



[See Rule 3(6)]

DECLARATION, SUPPORTED BY AN AFFIDAVIT, WHICH SHALL BE SIGNED BY THE PROMOTER OR ANY PERSON AUTHORIZED BY THE PROMOTER

Affidavit-cum-Declaration

Affidavit cum Declaration of Mr./Ms. \_Milan Nemji Gala\_\_\_\_\_ promoter of the proposed project / duly authorized by the promoter of the proposed project, vide its/his/their authorization dated Sept,2012'

I, \_Milan Nemji Gala\_\_\_ promoter of the proposed project / duly authorized by the promoter of the proposed project do hereby solemnly declare, undertake and state as under:-

1. That I / promoter have / has a legal title Report to the land on which the development of the project is proposed

OR

My firm M/s Dharti Nirman Builders and Developer\_\_\_\_\_ have a legal title Report to the land on which the development of the proposed project is to be carried out and a legally valid authentication of title of such land along with an authenticated copy of the agreement between such owner and promoter for development of the real estate project is enclosed herewith.

2. That the project land is free from all encumbrances.

3. (a) For new projects:

That seventy per cent of the amounts realized by me/promoter for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose.

- (b) For engaging project on the date of commencement of the Act



That seventy per cent of the amounts to be realized hereinafter by me/promoter for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose.

OR

That entire of the amounts to be realized hereinafter by me/promoter for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose, since the estimated receivable of the project is less than the estimated cost of completion of the project.

For CITIZENCREDIT CO-OP. BANK LTD.  
Borivali Branch  
CITIZENCREDIT CO-OP.  
BANK LTD., I.C. COLONY,  
BORIVLI (W),  
MUMBAI-400 103.  
D-5/STP(V)/R.1009/06/  
06/208-211  
Authorized Signatory

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4. That the amounts from the separate account shall be withdrawn in accordance with Rule 5
5. That I / the promoter shall get the accounts audited with six months after the end of every financial year by a practicing Chartered Accountant, and shall produce a statement of accounts duly certified and signed by such practicing Chartered Accountant, and it shall be verified during the audit that the amounts collected for a particular project have been utilized for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.
6. That I/the promote shall take all the pending approvals on time, from the competent authorities.
7. That I /the promoter shall inform the Authority regarding all the changes that have occurred in the information furnished under sub-section (2) of section 4 of the Act and under rule 3 of these rules, within seven days of the said changes occurring.
8. That I / the promoter have / has furnished such other documents as have been prescribed by the rules and regulations made under the Act.
9. That I /the promoter shall not discriminate against any allottee at the time of allotment of any apartment, plot or building, as the case may be.

  
Deponent

#### Verification

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

Verified by me at 29 JUL 2017 on this \_\_\_\_ day of \_\_\_\_.

  
Deponent

**BEFORE ME**



**JAGDISH TRYAMBAK DONGARDIVE**  
Advocate & Notary, (Govt. Of India)  
Saraswati Chawl, Kranti Nagar,  
Zopadpatti, Akurli Road,  
Kandivali (E), Mumbai-400 101  
(Maharashtra)

**29 JUL 2017**