

## Chapter XII

### Central Advisory Council

#### Advisory Functions

**12.0.0** The Real Estate Regulatory Authority, apart from its regulatory functions, is to be a think tank for the development of real estate sector. The Authority shall, in order to facilitate the growth and promotion of a healthy, transparent, efficient and competitive market, make recommendations to the appropriate Government or the competent Authority. Section 32 empowers the Authority to make recommendations in respect of following matters –

- (a) protection of interest of the allottees, promoter and real estate agent;
- (b) creation of a single window system for ensuring time bound project approvals and clearances for timely completion of the project;
- (c) creation of a transparent and robust grievance redressal mechanism against acts of omission and commission of competent authorities and their officials;
- (d) measures to encourage investment in the real estate sector including measures to increase financial assistance to affordable housing segment;

- (e) measures to encourage construction of environmentally sustainable and affordable housing, promoting standardisation and use of appropriate construction materials, fixtures, fittings and construction techniques;
- (f) measures to encourage grading of projects on various parameters of development including grading of promoters;
- (g) measures to facilitate amicable conciliation of disputes between the promoters and the allottees through dispute settlement forums set up by the consumer or promoter associations;
- (h) measures to facilitate digitization of land records and system towards conclusive property titles with title guarantee;
- (i) to render advice to the appropriate Government in matters relating to the development of real estate sector;
- (j) any other issue that the Authority may think necessary for the promotion of the real estate sector.

**12.1.0** The Appropriate Government can also, for purposes of formulating a policy or making laws relating to real estate sector, make a reference to the Authority for its opinion on the possible effects of such policy or the law. On receipt of such reference, the Authority, shall give its opinion within a period of sixty days and the Appropriate Government will then take such action as it considers fit. However, opinion given by the Authority shall not be binding upon the appropriate government in formulating such policy or rules.

**By K.K. Ramani & N.C. Jain**

**12.1.1** The Authority shall also take suitable measures for the promotion of advocacy creating awareness and imparting training about laws relating to real estate sector and policies.

#### **Central Advisory Council**

**12.2.0** The Act also provides for establishing a council to be known as Central Advisory Council to be headed by the Minister to the Government of India in charge of Central Ministry dealing with housing, who shall also be the ex-officio chairperson of the council.

**12.2.1** The Central Advisory Council shall consist of representatives of the Ministry of Finance, Ministry of Industry and Commerce, Ministry of Urban Development, Ministry of Consumer Affairs, Ministry of Corporate Affairs, Ministry of Law and Justice, Niti Aayog, National Housing Bank, Housing and Urban Development Corporation, five representatives of State Governments to be selected by rotation, five representatives of the Real Estate Regulatory Authorities to be selected by rotation, and any other Central Government department as notified. The Central Advisory Council shall also consist of not more than ten members to represent the interests of real estate industry, consumers, real estate agents, construction labourers, non-governmental organisations and academic and research bodies in the real estate sector.

#### **Functions of the Council**

**12.3.0** The functions of the Central Advisory Council shall be to advise and recommend the Central Government, —

- (a) on all matters concerning the implementation of this Act;
- (b) on major questions of policy;

**By K.K. Ramani & N.C. Jain**

- (c) towards protection of consumer interest;
- (d) to foster the growth and development of the real estate sector;
- (e) on any other matter as may be assigned to it by the Central Government.

The Central Government may specify the rules to give effect to the recommendations of the Central Advisory Council on matters as provided under sub-section (1).

