

## **CREDAI NCR Consumer Grievances Redressal Forum**

### **'Promising a Fair Deal'**

In its bid to empower mission transparency and protect the interest of buyers, **CREDAI NCR established a 'Consumer Grievance Redressal Forum' where an aggrieved buyer can register a complaint against CREDAI NCR member developer.** By translating investor interest protection into a mechanism, the apex body of real estate developers having more than 200 members across NCR region, seeks to resolve consumer complaints expeditiously and promote best selling practices amongst the developer fraternity. **A first of its kind, the initiative to self govern and self regulate through peer pressure has strengthened the belief of the buyers in the developer community.**

Ever since its enforcement in the year 2012 (after a big advertisement campaign in which CREDAI NCR spent around Rs.55 Lacs so that General Public could be made aware about the initiatives of CREDAI NCR); Consumer Grievance Redressal Forum of CREDAI NCR has provided better protection to the interests of customers connected with its "member real-estate developers".

The mechanism consists of the respective developer downloading the complaint lodged by the buyer from the website and submitting the number of days that will be needed for resolution of the complaint ranging from 7 to 45 days depending on the nature of the complaint. The developer is expected to adopt standard procedures, protect buyer's interest and embrace transparent practices.

***So far Consumer Redressal Forum has registered approximately 1265 complaints and effectively resolved 1119 cases(as in June 2014). Out of the remaining 146 cases 115 are in the process of being resolved between Builder and the Complainant. The above figure shows that CREDAI NCR has already resolved around 90% cases in an amiable way through peer pressure and informal arbitration and the percentage is increasing day by day. The success rate shows that general customer is gaining confidence in Consumer Grievance Forum of CREDAI NCR.***

Provision has been made for experienced developers legal and Technical experts to facilitate such resolutions. The panel consists of **Retd. High Court Justice S.K. Dubey Or Retd. High Court Justice G.C. Bharuka** and one Governing Council Member - CREDAI NCR together with Secretariat - CREDAI NCR which provides support in the conduction of proceedings at Arbitration Halls, Supreme Court of India Complex.

One can also lodge a complaint on the CREDAI NCR website. It has witnessed a steady rise in the past few months owing to an increased level of awareness and confidence about the mechanism amongst general public. Over time Credai NCR expects to reduce such matters going to the Courts or other formal forums.

***Having succeeded in its mission to align the faith of consumers with the member builders, Consumer Redressal Forum continues to take up the case of grievances and implement self regulation of the Industry in terms of standards of delivery vis-à-vis commitments among present and prospective buyers, the government and the media.***



## **PROCEEDINGS IN ARBITRATION HALLS, SUPREME COURT OF INDIA COMPLEX**

### **Advantages of Consumer Grievance Redressal Forum (CGRF) of CREDAI-NCR**

1. Mediation through CGRF is a simpler, quicker and easier way to resolve disputes - the whole process takes only a few days (right from the stage of filing of complaint to listing of matter for mediation). In a majority of the cases, the complainant's matter is usually resolved in a single sitting of 15-20 minutes.
2. Mediation is a highly economical mode of dispute resolution (the parties need not engage lawyers or go through multiple rounds of appearances involved in litigation and there is no court fees involved).
3. Proceedings are hassle-free and easy to understand, even for a layman with no background in legal education.
4. Mediation proceedings are not judicial, quasi-judicial or adjudicatory in nature. If dissatisfied with the outcome of the proceedings, the option of formal recourse in the Courts of law is always open and available to the Complainant.
5. Due consideration is given to the contractual rights and obligations of the parties, facts and circumstances of each individual case and prevalent market practices.
6. The Forum serves as an independent and impartial platform for the Complainant and Developer to understand each others' issues and views, exchange information, define the problems and reach an amicable and mutually satisfactory settlement.
7. Unbiased dispute resolution: The Forum is presided by High Court Justice S.K. Dubey and Justice G.C. Bharuka (Both retired), who facilitate the resolution. Apart from them, one Governing Council Member - CREDAI NCR together with Secretariat - CREDAI NCR provides support in the conduction of proceedings.
8. Peer pressure from other developers ensures that the conduct of the developer is fair.
9. During the proceedings, the developer is represented by its senior/managerial executives who are equipped with decision-making powers, thus facilitating on-the-spot dispute resolution and saving the consumer from the hassle of pursuing his complaint through the usual bottom-up hierarchy of organizations.
10. Rules of evidence and Code of Civil Procedure are not applicable to the Forum's proceedings, thus allowing for more flexibility and less rigidity in dispute resolution.
11. In the event a settlement is arrived at between the Complainant and the Developer, the Forum records the reasons and terms of such settlement and the same is notified to both parties and CREDAI-NCR.
12. All discussions and information exchanged during the proceedings are kept partially confidential, unlike Court proceedings.