

**SUO MOTU ADVERTISEMENT
CASE NO. 24 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 24 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Acequare Realty Private Limited

(Channel Partner of M/s Ashar Ventures)

.... Respondent/Promoter

Agent Registration No. A51700031208

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Mr. Aditya Vaish appeared for the Respondent.

ORDER

23rd January 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 24.11.2023 to the Respondent above named for issuing an advertisement on website namely <https://ashar-pulse-properties.in/> in respect of M/s Ashar Ventures real estate project, "Ashar Pulse" registered with MahaRERA under project registration no. **P51700047432**, situated at Thane without incorporating the QR code of the said project in the said advertisement.
2. The Respondent, through its written submission dated 13.12.2023, stated that M/s Ashar Pulse informed them about the incorporation of QR code on 25.10.2023. Accordingly, they received the QR code on 25.10.2023 and was incorporated in the said advertisement on the same day.
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 Respondent appeared through its representative and made its submissions.

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4. During the aforementioned proceedings, the Respondent, stated M/s Ashar Pulse informed them about the incorporation of QR code on 25.10.2023. Accordingly, they received the QR code on 25.10.2023 and was incorporated in the said advertisement on the same day. The Respondent further stated that the said website in question was not in operation since July 2023.
5. In this regard, it is necessary to peruse the provisions of MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023 which reads as under:

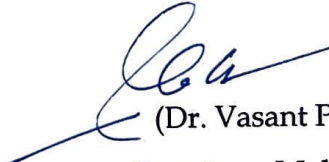
“MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/advertisement published in the mediums as more specifically listed in MahaRERA Order No. 46/2023 dated 29.05.2023.”

“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 QR code of the said real estate project in the said advertisement issued by it.
7. In the present case, the Respondent had published an advertisement on website namely <https://ashar-pulse-properties.in/>. However, the Respondent failed to publish the QR code in the said advertisement for a specific period of time from the date of issuance of MahaRERA Order No. 46B/2023 dated 21.08.2023.
8. Consequently, it is evident that the Respondent is in contravention of provisions of MahaRERA Order No. 46B/2023 dated 21.08.2023 read along with MahaRERA

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Order No. 46/2023 dated 29.05.2023.

9. In view of the above a penalty of Rs. 10,000/- is imposed upon the Respondent under Section 65 of the RERA Act for violation of MahaRERA Order No. 46B/2023 dated 21.08.2023 read along with MahaRERA Order No. 46/2023 dated 29.05.2023.
10. The said penalty shall be payable by the Respondent within a period of 15 days from the date the penalty is enforced, failing which a further penalty of Rs. 1,000/- per day would be imposed till compliance.
11. The Technical and Finance Departments of the MahaRERA Authority are mandated to authenticate the payment of the penalty prior to initiating the processing of any applications, including but not limited to extensions, corrections, and change of name, pertaining to the specified project.
12. In view of the above, the present case stands disposed of.


(Dr. Vasant Prabhu)
Secretary, MahaRERA