

**SUO MOTU ADVERTISEMENT
CASE NO. 90 OF 2023**

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI**

SUO MOTU ADVERTISEMENT CASE NO. 90 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Vakratunda Buildcon Private Limited

.... Respondent/Promoter

MahaRERA Project Registration No. P51800028474

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

Mr. Majid Hurzuk appeared for the Promoter / Respondent.

ORDER

27th September 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 22/08/2023 to the Promoter above named for issuing an advertisement on a website namely "<https://shapoorji-bkc.blox.xyz/>" in regard to their real estate project "**BKC 28,**" situated at Bandra East, Mumbai City, registered with MahaRERA under Project Registration No. **P51800028474** without mentioning the Quick Response (QR) Code of the said real estate project in the said advertisement.
2. The Promoter, through its written submission dated 29/08/2023 stated that the said website in question did not belong to the Promoter. The Promoter further submitted that "<https://sprebkc28.com/>" & "<https://shapoorjirealestate.com/residential/bkc-28/>" are the official websites for the project and pursuant to the MahaRERA notification dated 29/05/2023 bearing Order No. 46/2023, they have complied with the direction issued for display of the Quick Response (QR) Code.
3. In this regard, a hearing was scheduled on 14/09/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the Promoter could appear through its representative and make its submissions.

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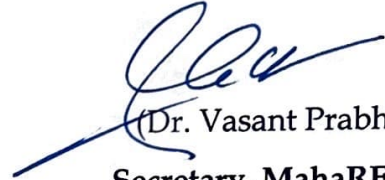
4. In the course of aforementioned proceedings, the Promoter submitted that the said advertisement issued on the said website in question belongs to one of their channel partners. The Promoter further stated that they are instructing all their affiliated channel partners to mention Quick Response (QR) code in all future advertisements.
5. Upon considering the Promoter's submissions, the Promoter was thereby directed to furnish particulars regarding their channel partner.
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. 46A/2023 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."

"MahaRERA Order No. 46/2023 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 application. 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."
7. In accordance with the directions issued, the Promoter furnished particulars of its registered channel partner.
8. Notwithstanding the circumstances of the present case, it has come to light that the Promoter's affiliated channel partner had released an advertisement on a website namely "<https://shapoorji-bkc.blox.xyz/>" Further, the Promoter's channel partner had failed to incorporate the MahaRERA Quick Response (QR) Code within the aforementioned advertisement.

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9. Henceforth, it becomes manifestly clear that the Promoter is not in violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
10. In view of the above, the present case stands disposed of.


(Dr. Vasant Prabhu)
Secretary, MahaRERA