

**COMMITTEE ON SUBORDINATE LEGISLATION**  
**(2017-2018)**

**(SIXTEENTH LOK SABHA)**

**TWENTY-NINTH REPORT**

**[Action Taken by Government on the Observations/Recommendations contained in the Twenty-first Report of the Committee on Subordinate Legislation (Sixteenth Lok Sabha) on 'Rules/Regulations framed under the Real Estate (Regulations and Development) Act, 2016']**



सत्यमेव जयते

**LOK SABHA SECRETARIAT**  
**NEW DELHI**

**July, 2018/ Ashadha, 1940 (Saka)**

**COMMITTEE ON SUBORDINATE LEGISLATION**  
**(2017-2018)**

**(SIXTEENTH LOK SABHA)**

**TWENTY-NINTH REPORT**

**[Action Taken by Government on the Observations/Recommendations contained in the Twenty-first Report of the Committee on Subordinate Legislation (Sixteenth Lok Sabha) on 'Rules/Regulations framed under the Real Estate (Regulations and Development) Act, 2016']**

**(PRESENTED TO LOK SABHA ON 25.07.2018)**



सत्यमेव जयते

**LOK SABHA SECRETARIAT**

**NEW DELHI**

**July, 2018/ Ashadha, 1940 (Saka)**

## CONTENTS

	Page
COMPOSITION OF THE COMMITTEE .....	(iii)
INTRODUCTION .....	(iv)
CHAPTER I Report	1-4
CHAPTER II Observations/Recommendations which have been accepted by the Government.....	5-12
CHAPTER III Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies.....	13
CHAPTER IV Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee.....	14
CHAPTER V Observations/Recommendations in respect of final replies of the Government are still awaited.....	15

### ANNEXURES

I Ministry of Housing and Urban Affairs OM dated 05.09.2017 pertaining to Recommendation No. 1	16-18
II Ministry of Housing and Urban Affairs OM dated 05.09.2017 to pertaining to Recommendation No. 2	19-23
III Ministry of Housing and Urban Affairs OM dated 05.09.2017 pertaining to Recommendation No. 3	24-28
IV Ministry of Housing and Urban Affairs OM dated 05.09.2017 pertaining to Recommendation No. 5	29-33

### APPENDICES

I Minutes of the Thirteenth sitting of the Committee (2017-18) (16 <sup>th</sup> Lok Sabha) held on 23.04.2018	34-35
II Analysis of the Action Taken by the Government on the Observations/Recommendations contained in the 21 <sup>st</sup> Report of Committee on Subordinate Legislation (Sixteenth Lok Sabha)	36

## COMPOSITION OF THE COMMITTEE ON SUBORDINATE LEGISLATION

(2017-2018)

1. Shri Dilipkumar Mansukhlal Gandhi Chairperson

### MEMBERS

2. Shri Idris Ali
3. Shri Birendra Kumar Choudhary
4. Shri S. P. Muddahanumegowda
5. Shri Shyama Charan Gupta
6. Shri Jhina Hikaka
7. Shri Janardan Mishra
8. Shri Prem Das Rai
9. Shri Chandul Lal Sahu
10. Shri Alok Sanjar
11. Shri Ram Prasad Sarmah
12. Adv. Narendra Keshav Sawaikar
13. Shri V. Panneer Selvam
14. Shri Ram Kumar Sharma
15. Shri Nandi Yellaiah

### SECRETARIAT

1. Smt. Sudesh Luthra - Additional Secretary
2. Shri Ajay Kumar Garg - Director
3. Smt. Jagriti Tewatia - Deputy Secretary
5. Smt. Vidya Mohan - Committee Officer



## INTRODUCTION

I, the Chairperson, Committee on Subordinate Legislation having been authorised by the Committee to present the Report on their behalf, present this Twenty-ninth Report of the Committee on action taken by the Government on the observations/recommendations contained in their Twenty-first Report (Sixteenth Lok Sabha) on the 'Rules/Regulations framed under the Real Estate (Regulations and Development) Act, 2016'.

2. The Twenty-first Report was presented to Lok Sabha on 10.08.2017. The Ministry of Housing and Urban Affairs furnished their action taken replies on the recommendations contained in the Twenty-first Report (Sixteenth Lok Sabha) on 13.09.2017.

3. The Committee on Subordinate Legislation considered and adopted this Report at their sitting held on 23.04.2018 (Appendix I)

4. An analysis of action taken by the Government on the recommendations contained in the Twenty-first Report of Committee on Subordinate Legislation (Sixteenth Lok Sabha) is given in Annexure - II.

New Delhi;  
23 April, 2018  
03 Vaisakha, 1940 (Saka)

DILIPKUMAR MANSUKHLAL GANDHI  
Chairperson,  
*Committee on Subordinate Legislation*

## CHAPTER-I REPORT

This Report of the Committee on Subordinate Legislation (2017-18) deals with the action taken by Government on the observations/recommendations contained in the Twenty-first Report (Sixteenth Lok Sabha) of the Committee on the subject '**Rules/Regulations framed under Real Estate (Regulation and Development) Act, 2016**' which was presented to Lok Sabha on 10.08.2017.

2. The Twenty-first Report contained recommendations on the following issues:-

- |       |   |                           |
|-------|---|---------------------------|
| (i)   | Delay in framing of Rules under RERA, 2016 by various States  | <i>(Recommendation 1)</i> |
| (ii)  | Establishment of Real Estate Regulatory Authority (RERA) and Real Estate Appellate Tribunals (REAT) | <i>(Recommendation 2)</i> |
| (iii) | Dilution of Rules by various States/UTs   | <i>(Recommendation 3)</i> |
| (iv)  | Constitution of Central Advisory Council  | <i>(Recommendation 4)</i> |
| (v)   | Registration of ongoing Projects  | <i>(Recommendation 5)</i> |
| (vi)  | Awareness Programme   | <i>(Recommendation 6)</i> |

3. Action Taken Replies in respect of all the above six observations/recommendations contained in the Twenty first Report have been received from the Ministry of Housing and Urban Affairs on 13.09.2017.

4. Replies to the observations/recommendations contained in the Report have broadly been categorised as follows:-

- |       |   |                                |
|-------|---|--------------------------------|
| (i)   | Observations/Recommendations which have been accepted by the Government<br>Sl. Nos. 1,2,3,4,5,6                                   | Total Nos. 6<br>(Chapter II)   |
| (ii)  | Observations/Recommendations which the Committee do not desire to pursue in view of the Government's reply.<br>Sl. No. Nil        | Total No. Nil<br>(Chapter III) |
| (iii) | Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee<br>Sl. No. Nil | Total No. Nil<br>(Chapter IV)  |
| (iv)  | Observations/Recommendations in respect of which final replies of the Government are still awaited<br>Sl. No. Nil                 | Total No. Nil<br>(Chapter V)   |

5. The Committee in their original report had observed that the Real Estate (Regulation and Amendment) Act, 2016 has been enacted with the objective of promotion of Real Estate Sector in an efficient and transparent manner and to protect the interests of consumers. The Committee after indepth examination of the subordinate legislation framed/notified, to be framed/notified under the aforesaid Act had observed/recommended as under :

(i) While expressing concerns over the delay in framing of Rules by a number of States, the Committee recommended the Ministry to closely monitor and ensure that all the States frame and implement the Rules within the stipulated time (*Recommendation No.1*).

(ii) The Committee while observing that a number of States had not yet established the Real Estate Regulatory Authority (RERA) and Real Estate Appellate Tribunal (REAT) which are required to be established under the Act, had desired the Ministry to make all efforts for establishment of RERA and REAT by all the concerned States/UTs without any further delay (*Recommendation No.2*).

(iii) The Committee in their report had expressed concern that the rules under RERA framed by some of the States are not in consonance with the spirit of the Act and have resulted in the dilution of the effectiveness of the Act. The Committee, therefore, had recommended that the Ministry should strictly instruct the States to either amend their Rules or re-notify them in line with the letter and spirit of the Act (*Recommendation No.3*).

(iv) The Committee expressed their dismay that the Central Advisory Council required to be constituted under the Act had not yet been constituted and strongly emphasized the Ministry to constitute the same (*Recommendation No.4*).

(v) As regards registration of ongoing projects under the RERA Act, the Committee had strongly recommended the Government for ensuring that all such ongoing projects which have not yet been issued Completion Certificate are registered and executed under the provisions of RERA Act (Recommendation No.5).

(vi) Observing that the public is not yet fully aware of the provisions of RERA Act and feeling the need to give it a wider publicity for creating awareness amongst the public about the provisions of RERA, the Committee had urged the Government to organise awareness programmes for the public (*Recommendation No.6*).

6. From the action taken reply of the Ministry, the Committee note that all the six recommendations contained in the Twenty-first Report (16 LS) have, in principle, been accepted by the Ministry of Housing and Urban Affairs. In this regard, the Committee note that the Ministry *vide* their letter dated 05.09.2017 have forwarded the recommendations made by the Committee at Sl. Nos. 1,2,3,5 & 6 to the States/UTs concerned in respect of issues contained in the recommendations with the request to expedite action on the same. As regards the recommendation at Sl. No. 4 regarding establishment of Central Advisory Council, the Ministry of Housing and Urban Affairs in their action taken reply have informed that the Central Advisory Council would be notified shortly and the Committee apprised after publication in the Gazette.

7. The Committee while acknowledging that it is the responsibility of the concerned States/UTs to frame Rules/Regulations under the RERA Act, 2016 for their respective States/UTs, note that the ministry have accordingly taken up the implementation of the recommendations contained in the Report with all the States/UTs concerned. The Committee again emphasize the need for framing of Rules, setting of RERA and REAT by the States/UTs besides framing of Rules truly in the spirit of the provisions of the Act

specifically in the context of defining ongoing projects in the respective Rules of the States as per the Act. The Committee hope and trust that the Ministry would follow with the States/UTs so that the Act is implemented fully the rules are framed as per the spirit of the Act so that the very purpose of the RERA Act is not defeated. The Committee also express their concern at the delay in constitution of the Central Advisory Council keeping in mind its important role to advice and recommend the Central Government on major questions of policy and protection of consumer interest to foster the growth and development of Real Estate Sector on all matter concerning the implementation of the Act. The Committee, therefore, desire the Ministry to give utmost priority to constitution of the Central Advisory Council and implementation of their recommendations and apprise the Committee of the progress made in the matter within three months of the presentation of this Report.

## CHAPTER II

### **OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT**

#### Observation/Recommendation No.1

##### **Delay in framing of Rules under RERA, 2016 by various States**

The Committee note that India's real estate sector has been marred by inordinate project delays, poor quality of construction and lacks transparency. To overcome these shortcomings, the Real Estate (Regulation & Amendment) Act, 2016 has been enacted with the objective of promotion of the real estate sector in an efficient and transparent manner and to protect the interest of the consumers as well. In this regard, the Committee note that as per Section 84(1) of the Real Estate (Regulation and Development) Act, 2016, the appropriate Government (both Central and State Governments) are required to notify the Rules for their respective jurisdiction within six months of commencement of the Act i.e. by 31.10.2016 as the Act was notified for commencement w.e.f 01.05.2016. In this context, the Ministry of Housing and Urban Poverty Alleviation had submitted to the Committee that as per the available information with them, only 12 States/UTs had notified their Rules, 16 States/UTs were in the process of notifying Rules, 4 States had constitutional issues and 3 States have not furnished any information on the notification of rules under the Real Estate (Regulation and Development) Act, 2016. As per the information furnished by the Ministry, there are three States namely Manipur, West Bengal and Goa which have not even furnished any information and four States namely Sikkim, Arunachal Pradesh, Meghalaya and Nagaland have some constitutional issues over the land ownership as informed to the Ministry during regional consultations held on 27.03.2017. The Committee express their dismay over the fact that even after a lapse of one year and two months, many of the States have not notified the Rules so far. The Committee see the Real Estate ( Regulation & Development ) Act, 2016 as a landmark reform for the real estate sector in the country and its successful enactment largely depends upon the timely framing of the Rules under the Act by all the States. The Committee are of the considered opinion that any delay in framing of Rules thereunder will have the effect of depriving the public the legitimate rights intended to be conferred on them under the provision of the Act. The Committee, therefore, recommend that the progress made by States particularly the above mentioned Seven States be monitored regularly and the Ministry should ensure that all the concerned States frame and implement the Rules within the said time frame as contemplated under the Act.



## Reply of the Government

A total of 25 States/UTs have notified Real Estate Rules under the Act.

- 4 States have drafted the rules but have not yet notified (West Bengal, Goa, Tripura, Kerala).
- 6 North East States viz., Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Sikkim have stated that there are constitutional issues as land belongs to the community/ autonomous councils, thus, they are seeking legal opinion in the matter.
- Vide letter dated 05.09.2017, the recommendations of the Committee on Subordinate Legislation have been conveyed to the States that have not notified the Rules yet, with a request to finalize their Rules without any further delay. A copy of the letter is enclosed. (Annexure I)

[(Ministry of Housing and Urban Affairs O.M. No. 0-17034/18/2009-H  
(Vol. IX) (FTS-15877) dated 13<sup>th</sup> September, 2017)]

### Observation/ Recommendation No. 2

#### **Establishment of RERA and REAT**

The Committee note that Section 20 to 40 of the RERA deals with the establishment of Real Estate Regulatory Authority (RERA) and its functions for promotion of Real Estate Sector besides power to impose penalties in case of disputes between promoters, allottees and Real Estate agents etc. Section 20(1) envisage the formulation of RERA by the appropriate Government and was required to be formed within one year of coming into force of the Act i.e. by 30 April, 2017. Similarly, Sections 43 to 58 of the RERA Act relate to the Real Estate Appellate Tribunals (REAT) which are required to be established by the appropriate Governments within one year of coming into force of the Act i.e. by 30.04.2017. In this regard, the Committee feel concerned to find that so far only one State Madhya Pradesh has set up permanent Authority and 11 States/UTs namely Kerala, Maharashtra, Punjab, Rajasthan, Mizoram, Haryana, NCT of Delhi, Andaman and Nicobar Islands, Bihar, Chandigarh, UP had set up interim Authority, four states/UTs namely Puducherry, Chandigarh, Haryana and Bihar have set up interim Tribunal and 11 States/UTs are in advanced stage of setting up the Authority and Tribunal. In the opinion of the Committee, any delay in establishment of such statutory bodies mandated with the core tasks will severely affect the implementation of the RERA, 2016. Though the Ministry has impressed upon the States/UTs during the National Consultation with all the States/UT Government on 17.01.2017 and a regional consultation with North East and Eastern States but it has not yielded the desired result.

The Committee, therefore, desire that the Ministry should make all out efforts and give a time bound target to the concerned States/UTs as per the provisions for the Act for the establishment of RERA and REAT under the RERA, 2016 without any further delay. Till such time these States should appoint an interim Authority or appoint the Secretary of the Department dealing with housing as per Section 20(1) of the Act. Similarly, for the State which have not appointed REAT, the Ministry insist upon them to appoint an interim REAT or delegate powers for the time being to any existing Tribunal already functioning in the State as per Section 43(1).

#### **Reply of the Government**

- 6 States/UTs have established permanent Real Estate Regulatory Authority viz., Gujarat, Maharashtra, Madhya Pradesh and Punjab, Dadra & Nagar Haveli and Daman and Diu (tied up with Maharashtra).
- 18 States/UTs have established interim Real Estate Regulatory Authority.
- In Gujarat, Appellate Tribunal has been set up.
- 10 States/UTs have appointed interim Appellate Tribunal under the Real Estate Act.
- Vide letter dated 05.09.2017, the recommendations of the Committee on Subordinate Legislation have been conveyed to the States which have not set up the permanent Authority and permanent Appellate Tribunal, with a request to finalize the establishment of permanent Real Estate Regulatory Authority and Real Estate Appellate Tribunal under the Real Estate Act, 2016 without any further delay. A copy of the letters is enclosed. (Annexure-II)

**[(Ministry of Housing and Urban Affairs O.M. No. 0-17034/18/2009-H (Vol. IX) (FTS-15877) dated 13<sup>th</sup> September, 2017)]**



### **Observation/Recommendation No. 3**

#### **Dilution of Rules by various States/UTs.**

The Committee note that RERA, 2016 has an overriding effect on conflicting laws being made by some States by virtue of entries 6 & 7 under the Concurrent list of the Seventh Schedule of the Constitution of India and therefore, as per the proviso to Article 254(2) of the Constitution of India, the Central Government has the power to amend, vary, repeal any State law which has previously received Presidential assent. On this basis the Ministry has repealed the Maharashtra Housing (Regulation & Development) Act, 2012. The Committee, however, note with concern that rules notified by some of the States are not in consonance with the spirit of the Act and have resulted in the dilution of the effectiveness of the Act while observing that such works have been skewed in favour of builders hurting consumer interests particularly in areas like definition of ongoing projects, penalties for non-compliance with the Act and dealing with structural defects etc. In this context, the Ministry have informed the Committee that they have taken up the matter with the concerned States during the National Consultation held with all the States/UTs on 17th January, 2017 and during the Regional Consultation (East and North East) on 27th March, 2017 to adhere to the letter and spirit of the Act. In addition, letters have also been written by the Ministry, at various levels, to the States/UTs requesting them to adhere to the letter and spirit of the Act. The Committee are distressed to note that the Ministry have not clearly spelt out the ways and means in this regard. The Committee while recognizing that each State have their respective development laws, sanctioning procedures, and other land related unique issues, recommend that the Ministry of Urban Poverty Alleviation should strictly instruct the States to either amend their Rules or re-notify them in line with the letter and spirit of the Act. The Committee may also be apprised of the action taken on this recommendation as this legislation is going to have a great impact on Real Estate Sector.

#### **Reply of the Government**

Vide letter dated 05.09.2017, this Ministry has forwarded this Recommendation to all States/UTs (except UTs without legislature) suggesting them to modify, if required, their Rules to bring the same in conformity with the letter and spirit of the Real Estate Act, 2016. A copy of the letter is enclosed. (Annexure-III)

**[(Ministry of Housing and Urban Affairs O.M. No. 0-17034/18/2009-H (Vol. IX) (FTS-15877) dated 13<sup>th</sup> September, 2017)]**

#### **Observation/Recommendation No. 4**

##### **Constitution of Advisory Council**

The Committee are dismayed to note that even after the commencement of the Act, the Central Advisory Council has still not been constituted. As per the provision contained in the Act, the Central Advisory Council is required to be established to advise and recommend the Central Government on major question of policy and protection of consumer interests to foster the growth and development of Real Estate Sector on all matters concerning the implementation of the Act. However the Ministry of HUPA is still in the process of notifying the Central Advisory Council. The Committee express their unhappiness over the lackadaisical attitude of the Ministry towards this important issue. This proves beyond doubt that the Ministry's approach is very casual and it has not paid any serious attention towards the constitution of Central Advisory Council expeditiously. The Committee, therefore, strongly emphasize the Ministry to take urgent steps to constitute the Central Advisory Council under the Act so that the functions under Section 42 of the Act can be taken forward by the Council. The Committee would also like the Ministry to furnish a copy of the notification, under the provision of Sections 41 (1) and 42 (2) of the Real Estate (Regulation & Development) Act, 2016.

##### **Reply of the Government**

The Constitution of the Central Advisory Council would be notified shortly. The same will be conveyed to Committee on Subordinate Legislations after publication in the Gazette.

**(Ministry of Housing and Urban Affairs O.M. No. 0-17034/18/2009-H (Vol. IX) (FTS-15877) dated 13<sup>th</sup> September, 2017)**

## Observation/Recommendation No. 5

### **Registration of ongoing Projects**

The Committee note that in terms of section 3 (1) of the RERA Act, the ongoing and under construction projects are required to be registered with the Authority and are thereby supposed to come under the regulator's ambit. It has been clearly specified therein that the promoters of all those projects, which have not received the completion certificate prior to the commencement of the Act should also come under the purview of the Act and they shall get the project registered with the regulatory authority of the State within three months from the date of commencement of Act making it amply clear that all under construction projects are needed to be registered. In this context, the Committee feel perturbed from the frequently appearing reports in the media that in some States particularly in Uttar Pradesh, Haryana and Gujarat, the same is not being adhered to and the developers/builders are resorting to taking partial completion certificates and handing over the flats to the applicants without fulfilling the obligatory requirement of handing over the flats in complete shape. According to the media reports, Haryana and Uttar Pradesh's RERA Rules have saved a majority of the ongoing real estate projects in NCR outside the ambit of real estate law as these States have excluded ongoing projects from registration. Similarly, in Gurugram, a large number of flats under various stages of construction or completion, have either received occupancy certificate or have received part-completion (unoccupancy on paper). This is resulting in home buyers getting delayed possession of their flats because of the violation of main Act by these States. Further, there is a tendency among builders/developers to develop a specific society or project in phases resulting in buyers getting entrapped in the deal, though RERA Act very clearly says that where the real estate project is to be developed in phases, every such phase shall be considered a standalone real estate project, and the promoter shall obtain registration under this Act for each phase separately. In the opinion of the Committee the builder/developer is supposed to give possession of the flat only after completion of all facilities like finishing work, water supply, sewerage disposal, electricity, installation of generators, operational lifts and common entry-exit areas etc. The Committee feel that these essential requirements cannot be overridden by resorting to the practice of part-completion certificate as the same tantamount to violation of RERA Act and also serves as an escape route to the builder/developer from fulfilling the requirement of registration besides resulting in enormous mental agony and financial hardship to the buyers who had invested their hard earned money for a living. The Committee feel such kind of malpractices should not go unchecked as the purpose of establishing a RERA

Act will only be served if it is implemented in its entirety by all the stakeholders. The Committee, therefore, strongly recommend that the Government must take all possible remedial measures for ensuring all such ongoing projects are registered and executed under the provisions of RERA Act in order to extend the stipulated benefits to the home buyers under the RERA.

The Committee further recommend that the provisions of the RERA Act should be uniformly applicable all across the country and any flouting of norms is to be severely dealt with under the penal provisions of the RERA Act for ensuring that the developers and the builders timely complete the project in all respects and hand over possession of flats/plots to home buyers and saving them from mental agony, harassment , cost overrun etc. at the hands of the builders/ developers. In this context, the Committee desire that the Ministry may also ask the States to amend / formulate their Rules by including the definition of 'ongoing projects' for doing away with any kind of ambiguity.

#### **Reply of the Government**

Vide letter dated 05.09.2017, this recommendation has been forwarded to all Staes/UTs suggesting them to define "Ongoing Projects" within the contours of the Act. A copy of the letter is enclosed. (Annexure - IV)

**[(Ministry of Housing and Urban Affairs O.M.No. 0-17034/18/2009-H (Vol. IX) (FTS-15877) dated 13<sup>th</sup> September, 2017)]**

#### **Observation/Recommendation No. 6**

##### **Awareness Programme**

The Committee note that public are not fully aware of the Real Estate (Regulation & Development) Act, 2016. In this regard, Committee have been informed that the Government are planning to come out with advertisements on the Act to create awareness among the public and making an endeavour to attend as many public functions as possible on the subject. The Committee are of the opinion that more efforts are needed to give wider publicity to this Act highlighting the requisite formalities, rights and duties of all the stake holders involved in any particular scheme. The Committee, therefore, urges the Ministry that special measures/mechanisms be put in place including organising of awareness programmes to help the public to gain knowledge about their rights. The Committee also feel that the Central Advisory Council could be entrusted with the task of implementation of the awareness programmes. All appropriate Governments should also take action in this regard.

**Reply of the Government**

**Awareness Initiatives with regard to implementation of the Real Estate  
(Regulation and Development) Act, 2016**

1. A source code for the base web portal was shared with all the states and UTs in order to expedite the implementation process.
2. Along with source code a user manual and video based training for users was also shared for states to understand all the functionalities of the web portal.
3. RERA-PMU team also visited states/UTs like Chandigarh, Maharashtra, Gujarat, Chennai and Andhra Pradesh in order to facilitate deployment of the base portal along with knowledge transfer for integration between the portals.
4. In Karnataka, an awareness and capacity building program is being conducted for various stakeholders – RERA personnel, Promoters, Agents and general public.
5. Assisted the states on setting up of a helpdesk for answering any queries.
6. Preparation and sharing of google drive based updates with all states and UTs for status of Real Estate Act provisions such as registrations, tribunal, interim authority etc.
7. Support ministry in conducting meeting with states/UTs to review the progress.

[(Ministry of Housing and Urban Affairs O.M.No. 0-17034/18/2009-  
H (Vol. IX) (FTS-15877) dated 13<sup>th</sup> September, 2017)]

CHAPTER III

OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT  
DESIRE TO PURSUE IN VIEW OF THE GOVERNMENTS REPLIES

-----NIL-----

CHAPTER IV

OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF  
THE GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

----- NIL -----



CHAPTER V

OBSERVATION/RECOMMENDATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE  
GOVERNMENT ARE STILL AWAITED

----- NIL -----

New Delhi;  
23 April, 2018  
03 Vaisakha, 1940 (Saka)

DILIPKUMAR MANSUKHLAL GANDHI  
Chairperson,  
*Committee on Subordinate Legislation*



Government of India

Ministry of Housing & Urban Poverty Alleviation  
(Housing Section)  
\*\*\*\*\*

Annexure-I

Vide reply of the  
Ministry to Recommendation  
No. I

Room No. 220, C Wing

Nirman Bhawan, New Delhi - 110 011

Dated: September 07, 2017

To

Principal Secretary / Secretary of States viz. West Bengal, Goa, Tripura, Kerala, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Sikkim (list attached).

Subject: Recommendation of the Parliamentary Committee on Subordinate Legislation on the Rules / Regulations framed under the Real Estate Act (Regulation and Development) Act, 2016 - regarding.

Sir,

I am directed to state that all the States/UTs were needed to frame their Rules / Regulations under the Real Estate (Regulation and Development) Act, 2016 by 31st October, 2016. However, the Sub-ordinate Rules in respect of the States of West Bengal; Goa, Tripura; Kerala; Arunachal Pradesh; Manipur; Meghalaya; Mizoram; Nagaland; and Sikkim are yet to be notified.

2. The Parliamentary Committee on Sub-ordinate Legislation on the Rules/Regulations under the Real Estate Act, 2016 vide its 21st Report in their recommendation No. 1 has stated as follows:

"The Committee note that India's real estate sector has been marred by inordinate project delays, poor quality of construction and lacks transparency. To overcome these shortcomings, the Real Estate (Regulation & Amendment) Act, 2016 has been enacted with the objective of promotion of the real estate sector in an efficient and transparent manner and to protect the interest of the consumers as well. In this regard, the Committee note that as per Section 84(1) of the Real Estate (Regulation and Development) Act, 2016, the appropriate Government (both Central and State Governments) are required to notify the Rules for their respective jurisdiction within six months of commencement of the Act i.e. by 31.10.2016 as the Act was notified for commencement w.e.f. 01.05.2016. In this context, the Ministry of Housing and Urban Poverty Alleviation had submitted to the Committee that as per the available information with them, only 12 States/UTs had notified their Rules, 16 States/UTs were in the process of notifying Rules, 4 States had constitutional issues and 3 States have not furnished any information on the notification of rules under the Real Estate (Regulation and Development) Act, 2016. As per the information furnished by the Ministry, there are three States namely

S. No.	States	Address
1	Andhra Pradesh	Shri S K Jain, IAS Secretary Land Management Urban Development Dept., Govt. of Andhra Pradesh Andhra Pradesh Civil Sect Block No. 4, Banagar-781111 Anandul Pradesh Tel: 0330-2212262, 2291335, Fax: 0350-2211615/ 221332 Email: skjain1604@gmail.com
2	Goa	Shri B R Singh, IAS Secretary Housing Department, Govt. of Goa Secretariat Annex, Porvorim Panaji, Goa - 403521 Tel: 0832-2419423, Fax: 0832-2415201 Email: secycs-sectry go@nic.in, go-land goa@nic.in
3	Kerala	Shri T K Jose, IAS Principal Secretary L&D & UD Department, Govt. of Kerala Room No.403A, 4th Floor Secretariat Annex, Thiruvananthapuram - 375001 Tel: 0471-25151633, 2517212, Fax: 0471-2320434 Email: prasekj@kerala.gov.in, secretarylsg@kerala.com
4	Madhya Pradesh	Shri R K Binaych Singh, IAS Commissioner Dept. of Municipal Administration, Housing & Urban Development, Govt. of Madhya Pradesh Old Secretariat Complex, Bada Bada Bhopal - 755001 Tel: 0318-2450578, 2455345, Fax: 0318-2450431 Email: Adinash2000@gmail.com, binaych91@nic.in
5	Meghalaya	Dr. Shreezanjan, IAS Addl. Chief Secretary Urban Affairs & Housing, Govt. of Meghalaya Additional Secretariat Building Room No. 264, Shillong-791001 Tel: 0364-2324231, 2325341, Fax: 0364-2229242 Email: shreezanjan@nic.in, ssa sh-nag@gov.in
6	Mizoram	Dr. C Venkaramanga, IAS Secretary Urban Development & Poverty Alleviation Department, Govt. of Mizoram Annex 2, 2nd Floor, Room No. 101 New Secretariat Complex Aizawl-796001 Tel: 0369-2325705, 2322123, Fax: 0369-2322677 Email: utpamizoram@gmail.com, cangmam@gmail.com
7	Nagaland	Shri Menukhol Jann Secretary Municipal Affairs Department, Govt. of Nagaland Urban Development Department Nagaland Civil Secretariat Kohima - 797054 Tel: 0370-2271144, Fax: Email:
8	Nagpur	Dr. G T Bhunia Principal Chief Engineer cum Secretary UD & Housing Department, Government of Odisha 304-312, Pajar Stadium Road, Anandang Cuttack-753101 Tel: 06742-202728, 201-10, Fax: 06742-205087 Email: udh@odisha.gov.in
9	Tripura	Shri Lok Ranjan, IAS Principal Secretary Urban Development Department, Govt. of Tripura Civil Secretariat Capital Complex, West Tripura Dist. Agartala-799001 Tel: 0381-2513318, 2325301, Fax: Email: lokranjan@g@gmail.com
10	West Bengal	Shri Khalid Ahmed, IAS Secretary Department of Housing, Govt. of West Bengal N. S. Sukling, Block - A, Room No. 12 1st Floor, 1 X 5 Roy Road Kolkata - 700001 Tel: 033-22625770, Fax: 033-23347860 Email: secy housing_wb@nic.in

Annexure-II

vide reply of  
the Ministry  
to Recommendation No. 2

O-17034/18/2009-H/EFS -3015877

Government of India  
Ministry of Housing & Urban Poverty Alleviation  
(Housing Section)  
\*\*\*\*\*

Room No. 220, C Wing  
Nirman Bhawan, New Delhi - 110 011  
Dated: September 25<sup>th</sup>, 2017

To

Principal Secretary / Secretary of States (list attached)

Subject: Recommendation of the Parliamentary Committee on Subordinate Legislation on the Rules / Regulations framed under the Real Estate Act (Regulation and Development) Act, 2016 -- regarding.

Sir,

I am directed to state that all the States/UTs were needed to establish the Real Estate Regulatory Authority and the Real Estate Appellate Tribunal under the Real Estate (Regulation and Development) Act, 2016 by 30<sup>th</sup> April, 2017. However, only States viz., Gujarat; Madhya Pradesh; Maharashtra; Punjab; UT of Daman & Diu; and UT of Dadra & Nagar Haveli have established the permanent Real Estate Regulatory Authority under the Act. The permanent Real Estate Appellate Tribunal has been set up only by the State Government of Gujarat.

2. The Parliamentary Committee on Sub-ordinate Legislation on the Rules/Regulations under the Real Estate Act, 2016 vide its 21st Report in their Recommendation No. 2 "Establishment of Real Estate Regulatory Authority and Real Estate Appellate Tribunal" has stated as follows:

"The Committee notes that Section 20 to 40 of the RERA deals with the establishment of Real Estate Regulatory Authority (RERA) and its functions for promotion of Real Estate Sector besides power to impose penalties in case of disputes between promoters, allottees and Real Estate agents etc. Section 20(1) envisage the formulation of RERA by the appropriate Government and was required to be formed within one year of coming into force of the Act i.e. by 30 April, 2017.

Similarly, Sections 43 to 58 of the RERA Act relate to the Real Estate Appellate Tribunals (REAT) which are required to be established by the appropriate Governments within one year of coming into force of the Act i.e. by 30.04.2017.

In this regard, the Committee feel concerned to find that so far only on State Madhya Pradesh has set up permanent Authority and 11 States/UTs namely Kerala, Maharashtra, Punjab, Rajasthan, Mizoram, Haryana, NCT of Delhi, Andaman and Nicobar Islands, Bihar, Chandigarh, UP had set up interim Authority, four states/UTs namely Puducherry, Chandigarh,

Haryana and Bihar have set up interim Tribunal and 11 States/UTs are in advanced stage of setting up the Authority and Tribunal. In the opinion of the Committee, any delay in establishment of such statutory bodies mandated with the core tasks will severely affect the implementation of the RERA, 2016. Though the Ministry has impressed upon the States/UTs during the National Consultation with all the States/UT Government on 17.01.2017 and a regional consultation with North East and Eastern States but it has not yielded the desired result. The Committee, therefore, desire that the Ministry should make all out efforts and give a time bound target to the concerned States/UTs as per the provisions for the Act for the establishment of RERA and REAT under the RERA, 2016 without any further delay. Till such time these States should appoint an interim Authority or appoint the Secretary of the Department dealing with housing as per Section 20(1) of the Act. Similarly, for the State which have not appointed REAT, the Ministry insist upon them to appoint an interim REAT or delegate powers for the time being to any existing Tribunal already functioning in the State as per Section 43(1)."

3. In view of the above, it is requested to kindly expedite the establishment of the permanent Real Estate Regulatory Authority and Real Estate Appellate Tribunal in respect of your State under the Real Estate (Regulation and Development) Act, 2016 and forward a copy of the notification to the Ministry. A copy of the Report of the Committee is available on the Committee website [http://164.100.47.194/Lok\\_sabha/Committee/reports](http://164.100.47.194/Lok_sabha/Committee/reports) and also on the URL [http://mhupa.gov.in/writereaddata/Report\\_of\\_COSL\(LS\)\\_10\\_08\\_17.pdf](http://mhupa.gov.in/writereaddata/Report_of_COSL(LS)_10_08_17.pdf).

Yours faithfully,



(Saifesh Jogiani)

Under Secretary (Housing)

Tel: 2306 2252, Fax: 2306 1018

Email: [housingministry@gmail.com](mailto:housingministry@gmail.com)

Copy to:

Principal Secretary to Lt. Governor,  
Government of NCT of Delhi,  
6 Raj Niwas Marg, Civil Lines,  
New Delhi – 54.



(Sailesh Jogiani)

Under Secretary (Housing)

Tel: 2306 2252, Fax: 2306 1018

Email: [housingministry@gmail.com](mailto:housingministry@gmail.com)

S. No.	State	Address
1	Andhra Pradesh	Shri S C L Das, IAS Principal Secretary Urban Development Department, A & N Administration Administration Secretariat, Partur (23161) Tel: 0812/233361, Fax: 0812/240495 Email: sctdas@nic.in
2	Andhra Pradesh	Shri Kestral Danda, IAS Secretary Housing Department, Govt. of Andhra Pradesh 5th Block, Ground Floor Rajapeta 121, A.P. Secretariat Office, Vijayawada Hyderabad - 500 022 Tel: 0863-245425, Fax: 949-2145,953 Email: shankarprasad@gmail.com
3	Andhra Pradesh	Shri R. Kallal Mahesh, IAS Principal Secretary Municipal Administration & Urban Development, Govt. of Andhra Pradesh Building No. 1, Room No. 115, A.P. Secretariat, Hyderabad, Gurgaon District - 500032 Tel: 0853-442311, Fax: 0853-2442313 Email: dr. samesh@gmail.com, samesh_p@yahoo.co.in
4	Andhra Pradesh	Shri S K. Jais, IAS Secretary, Land Management Urban Development Dept., Govt. of Andhra Pradesh Municipal Projects Civil Dept. Block No. 1, Amarapur-511111 Municipal Projects Tel: 0854-231232, 2351856, Fax: 0854-221414, 231531 Email: sskjais@gmail.com
5	Assam	Shri M D V K Shome, IAS Additional Chief Secretary Urban Development Department, Govt. of Assam 3 - Block, 3rd Floor, Assam Civil Secretariat Assam, Guwahati - 781005 Tel: 0361-2317955, Fax: 0361-2217264 Email: shankarprasad@rediffmail.com
6	Bihar	Shri Chaitanya Prasad, IAS Principal Secretary Urban Development & Housing Department, Govt. of Bihar Khasi Bazaar, Sakety Road New Baramulla, Patna - 800015 Tel: 0612-2113330, Fax: 0612-2119593 Email: chaitanya09@gmail.com
7	Bihar	Shri N K Singh, IAS Asst. Secretary (REWA) Urban Development & Housing Department, Govt. of Bihar Khasi Bazaar, Sakety Road New Baramulla, Patna - 800015 Tel: 0612-2113330, Fax: 0612-2117553/2225153 Email: nksingh09@gmail.com
8	Chhattisgarh	Shri K K Singh, IAS Secretary Urban Development & Housing, Chhattisgarh Administration Room No. 011, 1st Floor, Datta Building, UT Secretariat Jashwanth, Chhattisgarh-490011 Tel: 01772/10017, Fax: 01772/100229/10033 Email: kksingh2004@gmail.com, kksingh2@gmail.com
9	Chhattisgarh	Shri Anand Singh, IAS Principal Secretary Housing and Environment Department, Govt. of Chhattisgarh Room No. 5 - 11, New Baramulla Patna - 800015, Chhattisgarh Tel: 0771-2221211, 2170111111, Fax: 0771-2221223 Email: anandkumar.singh@gmail.com
10	Chhattisgarh	Shri M Rajendra Kumar, IAS Special Secretary Housing and Environment Department, Govt. of Chhattisgarh Room No. 5 - 23, New Baramulla Patna - 800015, Chhattisgarh Tel: 0771-2221222, Fax: 0771-2221223 Email: mskhousing@gmail.com, msk09@gmail.com
11	D & N Haveli	Mr. J D Singh, IAS Secretary (Planning & LR) Housing & Urban Development, D & N Haveli Administration 1st of Datta & Rajpur Mandi, Sector-16, Ghaziabad-201001 Tel: 0520-2610331, 2230473, Fax: 0520-2262294, 2230771 Email: jdshingh@gmail.com, jdsingh02@gmail.com
12	Goa	Shri Rajiv Yasturamshi, IAS Secretary Urban Development Department, Government of NCT of Delhi C-7/16, 5th Level Delhi Secretariat, Delhi - 110002 Tel: 011-2339225/23370391, Fax: 011-23372167 Email: goa02@gmail.com
13	Delhi	Shri A. Anbarasa, IAS Principal Secretary Land and Building Department, Govt. of NCT of Delhi 5th Block, Waza Bazaar IP Estate, New Delhi - 110002 Tel: 011-23372755, Fax: 011-23370325 Email: buildingand22@gmail.com
14	Goa	Shri B R Singh, IAS Secretary Housing Department, Govt. of Goa Sri Lanka Embassy, Panvelin Panaji, Goa - 550001 Tel: 0832-2418-23, Fax: 0832-211201 Email: secpa-rechya@gmail.com, brsinghpa@gmail.com
15	Haryana	Shri Shikant Walia, IAS Principal Secretary Department of Housing, Govt. of Haryana Room No. 807, 8th Floor New Haryana Civil Secretariat, Sector - 17 Chandigarh - 160017 Tel: 0172-2711581, Fax: Email: shikant02@gmail.com

11	Madhya Pradesh	Shri Anil Kumar Gupta, IAS Principal Secretary Town & Country Planning and Urban Estates, Govt. of Madhya Pradesh Room No. 422, 6th Floor New Madhya Civil Secretariat, Sector - 17 Chhatrapati - 460011 Tel: 0177-2714254, Fax: 0177-2714257, 2542582 Email: 2626@vsnl.com
12	Madhya Pradesh	Ms. Manjula Tripathi, IAS Add. Chief Secretary UD, Housing & TCP, Govt. of Madhya Pradesh Room no. 103 1st floor Aparajita Building, Sector Tel: 0177-2721195, Fax Email: udhousing@nic.in, 2626@vsnl.com
13	Madhya Pradesh	Shri Anil Kumar Singh, IAS Principal Secretary UD, Housing & TCP, Govt. of Madhya Pradesh 2nd Floor Sector - 17/203 Tel: 0177-2511195, Fax: 0177-2521194 Email: udhousing@nic.in
14	Madhya Pradesh	Shri Pradyumn Kumar, IAS Additional Chief Secretary Housing and Urban Development Department, Govt. of Madhya Pradesh Civil Secretariat, 1st Floor Sector Tel: 0177-2542753, Fax: 0177-2542753 Email: 2626@vsnl.com
15	Madhya Pradesh	Shri Ajay Kumar Singh, IAS Principal Secretary Urban Development Department Govt. of Madhya Pradesh HED Project Building Room No. 112, 1st Floor Sector, Sector Tel: 0177-1100942, Fax: 0177-1100955-91 Email: udhousing@nic.in
16	Karnataka	Shri Mahadeva Jee, IAS Additional Chief Secretary Urban Development Department, Govt. of Karnataka Room No. 126, 1st Floor, Vikasa Soudha Bangalore - 560001 Tel: 080-22252543, 22252574, Fax: 080-22252544 Email: 2225@vsnl.com
17	Karnataka	Ms. Anjum Parvati, IAS Secretary to Government, (M&UD) Urban Development Department, Govt. of Karnataka Room No. 124, 1st Floor Vikasa Soudha, Dr. B.R. Ambedkar Road Bangalore - 560001 Tel: 080-22252544, 22252574, Fax: 080-22252543 Email: 2225@vsnl.com
18	Karnataka	Shri Kirish Mahan, IAS Principal Secretary Department of Housing, Govt. of Karnataka Karnataka Development Corporation Sector 4, No. 111, 1st Floor Vikasa Soudha Bangalore - 560 001 Tel: 080-22252544, 22252574, Fax: 080-22252543 Email: 2225@vsnl.com
19	Kerala	Shri T.K. Jeeva, IAS Principal Secretary UD, Housing & TCP, Govt. of Kerala Room No. 202A, 1st Floor Secretary's Office, Government Secretariat - 695001 Tel: 0474-2516162, 2517217, Fax: 0474-2264241 Email: 2516@vsnl.com
20	Lacharwep	Shri Ashok Kumar, IAS Secretary UD, Housing and TCP, Govt. of Lacharwep Secretary of DT of Lacharwep (Planning & Statistics Dept.) Governor's Island - 592550 Tel: 0825-252256, 252275, Fax: 0825-251180 Email: 2522@vsnl.com
21	Madhya Pradesh	Shri Mahesh Mohanrao, IAS Principal Secretary Housing & Environment Department, Govt. of Madhya Pradesh 2, No. 27, Mansarovar, Near Sector 17 Sector Tel: 0755-2708537, Fax: 0755-2711188 Email: 2708@vsnl.com
22	Madhya Pradesh	Shri Ranjay Kumar, IAS Add. Chief Secretary Housing Department, Govt. of Madhya Pradesh Main Building, 2nd Floor, Mansarovar Madhya Pradesh, Madhya Pradesh Sector - 17/203 Tel: 0755-2708537, Fax: 0755-2711188 Email: 2708@vsnl.com
23	Madhya Pradesh	Shri Ranjay Singh, IAS Principal Secretary Urban Development Department, Govt. of Madhya Pradesh Mansarovar, Madhya Pradesh 2nd Floor, Raj Ganga Mansarovar Sector - 17/203 Tel: 0755-2708537, Fax: 0755-2711188 Email: 2708@vsnl.com
24	Madhya Pradesh	Shri R.K. Dinesh Singh, IAS Chief Secretary Dept. of Municipal Administration, Housing & Urban Development, Govt. of Madhya Pradesh Old Secretariat Complex, South Block Sector - 17/203 Tel: 0755-2708537, 2708539, Fax: 0755-2708538 Email: 2708@vsnl.com
25	Madhya Pradesh	Dr. Sheerajee, IAS Add. Chief Secretary Urban Affairs & Housing, Govt. of Madhya Pradesh Additional Secretariat Building Room No. 204, Sector-17/203 Tel: 0755-2708537, 2708539, Fax: 0755-2708538 Email: 2708@vsnl.com



11	Mizoram	Dr. C. Venkatesh, IAS IAS/MPW Urban Development & Poverty Alleviation Department, Govt. of Mizoram Block 2, 2nd Floor, Room No. 201 New Secretariat Complex Aizawl - 796001 Tel: 0362-275768, 222111, Fax: 0362-275767 Email: urban@uznet@nic.gov.in, urdp@uznet@nic.gov.in
12	Mizoram	Shri Manoj K. Jha Secretary Muzapal Aditya Department, Govt. of Mizoram Urban Development Department Muzapal Aditya Secretariat Aizawl - 796004 Tel: 0362-271111, Fax: Email:
13	Odisha	Shri G. Mani Varma, IAS Commissioner cum Secretary Housing and Urban Development Department, Govt. of Odisha 1st Floor, State Secretariat, Annex-1 Bhubaneswar - 751001 Tel: 0674-252362 (ext. 452), 252184, 252422/222 (personal), Fax: 0674-252364 (Ext. 252422/222) Email: huda@odisha.gov.in
14	Punjab	Shri P. Anwar, IAS IAS/MPW Department of Housing, Govt. of Punjab Chief Secretariat, 2nd Floor Chandigarh - 160001 Tel: 0173-233333, 232110, 232203 Fax: Email: sec@punjab.gov.in
15	Rajasthan	Shri. Vaid Mahajan, IAS IAS, Chief Secretary Department of Housing and Urban Development, Govt. of Rajasthan Room No. 201, Second Floor UDA Secretariat, Jaipur - 302002 Jaipur - 302002 Tel: 0142-231520, 231122, 231171, Fax: 0142-231521 Email: urban@rajasthan.gov.in, urdp@rajasthan.gov.in
16	Rajasthan	Shri Mukesh Sharma, IAS Additional Chief Secretary Urban Development & Housing and Chairman, RAJPHED Room No. 211, Main Building, 1st Floor Jaipur-302015 (Purakhara) Tel: 0141-222112, Fax: 0141-222177 Email: sec@rajasthan.gov.in, urdp@rajasthan.gov.in
17	Rajasthan	Dr. G. T. Sarda Principal Chief Engineer cum Secretary U.D. & Housing Department, Government of Rajasthan 304-71A, P.O. Jaipur Secretariat, Jaipur Jaipur-302001 Tel: 01422-23272, 231122, Fax: 01422-232227 Email: urdp@rajasthan.gov.in
18	Tamil Nadu	Mr. Dharmendra Prasad Varley, IAS Secretary Housing and Urban Development Department, Govt. of Tamil Nadu 3rd Floor, Government Secretariat St. George Park, Secretariat Chennai - 600 009 Tel: 044-2670518, Fax: 044-2671174 Email: huda@tamilnadu.gov.in
19	Telangana	Mrs. Divya Ramakrishna, IAS IAS, Chief Secretary Housing Department, Govt. of Telangana 4-39/2, Room No. 105, 3rd Floor Telangana Secretariat, Hyderabad - 500022 Tel: 040-2345263, Fax: 040-2345264 Email: urdp@housing.telangana.gov.in
20	Telangana	Shri Manoj KUMAR, IAS IAS/MPW Department of Urban Development, Govt. of Telangana Room No. 252, 3rd Block, 1st Floor Telangana Secretariat, Hyderabad - 500022 Tel: 040-2345263, Fax: 040-2345264 Email: urdp@housing.telangana.gov.in
21	Tripura	Shri Lakshmi, IAS Principal Secretary Urban Development Department, Govt. of Tripura Chief Secretariat, Capital Complex, West Tripura Dist. Agartala-799001 Tel: 0361-2413318, 2379001, Fax: Email: urdp@tripura.gov.in
22	Uttar Pradesh	Shri Manoj Singh, IAS Principal Secretary Housing and Urban Planning Department, Govt. of Uttar Pradesh Room No. 324, Bapu Bhawan, Secretariat, Lucknow-226001 Lucknow - 226001, UP Tel: 0522-232141, Fax: Email:
23	Uttaranchal	Shri Anil Negi, IAS Secretary Department of Housing, Govt. of Uttaranchal 18, Subhash Road New Building, Uttaranchal Secretariat Dehradun - 248001 Tel: 0135-2711437, Fax: 0135-2711925 Email: anilnegi_pn@gmail.com, anilnegi_pn@yahoo.com
24	Uttaranchal	Shri. Rajesh Jha, IAS Secretary Urban Development Department, Govt. of Uttaranchal 18, Subhash Road Main Building, Uttaranchal Secretariat Dehradun - 248001 Tel: 0135-2711477, Fax: 0135-2712099 Email: urdp@ujha.ja@rediffmail.com
25	West Bengal	Shri Khadij Ahmed, IAS Secretary Department of Housing, Govt. of West Bengal H.S. Building Block - A, Room No. 12 1st Floor, I.C.S. Roy Road Kolkata - 700001 Tel: 033-22825770, Fax: 033-2281800 Email: urdp@housing_wb@nic.in

Government of India  
Ministry of Housing & Urban Poverty Alleviation  
(Housing Section)  
\*\*\*\*\*

Annexure - III  
vide reply to  
the Ministry to  
Recommendation No. 3

Room No. 220, C Wing  
Nirman Bhawan, New Delhi - 110 011  
Dated: September 5<sup>th</sup>, 2017

To

Principal Secretary / Secretary of all States (except the UTs without legislature viz., Andaman & Nicobar Islands; Chandigarh; Dadra & Nagar Haveli; Daman & Diu; and Lakshadweep and the UT of Delhi).

Subject: Recommendation of the Parliamentary Committee on Subordinate Legislation on the Rules / Regulations framed under the Real Estate Act (Regulation and Development) Act, 2016 - regarding.

Sir,

I am directed to refer to the Recommendation No. 3 "Dilution of Rules by various States/UTs" under the 21st Report of the Parliamentary Committee on Sub-ordinate Legislation on Rules/Regulations under the Real Estate Act, 2016 which is as follows:

"The Committee note that RERA, 2016 has an overriding effect on conflicting laws being made by some States by virtue of entries 6 & 7 under the Concurrent list of the Seventh Schedule of the Constitution of India and therefore, as per the proviso to Article 254(2) of the Constitution of India, the Central Government has the power to amend, vary, repeal any State law which has previously received Presidential assent. On this basis the Ministry has repealed the Maharashtra Housing (Regulation & Development) Act, 2012. The Committee, however, note with concern that rules notified by some of the States are not in consonance with the spirit of the Act and have resulted in the dilution of the effectiveness of the Act while observing that such works have been skewed in favour of builders hurting consumer interests particularly in areas like definition of ongoing projects, penalties for non-compliance with the Act and dealing with structural defects etc. In this context, the Ministry have informed the Committee that they have taken up the matter with the concerned States during the National Consultation held with all the States/UTs on 17th January, 2017 and during the Regional Consultation (East and North East) on 27th March, 2017 to adhere to the letter and spirit of the Act. In addition, letters have also been written by the Ministry, at various levels, to the States/UTs requesting them to adhere to the letter and spirit of the Act. The Committee are distressed to note that the Ministry have not clearly spelt out the ways and means in this regard. The Committee while recognizing that each State have their respective development laws, sanctioning procedures, and other land related unique issues, recommend

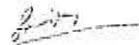
.....2/-



that the Ministry of Urban Poverty Alleviation should strictly instruct the States to either amend their Rules or re-notify them in line with the letter and spirit of the Act. The Committee may also be apprised of the action taken on this recommendation as this legislation is going to have a great impact on Real Estate Sector."

2. In view of the above, it is requested to kindly modify the Rules, if required, to bring the same in conformity with the letter and spirit of the Real Estate (Regulation and Development) Act, 2016. A copy of the Report of the Committee is available on the Committee website <http://164.100.47.194/Lok Sabha/Committee/reports> and also on the URL [http://mhupa.gov.in/writereaddata/Report\\_of\\_COSL\(LS\)\\_10\\_08\\_17.pdf](http://mhupa.gov.in/writereaddata/Report_of_COSL(LS)_10_08_17.pdf).

Yours faithfully,



(Sailesh Jogiani)  
Under Secretary (Housing)  
Tel: 2306 2252, Fax: 2306 1018  
Email: [housingministry@gmail.com](mailto:housingministry@gmail.com)

