

**SUO MOTU ADVERTISEMENT
CASE NO. 93 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 93 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Macrotech Developers Limited

.... Respondent/Promoter

MahaRERA Project Registration No. P51800046327/ P51800046118/ P51800046114

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared on behalf of the Respondent / Promoter.

ORDER

24th November 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 29/08/2023 to the Promoter above named for issuing an advertisement on Instagram Platform sponsored by Willow Stone Realty dated 12/08/2023 in respect of their real estate project "Lodha Woods - Tower 6," situated at Borivali, Mumbai Suburban registered with MahaRERA under Project Registration Nos. P51800046327/ P51800046118/ P51800046114 without incorporating the MahaRERA project registration numbers as well as the Quick Response (QR) codes of the said project in the said advertisement.
2. The Promoter, inspite of receiving the show cause notice dated 29/08/2023, failed to show cause the same within the stipulated time-period mentioned in the show cause notice.
3. In the preceding hearing dated 14/09/2023, after hearing the arguments of the Promoter, the Promoter was hereby directed to furnish a comprehensive report in regard to the said advertisement published on Instagram platform.
4. The Promoter, through its written submission dated 14th September 2023, had stated

**SUO MOTU ADVERTISEMENT
CASE NO. 93 OF 2023**

that there had been no violation of the provisions of RERA Act, 2016 and that they as well as the Channel Partners associated with Macrotech Developers have duly complied with the directions issued by MahaRERA Authority from time to time.

5. Further, the Promoter had asserted that they had duly instructed the associated Channel Partners to display the requisite details on their websites and all the social media platforms in advertising the projects. The Promoter also stated that out of the aforementioned three RERA no's Tower No. 6 and Tower No. 8 bearing registration nos. P51800046327 and P51800046114 respectively have not been launched yet and the same have not been advertised/ marketed by Macrotech Developers and only Tower No. 7 bearing registration no. P51800046118 has been launched and advertised on various social media platforms including Instagram.
6. The Promoter had further submitted that they had thoroughly investigated the charges of advertising their project both internally within their marketing and advertising team and among their Channel Partners and it was observed that no such advertisement without the display of the registration number and QR code were came to be found.
7. In this regard, a hearing was scheduled on 24/11/2023 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.
8. However, the Promoter failed to appear, even though the notice of hearing and the link for the hearing was duly served upon the Promoter.
9. 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

**SUO MOTU ADVERTISEMENT
CASE NO. 93 OF 2023**

thereto."

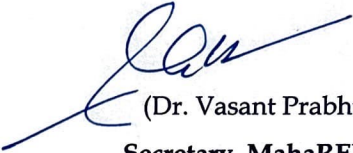
"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR Code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR Code must be published besides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

10. Upon considering the written submission of the Promoter, the real estate agent "Willow Stone Realty," was issued a show cause notice for not mentioning the MahaRERA project registration numbers and QR codes in the said advertisement published on Instagram platform. In accordance with the same, hearing was conducted on 24th November 2023 and a penalty of Rs. 25,000/- was imposed upon the agent for being in contravention of Order No. 46B/2023 dated 21st August 2023 read with Order No. 46/2023 dated 29th May 2023.
11. After thorough deliberation upon Promoter's written submission and contention, it is evident that they were dedicated to ensuring compliance with the regulatory provisions set forth by MahaRERA.
12. Therefore, in the present case, the Promoter, herein referred to as **Macrotech Developers Limited**, had not engaged in the dissemination of any advertisement on Instagram platform sponsored by Willow Stone Realty dated 12/08/2023.

**SUO MOTU ADVERTISEMENT
CASE NO. 93 OF 2023**

13. Consequently, **Macrotech Developers 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.
14. In view of the above, the present case stands disposed of.


(Dr. Vasant Prabhu)
Secretary, MahaRERA