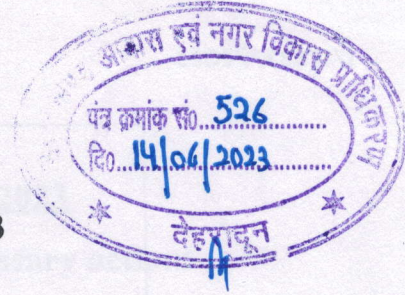


Government of Uttarakhand
Awas Section 01

No 128837 /V-1/2022/E-30781/2023
Dehradun, Dated: 09 June, 2023



Notification

In exercise of the powers conferred by Section 84 of the Real Estate (Regulation and Development) Act, 2016 (16 of 2016) with a view to amend the Uttarakhand Real Estate (Regulation and Development) (General) Rules, 2017 the Governor is pleased to make the following rules, namely:-

The Uttarakhand Real Estate (Regulation and Development) (General) (Amendment) Rules, 2023

- Short title and commencement** 1. These rules may be called the (1) Uttarakhand Real Estate (Regulation and Development) (General) (Amendment) Rules, 2023.
- (2) It shall come in to force at once.
- Amendment of Rule-23** 2. In Uttarakhand Real Estate (Regulation and Development) (General) Rules, 2017 for the existing Rule 23 as set out in Column I rule as set out in Column II shall be Substituted namely:-

Column - 1 Existing rule	Column - 2 Here by substituted rule
23- The recovery of the amounts due such as interest, penalty or compensation shall be recovered as arrears of land revenue in the manner provided under applicable local laws.	"23(1)— Manner of Recovery- "If a promoter, agent, or an allottee fails to comply any order of the Authority, Adjudicating Officer or the Appellate Tribunal for refund of money, payment of interest, penalty and/or compensation within 45 days as per the provisions of Rule 16 or the time provided by the Authority, Adjudicating officer or Appellate Tribunal as the case may be, the same shall be recovered as arrears of land revenue, in the manner provided under applicable local laws.

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Provided that in case the person from whom the money is to be recovered normally resides or has/have its seat of doing business in a place outside the geographical boundary of Uttarakhand, then the recovery may also be done under the local laws of that place through the recovery authority of that state.

(2) Manner of Implementation of orders, direction or decisions of Adjudicating Officer or the Authority or the Appellate Tribunal- "Every order, direction or decision passed/made by the Adjudication Officer or the Authority of the Appellate Tribunal, as the case may be, under the Real Estate (Regulation and Development) Act, 2016 or Rules and Regulations made there under, shall be enforced by the Adjudicating Officer or the Authority or the Appellate Tribunal in the same manner as if it were a decree or an order, direction or decision passed/made by a Principal Civil Court in a suit pending therein, and it shall be lawful for the Adjudicating Officer or the Authority or the Appellate Tribunal, as the case may be, in the event of its inability to execute the order, direction or decision, to send such order, direction or decision either to the Principal Civil Court within the local limits of whose jurisdiction the Real Estate Project is located to execute such order, direction or decision or to the Principal Civil Court within the local limits of whose jurisdiction the person against whom the order, direction or decision is being issued, actually or voluntarily resides or carries on business or personally works for gain."

Order by,

(Anand Bardhan)
Additional Chief Secretary

No 128837 /V-1/2022/E-30781/2023, Dated 09 June, 2023

Copy forwarded to the following for information and necessary action:-

1. Chief Secretary, Govt. of Uttarakhand.
2. All Additional Chief Secretary/Principal Secretary/Secretary, Govt. of Uttarakhand.
3. Commissioner, Garhwal/Kumaun, Uttarakhand.
4. All District Magistrate, Uttarakhand.
5. Vice Chairman, All Development Authority, Uttarakhand.
6. Joint Chief Administrator, Uttarakhand Housing and Urban Development Authority, Dehradun.
7. Additional Housing Commissioner, Uttarakhand Awas Vikas Parishad, Dehradun.
8. Secretary, Uttarakhand Real estate Regulatory Authority (RERA), Dehradun.,
9. Director, Government Press, Roorkee, with the intention that after publishing the said amended rules in the next issue of Uttarakhand Government Gazette, make 100 copies available to the Housing Department, Govt. of Uttarakhand
10. Guard file.

**Signed by Mayawati
Dhakriyal**

Date: 09-06-2023 11:10:12

(Mayawati Dhakriyal)
Additional Secretary