



KERALA REAL ESTATE REGULATORY AUTHORITY

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Phone Number: 9497680600

No. 950 /K-RERA/2023

Dated: 06 .07.2023

PUBLIC NOTICE

Sub :- Directions and Guidelines with respect to the Complaints filed under Section 31 of Real Estate (Regulation & Development) Act, 2016, further directions-Reg.

Ref :- 1. Public Notice No. 609/KRERA/2021(L) II dated 20.03.2021
2. Public Notice No. 609/KRERA/2021(L) I dated 20.03.2021
3. Public Notice No. 3271/KRERA/2021 dated 22.12.2021
4. Public Notice No. 809/KRERA/2022 dated 23.06.2022

1. As speedy grievance redressal system is one of the objectives of the Real Estate (Regulation & Development) Act, 2016, this Authority had already issued several Public Notices & guidelines which were supposed to be followed by the parties to the Complaints and their Counsels, so as to avoid undue delay in the proceedings come under Section 31 of the Act, 2016. But it has been noticed by the Authority that many of the parties as well as the Counsels appeared for them are still making errors and thus creating huge delay in service of summons and the proceedings thereafter.

2. Vide Public Notice referred Ist above, the Authority had already issued directions to the Complainants in the complaints filed under Section 31 of the Act, 2016 to produce the sufficient stamped

envelopes and acknowledgement cards with written addresses of the Respondents to be required for serving notice to the Respondents at the time of filing complaints.

3. In view of the above, in order to ensure speedy service of notice to the Respondents, and in exercise of the powers conferred under Section 37 of the Act, 2016, read with Regulation 20(5) of Kerala Real Estate Regulatory Authority (General) Regulations, 2020, **the Authority here by direct that the parties to the complaints being filed under section 31 of the Act, 2016 shall produce sufficient number of stamped covers, and acknowledgement cards after writing addresses of the Respondents required for serving notices to the Respondents through speed post.**

The Authority also hereby issues the following guidelines for giving more clarifications with respect to the filing of Complaints, under Section 31 of the Real Estate (Regulation & Development) Act, 2016.

- a. With respect to non- providing of common amenities in a project, Complaints both in Forms M & N need not be filed at the same time by the allottee. The Complaint shall be either for getting provided the amenities through Form M or for getting Compensation through Form N.
- b. If an association of allottees is formed for a project, it is better for the association to file single complaint for the relief with respect to completion of common amenities or such other reliefs by producing the copy of resolution taken in an General Body Meeting, and in such cases there is no need for individual allottees to file separate

complaints for the same purpose and it will avoid multiplicity of Complaints.

- c. The Complaint filed under Section 31 of the Real Estate (Regulation & Development) Act, 2016 shall clearly specify the violations /contraventions of provisions of the Act and under what section of the Act, the relief is prayed for. Legally authenticated copies of all the documents supporting the contentions/claims shall be produced along with the pleadings, by each of the parties to the Complaint. All the Complaints for refund under Section 18 shall be accompanied by payment receipts and detailed calculation of interest as per Rule 18 of Kerala Real Estate (Regulation & Development) Rules, 2018. Similarly, while filing Complaints for interest for delay all the payment receipts and calculation of interest shall be submitted.

Sd/-
Member I
Preetha P. Menon

Sd/-
Member II
M.P Mathews

Sd/-
Chairman
P.H Kurian

/True Copy/ Forwarded By/Orders/



Secretary (Technical & Admin)

