

Chapter III - Promoter Functions and Duties

Map disclosures, advertisement, agreement, project account, approvals, changes, transfer, insurance, title, defects, refund and compensation.

Chapter in 2 Minutes

- Identify the legal trigger, responsible actor and evidence relevant to promoter duties.
- Read the Act with all effective Rules, regulations, notifications, directions, guidelines and forum procedure as at the event date.
- Separate substantive obligation, operational workflow, filing or reporting, enforcement consequence, remedy, appeal and limitation.
- Maintain a reproducible source pack, decision memo, approval trail and transaction-level evidence.
- Apply connected company, contract, tax, accounting, data, competition, consumer, insolvency and sector-law overlays independently.

Provision / instrument map

Provision	Subject / control
S. 11	Functions and duties of promoter
S. 12	Obligations regarding veracity of advertisement
S. 13	No deposit or advance without agreement for sale
S. 14	Adherence to sanctioned plans and project specifications
S. 15	Obligations on transfer of project to third party
S. 16	Insurance of real estate project
S. 17	Transfer of title
S. 18	Return of amount and compensation

Implementation and practical application

A business decision raises promoter duties. The team should freeze the relevant chronology, identify every actor and legal relationship, map the current provision and delegated instrument, preserve system and communication evidence, quantify exposure, and choose cure, filing, response, settlement or litigation only after checking jurisdiction and limitation.

Control checklist

Classify facts and role; capture current source; map approvals and evidence; calculate threshold/time/exposure; implement system gate; preserve filing and delivery proof; verify forum and limitation.

Cross-law overlays

Contract, company/LLP, tax/accounting, data/cyber, consumer, competition, MSMED, RERA, FEMA, IBC, sector law and evidence rules must be applied separately.

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