

**SUO MOTU ADVERTISEMENT
CASE NO. 107 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 107 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Aum Developers

....Respondent/Promoter

MahaRERA Project Registration No. P51800032342

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Adv. Ramani a/w Mr. Sahil Parekh for the Promoter / Respondent.

ORDER

19th June 2024

(Through Video Conferencing)

1. The Advertising Standards Council of India had issued an intimation letter dated 26.03.2024 to the Promoter above named for issuing an advertisement on the Instagram platform dated 20.12.2023 in regard to their real estate project "Aum Nav Kiran" situated at Mumbai without incorporating the MahaRERA Project Registration Number 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 this regard, a hearing was scheduled on 29.04.2024 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 submitted that the said advertisement was not associated with the Project "Aum Nav Kiran". Further the Promoter asserted that the dates specified in the "Advertising Standards Council of

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India's" intimation letter do not correspond with the dates of the Instagram posts.

5. After considering the submissions of the Promoter, the Promoter was thereby directed to submit a comprehensive report in the said matter within a period of 7 days from the date of the hearing.
6. The Promoter, through its written submission dated 03.05.2024 submitted that the content of the advertisement post on the Instagram platform did not refer to the project "Aum Nav Kiran" or any aspect related to the said real estate project.
7. In this regard, it is necessary to peruse the provisions of Section 11(2) of the RERA Act, 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."
8. Upon interpretation of Section 11(2), it becomes apparent that the Promoter bears the responsibility to conspicuously display the MahaRERA registration number of the Project in any advertisements or prospectus disseminated by them.
9. Further, through a subsequent written submission, the Promoter asserted that since there was some ambiguity regarding the date of posting the said Instagram advertisement, the said advertisement in question has been removed from the Instagram platform.
10. Henceforth, it becomes manifestly clear that the Promoter is not in violation of Section 11(2) of Real Estate (Regulation and Development) Act, 2016.

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11. In view of the above, the present matter stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA