

**SUO MOTU ADVERTISEMENT  
CASE NO. 18 OF 2024**

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

**SUO MOTU ADVERTISEMENT CASE NO. 18 OF 2024**

MahaRERA on its Own Motion

.... Complainant

Versus

Sudhir Bodke Property

....Respondent/Promoter

**MahaRERA Project Registration No. P51600034059**

**Coram: Dr. Vasant Prabhu, Secretary, MahaRERA**

Mr. Jaideep Navandar for the Promoter / Respondent.

**ORDER**

12<sup>th</sup> July 2024

(Through Video Conferencing)

1. The Advertising Standards Council of India had issued an intimation letter dated 30.10.2023 to the Promoter above named for issuing an advertisement in Lokmat Newspaper dated 19.10.2023 in regard to their real estate project "Greenlands Ganesha" without incorporating the MahaRERA Project Registration Number and the Quick Response (QR) Code of the said real estate project in the said advertisement.
2. The Promoter, inspite of having received the intimation letter from the "Advertising Standards Council of India" failed to comply with MahaRERA regulation and modify or withdraw the said advertisement.
3. In the preceding hearing dated 23.01.2024, the Promoter asserted that the advertisement in question, published in Lokmat Newspaper, was released by the Newspaper itself without the Promoter's awareness or approval. The Promoter added that preceding the disputed advertisement, 2 advertisements had been published by them wherein the project registration number and QR code had been incorporated.

4. Considering the Promoter's submission, the Promoter was thereby directed to submit the advertisements that included the project registration number and QR code. Additionally, the Promoter was also directed to submit a letter from the advertising agency confirming that the advertisement in question was released without the Promoter's knowledge and consent.
5. Despite the directions issued during the hearing, the Promoter failed to comply and submit the required supporting documents.
6. In this regard, a second hearing was scheduled on 06.03.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter can appear through its representatives and make its submissions.
7. During the course of the proceedings, the Promoter submitted that the said advertisement was issued by the Newspaper itself without the Promoter's consent. Despite instructions issued in the preceding hearing to submit advertisements that included the project registration number and QR code and a letter from the advertising agency confirming that the advertisement was released with the Promoter's knowledge. However, the Promoter failed to comply. Therefore, the Promoter was again directed to submit the above-mentioned documents.
8. The Promoter, through its written submission stated that the MahaRERA project registration number and QR code was incorporated in the preceding advertisements dated 16.09.2023 and 14.10.2023. The said advertisement dated 19.10.2023 was published without their knowledge. The Promoter asserted that the said advertisement was disseminated by a newspaper agency as a routine advertisement without intimating them before publishing.
9. Further, in accordance with directions issued during the hearing, the Promoter submitted advertisements dated 16.09.2023 and 14.10.2023, where the project registration number and QR code was incorporated and a letter from the advertising agency wherein its mentioned that the said advertisement was a continuation of the

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preceding advertisements, where the Promoter had provided them with the project registration number and QR code. However, due to a technical lapse, the said advertisement was published without incorporating the project registration number and QR code.

10. 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. 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.”*

*“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.”*

11. In the present case, the Promoter had published an advertisement in print media dated 19.10.2023. Further, the Promoter failed to incorporate the MahaRERA Project Registration Number and QR code in the said advertisement.
12. After reviewing the oral and written submissions from the Promoter, it has been determined that the Promoter did provide the project registration number and QR code to the advertising agency for inclusion in the advertisement. However, the advertising agency failed to include the project registration number and QR code in



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the published advertisement.

13. Further, the advertising agency submitted a formal letter stating that the advertisement in question was meant to be a continuation of the previous advertisements dated 16.09.2023 and 14.10.2023, which included the project registration number and QR code. However, the agency confirmed that the omission of these details in the said advertisement was due to a technical lapse.
14. Therefore, it has been substantiated that the Promoter did provide the project registration number and QR code to the advertising agency. However, it was the advertising agency that published the advertisement in question without including the project registration number and QR code without the Promoter's knowledge. Consequently, the Promoter cannot be held in contravention of Section 11(2) of the Real Estate (Regulation and Development) Act and MahaRERA Order No. 46A/2023 in conjunction with MahaRERA Order No. 46A/2023.
15. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu  
Secretary, MahaRERA