

**SUO MOTU ADVERTISEMENT
CASE NO. 90 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 90 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Moreshwar Developers

....Respondent/Promoter

MahaRERA Project Registration No. P51700025055

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Mr. Ramesh Patil for the Promoter / Respondent.

ORDER

30th May 2024

(Through Video Conferencing)

1. The Advertising Standards Council of India had issued an intimation letter dated 26.02.2024 to the Promoter above named for issuing an advertisement on Instagram platform dated 24.01.2024 in regard to their real estate project "19 East," situated at Navi Mumbai without incorporating the Quick Response (QR) Code of the said real estate project in the said advertisement.
2. The Promoter, through its written submission dated 13.04.2024, stated that the intimation letter dated 24.01.2024, was not received by them on their official email address registered with MahaRERA Authority. The said email was received on another email address and thus was overlooked. Further, the Promoter submitted that the said advertisement was published before MahaRERA Order No. 46/2023 and therefore the said advertisement contained only the project registration number and not the QR code. Moreover, the Promoter asserted that they have rectified the said advertisement and incorporated the QR code.
3. In the preceding hearing dated 15.04.2024, the Promoter submitted that they had not received the "Advertising Standards Council of India's" intimation letter. Further, the Promoter asserted that they had responded to the MahaRERA Authority's

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hearing notice with their reply in the said matter.

4. Upon considering the submissions of the Promoter, the Promoter was directed to once again furnish a comprehensive report in the said matter within a period of 7 days from the date of hearing.
5. In accordance with directions issued, written submission was furnished by the Promoter.
6. In this regard, a hearing was scheduled on 30.05.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter can appear through its representatives and make its submissions.
7. Here, it is necessary to peruse the provisions of MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, which reads as under:

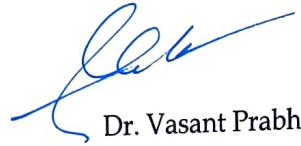
"MahaRERA Order No. 46A/2023 With effect from 01.08.2023, Promoter shall prominently display the QR Code on each and every real estate project promotion/advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023."

"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."
8. During the course of the proceedings, the Promoter submitted that prior to the previous hearing dated 15.04.2024, upon receiving the MahaRERA's show cause hearing notice dated 10.04.2024, the said advertisement was rectified on 13.04.2024. Further, through the written submissions, the Promoter stated that the said

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advertisement was published before MahaRERA Order No. 46/2023 was issued. Nevertheless, the advertisement was rectified and the QR code was incorporated.

9. After thorough deliberation upon Promoter's contention, it is evident that they were dedicated to rectifying the situation and ensuring compliance with the regulatory provisions set forth by MahaRERA.
10. Therefore, in the present case, the Promoter, herein referred to as Moreshwar Developers is not in violation of the MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023.
11. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA