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Ref.:730/O/2026-27 dated 26th October 2026

To,

The Secretary
Ministry of Housing and Urban Affairs,
Government Of India,
Sankalp Bhawan, K.G. Marg,
New Delhi-110001

Subject: Suggestions and Recommendations for Strengthening the RERA Framework.

Reference: Ministry's Meeting Notice No. O-17024/2/2026-HOUSING-MOHUA-DUD/E-9225036 dated 17th October 2026.

Dear Sir,

Builders' Association of India (BAI), established in 1941, is the apex national body representing engineering construction contractors and builders across the country. The Association has a direct membership of over 25,000 members through more than 270 Centres nationwide and an indirect membership exceeding 2,00,000 through affiliated regional associations. BAI is committed to the growth and development of the construction industry and actively addresses operational, contractual, and policy related issues affecting contractors.

BAI appreciates the initiative taken by the Ministry of Housing and Urban Affairs, Government of India, to review the implementation of the Real Estate (Regulation and Development) Act, 2016. **With reference to the Ministry's meeting notice No. O-17024/2/2026-HOUSING-MOHUA-DUD/E-9225036 dated 17th October 2026, BAI is pleased to submit the following recommendations for consideration at the meeting scheduled for 28th October 2026,** addressing practical challenges faced by the construction and real estate sectors while safeguarding homebuyers' interests and supporting genuine developers.

BAI acknowledges that RERA has brought significant improvements in transparency, accountability, consumer confidence and professionalism in the real estate sector. However, experience over the last several years has also highlighted certain practical, administrative and legal difficulties that need urgent attention.

BAI strongly believes that RERA should protect the legitimate interests of homebuyers without discouraging genuine developers, restricting housing supply or making real estate development commercially unviable.

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We respectfully submit the following recommendations under the nine subjects identified by the Ministry.

1. Timely Disposal of Proceedings

Issues:

- Considerable delays in disposal of complaints and appeals before certain RERA authorities and appellate tribunals.
- Delays in execution of orders, leading to uncertainty for both homebuyers and developers.
- Multiple proceedings on substantially similar issues and inconsistent interpretations.

BAI Recommendations:

1. Prescribe and monitor realistic, time-bound disposal targets for complaints and appeals, supported by adequate staffing and infrastructure.
2. Introduce mandatory pre-litigation mediation for suitable disputes.
3. Strengthen RERA benches and appellate tribunals wherever pendency is high.
4. Introduce online tracking of complaints, hearings, orders and execution proceedings.
5. Establish a mechanism to discourage frivolous and repetitive complaints while protecting genuine grievances.
6. Ensure equal opportunity and principles of natural justice for both allottees and promoters.

2. Stalled Projects and Homebuyer Protection

Issues:

Thousands of homebuyers face difficulties due to delayed or stalled projects. However, not all stalled projects are the result of deliberate developer defaults.

Projects may become unviable due to delayed approvals, litigation, financial distress, land disputes, infrastructure deficiencies and unforeseen circumstances.

BAI Recommendations:

1. Establish a structured, state-level mechanism for identifying and reviving stalled projects. Presently it is lacking.

2. Classify stalled projects according to the actual reasons for delay, distinguishing genuine financial or administrative distress from fraud and wilful default.

3. Permit viable projects to be taken over by competent replacement developers through a transparent, legally compliant process involving allottees, lenders and other stakeholders.

4. Facilitate last-mile financing for commercially viable stalled projects, subject to independent assessment and safeguards.

5. Provide a coordinated mechanism involving RERA, local planning authorities, financial institutions and, where applicable, insolvency authorities.

6. Protect homebuyers' investments while allowing genuine developers a reasonable opportunity to complete projects.

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BAI's Position: The primary objective should be completion of homes rather than merely imposing penalties on projects that are already financially distressed.

3. Project Monitoring and Financial Discipline

Issues:

RERA has improved financial discipline through the requirement to maintain separate project accounts. However, compliance procedures and monitoring practices vary across states.

