

**SUO MOTU ADVERTISEMENT
CASE NO. 123 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 123 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Shapoorji Pallonji Development

Managers Private Limited

.... Respondent/Promoter

Agent Registration No. A51900014296

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Mr. Prithvi Aringale appeared for the Respondent.

ORDER

13th October 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 22.09.2023 to the Respondent above named for publishing an advertisement on website namely "<https://www.minervamahahalaxmi.com/>" in respect of Lokhandwala Kataria Construction Private Limited's real estate project, "The Minerva," registered with MahaRERA under project registration number P51900008204, situated at Mumbai City without incorporating the MahaRERA project registration number and QR code of the said project in the said advertisement.
2. The Respondent, through its written submission dated 11.10.2023 stated that they are in the process of compiling their records and verifying the factual aspect regarding the website in question.
3. In this regard, a hearing was scheduled on 13.10.2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Respondent could appear through its representative and make its submissions.

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4. During the aforementioned proceedings, the Respondent asserted that they are neither the owners nor operators of the said website in question. The Respondent further submitted that the said website belonged to a third-party entity namely "Mystic India." Furthermore, the Respondent requested for an adjournment to seek instructions from their client in this matter.
5. Therefore, the said matter was adjourned to the next date of hearing.
6. 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."

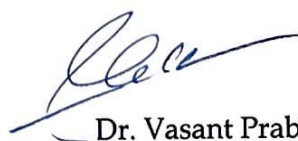
"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides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

7. From the plain reading of the above-mentioned sections and orders, the real estate agent is under obligation to mention the agent registration number along with the project registration number and QR code of the registered project into any

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promotions or advertisements.

8. Further, the Respondent, through its written submission stated that on inquiry, it was discovered that the said website belonged to "Mystic India Realtors LLP." The Promoter asserted that the said website does not belong to them. Upon further inquiries, it was learned that Mystic India has shut down the said website.
9. After considering the written submissions of the Respondent, it has been established that the said website in question did not belong to the Respondent. The Respondent was neither the owner nor the operator of the website. The said website was owned by one "Mystic India Realtors LLP." Further, to the Respondent's submissions, show cause hearing notice has been issued to Mystic India Realtors LLP.
10. Consequently, it is evident that the Respondent is not in contravention of 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 in conjunction with MahaRERA Order No. 46B/2023 dated 21.08.2023 read along with MahaRERA Order No. 46/2023 dated 29.05.2023.
11. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA