
COMPARATIVE STUDY OF RERA COMPLIANCE: BEFORE AND AFTER 2016

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ABSTRACT

The Real Estate (Regulation and Development) Act (RERA), 2016 represents a paradigm shift in the regulatory framework of the real estate sector in India, which previously operated in an unregulated market with issues of non-transparency, delay in execution of projects, misappropriation of funds and deceptive marketing. Buyers had limited recourse as dispute settlements largely depended on courts and consumer forum.

This article conducts a comparative study of the regulatory regimes before and after the introduction of RERA, by pointing out the flaws in the previous regime and by discussing central reforms, including the mandatory registration of projects, escrow mechanisms for financial prudence, carpet area measurements, and establishment of dedicated 'real estate developers authority'. It also analyses the effectiveness of the reforms through statutory provisions, court decisions, and state implementation.

This research concludes that RERA has made a substantial impact on transparency, accountability and consumer protection, and has improved the dispute resolution system. Nonetheless, there are issues of inequitable state implementation, institutional weaknesses, adjudication delays and regulatory gaps.

In sum, while RERA has established a robust basis for a more balanced and transparent real estate industry, the regulations need further improvements, specifically, standardisation of state-specific rules and regulations, institutional strengthening and extension of its scope for effective enforcement.

Keywords: Real Estate Regulation Authority, home Banner, Project Delays, escrow Mechanism, Carpet Area, Regulatory Compliance

1. INTRODUCTION

Real estate is a most vital sector of India's economy. It has a significant share in GDP, being another employer, after agriculture. Despite having such significance, the real estate sector stood for a long time with no regulatory framework. The developers enjoyed the superior bargaining power and led to unbalanced contracts, varying genre of calculating the super built-up area, poor implementation of projects and funds being diverted. Lack of certainty and lack of transparency for home buyers is always there.

The enactment of the Real Estate (Regulation & Development) Act, 2016 (RERA)¹ is an offshoot of these issues. The regulatory regime of this sector did not materialise overnight; it has been backed by constant activities by consumer organisations, monitoring by the National Consumer Disputes Redressal Commission (NCDRC) and recommendations by the Law Commission of India for a long time. The Bill was initially introduced in Parliament in 2013, was thoroughly scrutinised, and was notified on 26th May, 2016. The provisions of the Act were to come into effect from 1 May 2017.

RERA has a larger ambit than just being consumer protection legislation. It creates a framework for regulation of the sector. It mandates the registration of projects, demands certain disclosures from developers, offers financial protection to consumers by establishing escrow accounts and establishes dedicated Real Estate Regulatory Boards and Real Estate Appellate Tribunals to resolve disputes. Crucially, it holds more responsibility for developers and seeks to achieve a more stable and transparent system for developers and consumers.

This paper assesses the effect of RERA through a before and after Enforcement perspective. It starts with a study of the pre-RERA regulatory system and its shortcomings, and continues with a critical examination of key provisions of the Act. It then compares its regulation in different ways, analyses key case laws and discuss the issues with implementation. The paper concludes with some observations and recommendations on improving the regulatory environment.

1. THE PRE-RERA LEGAL LANDSCAPE (BEFORE 2016)

1.1 Fragmented Regulatory Framework

Prior to 2016, the Indian real estate sector was regulated by a hodgepodge of laws and

¹ The Transfer of Property Act, No. 4 of 1882, India Code (1882)

regulations, rather than a dedicated set of rules. Primary laws included Transfer of Property Act, 1882 (regulates transfers of the right to property), the Registration Act, 1908² regulated the registration of documents, and the Indian Contract Act, 1872³ applied to agreements between parties. Besides these, there are various statutory laws of the states - such as the Maharashtra Ownership of Flats Act, 1963 (MOFA)⁴, the Apartment Ownerships Acts in the States of Karnataka, Andhra Pradesh and the Delhi Apartment Ownership Act, 1986⁵ – overseen some aspects of property and apartment ownership.

