



## ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

ನಂ:1/14, 2ನೇ ಮಹಡಿ, ಸಿಲ್ವರ್ ಜ್ಯೂಬಿಲಿ ಬ್ಲಾಕ್, ಯುನಿಟಿ ಬಿಲ್ಡಿಂಗ್, ಸಿ.ಎಸ್.ಐ.ಕಾಂಪೌಂಡ್, 3ನೇ  
ಕ್ರಾಸ್, ಮಿಷನ್ ರಸ್ತೆ, ಬೆಂಗಳೂರು-560027



No:K-RERA/US/CR/37 /2020-21(P)

Date: 16.12.2020

### NOTIFICATION

Subject: Delegation of powers under Section 81 of the Real Estate (Regulation and Development) Act, 2016, to the Secretary, K-RERA to conduct enquiry proceedings with respect to unregistered projects. \*\*\*\*\*

It is seen that around 2232 complaints against the Registered and Unregistered projects are still pending for disposal.

Earlier efforts were made by the Chairman, K-RERA to expedite disposal of these cases by allocating them to the Members, but still many complaints are pending for disposal.

The Chairman and the Members are already burdened with the enquiry proceedings in a number of cases for which Court sittings are being held.

It is further seen that amongst 2232 complaints filed against the Registered and Unregistered projects, many promoters are seeking exemption from registration under the provisions of the Act and the Rules. These cases have to be first segregated on the basis of merits of each case. Thereafter a decision has been taken to permit the Secretary, K-RERA either to refuse the exemptions or to grant the same. After this exercise, the cases have to be forwarded to the Adjudicating Officers and the Authority as the case may be.

Accordingly, The Authority decided to delegate powers of the Authority under Section 81 of the Act to conduct enquiry proceedings to the Secretary, K-RERA in case of unregistered projects and the Secretary, K-RERA shall take the following steps to segregate and take necessary steps as under:-

1. To issue notices in all the complaints against unregistered projects, if already not done.
2. There will be many cases where the promoters must have filed applications seeking exemption from the registration. On scrutiny of such documents filed by the eligible promoters, exemption from registration could be granted by the Secretary, K-RERA by means of issuing a speaking order.
3. After the segregation of projects, wherever the projects require registration, the same may be sent to the Authority for further necessary action.
4. Wherever the complainants are seeking individual reliefs in the nature of compensation / levy of interest, such cases could be referred to the Adjudicating Officers.
5. Wherever the complainants are seeking reliefs of common nature like non-availability of civic amenities, issuing directions to the promoter to complete the project, request for other common reliefs, such cases could be referred to the Authority.





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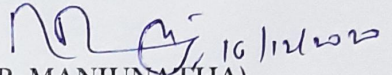


6. After a decision with respect to registration of a project is taken, wherever both set of reliefs are claimed by the complainant like individual reliefs along with the common reliefs, a copy of the complaint shall be marked to both the Adjudicating Officer or the Authority to take necessary action in accordance with law.

The Authority is already over burdened with conduct of hearing of complaints against registered and unregistered projects, by taking up enquiry of all the unregistered projects, the Authority will not be in a position to dispose quickly the huge number of pending cases.


In view of the above issues, the Authority, in the interest of justice and equity, by the Proceedings dated 14/12/2020 has delegated such powers under Section 81 of the Real Estate (Regulation and Development) Act, 2016.

As per the Proceedings of the Authority dated 14/12/2020, considering the pendency of around 2232 complaints, the powers of the Authority has been delegated under Section 81 of the Real Estate (Regulation and Development) Act, 2016, to the Secretary, K-RERA to conduct enquiry proceedings with respect to unregistered projects.

  
(R. MANJUNATHA)

Under Secretary,

Karnataka Real Estate Regulatory Authority.

  
16/12/20

### Copy to,

1. PS to the Hon'ble Chairman, Karnataka Real Estate Regulatory Authority, Bengaluru - requested to bring the above to the kind notice of the Hon'ble Chairman.
2. PA to the Member-1 and Member-2, Karnataka Real Estate Regulatory Authority, Bengaluru - requested to bring the above to the kind notice of the Members.
3. Secretary, Karnataka Real Estate Regulatory Authority, Bengaluru - for information and necessary action.
4. Deputy Secretary, Karnataka Real Estate Regulatory Authority, Bengaluru - for information.
5. Adjudicating Officer, Karnataka Real Estate Regulatory Authority, Bengaluru - for information.
6. Controller of Finance, Accounts, Karnataka Real Estate Regulatory Authority, Bengaluru - for information.
7. Executive Engineer, Karnataka Real Estate Regulatory Authority, Bengaluru - for information.
8. Accounts Officer, Accounts Section, Karnataka Real Estate Regulatory Authority, Bengaluru - for information.
9. Tahsildar, Revenue, Karnataka Real Estate Regulatory Authority, Bengaluru - for information.
10. System Analyst, IT/ Legal Advisor / Court Officer / Section Officer-1 /Section Officer -2, Karnataka Real Estate Regulatory Authority, Bengaluru - for information.
11. Office Copy.