

**SUO MOTU ADVERTISEMENT
CASE NO. 20 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 20 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

JSA Realty

(Channel Partner of MICL Group)

.... Respondent/Promoter

Agent Registration No. - Unregistered Agent

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared for the Respondent.

ORDER

23rd January 2024

(Through Video Conferencing)

1. The Advertising Standards Council of India had issued an intimation letter dated 31.10.2023 to the Respondent above named for issuing an advertisement on Instagram platform dated 26.10.2023 in respect of MICL Group's real estate project "Aaradhya Aavaan" situated at Mumbai without incorporating the MahaRERA Project Registration Number and QR code of the said real estate project in the said advertisement.
2. The Respondent, through its written submission dated 19.01.2024 stated that the said advertisement in question published on Instagram platform was withdrawn by them.
3. In this regard, a hearing was scheduled on 23.01.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter could have appeared through its representatives and made its submissions.
4. However, during the aforementioned hearing, the Respondent failed to appear even though the notice of hearing and the link for the hearing was duly served upon the

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Respondent.

5. In this regard, it is necessary to peruse the provisions of Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017; MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023, which reads as under:

"14(2) Every registered real estate agent shall quote his number of their registration in all the documents relating to advertisement, marketing, selling or purchase issued by the real estate agent along with the number of registration certificate of the real estate project."

"MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/advertisement published in the mediums as more specifically listed 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. From the plain reading of the above-mentioned sections, the Real Estate Agent is under obligation to mention the agent registration number along with the project registration number and QR code in the advertisements issued by it.
7. In the present case, the Respondent had published an advertisement on Instagram platform. Further, the Respondent failed to publish the MahaRERA Project Registration Number and QR code in the said advertisement.
8. However, post receiving the Advertising Standards Council of India's intimation

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letter dated 31.10.2023, the Respondent withdrew the said advertisement published on Instagram platform.

9. In view of the above, the said matter stands disposed of.



Dr. Vasant Prabhu

Secretary, MahaRERA