

**SUO MOTU ADVERTISEMENT
CASE NO. 80 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 80 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Raymond Limited

.... Respondent/Promoter

MahaRERA Project Registration No. P51700052008

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Adv. Nidhi Singh appeared on behalf of the Respondent / Promoter.

ORDER

01st September 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 22/08/2023 to the Promoter above named for issuing an advertisement on website namely "<https://www.oneurbansolutions.com/>" in respect of their real estate project "The Address By GS Tower C," situated at Thane registered with MahaRERA under Project Registration No. P51700052008 without mentioning the MahaRERA project registration number as well as the Quick Response (QR) code of the said project in the said advertisement.
2. The Promoter, inspite of receiving the show cause notice dated 22/08/2023, failed to show cause the same within the stipulated time period mentioned in the show cause notice.
3. In this regard, a hearing was scheduled on 01/09/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the Promoter can appear through its representative and make its submissions.
4. During the aforementioned proceedings, the Promoter submitted that the said advertisement published on the said website in question was issued by one of their

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channel partners namely "Seed Realty," without the Promoter's knowledge and permission.

5. After considering the submissions of the Promoter, the Promoter was hereby directed to take stringent action against the said channel partner and to furnish a comprehensive report in regard to the action taken within a period of 15 days from the date of hearing.
6. In this regard, it is necessary to peruse the provisions of Section 11(2) of the RERA; MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, which reads as under:

"11(2) The advertisement or prospectus issued or published by the Promoter shall mention prominently the website address of the Authority, wherein all details of the registered project have been entered and include the registration number obtained from the Authority and such other matters incidental thereto."

"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."

7. The Promoter, through its written submission dated 14/09/2023, stated that they had issued a notice dated 31st August 2023 upon Seed Realty Private Limited, who had published the said advertisement on the said website which was in violation of

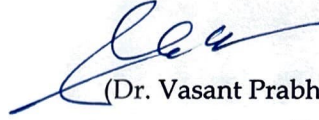
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the provisions of the Act. The Promoter further stated that on 1st September 2023, Mr. Akhil Agarwal from Seed Realty issued an email reply stating that the said website does not belong to his Company and some anonymous entity has unauthorisedly used his Company's name and the MahaRERA agent registration number. The Promoter also stated that Mr. Akhil Agarwal had contacted the person who had published the said advertisement and who owns the said website and had asked him to comply with the changes suggested in the aforesaid notice.

8. Moreover, the Promoter also stated that they have issued another notice dated 7th September 2023 to Seed Realty concerning their involvement in said published advertisement and issued a final warning upon Seed Realty that failure to comply and to adhere to the rules of MahaRERA and to take down the said website with immediate effect. Thereafter, Mr. Akhil Mahajan responded to the email stating that he has already informed the concerned person to remove Seed Realty's agent registration number from the said advertisement.
9. Furthermore, the Promoter submitted that they have lodged a police complaint with the Senior Police Inspector, Vartak Nagar, Thane against the website <https://oneurbansolutions.com/> and its representatives.
10. After thorough deliberation upon Promoter's contention, it is evident that they are dedicated to rectifying the situation and ensuring compliance with the regulatory provisions set forth by MahaRERA.
11. Therefore, in the present case, the Promoter, herein referred to as **Raymond Limited**, had not engaged in the dissemination of any advertisement on a website namely <https://www.oneurbansolutions.com/> Consequently, **Raymond Limited** cannot be held accountable for the infringement of Section 11(2) of the Real Estate (Regulation and Development) Act; MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023.

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



(Dr. Vasant Prabhu)

Secretary, MahaRERA