

**GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO. 78
ANSWERED ON 01/12/2025**

RERA - FRUSTRATING LAW & TOOTHLESS TIGER

78. DR. LAXMIKANT BAJPAYEE:

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

- (a) Government's response in view of Supreme Court expressing disappointment with the functioning of RERA that has frustrated the law's intent to protect homebuyers and commenting that State cannot remain a "silent spectator" when the dreams of millions of homebuyers collapse; and
- (b) action Government proposes to take in respect of RERA in view of Court's directives for creating a high-level committee to propose reforms, ensuring States properly staff and resource RERA authorities, providing guidelines for real estate insolvency to protect homebuyers in stalled projects, and arming RERA authorities with power, resources, and enforcement tools?

ANSWER

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

(a) & (b): 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.

As per the provisions of RERA, State Governments being the appropriate Government are required to establish Real Estate Regulatory Authorities and appoint Officers and other employees for smooth functioning of the Authority.

The Government takes note of the observations made by the Hon'ble Supreme Court from time to time. In compliance to the recent directions of the Hon'ble Apex Court, a council has been constituted by the Insolvency and Bankruptcy Board of India to examine the issues and frame specific guidelines for insolvency proceedings in real estate, including timelines for project-wise Corporate Insolvency Resolution Process (CIRP) and safeguard the interests of homebuyers.

The Government remains committed to upholding the rights of homebuyers and to ensuring the effective implementation of the objectives of RERA.
