

**UTTAR PRADESH REAL ESTATE REGULATORY AUTHORITY (U.P. RERA)**

Naveen Bhavan, Rajya Niyojan Sansthan  
Kala Kankar House, Old Hyderabad, Lucknow – 226007

No. 2753A/Separate Acctt-1/Finance/2020-21

Date: 05 June, 2020

**Real Estate Project (Maintenance of Separate Bank Account) Directions 2020**

Whereas it has been provided under section 4(2) (l) (D) that seventy percent amount realized for the real estate project from the allottee from time to time, shall be deposited in a separate account to be maintained in scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose;

Provided that the promoter shall withdraw the amount from the separate account, to cover the cost of the project, in proportion to the percentage of completion of the project,

Provided further that the amounts from the separate account shall be withdrawn by the promoter after it is certified by an engineer, an architect and a chartered accountant in practice that the withdrawal is in percentage to the completion of the project;

Provided also that the promoter shall get his accounts audited within six months after the end of every financial year by a chartered accountant in practice, and produce a statement of accounts duly certified and signed by such chartered accountant and it shall be verified during the audit that the amounts collected for a particular project has been utilized for the project and that the withdrawal has been in proportion to the percentage of completion of the project.

Whereas Uttar Pradesh Real Estate Authority, hereinafter called the Authority, has established a web-based system of registration of the project wherein a promoter is required to provide the bank account details of the project at the time of the registration of the project;

And whereas the facility to upload the annual statement of the audited account and the three certificates has been provided on the website of the Authority.

Whereas the Authority has since verified the particulars of the projects given by the promoter on its website and found that in some cases the promoters have not declared the separate project account on the website and that in some cases the same bank account has been given in more than one project which is violation of the provisions of the Act.

The Authority has been receiving complaints from the Allottees also that some of the promoters have not maintained the Separate Bank Account as required by the Act and are not following the procedure laid down for the withdrawal and utilization of the money from the separate project account. It has also come to the notice of the Authority that the promoters, in contravention of the provisions of the Act, are allowing lien to be placed on the Separate Bank Account of the project by the Bank.

The Authority has further discovered the instances of diversion of the money collected from the allottees for expenditures and activities not related to the project.





And therefore, the Authority with a view to discharge its functions under Section 34(f) and (g) of the Act, read with other relevant provisions of the Act and U.P. RERA Rules and the regulations empowering it to ensure compliance of the obligations cast upon the promoters under this Act and the Rules and the Regulations made there under, using the powers conferred on it under section 37 of the Act, issues the following directions for the maintenance of the separate project accounts which will be known as The Uttar Pradesh Real Estate Project (Maintenance and Operation of Separate Bank Account) Directions, 2020. These directions will come into effect from the date of their publication on the website of the Authority.

**1. Short Title**

These Directions will be known as The Uttar Pradesh Real Estate Project (Maintenance and Operation of Separate Bank Account) Directions, 2020.

**2. Definitions**

- (i) "Act" means the Real Estate (Regulation and Development) Act, 2016
- (ii) "Authority" means Uttar Pradesh Real Estate Regulatory Authority established under sub-section (1) of section 20 of the Act
- (iii) No Lien Account means Account without any third-party rights or security interests
- (iv) "Separate Bank Account" means the separate account to be maintained by the promoter in a scheduled bank as per section 4(2)(l)(D) of the Act to cover the cost of construction and the land cost of the project.
- (v) "Ongoing Projects" means the projects ongoing on the date of commencement of the Act for which completion certificate had not been issued before 1<sup>st</sup> May, 2017.

**3. Opening of the Account**

- (i) A promoter needs to open a separate bank account for the real estate project before applying for its registration in RERA the details of which are to be submitted along with the application for the registration of the project.
- (ii) The term "RERA Designated Account for < name of the project >" along with the name of the Separate Bank Account holder. For example, if the name of the promoter is M/s ABC Ltd, and the name of the project is XYZ, then the name of the account should reflect as "ABC – RERA Designated Account for XYZ".
- (iii) There shall be only one Separate Bank Account for a real estate project which shall be a no-lien account.
- (iv) The Promoter, while applying for the registration of the project with RERA, shall submit an affidavit as per the format given in form RA-1, along with a Copy of the Passbook / Bank Statement of the Account.





- (v) If there are more than one promoter in the project, necessary contractual or legal arrangements for operating the account shall be made by the principal promoter who is registering the project and the same shall be submitted along with the application for registration.
- (vi) In case of ongoing projects, the promoter needs to submit an affidavit as per form RA-2, along with the latest copy of the Passbook / Statement of the bank account and latest copies of the Form-REG-2 (Engineer Certificate), Form-REG-3 (CA Certificate) and Form-REG-4 (Architect Certificate) submitted to the Bank. All the promoters, who have not complied with this requirement, shall submit the certificates as mentioned above within 30 days of these directions.
- (vii) In case the bank account declared by the promoter on the website of RERA is not a Separate Bank Account, the promoter shall submit an application for change of Separate Bank Account within two weeks of these directions as provided under the direction 8 of these Directions.

#### 4. Deposits in Account

- (i) All the money collected from the allottees from time to time, after deducting the sum of GST, shall be deposited in this account.
- (ii) The Promoter shall deposit hundred percent (100 percent) of project finance availed from any financial/lending institution in the Separate Bank Account.
- (iii) The Promoter shall utilize the seventy percent (70 percent) of the amount collected from the Allottees from time to time for the construction and cost of land only. Entire amount of the project finance shall be utilized for the construction and development work only.
- (iv) The Promoter may use not more than thirty percent (30 percent) of the amount collected from the Allottees for other than construction and land cost of the project. The promoter can transfer not more than thirty percent of this amount to some other account for other expenditure relating to the project or the company subject to the condition that not less than seventy percent of all the money collected from the allottees from time to time and the entire amount availed as project finance from the bank/lending institution has been spent on the construction and the cost of land only which will be demonstrated by the certificate of the chartered accountant in form REG-3. The project finance amount deposited in this Account shall not be taken into consideration while withdrawing up to thirty percent of the amount collected from time to time from the allottees for purposes other than the construction and the cost of land of the project.
- (v) Such expenditures like the amount of the principal amount or the interest or the compensation to be paid to the allottees will be paid by the promoter from this window of thirty percent only.





## 5. Withdrawals from the Account

No money can be withdrawn from this account by the promoter except through the following manner:

- (i) As per the second proviso of section 4(2)(l)(D) of the Act, the amounts from the Separate Bank Account shall be withdrawn by the promoter after it is certified by an architect, an engineer and a chartered accountant in practice that the withdrawal is in proportion to the percentage of completion of the project.
- (ii) As per rule 5 of the U.P. RERA Rules 2016, for the purposes of sub-clause (D) of clause (l) of sub-section (2) of section 4, the land cost shall be the cost incurred by the promoter, whether as an outright purchase, lease charges and will include the charges incurred to obtain the approval of the competent authority, and
- (iii) For the purposes of sub-clause (D) of clause (l) of sub-section (2) of section 4, the construction cost shall be the cost incurred by the promoter, towards the on-site expenditure for the physical development of the project, including the payment of interest from Bank, FI, NBFC. The interest on unsecured loan shall be permissible at SBI- MCLR Rate for any project where finance availed towards the construction of project.
- (iv) As per Rule 5 of the Uttar Pradesh Real Estate (Regulation and Development (General) Rules, 2016 which prescribes the withdrawal aspects of the amounts deposited in a Separate Bank Account under Section 4(2)(l)(D) of the Act and whereby the said Rule requires that for the purpose of withdrawal of amount deposited in the Separate Bank Account in respect of Registered Project, the promoter shall have the three certificates as given in Regulation 3 of the UTTAR PRADESH REAL ESTATE REGULATORY AUTHORITY (GENERAL) REGULATIONS, 2019.
- (v) As per the regulation 3 of the UTTAR PRADESH REAL ESTATE REGULATORY AUTHORITY (GENERAL) REGULATIONS, 2019 the certificates by the engineer, the chartered accountant and the architect will be as per the Forms REG-2, REG-3 and REG-4 respectively of the Regulations. The chartered accountant issuing the concerned certificate shall be other than the statutory auditor of the promoter.
- (vi) The promoter shall upload the three certificates submitted to the bank on the website of the Authority while filing the quarterly progress report of the project.
- (vii) U.P. RERA may permit the promoter to withdraw the balance amount available in the separate account after the completion of the project and fulfillment of the conditions provided under Section 11 and 17 of the RERA Act and paragraph 9 of these directions.





## 6. Reporting to the Authority

- (i) The promoter shall upload the three certificates submitted to the bank on the website of the Authority while filing the quarterly progress report of the project.
- (ii) As per the third proviso of Section 4(2)(I)(D) of the Act, the promoter shall get his accounts audited within six months after the end of every financial year by a chartered accountant in practice, and shall upload on the website of the Authority a statement of accounts duly certified and signed by such chartered accountant and it shall be verified during the audit that the amounts collected for a particular project have been utilised for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.
- (iii) The annual report on statement of accounts shall be in Form REG-5 as provided under the regulation 4 of U.P. RERA Regulations.

Explanation 2 :- If the Form REG-5 issued by the statutory auditor reveals that any certificate issued by the project architect, engineer or the chartered accountant has false or incorrect information and the amounts collected for a particular project have not been utilized for the project and the withdrawal has not been commensurate with the proportion to the percentage of completion of the project, the Authority, in addition to taking penal actions as contemplated in the Act and the Rules, shall also take up the matter with the concerned regulatory body of the said professionals i.e. architect, engineer or chartered accountant, for necessary penal action against them, including dis-memberment.

- (iv) The chartered accountant shall verify that there is no lien or charge on the separate account. The promoter and/or chartered accountant shall obtain a lien/ charge certificate from the bank and upload the same on the website of the Authority along with the quarterly progress report of the project.
- (v) The promoter shall also append to certificate in form REG- 3 a copy of the passbook of the separate account duly certified by the chartered accountant and upload it along with the quarterly progress report of the project.

**Note 1:** The chartered accountant certifying Form-REG-3 should be a "different entity" than the chartered accountant certifying Form-REG-5.


## 7. Changing the Separate Bank Account of the project

The separate account of the project is one of the most sacrosanct information relating to the project disclosed by the promoter on the website of the Authority and such will not be permitted to be changed under the normal conditions. The Authority, in the overall interest of the allottees and the proper management of the finances of the project, if satisfied by the justification given by the promoter in its application for change of the separate account of the project in a manner given herein below, may permit to change





the separate account of the project as declared on its website at the time of the registration of the project.

- (i) The Authority may consider permitting a change in the separate account of the project under the following circumstances:
- a. The promoter has not declared the separate account of the project at the time of the registration of the project with the Authority.
  - b. The bank account declared on the website of the Authority is common to more than one project of the promoter.
  - c. The bank account declared on the website of the Authority is a general collection account of the promoter and not a separate account of the project as clarified in these directions.
  - d. The bank account is with a bank located outside the district where the project is located. For ease of operation, the promoters may be allowed to retain the accounts of the ongoing projects located in NCR in banks located in Delhi and NCR.
  - e. The promoter is availing a project finance loan for the construction of the project from another bank and such other bank insists for opening of the project account with it. However, such other bank can not be allowed to have any type of lien or charge on the project account and in case it is discovered at any stage that the promoter has violated these provisions, it will be liable to penalty up to five percent of the cost of the project. Further, the Authority may also revoke the registration of the project as provided under section 7 of the Act.
  - f. The Reserve Bank of India has placed restrictions on the operation of the bank account at a particular bank.
  - g. Any other reason, not foreseen in these directions but deemed sufficient by the Authority.
- (ii) The promoter can submit the application for the change of the separate account of the project in the following manner along with the documents specified:
- a. Application for change of separate account in form RA-3 as given at the end of these directions.
  - b. Certificate of account balance duly issued by the bank holding the existing account of the project in form RA-4 given under these directions.
  - c. Account Statement / Copy of Passbook of the bank account proposed as the new separate account of the project.
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- d. Annual audit report of the project
- e. Notarized affidavit of the promoter in form RA-1
- f. Promoter shall submit fund transfer compliance letter as per form RA-5 (confirmation letter for change in separate account) along with form RA-6 (certificate of fund transfer from bank with new separate account of the project) and the proof the operation of the existing separate account of the project has been stopped and all the allottees accordingly informed.

