



पश्चिम बंगाल WEST BENGAL

55AB 064925



FORM 'B'  
[See rule 3(4)]

PRIME BUILDERS  
Binay Agarwal  
Partner

### AFFIDAVIT CUM DECLARATION

Affidavit cum Declaration of **Mr. Binay Agarwal**, S/o Omprakash Agarwal (bearing PAN: AQVPA4590Q and Aadhaar No. 9405 2657 6406) Hindu by religion, Indian by nationality, businessman by occupation, residing at Shiv Mandir Road, near Upkar Medical, Punjabi Para, Dist. Darjeeling, Siliguri, West Bengal-734001, one of the partners of firm, "Prime Builders", a partnership firm, having its office address at Shelcon Plaza, Room no.10, Sevoke Road, Siliguri, Dist. Darjeeling, Siliguri, West Bengal-734001 and promoter of the proposed project, "THE ATELIA", duly authorized by the promoter of the proposed project vide its authorization dated 14.01.2024.

SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION

15/01/2024  
PASHUPATI SHAH  
NOTARY, SILIGURI



I, **Mr. Binay Agarwal**, partner of “**PRIME BUILDERS**”, duly authorized by the promoter of the proposed project, “**THE ATELIA**”, do hereby solemnly declare, undertake and state as under:

That **SRI OMPRAKASH AGARWAL and SMT. PUSHPA DEVI AGARWAL** has a legal title to the land on which 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 said land is free from all encumbrances.
3. That the time period within which the project shall be completed by promoter is 31.12.2026.
4. That seventy per cent of the amounts realized by 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.
5. That the amounts from the separate account, to cover the cost of the project, shall be withdrawn in proportion to the percentage of completion of the project.
6. That the amounts from the separate account shall be withdrawn after it is certified by an engineer, an architect and a chartered accountant in practice that the withdrawal is in proportion to the percentage of completion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.
7. That I / 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 utilized for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.

SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION

15/02/2024  
PASHUPATI SHAH  
NOTARY, SILIGURI



8. That I / promoter shall take all the pending approvals on time, from the competent authorities.
9. That I / promoter have / has furnished such other documents as have been prescribed by the rules and regulations made under the Act.
10. That I / promoter shall not discriminate against any allottee at the time of allotment of any apartment, plot or building, as the case may be, on any grounds.

**PRIME BUILDERS**  
 Binay Agarwal  
 \_\_\_\_\_  
**Partner**  
 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 Siliguri on this 31 day of January, 2024.

**PRIME BUILDERS**  
 Binay Agarwal  
 \_\_\_\_\_  
**Partner**  
 Deponent

**AFFIDAVIT**  
 Solemnly affirmed before me  
 by Binay Agarwal  
 of Siliguri  
 identified by N. Shahi (Adv. Siliguri)  
 on this the 15th day of Feb. 2024

SOLEMNLY AFFIRMED & DECLARED  
 BEFORE ME ON IDENTIFICATION

15/02/2024  
 PASHUPATI SHAH  
 NOTARY, SILIGURI

IDENTIFIED BY ME  
[Signature]  
 ADVOCATE, SILIGURI  
15/02/24