

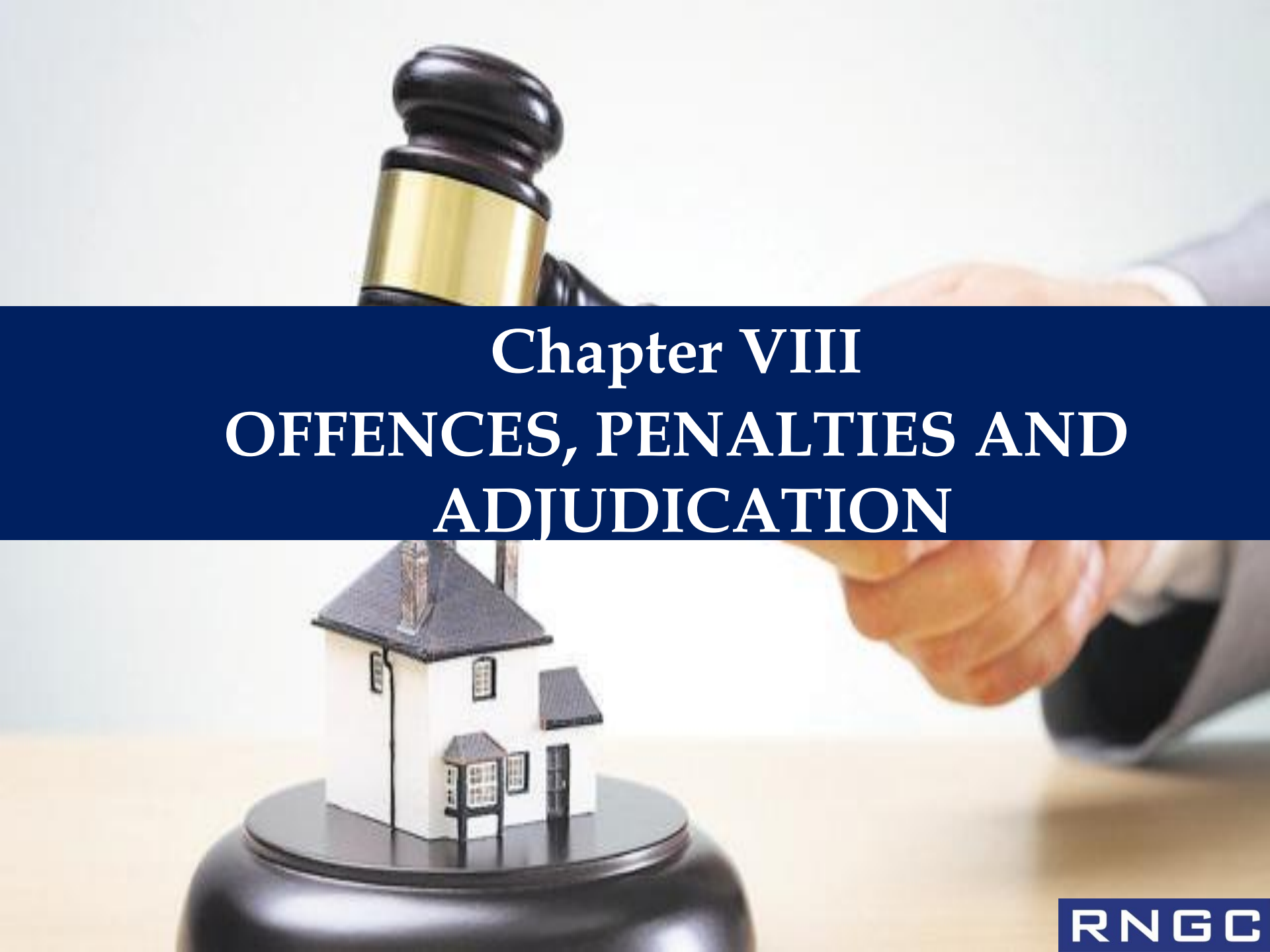
Real Estate (Regulation & Development) Act, 2016

RAMANAND GOYAL & COMPANY

CHARTERED ACCOUNTANTS



Penalty and Prosecution

A hand in a suit sleeve holds a gavel with a gold band. Below, a miniature white house with a dark roof sits on a black scale. The background is a light, neutral color.

Chapter VIII

OFFENCES, PENALTIES AND ADJUDICATION

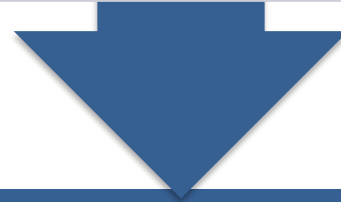
Punishment for non-registration u/s 3 (Sec.59)

Any Promoter

Contravenes the provisions of sec 3

Then he shall be liable to a penalty which may extend up to **10%**

Of the estimated cost of the real estate project (as determined by the Authority).



Any Promoter

Does not comply with the orders, decisions or directions issued under sub-section (1) or continues to violate the provisions of section 3,

He shall be punishable with **imprisonment** for a term which may extend **up to 3 years** or

With fine which may extend up to a **further 10 %** of the estimated cost of the real estate project, or with both.

Penalty for contravention of sec.4 (Application for Registration) (Sec.60)

Any promoter provides
false information

Or contravenes the
provisions of sec.4

Then penalty shall be leviable
up to 5% of the Estimated
cost of the Real Estate Project
(As determined by the
Authority)

Penalty for contravention of other provisions of the act (Sec.61)

Any promoter
contravenes
any other
provisions of
this act

Other than
that
provided u/s
3 and 4

He shall be liable for penalty
which may extend **up to 5 %**
of the estimated cost of the
Real Estate Project (As
determined by the
Authority)

Penalty for non-registration and contravention u/s 9 & 10 (Sec.62)

Any real estate agent fails to comply with or contravenes the provisions of section 9 or section 10



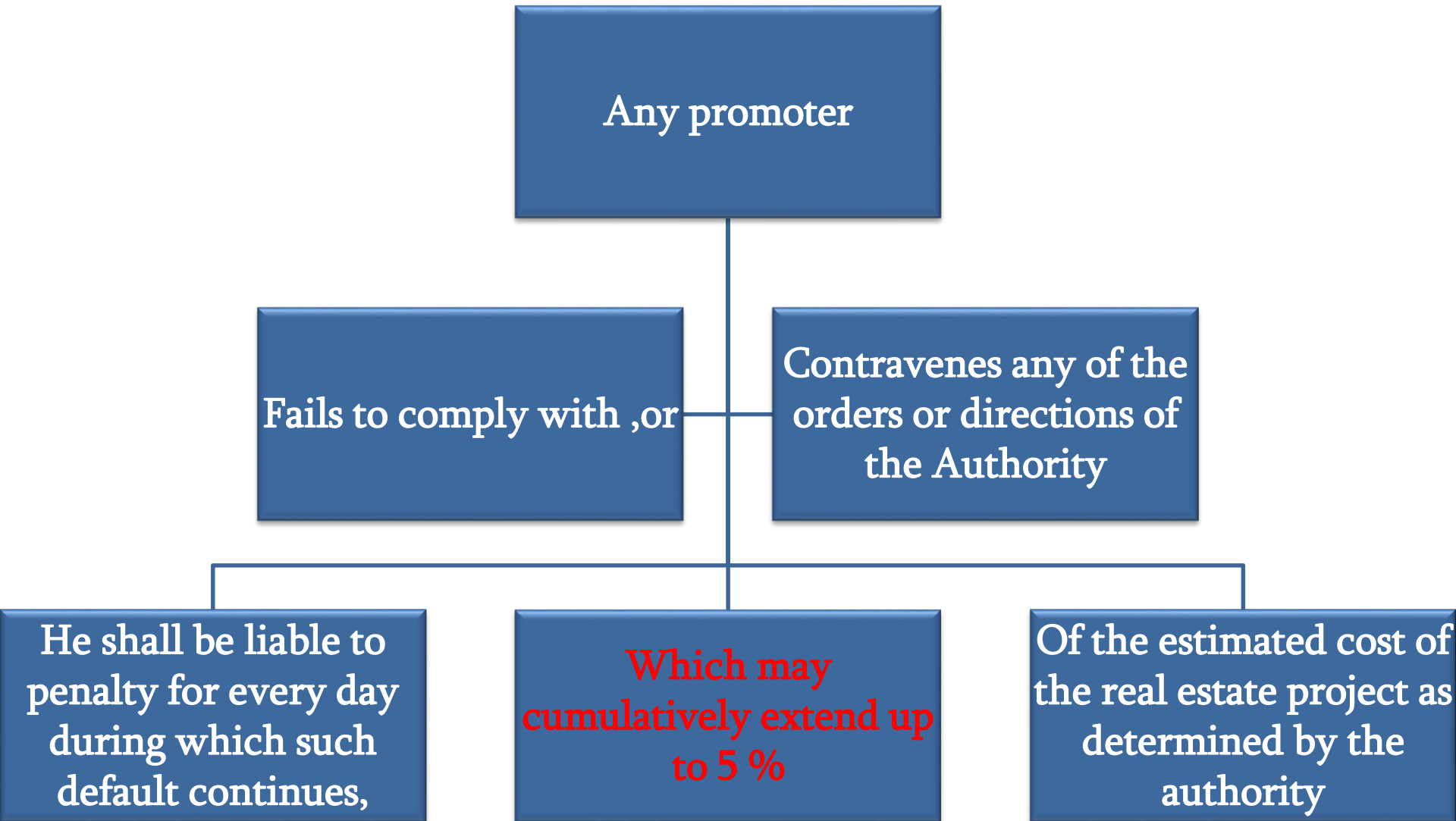
Then, Penalty of **Rs.10,000 for every day** during which such default continues



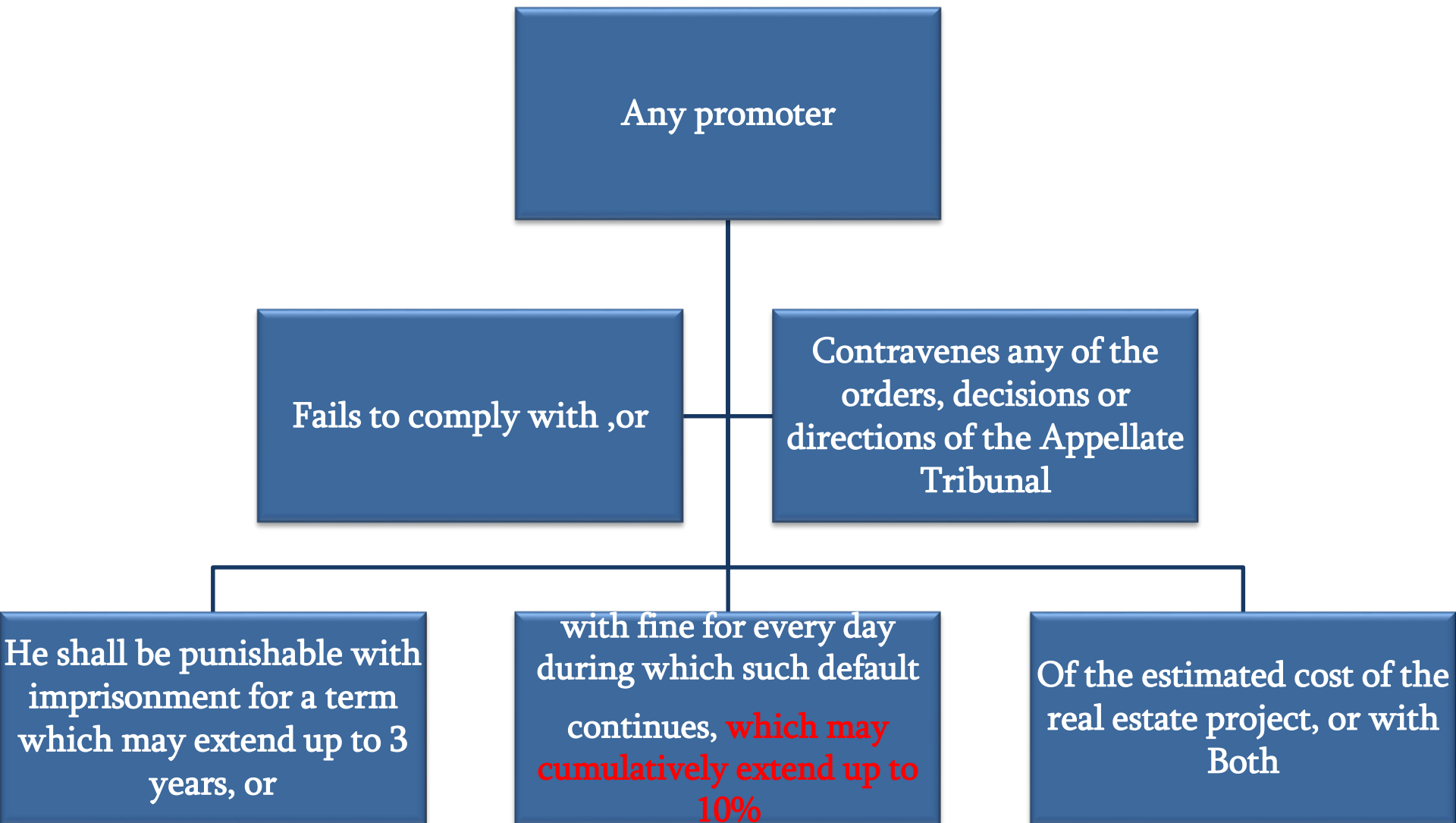
Which may cumulatively extend up to 5% of the cost of plot, apartment or buildings

As the case may be, of the real estate project, for which the sale or purchase has been facilitated as determined by the Authority

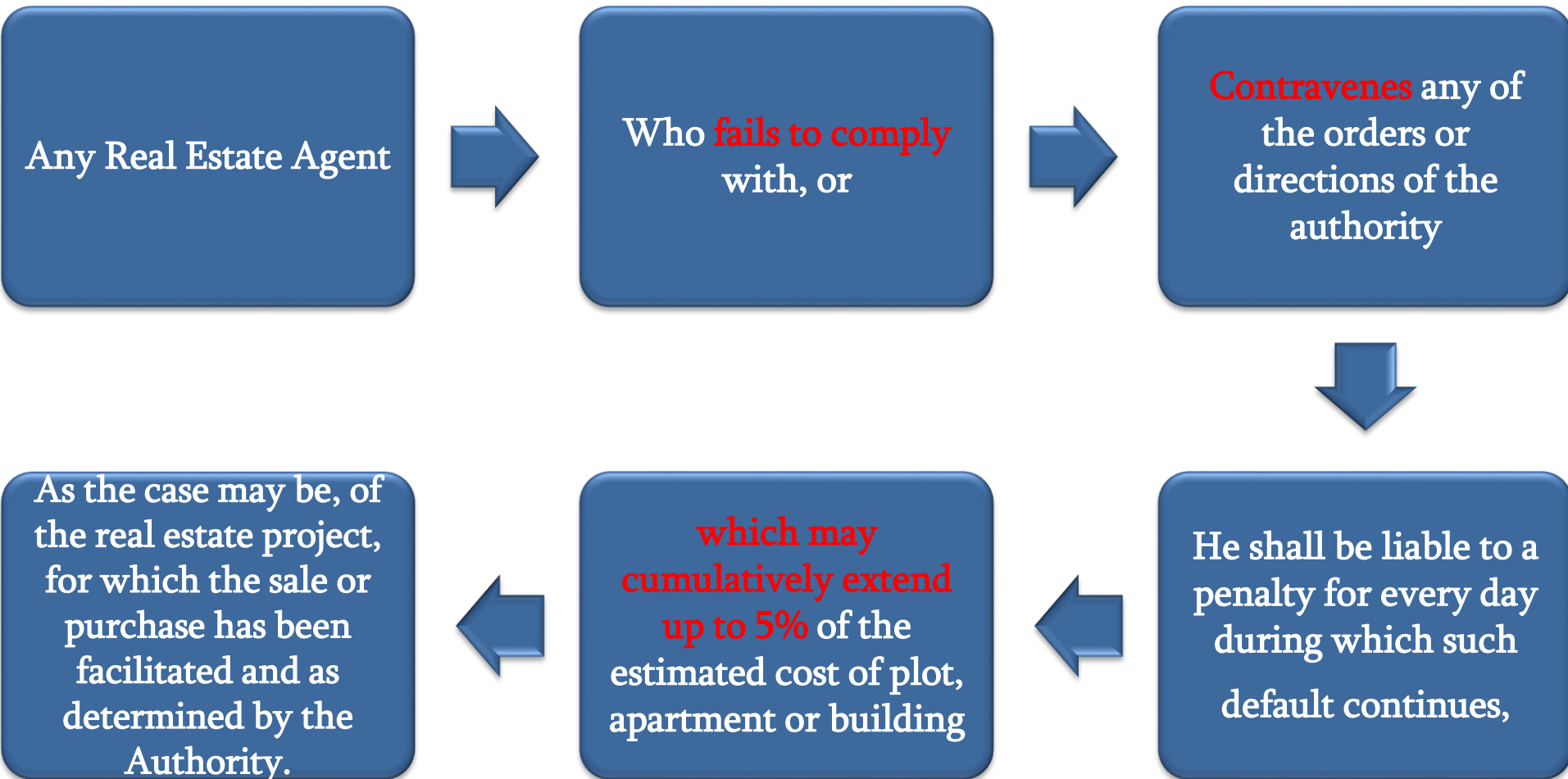
Penalty for failure to comply with orders of Authority by promoter (Sec.63)



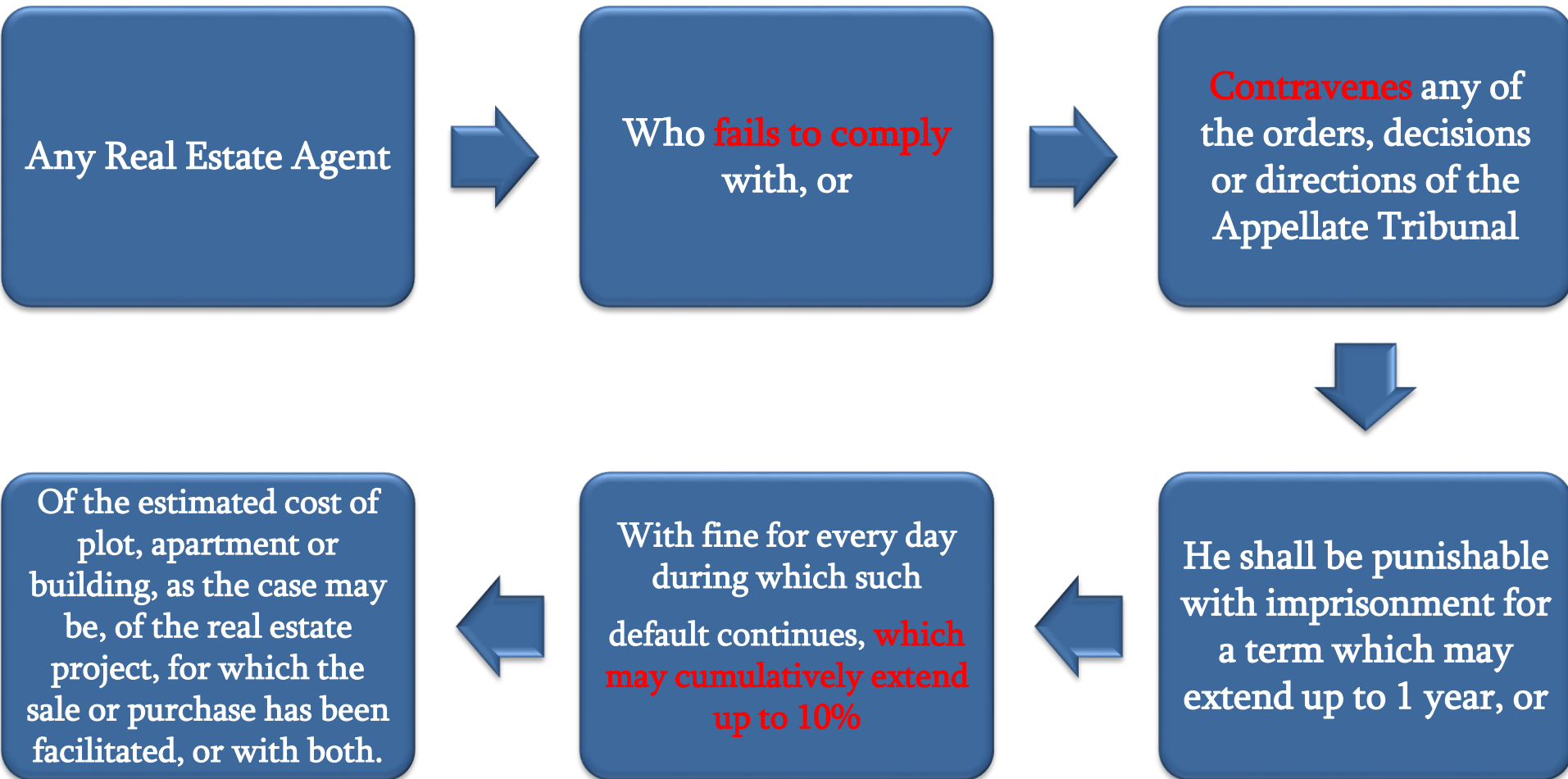
Penalty for failure to comply with orders of Appellate Tribunal by promoter (Sec.64)



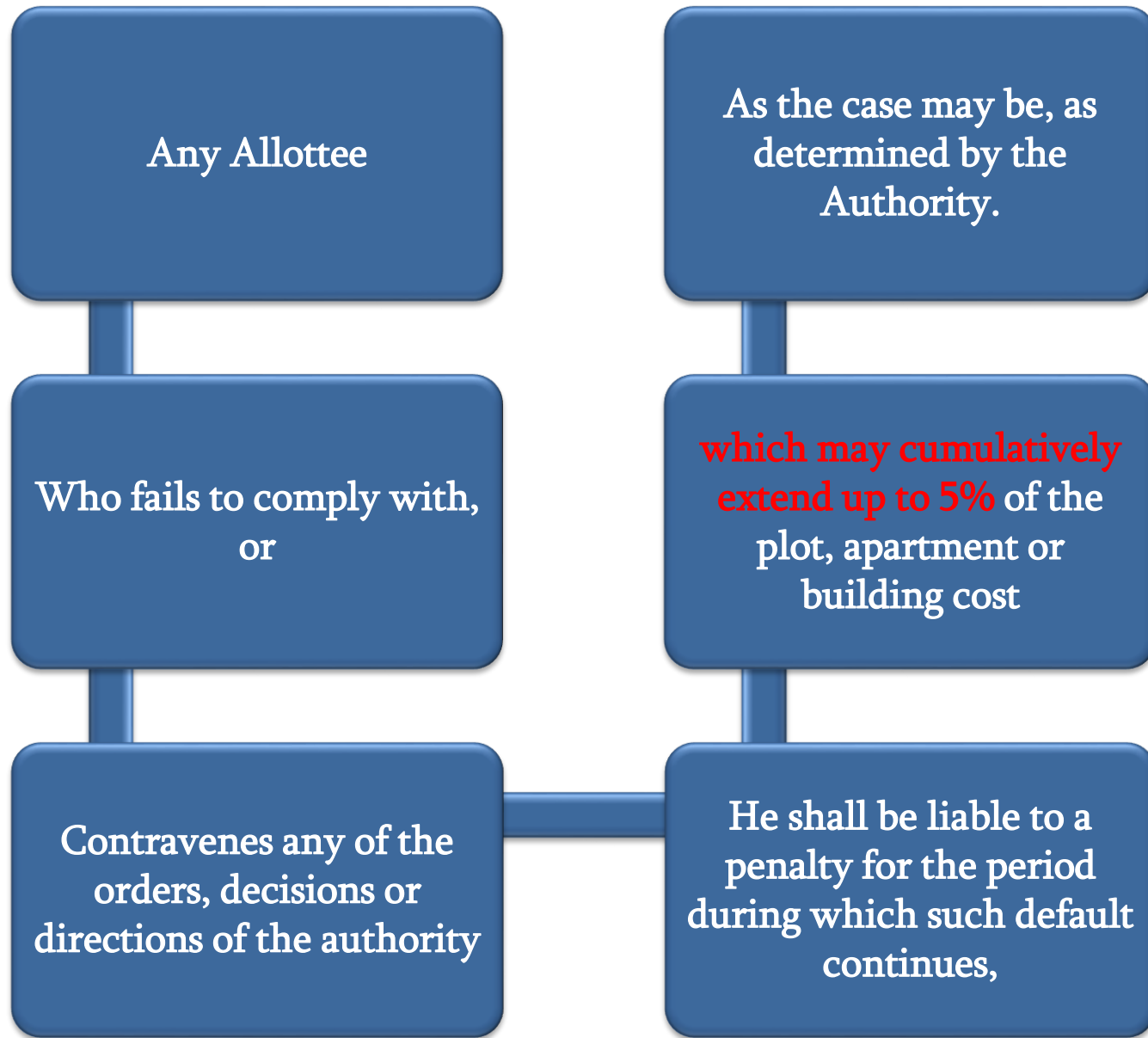
Penalty for failure to comply with orders of Authority by Real Estate Agent(Sec.65)



