

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY
AUTHORITY, NAGPUR
SUO MOTU ADVERTISEMENT COMPLAINT NO. SM12500151**

MahaRERA on its own Motion Complainant

Versus

Pankaj Rameshchandra Kothari Respondent/ Promoter

MahaRERA Project Registration No. - P50100033083

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

Pankaj Rameshchandra Kothari appeared for the respondent/
promoter.

ORDER

03rd December 2025

(Through Video Conferencing)

1. The MahaRERA Authority, Nagpur had issued a show cause notice dated 16/06/2025 to the Promoter above named for issuing an advertisement in daily newspapers namely Lokmat- Hello Akola, Akola dated 29/03/2025 in regard to its real estate Project –Lotus Green bearing MahaRERA registration number-P50100033083 situated at Akola without incorporating/ including MahaRERA project registration number and Quick Response Code (QR code) of the said real estate project which is a considered to be prima facie violation of section 11(2) of the Real Estate (Regulation & Development) Act-2016 (The Act-2016) and MahaRERA

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Order No. 46A/2023 dated 25.07.2023 read with MahaRERA Order No.46/2023 dated 29.05.2023.

2. The Promoter, by its reply dated 23/06/2025 to the show cause notice dated 16/06/2025 had submitted that the advertisement dated 29/03/2025 contains/displays MahaRERA project registration number and Quick Response Code (QR code) of the said real estate project, however due to small size of the aforesaid advertisement, the size of the MahaRERA project registration number and Quick Response Code (QR code) of the said real estate project has also been reduced. The Promoter sought an apology and assured that the MahaRERA details of the project will be mentioned prominently in all the advertisement published by it in future.
3. In this regard, the hearing was scheduled on 03/12/2025 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the Promoter appeared and made its submission.
4. During the hearing, the Promoter submitted that due to small size of the aforementioned advertisement dated 29/03/2025, MahaRERA project registration number and Quick Response Code (QR code) of the said real estate project although mentioned, were not clearly visible/readable. The Promoter sought an apology and assured that henceforth, MahaRERA project registration details will be displayed prominently as per MahaRERA regulation in every advertisement published by it.
5. In this regard, it is necessary to peruse the provision of section 11(2) of the RERA which reads as under:

"11(2) 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."

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6. On careful perusal of the Section 11(2) manifestly shows it is imperative on the part of the promoter to mention the MahaRERA registration number of the project as well as MahaRERA website address prominently in the advertisement of the project issued by him.
7. In this regard, it is necessary to peruse the provision of section 61 of the RERA which reads as under:

"Section 61 -If any promoter contravenes any other provisions of the Act, other than that provided under section 3 or section 4, or the rules or regulations made thereunder, he shall be liable to a penalty which may extend up to five per cent of the estimated cost of the real estate project as determined by the Authority."

8. In this regard, it is also 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.

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9. In the present case, the Promoter had released an advertisement in daily newspapers dated 29/03/2025 in regard to its said real estate project "**Lotus Green**" bearing MahaRERA registration number- **P50100033083** situated at Akola without including/incorporating MahaRERA project registration number and Quick Response (QR) Code of the said real estate project. It appears from the submission of the Promoter and documents on record that the MahaRERA project registration number and Quick Response Code (QR code) of the said real estate project mentioned in the advertisement dated 29/03/2025 appears blur and beyond recognition. And whereas, section 11(2) of the Act-2016 and MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023 mandates the Promoter to mention the MahaRERA registration number of the project, MahaRERA website address as well as Quick Response code (QR code) of the real estate project prominently in the advertisement of the project issued by him. And whereas, the provisions of the Act-2016, focuses on bringing greater transparency through disclosure of information on regular basis for public viewing, through online portal and accordingly, MahaRERA has always worked towards ensuring that maximum required information is available for public viewing in the most feasible manner, thereby empowering homebuyers / allottees to make informed choice /decisions in the ever-changing real estate market. Thus, in the present case, the Promoter has failed to incorporate the legible/readable/ detectable MahaRERA registration number and the Quick Response code (QR code) of the said project in the aforesaid advertisement. Also, it appears that the promoter has failed to mention MahaRERA website address in the aforesaid advertisement. On this background, the Promoter stands in violation of section 11(2) of the Act-2016 and MahaRERA Order No. 46A/2023 dated 25.07.2023 read with MahaRERA Order No.46/2023 dated 29.05.2023 for publishing the advertisement without mentioning/incorporating/including the MahaRERA registration number of the project, MahaRERA website address as well as Quick Response code (QR code) of the said real estate project respectively.
10. In view of the above, a penalty of Rs. 10,000/- is imposed upon the Promoter under section 61 & section 63 of the Act -2016 for violation of section 11(2)

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of the Act-2016 and MahaRERA Order No. 46A/2023 dated 25.07.2023 read with MahaRERA Order No.46/2023 dated 29.05.2023 respectively.

11. 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.
12. With the above directions, the present case stands disposed of.

(Sanjay Bhimanwar)

**Dy.Secretary,
MahaRERA,Nagpur.**