S. No.	States	Address
1.	Andhra Pradesh	Shri Karthik Danda, IAS Secretary Housing Department, Govt. of Andhra Pradesh 5th Block, Ground Floor Room No 101, A.P. Secretariat Office, Vijaya Vittala Hyderabad - 500 022 Tel: 0803-2452496, Fax: 080-24522851 Email: akdshripd@ap.gov.in
2.	Andhra Pradesh	Shri R. Kankal Vajravelu, IAS Principal Secretary Municipal Administration & Urban Development, Govt. of Andhra Pradesh Building No 2, Room No 122 A.P. Secretariate, Vijaya Vittala, Guntur District - 522738 Tel: 0863-2422311, Fax: 0863-2422315 Email: pr.ajaynand@prad.gov.in, vj.vajravelu@ap.gov.in
3.	Andhra Pradesh	Shri S.R. Jala, IAS Secretary Land Management Urban Development Dept., Govt. of Andhra Pradesh Andhra Pradesh Civil Secret. Block No. 1, Hyderabad-500011 Andhra Pradesh Tel: 0850-2212372, 2291234, Fax: 0850-2212617/2212322 Email: srala1704@gmail.com
4.	Assam	Shri W.G.P.R. Shaha, IAS Additional Chief Secretary Urban Development Department, Govt. of Assam 0 - Block, 2nd Floor, Assam Civil Secretariat Dispur, Guwahati - 781005 Tel: 0361-2237255, Fax: 0361-2237234 Email: wshahaupda@assam.gov.in
5.	Bihar	Shri Chhannya Prasad, IAS Principal Secretary Urban Development & Housing Department, Govt. of Bihar Urban Division, Sakety Road New Secretariat, Patna - 800015 Tel: 0513-2215540, Fax: 0513-2217759 Email: uprsec@bihar.gov.in
6.	Bihar	Shri H.K. Singh, IAS Addl. Secretary (CESP) Urban Development & Housing Department, Govt. of Bihar Urban Division, Sakety Road New Secretariat, Patna - 800015 Tel: 0513-2215368, Fax: 0513-2217559/2217049 Email: hksinghupda@bihar.gov.in
7.	Chhattisgarh	Shri Anand Singh, IAS Principal Secretary Housing and Environment Department, Govt. of Chhattisgarh Room No. 3 - 11, New Secretariat Patna - 772001, Chhattisgarh Tel: 0773-2221111, 7730111111, Fax: 0773-2221224 Email: anandarsingh@cg.gov.in
8.	Chhattisgarh	Shri M. Rajendra Kumar, IAS Special Secretary Housing and Environment Department, Govt. of Chhattisgarh Room No. 5 - 23, New Secretariat Raipur - 492002, Chhattisgarh Tel: 0773-2221302, Fax: 0773-2221249 Email: mra-kumar@cg.gov.in, vrdm@cg.gov.in
9.	Goa	Shri S.R. Singh, IAS Secretary Housing Department, Govt. of Goa Secretariat Annex, Panaji Panaji, Goa - 403002 Tel: 0832-2417123, Fax: 0832-2418201 Email: sringsh@goa.gov.in, sringsh@goa.gov.in
10.	Gujarat	Shri Mahendra Patel, IAS Principal Secretary Urban Development & Urban Housing Department, Govt. of Gujarat Block No. 14, 7th Floor New Sachivalaya, Gandhinagar - 382010 Tel: 079-22251001, Fax: 079-22251025, 22257245 Email: mahendrap@gujarat.gov.in
11.	Gujarat	Shri C.V. Som, IAS Secretary Housing Department, Government of Gujarat Block No. 14, 7th Floor New Sachivalaya, Gandhinagar-382010 Tel: 079-22251037, Fax: 079-22251037 Email: somcv-urban@gujarat.gov.in
12.	Kerala	Shri Shekhar Wajid, IAS Principal Secretary Department of Housing, Govt. of Kerala Room No. 607, 5th Floor New Kerala Civil Secretariat, Sector - 11 Changanassery - 680017 Tel: 0472-2715911, Fax: Email: pshousing@kerala.gov.in
13.	Kerala	Shri Arun Kumar Gupta, IAS Principal Secretary Town & Country Planning and Urban Estates, Govt. of Kerala Room No. 622, 6th Floor New Kerala Civil Secretariat, Sector - 11 Changanassery - 680017 Tel: 0472-2710258, Fax: 0472-2771257, 2544000 Email: guptharun@kerala.gov.in
14.	Madhya Pradesh	Mr. Manish Kumar, IAS Addl. Chief Secretary UD, Housing & TCP, Govt. of Madhya Pradesh Room no. 103 1st floor Aparna Building, Bhopal Tel: 0177-2821195, Fax: Email: udsecy10@mp.gov.in, hrcs@mp.gov.in
15.	Madhya Pradesh	Shri Arun Kumar Singh, IAS Principal Secretary UD, Housing & TCP, Govt. of Madhya Pradesh HP Secretariat Bhopal - 471002 Tel: 0177-2821125, Fax: 0177-2821154 Email: urban-ud@mp.gov.in

15	Jharkhand	Shri Ajay Kumar Singh, IAS Principal Secretary Urban Development Department, Govt. of Jharkhand HCC Project Building, Room No. 112, 1st Floor, Chowra, Ranchi Tel: 0651-259582, Fax: 0651-259565 Email: udcsecy@jha.nic.in
17	Karnataka	Shri Maheshwar Jain, IAS ASSTG to Chief Secretary Urban Development Department, Govt. of Karnataka Room No. 136, 1st Floor, Vikas Sancha Bangalore - 560001 Tel: 080-2226457/22265074, Fax: 080-22263244 Email: maheshwarjain@gmail.com
18	Karnataka	Ms. Anjana Pawar, IAS Secretary to Government, (MLU04) Urban Development Department, Govt. of Karnataka Room No. 131, 1st Floor, Vikas Sancha, Dr. B.R. Ambedkar Road Bangalore - 560001 Tel: 080-22263941, 22265073, Fax: 080-22263318 Email: secyud@karnataka.gov.in
19	Karnataka	Dr. Kapil Mohan, IAS Principal Secretary Department of Housing, Govt. of Karnataka Karnataka Government Buildings Jagdishwadi, No. 111, 4 Floor Vikas Sancha, Bangalore - 560 001 Tel: 080 - 22260261, 22264531, Fax: 080-22262713 Email: secyhousing@karnataka.gov.in, secyud@karnataka.gov.in
20	Kerala	Shri T. K. Jose, IAS Principal Secretary UG & UD Department, Govt. of Kerala Room No. 103A, 1st Floor Muziris Park Thiruvananthapuram - 695001 Tel: 0471-2531529, 2517212, Fax: 0471-250431 Email: secyug@kerala.gov.in, secyud@kerala.gov.in
21	Madhya Pradesh	Shri Hriday Shrivastava, IAS Principal Secretary Housing & Environment Department, Govt. of Madhya Pradesh 3, No. 127, Manikpuri, Near Sapora Bazaar, Indore, Madhya Pradesh - 492003 Tel: 0753-2750137, Fax: 0753-2972105 Email: secyhousing@mp.nic.in
22	Madhya Pradesh	Shri Ranjay Kumar, IAS Add. Chief Secretary Housing Department, Govt. of Madhya Pradesh Main Building, 3rd Floor, Manikpuri, Madhya Pradesh Road, Madhya Pradesh Chowk Madhya Pradesh - 492002 Tel: 0753-2241953, Fax: 0753-2245601 Email: secyhousing@mp.nic.in
23	Madhya Pradesh	Shri Ranjay Singh, IAS Principal Secretary Urban Development Department, Govt. of Madhya Pradesh Madhya Pradesh, Madhya Pradesh Road, 3rd Floor, Raj Guru Madhya Pradesh, Jabalpur 482002 Tel: 0753-2295250/22952412, Fax: 0753-2275228 Email: secy_housing@madhyapradesh.gov.in
24	Madhya Pradesh	Shri R. K. Omesh Singh, IAS Commissioner Dept. of Municipal Administration, Housing & Urban Development, Govt. of Madhya Pradesh Old Secretariat Complex, Raipur Raipur - 491001 Tel: 0315-2456570, 2445365, Fax: 0315-2452604 Email: raipur2000@gmail.com, secyug@karnataka.gov.in
25	Madhya Pradesh	Dr. Shreeharan, IAS Add. Chief Secretary Urban Affairs & Housing, Govt. of Madhya Pradesh Additional Secretariat Building Room No. 204, 2nd Floor, 7/12001 Tel: 0315-2221221, 2226345, Fax: 0364-2220202 Email: shreeharan@nic.in, secyug@karnataka.gov.in
26	Madhya Pradesh	Dr. E. Vasanthamma, IAS Secretary Urban Development & Poverty Alleviation Department, Govt. of Madhya Pradesh Annex 2, 2nd Floor, Room No. 201 New Secretariat Complex Raipur-491001 Tel: 0315-2325706, 2322123, Fax: 0315-2320777 Email: secyurban@mp.nic.in, secyug@karnataka.gov.in
27	Nagaland	Shri Monohar John Secretary Municipal Affairs Department, Govt. of Nagaland Urban Development Department Nagaland Civil Secretariat Kohima - 791004 Tel: 0370-2271144, Fax: Email:
28	Odisha	Shri G. Mani Vashistha, IAS Commissioner cum Secretary Housing and Urban Development Department, Govt. of Odisha 1st Floor, State Secretariat, Annex B Bhubaneswar - 751001 Tel: 0674-2503003 (D), 2521-2521 (SPAR), 0674-2227522 (Housing), Fax: 0674-2503064 (Fax), 0674-2503711 Email: hucsecy@nic.in
29	Puducherry	Shri P. Jeyanthar, IAS Secretary Department of Housing, Govt. of Puducherry Chief Secretariat, Beach Road Puducherry - 605001 Tel: 0413-234484, 2344035, 2213303, Fax: Email: secyud@nic.in
30	Punjab	Shri. Vimal Mahajan IAS Add. Chief Secretary Department of Housing and Urban Development, Govt. of Punjab Room No. 201, Second Floor, HUDA, Baramulla, Sector - 62 Mohali - 150502 Tel: 0172-2215525, 2441620, 2441111, Fax: 0172-5015221 Email: secyud@punjab.gov.in, secyud@punjab.gov.in

1	Rajasthan	Shri Muresh Sharma, IAS Additional Chief Secretary Urban Development & Housing and Criminology, RA-REDDO Room No.3713, Main Building, 2nd Floor A-Block, Sector-15 (Raj. Urban) Delhi - 110015 Tel: 011-2237132, Fax: 011-2227751 Email: sharma_muresh@redsoa.rajasthan.gov.in
2	Bihar	Dr. G. T. Shukla Principal Chief Engineer cum Secretary UD & Housing Department, Government of Bihar W-31A, Patna Station Road, Patna Bihar-731001 Tel: 0522-202725, 231430, Fax: 0522-205044 Email: shuklaGT@gmail.com
3	Tamil Nadu	Mr. Dharmendra Prasad Yadav, IAS Secretary Housing and Urban Development Department, Govt. of Tamil Nadu 1st Floor, Mahatma Center Mall St. George Fort, Secretariat Chennai (Tamil Nadu) - 600002 Tel: 044-26670515, Fax: 044-26671371 Email: hua@tngov.in
4	Telangana	Mrs. Chitra Ramchandran, IAS Asst. Chief Secretary Housing Department, Govt. of Telangana A-Block, Room No. 109, Ground Floor Telangana Secretariat, Hyderabad - 500022 Tel: 040-23-9128523-50343, Fax: 040-23463244 Email: chitrahousing@gmail.com
5	Telangana	Shri Hanu Mittal, IAS Secretary Department of Urban Development, Govt. of Telangana Room No. 152, D-Block, 1st Floor Telangana Secretariat, Hyderabad - 500022 Tel: 040-2343255, Fax: 040-2343016 Email: hanu_mittal@telangana.gov.in
6	Tripura	Shri Lakshman, IAS Principal Secretary Urban Development Department, Govt. of Tripura Civil Secretariat Sector Complex, West Tripura Circle Agartala-729001 Tel: 0361-2413118, 2221201, Fax: Email: lakshman@gmail.com
7	Uttar Pradesh	Shri Mohan Singh, IAS Principal Secretary Housing and Urban Planning Department, Govt. of Uttar Pradesh Room No. 124, Sector 3, Conch Sector-3, Lucknow-226001 Lucknow - 226001, UP Tel: 0522-227191, Fax: Email:
8	Uttaranchal	Shri Anil Negi, IAS Secretary Department of Housing, Govt. of Uttarakhand 13, Subhash Road New Building, Uttarakhand Secretariat Dehradun - 248001 Tel: 0135-2711439, Fax: 0135-2713775 Email: anilnegi_govt@gmail.com, anilnegi@gmail.com
9	Uttarakhand	Shri. Rajkumar Jha, IAS Secretary Urban Development Department, Govt. of Uttarakhand 13, Subhash Road Main Building, Uttarakhand Secretariat Dehradun - 248001 Tel: 0135-2711474, Fax: 0135-2712955 Email: rajkumarjha_govt@redsoa.uttarakhand.gov.in
10	West Bengal	Shri Khair Ahmed, IAS Secretary Department of Housing, Govt. of West Bengal W. S. Building, Block - A, Room No. 12 1st Floor, 14.5 Ray Road Calcutta - 700091 Tel: 033-2266270, Fax: 033-2347820 Email: ananyahousing_wb@redsoa.gov.in

Government of India  
Ministry of Housing & Urban Poverty Alleviation  
(Housing Section)  
\*\*\*\*\*

Room No. 220, C Wing  
Nirman Bhawan, New Delhi - 110 011  
Dated: September 25, 2017

Annexure IV  
Reply of the  
Ministry to  
Recommendation No. 5

To

Principal Secretary / Secretary of all States / UTs (List attached).

Subject: Recommendation of the Parliamentary Committee on Subordinate Legislation on the Rules / Regulations framed under the Real Estate Act (Regulation and Development) Act, 2016 - regarding.

Sir,

I am directed to refer to the Recommendation No. 5 "Registration of ongoing projects" under the 21st Report of the Parliamentary Committee on Subordinate Legislation on Rules/Regulations under the Real Estate Act, 2016, which provides as follows:

"The Committee note that in terms of section 3 (1) of the RERA Act, the ongoing and under construction projects are required to be registered with the Authority and are thereby supposed to come under the regulator's ambit. It has been clearly specified therein that the promoters of all those projects, which have not received the completion certificate prior to the commencement of the Act should also come under the purview of the Act and they shall get the project registered with the regulatory authority of the State within three months from the date of commencement of Act making it amply clear that all under construction projects are needed to be registered. In this context, the Committee feel perturbed from the frequently appearing reports in the media that in some States particularly in Uttar Pradesh, Haryana and Gujarat, the same is not being adhered to and the developers/builders are resorting to taking partial completion certificates and handing over the flats to the applicants without fulfilling the obligatory requirement of handing over the flats in complete shape. According to the media reports, Haryana and Uttar Pradesh's RERA Rules have saved a majority of the ongoing real estate projects in NCR outside the ambit of real estate law as these States have excluded ongoing projects from registration. Similarly, in Gurugram, a large number of flats under various stages of construction or completion, have either received occupancy certificate or have received part-completion (un-occupancy on paper). This is resulting in home buyers getting delayed possession of their flats because of the violation of main Act by these States. Further, there is a tendency among builders/developers to develop a specific society or project in phases resulting in buyers getting entrapped in the deal, though RERA Act very clearly says that where the real estate project is to be developed in phases, every such phase shall be considered a standalone real

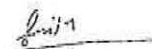
.....2/-

estate project, and the promoter shall obtain registration under this Act for each phase separately.

In the opinion of the Committee the builder/developer is supposed to give possession of the flat only after completion of all facilities like finishing work, water supply, sewerage disposal, electricity, installation of generators, operational lifts and common entry-exit areas etc. The Committee feel that these essential requirements cannot be overridden by resorting to the practice of part-completion certificate as the same tantamount to violation of RERA Act and also serves as an escape route to the builder/developer from fulfilling the requirement of registration besides resulting in enormous mental agony and financial hardship to the buyers who had invested their hard earned money for a living. The Committee feel such kind of malpractices should not go unchecked as the purpose of establishing a RERA act will only be served if it is implemented in its entirety by all the stakeholders. The Committee, therefore, strongly recommend that the Government must take all possible remedial measures for ensuring all such ongoing projects are registered and executed under the provisions of RERA Act in order to extend the stipulated benefits to the home buyers under the RERA. The Committee further recommend that the provisions of the RERA Act should be uniformly applicable all across the country and any flouting of norms is to be severely dealt with under the penal provisions of the RERA Act for ensuring that the developers and the builders timely complete the project in all respects and hand over possession of flats/plots to home buyers and saving them from mental agony, harassment, cost overrun etc. at the hands of the builders/ developers. In this context, the Committee desire that the Ministry may also ask the States to amend / formulate their Rules by including the definition of 'ongoing projects' for doing away with any kind of ambiguity."

2. In view of the above, it is stated that clause (b) of sub-section (2) of section 3 of the Real Estate Act, 2017, clearly provides that only those projects which have received completion certificate prior to commencement of the Act (i.e. 1<sup>st</sup> May, 2017) would be out of the ambit of the Act. It is requested to define "Ongoing Projects" in the State/UT Rules, within the contours provided in the said section of the Act. A copy of the Report of the Committee is available on the Committee website [http://164.100.47.194/Lok\\_sabha/Committee/reports](http://164.100.47.194/Lok_sabha/Committee/reports) and also on the URL [http://mhupa.gov.in/writereaddata/Report\\_of\\_COSL\(LS\)\\_10\\_08\\_17.pdf](http://mhupa.gov.in/writereaddata/Report_of_COSL(LS)_10_08_17.pdf).

Yours faithfully,



(Sailesh Jogiani)

Under Secretary (Housing)

Tel: 2306 2252, Fax: 2306 1018

Email: [housingministry@gmail.com](mailto:housingministry@gmail.com)



S. No.	States	Address
1	Andaman & Nicobar	Shri S C D Das, IAS Principal Secretary Urban Development Department, A & N Administration Administration Secretariat, Port Blair-744101 Tel: 03127-233364, Fax: 03127-232455 Email: udevlop.andn@nic.in
2	Andhra Pradesh	Shri Kamal Dasra, IAS Secretary Housing Department, Govt. of Andhra Pradesh 3rd Block, Ground Floor, Room No:101, A.P. Secretariat Office, Vijayawada Hyderabad - 500 002 Tel: 0863-245294, Fax: 040-2412553 Email: kdasra@ap.gov.in
3	Andhra Pradesh	Shri R Kamal Yadav, IAS Principal Secretary Municipal Administration & Urban Development, Govt. of Andhra Pradesh Building No 2, Room No 129, A.P. Secretariat, Vijayawada Sector: Eluru - 522036 Tel: 0863-247311, Fax: 0863-244315 Email: rkamada@ap.gov.in, rkamada@nic.in
4	Andhra Pradesh	Shri E K Jain, IAS Secretary Land Management Urban Development Dept., Govt. of Andhra Pradesh Municipal Pradesh Civil Sect. Block No. 1, Bangalore-731111 Hyderabad Tel: 0260-2212252, 2294426, Fax: 0260-2211113 / 221442 Email: ejain102@ap.gov.in
5	Assam	Shri M G V K Sharma, IAS Assistant Civil Secretary Urban Development Department, Govt. of Assam D - Block, 3rd Floor, Assam Civil Secretariat Cuttack, Cuttack - 751005 Tel: 0671-237255, Fax: 0671-237254 Email: msharma12@nic.in
6	Bihar	Shri Dhritanga Prasad, IAS Principal Secretary Urban Development & Housing Department, Govt. of Bihar Vikas Bhawan, Bailey Road New Secretariat, Patna - 800015 Tel: 0512-2215500, Fax: 0512-2215551 Email: udevsarbi@nic.in
7	Bihar	Shri N K Singh, IAS Asst. Secretary (PSRU) Urban Development & Housing Department, Govt. of Bihar Vikas Bhawan, Bailey Road New Secretariat, Patna - 800015 Tel: 0512-2215556, Fax: 0512-2215522/2553 Email: nksinghb@ap.gov.in
8	Chhattisgarh	Shri R K Jaiswal, IAS Secretary Urban Development & Housing, Chhattisgarh Administration Room No. 111, 4th Floor, Cable Building, U.P. Secretariat, Sector - 02, Chhattisgarh-490001 Tel: 0772-270077, Fax: 0772-270092/10537 Email: rkjaiswal@ch.gov.in, rkjaiswal@nic.in
9	Chhattisgarh	Shri Aman Singh, IAS Principal Secretary Housing and Environment Department, Govt. of Chhattisgarh Room No. 9 - 11, New Mansaraya Raipur - 492001, Chhattisgarh Tel: 0771-2221311, 7170111111, Fax: 0771-2221326 Email: amansingh@ch.gov.in
10	Chhattisgarh	Shri N Baljendra Kumar, IAS Special Secretary Housing and Environment Department, Govt. of Chhattisgarh Room No. 9 - 23, New Mansaraya Raipur - 492002, Chhattisgarh Tel: 0771-2221322, Fax: 0771-2221326 Email: nbaljendra@ch.gov.in, nbaljendra@nic.in
11	D & N Haveli	Mr. J B Singh, IAS Secretary (Housing & UO) Housing & Urban Development, D & N Haveli Administration U.P. of Dabra & Hajar Haveli, Sector-04, Shiksha-357220 Tel: 0290-26-2037, 227973, Fax: 0290-260207, 227974 Email: jbsingh@dn.gov.in, dnava@nic.in
12	Delhi	Shri Rajiv Yadavashri, IAS Principal Secretary Urban Development Department, Government of NCT of Delhi C Wing, 9th Level Delhi Secretariat, Delhi - 110002 Tel: 011-2322252/232335601, Fax: 011-23252157 Email: rajiv@nic.in
13	Delhi	Shri A Ashwani, IAS Principal Secretary Land and Building Department, Govt. of NCT of Delhi B Block, Vikas Bhawan 1/F Estate, New Delhi - 110002 Tel: 011-23278955, Fax: 011-23270435 Email: buildingland@delhi.gov.in
14	Goa	Shri B R Singh, IAS Secretary Housing Department, Govt. of Goa Sector-04, Panna, Purovita Panaji, Goa - 403001 Tel: 022-2419423, Fax: 022-2419201 Email: srinivas@goa.gov.in, srinivas@nic.in
15	Gujarat	Shri Bhaskar Patel, IAS Principal Secretary Urban Development & Urban Housing Department, Govt. of Gujarat Block No. 14, 5th Floor New Sachivlaya, Gandhinagar - 382010 Tel: 079-23251001, Fax: 079-23254035, 23257336 Email: bhaskar@gujard.gov.in
16	Gujarat	Shri C V Siva, IAS Secretary Housing Department, Government of Gujarat Block No. 14, 5th Floor New Sachivlaya, Gandhinagar-382010 Tel: 079-23251037, Fax: 079-23251037 Email: siva@gujard.gov.in

17	Haryana	Shri Shobani Walgot, IAS Principal Secretary Department of Housing, Govt. of Haryana Room No. 501, 5th Floor New Haryana Civil Secretariat, Sector - 17 Chandigarh - 160017 Tel: 0172-2711257, Fax: Email: shobaniw@gmail.com
18	Haryana	Shri Anil Kumar Gupta, IAS Principal Secretary Town & Country Planning and Urban Estates, Govt. of Haryana Room No. 322, 3rd Floor New Haryana Civil Secretariat, Sector - 17 Chandigarh - 160017 Tel: 0172-2711053, Fax: 0172-2711257, 2540000 Email: pasgupta14@gmail.com
19	Himachal Pradesh	Ms. Manisha Marwa, IAS Add. Chief Secretary UD, Housing & TDP, Govt. of Himachal Pradesh Room no. 103 1st floor Anandale Building - Shimla Tel: 0177-251135, Fax: Email: udsecy10@gmail.com
20	Himachal Pradesh	Shri Anil Kumar Singh, IAS Principal Secretary UD, Housing & TDP, Govt. of Himachal Pradesh HP Secretariat Shimla - 171002 Tel: 0177-251135, Fax: 0177-251134 Email: udsecy10@gmail.com
21	Jharkhand	Shri Ajay Kumar Singh, IAS Principal Secretary Urban Development Department, Govt. of Jharkhand HDD Project Building, Room No. 112, 4th Floor, Chowra, Ranchi Tel: 0651-262923, Fax: 0651-262944 Email: udsecy@gmail.com
22	Karnataka	San Mathindra Park, IAS Additional Chief Secretary Urban Development Department, Govt. of Karnataka Room No. 426, 1st floor, Yashwantrao Chavan Bangalore - 560001 Tel: 080-2253353, 22536771, Fax: 080-2253344 Email: smpark04@gmail.com
23	Karnataka	Ms Anjona P wani, IAS Secretary to Government, (M&U) Dept Urban Development Department, Govt. of Karnataka Room No. 304, 4th Floor, Vijaya Sankar, Dr. B.R. Ambedkar Road Bangalore - 560001 Tel: 080-2252242, 22615171, Fax: 080-2252313 Email: wani04@gmail.com
24	Karnataka	Shri Rajal Mallik, IAS Principal Secretary Department of Housing, Govt. of Karnataka Karnataka Government Secretariat Srinivasaya B. No. 213, 1 Floor Vijaya Sankar, Bangalore - 560 001 Tel: 080 - 2252456, 2254554, Fax: 080-2253178 Email: prsecy@karnataka.gov.in, prhousing@karnataka.gov.in
25	Kerala	Shri P K Jose, IAS Principal Secretary LSD & UD Department, Govt. of Kerala Room No. 001A, 3rd Floor Secretariat Annex, Thiruvananthapuram - 695001 Tel: 0471-2515129, 2517215, Fax: 0471-250444 Email: prsecy10@kerala.gov.in, secyud@kerala.gov.in
26	Lakshadweep	Shri J Ashok Kumar, IAS Secretary UD, Housing and PWD, Govt. of Lakshadweep Secretariat of UD of Lakshadweep (Planning & Statistics Dept.) Kavaratti Island - 742253 Tel: 0496-222250, 222218, Fax: 0496-253160 Email: secy@nic.in, udsecy@gmail.com
27	Madhya Pradesh	Shri Malay Shrivastava, IAS Principal Secretary Housing & Environment Department, Govt. of Madhya Pradesh R. No. 327, Madhya Pradesh, Near Kanya Shiksha Agnya 08, Bhopal - 462003 Tel: 0755-2750837, Fax: 0755-2721158 Email: msudsecy@gmail.com
28	Maharashtra	Shri Sanjay Kumar, IAS Add. Chief Secretary Housing Department, Govt. of Maharashtra Main Building, 3rd Floor, Marolay, Eastern Cross Road, H/16/17/18 Rajguru Chawl Mumbai - 400032 Tel: 022-22221562, Fax: 022-2204881 Email: pmsecy@maharashtra.gov.in
29	Maharashtra	Shri Sanjay Singh, IAS Principal Secretary Urban Development Department, Govt. of Maharashtra Marolay, Madan Kesh Road, 3rd Floor, Rajguru H/16/17/18 Chawl, Mumbai-400032 Tel: 022-22076750, 22044410, Fax: 022-22049938 Email: secy_housing@maharashtra.gov.in
30	Manipur	Shri R K Dinesh Singh, IAS Commissioner Dept. Of Municipal Administration, Housing & Urban Development, Govt. of Manipur Old Secretariat Complex, South Block Imphal - 795001 Tel: 0365-2452971, 2452325, Fax: 0365-2452381 Email: Admsec0300@gmail.com, wpmas03@gmail.com
31	Meghalaya	Dr. Sheeranjan, IAS Addl. Chief Secretary Urban Affairs & Housing, Govt. of Meghalaya Additional Secretariat Building Room No. 704, Shillong-793001 Tel: 0364-2224221, 2225342, Fax: 0364-2220202 Email: sheeranjan@nic.in, ds_sheerj@gmail.com



32	Madison	Dr. S. Madhavakrishna, IAS Secretary Urban Development & Poverty Alleviation Department, Govt. of Madhya Pradesh Anand 2, 2nd Floor, Room No. 201 New Secretariat Complex Bhopal - 462001 Tel: 0319-232704, 232713, Fax: 0319-2322577 Email: urban@umad@pr.gov.in, umad@pr.gov.in
33	Madhya Pradesh	Prof. Manoj Kumar Secretary Municipal Affairs Department, Govt. of Madhya Pradesh Urban Development Department Madhya Pradesh Secretariat Bhopal - 462001 Tel: 0319-2327114, Fax: Email:
34	Madhya Pradesh	Dr. G. Madhavakrishna, IAS Commissioner cum Secretary Housing and Urban Development Department, Govt. of Madhya Pradesh 1st Floor, State Secretariat, Annex 3 Bhopal - 462001 Tel: 0319-232702 (D), 232713 (P), 232713 (Home), Fax: 0319-2327134 (Fax), 0319-2327077 Email: urban@pr.gov.in
35	Madhya Pradesh	Dr. P. Jaisankar, IAS Secretary Department of Housing, Govt. of Madhya Pradesh Chief Secretariat, 2nd Floor Bhopal - 462001 Tel: 0319-2327114, 232714, 232715, Fax: Email: housing@pr.gov.in
36	Madhya Pradesh	Dr. V. Maheshwari, IAS Asst. Chief Secretary Department of Housing and Urban Development, Govt. of Madhya Pradesh Room No. 201, 2nd Floor State Secretariat, Bhopal - 462001 Tel: 0319-2327114, 232715, Fax: 0319-2327114 Email: urban@pr.gov.in, urban@pr.gov.in
37	Madhya Pradesh	Dr. Mahesh Kumar, IAS Additional Chief Secretary Urban Development & Housing and Shelter, P.A. 20000 Room No. 201, Main Building, 2nd Floor State Secretariat, Bhopal - 462001 Tel: 0319-2327114, Fax: 0319-2327114 Email: urban@pr.gov.in, urban@pr.gov.in
38	Madhya Pradesh	Dr. T. Shukla Principal Chief Engineer cum Secretary UD & Housing Department, Government of Madhya Pradesh 1st Floor, State Secretariat, Bhopal - 462001 Tel: 0319-2327114, 232715, Fax: 0319-2327114 Email: urban@pr.gov.in
39	Madhya Pradesh	Dr. Dharmendra Prasad Yadav, IAS Secretary Housing and Urban Development Department, Govt. of Madhya Pradesh 2nd Floor, State Secretariat, Bhopal - 462001 Tel: 0319-2327114, Fax: 0319-2327114 Email: urban@pr.gov.in
40	Madhya Pradesh	Dr. Chandra Ramchandra, IAS Asst. Chief Secretary Housing Department, Govt. of Madhya Pradesh 4th Floor, Room No. 105, Ground Floor State Secretariat, Bhopal - 462001 Tel: 0319-2327114, Fax: 0319-2327114 Email: urban@pr.gov.in
41	Madhya Pradesh	Dr. Naveen Kumar, IAS Secretary Department of Urban Development, Govt. of Madhya Pradesh Room No. 201, 2nd Floor State Secretariat, Bhopal - 462001 Tel: 0319-2327114, Fax: 0319-2327114 Email: urban@pr.gov.in
42	Madhya Pradesh	Dr. Lok Rajan, IAS Principal Secretary Urban Development Department, Govt. of Madhya Pradesh Chief Secretariat District Complex, West Indraprastha Bhopal - 462001 Tel: 0319-2327114, Fax: Email: urban@pr.gov.in
43	Madhya Pradesh	Dr. Mukul Singh, IAS Principal Secretary Housing and Urban Planning Department, Govt. of Madhya Pradesh Room No. 201, State Secretariat Secretariat, Lucknow - 226001 Lucknow - 226001, UP Tel: 0522-227181, Fax: Email:
44	Madhya Pradesh	Dr. Anil Mehta, IAS Secretary Department of Housing, Govt. of Madhya Pradesh 1st, Subhash Road New Building, Ujjain Secretariat Ujjain - 481001 Tel: 0319-271142, Fax: 0319-271175 Email: urban@pr.gov.in, urban@pr.gov.in
45	Madhya Pradesh	Dr. Nishita Jha, IAS Secretary Urban Development Department, Govt. of Madhya Pradesh 1st, Subhash Road Main Building, Ujjain Secretariat Ujjain - 481001 Tel: 0319-271144, Fax: 0319-271176 Email: urban@pr.gov.in, urban@pr.gov.in
46	West Bengal	Dr. K. S. Choudhury, IAS Secretary Department of Housing, Govt. of West Bengal A. S. Subash Road - A, Room No. 12 1st Floor, J. K. S. Road Kolkata - 700001 Tel: 033-2262570, Fax: 033-2337850 Email: urban@wb.gov.in

**APPENDIX I**  
**(Vide Para 3 of the Introduction)**

**MINUTES OF THE THIRTEENTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (2017-2018)**

—

The Thirteenth sitting of the Committee (2017-18) was held on Monday, the 23<sup>rd</sup> April, 2018 from 1100 hours to 1200 hours in Chairperson's Room No. 146, Parliament House, New Delhi.

**PRESENT**

Shri Dilipkumar Mansukhlal Gandhi                      Chairperson

**MEMBERS**

2. Shri Shyama Charan Gupta
3. Shri Janardan Mishra
4. Shri Chandulal Sahu
5. Shri Alok Sanjar
6. Adv. Narendra Keshav Sawaikar

**SECRETARIAT**

- |    |                      |   |                      |
|----|----------------------|---|----------------------|
| 1. | Smt Sudesh Luthra    | - | Additional Secretary |
| 2. | Shri Ajay Kumar Garg | - | Director             |
| 3. | Shri Nabin Kumar Jha | - | Additional Director  |
| 4. | Smt Jagriti Tewatia  | - | Deputy Secretary     |

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee.

The Committee then considered the following draft Reports:-

- (i) Draft Twenty-eighth Report on the Indian Foreign Service (Recruitment, Cadre, Seniority and Promotion) Rules, 1961 framed under Article 309 of the Constitution.
- (ii) Draft Twenty-ninth Action Taken Report on the Observations / Recommendations contained in the 21<sup>st</sup> Report of the Committee on Subordinate Legislation (16<sup>th</sup> Lok Sabha). regarding Rules / Regulations framed under the Real Estate ( Regulations and Development ) Act, 2016.
- (iii) Draft Thirtieth Action Taken Report on the Observations/ Recommendations contained in the 7<sup>th</sup> Report of the Committee on Subordinate Legislation (16<sup>th</sup> Lok Sabha).

3. After deliberations, the Committee adopted the same without any modification. The Committee also authorized the Chairperson to present the same to the House.

The Committee then adjourned.

-----

## APPENDIX II

(Vide Para 4 of the Introduction)

### **ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/RECOMMENDATIONS CONTAINED IN THE TWENTY FIRST REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLATION (SIXTEENTH LOK SABHA)**

I	Total number of recommendations:	6
II	Recommendations that have been accepted by the Government [ <i>vide</i> recommendations at SI Nos. 1, 2, 3, 4, 5 and 6	
	Percentage of total:	100%
III	Recommendations which the Committee do not desire to pursue in view of Government's replies at SI Nos. Nil	
	Percentage of total:	0%
IV	Recommendations in respect of which replies of the Government have not been accepted by the Committee at SI Nos. Nil]	
	Percentage of total:	0%
V	Recommendations in respect of which final replies of the Government are still awaited at SI Nos. Nil	
	Percentage of total:	0%