

2023 LiveLaw (SC) 657

**IN THE SUPREME COURT OF INDIA
SANJIV KHANNA; J., S.V.N. BHATTI; J.**

Miscellaneous Application No. 2561/2019 in W.P.(C) No. 43/2019; 11-08-2023

PIONEER URBAN LAND AND INFRASTRUCTURE LIMITED & ANR. versus UNION OF INDIA & ORS.

Real Estate (Regulation & Development) Act, 2016 – Implementation Progress Report – The Supreme Court seeks responses of States/UTs which haven't established Real Estate Regulatory Authority, Appellate Tribunals.

For Petitioner(s) By Courts Motion

For Respondent(s) Mr. Tushar Mehta, SG (N/P) Mr. Balbir Singh, A.S.G. Mr. Kanu Agarwal, Adv. Mr. Chinmayee Chandra, Adv. Mr. Rajan Kumar Chourasia, Adv. Mr. Sachin Sharma, Adv. Ms. Shraddha Deshmukh, Adv. Mr. Shyam Gopal, Adv. Mr. Ankur Talwar, Adv. Mr. Arvind Kumar Sharma, AOR Mr. Mahfooz Ahsan Nazki, AOR Mr. Polanki Gowtham, Adv. Mr. T. Vijaya Bhaskar Reddy, Adv. Ms. Rajeswari Mukherjee, Adv. Ms. Niti Richhariya, Adv. Mr. Meeran Maqbool, Adv. Ms. G. Indira, AOR Mr. Harnaaman Singh, Adv. Mr. Ashwini Kumar, Adv. Mr. Gandeepan, Adv. Ms. Somya Sherni, Adv. Mr. G. Prakash, AOR Mr. Raj Bahadur Yadav, AOR Mr. Pukhrambam Ramesh Kumar, AOR Mr. Karun Sharma, Adv. Mr. Avijit Mani Tripathi, AOR Mr. T.K. Nayak, Adv. Mr. Sachin Patil, AOR Ms. K. Enatoli Sema, AOR Ms. Limayinla Jamir, Adv. Mr. Amit Kumar Singh, Adv. Ms. Chubalemla Chang, Adv. Mr. Prang Newmai, Adv. Mr. Shuvodeep Roy, AOR Mr. Sai Shashank, Adv. Mr. Deepayan Dutta, Adv. Mr. V. N. Raghupathy, AOR Mr. Manendra Pal Gupta, Adv. Mr. Abhimanyu Tewari, AOR Ms. Eliza Bar, Adv. Mr. Surjendu Sankar Das, AOR Mr. Advik Rijul Jha, Adv. Mr. Pashupathi Nath Razdan, AOR Mr. Abhishek Atrey, AOR Ms. Vidyottma Jha, Adv. Mr. Siddhesh Shirish Kotwal, AOR Mr. Tejasvi Gupta, Adv. Mr. Pawan Upadhyay, Adv. Mr. Md Sontu Mia, Adv. Mr. K.V. Vijayakumar, AOR Mr. Sumeer Sodhi, AOR Ms. Shreya Singh, Adv. Ms. Upasana Nath, AOR Mr. Ajay Pal, AOR Mr. Mayank Dahiya, Adv. Mr. Gurmeet Singh Makker, AOR Mr. Shrirang B. Varma, Adv. Mr. Siddharth Dharmadhikari, Adv. Mr. Aadtiya A. Pande, Adv./AOR Mr. Bharat Bagla, Adv. Mr. Sourav Singh, Adv. Mr. Aditya Krishna, Adv.

ORDER

Learned Additional Solicitor General has submitted a chart with the heading “Real Estate (Regulation & Development) Act, 2016 [RERA] – Implementation Progress Report”. The summary thereof, as stated in the chart, is as under: -

“Summary:

- All States/UTs have notified rules under RERA except Nagaland, which is under process to notify the rules.
- 32 States/UTs have set up Real Estate Regulatory Authority (Regular – 27, Interim – 05). *Ladakh, Meghalaya and Sikkim have notified the rules while yet to establish Authority.*
- 28 States/UTs have set up Real Estate Appellate Tribunal (Regular – 24, Interim – 04). *(Arunachal Pradesh, Jammu & Kashmir, Ladakh, Meghalaya, Mizoram, Sikkim and West Bengal are under process to establish).*
- Regulatory Authorities of 30 States/UTs have operationalized their websites under the provisions of RERA. *(Arunachal Pradesh and Manipur are under process to operationalize).*
- 1,09,308 Real Estate Projects and 77,704 Real Estate Agents have registered under RERA across the country.
- 1,11,222 Complaints have been disposed-off by the Real Estate Regulatory Authorities across the country.”

In view of the aforesaid summary/chart, we deem it appropriate to issue notice to the respective Chief Secretaries for the States of Nagaland, Meghalaya and Sikkim, and the Union Territory of Ladakh, who have yet to notify the RERA Rules or have notified the RERA Rules but are yet to establish the Real Estate Regulatory Authority, and respective

Chief Secretaries for the States of Arunachal Pradesh, Meghalaya, Mizoram, Sikkim and West Bengal, and the Union Territories of Jammu & Kashmir and Ladakh, who have passed only interim orders notifying the Real Estate Regulatory Authority or are under process to establish.

Affidavits would be filed by the concerned Chief Secretaries indicating the progress made with regard to enforcement and implementation of the Real Estate (Regulation and Development) Act, 2016, within a period of 60 days from the date of service of this order.

Re-list in the month of January 2024.

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