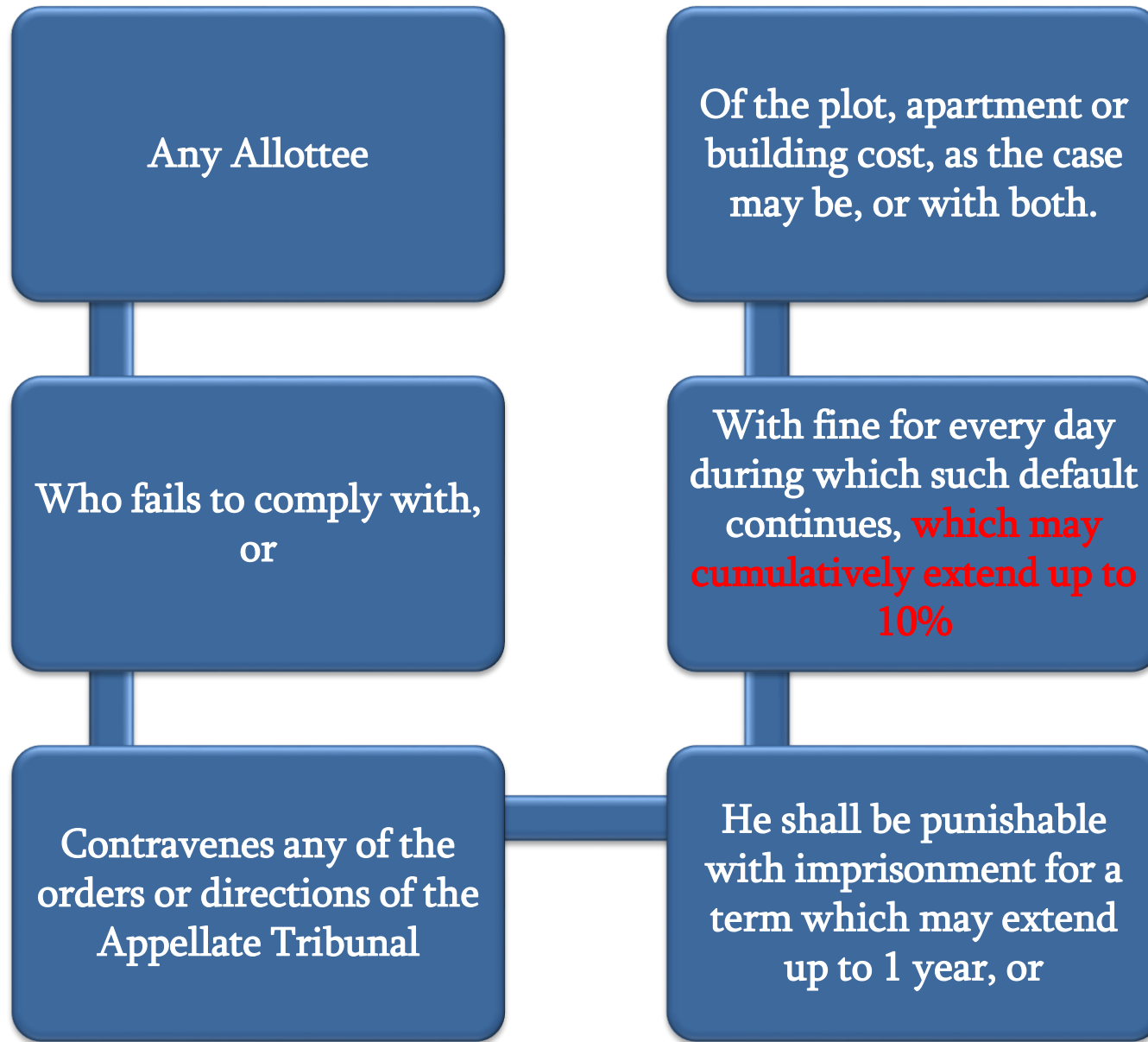
Penalty for failure to comply with orders of Appellate Tribunal by Real Estate Agent(Sec.66)



Penalty for failure to comply with orders of Authority by Allottee (Sec.67)



Penalty for failure to comply with orders of Appellate Tribunal by Allottee (Sec.68)



Rajasthan Real Estate (Regulation & Development) Rules, 2017

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Penalty Provisions

Terms and conditions and the fine payable for compounding of offence (Rule 34)

- The court may compound any offence specified under section 70 on payment of amount as specified in the table given below :-

S.NO.	Offence	Amount to be paid for compounding the offence
1	Punishable with imprisonment under sub-section (2) of section 59 (Promoter)	5% of the estimated cost of the real estate project
2	Punishable with imprisonment under section 64 (Promoter)	5% of the estimated cost of the real estate project
3	Punishable with imprisonment under section 66 (Real Estate Agent)	5% of the estimated cost of the plot, apartment or building, as the case may be, of the real estate project, for which the sale or purchase has been facilitated
4	Punishable with imprisonment under section 68 (Allottee)	5% of the cost of the plot, apartment or building, as the case may be



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