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Comparative Analysis Of Consumer Protection Before And After RERA

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Abstract

Issues like project delays, a lack of transparency, one-sided agreements, and a lack of legal recourse for irate homebuyers have historically plagued India's real estate market. Addressing these issues underwent a radical change with the passage of the Real Estate (Regulation and Development) Act, 2016 (RERA), which established a strong regulatory framework meant to improve consumer protection, accountability, and transparency. This study offers a thorough comparison of consumer protection prior to and following RERA's implementation. The study examines how pre-RERA frameworks, like the 1986 Consumer Protection Act and other general laws, fell short in protecting the interests of homebuyers. It also looks at RERA's main features, which have greatly improved consumer rights in the real estate industry. These include the requirement for project registration, prompt possession, and the creation of Real Estate Regulatory Authorities. The paper uses this analysis to show how legal remedies, grievance redressal procedures, and developers' general accountability differed before and after RERA was put into effect. It also explores the difficulties that consumers continue to face in the wake of RERA, such as jurisdictional overlaps with the 2019 Consumer Protection Act and inconsistent state-level implementation. The study's conclusion highlights RERA's revolutionary impact on the real estate industry while pointing out areas that still require work. Strengthening the consistent application of RERA, raising consumer awareness, resolving jurisdictional disputes, and extending RERA's reach to guarantee all-encompassing protection are among the recommendations. With the ultimate goal of guaranteeing a more equitable and consumer-friendly environment, this study attempts to offer insightful information about the changing state of consumer protection in India's real estate industry, stressing both the advancements and the obstacles that still need to be addressed.

Keywords: Consumer Protection, Real Estate Regulation, RERA 2016, Transparency and Accountability

Introduction

As a vital engine of growth and employment, the real estate industry is a pillar of urbanization and economic development. But for many years, this industry in India suffered from a lack of accountability, transparency, and consumer-focused protections. Homebuyers frequently had to deal with problems like unclear builder-buyer agreements, project cancellations, delayed possession, and deceptive advertising. Due to these difficulties, consumers were left defenseless, with few legal options and a feeble regulatory environment to safeguard their interests.

The Real Estate (Regulation and Development) Act, 2016 (RERA), which was passed by the Indian government in response to these worries, went into force on May 1, 2017. By establishing transparency, regulating builder practices, and guaranteeing timely project delivery, this historic law aimed to reform the real estate industry. RERA established strict guidelines that require developers to register their projects, reveal all pertinent information, and follow deadlines. Additionally, it created Real Estate Regulatory Authorities in each state, offering a forum for resolving disputes and grievances.

With an emphasis on how the law has addressed persistent problems in the real estate market, this study compares and contrasts consumer protection measures from the pre- and post-RERA eras. The lack of standardized regulations during the pre-RERA era frequently resulted in an information and power imbalance between developers and consumers. The post-RERA era, on the other hand, seeks to establish a fair and balanced framework, giving purchasers access to clear project information and strong legal remedies.

To determine how much RERA has affected consumer protection, the study explores important topics like accountability, transparency, and grievance redressal procedures. Additionally, it assesses how well RERA works to close the trust gap between homebuyers and developers. This study aims to address two main questions by examining these dimensions: What issues still exist in the real estate industry despite RERA's implementation, and how has it improved consumer protection?

Homebuyers, developers, and other real estate ecosystem stakeholders can all benefit from the study's conclusions, in addition to legislators and attorneys. Knowing how consumer protection has changed in India before and after RERA offers important insights into how regulatory frameworks have changed and how this has affected a market that is increasingly focused on the needs of consumers.

Research Questions

1. In comparison to the pre-RERA period, how have consumer grievance redressal procedures, accountability, and transparency in the real estate industry improved since the implementation of RERA?
2. How have these affected consumer confidence in the real estate market, and what are the main distinctions between the legal remedies and protections that homebuyers had before and after RERA?

Research Objective

- To analyze the challenges faced by homebuyers in the real estate sector before the enactment of RERA.
- To evaluate the key provisions of RERA aimed at enhancing transparency and accountability in real estate transactions.
- To compare the grievance redressal mechanisms available to homebuyers before and after RERA.
- To examine the impact of RERA on reducing project delays and ensuring timely delivery of properties.
- To assess the role of RERA in improving consumer trust and confidence in the real estate sector.
- To identify the persisting challenges and limitations in consumer protection under the RERA framework.

Research Methodology

This research adopts a qualitative and descriptive methodology to conduct a comparative analysis of consumer protection mechanisms in the real estate sector before and after the implementation of RERA. The study is based on secondary data collected from various credible sources, including:

1. **Articles and Journals:** Peer-reviewed articles and academic journals have been reviewed to gain insights into the challenges faced by homebuyers and the impact of RERA on the real estate sector.

2. **Legislative Texts:** The provisions of the Real Estate (Regulation and Development) Act, 2016, and other related legislations have been analyzed to understand the legal framework governing consumer protection.
3. **Case Laws:** Judicial decisions and case studies related to real estate disputes have been examined to evaluate the effectiveness of grievance redressal mechanisms under RERA.
4. **Reports and Publications:** Government reports, white papers, and publications by real estate regulatory authorities have been referred to for factual and statistical data.
5. **News Articles:** Reputable news sources have been consulted to understand the practical implications of RERA and ongoing challenges in its implementation.
6. **Online Databases and Websites:** Reliable online platforms, including RERA authority websites and consumer forums, have been used to access project details and consumer complaints.

Literature Review Impact of Rera, 2016 on Homebuyers and Promoters¹

One important piece of legislation designed to improve India's real estate market is the Real Estate (Regulation and Development) Act, 2016 (RERA). The literature on RERA emphasizes how it affects both promoters and homebuyers. RERA has played a key role in giving homebuyers confidence and a sense of security in the market. By requiring developers to register their projects with the appropriate authorities, the act gives prospective homeowners confidence in the projects' legitimacy. Furthermore, RERA offers a fast-track dispute resolution process that makes it possible for homebuyers to successfully pursue redress for their complaints.

However, the literature also addresses the consequences for promoters. Stricter rules brought about by RERA mandate that developers register their projects, reveal pertinent project information, and follow deadlines. It has been demonstrated that this regulatory framework has decreased project delays and mismanagement by increasing developers' accountability and transparency. Overall, research shows that RERA has had a major impact on how the Indian real estate industry operates, improving consumer protection and regulatory compliance for both promoters and homebuyers.

¹ Anju. (2024). Impact of Rera, 2016 on Homebuyers and Promoters. International Journal For Multidisciplinary Research, doi: 10.36948/ijfmr.2024.v06i04.24572

Real Estate Under Construction, Consumer Law and Development²³

In the context of purchasing real estate that is still under construction, the paper "Real Estate Under Construction, Consumer Law and Development" discusses important consumer protection concerns. Since buying real estate in this way is common in Brazil, especially because of public housing programs like the "my house, my life" program, it emphasizes the importance of this issue for millions of Brazilian consumers. By making home ownership more accessible to lower-income groups, this program hopes to raise the importance of consumer protection in real estate transactions.

Discussions of consumer vulnerability, developers' roles, and the legal frameworks governing real estate transactions are probably covered in the literature on this topic. The article highlights the unethical tactics that developers might use to take advantage of the powerlessness and ignorance of customers in these transactions. It implies that strong consumer protection laws are necessary to guarantee the real estate industry's balanced growth, which is a crucial component of Brazil's larger economic environment.

In conclusion, the literature review would cover legal safeguards, consumer rights, and the socioeconomic effects of real estate development, especially when considering public housing policies and consumer vulnerability.

Does Indian real estate regulation protect urban homebuyers? policy implications⁴

The study highlights the transition from an unregulated market to one with buyer protections as it looks at how the Indian Real Estate (Regulation and Development) Act, 2016 (RERDA) has affected urban homebuyers. As demonstrated by the responses of 751 participants—including homebuyers, builders, and officials—it addresses the exploitative practices of builders and the necessity of regulatory frameworks to protect the interests of homebuyers.

Previous research on real estate laws, the socioeconomic effects of housing policies, and the function of judicial interventions in defending consumer rights are probably included in the literature review. In order to comprehend the efficacy of the RERA, it might also address the difficulties faced by homebuyers, such as regulatory capture and the power of builders' lobbies.

² Roberto, Augusto, Castellanos, Pfeiffer. (2017). Real Estate Under Construction, Consumer Law and Development. -330. doi: 10.1007/978-3-319-55624-6_22

⁴ (2022). Does Indian real estate regulation protect urban homebuyers? policy implications. doi: 10.21203/rs.3.rs1701480/v1

Further research into the socio-political factors influencing real estate regulation in India is necessary, as the paper's findings indicate that although the Act has made progress in protecting homebuyers, its implementation is still uneven. A basis for comprehending the intricacies of real estate regulation and its consequences for Indian urban homebuyers would be established by this review of the literature.

Plight of Buyers and Consumers and Respite under the Real Estate (Regulation and Development Act 2016)⁵

The "Plight of Buyers and Consumers and Respite under the Real Estate (Regulation and Development Act 2016)" paper discusses the serious difficulties that consumers in the historically unregulated real estate market face. The abstract emphasizes how important the real estate industry is to India's housing and infrastructure needs while highlighting how consumers are powerless because of the absence of regulations.

A crucial response to these issues is the Real Estate (Regulation and Development) Act, 2016, which was introduced with the goals of safeguarding consumer interests and ensuring transparency in real estate transactions. This law is a component of the Indian government's larger plan to build smart cities, improve infrastructure development, and offer top-notch facilities.

The literature review most likely examines previous research on the effects of unregulated markets, consumer rights in real estate, and the efficacy of regulatory frameworks in other industries. Additionally, it might examine the historical background of Indian real estate laws and contrast them with those of other countries. The paper's overall goal is to add to the conversation about real estate consumer protection by emphasizing the need for regulatory actions to strengthen market integrity and empower buyers.

Legal Protection of Residential Consumers⁶

The study's literature review emphasizes the risks and complexities that homebuyers encounter during real estate transactions while concentrating on the legal protections that are accessible to them. A comprehensive review of pertinent legal documents, such as statutes, rules, and court decisions, which form the basis for comprehending consumer rights in housing markets, was part of

⁵ Shalini, Rohilla. (2019). Plight of Buyers and Consumers and Respite under the Real Estate (Regulation and Development Act 2016). 1(1):24-32.

⁶ Asman, Siagian., Rahmadany. (2024). Legal Protection Of Residential Consumers. doi: 10.61306/ijsl.v2i1.74

the research methodology. By using this method, the researchers were able to compile thorough data regarding the current legal frameworks designed to safeguard homebuyers.

The literature review also includes a range of academic papers and legal analyses that address the advantages and disadvantages of these legal protections. The results show that even though there are many laws aimed at protecting housing consumers, there are still major obstacles to their application and enforcement. The study's qualitative analysis highlights the advantages and disadvantages of the existing legal safeguards, indicating that more advancements are required to strengthen consumer rights in real estate transactions.

All things considered, the literature review emphasizes how crucial it is to conduct continuing research and develop policies in order to meet the changing needs of residential consumers in the housing market.

Emaar MGF Land Ltd. & Anr. v. Aftab Singh (2017)⁷

In the seminal case of Emaar MGF Land Ltd. & Anr. v. Aftab Singh (2017), the interaction between the Arbitration and Conciliation Act of 1996 and the Consumer Protection Act of 1986 in homebuyer disputes was examined. In a major win for consumer protection, the Supreme Court of India maintained homebuyers' rights to petition consumer forums even when builder-buyer agreements contained arbitration clauses.

Background : The conflict started when a homebuyer named Aftab Singh complained to a consumer forum about Emaar MGF Land Ltd., claiming that the company had provided subpar service and delayed possession. The builder contended that the complaint ought to be submitted to arbitration in accordance with Section 8 of the Arbitration and Conciliation Act, 1996, citing an arbitration provision in the contract. This brought up the issue of whether arbitration agreements could supersede consumers' statutory rights under the Consumer Protection Act.

Legal Issues : The main question was whether a builder-buyer agreement's arbitration clause prevented homebuyers from pursuing remedies under the Consumer Protection Act. The case also looked at whether, as a special law, the Consumer Protection Act takes precedence over the Arbitration and Conciliation Act in consumer-related disputes.

Supreme Court's Ruling : The Court decided in Aftab Singh's favor, upholding the authority of consumer forums to hear these kinds of disputes regardless of arbitration agreements. The ruling

⁷ Emaar MGF Land Ltd. & Anr. v. Aftab Singh, Civil Appeal No. 23512 of 2017, Supreme Court of India.

Further Reading: Taxguru, "Important Judgments Arising from RERA Act, 2016, https://taxguru.in/google_vignette

highlighted that, as welfare legislation, the Consumer Protection Act gives consumers additional remedies that are not limited by contracts. The Court based its decision on the idea that arbitration clauses under general law are superseded by statutory rights under special laws, such as the Consumer Protection Act.

Implications : For consumers and homebuyers, this ruling is crucial because it upholds their right to pursue remedies in consumer forums even in the face of arbitration agreements. The ruling made it clear that private contracts cannot weaken consumer protection laws, guaranteeing access to justice for those who are subjected to unfair business practices or subpar services.

Academic Perspectives : The decision to put consumer rights ahead of developers' profit interests has been praised by academics. The ruling demonstrates the judiciary's dedication to safeguarding marginalized communities in a market-oriented economy. However, detractors contend that it violates the arbitration's party autonomy principle and might deter foreign investment because of the perceived ambiguity surrounding contract enforcement.

Conclusion : A landmark decision that upholds the importance of consumer protection laws over arbitration agreements is Emaar MGF Land Ltd. & Anr. v. Aftab Singh. It offers a strong framework for resolving complaints in real estate transactions, guaranteeing that homebuyers can still access statutory remedies.

Hypothesis

1. Has the implementation of RERA significantly improved transparency and accountability in the real estate sector, leading to enhanced consumer protection compared to the pre-RERA era?
2. Do challenges such as delays in project delivery and inadequate grievance redressal mechanisms persist despite the introduction of RERA, and how do they impact consumer confidence in the real estate market?

Statement of Problem

Problems like project delays, a lack of transparency, builders' deception, and insufficient protection for homebuyers have long plagued the Indian real estate market. Customers frequently had to deal with issues like unclear project schedules, disparities in property details, and little legal recourse in the event of disputes before the Real Estate (Regulation and Development) Act,

2016 (RERA) was passed. Developers were greatly favored by the power disparity, leaving buyers defenseless and exposed.

RERA, which was put in place to address these issues, requires registration, frequent updates, and adherence to buyer commitments in an effort to promote accountability, transparency, and efficiency in the real estate industry. Although RERA seeks to safeguard fair practices and safeguard consumer interests, it is unclear if this has resulted in a notable improvement in consumer protection over the pre-RERA period.

The purpose of this study is to compare and contrast the state of consumer protection in the Indian real estate market prior to and following the implementation of RERA. It looks at whether RERA has successfully resolved consumers' long-standing complaints and assesses how it has affected the development of confidence in the real estate market. The study intends to add to the conversation on consumer rights and regulatory reforms in the real estate sector by highlighting the shortcomings and achievements of RERA.

Chapter Scheme:

- 1. Introduction**
- 2. Consumer protection Before RERA**
- 3. Introduction to RERA, 2016**
- 4. Consumer protection after RERA**
- 5. Comparative Analysis: Before and After RERA**
- 6. Conclusion Recommendations**

Chapter II: Consumer Protection before RERA

The Consumer Protection Act, 2019 was the main source of consumer protection in the real estate industry prior to the passage of the Real Estate (Regulation and Development) Act, 2016 (RERA). Prior to RERA, the following were important facets of consumer protection under this act:

Overview of Consumer Protection Act, 2019

In order to protect consumer rights in a variety of industries, including real estate, the Consumer Protection Act of 2019 was created. Its goal was to give customers a more effective and convenient way to file complaints.

Key Features

- Definition of Consumer: The Act defines a consumer as anyone who buys goods or services for personal use, excluding those who purchase for resale or commercial purposes.
- Consumer Forums: The Act established a three-tier system for dispute resolution:
 - District Forum: Handles complaints with a value up to ₹1 crore.
 - State Commission: Deals with complaints ranging from ₹1 crore to ₹10 crore.
 - National Commission: Addresses complaints exceeding ₹10 crore.

Challenges Faced by Consumers

Prior to RERA, homebuyers encountered several challenges under the Consumer Protection Act:

- Lack of Specificity: The Act was not tailored specifically for real estate issues, leading to ambiguity in resolving disputes related to delayed possession and construction deficiencies.
- Cumbersome Legal Process: Homebuyers often faced lengthy and expensive litigation processes in civil courts or consumer forums due to the lack of streamlined procedures specific to real estate.
- Delayed Justice: The absence of time-bound resolutions meant that consumers could wait years for their grievances to be addressed, compounding their frustrations.

Remedies Available

Under the Consumer Protection Act, homebuyers could seek remedies for various issues:

- Delayed Possession: Consumers could file complaints against builders for failing to deliver properties on time.
- Deficiencies in Service: Complaints could be lodged regarding poor construction quality or unfulfilled promises made during the sale process.
- False Advertising: Consumers could challenge misleading advertisements that influenced their purchasing decisions.

Limitations

Despite these provisions, the Consumer Protection Act had significant limitations:

- **No Time Constraints:** There were no strict timelines for resolving disputes, leading to prolonged delays.
- **Inadequate Enforcement Mechanisms:** While penalties existed for non-compliance by builders, these did not necessarily expedite relief for consumers.

In conclusion, although the Consumer Protection Act offered a structure for handling real estate consumer complaints, it lacked the precision and effectiveness required to adequately safeguard homebuyers. This disparity demonstrated the need for RERA, which established stricter rules and a specific process for settling real estate conflicts.

Chapter III: Introduction to RERA, 2016

Reasons for the Introduction of RERA in India⁸

In order to solve a number of serious problems ailing the real estate industry, India introduced the Real Estate (Regulation and Development) Act of 2016 (RERA). In the past, the Indian real estate market was marked by a dearth of accountability, transparency, and regulatory oversight, which frequently resulted in disagreements between developers and buyers. In order to address these problems and establish a more reliable setting for real estate transactions, RERA was introduced.

Improving transparency in the real estate industry was one of the main motivations behind the implementation of RERA. Before RERA, it was frequently difficult for buyers to find reliable information about properties, which resulted in exploitation and false information. In order to guarantee that buyers have access to accurate information about the properties they are interested in, RERA requires developers to advertise clearly and truthfully and requires project registration. For buyers and developers to develop trust, this openness is essential.

⁸ Saksham, Ohri. (2024). Impact of RERA, 2016 on The Growth of Real Estate in India. International journal of social science and economic research, 09(07):2415-2425. doi: 10.46609/ijsser.2024.v09i07.021

RERA was also created to safeguard the interests of homebuyers. The act contains clauses pertaining to uniform carpet area definitions, on-time project completion, and effective dispute resolution procedures. These steps are meant to protect consumers from possible fraud and guarantee that they get what they paid for. RERA attempts to establish a more equitable relationship between buyers and sellers in the real estate market by giving developers clear guidelines and responsibilities.

The historical development of India's real estate industry also contributed to the necessity for RERA. Under British rule, the market changed from traditional systems to a more regulated environment; however, there were insufficiently effective regulations in the post-independence era. RERA is a big step in modernizing the real estate industry and bringing it into line with international best practices.

Furthermore, the COVID-19 pandemic brought attention to the weaknesses in the real estate industry, which caused many developers to experience financial difficulties and delays in their projects. The implementation of RERA was well-timed since it offered a structure to deal with these issues and aid in the industry's recuperation. The act has played a significant role in increasing investor confidence, which is essential for the expansion of the Indian real estate market.

In conclusion, RERA was created to address the problems of accountability, transparency, and buyer protection in the Indian real estate market. RERA seeks to make residential and commercial real estate investments safer and more reliable by instituting a regulatory framework that requires project registration, truthful advertising, and timely completion.

Chapter IV: Consumer Protection after RERA, 2016⁹

Enacted in 2016, the Real Estate Regulation and Development Act (RERA) greatly improves consumer protection in the real estate industry. Protecting homebuyers' interests by guaranteeing accountability and transparency in real estate transactions is one of RERA's main goals. The Act helps stop fraud and property misrepresentation by requiring all real estate developers to register their projects with the regulatory body prior to advertising or selling.

⁹ Mansing, M., & Shinde, S. A. (n.d.). *Impact of Rera (Real Estate Regulatory Authority) on Consumer Buying Behaviour*. <https://doi.org/10.48175/IJARSCT-17261>

By imposing stringent deadlines on developers, RERA creates a framework for the timely completion of projects. For customers, this is essential because possession delays can result in monetary losses and uncertainty. In order to hold developers responsible for their promises, the Act also imposes penalties on those who miss these deadlines. In order to ensure that buyers are aware of what they are getting, RERA also requires developers to give clear information about the carpet area and other specifications.

The RERA's provision for a prompt dispute resolution process is another important component of consumer protection. Homebuyers may file complaints under the Act against developers for noncompliance or delays, and these complaints will have a deadline for resolution. The efficient nature of this procedure lessens the load on customers who had to endure drawn-out legal disputes in the past. RERA further empowers consumers in the real estate market by requiring developers to keep accurate records and make sure purchasers are aware of their rights.

Furthermore, by mandating that developers and agents follow certain guidelines, RERA seeks to improve the professionalism of the real estate industry. It is anticipated that this move to a more structured and controlled environment will enhance the general caliber of building and service provision, which will be advantageous to customers. By making transactions more transparent, the Act also combats corruption, which is essential for fostering trust between developers and buyers.

In conclusion, by requiring openness, responsibility, and professionalism, RERA, 2016 is essential to consumer protection in the real estate industry. In the end, it promotes a more safe and dependable real estate market by giving homebuyers the rights and channels to resolve complaints.

Chapter V: Comparative analysis before and after RERA

Enacted in 2016, the Real Estate Regulation Act (RERA) fundamentally changed India's real estate market, especially with regard to property purchases and sales. The real estate industry was mainly unregulated prior to RERA, which resulted in a number of problems like project delays, a lack of transparency, and buyer exploitation. Due to the lack of a specific regulatory framework, buyers frequently encountered difficulties when interacting with real estate developers, which undermined market accountability and trust.

The regulatory environment has significantly improved since RERA. All real estate projects are required to register under RERA, which makes sure developers follow certain rules and deadlines. Because buyers can now access comprehensive information about projects, including their status and the financial health of developers, a level of transparency that was previously lacking has been introduced. To further improve consumer protection, RERA has set up a grievance redressal mechanism that enables purchasers to speak with regulatory bodies directly about problems.

Furthermore, in order to deter malpractice, RERA has imposed severe penalties on developers who disregard its rules. A major worry for purchasers in the past, the act also highlights the significance of timely project completion and possession. RERA, on the other hand, is a more effective instrument for guaranteeing accountability and defending consumer rights because the Consumer Protection Act of 1986, although advantageous, did not particularly address the particular difficulties encountered in the real estate industry.

In conclusion, RERA's implementation has improved India's real estate market's structure and accountability while resolving a number of problems that existed prior to it. The comparative study emphasizes how an unregulated environment is giving way to one that places a higher priority on accountability, transparency, and consumer protection, which eventually helps both developers and buyers.

Choice for Consumers: RERA or Consumer Protection Act¹⁰

The study looks at Indian homebuyers' legal rights, with a special emphasis on how they can use the Consumer Protection Act and the Real Estate (Regulation and Development) Act (RERA) to pursue redress against builders. Homebuyers will be greatly impacted by the Supreme Court's decision in this case, and the paper highlights several important points:

- **Empowerment of Homebuyers:** The Supreme Court has decided that both the Consumer Protection Act and RERA allow homebuyers to file complaints. By giving them the flexibility to select the forum that best meets their needs for redress, this decision empowers homebuyers. For homebuyers to successfully defend their rights in real estate transactions, this flexibility is essential.

¹⁰ Bose, A. (n.d.). Choice for consumers: RERA or Consumer Protection Act -iPleaders.

Legal Clarity: The ruling makes it clear that homebuyers have the right to choose between RERA and the Consumer Forum when it comes to resolving complaints against builders. For homebuyers, this legal clarity is crucial because it strengthens their options and rights in conflicts with developers.

Impact of Recent Amendments: The article talks about how the Consumer Protection Act was recently amended, raising the maximum amount that can be spent on consumer forums. Although the goal of this change is to help builders, it might unintentionally prevent homebuyers from regularly using consumer forums to voice their complaints. This restriction may make it more difficult for homebuyers to seek redress and impact their access to justice.

Judicial Precedents: The guidelines set forth in the Supreme Court's decision are consistent with past rulings from the National Consumer Disputes Redressal Commission (NCDRC) and other High Courts. Homebuyers are well within their rights to pursue claims under both the Consumer Protection Act and RERA, as these precedents uphold their ability to seek remedies through a variety of legal frameworks.

Future Monitoring: According to the study, it is essential to continuously monitor how the Consumer Protection Act and RERA are being implemented. This will assist in determining any new obstacles or restrictions that future homebuyers might encounter. To make sure that the legal frameworks continue to be useful and available to homebuyers, ongoing evaluation is essential.

The study's overall conclusion is that the ruling has considerably changed the power dynamics in legal disputes, lessening developers' hegemony over homebuyers. It strengthens the homebuyers' position in disputes with builders by guaranteeing that they have a firm choice in the legal recourse they choose. In order to promote a more equal relationship between developers and homebuyers in the real estate industry, this change is essential.

In conclusion, the study emphasizes how crucial the Supreme Court's decision is to empowering homeowners and elucidating their legal rights. In the end, it promotes justice and fairness in the real estate market by highlighting the necessity of continual oversight of the legal frameworks to guarantee that buyers can successfully pursue remedies against builders.

Chapter VI: Conclusion and Recommendations

Recommendations Strengthen Implementation Across States

Streamline Jurisdictional Overlaps

To prevent misunderstandings and guarantee that homebuyers do not experience delays in obtaining justice, precise rules should be put in place to distinguish the jurisdiction between RERA and consumer forums.

Expand Coverage of Projects

Some projects, like those under a certain size or finished projects without pending occupation certificates, are currently excluded from RERA. A more thorough protection framework would be provided by extending RERA's purview to encompass these.

Digitization and Transparency

Accessibility and transparency can be increased by integrating data from all states into a national RERA digital portal. Customers could use such a platform to monitor developer compliance records, complaints, and project progress.

Faster Dispute Resolution

The capacity of regulatory bodies and appellate tribunals should be increased in order to further expedite the RERA dispute resolution process. The effectiveness of dispute resolution can also be improved by providing adjudicating officers with specialized training.

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