**8. Powers of the Authority on the separate Account of the Project**

- (i) The Authority, upon revocation of the registration of the project, shall direct the bank holding the project bank accounts specified under sub-clause (D) of clause (1) of sub-section (2) of section 4, to freeze the account and thereafter take such further necessary actions, including consequent de-freezing of the said account, towards facilitating the remaining development works in accordance with the provisions of section 8 of the Act.
- (ii) The Authority may, in the interest of the allottees and the project, get the separate bank account, along with any other account(s) in which the money from the allottees of the project has been collected or appropriated, verified/audited by an auditing firm/auditor/chartered accountant from time to time in discharge of its functions under section 34 of the Act and rule 19 of the U.P. RERA Rules. The promoter shall facilitate such auditor or the chartered accountant by providing all the information and documents as may be required to complete such verification or the audit, as the case may be, under the orders of the Authority. Non-compliance of these directions by the promoter in any manner will be punishable under section 63 of the Act with penalty which may be up to five percent of the cost of the project.
- (iii) The cost of such audit or verification of the account of the project will be borne by the promoter in the manner decided by the Authority, as decided by the Authority.

**9. Closure of the Separate Account on Completion of the Project**

Upon completion of the project as per the sanctioned design and the specifications, the promoter will submit the following documents on the website of the Authority:

- (i) The Completion Certificate of the project issued by the competent authority
- (ii) Proof of formation of Association or the society or the cooperative society of Allottees under the provisions of Section 4 (6) of The Uttar Pradesh Apartment (Promotion of Construction, Ownership and Maintenance) Act, 2010.
- (iii) Certificate of the Architect in Form RA-7 certifying that the project has been completed as per the approved design and specifications.

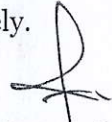




- (iv) Certificate in Form-REG-2 and Form-REG-3 of the Uttar Pradesh Real Estate Regulatory Authority (General) Regulations, 2019.
- (v) Proof of the promoter having executed a registered conveyance deed in favour of the allottees along with the undivided proportionate title in the common areas to the association of the allottees or the competent authority, as the case may be, and handed over the physical possession of the plot, apartment of building, as the case may be, to the allottees and the common areas to the association of the allottees or the competent authority, as the case may be, in a real estate project, and the other title documents pertaining thereto within specified period as per sanctioned plans as provided under the local laws.
- (vi) Declaration supported by notarized affidavit in the format prescribed in Form RA-8.

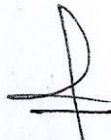
If satisfied, the Authority will issue a formal permission to the promoter to close the separate account of the project and withdraw the balance amount, if any. However, the promoter will not be absolved of any responsibilities undischarged by him and not disclosed by it to the Authority at the time of the application for the closure of the separate bank account of the project.

The directions, issued as above, shall come into force immediately.

  
(Abrar Ahmed)  
Secretary

**Copy forwarded to the following for information and necessary action**

1. Hon'ble Chairman, U.P. RERA.
2. All the hon'ble members, U.P. RERA
3. Principal Secretary, Housing and Urban Planning, Govt. of Uttar Pradesh.
4. Principal Secretary, Department of Industrial Development, Govt. of Uttar Pradesh.
5. All the competent authorities, Uttar Pradesh.
6. Adjudicating officers, U.P. RERA.
7. Finance Controller, U.P. RERA
8. All officers, U.P. RERA,
9. A.D. (Systems), U.P. RERA for uploading the copy of these directions on the web portal of U.P. RERA
10. Project Management Unit, U.P. RERA
11. All promoters of projects registered in U.P. RERA.

  
(Abrar Ahmed)  
Secretary

5/6/20



**Form – RA1**

**Affidavit for Separate Bank Account (Notarized)**

To,

Uttar Pradesh Real Estate Regulatory Authority

\_\_\_\_\_ ,

\_\_\_\_\_

**Sub: Affidavit / Declaration for Separate Bank Account of Project \_\_\_\_\_**

I, \_\_\_\_\_ Promoter of the proposed project / duly authorized by the promoter of the proposed project, do hereby solemnly declare, undertake and state that there is no lien placed by the bank or any other financial institution on the Separate Bank Account No. \_\_\_\_\_ opened at \_\_\_\_\_ (Branch) of \_\_\_\_\_ (Bank).

