

**SUO MOTU ADVERTISEMENT
CASE NO. 174 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 174 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Badhekar Group

.... Respondent/Promoter

MahaRERA Project Registration No. - Multiple Registered Projects

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Adv. Pradeep Dighe for the Promoter/Respondent

ORDER

28th December 2023

(Through Video Conferencing)

1. The Advertising Standards Council of India had issued an intimation letter dated 27.10.2023 to the Promoter above named for issuing an advertisement in Sakal Newspaper dated 21.10.2023 in regard to their real estate projects situated at Rambaug Colony in Pune without incorporating the Project Registration Numbers and the Quick Response (QR) Codes of the said real estate projects in the said advertisement.
2. The Promoter, in spite of having received the intimation letter from the "Advertising Standards Council of India" failed to comply with MahaRERA regulation and modify or withdraw the said advertisement.
3. In this regard, a hearing was scheduled on 28.12.2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter can appear through its representative and make its submissions.
4. During the course of the proceedings, the Promoter submitted that they had already received a show cause notice from MahaRERA Pune Office pertaining to this specific

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print advertisement, wherein, hearing was held on 15.12.2023. Following the hearing, penalty of Rs. 25,000/- was levied upon the Promoter.

5. In this regard, it is necessary to peruse the provisions of Section 11(2) of the RERA; MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, 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.

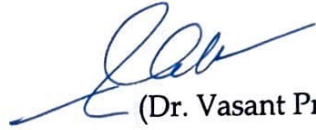
"MahaRERA Order No. 46A/2023 With effect from 01.08.2023, Promoter shall prominently display the QR Code on each and every real estate project promotion/advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023."

"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. Notwithstanding the circumstances of the present case, it has been established that the Promoter had published an advertisement in Sakal Newspaper dated 21.10.2023. Further, the Promoter had failed to incorporate the Project Registration Numbers and QR Codes within the aforementioned advertisement.
7. Henceforth, it becomes manifestly clear that the Promoter stands in violation of Section 11(2) of the Real Estate (Regulation and Development) Act, in conjunction with MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.

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8. However, since the said matter was taken up for hearing by MahaRERA Pune Office and penalty of Rs. 25,000/- was levied upon the Promoter, the said matter stands closed.
9. In view of the above, the present case stands disposed of.



(Dr. Vasant Prabhu)

Secretary, MahaRERA