



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1239 of 2023

HRERA, Panchkula

...COMPLAINANT

VERSUS

Model Economic Township Limited.

....RESPONDENT

**CORAM: Dr. Geeta Rathee Singh
Nadim Akhtar**

**Member
Member**

Date of Hearing: 21.08.2023

Hearing: 2nd

Present: - Sh. Sanjay Jindal on behalf of respondents.

ORDER (NADIM AKHTAR-MEMBER)

This suo-motu complaint was registered against the respondent in pursuant to the show cause notice issued under Section 35 of the RERA Act, 2016 for changing the bank account (in the project named MET City, registered vide registration no. HRERA-PKL-JJR-320-2022 dated 29.06.2022) without the permission of

Authority. Respondent was further directed to submit a statement of both the old and the new account supported by a CA certificate that the entire amount available in the earlier account has been transferred to the new account.

2. Today, Sh. Sanjay Jindal apprised the Authority that they have submitted the reply on 01.08.2023 stating that:-

- i. The project was registered under the provision of RERA, 2016, vide Registration Number HRERA-PKL-JJR-320-2022 dated 29.06.2022.
- ii. At the time of registration of project, details of main bank account of the promoter i.e. account no. 00440310000259 with HDFC Bank, Gurugram was submitted in Form A-H. Thereafter, after obtaining the registration on 29.06.2022, the promoter opened a separate bank account no. 45940000001 with ICICI bank on 10.11.2022 for collections for the said project in compliance with the provisions of RERA, 2016.
- iii. That the promoter started to get bookings/payments for the said project from July 2022 onwards in A/c no. 00440310000259 with HDFC Bank. The Company opened a separate A/c No. 45940000001 for the said project with ICICI Bank on 10.11.2022 for bank collections from buyers, which was intimated to the Authority on 07.04.2023. Although the Buyers were informed of the New Account, still the payments were being remitted by buyers in both HDFC and ICICI bank accounts.
- iv. In compliance to the RERA requirements, the promoter opened a New Account No.59219818809038 with HDFC Bank on 06.08.2022 for transfer of 70% of the collection amount of the said project. Till the



time, separate RERA Bank Account No.59219818809038 of the project was opened and became operative, the 70% of the amount received from allottees was deposited in bank account no. 57500000761452 with HDFC Bank in August 2022 earlier opened for their existing project and the fund received have been used in the said project. From September 2022 the 70% amount was transferred to A/c No.59219818809038 opened for the said project.

- v. The promoter had also disclosed the said fact in the CA certificate on operations of escrow account submitted in the quarterly report filed for 30th September, 2022 as well. Though the stipulated RERA bank account for the Project was not opened in time but the funds received were invested in the project only. The same is evident from the audited accounts from 1st July, 2022 to 30th June, 2023, which mentions the total collections as Rs.253.69 Cr. (70% of which amounts to Rs.177.58 Cr.) As against Rs. 177.58 Cr., they have deposited Rs. 183.60 Cr in RERA accounts.
- vi. The expenditure incurred on project till 30th June, 2023 was Rs.72.26 Cr and balance Rs. 105.35 Cr is lying in the form of fixed deposits with SBI of Rs.100 Crores (vide FDR no. 41799389171, 41799391271, 42040633273) and with HDFC of Rs.5.35 Crores (vide FDR No. 50300818471049, 50300817606577). The figures can be verified from the certificate submitted by the promoter in the quarterly progress report for quarter ended 30th June, 2023. The balance excess amount of Rs.6.02 cr (difference of Rs. 183.60 Cr and Rs. 177.58 Cr, being mandated 70% of the collections from buyers) was used by the Promoter for its business purpose. Since, either the funds were used in



the Project or balance was kept in Fixed Deposits, no amounts were transferred from Old account to New Collection Account.

3. The respondents have also submitted a Certificate from the Chartered Accountant certifying the amount received, deposited and utilized alongwith the Statement of bank accounts for both collection accounts and where 70% of the collections received from the projects were deposited (Account no. 57500000761452) as well as RERA bank Account of the project (Account no. 59219818809038) showing the transactions of deposit and withdrawal during the above period.

4. Therefore, in light of the aforementioned facts and circumstances, the suo motu complaint initiated against the respondents is hereby withdrawn. **Disposed of.** File be consigned to record room after uploading of orders.



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DR. GEETA RATHEE SINGH
[MEMBER]



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NADIM AKHTAR
[MEMBER]