**Deponent**

**Verification**

The Contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me therefrom.

Verify by me at \_\_\_\_\_ on this \_\_\_\_\_ date of \_\_\_\_\_.

**Deponent**



**Form – RA2**

**Affidavit for Separate Bank Account (Notarized)**

**(For Ongoing Projects)**

To,

Uttar Pradesh Real Estate Regulatory Authority

\_\_\_\_\_,  
\_\_\_\_\_

**Sub: Affidavit / Declaration for Separate Bank Account of Ongoing Projects**

I, \_\_\_\_\_ Promoter of an Ongoing Project \_\_\_\_\_ and Registration ID \_\_\_\_\_ / duly authorized by the promoter of the Ongoing Project \_\_\_\_\_ and Registration ID \_\_\_\_\_, do hereby solemnly declare, undertake and state that the bank account no. \_\_\_\_\_ opened at \_\_\_\_\_ (Branch) of \_\_\_\_\_ (Bank) declared to Uttar Pradesh Real Estate Regulatory Authority is the Separate Bank Account opened for the above mentioned project. I also declare that there is no lien placed by the bank or any other financial institution on the Separate Bank Account.

**Deponent**

**Verification**

The Contents of my above Affidavit cum Declaration and the supporting documents are true and correct and nothing material has been concealed by me therefrom.

Verify by me at \_\_\_\_\_ on this \_\_\_\_\_ date of \_\_\_\_\_.

**Deponent**



**Form – RA3**

**Application for Change in Separate Bank Account**

To,

Uttar Pradesh Real Estate Regulatory Authority

\_\_\_\_\_ ,

\_\_\_\_\_

Sub: Application for change in Separate Bank Account

Ref: Project Name: \_\_\_\_\_, Promoter Name: \_\_\_\_\_, Project  
Registration No. \_\_\_\_\_

Dear Sir,

With reference to the above-mentioned subject, I / We would like to apply for the Authority's approval for change in the RERA Account as per the following details:

<b>Current Separate Bank Account</b>	
Bank Name	
Branch Name	
Branch Address	
Account No.	
IFSC Code	

<b>Proposed Separate Bank Account</b>	
Bank Name	
Branch Name	
Branch Address	
Account No.	
IFSC Code	

Reason for Change of Separate Bank Account	
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I/We solemnly affirm and declare that the particulars given herein are correct to my/ our knowledge and belief. In support of the declaration, I/We have attached a copy of passbook / bank statement of the current and proposed Separate Bank Account.

I / We further undertake that I shall freeze all transactions from the said account until RERA conveys its decision on the Separate Bank Account change application.

Dated: \_\_\_\_\_

Place: \_\_\_\_\_

Yours faithfully,

Name, Signature and Seal of the Promoter / Authorized Signatory



**Form – RA4**

**Certificate of Account Balance from Bank with Existing Separate Bank Account**

(On Bank Letter Head)

To,

Uttar Pradesh Real Estate Regulatory Authority,

\_\_\_\_\_,  
\_\_\_\_\_

Sub: Details of current Separate Bank Account

Ref: Project Name: \_\_\_\_\_, Promoter Name: \_\_\_\_\_, Project  
Registration No. \_\_\_\_\_

Dear Sir,

This is to certify that \_\_\_\_\_ (name of the Promoter) has Separate Bank  
Account / Collection Account operational with our bank as per following details.

Bank Name	
Branch Name	
Branch Address	
Account Holder Name	
Account No.	
Type of Account	
IFSC Code	
Closing Balance (As on _____) in Rs.	

I/We solemnly affirm and declare that the particulars given herein are correct to my/ our knowledge and belief.

