

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

Misc. Ref. No. 6 of 2018  
Date of Decision – 08/02/2018

Real Estate Regulatory Authority, Punjab on its own motion

Versus

Singla Builders and Promoters Limited

Respondent

Present: 1) Sh. Inderjit, Assistant Manager for the Authority  
2) Sh. Maninder Singh- Advocate 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 Chandigarh Tribune" dated 07/01/2018 about their project "Olivia Floors". The Registration Number was not displayed in the manner prescribed in the Authority's Circular dated 21/12/2017. A notice was accordingly issued vide Memo No. RERA/2018/94 dated 08/01/2018 to explain why the action under the Act should not be taken against the promoter.
- 4) A reply was filed on the behalf of the promoter on 10/01/2018 in which the promoter has confirmed that the referred circular published by this Authority was

not in knowledge of the promoter and it had obtained a copy thereof only on 09/01/2018. It was further assured in the reply that there would not be further violation in this regard.

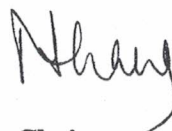
5) The matter was taken up today. Shri Maninder Singh, counsel for the respondent reiterated the submissions in the reply and submitted that in view thereof the matter may be filed without any further penal consequences.

6) This contention has been considered but cannot be accepted. It needs to be noted that the promoter had earlier been issued two notices in relation to their projects namely "City of Dreams" vide Memo No. RERA/2018/1068 and for "SBP Homes" vide Memo No. RERA/2018/1069, that were advertised in violation of the law. The relevant para no.8 in the replies submitted on 03/01/2018 on behalf of the promoters on above two projects reads as under :-

*"8. that for the sake of repetition, it is humbly submitted that the answering company has never ever indulge itself into any sort of violation with the deliberate intention and further undertakes to be careful in future."*

On basis of the above reply the above two notices were filed on 10.01.2018. However the fact that the promoter has again issued present advertisement regarding "Olivia Floors" on 07.01.2018 cannot be ignored as the promoter was well aware about the earlier violation for which it had been admonished earlier. The present case therefore is one of a repeat violation and cannot be condoned.

7) 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**