

**GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO. 1164
ANSWERED ON 10/03/2025**

REVIEW OF RERA

1164. DR. LAXMIKANT BAJPAYEE:

Will the Minister of *Housing and Urban Affairs* be pleased to state;

- (a) whether Government has reviewed/proposes to review the shortcomings in the Real Estate (Regulation and Development) Act, 2016 (RERA) framed and governed by Ministry of Housing and Urban Affairs; and
- (b) whether Government propose to consider making it mandatory to register flats in the pre-RERA projects in cases where flat buyers have made full payment and completed all formalities and that registration of flats would not be halted solely on the basis of developers declaring themselves bankrupt and not paying the dues to the authority?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HOUSING AND URBAN AFFAIRS
(SHRI TOKHAN SAHU)**

- (a) The Real Estate (Regulation and Development) Act, 2016 [RERA] was enacted by the Parliament to regulate the contractual relationship between homebuyers and promoters by deriving powers from the concurrent list of seventh schedule of the Constitution of India. Ministry of Housing and Urban Affairs regularly conducts meetings with all the stakeholders including representatives of Homebuyers' Associations & Real Estate Developers, State Real Estate Regulatory Authorities, Financial Institutions, etc. for effective implementation of RERA. Moreover, as per Section 41 of RERA, Central Advisory Council (CAC) has been constituted under the Chairmanship of Hon'ble Minister of Housing and Urban Affairs to advise and recommend the Central Government on all matters concerning the implementation of the Act, including safeguarding the interests of the homebuyers.
- (b) As per section 3 of RERA, no promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under RERA.

Also the projects, which are ongoing on the date of commencement of RERA and for which the completion certificate has not been issued, the promoter shall make an application to the Authority for registration of the said project within a period of three months from the date of commencement of RERA.

Section 59 of RERA provides for punishment up to 3 years imprisonment or with fine, which may extend up to ten percent of the estimated cost of the real estate project, or with both in case the promoter fails to comply with the orders, decisions or directions issued by Real Estate Regulatory Authority in case of non-registration under section 3 of RERA.
