



No.	HARERA/GGM/RPIN/164	Date:	06-12-2019
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From	To
Chairman Haryana Real Estate Regulatory Authority, Gurugram	Orris Infrastructure Pvt. Ltd. C-3/260, Janakpuri, New Delhi-110058

Sub: Regarding registration of the real estate project "First Homes" at sector 85, Gurugram-rejection thereof

Ref: Your application for registration dated 01.07.2019.

1. As per the record of this authority you had submitted an application dated 01.07.2019 under section 4 of Real Estate (Regulation and Development) Act, 2016 read with rule 3 of the Haryana Real Estate (Regulation and Development) Rules, 2017 for registration of the real estate project "First Homes" Phase-4 located in sector-85, Gurugram as a collaborator with the licensees namely M/s BE Office Automation Products Pvt. Ltd. and others.
2. On scrutiny of the application under reference, certain deficiencies were observed which were conveyed to you vide notice no HARERA/GGM/RPIN/164 dated 19.07.2019 with the directions to remove the said deficiencies and observations immediately latest by 02.08.2019 so that the application can be processed by this authority in accordance with the provisions of Act/Rules.
3. You did not remove the deficiencies/observations within given time therefore again a notice no. HARERA/GGM/RPIN/164 dated 20.08.2019 was sent to you for removal of deficiencies/ observations latest by 30.08.2019. Again through letter no HARERA/GGM/RPIN/164 dated 02.09.2019 a final notice was issued to you for removal of deficiencies/ observations and also opportunity of personal hearing was given to you on 10.09.2019 at 3:30 pm with specific directions that in case you fails to appear before the authority on the given date and time then it will be presumed that you have nothing to say in the matter and the application will be rejected as per provisions of Act/ Rules.
4. Although, Mr. Rasendra Pathak assistant manager of the company appeared before the authority for personal hearing on 10.09.2019 yet he was not carrying any authority letter for attending the personal hearing on behalf of M/s Orris

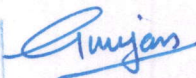
Infrastructure Pvt. Ltd. Therefore, next date of hearing was fixed for 18.09.2019 and for removal of deficiencies/observations.

5. On 03.10.2019 personal hearing was held and it was observed that M/s Orris Infrastructure Pvt Ltd did not remove the deficiencies/ observations inspite of issue of reminders as well as even offer of opportunity of personal hearing. Therefore, the authority decided to issue a final show cause notice to the promoter for hearing on 04.11.2019 with reference to non-removal of deficiencies/observations.
6. Accordingly, final show cause notice vide HARERA/GGM/RPIN/164 dated 04.10.2019 was sent to you with the directions to showcase as to why your application of registration of real estate project "First Homes" should not be rejected for non-removal of deficiencies inspite of issue of repeated reminders, as per prescribed procedure under Sec-5 of the Real Estate (Regulation and Development) Act, 2016 read with rule 5 of the Haryana Real Estate (Regulation and Development) Rules, 2017.
7. Further again an opportunity of personal hearing was given to the promoter on 04.11.2019 at 3:30 pm, with the clear instructions that in case of failure to appear before the authority on given date and time then it will be presumed that you have nothing to say in this matter and their application will be rejected.
8. Due to pre-occupation of authority final personal hearing could not be held on 04.11.2019. Therefore, date of hearing was changed to 07.11.2019 at 3:00 pm. Your authorized signatory appeared for personal hearing on 07.11.2019 and requested 15 days' time for submission of deficient documents and removal of observations.
9. Accordingly, time limit for submission of deficient document was allowed by 25.11.2019 with the directions that incase of failure in submission of deficient documents by given date then penal proceeding shall be initiated for the delayed period. As per the record of this authority the promoter neither submitted the deficit documents before the authority on 25.11.2019.
10. From the above office report, it is cleared that you are not serious about removal of deficiencies/observations inspite of issue of repeated reminders and opportunity of personal hearings. Following are the deficiencies:-
 1. Deficient Fee - Rs 3,41,129/-

2. Fire scheme approval applied. But final approval pending with the competent authority.
3. License 39 of 2009 and 99 of 2011 is expired. Hence needs to submit renewal of the licenses.
4. Details of Tower A3 not given in the detailed information.
5. IDW INR 2.375 Cr mentioned in serial no. 3 which is also added to the total shown in serial no.8 INR 61.01 cr needs to be corrected.
6. Bank account details of 70%-RERA a/c & 30% free a/c has not been provided which needs to be provided.
7. Affidavit/indemnity bond from promoter regarding arrangement with the bank of master account.
8. Undertaking from financial institution regarding the compliance with RERA rules not provided.
9. ROC CHG-1 for INR 150 Cr & 185 Cr has been provided which are related to 4 other project of the promoters which are not relevant to this project.
10. Loan approval letter dated 25/05/17 from L & T financial services has been attached, however the same is not relevant in the current project.
11. CA certificate for financial & inventory details in respect of ongoing project has not been submitted with DPI as per the promoter this is a new project, they have not promoted this project in the market & no single house has been sold in this project.

Since due procedure as provided in section-5 of the Real Estate (Regulation and Development) Act, 2016 read with rule 5 of the Haryana Real Estate (Regulation and Development) Rules, 2017 for rejection of application for registration of real estate project has already been followed by the authority and the promoter company has not removed the deficiencies therefore, the application dated 01.07.2019 for registration of real estate project may be rejected and penal proceedings against the promoter under section-59, 60 and 61 may be initiated.

Date: 06-12-2019
Issued under the authority
and seal of HARERA,
Gurugram.



For: Haryana Real Estate Regulatory
Authority, Gurugram