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Legal Framework and Disclosure Practices under RERA: Insights from Ten High-Growth Real Estate States in India

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Abstract This study examines the implementation of the Real Estate (Regulation and Development) Act, 2016 (RERA), across selected Indian states, with particular attention to differences in disclosure practices, the availability of annual reports, project and real estate agent registrations, and complaint disposal. It investigates how the growth of the real estate sector may be supported by a clear legal and regulatory framework while safeguarding the rights and legitimate interests of allottees and homebuyers. The analysis adopts a doctrinal and descriptive comparative approach, examining the statutory provisions, relevant judicial decisions, and state-level information made available through regulatory websites and government reporting systems. The purpose is to identify variations in the public presentation of regulatory information and to consider what those differences mean for transparency, accountability, and consumer protection. The author-supplied state comparisons indicate substantial variation in the numbers of registered projects, registered agents, and complaints disposed of across the selected jurisdictions. Maharashtra leads in the historical project- and agent-registration comparisons presented in the source charts, whereas Uttar Pradesh records a particularly large volume of disposed complaints. These absolute counts, however, cannot independently establish the effectiveness of enforcement without information about reporting dates, pending caseloads, project size, complaint inflows, and the availability of comparable denominators. The study therefore distinguishes regulatory activity from demonstrated regulatory performance. It argues that RERA has provided an important statutory foundation for registration, disclosure, financial safeguards, and remedies, but that transparent and consistently reported state-level data remain necessary for meaningful comparisons. The findings support regular publication of comparable statistics, clearer disclosure standards, and stronger institutional monitoring so that homebuyers, researchers, and policymakers can evaluate regulatory implementation on a more reliable basis.

Index Terms Real Estate (Regulation and Development) Act, 2016; RERA; registered real estate projects; real estate agents; consumer protection; statutory disclosure; complaint disposal

1. Introduction

Research on housing policy, real estate regulation, and consumer protection in India is important for understanding the changing relationships among developers, intermediaries, homebuyers, and public regulatory authorities. The Real Estate (Regulation and Development) Act, 2016 (hereinafter RERA or the Act), was enacted to improve transparency and accountability in the real estate sector, protect allottees, and provide more structured mechanisms for regulatory oversight and dispute resolution [1]. An assessment of RERA's implementation must therefore examine more than the text of the legislation itself. It must also consider the information that regulators make available, the manner in which complaints are handled, and the extent to which consumers can compare projects and exercise their rights. Such research can help policymakers identify differences in administrative

practice across India's diverse economic, social, and regional contexts.

India's real estate regulatory framework changed significantly when Parliament enacted RERA on 25 March 2016. The statute responded to recurring problems relating to delayed construction, incomplete disclosure, asymmetrical contractual obligations, and uncertainty about the remedies available to purchasers. It establishes regulatory authorities, provides for registration of qualifying projects and agents, requires specified disclosures about projects, and sets out obligations relating to the use of funds received from allottees [1]. The Ministry of Housing and Urban Affairs (MoHUA) maintains official information concerning implementation and links to state authorities and their reports [2], [3]. These arrangements create a framework for greater transparency, although the existence of statutory obligations should not

automatically be equated with full compliance or equally effective enforcement in every jurisdiction.

Compliance with the Act has implications for promoters, real estate agents, purchasers, and regulatory institutions. Properly registered projects must disclose important details, and registered agents must comply with statutory duties when facilitating the sale or purchase of regulated property. By making information more accessible and defining procedures for registration and redress, the legislation seeks to address problems such as misleading representations, incomplete project information, and delays in handing over possession. Judicial decisions have further clarified the relationship between RERA and other remedies available to purchasers under consumer-protection and insolvency legislation [4], [5]. Nevertheless, the effectiveness of the framework also depends on the accessibility, consistency, and completeness of disclosures made at the state level.

The principal objective of this study is to assess the statutory structure of RERA and compare selected state-level disclosure practices relating to project registration, real estate agents, complaint disposal, and published annual reports. It also examines the definition and regulatory importance of carpet area, the treatment of delayed possession, and the obligations imposed on promoters and intermediaries. Rather than assuming that the state with the largest absolute count necessarily has the strongest enforcement, the analysis considers the limits of the available comparisons. The selected states are discussed through descriptive charts supplied with the original study and through relevant statutory and judicial materials. The study seeks to identify practical areas in which reporting, transparency, and institutional coordination can be improved, while recognizing that additional dated and standardized datasets would be required for a definitive ranking of state regulatory effectiveness.

II. Research Approach and Scope

The study uses a doctrinal legal approach combined with descriptive comparison of secondary administrative information. The legal component examines relevant provisions of RERA, especially those governing registration, project finance, disclosures, agents, delayed possession, and complaints, together with decisions of the Supreme Court of India clarifying related purchaser remedies [1], [6]. The comparative component discusses the project-registration, complaint-disposal, and real estate agent registration figures depicted in three author-supplied charts. The study's source text does not identify a uniform extraction date or provide the underlying spreadsheet for those charts. Accordingly, the figures are treated as historical descriptive illustrations, not independently verified contemporary totals or a statistically standardized performance dataset. A comparison of enforcement effectiveness would additionally require complaint inflows, pending complaints, project stock, population or transaction denominators, and consistent reporting periods. The official MoHUA tracking portal and repository of state authority reports provide appropriate channels through which a reproducible future compari-

son could be undertaken [2], [3].

III. Results and Discussion

A. Overview of RERA requirements for project registration

Section 3 of the Real Estate (Regulation and Development) Act, 2016 generally requires promoters to register qualifying real estate projects with the relevant authority before advertising, marketing, booking, selling, or offering units for sale. The statutory exemptions in Section 3(2) include projects meeting the specified land-area or apartment-number thresholds, together with certain completed projects and qualifying renovation or redevelopment activities; governments may prescribe a lower exemption threshold in accordance with the Act [1]. Registration applications must provide prescribed information, including details of the promoter, approvals, sanctioned plans, development phases, and the proposed completion period. These requirements are intended to make material project information available before purchasers make substantial financial commitments. RERA also requires specified project receipts to be deposited into a dedicated account to help ensure that money collected from allottees remains available for the relevant land and construction costs.

Figure 1 presents the comparative number of projects registered across the selected states in the source material. Maharashtra is shown as the leading jurisdiction, with more than 40,000 registered projects in the historical snapshot. This level of recorded registration is consistent with the scale of development activity in important urban centres such as Mumbai and Pune, but the figure should not be interpreted by itself as proof of stronger regulatory compliance or more effective enforcement. A high total may reflect the size of the property market, the age of the reporting system, the number of projects eligible for registration, administrative coverage, and the period for which records have accumulated. To establish whether registration has been comprehensive, researchers would need an independently measured total of projects legally required to register during the same period.

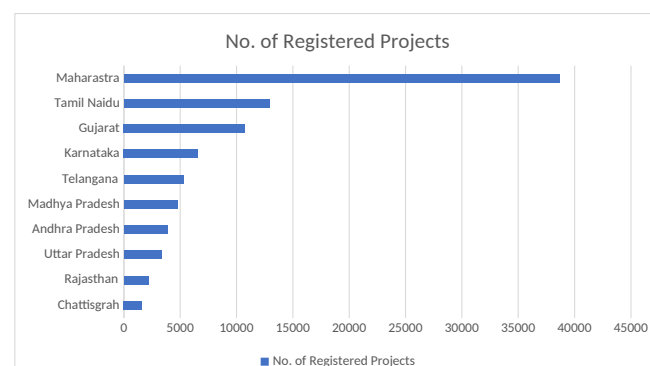


Figure 1: State-wise registration of real estate projects in the author-supplied comparison. The reporting date and underlying dataset require confirmation.

In the chart, Tamil Nadu and Gujarat follow Maharashtra

at lower levels of recorded project registration. Karnataka, Telangana, and Madhya Pradesh also show substantial activity, while the figures for Chhattisgarh and Rajasthan are comparatively smaller in this particular presentation. These differences invite investigation into urbanization, project size, economic conditions, market composition, and state-level registration practices. It would be premature, however, to characterize states with fewer registrations as necessarily less developed or less effective regulators. Similarly, high absolute totals cannot be treated as direct measures of market prosperity without taking account of population, urban development patterns, and the local regulatory environment. A more rigorous comparison should disclose the extraction date, source agency, definition of a registered project, and treatment of cancelled or expired registrations for every state included in Figure 1 [2].

B. Analysis of RERA, 2016

Promoters are required to register qualifying projects and submit accurate information to the appropriate state regulatory authority in accordance with Sections 3 and 4 of the Act. The disclosures allow potential purchasers to examine essential aspects of a proposed project, including approvals, sanctioned plans, development schedules, and the registration status of the promoter. Section 4(2)(I)(D) requires seventy percent of the amounts realised from allottees, from time to time, to be deposited into a separate account maintained in a scheduled bank for the relevant land and construction costs. Withdrawals are linked to the percentage of project completion and are subject to prescribed professional certification; the rule should not be described as an unconditional deposit of seventy percent of the entire project value [1]. This ring-fencing measure seeks to limit diversion of receipts while allowing certified project-related expenditure.

Compliance can nevertheless create practical obligations for developers, especially where approvals are delayed, cash-flow planning is inadequate, or documentary records are incomplete. Promoters must coordinate land, construction, regulatory reporting, and financial requirements throughout the project life cycle. Penalties for contraventions must be described by reference to the particular statutory duty involved: Section 59 addresses failure to register as required by Section 3 and provides for financial penalties and further consequences in specified circumstances, while other provisions govern different infringements [1]. Judicial decisions also indicate that purchasers may obtain relief when contractual terms are one-sided or delivery is substantially delayed. In *Pioneer Urban Land & Infrastructure Ltd. v. Govindan Raghavan*, the Supreme Court upheld the purchaser's entitlement to relief under consumer-protection law; the appeal arose from a consumer commission, not from a RERA appellate tribunal [7]. This distinction matters when describing the procedural basis of judicial intervention.

Figure 2 compares the number of complaints recorded as disposed of by RERA authorities in the selected jurisdictions. Uttar Pradesh is shown as having resolved more than 40,000 complaints in the historical comparison, making it the largest

of the reported state totals. A large number of disposed matters may indicate considerable case-handling activity, but it can also reflect a particularly large inflow of disputes. Consequently, the figure cannot establish a comparatively high disposal rate or a short average time to resolution without the corresponding number of complaints filed, cases pending, and time intervals. The State's regulatory performance should therefore be evaluated using transparent denominators and comparable procedural indicators rather than the absolute disposal count alone.

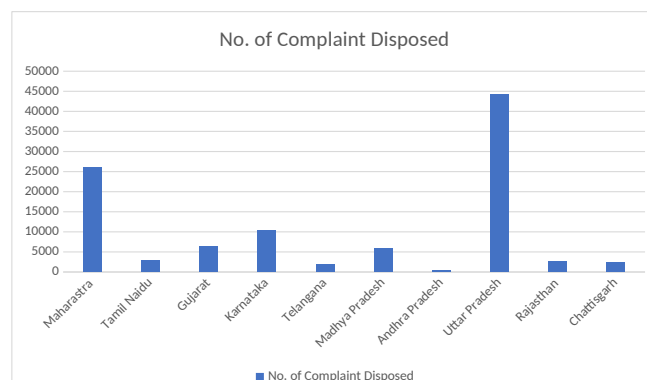


Figure 2: State-wise number of disposed real estate complaints in the author-supplied comparison. Counts are descriptive and are not adjusted for complaints received or pending.

Maharashtra appears next in Figure 2, with more than 25,000 complaints disposed of in the source chart. Karnataka and Gujarat show intermediate totals, whereas Tamil Nadu, Andhra Pradesh, Telangana, Madhya Pradesh, Rajasthan, and Chhattisgarh show smaller recorded totals. The differences are consistent with variation in market scale, levels of consumer awareness, administrative recording practices, and the availability of grievance procedures, but the available counts cannot identify which explanation predominates. For instance, a relatively small disposal count may arise from fewer complaints, reduced access to redress, a smaller regulated market, or an earlier reporting date. Likewise, a high disposal count does not necessarily imply that complainants obtained effective relief or that orders were enforced. Future comparisons should measure both the number of matters determined and the implementation of resulting orders, including recovery of refunds, payment of interest, and compliance with directions. Publishing complaints received, disposed of, pending, and enforcement outcomes in a consistent format would make state comparisons substantially more meaningful [2], [3].

C. Implementation of the definition of “carpet area”

Carpet area is a central statutory measure because it describes the floor space that must be disclosed in a consistent way to purchasers. Section 2(k) of RERA defines it as the net usable floor area of an apartment, excluding external walls, areas under services shafts, exclusive balconies or verandahs, and exclusive open terraces, but including the area covered by

internal partition walls [1]. The distinction between internal and external walls is legally important and should not be reversed. Transparent measurement enables prospective buyers to make more informed comparisons between apartments and to assess whether the space offered corresponds to the terms of an agreement for sale. It also provides a clearer reference point when allegations of misleading area representations or discrepancies between approved plans and marketing materials arise.

In industry usage, built-up area may include the carpet area together with elements such as external wall thickness and other components, while super built-up or saleable area may allocate a share of common spaces to an individual unit. These expressions are not interchangeable with the statutory definition of carpet area and may be calculated differently in commercial practice. RERA's standardized carpet-area definition therefore serves an important disclosure function, particularly where brochures or pricing documents employ broader measures of area. Purchasers benefit when the registered project record, sanctioned plans, marketing materials, and sale agreement consistently describe the same unit. Developers, in turn, benefit from precise measurement procedures and documentary controls that reduce later disputes. This is not merely a question of consumer convenience; it concerns the accuracy of a legally significant representation made at the point of sale [1].

The original draft cited three alleged Supreme Court decisions concerning carpet-area disclosure that could not be independently located in the stated form. Those unverified case descriptions have therefore not been retained as established legal precedents. The legal discussion is instead grounded in the statutory definition, promoters' disclosure obligations, and verified Supreme Court authority concerning misleading and unfair contractual practices. In *Pioneer Urban Land & Infrastructure Ltd. v. Govindan Raghavan*, the Court addressed unreasonable and one-sided terms in an apartment purchaser's agreement, illustrating the importance of enforceable consumer safeguards, although the decision should not be misrepresented as a specific ruling about a RERA carpet-area misstatement [7]. This more precise attribution preserves the legal relevance of the discussion without supplying unsupported case holdings.

D. Delays in real estate projects and related challenges

Delays in completing and handing over real estate projects may arise from regulatory approvals, financing problems, changing market conditions, disputes between contractors and promoters, or poor project management. They can impose substantial financial burdens on allottees who may be paying instalments, servicing loans, or meeting rental obligations while awaiting possession. Section 18 of the Act provides important remedies relating to delayed or failed delivery, including return of the amount received with prescribed interest and compensation where applicable, or interest for each month of delay when an allottee elects not to withdraw from the project [1], [6]. The precise remedy depends on the statutory

conditions and the facts of the particular case. Not every delay leads automatically to the same monetary relief or penalty, and separate penalty provisions should not be conflated with the purchaser's statutory entitlement to a refund or interest.

The jurisprudence confirms that the availability of RERA remedies does not necessarily exclude alternative legal routes. In *Imperia Structures Ltd. v. Anil Patni*, the Supreme Court held that consumer remedies remained available notwithstanding the enactment of RERA [4]. In *Newtech Promoters and Developers Pvt. Ltd. v. State of Uttar Pradesh*, the Court considered the powers of the authority and the entitlement of allottees to statutory refund and interest in the relevant circumstances [6]. The Court also addressed protective procedural requirements applicable to promoters pursuing appeals. These decisions are more suitable authorities for explaining delayed-possession remedies than unverified case citations. They demonstrate how sector-specific regulation and wider consumer-protection principles may operate alongside one another in the resolution of housing disputes.

In the *Bikram Chatterji v. Union of India* litigation concerning the Amrapali group, the Supreme Court intervened in response to serious failures affecting homebuyers and issued directions addressing stalled projects and related misconduct [8]. In *Supertech Ltd. v. Emerald Court Owner Resident Welfare Association*, the Court addressed unauthorized construction and violations of applicable planning and building requirements [9]. These cases illustrate the wider importance of compliance with approvals, truthful disclosures, and accountability for building practices. They do not establish that every real estate dispute follows identical procedures under RERA. Accurate characterization of the legal basis and procedural setting of each judgment is necessary if judicial decisions are to be used to evaluate the practical protection available to homebuyers.

E. Regulatory compliance mechanisms and statutory safeguards

RERA creates a statutory compliance framework through several mutually reinforcing obligations. Sections 3 and 4 govern registration and specified initial disclosures; Section 11 concerns promoter functions and duties; Sections 9 and 10 regulate registration and duties of real estate agents; and Section 18 addresses consequences of certain failures to complete or deliver the project as promised. The Act also establishes authorities, adjudicatory mechanisms, and appellate arrangements for disputes arising under the legislation [1]. These provisions aim to ensure that purchasers can obtain relevant information, that promoters remain accountable for declared development commitments, and that grievances can be considered through recognized legal procedures. Their effectiveness depends on the completeness of records, timely regulatory action, and implementation of decisions rather than on statutory wording alone.

The Supreme Court has emphasized different parts of the resulting protective framework in decisions arising from distinct statutory settings. *Pioneer Urban Land & Infrastruc-*

ture Ltd. v. Govindan Raghavan concerned unfair contractual terms and delayed possession in consumer proceedings [7]. *Imperia Structures Ltd. v. Anil Pami* concerned the continued availability of consumer proceedings alongside RERA [4]. *Pioneer Urban Land & Infrastructure Ltd. v. Union of India* addressed the treatment of homebuyers as financial creditors under the Insolvency and Bankruptcy Code and the relationship between insolvency and RERA remedies [5]. The Amrapali and Supertech matters concerned large-scale project and construction failures in different legal contexts [8], [9]. Together, these authorities show that meaningful consumer protection requires both effective statutory regulation and access to appropriate judicial and quasi-judicial remedies; they should not all be described as appeals from RERA tribunal decisions.

F. Regulatory framework for real estate agents

The Act imposes specific registration and conduct requirements on real estate agents and brokers who facilitate transactions in projects falling within its scope. Section 9 deals with registration, while Section 10 outlines the agent's duties, including restrictions on facilitating transactions in unregistered projects where registration is required and obligations concerning fair representations and the availability of relevant records [1]. Registration enables agents to be identified by a recognized authority and makes their legal status easier for purchasers to verify. However, the Act should not be described as prescribing a uniform national rate of brokerage commission: the central provisions do not establish a single statutory commission tariff for all transactions. Any claims about regulation of particular commissions or fees must therefore be linked to the applicable state rules or another relevant legal instrument.

In principle, registration can encourage greater accountability and more consistent professional practice among intermediaries. It also gives buyers an additional point of reference when checking the legitimacy of agents who offer property for sale. Yet the number of registered agents is not, by itself, an adequate indicator of professional conduct, market integrity, or the effectiveness of enforcement. Information about registration validity, complaints involving agents, disciplinary measures, and the availability of public searches is equally relevant. Regulatory authorities can strengthen consumer confidence by maintaining accessible, accurate, and regularly updated agent registers and by communicating applicable statutory duties in clear and understandable language.

Figure 3 presents the number of registered real estate agents in the selected states as reported in the manuscript's original comparative chart. Maharashtra leads with 47,652 agents in that source snapshot, a substantial total consistent with its large metropolitan property markets. This figure may reflect a combination of market size, formal registration practices, and cumulative administrative reporting. It does not automatically establish that the state has the most effective oversight of brokers or the lowest rate of misleading transactions. A stronger conclusion would require evidence about the total number of

active intermediaries, the proportion formally registered, the date of registration, the frequency of renewals, and the number of recorded violations and enforcement actions.

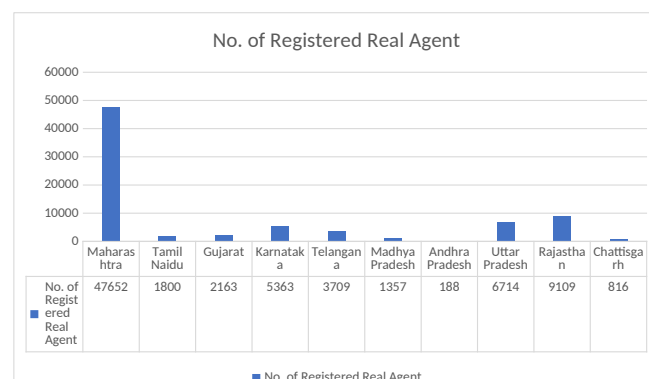


Figure 3: State-wise registration of real estate agents in the author-supplied comparison. Figures should be reconciled with dated state and national official records.

The source chart shows lower totals in Tamil Nadu, Gujarat, and Karnataka, broadly ranging from 1,800 to 5,363, while Uttar Pradesh and Rajasthan are reported at 6,714 and 9,109 registered agents, respectively. Madhya Pradesh, Andhra Pradesh, Telangana, and Chhattisgarh appear at still lower levels in the same comparison. These differences may reflect divergent market conditions, regulatory implementation dates, reporting conventions, and the characteristics of real estate brokerage in each state. Because the extraction date and source figures have not been supplied separately, the counts should not be treated as current statistics or used to rank states conclusively. Future empirical work should obtain dated agent-registration series directly from state authorities or official MoHUA records and should apply a common definition of active registered agents [2].

G. Shortcomings in reporting and disclosures on state RERA websites

Financial oversight under RERA includes project-specific reporting obligations intended to protect the amounts collected from allottees. The third proviso to Section 4(2)(I)(D) addresses an annual audit of the project accounts by a practising chartered accountant and verification that receipts have been used for the relevant project and withdrawals have followed the proportion of completion [1]. The audit is linked to the financial year, and the relevant statutory timetable must be read together with the Act and applicable rules. This promoter-level financial audit should be distinguished from the publication of an annual activity report by a state regulatory authority. The former concerns use of project funds; the latter concerns transparency and accountability in the regulator's own performance.

State RERA websites play an important role in communicating registration details, project information, orders, agent status, and complaint-handling outcomes. The Ministry of

Housing and Urban Affairs provides a centralized entry point to state implementation information and maintains an index of annual reports made available by state authorities [2], [3]. The degree of detail, accessibility, and historical coverage of these disclosures can vary between jurisdictions. Some presentations focus on cumulative complaints disposed of, whereas others also distinguish matters filed, pending, withdrawn, or disposed of within a particular reporting period. Differences in presentation make cross-state comparisons difficult, particularly when updates do not share a common reference date or when definitions are unclear. A uniform public reporting template should identify the data collection period, the responsible authority, the meaning of each indicator, the method of calculation, and whether reported counts are cumulative or annual. Machine-readable data and archival access would further support independent scrutiny and evidence-based reforms.

H. Limitations of the comparative assessment

This study is constrained by the absence of dated raw data underlying its three original figures. Although the figures permit a descriptive discussion of state-level activity, they do not establish statistically comparable registration rates, complaint-disposal rates, or compliance outcomes. The original source does not document a reproducible selection rule for designating the ten included jurisdictions as “high-growth” real estate states, and the number of registered projects alone cannot establish market growth. Moreover, the analysis uses legal and administrative sources and does not include interviews or independently collected responses from homebuyers, developers, or agents. Findings concerning perceived consumer confidence or the causes of complaint volume must therefore be understood as interpretations requiring additional evidence rather than as results of a primary stakeholder survey. These limitations do not diminish the value of the doctrinal analysis, but they require caution when drawing comparative policy conclusions.

IV. Conclusion

The Real Estate (Regulation and Development) Act, 2016 has established a significant statutory foundation for greater transparency, clearer obligations, and enhanced protection of allottees in India’s real estate sector. Its provisions for project registration, registration of intermediaries, standardized carpet-area disclosure, ring-fencing of specified project receipts, and remedies for delays address longstanding concerns faced by purchasers. However, the legislative framework is effective only to the extent that the responsible institutions apply it consistently and publish information that allows the public to evaluate compliance. The state comparisons discussed in this study illustrate substantial variation in recorded registrations and complaint disposals, but those counts must be interpreted in relation to their reporting periods, definitions, and underlying market conditions [1], [2].

Maharashtra emerges as a leading state in the historical project- and agent-registration figures supplied with the study, while Uttar Pradesh records the largest number of disposed

complaints in the corresponding comparison. Neither observation alone establishes superior or inferior enforcement, and a high complaint volume should not be interpreted automatically as proof of weak consumer protection. The central implication is that regulators should make more comparable information available and distinguish volume from performance. Regular publication of state annual reports, consistent reporting of complaints received and disposed of, transparent disclosure of pending cases, and accessible project- and agent-level information can make regulatory accountability more meaningful. Future studies should use dated datasets to examine complaint resolution times, enforcement of orders, registered-project coverage, and consumer outcomes in order to assess whether formal legal safeguards are being translated into practical benefits for homebuyers throughout India.

Author Contributions

All three authors contributed equally to the conception, development, analysis, and preparation of this manuscript. All authors have reviewed the final version and approved it for publication.

Competing Interests

The authors declare that they have no competing interests.

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Data Availability

This doctrinal and descriptive study did not generate a primary survey dataset. The legal authorities and official public resources consulted are identified in the references. The underlying files and extraction dates for the three author-supplied comparative figures were not included in the manuscript materials and should be provided by the authors before final publication.

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