

Fourteenth Kerala Legislative Assembly
Bill No. 45

**THE KERALA REAL ESTATE (REGULATION AND
DEVELOPMENT) REPEAL BILL, 2017**

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Kerala Legislature Secretariat
2017

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[Translation in English of “2017-ലെ കേരള റിയൽ എസ്റ്റേറ്റ് (നിയന്ത്രണവും വികസനവും) നൂറാക്കൽ ബിൽ” published under the authority of the Governor.]

THE KERALA REAL ESTATE (REGULATION AND
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BILL

to repeal the Kerala Real Estate (Regulation and Development) Act, 2015.

Preamble.—WHEREAS, it is expedient to repeal the Kerala Real Estate (Regulation and Development) Act, 2015;

BE it enacted in the Sixty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Real Estate (Regulation and Development) Repeal Act, 2017.

(2) It shall come into force at once.

2. *Repeal of Act 5 of 2016.*— The Kerala Real Estate (Regulation and Development) Act, 2015 is hereby repealed.

3. *Saving.*—Notwithstanding such repeal, such repeal shall not affect the validity, invalidity, effect or consequences of anything done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing, from the date of commencement of the Kerala Real Estate (Regulation and Development) Act, 2015 (5 of 2016) to the date of commencement of Real Estate (Regulation and Development) Act, 2016 (Central Act 16 of 2016).

STATEMENT OF OBJECTS AND REASONS

The Kerala Real Estate (Regulation and Development) Act, 2015 (5 of 2016) came into force on 4th May, 2015. But certain sections of the Central Act in this subject, the Real Estate (Regulations and Development) Act, 2016 (Central Act 16 of 2016) came into force on 1st May, 2016. As per clause (1) of article 254 of the Indian Constitution, if any provision of a law made by the legislature of a State is repugnant to any law made by the Parliament, the law made by the legislature of a State shall become void. Therefore the Government have decided to repeal the Kerala Real Estate (Regulation and Development) Act, 2015.

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

DR. K. T. JALEEL