

**SUO MOTU ADVERTISEMENT
CASE NO. 203 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 203 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Proptiger

....Respondent

MahaRERA Agent Registration No. A51700000030

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Ms. Ashma Marwah appeared for the Respondent.

ORDER

16th August 2024

(Through Video Conferencing)

1. The Advertising Standards Council of India (ASCI) had issued an intimation letter dated 24.06.2024 to the Respondent above named for issuing an advertisement on the Proptiger portal dated 14.06.2024 in regard to ShivShakti Buildcon's real estate project namely "ShivShakti Prime" situated at Ambernath without incorporating the Quick Response (QR) Code of the said real estate project in the said advertisement.
2. The Respondent, through its written submission dated 29.07.2024 stated that upon receipt of MahaRERA's hearing notice, they had intimated the said developer, and the developer has complied with the requirement and the QR code of the real estate project is uploaded and has been visible on their portal since 26.07.2024.
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 Respondent can appear through its representatives and make its submissions.
4. During the aforementioned hearing, the Respondent submitted that the said advertisement was for only information purpose and should not be considered as an

**SUO MOTU ADVERTISEMENT
CASE NO. 203 OF 2024**

advertisement. Further, the Respondent also stated that they are not an affiliated marketing channel partner of the developer and have no commercial engagement with the developer.

5. In this regard, it is necessary to peruse the provisions of MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023 which reads as under:

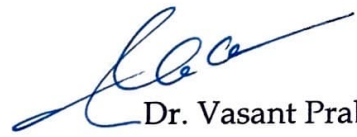
"MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/advertisement published in the mediums as more specifically listed in MahaRERA Order No. 46/2023 dated 29.05.2023."

"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. In the present case, the Respondent had published an advertisement on the Proptiger portal dated 14.06.2024. However, the Respondent's submission during the hearing was not satisfactory and the said rectification was not done within the time frame provided by the Advertising Standards Council of India.
7. Henceforth, it becomes manifestly clear that the Respondent stands in violation of provisions of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46B/2023 dated 21.08.2023.
8. In view of the above a penalty of Rs. 10,000/- is imposed upon the Respondent under Section 65 of the RERA for violation of the provisions of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46B/2023 dated 21.08.2023.

**SUO MOTU ADVERTISEMENT
CASE NO. 203 OF 2024**

9. The Technical and Finance Departments of 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.
10. Therefore, in view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA