

**Before the Real Estate Regulatory Authority, Punjab**

Misc. Ref. No. 11 of 2018  
Date of Decision – 30.01.2018

Real Estate Regulatory Authority, Punjab on its own motion

Versus  
Sushma Buildtech Limitd.  
Respondent

Present: 1) Sh. Inderjit , Assistant Manager (Admn.) on behalf of Authority.  
2) Sh. Bhupinder Singh (Senior Manager – Legal) on behalf of  
Respondent.

**ORDER**

It had been noticed by the Authority that various promoters of real estate were advertising their projects in the print media, and also through other visual medium, without displaying the Registration Number issued by the Authority in relation to such projects. This not only created confusion in the minds of the general public, as well as prospective purchasers whether the project was registered with this Authority or not, but also affected transparency in transactions. It was also seen as a violation of Section 11 (2) of the Real Estate Regulatory Authority, Act 2016 which reads as follows:

*"The advertisement or prospectus issued or published by the promoter shall mention prominently the website address of the Authority, wherein all details of the registered project have been entered and include the registration number obtained from the Authority and such other matters incidental thereto."*

2. The Authority accordingly issued a circular on 21/12/2017 containing directions issued under Section 37 to the effect that the Registration Number of the project should be mentioned in the top right hand corner of the published advertisement. A public notice highlighting this direction was also issued in various newspapers on 28/12/2017.

3. The respondent promoter had issued an advertisement in The Tribune dated 07/01/2018. This was a composite advertisement for 9 projects, but the Registration Numbers in relation to only 7 projects were mentioned. Further the Registration Numbers were not displayed in the manner prescribed in the Authority's Circular dated 21/12/2017. A notice was accordingly issued vide Memo No. RERA/2018/97

*AS*



4. A reply was filed by the promoter on 30/01/2018 in which the lapse was admitted and it was assured that there would not be further violation in this regard.

5. The matter was taken up today. Sh. Bhupinder Singh (Sr. Manager – Legal) appeared on the behalf of respondent. He reiterated the contents of the reply, and also explained that out of the 2 projects for which Registration Numbers had not been mentioned, one was located in Himachal Pradesh, while the second one was a part of a larger project for which the Registration Number was mentioned. This explanation is not satisfactory. The law is clear that a project that is not registered cannot be advertised. In fact, even for the other 7 projects, the Registration Number have not been displayed in the form finalized by this Authority. The violation is therefore clear. Sh. Bhupinder Singh also requested that since the lapse would not be repeated in future, the matter may be closed without any further consequences. This plea however cannot be accepted. The promoter had earlier been issued two notices in relation to their projects namely Joynest, Mohali and Joynest, Zirakpur that were advertised in violation of the law. Those matters have been closed without any penalty because these were the first violations by this promoter. The present case however is one of a repeat violation and cannot be condoned.

From the above discussion, it is clear that there has been a default on the part of the promoter. A penalty of Rs. 10000/- (Rupees ten thousand only) is therefore imposed upon it. It may be deposited in the designated bank account operated by Real Estate Regulatory Authority, Punjab within 10 days of the receipt of this order. Office may thereafter also report compliance with this decision by the promoter.



**Chairperson  
Real Estate Regulatory Authority  
Punjab**