Dated: \_\_\_\_\_

Place: \_\_\_\_\_

Yours faithfully,

Name, Signature and Seal of the Bank Authorized Signatory



**Form – RA5**

**Confirmation Letter of change in Separate Bank Account**

(On Company Letter Head)

To,

Uttar Pradesh Real Estate Regulatory Authority,

\_\_\_\_\_,  
\_\_\_\_\_

**Sub: Confirmation of change in Separate Bank Account**

Ref: Project Name: \_\_\_\_\_, Promoter Name: \_\_\_\_\_, Project  
Registration No. \_\_\_\_\_

With reference my / our application for change in Separate Bank Account vide letter dated \_\_\_\_\_ and as per the terms and conditions mentioned in the in-principal approval received from the Authority vide letter/ email dated \_\_\_\_\_, I/ We confirm that the Separate Bank Account has been changed and an amount of Rs. \_\_\_\_\_ (In Words: \_\_\_\_\_) has been transferred to the new Separate Bank Account. I undertake that I shall operate the Separate Bank Account in compliance with RERA Act, Rules and Regulations.

Previous Separate Bank Account	
Bank Name	
Account Holder Name	
Account No.	

New Separate Bank Account	
Bank Name	
Branch Name	
Branch Address	
Account Holder Name	
Account No.	
IFSC Code	

I/We solemnly affirm and declare that the particulars given herein are correct to my/ our knowledge and belief.

Dated: \_\_\_\_\_

Place: \_\_\_\_\_

Yours faithfully,

Name, Signature and Seal of the Promoter / Authorized Signatory



**Form – RA6**

**Certificate of Fund Transfer from Bank having New Separate Bank Account**

(On Bank Letter Head)

To,

Uttar Pradesh Real Estate Regulatory Authority,

\_\_\_\_\_,  
\_\_\_\_\_

**Sub: Details of Separate Bank Account**

Ref: Project Name: \_\_\_\_\_, Promoter Name: \_\_\_\_\_, Project  
Registration No. \_\_\_\_\_

Dear Sir,

This is to certify that the Promoter \_\_\_\_\_ has the bank account  
operational with our bank as per the following details.

Bank Name	
Branch Name	
Branch Address	
Account Holder Name	
Account No.	
Type of Account	
IFSC Code	
Closing Balance (As on _____) in Rs.	

Further, a sum of Rs. \_\_\_\_\_ (in words:  
\_\_\_\_\_) has been credited into the above mentioned bank account on  
date \_\_\_\_\_.

Dated: \_\_\_\_\_

Place: \_\_\_\_\_

Yours faithfully,

Name, Signature and Seal of the Bank Authorized Signatory



**Form – RA7**

**ARCHITECT'S CERTIFICATE**  
**(To be issued on completion of entire project)**

**Date:**

**To**

**The \_\_\_\_\_ (Name & Address of Promoter)**

Subject: Certificate of Completion of Construction Work of \_\_\_\_\_ Building / \_\_\_\_\_ Wing of the Building with common development and civic infrastructure of the Project (UPRERA Registration Number) situated on the Plot bearing C.N. No./CTS No./Survey No./Final Plot No \_\_\_\_\_ demarcated by its boundaries (latitude and longitude of the end points) \_\_\_\_\_ to the North \_\_\_\_\_ to the South \_\_\_\_\_ to the East \_\_\_\_\_ to the West of Division \_\_\_\_\_ village \_\_\_\_\_ taluka \_\_\_\_\_

District \_\_\_\_\_ PIN \_\_\_\_\_ admeasuring \_\_\_\_\_ sq.mts area being developed by Promoter's Name) \_\_\_\_\_.

Sir,

I/We \_\_\_\_\_ have undertaken assignment as Architect / Engineer of certifying completion of Construction Work of \_\_\_\_\_ Building / \_\_\_\_\_ Wing of the Building with common development and civic infrastructure situated on the plot bearing C.N. No./CTS No./Survey No./Final Plot No \_\_\_\_\_ of Division \_\_\_\_\_ village \_\_\_\_\_ taluka \_\_\_\_\_ District \_\_\_\_\_ PIN \_\_\_\_\_ admeasuring \_\_\_\_\_ sq.mts area being developed by Promoter's Name) \_\_\_\_\_.

Following technical professionals are appointed by Owner / Promoter: - (as applicable)

- (i) Mr/Ms/Mrs. \_\_\_\_\_ as Architect / Engineer
- (ii) Mr/Ms/Mrs. \_\_\_\_\_ as Structural Consultant
- (iii) Mr/Ms/Mrs. \_\_\_\_\_ as MEP Consultant
- (iv) Mr/Ms/Mrs. \_\_\_\_\_ as Site Supervisor / Clerk of Works

Based on the Completion Certificate received from Structural Engineer and Site Supervisor / Clerk of Works and to the best of my/our knowledge I/We hereby certify that \_\_\_\_\_ Building / \_\_\_\_\_ Wing of the Building has been completed in all aspects and is fit for occupancy for which it has been erected / re-erected / constructed and enlarged. The \_\_\_\_\_ Building/\_\_\_\_\_wing of the Building



has been granted Occupancy Certificate / Completion Certificate bearing number \_\_\_\_\_ Dated \_\_\_\_\_ by \_\_\_\_\_ (Local Planning Authority).

I further certify that all common amenities and civic infrastructure i.e., Common plot internal approach road, Internal storm water drainage, water supply, drainage network, percolation well, lights, parking lots etc. has been completed in all aspects and is fit for use.

Your faithfully

Signature & Name (IN BLOCK LETTERS) of L.S. / Architect with (License No.....)



**Form RAS – Affidavit (Notarized)**

I, \_\_\_\_\_ age \_\_\_\_\_ years, residing at/having office at \_\_\_\_\_, Promoter of the \_\_\_\_\_ Real Estate project/duly authorized by Promoter of the \_\_\_\_\_ Real Estate project vide his/their authorization dated \_\_\_\_\_ in this regard, do hereby solemnly declare, undertake and state on oath in compliance of Section 17 of the Real Estate (Regulation and Development) Act, 2016 as under:

1. That, I/Promoter have/has registered out/their \_\_\_\_\_ Real Estate project under the Real Estate (Regulation and Development) Act, 2016 with Uttar Pradesh Real Estate Regulatory Authority vide Registration no. \_\_\_\_\_ dated \_\_\_\_\_.
2. That, the said project is completed and has received Occupancy Certificate no. \_\_\_\_\_ dated \_\_\_\_\_ issued by \_\_\_\_\_ (In the case of Industrial Development Authority).
3. That, I/Promoter have/has formed and registered \_\_\_\_\_ (Name of Society / Company) Co-operative Housing Service Society having registration no. \_\_\_\_\_ for the said project and at present Mr./Ms./Mrs. \_\_\_\_\_ is the Chairman of the Society or company board.
4. That, all the development work and construction of the common areas and facilities of the said project has been completed and is ready to use. The nature, extent and description of the common areas and facilities of said projects are particularly described in **Annexure A**, annexed hereunder.
5. That, project Architect Mr. / Ms. / Mrs. \_\_\_\_\_ whose COA no. is \_\_\_\_\_ has given Form-4/4A.
6. That, Chartered Accountant, Mr. / Ms. / Mrs. \_\_\_\_\_ Registration no. \_\_\_\_\_ has given final Form-REG-3.
7. That, till date out of the total \_\_\_\_\_ units, we have booked \_\_\_\_\_ number of units and balance \_\_\_\_\_ number of units are still pending.
8. That, I/Promoter have not availed any loan/the loan has been paid off, and as such there is no Encumbrance on the legal titles or rights of the Allottees or the Association of Allottees of the said project.
9. That, I/Promoter or contractor engaged at project \_\_\_\_\_ have paid Rs. \_\_\_\_\_ towards all the applicable Labourcess under Building and Other Construction Workers Welfare cess Act, 1996 to the Government Authorities and I hereby submit the Payment receipt in this regard.
10. That, I/Promoter have paid all the sums due to the Government Authorities.
11. That, all necessary compliances under the Real Estate (Regulation and Development) Act, 2016 and Rules made thereunder have been completed by \_\_\_\_\_ date. Date of my said project completion is \_\_\_\_\_ as indicated in my RERA Registration.



12. That all certificates / documents as required in Direction 10 of the Real Estate Project (Maintenance of Separate Bank Account) Directions 2020 have been submitted to U.P. RERA / uploaded on RERA portal.

**Deponent**

**Verification**

The Contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me therefrom.

Verify by me at \_\_\_\_\_ on this \_\_\_\_\_ date of \_\_\_\_\_.

**Deponent**



## Annexure – A

## List of Common Areas and Facilities

[illegible]