THE KERALA REAL ESTATE REGULATORY AUTHORITY****Authorization form**

Complaint No./CCP No. \_\_\_\_\_

In the matter of

\_\_\_\_\_ Petitioner

versus

\_\_\_\_\_ Respondent(s)

**Memo of Authorization**

I/we, \_\_\_\_\_ the petitioner/respondent above named do here by nominate, appoint and constitute \_\_\_\_\_ to act, plead and appear on my/our behalf in the aforesaid matter.

IN WITNESS WHEREOF I/We have set and subscribed my/our hands to this writing on the-----day of-----

Signature

(Petitioner/Respondent)

Place:

Date:

Address for  
Correspondence:

I accept \_\_\_\_\_





FORM No. 8A  
[See Regulation 11(1)]  
**KERALA REAL ESTATE REGULATORY AUTHORITY**

To,

**NOTICE**

[Issued under Rule 36(2)(a) &(b)]

**Complaint No.:**     /     filed by Sri .....

Whereas the above Complaint is filed against you and a copy of the same is here by served upon you. You are hereby directed to appear before the Authority at..... in person or through an authorized representative/ Advocate duly instructed and able to answer all material question relating to the Complaint, on the ----- day of ----- at ----- a.m. and submit your counter Statement stating whether you contest or do not contest the case.

Take notice that in the event of the complaint not being contested by you, the complaint shall be decided at once. If you contest the case, all the supporting documents to prove your contentions shall be submitted along with your counter statement.

Take further notice that in default of your appearance on the day and the time aforementioned, the complaint will be heard and determined in your absence.

Given under my hand and seal of the Authority on this ----- day of -----

Authorized officer,

Kerala Real Estate Regulatory Authority.



FORM No. 8B

[See Regulations 11(1)]

**KERALA REAL ESTATE REGULATORY AUTHORITY**

To,

**NOTICE**

[Issued under Rule 37(2)(a)&amp;(b)]

CCP No.:            /        filed by Sri .....

(Claim for Compensation)

The above complaint is filed against you. A copy of the same showing alleged contraventions and reliefs claimed is here by served upon you for further steps.

You are directed to appear in person for hearing of the above complaint on ..... at.....failing which the matter will be heard and disposed of in your absence.

Authorized Officer,  
Kerala Real Estate Regulatory Authority.



FORM No. 9

[See Regulation 24(1)]

**BEFORE THE KERALA REAL ESTATE REGULATORY AUTHORITY****Application for inspection**

I hereby apply for grant of permission to inspect the following documents/records.

The details are as follows;

1. Name & Address of the person seeking permission to inspect 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.
4. Date on which the inspection sought.
5. The amount of fee paid and the mode of payment.

Place:

Date:

*Signature*

**For Office Use**

Granted inspection on \_\_\_\_\_/Rejected

Signature

Thiruvananthapuram

.....



FORM No. 10

[See Regulations 26(1)]

**BEFORE THE KERALA REAL ESTATE REGULATORY AUTHORITY****Application for obtaining certified copies of documents/records**

I hereby apply for grant of permission to obtain certified copies of the following documents/records. The details are as follows;

1. Name & Address of the person seeking permission to 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 required.
4. The amount of fee paid and the mode of payment.

Place:

Date:

*Signature***For Office Use**

Granted copies of documents on \_\_\_\_\_ / Rejected.

Signature

Thiruvananthapuram

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