

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY  
AUTHORITY, PUNE**

**SUO MOTU ADVERTISEMENT/  
PUNE CASE NO. 32 OF 2024**

MahaRERA on its own Motion

.... Complainant

Versus

Prashant Shahurao Lande

.... Respondent

**Name of Project :- 'KOHINOOR KALEIDO'**

**MahaRERA Project Registration No. P52100046027**

**MahaRERA Agent Registration No.A52100008324**

**Coram: Shri.F.D.Jadhav, Dy.Secretary-Cum-Head**

**Appearance :- Mr. Prashant Shahurao Lande (In person)**

**ORDER**

23<sup>rd</sup> April, 2024

(Through Video Conferencing)

1. MahaRERA has issued show-cause notice, dated 29.01.2024 to the respondent-agent for publishing advertisement on website <https://kohinoor-Kharadi.in> in respect of real estate project "Kohinoor Kaleido Kharadi", situated at Wagholi, Pune registered with MahaRERA Project Registration No. P52100046027 without including the Quick Response (QR) Code of the said real estate project in the said advertisement and thereby violating the directions issued by the Maharashtra Real Estate Regulatory Authority Order No. 46/2023, dated 29.05.2023 read with MahaRERA Order No.46B, dated 21.08.2023.
2. Respondent-agent has furnished his reply, dated 20.03.2023 to the said show-cause notice dated 29.01.2024, wherein he has submitted that he had no any knowledge of the guidelines and principles of said real

estate business. Respondent has apologized for the violation of the guidelines issued by MahaRERA Authority and voluntarily admitted the charges leveled in the show cause notice.

3. MahaRERA has issued Order No.46, dated 29.05.2023, wherein the following directions have been issued :-

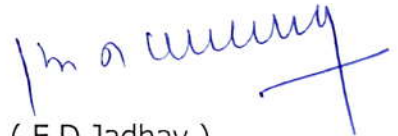
- (a) The promoter shall prominently display the Quick Response (QR) Code on each and every project promotion/advertisement published after "1<sup>st</sup> August, 2023";
- (b) The QR Code must be published in a manner that is legible, readable, and detectable with software application; and
- (c) The QR Code must be published besides the MahaRERA Registration Number and the website address.

The mandate as mentioned in Clause (a) above shall apply to the mediums of promotion/advertisement mentioned thereunder. It is to be stated here that advertisement on websites/webpages of Projects is the fourth medium amongst 5 mediums.

5. MahaRERA has further issued Order 46B, dated 21.08.2023. In clause (a) of the said circular, it has been clearly mentioned that Real estate agents shall prominently display QR Code on each and every real estate project promotion/advertisement published in the mediums as more specifically listed in MahaRERA Order No.46/2023, dated 29.05.2023.
6. Considering the unequivocal admission of the Respondent/Agent in respect of advertisement issued in respect of the aforesaid Real Estate Project without QR code, it can be said that the charges leveled against the Respondent/Promoter have been clearly proved.
7. Clause (c) of the MahaRERA Order No.46B/2023, dated 21.08.2023 provides that, "Failure to comply with (a) and (b) above shall be construed

as violation of the directions issued by the Authority and penalty which may extend upto Rs. 50,000/- subject however to a minimum penalty which shall not be less than Rs. 10,000/- under Section 65 of the Act shall be imposed upon real estate agents for each such violations.

8. It can be seen from the record that the respondent has voluntarily admitted the violation of the directions issued by MahaRERA vide Order No.46/2023, dated 29.05.2023 and Order No.46B/2023, dated 21.08.2023 by not displaying QR Code in the impugned advertisement. Therefore, there appears clear contravention of the aforesaid MahaRERA Orders on the part of the respondent-agent. It palpably indicates the violation of MahaRERA Orders (supra) by the respondent. As such the provision of Section 65 of the Real Estate (Regulation & Development) Act, 2016 ( hereinafter referred to as "Act, 2016) have to be invoked against the respondent-agent for imposing penalty. Considering the fact that the RERA Registration Number of both real estate project and real estate agent has been mentioned in the impugned advertisement, lenient view is required to be taken while imposing penalty in this matter.
9. In view of the above, the respondent shall pay the penalty of Rs.10,000/- under Section 65 of the Act, 2016 within 10 days from the date of this order, failing which respondent shall be liable to penalty of Rs.250/- per day, in addition, till the realization of entire amount.
10. The Technical and Finance Department of the MahaRERA Authority shall verify the payment of the said penalty before processing any applications by the respondent-agent for renewal, corrections, change of name etc. with respect to his registration.

  
( F.D.Jadhav )  
Dy.Secretary-Cum-Head,  
MahaRERA, Pune