

Empowering Real Estate: Unveiling the Role and Impact of RERA

INTRODUCTION:

RERA, which stands for the Real Estate Regulatory Authority, assumes the pivotal role of safeguarding the real estate landscape, akin to a vigilant guardian. Its watchful eye extends benevolently to both builders and buyers, ensuring a domain characterized by equitability and transparency within the expansive realm of real estate. Enacted by the Government of India through an order dated March 26, 2016, RERA, however, came into full effect on May 1, 2017. The introduction of this legislation was motivated by a profound purpose - to enhance transparency in the real estate market, foster heightened accountability among promoters and developers, and furnish a robust platform for the expeditious resolution of grievances.

Within the confines of this article, we shall systematically dissect the functioning of RERA, providing builders and buyers with essential insights. We will explore the diverse range of issues that fall under the purview of RERA's jurisdiction, shed light on prevalent challenges within the industry, and proffer pragmatic solutions to these issues, all in a manner that is both accessible and easily comprehensible.

HOW RERA WORKS:

RERA acts as a referee in the real estate game. It's there to make sure everyone plays by the rules, and it does this in a few key ways:

- 1. Project Registration:** Builders must tell RERA about their projects. They need to share all the project details, like how much it will cost, when it will be ready, and more. This registration is like a promise to be honest.
- 2. Builder-Buyer Agreements:** Builders and buyers need to sign an agreement that RERA provides. This agreement has all the project details, like when you'll get your new home, what it will be like, and what happens if things go wrong.
- 3. Dealing with Delays:** If the builder takes too long, RERA makes sure buyers get compensated for the delay. This is a way to encourage builders to stick to their promises.

KEY CONSIDERATIONS FOR BUILDERS AND BUYERS:

For Builders:

- 1. Registration:** Make sure to register your project with RERA. Not doing so can result in heavy fines. The proper registration of each project is mandatory as per the guidelines of the Act. And providing each and every little information regarding the project is also important (i.e. location, exact measurements of the land, number of plots/apartments/flats the project involves etc.)
- 2. Transparent Records:** Keep clear and honest records of all transactions related to the project. This helps you stay on the right side of the law and also to maintain your goodwill for the long run. As this is a highly competitive market and you must not lose your reputation.
- 3. Agreement Adherence:** Stick to the terms of the builder-buyer agreement. Ignoring it could lead to legal troubles. Most of the cases dealt under this act comes from this point only that there

was a breach of duty from the builder's side. So it's better to keep your grounds strong and clean to avoid any penalty.

For Buyers:

1. **Check for RERA Registration:** Before buying, make sure the project is registered with RERA. Projects without this registration might be risky. Engaging in a registered project makes you live carefree because of involvement of RERA authorities that protects your rights as a buyer.
2. **Builder Reputation:** Research for the builder's track record to see if they complete projects on time and deliver as promised. Doing proper due diligence helps not only to save your precious time and money but also helps you to stay away from any unnecessary litigation.
3. **Legal Assistance:** When looking at the builder-buyer agreement, get legal advice from a good lawyer to understand everything in it. This helps you protect your interests. As the legal world and its vast provisions are quite complex for a person of non-law background to interpret properly. Your agreement must be written in such a way that you do not fall in trouble in future also. Seeking to a professional might be helpful.

For Agents:

As per the provisions and directions of the act, the "agents" will be registered and only those registered agents will be allowed to facilitate the sale and purchase of the commercial or residential properties. They are known in the market with various names like Property dealers, Brokers etc.

So if you want to indulge into this business as a middleman, get yourself registered.

RERA'S JURISDICTION: ADDRESSING A SPECTRUM OF REAL ESTATE ISSUES:

RERA's Multifaceted Role in Ensuring Fairness in the Real Estate Arena:

1. **Project Delays:** When projects take too long, RERA helps to sort out the disputes and makes sure buyers get compensated.
2. **Misrepresentation:** If builders give false information about the project, RERA takes action against them.
3. **Quality Concerns:** If the quality of the construction isn't up to the mark, RERA gets involved to resolve the problem. Problems like structural
4. **Financial Matters:** RERA ensures that the money collected from buyers is used only for building the project and not for anything else.

CHALLENGES IN THE REAL-ESTATE SECTOR AND EFFECTIVE REMEDIES:

1. **Delays:** One of the most common issues is delayed projects. RERA tackles this by fining builders and compensating buyers to keep them happy and satisfied.
2. **Lack of Transparency:** Some builders aren't clear about what's happening with the project. RERA tackles this by making project registration and standardized agreements mandatory, ensuring everyone knows what's going on.
3. **Misuse of Funds:** Builders sometimes use money collected for one project on another. RERA's requirement of an escrow account prevents this by keeping funds separate and safe.
4. **Legal Disputes:** To solve the tussle between builders and buyers, RERA provides a proper dispute resolution platform and mechanism for a quick and efficient redressal.

IF YOU DISAGREE WITH RERA'S DECISION: WHAT TO DO NEXT?

After following all the relevant procedures of complaining and seeking a legal help from the Real Estate Regulatory Authority (RERA), if you are not satisfied by the decision made by the authority then the world does not end here.

Now you can file an appeal before the “**REAL ESTATE APPELATE TRIBUNAL**”. As section 44 of the Act deals with applications of settlement of disputes and appeals to the appellate tribunal. It clearly states that an appeal must be filed within sixty days from the date of the order passed by competent authority or adjudicating officer under RERA.

The term of sixty days may get extended if the appellate tribunal gets satisfied with the sufficient reason for late submission of the application. And the appellate tribunal shall redresses the matter or dispose the appeal within sixty days of filing of the appeal and if it fails to do so, it shall record its reasons for not disposing the appeal within that period.

If parties are still not satisfied even after the appeal before the appellate tribunal or by the order given by the tribunal. Then they can approach the respective “**HIGH COURT**’ against the order of appeal within sixty days of its passing.

CONCLUSION:

Undoubtedly, RERA has emerged as a paragon of efficiency, facilitating the expeditious resolution of real estate issues. It has truly transformed the real estate arena into a secure haven for investments. Housing, being an indispensable facet of human existence, holds not only financial significance but also profound emotional value. When one commits substantial resources to secure their future, it is imperative that they do so within a wholesome environment.

RERA, the unsung hero of the real estate narrative, enforces a strict code of conduct, ensuring that all participants adhere to established regulations. Builders are mandated to diligently follow RERA's directives, while buyers are encouraged to exercise caution and stay well-informed. RERA springs into action when projects face unwarranted delays, or when matters concerning transparency, financial resources, or legal disputes come into question. By effectively addressing these issues, RERA fortifies the stability and credibility of the real estate market.

Whether one wears the hat of a builder or that of a buyer, comprehending and harnessing the benefits that RERA offers is paramount to making judicious decisions in the intricate world of real estate. It is an undisputed fact that prudent investment in valuable assets yields bountiful returns in the future, and real estate stands as a shrewd choice for those aspiring to secure substantial gains. To foster an environment conducive to such endeavors, RERA plays an indispensable and pivotal role, ensuring a seamless journey towards prosperity.

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