But the laws were not aimed at the real estate industry. They were largely preventive in nature and addressed issues only after dispute arose. There was no central authority to oversee projects, monitor their progress, or ensure that developers complied with financial and legal obligations. As a result, buyers had to rely on consumer forums under the Consumer Protection Act, 1986⁶ for relief. These forums, already burdened with many cases, often lacked the technical expertise required for complex real estate disputes, as recognized in Lucknow Development Authority v. M.K.Gupta⁷

1.2 Structural Deficiencies

1.2.1 Information Asymmetry and Misleading Disclosures

One of the largest issues in the pre-RERA era was the imbalance of information between builders and buyers. Developers controlled almost all project-related information, while buyers had very limited means to verify claims. Promotional brochures often showcased attractive amenities such as clubhouses, landscape gardens, and swimming pools, which either did not materialize or were delivered in a much-reduced form.

There was no requirement for developers to register projects before launching them, nor was there any publicly available platform where buyers could check project detailed or progress. Agreements to purchase were largely standardised by the builders' lawyers and heavily skewed to their favour - leaving buyers with some bargaining power. Courts frequently noted that such

² The Registration Act, No. 16 of 1908, India Code (1908)

³ *Indian Contract Act, 1872*, No. 9 of 1872, India Code (1872).

⁴ *Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963*, No. 45 of 1963, Maharashtra Acts (1963).

⁵ *Delhi Apartment Ownership Act, 1986*, No. 58 of 1986, Delhi Acts (1986).

⁶ *Consumer Protection Act, 1986*, No. 68 of 1986, India Code (1986)

⁷ *Lucknow Dev. Auth. v. M.K. Gupta*, (1994) 1 S.C.C. 243 (India).

contracts were arbitrary and inherently one-sided, as observed in *Pioneer Urban Land and Infrastructure Ltd. V. Govindan Raghavan*⁸

1.2.2 Project Delays and Fund Diversion

Delays in project completion were one of the most common problems faced by homebuyers. Many housing projects, especially in major cities, were delayed by several years. Partly, this was because there were no controls to ensure that funds received from buyers were being used for the particular project.

Often funds would be diverted from one project to another. This meant that the money from the new buyers was used to satisfy existing obligations, instead of projects being finished. As a result of the tough economic times or when sales are declining, projects would get delayed causing buyers to remain without a home and have little recourse to recover their interest.⁹

1.2.3 Carpet Area Confusion

Another major problem was the lack of clarity around the concept of 'carpet area'. Housing providers usually marketed apartments based on the 'super built up areas', which not only include the covered usable living space of an apartment, but also a proportion of the common areas like corridors, common halls, elevator shafts, and sometimes even outdoor spaces.

This led to an increase of 25-40% in the price per square foot without clear disclosure to the buyers. There was no legal definition of carpet area, so buyers were left with no choice other than to accept that they had a smaller area than originally sold to them¹⁰.

1.2.4 Inadequate Dispute Resolution

Although buyers could approach consumer forums under the Consumer Protection Act, 1986, these mechanisms were not well suited for handling large-scale real estate disputes. The National Consumer Dispute Redressal Commission (NCDRC) dealt with high-value claims, but the backlog of cases meant that disputes could take several years, sometimes five to seven

⁸ *Pioneer Urban Land & Infrastructure Ltd. v. Govindan Raghavan*, (2019) 5 S.C.C. 725 (India)

⁹ *Kolkata W. Int'l City Pvt. Ltd. v. Devasis Rudra*, (2019) 17 S.C.C. 613 (India).

¹⁰ See Ministry of Housing & Urban Poverty Alleviation, Government of India, *Statement of Objects and Reasons*, Real Estate (Regulation and Development) Bill, 2013

to be resolved.

State-Level consumer forums faced similar delays, and civil courts were even more time-consuming due to procedural difficulties. As a result, while legal remedies technically existed, they were often too slow and inefficient to provide meaningful relief to aggrieved homebuyers.

2. THE REAL ESTAE (REGULATION AND DEVELOPMENT) ACT, 2016

2.1 Legislative Genesis and Objectives

The Real Estate (Regulation and Development) Bill was introduced in the Rajya sabha in 2013¹¹, went through two rounds of Parliament Standing Committee scrutiny¹², and was implemented on 26 March 2016. The Act is a concurrent list legislation under Entry 6 of the Concurrent List¹³, enabling both Parliament and State Legislatures to operate within its framework, subject to the Central Act's minimum standards.

The preamble inculcates the Acts dual protect mandate : to safeguard the interests of allottees and to regulate the promotion, construction, sale, transfer, and management of real estate projects. The Supreme Court, in *Newtech Promoters & Developers Pvt Ltd v State of UP* (2021), explained RERA as a 'beneficial legislation' the provisions of which are to be analyzed purposively to advance consumer protection.

2.2 Key Provisions

2.2.1 Mandatory Registration (Section 3-10)

Promoters are not allowed to publicize, book, sell, or offer for sale any plot, apartment, or building in a real estate project unless it is registered with the RERA Authority (Section 3)¹⁴. The registration of any project always requires disclosures of title, encumbrance, project layout, financial information, and a declaration of the completion schedule. The RERA website acts as a public repository for all registered projects which are accessible to any potential buyer.

¹¹ The Real Estate (Regulation and Development) Bill, No. 66 of 2013, Rajya Sabha (India)

¹² Rajya Sabha, Department-Related Parliamentary Standing Committee on Urban Development, *Report No. 21 on the Real Estate (Regulation and Development) Bill, 2013* (2014).

¹³ INDIA CONST. sched. VII, list III, entry 6

¹⁴ *Real Estate (Regulation and Development) Act, 2016*, § 3; see also Umakanth Varottil, *The Evolution of Real Estate Regulation in India*, 12 NUJS L. Rev. 1 (2019)

2.2.2 Escrow Mechanism (Section 4)

Under Section 4(2)(1)(D), promoters must deposit 70% of funds collected from buyers into a specific account at a scheduled bank. Funds can only be withdrawn for the purposes of project development and land costs, and even then, only after certification by an engineer, an architect, and a chartered accountant.

This proviso clearly addresses the prevailing practice where developers willingly divert funds from one project to another¹⁵. By associating withdrawals to actual construction progress, RERA aims to assure that the money paid by users is used for the project they have invested in.

2.2.3 Carpet Area Standardization (Section 2(k))

RERA brings considerably required clarity by providing a clear and uniform description of 'carpet area'. It explains it as the net usable floor area of an apartment, excluding external walls, service shafts, balconies, verandahs, and open terraces.

This change is notable because it removes the ambiguity associated with the earlier practice of selling units based on super built-up areas¹⁶. Buyers now have a clearer understanding of the actual space they are paying for, which promotes transparency and reduces the ambit for misleading representations.

2.2.4 Obligations of Promoters (Section 11-18)

The Act places several liabilities on promoters to ensure fair dealing with buyers. Developers need to enter into a registered agreement for sale before accepting more than 10% of the property's value. They must also secure all necessary approvals before marketing or booking the project.

In case of delay, Section 18 provides strong protection to buyers by granting them a statutory right to receive interest, calculated as SBI MCLR plus 2%¹⁷. Additionally, if the delay becomes

¹⁵ Ministry of Housing & Urban Poverty Alleviation, Government of India, *Statement of Objects and Reasons, Real Estate (Regulation and Development) Bill, 2013*; Anirudh Burman, *The Political Economy of Real Estate Regulation in India*, 51 *Econ. & Pol. Wkly.* 47 (2016).

¹⁶ Poonam Saxena, *Property Law* (2d ed. 2019).

