

Chapter	Section	Description
CHAPTER I	1	Short title, extent and commencement
		(1) This Act may be called the Real Estate (Regulation and Development) Act, 2016 .
		(2) It extends to the whole of India except the State of Jammu and Kashmir.
		(3) It shall come into force on such date as the Central Government
	2	Definitions.
	sub.sec	(d) "allottee"
	sub.sec	(f) "Appellate Tribunal"
	sub.sec	(k) "carpet area"
	sub.sec	(j) "building"
	sub.sec	(m) "commencement certificate"
	sub.sec	(q) "completion certificate"
	sub.sec	(za) "interest"
	sub.sec	(zf) "occupancy certificate"
	sub.sec	(zm) "real estate agent"
	sub.sec	(zn) "real estate project"
	sub.sec	(zk) "promoter"
CHAPTER II	3-10	REGISTRATION OF REAL ESTATE PROJECT AND REGISTRATION OF REAL ESTATE AGENTS
	3	Prior registration of real estate project with Real Estate Regulatory Authority.
		(1) No promoter shall advertise, market, book, sell or offer for sale,
	sub-sec	(1) no registration of the real estate project shall be required
		(a) area of land proposed to be developed does not exceed five hundred square meters
		apartments proposed to be developed does not exceed eight inclusive of all phases
		(b) where the promoter has received completion certificate for a real estate project prior to commencement of this Act
		(c) for the purpose of renovation or repair or re-development which does not involve marketing, advertising selling or new allotment of any apartment
	4	Application for registration of real estate projects.
		(a) a brief details of his enterprise
		(b) a brief detail of the projects launched by him, in the past five years ,
		(c) an authenticated copy of the approvals and commencement certificate
		(d) the sanctioned plan, layout plan and specifications
		(e) the plan of development works to be executed in the proposed project
		(f) the location details of the project
		(g) proforma of the allotment letter, agreement for sale
		(h) the number, type and the carpet area of apartments
		(i) the number and areas of garage, covered car park
		(j) the names and addresses of his real estate agents
		(k) the names and addresses of the contractors, architect, structural engineer,
	5	Grant of registration.
	6	Extension of registration. - not exceed a period of one year
	7	Revocation of registration.
		The Authority may, on receipt of a complaint or suo motu
		(a) the promoter makes default in doing anything required by or under this Act
		(b) the promoter violates any of the terms or conditions
		(c) the promoter is involved in any kind of unfair practice or irregularities.
		(2) The registration granted to the promoter under section 5 shall not be revoked , unless the Authority has given to the promoter not less than thirty days notice
	8	Obligation of Authority consequent upon lapse of or on revocation of registration.
		Authority, may consult the appropriate Government to take such action carrying out of the remaining development works
	9	Registration of real estate agents.

	10	Functions of real estate agents.
		(a) not facilitate the sale which project is not registered
		(b) maintain and preserve such books of account , records and documents
		(c) not involve himself in any unfair trade practices
CHAPTER III	11-18	FUNCTIONS AND DUTIES OF PROMOTER
	11	Functions and duties of promoter.
		(a) details of the registration
		(b) quarterly up-to-date the list of number and types of apartments
		(d) quarterly up-to-date the list of approvals taken
		(e) quarterly up-to-date status of the project
		(2) The advertisement or prospectus issued or published, must have RERA number
		(3) The promoter at the time of the booking, issue of allotment letter
		(a) sanctioned plans, layout plans, along with specifications
		(b) the stage wise time schedule of completion of the project,
		responsibility to the structural defect or any other defect for period of five years
		(b) be responsible to obtain the completion certificate or the occupancy certificate
		(c) be responsible to obtain the lease certificate
		(d) be responsible for providing and maintaining the essential services
		(e) enable the formation of an association or society or co-operative society
		the association of allottees shall be formed within a period of three months of the 51% of allottees having booked
		(f) execute a registered conveyance deed of the apartment
		(g) pay all outgoings until he transfers the physical possession
		(5) The promoter may cancel the allotment only in terms of the agreement for sale
		Provided that the allottee may approach the Authority for relief
	12	Obligations of promoter regarding veracity of the advertisement or prospectus.
		any incorrect, false statement included therein, compensated by the promoter
		returned his entire investment along with interest
	13	No deposit or advance to be taken by promoter without first entering into agreement for sale.
		not accept a sum more than ten per cent
	14	Adherence to sanctioned plans and project specifications by the promoter.
		alterations or additions in the sanctioned plans, consent of at least two-thirds of the allottees
		(3) In case any structural defect or any other defect in workmanship, quality or provision of services the aggrieved allottees shall be entitled to receive appropriate compensation
	15	Obligations of promoter in case of transfer of a real estate project to a third party.
		obtaining prior written consent from two-third allottees
	16	Obligations of promoter regarding insurance of real estate project.
		(1) The promoter shall obtain all such insurances
		(2) The promoter shall be liable to pay the premium and charges in respect of the insurance
		(3) The insurance shall transferred to the benefit of the allottee or the association of allottees
		(4) On formation of the association of the allottees all documents shall be handed over
	17	Transfer of title.
		(1) The promoter shall execute a registered conveyance deed in favour of the allottees , within three months from date of issue of occupancy certificate .
		(2) promoter have to handover the necessary documents and plans , including common areas, within thirty days after obtaining the occupancy certificate .
	18	Return of amount and compensation.
		(1) If the promoter fails to complete or is unable to give possession of an apartment he shall be liable to return the amount received by him with interest
		Provided that where an allottee does not intend to withdraw from the project, he shall be paid, by the promoter, interest for every month of delay, till the handing over of the possession

