

No.O-17024/1059/2017-HOUSING SECTION-MHUPA /EFS-9023391

Government of India
Ministry of Housing & Urban Affairs

Nirman Bhawan, New Delhi
13th May, 2020.

To,

Members of the Central Advisory Council constituted under the provision of Real Estate (Regulation and Development) Act, 2016 vide Notification No. S.O. 2666 dated 20th November, 2017.

Subject: Minutes of the second meeting of the Central Advisory Council (CAC) held on 29th April, 2020 – regarding.

Sir,

I am directed to forward herewith the minutes of the second meeting of the Central Advisory Council held on 29th April, 2020 through Video Conferencing under the chairmanship of Hon'ble Minister of State (I/C), Ministry of Housing and Urban Affairs.

2. This issues with the approval of the competent authority.

Encl: as stated

Yours faithfully,

-signed-
(Akhil Saxena)
Deputy Secretary (Housing)
Tel: 011-2306 2280

Minutes of Second Meeting of the Central Advisory Council constituted under the provisions of the Real Estate (Regulation and Development) Act, 2016 held through webinar on 29.04.2020 at 03:00 P.M. under the chairmanship of Shri Hardeep S Puri, Hon'ble Minister of State (I/C), Housing and Urban Affairs.

Second meeting of Central Advisory Council (CAC) constituted under the provisions of the Real Estate (Regulation and Development) Act, 2016 (RERA) was held through webinar on 29.04.2020 under the chairmanship of Hon'ble Minister of State (I/C), Housing and Urban Affairs (MoHUA). All the participants were visible and audible. Hon'ble MoS (I/C), MoHUA; Secretary, MoHUA; Additional Secretary, MoHUA; and Economic Advisor (Housing), MoHUA participated in the meeting from conference room at 123-C, Nirman Bhawan. The list of participants is **Annexed**.

2. Welcoming the Chairperson and Members to the meeting, the member-convenor of the CAC, Additional Secretary, MoHUA informed that as per the provisions of RERA, the functions of the CAC, inter alia, is to advise and recommend to the Central Government on matters concerning the implementation of the Act, on major questions of policy, towards protection of consumer interests and to foster the growth and development of the real estate sector. He informed that this urgent meeting over webinar has been called to discuss the measures required to be taken under RERA in view of situation created by the pandemic COVID-19 (Corona Virus) and consequent nation-wide lockdown, reverse migration of labourers to their native places and break in supply chain of construction material, has adversely impacted the construction activities of real estate projects across the country.

3. In his introductory remarks, the Chairperson welcomed the participants to the meeting and observed that the pandemic COVID-19 had a sudden and significant impact on all aspects of people's lives across the world. It has disrupted industries, trade, supply chains and business cycles, thus halting economic activities across world and India is not an exception. significantly. This pandemic is deeply hurting the economic interests of all the sectors including real estate. Indian real estate sector, which was already facing problems due to weak demand and inadequate liquidity, is now witnessing another hit due to current pandemic. He assured that Government, under the leadership of Hon'ble Prime Minister, is taking all the necessary steps through various Ministries / Departments to overcome this challenge including various regulatory, fiscal and financial measures. He briefly narrated various steps taken by Government of India to improve liquidity and safeguard the interest of Indian companies especially smaller companies.

4. Chairman invited CAC members to participate in the deliberations wholeheartedly in order that the Council may chalk out urgent measures required to be taken under RERA in order to provide relief to ongoing real estate projects in order to safeguard the interests of both real estate developers and homebuyers.

5. It was informed that the meeting was specifically called to deliberate the impact of pandemic COVID-19 (Corona Virus) and consequent nationwide lockdown on real estate project and to treat this as an event of **Force Majeure** under the provisions of Real Estate (Regulation and Development) Act, 2016 (**RERA**).

6. Secretary, MoHUA informed that during various deliberations with the Real Estate Regulatory Authorities of States / Union Territories, representatives of NAREDCO, CREDAI, FICCI, ASSOCHAM and other stakeholders, it has emerged that due to spread of pandemic of COVID-19, work on the real estate projects has come to total halt and will take quite some time to restart in full gear. He further observed that Section 6 of RERA provides for 'extension of registration of real estate project' on account of "**force majeure**" which includes any calamity caused by nature affecting the regular development of the real estate projects.

7. The participants acknowledged that the current pandemic caused by nature is affecting regular development of real estate projects and expressed their concerns over the current state of affairs and appealed to the Government for early resumption of construction activities by following the prescribed SOP.

8. It was informed that in view of the outbreak of COVID-19, the Real Estate Regulatory Authorities of Maharashtra, Gujarat, Uttar Pradesh and Tamil Nadu have already issued orders in their respective States for extension of registration of real estate projects from 3 to 5 months under the provisions of RERA.

9. It was therefore decided to recommend to the Central Government that in order to avoid submission of multiple applications for extension of each project and orders thereon, States/Union Territories and their Regulatory Authorities may be advised to issue necessary orders/directions under the enabling provisions of RERA to the effect that the timelines of project registered under RERA, automatically stands extended by 6 months in respect of all real estate projects, where the completion date or revised completion date or extended completion date expires on or after 25th March, 2020.

10. It was further decided that under provisions of RERA, the Regulatory Authorities may, at their own discretion, consider to further extend the registration by a period upto 3 months, if the situation in their respective State or any part thereof needs special consideration in view of current pandemic, for the reasons to

be recorded in writing. Regulatory Authorities may also extend concurrently the timelines of all statutory compliances in accordance with the provisions of RERA and the rules and regulations made thereunder.

11. The Chairman, concluding the discussion, requested the Real Estate Regulatory Authorities to issue necessary directions to all developers to take necessary safety measures and precautions to ensure the safety of staff and workers by maintaining 'Social Distancing' and abide the guidelines issued by Government from time to time regarding Covid-19. He further acknowledged and appreciated the efforts being taken by real estate regulatory authorities. He stated that during this difficult time, we need to work as Team- India and real estate sector being one of the very important pillars of economy and development of the country, needs to be strengthened.

12. The Chairperson thanked the participants for their valuable suggestions and urged that in this hour of crisis all States/UTs and their Real Estate Regulatory Authorities must remain ahead of the curve and take necessary actions to ensure that the problems being faced by the real estate sector are minimised.

Annexure

Second Meeting of the Central Advisory Council constituted under the provision of the Real Estate (Regulation and Development) Act, 2016 on 29th April, 2020 at 03:00 P.M. through Video Conferencing.

Sl. No.	Name	Designation	Attendance
1.	Shri Hardeep S Puri, Hon'ble Minister of State (I/C), Housing and Urban Affairs, Government of India	Chairperson (ex-officio)	P
2.	Shri Amitabh Kant, CEO, NITI Aayog, Government of India	Member (ex-officio)	P
3.	Shri Durga Shanker Mishra, Secretary, Ministry of Housing and Urban Affairs, Government of India	Member (ex-officio)	P
4.	Secretary, Department of Legal Affairs, Ministry of Law and Justice, Government of India	Member (ex-officio)	P
5.	Shri Shiv Das Meena, Additional Secretary (Housing), Ministry of Housing and Urban affairs, Government of India	Member Convener (ex-officio)	P
6.	Secretary, Department of Revenue, Ministry of Finance, Government of India	Member (ex-officio)	P Shri Manish Sinha, Joint Secretary, CBIC
7.	Secretary, Department of Economic Affairs, Ministry of Finance, Government of India	Member (ex-officio)	-
8.	Secretary, Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, Government of India	Member (ex-officio)	-
9.	Secretary, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India	Member (ex-officio)	-
10.	Secretary, Ministry of Corporate Affairs, Government of India	Member (ex-officio)	-
11.	Managing Director, National Housing Bank (NHB)	Member (ex-officio)	P (Shri S.K.Hota)
	Shri Nagraj, Chairman and	Member (ex-officio)	P

12.	Managing Director, Housing and Urban Development Corporation (HUDCO)		
13.	Chief Secretary, Government of National Capital Territory of Delhi	Member (ex-officio)	–
14.	Additional Chief Secretary / Principal Secretary / Secretary, Government of Uttar Pradesh (dealing with implementation of the Act)	Member (ex-officio)	–
15.	Additional Chief Secretary / Principal Secretary / Secretary, Government of Odisha (dealing with implementation of the Act)	Member (ex-officio)	P Shri Sushanto Mishra Joint Secretary, Housing & UD.
16.	Additional Chief Secretary / Principal Secretary / Secretary, Government of Haryana (dealing with implementation of the Act)	Member (ex-officio)	–
17.	Additional Chief Secretary / Principal Secretary / Secretary, Government of Tamil Nadu (dealing with implementation of the Act)	Member (ex-officio)	P Shri Rajesh Lakhani Principal Secretary
18.	Shri Gautam Chatterjee , Chairman, Real Estate Regulatory Authority, Maharashtra	Member (ex-officio)	P
19.	Shri Amarjit Singh Chairman, Real Estate Regulatory Authority, Gujarat	Member (ex-officio)	P Shri Paramjeet Singh
20.	Shri Anthony De Sa, Chairman, Real Estate Regulatory Authority, Madhya Pradesh	Member (ex-officio)	P
21.	Chairman, Real Estate Regulatory Authority, Assam	Member (ex-officio)	–
22.	Chairman, Real Estate Regulatory Authority, Karnataka	Member (ex-officio)	–
23.	President, National Real Estate Development Council (NAREDCO) (New Delhi)	Member (ex-officio)	P (Shri Niranjan Hiranandani)
24.	President, Confederation of Real Estate Developers Association of India (CREDAI) (New Delhi)	Member (ex-officio)	P (Shri Satish Manger)
	President, Forum for People's	Member	P

25.	Collective Efforts (FPCE), Kolkata (West Bengal)		(Shri Shanker)
26.	Chairman, Federation of Apartment Owners Association (FAOA), Gurgaon, Haryana	Member	P (Gen. Shri SK Bahri)
27.	Chairperson, National Association of Realtors – India (NAR-INDIA), Gurgaon, Haryana	Member	P (Shri Ravi Verma)
28.	Chairperson, Central Building and Other Construction Workers Advisory Committee (or his nominee), Ministry of Labour and Employment, Government of India	Member (ex-officio)	P (Shri Srinivasnan Naidu)
29.	Founder, Namma Bengaluru Foundation (or his nominee), Bengaluru Karnataka	Member	P (Shri Harish Kumar)
30.	Managing Director, Liases Foras, Mumbai, Maharashtra	Member	P