Project costs can also increase due to regulatory changes, approval delays and unforeseen circumstances.

BAI Recommendations:

1. Introduce uniform national guidelines for project-progress reporting and utilisation of funds.

2. Provide standardised formats for certification by architects, engineers and chartered accountants.

3. Implement risk-based project monitoring instead of subjecting all projects to identical levels of scrutiny.

4. Ensure that genuine project expenditure, including permissible land, construction and associated costs, is treated consistently under the law.

5. Allow practical financial restructuring and project-rescue arrangements under appropriate regulatory supervision.

6. Provide reasonable extensions of project timelines where delays arise from documented circumstances beyond the promoter's control.

BAI submits that financial discipline must be maintained, but project funds should not become unnecessarily locked in procedures that themselves delay construction.

4. Compliance, Enforcement and Recovery

Issues:

Inconsistent enforcement practices and delays in implementing orders create uncertainty for developers and homebuyers.

In certain cases, coercive recovery measures against financially stressed projects may further reduce the possibility of completion.

BAI Recommendations:

1. Establish uniform procedures for enforcement and recovery of RERA orders.

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2. Distinguish between wilful non-compliance and genuine inability to comply due to financial or legal difficulties.

3. Introduce a structured opportunity for compliance, settlement or corrective action before disproportionate coercive measures are initiated, where legally permissible.

4. Develop effective coordination between RERA authorities and district revenue authorities for execution of orders.

5. Avoid enforcement actions that unnecessarily jeopardise the completion of otherwise viable projects.

6. Ensure that penalties and recovery measures are proportionate and legally sustainable.

5. Transparency, Data Governance and Digital Integration

Issues:

Although most states have introduced online RERA portals, there are significant differences in the quality of information, digital facilities and public disclosures.

Developers are also required to submit similar information repeatedly to different authorities.

BAI Recommendations:

1. Develop common national digital standards for all State RERA authorities.

2. Integrate RERA portals, wherever feasible, with municipal approval systems, land records, registration departments and occupancy certificate databases.

3. Introduce a single digital project identification system.

4. Facilitate secure data sharing among government authorities to reduce repetitive submissions.

5. Publish reliable information on registered projects, completion status, complaints, disposal rates and enforcement.

6. Provide safeguards against inaccurate, outdated or misleading project information being displayed on public portals.

7. Encourage technology-based monitoring while retaining human review and due process for regulatory decisions.

6. Monitoring and Institutional Accountability

Issues:

RERA places substantial responsibility on promoters, but timely project completion also depends on approvals and decisions by several government departments.

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Delays in permissions, utility connections and occupancy certificates can seriously affect completion schedules.

BAI Recommendations:

1. Establish measurable performance indicators for RERA authorities, including complaint disposal, order execution and project-registration processing.

2. Publish periodic performance reports of State RERA authorities.

3. Create effective grievance-redressal arrangements for administrative delays and procedural difficulties.

4. Promote coordination with planning authorities and local bodies to monitor approval-related delays.

5. Establish mechanisms to document delays attributable to statutory authorities and provide appropriate regulatory relief under applicable law.

6. Hold periodic structured consultations with industry associations and homebuyer representatives.

BAI strongly recommends that accountability in the real estate sector should extend to all stakeholders whose decisions affect project completion.

7. National-Level Policy Coordination

Issues:

Different states have adopted varying rules, procedures, formats and interpretations under RERA.

Such differences create uncertainty, particularly for developers operating across multiple states.

BAI Recommendations:

1. Establish a National RERA Coordination Forum under the Ministry of Housing and Urban Affairs.

2. Develop model regulations, standard operating procedures and compliance formats for consideration by State RERA authorities.

3. Encourage periodic meetings between central and state authorities to identify implementation difficulties.

4. Promote uniform approaches to recurring regulatory issues while respecting the statutory powers of state authorities.

5. Include representatives of developers, contractors, homebuyers and relevant professionals in structured policy consultations.

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6. Develop a national knowledge-sharing platform containing significant judgments, circulars and best practices.

8. Definitions and Interpretation

Issues:

Certain provisions of RERA continue to generate disputes because of differences in interpretation.

These include project completion, extension of registration, promoter responsibilities, force majeure, redevelopment projects, ongoing projects and the treatment of delays caused by external authorities.

BAI Recommendations:

1. Issue appropriate clarifications or propose legislative amendments wherever recurring ambiguities are identified.

2. Develop consistent principles for assessing delays caused by government authorities, litigation and circumstances beyond the developer's reasonable control.

3. Clarify the applicability of RERA to different redevelopment models, including society redevelopment, rehabilitation components and sale components.

4. Provide clearer guidance on the responsibilities of landowners, joint-development partners and actual project-executing entities.

5. Promote uniform and legally sound interpretation of completion and extension provisions.

6. Clarify responsibilities in projects involving multiple promoters or development entities.

BAI requests that ambiguities should be resolved through legally valid clarifications or amendments rather than divergent administrative interpretations.

9. Other Emerging Issues Requiring Policy Intervention

A. Redevelopment Projects

Redevelopment is becoming increasingly important in major cities, particularly Mumbai and other metropolitan areas.

Such projects involve existing occupants, housing societies, rehabilitation obligations and complex approvals.

BAI recommends developing a suitable regulatory framework recognising the special characteristics of redevelopment projects, while ensuring that buyers and existing occupants remain protected.

B. Single-Window Approval System

A major cause of delay in housing projects is the multiplicity of approvals required from different authorities.

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BAI recommends a genuinely integrated, time-bound single-window approval mechanism with clearly defined responsibilities and escalation procedures.

C. Developer Capability and Project Registration

Registration under RERA should not be mistaken for certification of a developer's financial or technical capability.

BAI recommends considering a proportionate developer-capability disclosure framework covering financial strength, execution experience, project delivery record and key technical resources, particularly for large and complex redevelopment projects.

Such a framework should remain transparent and should not create unreasonable barriers for competent smaller developers.

D. Affordable Housing and Project Viability

Increasing compliance costs, financing costs and delays affect housing affordability.

BAI recommends simplified compliance procedures for eligible small and affordable-housing projects, without weakening essential consumer protections.

E. Dispute Prevention

BAI recommends promoting standardised agreement clauses, transparent disclosures, structured mediation and early-warning systems to prevent disputes before they escalate into litigation.

10. Priority Action Plan Suggested by BAI

BAI respectfully proposes the following priority measures for consideration by the Ministry:

Priority- Recommended Action
Immediate - Strengthen complaint disposal, mediation and execution mechanisms
Immediate - Establish a structured mechanism for revival of stalled projects
Short term - Issue model guidelines on project monitoring, disclosures and extensions
Short term - Improve digital integration and regulatory data quality
Short term- Establish a National RERA Coordination Forum
Medium term- Examine statutory ambiguities and recommend suitable amendments
Medium term- Develop a coordinated framework for redevelopment and approval-related delays
Ongoing- Conduct periodic consultations and publish measurable performance outcomes

Conclusion

Builders' Association of India reiterates its commitment to a transparent, accountable and consumer-friendly real estate industry.

RERA has played an important role in improving the image and credibility of the sector. The next phase of reform should focus on making the regulatory framework more effective, predictable, practical and balanced.

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BAI believes that protecting homebuyers and ensuring the financial and operational viability of genuine developers are complementary objectives, not conflicting ones. A stalled project benefits neither the developer nor the homebuyer. Therefore, regulatory reforms should give maximum importance to prevention of disputes, timely approvals, project completion and effective resolution mechanisms.

We request the Ministry to consider these recommendations and establish a structured consultation mechanism with BAI and other stakeholders for developing practical, implementable reforms.

BAI assures the Ministry of its full cooperation in strengthening the RERA framework in the national interest.

Thanking you,

Yours faithfully,



RAVINDRA TYAGI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA