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## HOUSING & URBAN DEVELOPMENT DEPARTMENT

### NOTIFICATION

The 30th December, 2022

**S.R.O. No. 798/2022**—Whereas the draft of the Odisha Development Authorities (Planning and Building Standards) Amendment Rules, 2022 was published as required under section 125 of the Odisha Development Authorities Act, 1982 (Odisha Act 14 of 1982) in the Extraordinary issue No.3045 of the *Odisha Gazette* dated the 21st October, 2022 under the Notification of the Government of Odisha in the Housing and Urban Development Department No.17697-HUD-TP-POLICY-0003/2020/HUD, dated the 21st October, 2022 inviting objection and suggestion from all persons and Authorities likely to be affected thereby, till the expiry of a period of 15 days from the date of publication of the said notification in the *Odisha Gazette*.

And whereas objections and suggestions received in respect of the said draft before the expiry of the period so specified have been duly considered by the State Government;

Now, therefore, in exercise of the powers conferred by section 123 of the said Act, the State Government do hereby make the following rules to amend the Odisha Development Authorities (Planning and Building Standards) Rules, 2020, namely:-

**1. Short title, extent and commencement.**— (1) These rules may be called the Odisha Development Authorities (Planning and Building Standards) Amendment Rules, 2022.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

**2.** In the Odisha Development Authorities (Planning and Building Standards) Rules, 2020, after rule 90, the following rule shall be inserted, namely:—

**“90A. Regularisation of unauthorised sub-plots.**- (1) Where any plot has been sub-divided into sub-plot unauthorisedly before the date of commencement of the Odisha Development Authorities (Planning and Building Standards) Amendment Rules,

2022 , an application for regularization of such sub-plot, if filed, shall be considered by way of compounding subject to the following conditions, namely:

(i) The minimum width of the access road to the sub-plot shall be 9 meter:

Provided that, where the width of the access road is less than 9.0 meter, but more than 6.0 meters, the land owner shall provide a strip of land half the width of the shortfall width to make the width of the road at least 9.0 meters, on the side that abuts the street, for maintaining the minimum street width to 9.0 meters and shall free gift the strip of land through a registered deed under the provisions of the Transfer of Property Act, 1882 (4 of 1882), in favour of the Urban Local Body or the Local Authority, as the case may be, prior to regularization of the sub-plot:

Provided further that, where the width of the means of access is less than 9.0 meters, the Floor Area Ratio (FAR) of the said sub- plot shall be considered according to the minimum street width existing prior to free-gifting of strip of land for road widening purpose;

(ii) The applicant shall deposit compounding fee equivalent to 15% of the Bench Mark Value of the sub-plot and all other applicable fee prescribed for sub- divisional Layout, and

(iii) Application for building plan approval over the regularized sub-plot shall be considered in accordance with the land-use specified in the Development Plan and the Planning and Building Standards rules or regulations, in operation and such other provisions applicable at the time of such application:

(2) Nothing in sub-rule (1) shall affect the Schemes or Instructions which are in force, relating to unauthorized layout and sub-divided plots made prior to issue of notification containing such Schemes or Instructions and such matters shall be considered for regularisation as per the provisions of such Schemes or Instructions.

[No.22371–HUD-TP-POLICY-0003/2020]

By Order of the Governor

G. MATHI VATHANAN

Principal Secretary to Government