



K-RERA/T3/102/2020

18-02-2020

PUBLIC NOTICE TO PROMOTERS OF ONGOING PROJECTS

The Applications for registration of real estate projects, being received at K-RERA are found to contain anomalies. In these circumstances, urgent attention of the promoters is invited to the following: -

1. All information required in the Application form, Checklists and proformas shall be filled.
2. Promoter shall **confirm the accuracy and truthfulness of all information** furnished, prior to submitting the application as declared in item G of the Application Form A1. They shall also confirm that all **documents prescribed are furnished** and all **statutory approvals and permits for the commencement of the project have been obtained** as per declaration supported by an affidavit in Form B of the Rules 2018.
3. Promoter shall strictly follow the instructions in (1) **Order No. K-RERA/T3/102/2020** dated: **14/01/2020**, (2) **Order No. K-RERA/T1/29/2020** dated: **03/02/2020** & (3) **Order No. K-RERA/T3/102/2020** dated: **13/02/2020** while submitting applications for registration of ongoing projects.
4. Promoter shall visit the website **rera.kerala.gov.in**. Always check for updates on the orders and public notices issued by the Authority from time to time, with regard to registration of projects.
5. In the case of '**authorised signatory**' signing the application and declaration in Form B, and attesting/signing all enclosures, the promoter shall enclose resolution of the entity authorising such person.
6. There are some anomalies generally observed while filling up of applications by promoters. Promoters shall confirm the following while submitting applications for registration of ongoing projects:

Application Form A1	
<i>Item No: in Application Form A1, as prescribed in the rules 2018</i>	<i>Actions to be confirmed by the promoter while furnishing details</i>
A. Basic Details of the Promoter	
08	In the case of firm/company, Name and address of Chairman/Managing Director/Managing Partner and all Directors/all Partners as the case may be shall be provided.
09	In the case of firm/company, Permanent address of Chairman/Managing Director/Managing Partner and all Directors/all Partners as the case may be shall be given.

KERALA REAL ESTATE REGULATORY AUTHORITY
5th Floor, Swaraj Bhavan, Nanthancode, Kowdiar PO,
Thiruvananthapuram-695 003

C. Details of the Development/Project	
20	<p>List the Survey/Re Survey Numbers with subdivision included in the entire land for the project, along with Block, Name of Village(s), Taluk and District.</p> <p>Clearly specify whether the numbers given pertains to Survey / Resurvey.</p>
22	Specify the complete address of all the land owner(s)
23	<p>Specify the Permit No: and Date of permit, including details of Renewal/Period of extension of permit.</p> <p>In the case of plot subdivision layouts, provide the details of the Development permit.</p> <p>In the case of villa projects, permits for Buildings and Plot subdivision layout shall be provided.</p>
25	Total Floor Area of the project proposed to be developed shall be that mentioned in the Permit
26	Number of dwelling units mentioned shall tally with that as per approved plan (connected to permit)
27	<p>Open parking areas form part of common areas as per the Act and such areas cannot be allotted to allottees by the promoter.</p> <p>Number of garages/covered parking for allottees shall also conform to the number of such parking spaces in the approved plan with the permit.</p>
29	Number of commercial spaces (other than dwelling units) mentioned shall tally with that as per approved plan (connected to permit).
30	Total Floor Area of commercial spaces (other than dwelling units) mentioned shall tally with that as per approved plan (connected to permit).
31	<p>Open parking areas form part of common areas as per the Act. Such areas cannot be allotted to allottees by the promoter.</p> <p>The number of garages/covered parking for allottees shall also conform to the number of such parking spaces in the approved plan with the permit.</p>
39-46	<p>It is mandatory as per the Act to open a separate account for depositing 70% of the amount collected from allottees. Please go through the statutory provisions carefully.</p> <p>Refer section 4(2)(I)(D) of the Real Estate (Regulation & Development) Act 2016. Please furnish details of such separate account.</p>
48	Furnish the date of completion of the Project as committed to allottees in the DD/MM/YYYY format.


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D. Details of Registration fee paid	
49-53	The registration fee shall be @ Rs 10 /sq.m of land area + Rs 25/sq.m of Floor area for residential use + Rs 100/sq.m of floor area for other uses . Floor area shall be the floor area mentioned in the Building Permit .
E. Permits / Approvals / NOCs Received	
54 -59	The Information furnished shall be either ' Yes ' or ' No ' or ' Not Applicable ' for each of such Approval/Permit/NOC/clearance asked for.
60	If answer for any of the items in 54-59 is ' No ' or ' Not Applicable ', promoter shall furnish sufficient reasons to substantiate such answer , with supporting evidence if any.
F. Attachments to be enclosed	
61-82	These are checklist of items to be enclosed along with the application. Hence the Appropriate columns shall be filled as either " Yes " or " No " or " Not Applicable ".
Affidavit Form B	
<i>Item No: in Application Form A1, as prescribed in the rules 2018</i>	<i>Actions to be confirmed by the promoter while furnishing details</i>
84	<p>The Declaration supported with 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 in the prescribed format. Deviations from the prescribed format in Form B are not allowed.</p> <p>The Declaration in Form B shall be prepared in a non-judicial stamp paper worth Rs 100/- and shall be attested by an advocate.</p> <p>In clause 3 of Form B, date of completion of the Project as committed to allottees shall be in the DD/MM/YYYY format.</p> <p>The affidavit shall be duly signed.</p>
Other Enclosures	
<i>Item No: in Application Form A1, as prescribed in the rules 2018</i>	<i>Actions to be confirmed by the promoter while furnishing details</i>
65	Audited balance sheet of promoter for the preceding financial year and Income tax returns for 3 preceding financial years shall be enclosed
68	Enclose copy of sanctioned Plans as per permit (building permit and/or Development Permit as the case may be).

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	<p>Enclose copy of Layout/usage approval, concurrence from the Town & Country Planning Department wherever applicable as per statutes (including copy of Permits for previous or subsequent phases if any).</p> <p>Copy of any other approvals/NOCs/Clearances etc. as required under 54 to 59 (<i>Fire and Rescue Services/Airport Authority of India/Railways/National Highways/ Pollution Control Board/ Environmental Clearance/ CZMA clearance/ others if any applicable</i>) shall be enclosed.</p>
69	Furnish copies of all the plans applicable.
71	<p>Enclose Proforma of allotment letter, Proforma of agreement for sale, Proforma of conveyance deed.</p> <p>Proforma of agreement for sale to be enclosed shall be as provided in Annexure A of the Kerala Real Estate (Regulation and Development) Rules, 2018. Any additional disclosures/ details/ provisions required can be included in clause I of the format of such agreement for sale, but they shall not be in contravention to other provisions therein.</p>
75	Architect, Engineer, Contractor etc – Details of Architect and Engineer shall invariably be included. Refer Section 4(2)(I)(D) - second proviso - of Real Estate (Regulation & Development) Act 2016.
78	Land Records – Enclose copy of latest tax receipt(s) and latest encumbrance certificate(s) .
79	Enclose Copy of the legally valid Joint Venture Agreement/ Collaboration Agreement/ Joint Development Agreement executed with land owner(s) to carry out the real estate project.
83	Enclose copy of the front page of passbook of the separate account opened for this particular project in a scheduled bank. It is mandatory as per the Act to open a separate account for depositing 70% of the amount collected from allottees. Please go through the statutory provisions carefully. Also refer section 4(2)(I)(D) of the Act.

7. Omitting, reordering, renumbering of serial/item no. in the application Form A1 prescribed in the rules 2018 shall be avoided.
8. Promoter shall ensure that all pages of application, Affidavit in Form B and Proformas and enclosures shall be duly signed/attested by the authorized signatory/promoter as the case may be.
9. All details in the application and the formats should be legibly typed.


Member


Chairman