

Advertisement Guidelines in APRERA(Draft)

The Real Estate (Regulation and Development) Act, 2016 (RERA) is an Act assented by the Indian Parliament. This Act strives to safeguard the interests of home buyers and also enhancing transparency in the real estate sector. Rajya Sabha passed the RERA bill on March 10, 2016, followed by the Lok Sabha on March 15, 2016, and it came into force from May 1, 2016. 59 of its 92 sections were notified on May 1, 2016, and the remaining provisions came into force from May 1, 2017. RERA being a central legislation is adopted by each state government in India in its respective state assembly and has also drafted its respective rules to implement [RERA in the states](#).

With the advent of RERA Act, 2016 the Government of each state has prescribed their particular norms to be followed by promoters and agents. In the realm of advertisements, a set of norms have been formulated that should be strictly adhered to, otherwise, the promoters shall be liable to several penalties as mentioned in the RERA Act. Following are the set of norms for advertisements -

- ***NO ADVERTISEMENT WITHOUT REGISTRATION:*** The promoter shall not issue any advertisement in any manner including by the way of issuance of brochures, pamphlets, words of mouth, or in any other manner, for booking of the apartment or plots or building in real estate project without getting their particular project registered under RERA. If he/she is found advertising the project without getting it registered, he/she will face harsh penalties that are prescribed in the norms.
- ***NO FALSE FACTS TO BE ADVERTISED:*** After getting the project registered, the promoter then gets the right to advertise his/her project via any sort of media like brochures, pamphlets, etc. Advertisements published for inviting buyers for the purchase of apartment/plot, shall be truthful and based on the facts as have been revealed to the authority with strictly no exaggeration or misinterpretation which may create a biased impression in the minds of the buyers about the property they are interested to buy. In case, the promoter is found advertising any false claims that he/she fails to deliver, he/she shall be exclusively liable for further penalties.
- ***MENTION REGISTRATION NUMBER:*** It is compulsory for the promoter to mention the registration number of the project provided by the authority on the website as well as on any advertisement.
- ***COPY OF THE BROCHURE TO BE SUBMITTED TO THE AUTHORITY:*** A copy of the prospectus or brochure or any pamphlet vide which an information relating to the project is sought to be conveyed to the allottees of the apartment or prospective buyers of the apartment/plots shall be submitted to the authority as soon before print/circulate.
- ***it is compulsory for all the promoters and the agents to adhere to the above-mentioned norms in order to avoid the harsh clauses and penalties attached to trespassing the norms.***