

7<sup>th</sup> September, 2017

The Chief Information Officer,  
Ministry of Housing and Urban Poverty Alleviation,  
New Delhi

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**Subject: Application under section 6 (3) of the RTI Act – 2005**

Sir,

I am a Citizen of India and under the rights conferred upon me by Government of India under the Right to Information Act 2005, I hereby request you to kindly provide me the following information with respect to applicability Real Estate (Regulation and Development) Act 2016 to the industrial component:

1. Is it a true that the Minister of State in the Ministry of Housing and Urban Poverty Alleviation mentioned in the Parliament on 23<sup>rd</sup> April, 2015 that the Real Estate (Regulation and Development) Bill 2016 is applicable to both commercial and residential real estate projects?
2. Is it a true that while referring the bill to Select Committee, the Minister of Urban Development mentioned in the Parliament on 6<sup>th</sup> May, 2015 that the Government has brought forward the bill balancing the interest of consumers as well as need for housing fur all by 2022?
3. Is it true that when the revised Bill and the amendments were referred to the Select Committee for its recommendations, the definition of "Apartment" was amended by the Cabinet to include building or plot of land used for residence, office, shop, showroom or godown or for carrying on any business, industry, occupation, profession or trade or for any other type of use ancillary to the purpose specified... The Select Committee retained "commercial" and "residential" but dropped references to "industry" in the definitions of Apartment?
4. Is it true that in the report submitted by the Select Committed to the Rajya Sabha on 30<sup>th</sup> Jul'15, it was mentioned that the Bill is applicable to residential real estate .
5. The Bill, after considering recommendations of Select Committee, was passed by Rajya Sabha on 10<sup>th</sup> March, 2016. The Real Estate Bill, 2016, as passed by both Houses of Parliament, contains the definitions of apartment and building exactly as recommended by the Select Committee. Residential and commercial premises included and Industrial premises intentionally excluded?
6. If the answer the above point 4, 5 is in affirmative, whether Real Estate (Regulation and Development) Act 2016 is applicable to Industrial Colonies / Industrial Parks;

7. If the reply to the above question is in negative, what is the rationale for including the industrial component if the Select Committee has consciously deleted industry from the definition of "Apartment" purposely to take out industrial component from the purview of the Act?

If you deny any of the information sought, please reply point-by-point and quote the exemption clause of Section 8(1) or any other relevant clause of RTI Act and a brief reasoning as to how it is applicable to that specific point. This is a requirement of the RTI Act, as per Section 7(8)(i), Section 19(5) and Section 20(1) last paragraph.

Applicant is ready to pay / deposit the subsequent fee(s) if any after the receipt of your written instructions / orders for the same, if the information is provided within stipulated time frame as mandatory under RTI Act-2005

Thanking you,

Vaibhav Goel