		(2) The promoter shall compensate any loss caused to him due to defective title of the land
CHAPTER IV	19	RIGHTS AND DUTIES OF ALLOTTEES
		(1) The allottee shall be entitled to obtain the information
		(2) The allottee shall be entitled to know stage-wise time schedule of completion of the project, including the provisions for water, sanitation, electricity and other amenities and services
		(3) The allottee shall be entitled to claim the possession of apartment
		the association of allottees shall be entitled to claim the possession of the common areas
		(4) The allottee shall be entitled to claim the refund of amount paid along with interest
		(5) The allottee shall be entitled to have the necessary documents and plans, including that of common areas, after handing over the physical possession
		(6) Every allottee, shall be responsible to make necessary payments and pay the share of the registration charges, municipal taxes, water and electricity charges, maintenance charges, ground rent, and other charges, if any.
		(7) The allottee shall be liable to pay interest, for delay in payment
		(8) The obligations of the allottee and the liability towards interest, may be reduced when mutually agreed to between the promoter and such allottee.
		(9) Every allottee of the apartment shall participate towards the formation of an association or society or cooperative society
		(10) Every allottee shall take physical possession of the apartment, within a period of two months of the occupancy certificate
		(11) Every allottee shall participate towards registration of the conveyance deed
CHAPTER V	20-40	THE REAL ESTATE REGULATORY AUTHORITY
	20	Establishment and incorporation of Real Estate Regulatory Authority.
	21	Composition of Authority.
	22	Qualifications of Chairperson and Members of Authority.
	23	Term of office of Chairperson and Members.
	24	Salary and allowances payable to Chairperson and Members.
	25	Administrative powers of Chairperson.
	26	Removal of Chairperson and Members from office in certain circumstances.
	27	Restrictions on Chairperson or Members on employment after cessation of office.
	28	Officers and other employees of Authority.
	29	Meetings of Authority
	30	Vacancies, etc., not to invalidate proceeding of Authority.
	31	Filing of complaints with the Authority or the adjudicating officer.
	32	Functions of Authority for promotion of real estate sector.
		(a) protection of interest of the allottees
		(b) creation of a single window system for ensuring time bound project approvals and clearances for timely completion of the project
		(c) creation of a transparent and robust grievance redressal mechanism against
		(d) measures to encourage investment in the real estate sector
		increase financial assistance to affordable housing segment;
		(e) measures to encourage construction of environmentally sustainable
		(f) measures to encourage grading of projects on various parameters of development including grading of promoters
		(g) measures to facilitate amicable conciliation of disputes between the promoters and the allottees
		(h) measures to facilitate digitization of land records
		(i) to render advice to the appropriate Government
	33	Advocacy and awareness measures.
	34	Functions of Authority.
		(a) to register and regulate real estate projects and real estate agents

		(b) to maintain a website of records , for public viewing, of all real estate projects and photographs of promoters as defaulters including the project details, registration for which has been revoked or have been penalised
		names and photographs of real estate agents
		(f) to ensure compliance of the obligations cast upon the promoters, the allottees and the real estate agents
	35	Powers of Authority to call for information, conduct investigations.
	36	Power to issue interim orders.
	37	Powers of Authority to issue directions.
	38	Powers of Authority.
		(1) powers to impose penalty or interest
		(2) The Authority shall be guided by the principles of natural justice
	39	Rectification of orders.
	40	Recovery of interest or penalty or compensation and enforcement of order, etc.
CHAPTER VI	41-42	CENTRAL ADVISORY COUNCIL
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	43	Establishment of Real Estate Appellate Tribunal.
		Every bench of the Appellate Tribunal shall consist of at least one Judicial Member and one Administrative to Technical Member
	44	Application for settlement of disputes and appeals to Appellate Tribunal.
	45	Composition of Appellate Tribunal.
	46	Qualifications for appointment of Chairperson and Members.
	47	Term of office of Chairperson and Members.
	48	Salary and allowances payable to Chairperson and Members.
	49	Removal of Chairperson and Member from office in certain circumstances.
	50	Restrictions on Chairperson or Judicial Member or Technical or Administrative
	51	Officers and other employees of Appellate Tribunal.
	52	Vacancies.
	53	Powers of Tribunal.
	54	Administrative powers of Chairperson of Appellate Tribunal.
	55	Vacancies, etc., not to invalidate proceeding of Appellate Tribunal.
	56	Right to legal representation.
	57	Orders passed by Appellate Tribunal to be executable as a decree.
	58	Appeal to High Court
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	59	If any promoter
		(1) Punishment for non-registration under section 3. ten per cent. of the estimated cost of the real estate project
		(2) If any promoter does not comply with the orders
		(a) further ten per cent
		(b) imprisonment up to three years
	60	Penalty for contravention of section 4.
		If any promoter provides false information, five per cent of the estimated cost of the project
	61	Penalty for contravention of other provisions of this Act.
		five per cent of the estimated cost of the project
	62	Penalty for nonregistration and contravention under sections 9 and 10.
		If any real estate agent fails to comply, ten thousand rupees for every day during which such default continues, which may cumulatively extend up to five per cent. Of the cost of plot,
	63	Penalty for failure to comply with orders of Authority by promoter.
		If any promoter

		who fails to comply with the orders
		which may cumulatively extend up to five per cent., of the estimated cost of the project
	64	Penalty for failure to comply with orders of Appellate Tribunal by promoter.
		If any promoter
		who fails to comply with the orders
		(a) further ten per cent
		(b) imprisonment up to three years
	65	Penalty for failure to comply with orders of Authority by real estate agent.
		If any real estate agent
		cumulatively extend up to five per cent., of the estimated cost
	66	Penalty for failure to comply with orders of Appellate Tribunal by real estate agent.
		If any real estate agent
		who fails to comply with the orders
		(a) further ten per cent
		(b) imprisonment up to one years
	67	Penalty for failure to comply with orders of Authority by allottee.
		If any allottee
		five per cent. of the plot
	68	Penalty for failure to comply with orders of Appellate Tribunal by allottee.
		If any allottee
		(a) further ten per cent
		(b) imprisonment up to one years
	69	Offences by companies.
		(a) "company" means any body corporate and includes a firm
		(b) "director" in relation to a firm
	70	Compounding of offences.
	71	Power to adjudicate.
	72	Factors to be taken into account by the adjudicating officer.
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	73	Grants and loans by Central Government.
	74	Grants and loans by State Government.
	75	Constitution of Fund.
	76	Crediting sums realised by way of penalties to Consolidated Fund of India or State account.
	77	Budget, accounts and audit.
	78	Annual report.
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	79	Bar of jurisdiction.
	80	Cognizance of offences.
	81	Delegation.
	82	Power of appropriate Government to supersede Authority.
	83	Powers of appropriate Government to issue directions to Authority and obtain reports and returns.
	84	Power of appropriate Government to make rules.
	85	Power to make regulations.
	86	Laying of rules.
	87	Members, etc., to be public servants.
	88	Application of other laws not barred.
	89	Act to have overriding effect.
	90	Protection of action taken in good faith.
	91	Power to remove difficulties.
	92	Repeal.

Form 1	(Architect's certificate for withdrawal from designated bank account)
Form 2	(Structural Engineer's Certificate for withdrawal from designated bank account)
Form 3	(CA Certificate for withdrawal from designated bank account)
Form 4	(Architect's certificate on completion of Registered project)
Form 5	(Annual report of withdrawal from designated bank account)
Form 2A	(Engineer's Certificate on Quality Assurance submitted annually)
Form A	APPLICATION FOR REGISTRATION OF PROJECT
Form B	DECLARATION, SUPPORTED BY AN AFFIDAVIT, WHICH SHALL BE SIGNED BY THE PROMOTER OR ANY PERSON AUTHORIZED BY THE PROMOTER
Form C	REGISTRATION CERTIFICATE OF PROJECT
Form D	REJECTION OF APPLICATION FOR REGISTRATION OF PROJECT / REJECTION OF APPLICATION FOR EXTENSION OF REGISTRATION OF PROJECT / REVOCATION OF REGISTRATION OF PROJECT
Form E	APPLICATION FOR EXTENSION OF REGISTRATION OF PROJECT
Form F	CERTIFICATE FOR EXTENSION OF REGISTRATION OF PROJECT
Form G	APPLICATION FOR REGISTRATION OF REAL ESTATE AGENT
Form H	REGISTRATION CERTIFICATE OF REAL ESTATE AGENT
Form I	INTIMATION OF REJECTION OF APPLICATION FOR REGISTRATION OF REAL ESTATE AGENT / REJECTION OF APPLICATION FOR RENEWAL OF REGISTRATION OF REAL ESTATE AGENT / REVOCATION OF REGISTRATION OF REAL ESTATE AGENT
Form J	APPLICATION FOR RENEWAL OF REGISTRATION OF REAL ESTATE AGENT
Form K	RENEWAL OF REGISTRATION OF REAL ESTATE AGENT
Form L	COMPLAINT TO REGULATORY AUTHORITY
Form M	APPLICATION TO ADJUDICATING OFFICER