

**SUO MOTU ADVERTISEMENT
CASE NO. 136 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 136 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Panchsheel 1 Upgrade LLP

.... Respondent/Promoter

MahaRERA Project Registration No. – P51800030117

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Mr. Deepak Kuladia appeared on behalf of the Respondent / Promoter.

ORDER

13th October 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 27/10/2023 to the Promoter above named for issuing an advertisement in Mid-Day Newspaper dated 18.10.2023 in respect of their real estate project "Rajshree Eleven East," situated at Kurla, Mumbai Suburban, registered with MahaRERA under Project Registration No. P51800030117 without incorporating the Quick Response (QR) code of the said project in the said advertisement.
2. The Promoter, through its written submission dated 07.11.2023 stated that the said advertisement published in Mid-Day Newspaper on 18.10.2023, complied with the provisions of set out in MahaRERA Order No. 46/2023 dated 20.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
3. In this regard, a hearing was scheduled on 28/11/2023 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 asserted that they had

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published an advertisement in Mid-Day Newspaper dated 18.10.2023 and the Quick Response code of the said project was incorporated into the said advertisement. The Promoter also submitted that the QR code was scannable and operational. Further, the Respondent stated that they had enclosed original extracts of advertisements published in both English and Gujarati Mid-Day Newspapers dated 18.10.2023 along with the written submission, which showed the incorporation of QR code in the said advertisements.

5. In this regard, it is necessary to peruse the provisions of MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, which reads as under:

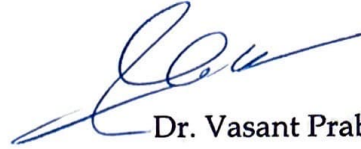
"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR Code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR Code must be published besides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

"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."

6. Considering the Promoter's written submission and contention, it has been established that the QR code was incorporated in the said advertisement published in Mid-Day Newspaper dated 18.10.2023 in respect of their real estate project "Rajshree Eleven East."
7. Consequently, **Panchsheel 1 Upgrade LLP** cannot be held accountable for the infringement of MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023.

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8. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA