

GOVERNMENT OF INDIA

MINISTRY OF HOUSING AND URBAN AFFAIRS

LOK SABHA

UNSTARRED QUESTION NO. 1968

TO BE ANSWERED ON DECEMBER 09, 2021

AGREEMENTS UNDER RERA, 2016

**NO. 1968. SHRI SUDHAKAR TUKARAM SHRANGARE:
SHRI KOMATI REDDY VENKAT REDDY:**

Will the Minister of HOUSING AND URBAN AFFAIRS be pleased to state:

- (a) whether the Government has formulated any Model Builder Buyer Agreement (BBA) and Agent Buyer Agreement (ABA) under Real Estate (Regulation and Development) Act (RERA), 2016;**
- (b) if so, the details thereof and if not, the reasons therefor;**
- (c) the steps taken by the Government to protect home buyers from real estate developers;**
- (d) whether there is a lack of a uniform or model form for agreements and the Government need to stepped in to protect homebuyers from exploitation by builders who delay transfer of possession and often redraft delivery schedules;**
- (e) if so, the details thereof and the reasons for such situation prevailing; and**
- (f) the corrective steps being taken by the Government in this regard?**

ANSWER

**THE MINISTER OF STATE IN THE
MINISTRY OF HOUSING AND URBAN AFFAIRS
(SHRI KAUSHAL KISHORE)**

(a) to (f) Government of India enacted Real Estate (Regulation and Development) Act, 2016 [RERA] to protect the interests of consumers. Provisions under Section 13 of RERA deal with 'agreement for sale' and restrict the promoter from accepting any deposit or advance from allottee, without first entering into an agreement for sale.

Further, as per section 84(2)(h) of RERA, the Appropriate Government has to notify rules, which include form and particulars of the 'agreement for sale' under Section 13(2) of RERA. Central Government had notified Rules, including agreement for sale for the Union Territories, which was also shared with all States and Union Territories.

RERA has an inbuilt mechanism to protect the interest of homebuyers. As on 27th November 2021, 30 States/UTs have established Real Estate Regulatory Authorities, 28 States/UTs have established Real Estate Appellate Tribunal and 78,986 Complaints have been disposed-off by Real Estate Regulatory Authorities across the country.

Section 18 of RERA provides that, in case the promoter fails to complete or is unable to give possession of the apartment, plot or building, as per the terms of the agreement for sale, he shall be liable to refund the amount along with interest and compensation to allottees.