

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY  
AUTHORITY, NAGPUR  
SUO MOTU ADVERTISEMENT CASE NO. 21 OF 2024**

MahaRERA on its own Motion .... Complainant  
Versus  
M/s. Shreeniwas Homemakers .... Respondent/ Promoter

**MahaRERA Project Registration No. - P50500035126**

**Coram: Shri.Sanjay Bhimanwar,Dy.Secretary, MahaRERA**

No one appeared for the respondent/ promoter.

**ORDER**

22<sup>nd</sup> October 2024

(Through Video Conferencing)

1. The Maharashtra Real Estate Regulatory Authority has delegated certain powers on me dated 26/04/2023 under Section -81 of the Real Estate (R&D)Act 2016(hereinafter called as " Act 2016").The said powers, inter alia, contains imposing of penalty under section-59 of the Act-2016 for contravention of section -3 of the Act,2016 by the promoter and to impose penalty under section-61 of the Act,2016 for contravention of section-11(2) of the Act,2016 by the promoter. In Exercise of the powers delegated to me under section 81 of the Act,2016, notices were served to the parties, heard the parties and thereafter matter is disposed of.
2. The MahaRERA authority has issued the directions by MahaRERA order No 46/2023 read with MahaRERA order No. 46A/2023 wherein with effect from



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01.08.2023, promoter shall prominently display the QR Code on each and every real estate project promotion / advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No.46/2023 dated 29.05.2023, failure to which a penalty under Section 63 of the Act, 2016 shall be imposed upon promoters for each such violation.

3. The MahaRERA authority had issued a show cause notice dated 19/03/2024 to the promoter above named for publishing an advertisement dated 08/03/2024 in the Hello Nagpur, Lokmat, Daily newspaper, Nagpur without including the Quick Response (QR) Code, in regard to the project "**Shree Apartments**" bearing MahaRERA registration no. **P50500035126**, situated at Laxmi Nagar, Nagpur considered to be prima facie in violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
4. The promoter, however, inspite of having received the show cause notice dated 19/03/2024 have failed to show cause to the same within the time period mentioned in the said show cause notice.
5. In this regard, a first hearing was scheduled on 12/04/2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the promoter appeared through its representative and sought time to file its written submissions. Accordingly, the matter was adjourned to the various dates of the hearing such as 07.06.2024, 11.07.2024 & 22.10.2024 when the promoter remained absent even though the notice of hearing and the link for all the hearing was duly served upon the promoter. Also, the Promoter failed to file its written submission as directed by the authority in the first hearing dated 12.04.2024.
6. In this regard, it is necessary to peruse the provisions of MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, which reads as under:



**MahaRERA Order No. 46/2023 dated 29.05.2023** -The Promoter shall prominently display QR Code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software applications. The QR code must be published besides the MahaRERA Registration Number and the Website Address. The mandate as mentioned above shall apply to the mediums of promotion/advertisement and in any other medium as may be directed by the Authority.

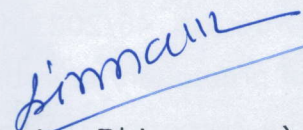
**MahaRERA Order No. 46A/2023 dated 25.07.2023** – (a)With effect from 01.08.2023, Promoter shall prominently display the QR Code on each and every real estate project promotion/advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023. The above shall apply to the mediums of promotion/advertisement and in any other medium as may be directed by the Authority. b) Failure to comply with (a) above shall be construed as a violation of the directions issued in the above-referred MahaRERA Order and penalty which may extend up to Rs. 50,000/- subject however to a minimum penalty which shall not be less than Rs. 10,000/- under Section 63 of the Act shall be imposed upon promoters for each such violation.

7. In the present case, the Promoter had released a half page advertisement dated 08/03/2024 of the aforesaid project in Daily Lokmat, Hello Nagpur without including the Quick Response (QR) Code. The Promoter remained absent frequently for hearings and also failed to file a written reply till date. Hence, the present matter is decided ex parte. It appears from the impugned advertisement that the Promoter failed to incorporate/mention the Quick Response (QR) Code of the aforesaid project within the aforesaid advertisement.
8. Henceforth, it becomes manifestly clear that the Promoter stands in violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023 for not incorporating the Quick Response code (QR code) of the aforementioned project in the aforesaid advertisement.



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9. In view of the above, a penalty of Rs. 10,000/- is imposed upon the Promoter under Section 63 for violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
10. The Technical and Finance Department of the MahaRERA authority shall verify the payment of the said penalty before processing any applications viz. extension, correction, change of name etc., with respect to the said project.
11. With the above directions, the present case stands disposed of.

  
(Sanjay Bhimanwar)  
**Dy.Secretary,  
MahaRERA,Nagpur.**