

K-RERA/T3/102/2020

19-10-2020

## PUBLIC NOTICE TO PROMOTERS OF REAL ESTATE PROJECTS

**Sub: Anomalies in submission of Applications for Registration of Projects - reg:**  
**Ref: Public notices of even number dated 03-08-2020**

The authority, in its public notice cited above noted with great concern that even after issuing many public notices/orders from time to time, most of the applications submitted for project registration are found not in order or containing anomalies. Hence this authority is compelled to send communication repeatedly for rectification, which cause delays in issuing project registration. Rectification required for some of the most often seen anomalies in the applications submitted are listed hereunder.

### 1. Declaration supported by an Affidavit in Form B

As per item no: 76 of the application form A and item no: 84 of the application form A1, a Declaration in Form B shall be submitted by the promoter concerned. Form B of the Kerala Real Estate (Regulation and Development) Rules 2018 prescribes the Declaration supported by an Affidavit, which shall be signed by the promoter/any person authorised by the promoter for registration of a project.

- The **Declaration supported by an Affidavit** shall be enclosed as provided in **Form B** in the Kerala Real Estate (Regulation and Development) Rules, 2018. It shall be properly filled and duly signed **choosing appropriate options** as permitted in the prescribed format. (Ref: public notices dated 18-02-2020).
- In the first paragraph of this declaration prescribed in Form B, after the words "proposed project", the following shall also be inserted: "**titled** \_\_\_\_\_ *(name of the Project)*, **located at** \_\_\_\_\_ *(name of locality/local body)* **bearing permit(s) No:** \_\_\_\_\_ **dated** \_\_\_\_\_ **issued by Secretary,** \_\_\_\_\_ **Grama Panchayat/Municipality/Corporation**". (Ref: public notice of even number dated 11-05-2020.)
- The Declaration in Form B shall be prepared in a **non-judicial stamp paper** worth **Rs 100/-** and shall be **attested by an advocate**. The affidavit shall be **duly signed**. (Ref: public notices dated 18-02-2020).
- In clause 3 of Form B, **date of completion of the Project** shall be in the **DD/MM/YYYY format** (Ref: public notices dated 18-02-2020). Please note that this date shall tally with the date of completion of project mentioned in item no: 48 of Application form A1 or item no: 40 of Application form A.
- Also, **date of resolution of authorizing signatory** (wherever applicable) as required in Form B, shall be filled correctly.

### 2. Permit:

- The copies of Building permit(s) and/or Development permit(s) as applicable and the approved drawings thereof submitted shall be **legible**.
- In the case of **Revised permit**, copy of **original permit** shall also be submitted. If separate **memo/certificate** is issued by the Corporation/Municipality/Grama Panchayat for **extension/renewal of permit**, legible copy of the same shall also be enclosed.
- Permit details shall be entered correctly in the application form A/A1 and Declaration in Form B.

**KERALA REAL ESTATE REGULATORY AUTHORITY**  
**5<sup>th</sup> Floor, Swaraj Bhavan, Nanthancode, Kowdiar PO,**  
**Thiruvananthapuram-695 003**

**3. Fee for Registration of Project.**

- The fee for registration of project shall be calculated as provided in Rule 3(4) of the Kerala Real Estate (Regulation & Development) Rules, 2018. Sometimes the component of fee based on land area is seen not remitted.

**4. Certificate from Bank in Form No: 1.**

- A certificate (in original) in Form No. 1 of the Kerala Real Estate Regulatory Authority (General) Regulations, 2020 shall be submitted. This certificate from the bank is with regard to maintaining an account exclusively for the project concerned in letter pad of the bank and shall be duly signed by the competent authority with official seal. (Ref: Regulation 4(2) of the Kerala Real Estate Regulatory Authority (General) Regulations, 2020)

**5. Submit the application in the prescribed form**

- The authority vide public notices No: KRERA/T3/102/2020 dated 22/02/2020 & 17-09-2020 and orders no: KRERA/T3/102/2020 dated 30/09/2020 & 05/10/2020 have issued clarification on the registration of ongoing projects. Projects, which have obtained occupancy certificate prior to 01<sup>st</sup> of January 2020 need not apply for registration. The applications for registration of projects that are ongoing as on 01.01.2020 shall be submitted in Form A1. For other projects, application in Form A shall be used for registration.
- Content as well as Registration fee (component of fee with respect to Residential buildings) also differ for applications submitted in Form A and A1. Some promoters are submitting applications in the wrong form, due to which inconvenience is caused for both K-RERA as well as the promoter in getting the project registered. Hence, the promoters shall go through the clarifications issued by the authority and ascertain the Form applicable (A1 or A) prior to filling the application for registration and calculating the fee for registration.

It shall also be noted that mere registration of a real estate project shall not be construed that the details furnished by the promoter are found by Authority as correct. The authenticity of all the details or documents, which are submitted by the promoter shall be the sole responsibility of the promoter concerned as provided under Rule 17(4) of the Kerala Real Estate (Regulation & Development) Rules, 2018. The promoters are bound to ensure that they received all required approvals and permits and all information furnished are true and accurate as declared by them during the registration process. If details or documents furnished are incorrect or deficient, it will lead to litigations and may attract action against promoter under section 60 of the Real Estate (Regulation & Development) Act, 2016.

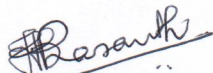
*Sd/-*

**MEMBER**

*Sd/-*

**CHAIRMAN**

*Issued by:*

  
**Secretary (T&A)**

*(Draft)*