
Rera pulls out of 2 realty projects in Noida

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Noida: UP-Rera, the state's real estate regulator, has moved out of two stalled housing projects in Noida it was supposed to complete by calling in a new developer and also withheld 55 notices and orders to avoid an overlap with proceedings in the National Company Law Tribunal (NCLT) and other courts where the same cases have been filed by homebuyers or investors.

UP-Rera member Balwinder Kumar, meanwhile, said the limited powers granted to Rera needed a relook and a few changes in the law were necessary to make the regulator more effective.

The decision to move out of the two projects — Airwil Intellicity in Techzone 4 and Unnati Buildtech in Sector 119 — is in keeping with a Supreme Court order, dated August 9, which ruled that if there is an overlap of proceedings by Rera and those go-

verned by the Insolvency and Bankruptcy Code, the latter will hold.

Kumar said they had to step out of the projects after a buyer from Airwil Intellicity moved NCLT. In the case of Unnati, a notice by UP-Rera to deregister the project was challenged by the builder at the appellate tribunal.

“The Supreme Court order clears all ambiguity over the regulator and insolvency code. If there is an overlap in a case where a project needs to

be taken over and driven to completion, the NCLT proceedings will prevail. The regulator now will mostly be hearing complaints and supervise completion of projects. The NCLT-appointed IRP (insolvency resolution professional) has vested its rights through Section 20 of the Act, under which it can push for completion,” Kumar said.

According to Kumar, there is need for a few amendments in the Rera Act to give the regulator more teeth.

“We have no powers to direct the Noida or Greater Noida authorities. To be able to make Rera applicable on the ground, there is still scope for improvement in the Act itself,” Kumar said.

Lawyer ML Lahoty, who is representing buyers in the Supreme Court, also cited limited powers vested with Rera for more and more homebuyers moving other courts.

UP-Rera has so far disposed of 10,092 of 17,196 complaints registered with it.