## Project hearing brief

| SN | Particulars | Details | | | |
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| 1. | **Name of the project** | Greenopolis | | | |
| 2. | **Location of the Project** | Sector-89, District Gurugram, Haryana | | | |
| 3. | **Name of the promotor** | Orris Infrastructure Private Limited | | | |
| 4. | **Nature of the project** | Group Housing | | | |
| 5. | **Legal capacity** | **Collaborator** | | | |
| 6. | **Name of the license holder** | M/S Radha Estates Pvt. Ltd, M/s Inscense Properties Pvt. Ltd., M/s Oscar Land & Housing Pvt. Ltd., M/s Neptune Land & Housing Pvt. Ltd., M/s Salmon Land & Housing Pvt. Ltd., M/s Acme Buildwell Pvt. Ltd., M/s Orris Land & Housing Pvt. Ltd., M/s Crazy Land & Housing Pvt. Ltd., M/s Vrtex Land & Housing Pvt. Ltd., M/s Bright Buildtech Pvt. Ltd., M/s Elegant Land & Housing Pvt. Ltd., Sh. Lal Singh S/o Sultan., Sh. Amit Gupta S/o Vijay Gupta,Sh. Aajad S/o Raja Ram, Sh. Raja Ram S/o Sh. Mangtu Ram. | | | |
| 7. | **Status of project** | Ongoing | | | |
| 8. | **Registration No.** | 05 of 2019 dated 23.01.2019 | | | |
| 9. | **Validity of Registration** | Valid From | Valid up to | | |
| | | 23.01.2019 | 30.06.2021 (Including 6 months due to Covid-19 ) | | |
| 10. | **Whether project is to be developed in Phase** | One go | Phases | | |
| | | X | √ | | |
| 11. | **Whether extension as per section 6 have been granted.** | Yes | No | | |
| | | X | √ | | |
| 12. | **Date of Application u/s 7(3)** | 11.05.2022 | | | |
| 13. | **Period of Extension requested** | Years | Months | Days | |
| | | 4 | 0 | 0 | |
| 14. | **Whether registration applied for whole/ phase** | Phase-I, Phase-2, Phase-3 | | | |
| 15. | **Online application ID** | RERA-GRG-1116-2022 | | | |
| 16. | **License no.** | 115 of 2011 dated 23.12.2013 | | Valid up to 22.12.2019 | |
| 17. | **Total licensed area** | 47.2180 acres | **Area to be registered** | 37.2180 acres | |
| 18. | **Statutory approvals either applied for or obtained prior to registration** | | | | |
| | i) **License Approval** | **Date of approval** | **Validity up to** | | |
| | | 23.12.2013 | 22.12.2019 | | |
| | ii) **Zoning Plan Approval** | 27.12.2011 | | | |
| | iii) **Building plan Approval** | 07.06.2012 | 06.06.2017 | | |
| | iv) **Environmental Clearance** | 04.09.2013 | 03.09.2023 | | |
| | v) **Service plan and estimate approval** | 12.04.2018 | | | |
| 19. | **Projected date of completion of** | 30.06.2025 | | | |

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| | **the project** | |
| **20.** | **Present stage of completion for ongoing projects (%)** | 16 % |
| **21.** | **Total Project cost** | Estimated total project cost Rs.104581.29 lakhs<br>Land cost- 5622.80 Lakhs (Including in above) |
| **22.** | **Project expenditure so far** | 58921.82 lakhs including land cost |
| **23.** | **Estimated expenditure for completion so far** | 45659.47 lakhs |
| **24.** | **No. of Units i.e. (sold units - in case of ongoing and unsold units)** | 1862 Residential Units |
| **25.** | **Detail of encumbrances** | No Encumbrance |
| **26.** | **Deficit Documents** | 1. Brief of the project details containing the history of the project needs to be provided in the online DPI.<br>2. Details of Land owner payout along with current outstanding status and NOC/Confirmation from land owner needs to be submitted.<br>3. Copy of renewal of license needs to be submitted.<br>4. External development charges and infrastructure development charges statement as per DTCP as on date needs to be provided.<br>5. Information to revenue department regarding entry of license in revenue record needs to be submitted.<br>6. Details of payout to collaborator/landowner in terms of FSI/Revenue share along with current outstanding status needs to be submitted.<br>7. Details of real estate agent needs to be submitted.<br>8. Details of proof consultant needs to be submitted.<br>9. Land title search report from the advocate having 10 years of experience needs to be submitted.<br>10. Demarcation of land i.e. latitude/longitude needs to be provided in the online DPI.<br>11. Details of approach roads needs to be filled in the online DPI.<br>12. Non encumbrance certificate not below the rank of tehsildar needs to be submitted.<br>13. Affidavit for details of land dispute along with possible outcome and mitigation strategy needs to be submitted.<br>14. Site plan/building plan needs to be revalidated.<br>15. Assurance/approvals from various entities needs to be submitted.<br>16. Revalidation of environment clearance needs to be provided.<br>17. Non objection Certificate for airport height clearance needs to be submitted.<br>18. Affidavit regarding non applicability of tree cutting, power line shifting etc needs to be submitted.<br>19. Details of PLC type to be provided if any. |

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| | | 20. Information of Part- D to Part-J needs to be properly filled along with annexure in the DPI.<br>21. Deficit fees revised due to matter is sub-judice before NCLT 1,08,87,313/-needs to be paid. |
| 22. | **File Status** | **Date** |
| | 1st Hearing on | 05.07.2022 |
| | 2nd Hearing on | 02.08.2022 |
| | 3nd Hearing on | 09.08.2022 |
| | 4nd Hearing on | 13.09.2022 |
| **Day and Date of hearing** | | Tuesday and 13.09.2022 (4th hearing) |
| **Proceeding recorded by** | | Mr. Ram Niwas |

## Brief History of the Project

"Greenopolis" is a residential group housing project being developed by the license holders in collaboration with Orris Infrastructure Pvt. Ltd. This project is situated on the land falling in the revenue estate of village Hayatpur Badha, Sector 89, Distt. Gurugram. The total area of the licensed land is 47.218 acres and the project is taken up by the promoter only on an area of 37.218 acres leaving 10 acres to be taken up at a later stage. In the 37.218 acres, there are 29 towers and 1862 units out of which 1624 units have been sold/allotted. Orris, being one of the license-holder of the project bearing license no. 115 of 2011, is the collaborator of the project also and is responsible for executing the project. The building plans and other approvals have been granted in the name of Orris by the competent authority in the capacity of collaborator.

A registered joint development agreement was executed between M/s Orris Infrastructure Pvt. Ltd. and M/s Three C Shelters Pvt. Ltd. on 02.11.2011 for marketing and development of the project. As per this inter-se agreement, Orris engaged Three C to do the construction/development on its behalf and out of the total project, Orris agreed to give 65% of the developed area to Three C in lieu of construction and development to be made by Three C on behalf of Orris. However, this inter-se arrangement regarding marketing between Orris and Three Chas never been approved by the competent authority as Three C does not have license and cannot market the project, although there is no bar to develop and construct as an agency (contractor) of Orris. Any sale by it without license or BIP approval is illegal and is against the provision of the Haryana Development and Regulation of Urban Areas, Act, 1975.

This development agreement is against the conditions of license and warrants withdrawal of license and initiation of legal proceedings against the license holder i.e M/s Orris Infrastructure Pvt. Ltd. by DTCP. However, Orris being the collaborator and developer, having license for sale is categorically covered under the definition of promoter as per section 2(zk)(1) of the Real Estate (Regulation and Development) Act 2016. Therefore, it is the prime duty of Orris to fulfill all the obligations of the promoter as provided under the RERA Act, 2016 and to ensure timely construction/possession of the project to the allottees. The collaborator recognized by the Department of Town & County Planning, acts on behalf of the license holder landowner on the strength of the power of attorney and an irrevocable development agreement. The joint development agreement between Three C & Orris is for the development of the project by Three C and in lieu of that Three C was allotted 65% share of the developed project against the development & cost of construction. The position of Three C is that of a contractor viz a viz Orris & the latter cannot by itself give marketing rights to Three C by a private agreement without DTCP approval. Three C has sold units to the allottees without BIP approval from DTCP but irrespective of this fact sales have been done by Three C Shelters claiming to be acting on the power of attorney (JDA)by Orris. Accordingly, Three C is also a promoter in respect of the units sold by it and Orris is jointly a promoter for such units and is jointly and severally liable for obligations done under the Act.

The project "Greenopolis" is a distressed and abandoned project which had been abandoned by Three C Shelters Pvt. Ltd. which was responsible for completing the construction of the Project. It appears that due to abandoning of the Project by Three C, litigation had ensued and which had finally reached the Hon'ble Supreme Court of India in 2021,. Meanwhile, after the Project was abandoned by Three C in 2016, there was no progress in construction thereafter.

Pursuant to the order dated 01.07.2021 passed by Hon'ble Supreme Court of India, order dated 29.03.2022 passed by Ld. National Company Law Tribunal (NCLT) and thereafter, order dated 12.04.2022 passed by the Authority, the Greenopolis Project is now being constructed under the supervision and monitoring of this Authority [HRERA, Gurugram). In order to ensure compliance of the orders of the Authority dated 12-04-2022 and earlier orders to complete the project as per the schedule committed by way of an affidavit dated 22.04.2022 by M/s 0rris Infrastructure Pvt Ltd, the Authority has appointed Commissioner Investigation and Monitoring Officer

(CIMO) and two supporting engineers. The work on the project, which has been held up since long for various reasons to the detriment of the interest of around 1652 home buyers, has resumed and is expected to meet its timelines under the monitoring mechanism provided by the Authority.

(Asha)
Chartered Accountant

(Naresh Kumar)
Chartered Accountant

**REPRESENTED THROUGH**

| Sr. no. | Name | Designation | Mobile No. | E-mail |
|---|---|---|---|---|
| 1. | Sh. Rasendra Pathak | Manager | 9891425814 | Rasendra.pathak@orris.in |
| 2. | Sh. Naveen Sharma | GM Legal | 9717941166 | - |

**PROCEEDINGS OF THE DAY**

Proceedings dated 13.09.2022

Sh. Naresh Kumar, Chartered Accountant and Ms. Asha, Chartered Accountant briefed about the project.

Sh. Rashendra Pathak (Manager) Naveen Sharma (GM Legal) are present on behalf of the promoter. The AR of the promoters have committed to deposit the deficit fee of Rs. 1,08,87,313/- within a week. This is a stressed project and matter has gone even upto the level of Hon'ble Supreme Court wherein the stand of the Authority to complete the project was finally accepted by NCLT and there is likelihood of completion of 1st Phase of project within next 2 months. AR of the promoter has requested for a time period of 2 months to clear all the compliances.

The matter to come up on 15.11.2022.

(Sanjeev Kumar Arora)
Member, HARERA, Gurugram

(Ashok Sangwan)
Member, HARERA, Gurugram

(Vijay Kumar Goyal)
Member, HARERA, Gurugram

(Dr. K.K. Khandelwal)
Chairman, HARERA, Gurugram