¹⁷ Abhay Nevagi & Paras Kuhad, *RERA: Revolutionizing the Indian Real Estate Sector*, 5 *Indian J. Arb. L.* 1 (2017).

substantial, buyers have the option to withdraw from the project and claim a full refund along with interest. These provisions aim to bring greater accountability and discipline into project execution.

2.2.5 Regulatory Architecture

RERA introduced a specific institutional framework for governing the real estate sector. Every State and Union Territory is required to establish a Real Estate Regulatory Authority and Real Estate Appellate Tribunal.

Their Authority is accountable for addressing complaints and is expected to dispose of them within 60 days, as given under Section 29. Further appeals lie to the Appellate Tribunal which is also expected to give judgment within a like period. Thereafter appeals can be made to the High Courts.

The special system will result in quicker, more streamlined dispute resolution than would be found in other forums.

2.2.6 Penalties

RERA has strict penalties to ensure compliance. For instance, Section 59 prescribes a penalty of upto 10% of the project cost in case of failure to register a project. Likewise, Section 63 provides for penalties in cases of non-compliance with the Authority's order.

In the case of a willful or grave violation, Section 70 allows for imprisonment of upto three years as well as a fine upto 10% of the approximate project cost. These provisions mark the move towards better enforcement, and a deterrent against non-compliance.

3. COMPARATIVE ANALYSIS: Before and After 2016

The table below (incurs) the key regulatory changes in eight parametres. The following sub-sections explain each of the above parametres.

Parameter	Pre – RERA (Before 2016)	Post – RERA (After 2016)
Project Registration	No mandatory registration, developers could launch and sell projects without any regulatory	Registration with the RERA Authority is mandatory before any advertisement or sale of

	approval or oversight.	units.
Carpet Area	No standard definition: builder used super built – up area, often leading to confusion and inflated pricing.	Uniform definition of carpet area provided under law, ensuring clarity on actual usable area.
Financial Accountability	No restriction on use of funds; developers frequently diverted money across projects.	70% of buyers’ funds must be deposited in a separate account and used only for that specific project.
Delivery Timelines	Possession timelines were often unclear, and delays were common without penalties.	Developers must adhere to prescribed timelines; delays result in liability to pay interest
Dispute Resolution	Buyers relied on civil courts and consumer forums, leading to long delays in justice.	Dedicated RERA Authorities establish with a mandate to resolve disputes within a shorter timeframe.
Advertising Policy	Misleading advertisements were common, with no strict accountability.	Advertisements must match registered project details; false claims attract penalties.
Agent Regulation	Real estate agents were unregulated; with no formal accountability.	Mandatory registration of agents along with the stated duties and code of conduct.
Penalty for Default	Minimal or no effective penalties for developer non – compliance.	Strict penalties, including fines up to 10% of project cost and possible imprisonment for serious violations.

3.1 Project Registration and Transparency -

Prior to RERA, project developers could initiate projects and advertising, take bookings and even begin construction - all with little or no regulation. Beyond obtaining building permits, there was no need to publicly share project-specific information. There was no public disclosure and buyers had to rely on the developer's word¹⁸.

RERA has now put in place the requirement for mandatory registration. The developer cannot commence marketing or selling a project until it is registered. This has resulted in a framework where essential information on projects like layout approvals, approvals, schedule and

¹⁸ Umakanth Varottil, *The Evolution of Real Estate Regulation in India*, 12 NUJS L. Rev. 1 (2019)

background checks of developers is out in the open.

We can see the real change made with this transition. MahaRERA has so far registered over 45,000 projects and more than 55,000 agents by March 2025, and UP-RERA has registered more than 4,500 projects in its first five years¹⁹. The verification of details in projects is an advantage today for the buyers²⁰.

3.2 Financial Safeguards and Escrow

A key change by RERA is the escrow requirement. Previously, it was a common practice for developers to misuse monies collected from one project for another, leading to project delays and sometimes, even irregularities²¹.

Republican Electoral Registry Act (RERA) stipulates that 70% of the collections from buyers must be placed in a separate account, which can only be used for that particular project. Disbursements are tied to the progress of the project and have to be certified.

Although this practice has improved the financial rigour previously lacking in this sector, it is not without its own hiccups. There have been reports in a few cases (especially with smaller promoters) under-reporting of collections²². Despite all this, the provision has established an accountability mechanism where none existed before.

3.3 Timely Delivery and Compensation

One of the major concerns for homebuyers before RERA was the uncertainty surrounding project completion. Developers often provided vague possession timelines, and delays rarely insulted in any serious outcomes.

RERA deals with this issue by requiring developers to declare a particular completion date at the time of registration. They are legally restricted to adhere to this timeline. If they fail to do so, Section 28 states that buyers are eligible to receive interest at the rate of SBI MCLR plus

¹⁹ Maharashtra Real Estate Regulatory Authority, *Annual Report (2024–25)*; Uttar Pradesh Real Estate Regulatory Authority, *Annual Report (2024-25)*

²⁰ Anirudh Burman, *The Political Economy of Real Estate Regulation in India*, 51 *Econ. & Pol. Wkly.* 47 (2016).

²¹ Ministry of Housing & Urban Poverty Alleviation, Government of India, *Statement of Objects and Reasons*, Real Estate (Regulation and Development) Bill, 2013;

²² Abhay Nevagi & Paras Kuhad, *RERA: Revolutionizing the Indian Real Estate Sector*, 5 *Indian J. Arb. L.* 1 (2017)

2% for the period of delay.

The Supreme Court of India, in the case of *Imperia Structures Ltd v. Anil Patni* (2020), clarified that remedies under RERA are additional to those available under other laws. This has enhanced the position of buyers by permitting them to pursue multiple avenues for relief.

3.4 Grievance Redressal

Yet another RERA innovation is the creation of a special dispute settlement mechanism. Buyers would have to file cases in consumer forums or the civil courts where the proceedings are delayed and may take years for the redressal process²³.

RERA set up Regulatory Authorities to resolve real estate disputes. These authorities are supposed to renew the complaint within 60 days, which is a much quicker redressal system.

The outcome has been positive. For instance, more than 22,000 complaints were handled by MahaRERA in the first few years and most of them were disposed of. Although it is still not as fast in practice, it is a big improvement over the previous regime.

3.5 Judicial Enforcement Post – 2016

The courts have been an important role in strengthening the RERA implementation. The judiciary has taken a sympathetic view of empowering the Act's goal of protecting home buyers.

In *Forum for People's Collective Efforts v. State of West Bengal* (2021), the Supreme Court invalidated a state law seeking to set up a parallel regime, and stated that state legislation cannot dilute the protection offered by the central law²⁴.

Similarly, in *Newtech Promoters & Developers Pvt. Ltd v. State of UP* (2021), the Court upheld the applicability of RERA to ongoing projects. This was especially important because it meant that it also applied to projects commenced prior to 2016.

²³ Rajya Sabha, Department-Related Parliamentary Standing Committee on Urban Development, *Report No. 21 on the Real Estate (Regulation and Development) Bill, 2013* (2014).

²⁴ *Forum for People's Collective Efforts v. State of W.B.*, (2021) 8 S.C.C. 599 (India).

4. CHALLENGES AND IMPLEMENTATION GAPS

4.1 Non – Uniform State Rules

While RERA is a national act, the states have been allowed to create rules. In some cases, this has led to the Act being watered down²⁵. Some states modified their rules or laws to reduce the registration or applicability requirements²⁶.

For example, some jurisdictions lifted the minimum size of projects to be registered, thus disqualifying smaller projects²⁷. Other states have lessened escrow requirements. These changes have resulted in different implementation requirements among cities.

4.2 Institutional Capacity –

RERA's success largely rests on the strength of enforcement by regulators²⁸. Some states have limited resources, including staff, which can slow down the complaint resolution process.

By 2024, UP-RERA had over 12,000 cases pending, and similar delays were reported in other states, such as Haryana. While the RERA law mandates a 60-day disposal timeframe, this is rarely met due to inadequate resources.

4.3 Exclusions and Loopholes

RERA offers some exemptions for smaller projects. Section 3(2)(b) exempts projects with a smaller number of units or less area from registration. Although this was intended to make the process easier for smaller developers, it has been abused.

Certain projects have been broken up into smaller parts to qualify for the exemption. This enables them to escape regulatory accountability, creating enforcement gaps.

4.4 Ongoing Projects at the Time of Implementation

At the time of the introduction of RERA, it covered ongoing projects as well. But a grace period

²⁵ Umakanth Varottil, *The Evolution of Real Estate Regulation in India*, 12 NUJS L. Rev. 1 (2019).

²⁶ Anirudh Burman, *The Political Economy of Real Estate Regulation in India*, 51 Econ. & Pol. Wkly. 47 (2016).

²⁷ Ministry of Housing & Urban Affairs, Government of India, *RERA Implementation Status Report* (2025).

²⁸ Rajya Sabha, Department-Related Parliamentary Standing Committee on Urban Development, *Report No. 21 on the Real Estate (Regulation and Development) Bill, 2013* (2014).

was given to the developers to register them and revise the deadlines.

This could have been misused in some cases to extend the scheduled completion dates. Although the Supreme Court later upheld the applicability RERA to projects too, the period of grace given to get projects registered and declare revised timelines opened up for abuse.

4.5 COVID 19 and Force Majeure

COVID-19 severely affected the real estate industry, with projects taking longer than planned. As a consequence, many RERA authorities extended the completion timelines of projects.

While these actions were warranted, lack of uniformity created inequities. This has allowed some developers to get extensions when delays were not exclusively due to the pandemic. Some authorities, such as MahaRERA, took more standardised measures, but this was not the case everywhere²⁹.

5. JUDICIAL INTERPRETATION AND LANDMARK CASE LAW

5.1 Introduction

The role of courts in interpreting the Real Estate (Regulation and Development) Act, 2016, has been pivotal. Although the Act offers a robust legal framework, its interpretation has largely been a judicial affair especially with regard to the protection of consumers, jurisdictional conflicts and retrospective effect.

Prior to RERA, courts and consumer fora played a primary role in protecting homebuyers. Post-2016, judicial decisions have strengthened the objectives of the Act and ensured its consumer-centric implementation.

5.2 Pre-RERA Judicial Approach

Before RERA, dispute resolution relied largely on courts and consumer fora. Judicial decisions during this period established homebuyers as consumers and addressed issues such as delay, deficiency of service, and unfair contractual terms.

²⁹ Maharashtra Real Estate Regulatory Authority, *Circulars on Extension of Project Timelines due to COVID-19* (2020).

5.2.1 Lucknow Development Authority v. M.K. Gupta

The Supreme Court recognized housing construction as a “service” under consumer law, enabling compensation for deficiency and expanding consumer protection in real estate³⁰.

5.2.2 Pioneer Urban Land & Infrastructure Ltd. v. Govindan Raghavan

The Court held that one-sided builder agreements are not binding on homebuyers, reinforcing the principle of contractual fairness³¹.

5.3 Post-RERA Supreme Court Jurisprudence

5.3.1 Newtech Promoters & Developers Pvt. Ltd. v. State of Uttar Pradesh

The Court upheld RERA’s constitutionality, confirmed its applicability to ongoing projects, and clarified that RERA authorities can adjudicate delay and compensation disputes³².

5.3.2 Forum for People's Collective Efforts v. State of West Bengal

Court strikes down an inconsistent state law, upholds the supremacy of RERA and the need for consistency.³³

5.3.3 M/s Imperia Structures Ltd. v. Anil Patni

The Court ruled the remedies under RERA are not exclusive and parallel action can be taken³⁴.

5.4 Conclusion

The court led interpretation of RERA has been critical in bringing the Act to life. Judicial decisions have consistently emphasised consumer rights, established jurisdiction clarity and supported the goals of the Act. These cases have translated to greater transparency, accountability and equity in the real estate marketplace as a whole.

³⁰ *Lucknow Dev. Auth. v. M.K. Gupta*, (1994) 1 S.C.C. 243 (India).

³¹ *Pioneer Urban Land & Infrastructure Ltd. v. Govindan Raghavan*, (2019) 5 S.C.C. 725 (India).

³² *Newtech Promoters & Developers Pvt. Ltd. v. State of U.P.*, (2021) 10 S.C.C. 787 (India).

³³ *Forum for People’s Collective Efforts v. State of W.B.*, (2021) 8 S.C.C. 599 (India).

³⁴ *M/s Imperia Structures Ltd. v. Anil Patni*, (2020) 10 S.C.C. 783 (India).

6. FINDINGS AND RECOMMENDATIONS

6.1 Major Findings

The pre- and post-RERA comparison reveals the following points:

Compulsory project registration and disclosures by RERA have enhanced transparency. Transparency is now much higher as buyers have access to information which was otherwise inaccessible.

The escrow account has brought in financial rigour that, while being implemented differently, is a good step.

The buyer's ability to seek redress and the speed of redress are improved through the creation of special courts.

The judiciary has given RERA a pro-buyer interpretation to ensure strong protection and avoid a watering down of the Act. While the Act has enhanced the sector, challenges related to the lack of standardisation across different states, weak institutions and loopholes remain.

6.2 Recommendations

Given the issues of implementation and gaps in the existing structure of the Real Estate (Regulation and Development) Act, 2016 as discussed above, the following reforms to enhance the effectiveness of implementing the Act are proposed. Although the Act has brought much-needed accountability and transparency to the real estate sector, its effectiveness depends upon its proper execution, institutional reform and regulatory unified across the country. The subsequent proposals seek to combat the implementation gap, improve administrative efficiency and extend the regulatory reach to improve the overall, consistent and consumer-friendly real estate regulatory framework in India.

6.2.1 Harmonization of State Rules

There is a need to ensure consistency in RERA implementation across the states. The central government may provide more precise guidelines so that the minimum standards are adopted.

6.2.2 Strengthening Institutional Capacity

Authorities in states need to be given the necessary resources, such as an increase in staff and technology, to help with the process. The development of an automated system to lodge and track complaints might help.

6.2.3 Addressing Project Fragmentation

The regulations should be amended to stop developers from dodging the registration requirements by breaking up projects into smaller pieces. Phased projects that take place on the same contiguous area should be registered and regulated as one project.

6.2.4 Expanding the Scope of RERA

RERA can be expanded to cover resale housing, rental properties and redevelopment. This will address the real estate sector in a more holistic manner.

6.2.5 Greater Use of Technology

Linkage of RERA data to other datasets (property register, taxation) can enhance transparency and improve detection of anomalies. Providing regular progress updates on construction through Internet platforms can also enhance monitoring.

7. CONCLUSION

India's real estate regulatory landscape has changed with enactment of the Real Estate (Regulation and Development) Act, 2016. Through the mandatory registration, financial security, uniform definitions and a special dispute resolution platform, it has tilted the power balance in favour of buyers.

Whereas previously the burden of risk was largely borne by buyers, the latest approach compulsorily makes the developer more accountable and transparent to the buyer. The reforms undertaken so far suggest the law is heading in the right direction despite some problems.

Now, the efforts should be geared toward better implementation of the legislation, capacity building in this field, and changes in the law. With timely reforms and efficient implementation, the RERA promises to be a robust regulatory framework for India's real estate sector.