

**SUO MOTU ADVERTISEMENT
CASE NO. 184 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 184 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

DGS Township Pvt. Ltd.

....Respondent/Promoter

MahaRERA Project Registration No. P51800011437

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Adv. Prince Kumar Upadhyay appeared on behalf of the Promoter / Respondent.

ORDER

16th August 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 18.06.2024 to the Promoter above named for issuing an advertisement on the Instagram platform dated 29.12.2023 in respect of their real estate project "Sheetal Tapovan" situated at Mumbai City 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, through its written submission dated 26.07.2024 stated that they had removed all the advertisements that did not comply with RERA provisions some time ago.
3. In this regard, a hearing was scheduled on 31.07.2024 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.
4. During the aforementioned hearing, the Promoter stated that they did not receive the

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Advertising Standards Council of India's intimation letter. However, upon receipt of MahaRERA's show cause notice, they promptly withdrew the said advertisement in question.

5. 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."

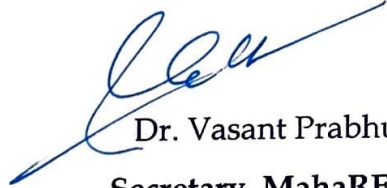
"MahaRERA Order No. 46A/2023 With effect from 01.08.2023, Promoter shall prominently display the QR Code on each and every real estate project promotion/advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023."

"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."

6. Notwithstanding the circumstances of the present case, it has been established that the Promoter had published an advertisement on the Instagram platform dated 29.12.2023. Further, the Promoter had failed to incorporate the Project Registration Number and the QR Code within the aforementioned advertisement.
7. However, upon receiving MahaRERA's show cause notice, the said advertisement was withdrawn from the Instagram platform within the stipulated time period mentioned in the said show cause notice.

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8. Henceforth, it becomes manifestly clear that the Promoter does not stand in violation of Section 11(2) of the Real Estate (Regulation and Development) Act, in conjunction with MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
9. Therefore, in view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA