

**SUO MOTU ADVERTISEMENT
CASE NO. 130 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 130 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Method & Madness Technology

Private Limited

.... Respondent/Promoter

Agent Registration No. A51900029429

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Adv. Vikramjeet Garewal appeared for the Respondent.

ORDER

13th October 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 04.10.2023 to the Respondent above named for publishing an advertisement on website namely "<https://shapoorji-bkc.blox.xyz/>" in respect of Vakratunda Buildcon Private Limited's real estate project, "BKC 28," registered with MahaRERA under project registration number P51800028474, situated at Bandra, Mumbai Suburban without incorporating the Quick Response (QR) code of the said project in the said advertisement.
2. The Respondent, through its written submission dated 09.10.2023 stated that there has been no non-compliance on their part in respect of MahaRERA Order No. 46 read with MahaRERA Order No. 46B.
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 submitted that the said website was updated with QR code on 18th August, preceding the date, 21st August, when the MahaRERA Order came into effect. The time of this update on the website has been recorded by the timestamp logged on their server.
5. After considering the submissions of the Respondent, the Respondent was thereby directed to furnish a comprehensive report providing the details of the timestamp.
6. 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:

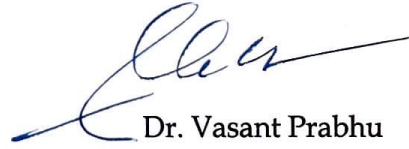
“MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/advertisement published in the mediums as more specifically listed in MahaRERA Order No. 46/2023 dated 29.05.2023.”

“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.”

7. From the plain reading of the above-mentioned orders, the real estate agent is under obligation to mention the QR code of the registered project into any promotions or advertisements.
8. In accordance with directions issued in the preceding hearing dated 13.10.2023, the Respondent furnished a detailed report stating that they had uploaded the QR code pertaining to the advertisement on 18th August 2023 and that the backend server audit trail timestamp cannot be modified once the QR code has been uploaded from the server.

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9. Further, the Respondent had annexed a copy of the backend server audit trail stamp along with the written submission, which showed that the QR code was uploaded on the said website on 18th August 2023.
10. After considering the written submissions of the Respondent, it has been established that the QR code was uploaded on the said website on 18th August, prior to the MahaRERA Order No. 46B/2023 dated 21.08.2023.
11. Consequently, it is evident that the Respondent is not in contravention of provisions of MahaRERA Order No. 46B/2023 dated 21.08.2023 read along with MahaRERA Order No. 46/2023 dated 29.05.2023.
12. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA