

**SUO MOTU ADVERTISEMENT
CASE NO. 133 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 133 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Willow Stone Realty Pvt. Ltd.

(Channel Partner of Macrotech Developers Limited) Respondent/Promoter

Agent Registration No. A51700017784

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Mr. Shibu Viju appeared for the Respondent.

ORDER

24th November 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 27.10.2023 to the Respondent above named for issuing an advertisement on Instagram Platform dated 12.08.2023, in respect of Macrotech Developers Limited's real estate project, "**Lodha Woods - Tower 6**" registered with MahaRERA under project registration nos. P51800046327, P51800046118 and P51800046114, situated at Borivali, Mumbai Suburban without mentioning the MahaRERA project registration numbers of the said projects and without incorporating the QR codes in the said advertisement.
2. The Respondent, through its written submission dated 20.11.2023, stated that due to inadvertence the MahaRERA project registration numbers and the QR codes were not incorporated in the said advertisement.
3. 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 could appear through its representative and make its submissions.

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4. During the aforementioned proceedings, the Promoter submitted that due to oversight and inadvertence the MahaRERA project registration numbers and the QR codes were not incorporated in the said advertisement.
5. 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.”

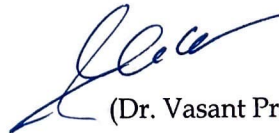
“MahaRERA Order No. 46/2023 The Promoter shall prominently display QR code on each and every project promotion/advertisement published after 01.08.2023. The QR code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides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

6. 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 in the advertisements issued by it and also to incorporate the QR code of the registered project into any promotions or advertisements.
7. In the present case, the Respondent had published an advertisement on Instagram

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Platform. However, the Respondent failed to publish the MahaRERA agent registration number, project registration numbers and QR codes in the said advertisement. Hence the Respondent is in contravention 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 read with Order No. 46/2023.

8. In view of the above a penalty of Rs. 25,000/- is imposed upon the Respondent under Section 65 of the RERA for violation of Rule 14(2) and MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023.
9. The said penalty shall be payable by the Respondent within a period of 15 days from the date of this order, failing which a further penalty of Rs. 1,000/- per day would be imposed till compliance.
10. The Technical and Finance Departments of the MahaRERA Authority are mandated to authenticate the payment of the penalty prior to initiating the processing of any applications, including but not limited to extensions, corrections, and change of name, pertaining to the specified project.
11. In view of the above, the present case stands disposed of.



(Dr. Vasant Prabhu)

Secretary, MahaRERA