



Gujarat National Law University

Advanced Training Programme on Real Estate Law:
Navigating India's Legal Landscape under the
RERA, 2016.

Aug 30 to Sep 1, 2024



AT GUJARAT NATIONAL LAW UNIVERSITY, GANDHINAGAR

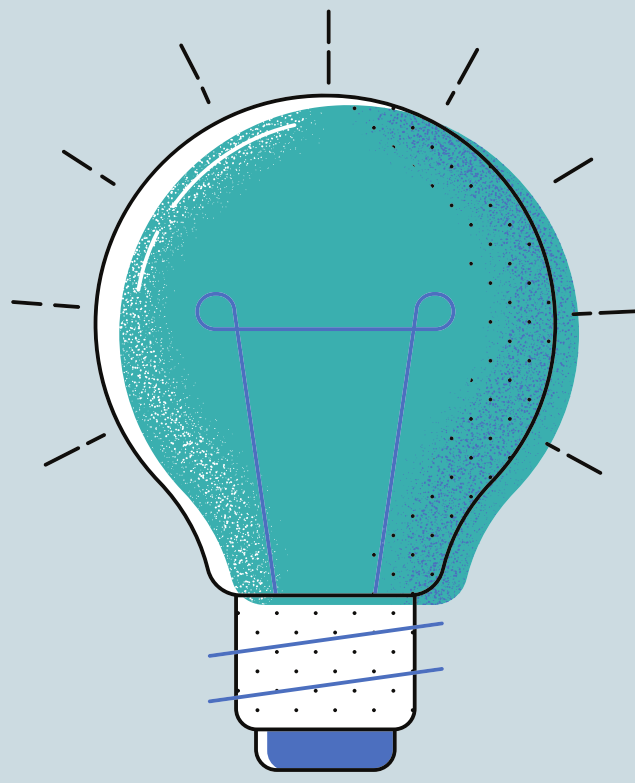
ABOUT THE COURSE



Real Estate Law/Real Property Law encompasses the legal framework governing land and its development, including residential, commercial, and industrial construction. Prior to the enactment of the Real Estate (Regulation and Development) Act, 2016 (RERA), the regulation of the real estate sector varied at the state level due to legislative jurisdiction resting with the states. This led to a lack of uniformity in regulations across different states, resulting in governance challenges and inadequate grievance redressal mechanisms. Grievances were often addressed under existing laws such as the Consumer Protection Act, 1986, and the Competition Act, 2002. To address these issues and provide relief to homebuyers, the Parliament passed the RERA in 2016. This legislation serves as a model framework for regulating the real estate sector, mandating states to enact laws aligned with its provisions. The RERA establishes Real Estate Regulatory Authorities for regulation and dispute resolution, along with appellate tribunals for enhanced consumer protection. Additionally, a Central Advisory Council advises the government on policy matters and consumer interests.

Utilizing a blend of lectures, case studies, discussions, and hands-on exercises, this course aims to provide comprehensive understanding of the legal framework, procedural intricacies, and latest advancements within the real estate domain. Furthermore, it serves as a forum for participants to engage in intellectual dialogue and enhance their research proficiency in this specialized field.

COURSE OBJECTIVES



The course intends to provide the participants :

- Understanding the pre- RERA legal governance of the real estate sector and its major problems
- Understanding the constitutionality and other constitutional aspects and their interaction with RERA.
- Familiarise with the protection and grievances redressal mechanism under RERA, 2016.
- Analyse the roles and responsibilities of various stakeholders including the Promoters, co-promoters, agents, regulatory authorities and tribunals under RERA, 2016.
- Analyse the penalty clause and its effectiveness for the protection of consumer's interest.
- Critically analyse the cases decided by the Supreme Court and the regulatory authorities, illustrating the application of RERA, 2016 in various practical scenarios.
- Critically analyse the interaction of RERA, 2016 with other laws like Consumer Protection and Insolvency Law.



COURSE OUTCOMES



Upon completion of this course, participants would be able to:

- Explain the historical governance structure of the real estate sector before the implementation of RERA, 2016
- Identify the key challenges faced by the real estate industry.
- Assess the effectiveness of the safeguards and grievance redressal mechanisms provided by RERA, 2016.
- Identify and describe the roles, duties, and functions of various stakeholders including the Promoters, co-promoters, agents, regulatory authorities and tribunals under RERA, 2016.
- Examine the integration of RERA with Land Law, Consumer Protection, and Insolvency Law, and analyze the implications of this integration on the regulation and functioning of the real estate sector.

Participants will receive a certificate on completion of this course.

COURSE OUTLINE

1. Introduction to Real Estate Law in India (2 Hours)

- 1.1. Overview of Indian real estate market.
- 1.2. Key drivers of real estate growth in India.
- 1.3. Fusion of laws governing the real estate sector in India.
- 1.4. Ownership rights in the real estate sector.

2. Foundations of Real Estate Transactions in India (3 Hours)

- 2.1. Key terms used in the real estate sector.
- 2.2. Overview of land acquisition procedure in India.
- 2.3. Real estate due diligence and transfer.
- 2.4. Scope and applicability of RERA, 2016.

3. Regulatory Oversight for Real Estate Components (3 Hours)

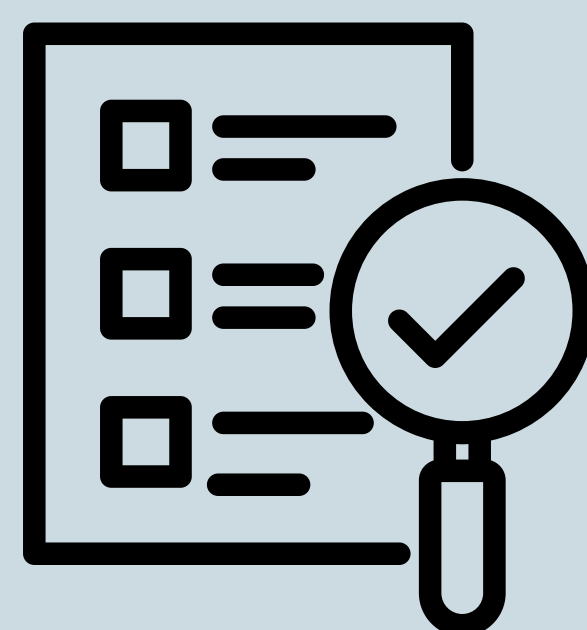
- 3.1. Procedure for registering real estate projects.
- 3.2. Obligations and responsibilities of a real estate agents.
- 3.3. Promoters and allottees rights and duties.
- 3.4. Preventing real estate frauds: Buyers precautions.

4. Adjudicatory Mechanism under the RERA, 2016 (3 Hours)

- 4.1. Adjudication process: regulatory authorities and their functions.
- 4.2. Offences and complaint filing mechanism.
- 4.3. Unique responsibility of the “adjudicating officer”.
- 4.4. Appellate Tribunal: Review and appeal process.

5. Realty Law in Interaction with other Laws (3 Hours)

- 5.1. Home Buyers as “Financial Creditors” under the Insolvency Law.
- 5.2. Homebuyers as “Consumers” under the Consumer protection Law.
- 5.3. Impact of Competition Law on the real estate sector.
- 5.4. Real Estate and Investment dynamics.



COURSE INSTRUCTOR



MS. RUCHITA KAUNDAL

Assistant Professor of Law, Gujarat
National Law University, Gandhinagar

Ruchita Kaundal is an Assistant Professor of Law at the Gujarat National Law University (GNLU). Before joining GNLU, she served as a Junior Research Fellow at GNLU. Prior to this she served as an Assistant Professor of Law at MUIT, School of Law, Uttar Pradesh. She has a teaching and research experience of over 6 years in diverse areas of law (contracts, infrastructure, real estate, human rights and international law). She has been a resource person and chair in varied guest lectures and conferences.

She has showcased her expertise through conference presentations at prestigious national and international conferences including paper publications in Scopus and UGC indexed journals. Ruchita completed her undergraduate in law at the National Law Institute University, Bhopal and her post-graduation at National University of Juridical Sciences, Kolkata with International Law Specialisation. Currently, she is pursuing her PhD in the area of Human Rights Law at the GNLU.

ADDITIONAL DETAILS

Who May Attend? The Course is open to Students (Law Students, Students of Allied Streams), Research Scholars, Practitioners, and Professionals.

Course Fee:

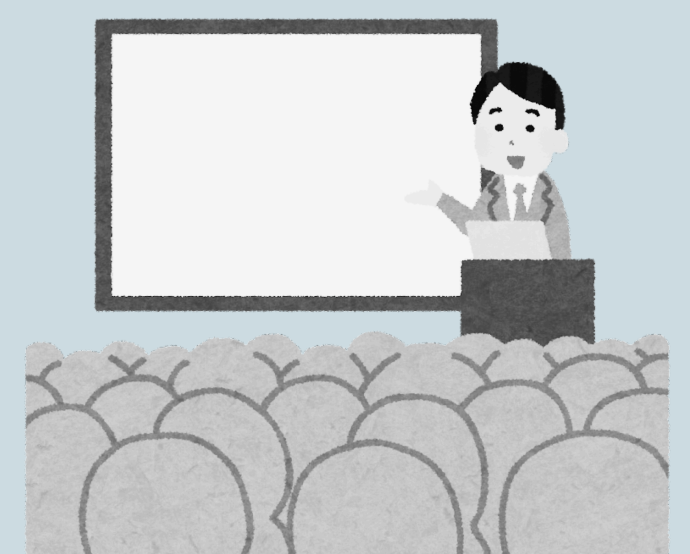
1. GNLU Students: 500 INR
2. Other Students: 1000 INR
3. Research Scholars: 1500 INR
4. Professionals: 2000 INR



Accommodation:

May be provided on payment of additional tariff as applicable- within the GNLU campus on first cum first serve basis (Subject to availability).

Desired Intake: 50 Participants (First cum first serve basis)



ADDITIONAL DETAILS

Session Duration: 14 hours

Dates: Aug 30- Sep 1, 2024

Timings: 9.30 AM- 5 PM

Mode: In-campus, offline

Material: Reference readings will be provided

Evaluation: Last day of the Course (MCQ)

Reward: Certificate on successful completion of the Course



REGISTRATION DETAILS

Registration Details:

Interested participants are required to apply through the below mentioned link(s).

Payment Link:

https://gnlu.servergi.com:8071/SIMWEBGNLU/Utilities/open_dataform

Registration shall be confirmed after receipt of the registration form and course fee.

Registration form:

<https://forms.gle/eazuEfWtuxkHxWmX7>

Last date for registration: 20th August, 2024

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