

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

Affidavit cum Declaration of Mr. Sanjay Sharma duly authorized by Emaar MGF Land Limited, being the promoter of the project (“**Promoter**”), vide its board resolution dated 25 May 2017;

I, Sanjay Sharma, am duly authorized by the Promoter do hereby solemnly declare, undertake and state as under:

1. That this application relates to registration of **41.86 acres (Subject Project)** of the Residential Colony **Marbella** as shown in colors Brown and Green in the Sanctioned Plan annexed as Annexure 9. The Promoter has a legal and a valid title to the land on which the development of the **Subject Project** is being carried out and a legally valid authentication of title of such land along with an authenticated copy of the agreement between the owner(s) and Promoter for development of the real estate project is enclosed along with the application for registration of the project.

2. Save and other than what has been provided for in the Annexure 6 enclosed along with the application for registration of the project, to the best of the knowledge of the Deponent, there are no encumbrances including details of any rights, title, interest, dues, litigation and name of any party in or over such land,
3. The Company has been granted licence for development of residential colony on 109.069 acres, namely Marbella. The Residential Colony Marbella comprises of plotted development, Villas, Floors , EWS, Commercial Complex(es), community center / Club(s), School sites, Hospital Site(s). For convenience, the Residential colony has been divided into six zones and is being developed in phases. Presently the Applicant Company has developed and launched / sold only Zone 1 and Zone 6 (41.86 acres) as shown in colors Green and brown in the sanctioned plan at Annexure 9. After completion of Services of these zones, the Applicant Company has applied in the prescribed format to the Competent Authority for Certificate for completion of services for an area measuring **41.86 acres**, herein after referred to as the **Subject Project**. The **Subject Project** is shown as green and brown colors in the sanctioned Plan at Annexure 9.
4. The Applicant Company has not launched / made allotments / bookings in Zones 2, 3, 4 and 5 measuring 67.208 acres of the sanctioned Lay out Plan, herein after referred to as the Un-Launched Project, the area which is not colored in the Sanctioned Plan at Annexure 9 is the Un-Launched Project. The application for Registration for this area will be made as a New Project(s) before the Un-Launched Project is sold / marketed / advertised.
5. It is stated that as per the definition provided in Rule 2 (1)(o) of the Haryana Real Estate (Regulation and Development) Rules, 2017, the “On Going Project” does not include any project for which after completion of development works, an application under Rule 16 of the Haryana Development and Regulation of Urban Areas Rules, 1976 is made to the competent authority on or before publication of HRERA Rules, 2017. In view of this definition, the Subject Project does not constitute an “Ongoing Project”, hence does not require registration. However, in view of the fact that the Applicant Company is still carrying on constructions and has made allotments of built-up villas in the **Subject Project**, it has sought clarification from the Regulator if the same requires registration or not, response of

the same is awaited. Prima-facie the **Subject Project** does not require registration, however, **pending the clarification from the Regulator and as an abundant caution, the Applicant herein makes an application for registration under section 4 of RERA and Rule 3 of HRERA Rules of Subject Project measuring 41.86 acres (shown in brown and Green color).**

The Applicant Company reserves its right to modify this application and withdraw this application on receiving any clarification from the Regulator or any other appropriate forum. That seventy per cent of the amounts realised by the Promoter 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.

6. That the amounts from the separate account, to cover the cost of the project, shall be withdrawn by the Promoter in proportion to the percentage of completion of the project.
7. 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 proportion to the percentage of completion of the project.
8. That the Promoter shall get the accounts audited within six months after the end of every financial year by a chartered accountant in practice, and shall 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 have been utilised for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.
9. That the Promoter shall take all the pending approvals on time, from the competent authorities.
10. That the Promoter has furnished such other documents as have been prescribed by the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder.

11. That the Promoter shall not discriminate against any allottee at the time of allotment of any apartment, plot or building, as the case may be, on the grounds of sex, cast, creed, religion etc.

**Deponent**

**VERIFICATION**

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

Verified by me at \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_.

**Deponent**