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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 26th December, 2023

No.25742—HUD-TP-POLICY-0003/2020/HUD.— Whereas, the draft of the Odisha Development Authorities (Planning and Building Standards) Amendment Rules, 2023 was published as required under section 125 of the Odisha Development Authorities Act,1982 (Odisha Act 14 of 1982) in the Extraordinary Issue of the *Odisha Gazette* No.2642, dated the 16th November, 2023 under the Notification of the Government of Odisha in the Housing & Urban Development Department No.22626-HUD-TP-POLICY-0003/2020/HUD., dated the 15th November, 2023 inviting objection and suggestion from all persons 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 and commencement. — (1) These rules may be called the Odisha Development Authorities (Planning and Building Standards) Amendment Rules, 2023.

(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 (hereinafter referred to as the said rules), in rule 5, for sub-rule (6) along with the Table thereof, the following sub-rule shall be substituted, namely:—

“(6). For Low-Risk Building category and built-up area less than 500 Sq.mtr. the requirement of submission of documents and particulars shall be as per the provisions specified in the Table No.1 below.

Table No. 1: Requirement for submission of documents and particulars under sub-rule (2) and (3) of rule 5 for Low-Risk Buildings		
Sl. No.	Compliances required under sub-rule (2) and (3) of rule 5	
(a)	(b)	(c)
1	Clause (ii), (iii) and (xi) of Sub-rule (2) of rule 5	Site Plan on a scale of 1:100
		Building Plan, all Elevations and at least one Section through staircase, drawn to a scale of 1:50 for plots measuring up to 225 square meters, and 1:100 for plots measuring above 225 square meters.
		Copy of approved Layout Plan and approval letter
2	Clause (i), (ii), (iv), (vi), (viii) of Sub-rule (3) of rule 5	Registered agreement between the holder of the right, title and interest and the applicant, if applicable
		NOC from OSHB or Development Authority, if applicable
		NOC from Competent Authority, where the land is located within Eco-Sensitive Zone notified by Ministry of Environment, Forest and Climate Change, Government of India.
		NOC from AAI as per Color Coded Zoning Map (CCZM) of AAI, if applicable
		NOC from ASI /State Archaeology or any other site-specific clearance, if applicable
3	<ul style="list-style-type: none"> i. Sale deed with registered site plan. ii. Record Of Rights. iii. Peaceful possession (self-declaration in-built in application). iv. Benchmark Value (BMV) Certificate. v. Joint declaration in the format as prescribed by the Government in respect of site inspection report duly signed by both Applicant and Architect / Registered Technical Person on width of existing approach road, direction, plot dimensions in field, area affected by proposed road/ drain, existence of L.T. & H.T. line clearly showing on a sketch map of the plot and the existence of any structure there on. 	

3. In the said rules, after rule 65, the following rule shall be inserted, namely:—

“65-A. Occupants in hotels or lodges that take up a parking space shall be provided with a bed, along with a toilet assigned to every eight beds or part thereof to accommodate their vehicle drivers within the premises of hotels or lodges or within a distance of 250 meters radius of the premises free of cost.”

4. In the said rules, in rule 83, —

- (i) in clause (i), for sub-clause(b) along with the proviso thereof, the following sub-clause shall be substituted, namely:—

“(b) 5% (five per cent) of the area shall be reserved for open space:

Provided that the owner of the land shall have the option to deposit the cost equivalent to Benchmark Valuation (BMV) of 5% (five per cent) of the total layout land area and the amount of such cost shall be deposited in CIDF to be utilised exclusively for the purpose of development of park and open spaces”; and

- (ii) in clause(ii), for sub-clause(a), the following sub-clause shall be substituted, namely:—

“(a) Reservation of land for open space and community facilities shall be a minimum of 10% (Ten Per cent) of the total area of the layout, out of which at least 5% (five per cent) of the total area shall be reserved for open space:

Provided that the owner shall have the option to deposit twice the cost of BMV of the deficit percentage of the land and in such cases a minimum of 5% (five per cent) of land as open space shall be earmarked in the layout and the amount of such cost calculated towards deficit of open space shall be deposited in CIDF to be utilized exclusively for the purpose of development of park and open spaces”.

5. In the said rules, in the rule 85,—

- (i) in sub-rule (1), for clause (i) alongwith the Table thereof, the following clause shall be substituted, namely:—

“(i) The site of the sub-divisional layout shall have an access road of minimum 9.00 mtr. width and wherever the width of any existing revenue road or road developed by public agencies or local bodies is less than 9.00 mtr., but not less than 6.00 mtr. is available the same shall be considered as means of access for the proposed lay out and in such cases the owner shall free gift the deficit width of the land to make it 9.00 mtr. along the approach road from his land and wherever the site is not abutting the existing road directly and it is getting access through a private passage, the same private access shall not be less than 9.00 mtr. and the land earmarked for such road shall be free gifted to the respective Authority.;

Provided that, if the width of the means of access to the sub-divisional layout is less than the width of the internal road, then the construction of any activity within such sub-divisional layout plan shall be permitted as per the width of the means of access to the sub-divisional layout and not as per internal road abutting to the sub-divided plot of the proposed construction;

Provided further that, in all cases, FAR on a sub-plot shall be allowed based on the width of the means of access of the sub-divisional layout, if such width is less than the width of the internal road.”

(ii) sub-rule(2) shall be omitted; and

(iii) in sub-rule (3), the words “Economically Weaker Sections” shall be substituted by the words, “Affordable Housing as defined under Odisha Housing for All Policy of Government as notified from time to time.”

By Order of the Governor
G. MATHI VATHANAN
Principal Secretary to Government