

**SUO MOTU ADVERTISEMENT
CASE NO. 87 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 87 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Twenty Five South Realty Limited

.... Respondent/Promoter

**MahaRERA Project Registration No. - P51900006860, P519000011418, P519000030600
and P51900030729**

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Adv. Siraj Menon appeared on behalf of the Respondent/Promoter.

ORDER

15th April 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 a website dated 25.01.2024 in regard to their real estate project "25 South," situated at Mumbai without incorporating the Quick Response (QR) Code of the said real estate project in the said advertisement.
2. In this regard, a hearing was scheduled on 15.04.2024 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.
3. During the aforementioned hearing, the Promoter asserted that the "Advertising Standards Council of India's" intimation letter was not received by them. Therefore, the Promoter requested for time to file its reply in the said matter.
4. Upon considering the submissions of the Promoter, the Promoter was thereby directed to furnish a comprehensive report in the said matter within a period of 7 days from the date of hearing.

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5. 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."

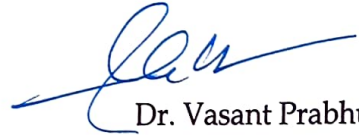
"MahaRERA Order No. 46/2023, the Promoter shall prominently display QR code on each and every project promotion/ advertisement published after 01.08.2023. The QR code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides 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."

6. The Promoter, through its written submission dated 22.04.2024, stated that they are currently developing a portion of land situated at Prabhadevi in different phases and each phase is an independent real estate project registered with MahaRERA Authority. Further, the Promoter submitted that the Promoter and Hubtown entered into an arrangement by which Hubtown would solely act as a Project Manager Consultant, rendering technical expertise and services for constructing the North and Central Tower of the project.
7. Further, the Promoter contended that Hubtown has on its official website bearing web address <https://www.hubtown.co.in/> not advertised the said projects but has only added them as part of its portfolio with a clear disclaimer that the project is only being managed by it and in no way can be deemed to be advertisement of any sort and in no way can be insinuated that Hubtown is the Promoter of the Project. Therefore, there is no question of violation of the provisions of RERA, on the part of the undersigned for any representation made by a distinct entity on its respective website.

8. Moreover, the Promoter asserted that the grievance of Advertising Standards Council of India was with respect to the website i.e. <https://25south.in/> not containing the MahaRERA registration number, MahaRERA website address and QR code. Further, the Promoter submitted that the said email was addressed to info@hubtown.co.in which is not the Promoter of the project 25 South. The Promoter also stated that the Promoters herein for 25 South received the intimation for such a complaint for the first time on 12th April 2024 when the complaint and the advertisement was shared by the concerned department of MahaRERA Authority.
9. Additionally, the Promoter submitted that the website of 25 South at the landing page has a specific option of RERA link under which there is a clear demarcation of a separate page for RERA. On clicking the RERA link, the website takes the user to a separate page altogether wherein the MahaRERA registration number, MahaRERA website link and QR code for the project 25 South is set out.
10. Additionally, the Promoter submitted that during the hearing dated 15.04.2024, the MahaRERA Authority had indicated that the tab of the RERA link provided on the website was not in accordance with MahaRERA rules and regulations and thus in order to comply with the same, the Promoter has already made the MahaRERA registration number, MahaRERA website link and the QR code for the project accessible on the landing page itself.
11. Further, the Promoter asserted that on being aware of the nature of grievance on 12.04.2024, the Promoter has taken steps in compliance and have already displayed the MahaRERA registration number, MahaRERA website link and the QR code for the project 25 South on the landing page itself in place of the RERA link page by 20.04.2024 i.e. within the stipulated time granted for rectification.
12. Notwithstanding the circumstances at hand, the Promoter, herein referred to as Twenty Five South Realty Limited, has not engaged in the dissemination of any promotional materials on their official website without mentioning the MahaRERA project registration number, MahaRERA website address and QR code.

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13. After thorough deliberation upon Promoter's contention, it is evident that they are dedicated to rectifying the situation and ensuring compliance with the regulatory provisions set forth by MahaRERA.
14. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA