

ପୁରୀ କୋଣାର୍କ ଉନ୍ନୟନ କର୍ତ୍ତୃପକ୍ଷ

No. ୫୨୫ P.K.D.A, Puri Dated 16.7.18

ବେଆଇନ୍ ଗୃହ ନିର୍ମାଣର ନିୟମିତି କରଣ ନିମିତ୍ତ ଅଧିସୂଚନା

ଏତଦ୍ୱାରା ପୁରୀ କୋଣାର୍କ ଉନ୍ନୟନ କର୍ତ୍ତୃପକ୍ଷ ଅନୁମୋଦିତ ଅଞ୍ଚଳର ସମସ୍ତ ଜନସାଧାରଣଙ୍କ ଅବଗତି ନିମନ୍ତେ ଜଣାଇ ଦିଆଯାଉଛି ଯେ ଓଡ଼ିଶା ସରକାରଙ୍କ ଗୃହ ଓ ନଗର ବିଭାଗ ତାଙ୍କ ଚିଠି ନଂ-୧୫୬୪୬ , ତା- ୨୦.୦୭.୨୦୧୮ ରିଖରେ ପୁରୀ କୋଣାର୍କ ଉନ୍ନୟନ କର୍ତ୍ତୃପକ୍ଷ ଅଞ୍ଚଳରେ ହୋଇଥିବା ବେଆଇନ୍ ଗୃହନିର୍ମାଣ ଗୁଡ଼ିକୁ ରଫାଯୋଗ୍ୟ (**Compounding**) ଦେୟ ଆଦାୟ କରି ନିୟମିତିକରଣ କରିବାପାଇଁ “Scheme for Regularization of un-authorized construction-2018” ର ଅଧିସୂଚନା ଜାରିକରିଛନ୍ତି । ଉକ୍ତ ଅଧିସୂଚନା ଅନୁଯାୟୀ ଏହି ଅଞ୍ଚଳର ଯେଉଁ କୋଠାଗୁଡ଼ିକ କୋଠାବାଡ଼ି ଗୁଡ଼ିକ ସମ୍ପୂର୍ଣ୍ଣ ବେଆଇନ୍ କିମ୍ବା ମଞ୍ଜୁର ହୋଇଥିବା ନକ୍ସାକୁ ଉଲ୍ଲଙ୍ଘନ କରି ଗୃହନିର୍ମାଣ ହୋଇଥିବା ସେଗୁଡ଼ିକୁ ଉପରୋକ୍ତ ଦେୟ ନିଆଯାୟୀ ନିୟମିତିକରଣ କରାଯିବା ପାଇଁ ଉଲ୍ଲେଖ ରହିଛି । ଏହି ଅଧିସୂଚନା ଓଡ଼ିଶା ଗେଜେଟରେ ପ୍ରକାଶ ହେବାଠାରୁ ୬ (ଛଅ) ମାସ ମଧ୍ୟରେ ନିର୍ଦ୍ଧାରିତ ଫର୍ମ ସହ ନିର୍ମାଣ କରାଯାଇଥିବା ଗୃହର ଅବିକଳ ନକ୍ସା ସହିତ ଆବଶ୍ୟକୀୟ କାଗଜାତ ଓ ଦେୟ ପୁରୀ କୋଣାର୍କ ଉନ୍ନୟନ କର୍ତ୍ତୃପକ୍ଷଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ଯେ କୌଣସି କାର୍ଯ୍ୟଦିବସରେ ଦାଖଲ କରିପାରିବେ । ଅସଂପୂର୍ଣ୍ଣ ଦରଖାସ୍ତ କିମ୍ବା ଆବଶ୍ୟକୀୟ କାଗଜାତ ଦାଖଲ କରିନଥିଲେ ଦରଖାସ୍ତଗୁଡ଼ିକ ଗ୍ରହଣ କରାଯିବ ନାହିଁ । ଉପରୋକ୍ତ ଅଧିସୂଚନା ସଂପର୍କରେ ସବିଶେଷ ବିବରଣୀ ଜାଣିବାପାଇଁ ପୁରୀ କୋଣାର୍କ ଉନ୍ନୟନ କର୍ତ୍ତୃପକ୍ଷ କାର୍ଯ୍ୟାଳୟ ସହ ଯୋଗାଯୋଗ କରିପାରିବେ କିମ୍ବା ପୁରୀ ଜିଲ୍ଲା ଡେପୁଟି ଫୋର୍ସାଲ ଓ ପି.କେ.ଡି.ଏ ଡେପୁଟି ସାଇଟ୍, [www.pkdapuri.in](http://www.pkdapuri.in) ରେ ଏହାକୁ ଡାଉନଲୋଡ କରିପାରିବେ ।

ଏଣୁ ରାଜ୍ୟ ସରକାରଙ୍କର ଏହି କଲ୍ୟାଣମୁଖି ଯୋଜନାର ସୁଯୋଗ ଜନସାଧାରଣ ନେବାକୁ ଅନୁରୋଧ ।

ସଚୀବ  
ପୁରୀ କୋଣାର୍କ ଉନ୍ନୟନ କର୍ତ୍ତୃପକ୍ଷ, ପୁରୀ

ଉପାଧ୍ୟକ୍ଷ  
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# The Odisha Gazette

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

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No.987, CUTTACK, WEDNESDAY, JUNE 20, 2018 / JAISTHA 30, 1940

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## HOUSING & URBAN DEVELOPMENT DEPARTMENT

### NOTIFICATION

The 20th June, 2018

**S.R.O. No. 231/2018**— Whereas, in exercise of the powers conferred by Section 124 of the Odisha Development Authorities Act, 1982 (Odisha Act 14 of 1982), the 9 (nine) Development Authorities of the State i.e. Bhubaneswar Development Authority, Cuttack Development Authority, Berhampur Development Authority, Sambalpur Development Authority, Rourkela Development Authority, Puri-Konark Development Authority, Paradeep Development Authority, Kalinga Nagar Development Authority and Talcher-Angul-Meramandali Development Authority, with the approval of the State Government, have notified their Planning and Building Standards Regulations for regulating the development and building construction activities being undertaken within their respective jurisdictions.

And, whereas, provisions have been made in all the above said Planning & Building Standards Regulations which empowers State Government to formulate a scheme for compounding the deviations related to unauthorized constructions.

And, whereas, there was a felt need to give one time opportunity for regularising the unauthorized constructions within the frame work of standards prescribed for fire safety and structural stability, so as to bring all such development within regulatory frame work of development authorities and thereby reducing the risks arising out of unregulated development.

Now, therefore, in exercise of such provisions, the State Government do hereby make the following scheme namely:—

**1. Short title, extent and commencement.**— (1) This scheme may be called the Scheme for Regularization of Unauthorized Constructions, 2018.

(2) It extends to all development areas of the State declared as such under the provisions of sub-section (1) of Section 3 of the Odisha Development Authorities Act, 1982.

(3) It shall come into force from the date of its publication in the *Odisha Gazette*.

**2. Definitions.**—(1) In the scheme, unless the context otherwise requires,—

(i) "Act" means the Odisha Development Authorities Act, 1982; (Odisha Act 14 of 1982);

(ii) "applicant" means any person who applies under this Scheme to get the unauthorized constructions regularized;

(iii) "approved plan" means building plan approved by the competent authority;

(iv) "clinical establishment" means clinical establishment as defined under clause (b) of Section 2 of the Odisha Clinical Establishment (Control and Regulation) Act, 1991.

(v) "competent authority" means the Development Authority, Regional Improvement Trust and Special Planning Authority, Urban Local Bodies or other Government Agency which is or was empowered at the time of approve building plan under the provisions of the relevant Act, rules and regulations governing such Authority;

(vi) "Form" means Form appended to this Scheme;

(vii) "unauthorized constructions" means constructions undertaken in contravention of the approved plan or without any approval of the plan by the competent authority.

(2) Words and expressions used in this scheme but not defined shall have the same meaning as assigned to them in the Act or the rules and regulations made thereunder.

**3. Applicability.**— (1) The Scheme intends to give an opportunity to every person for regularizing unauthorized constructions undertaken within the Development area, prior to the date of the commencement of the Scheme, by way of compounding on payment of fee at the rate prescribed in this scheme.

(2) The Scheme is applicable only to such unauthorized constructions that are structurally safe and do not affect any public interest or safety or interfere with any public activity.

(3) The relaxation provided in the Notification of the Government of Odisha in the Housing & Urban Development Department No. 12226, dated the 30th May, 2017 in

respect of regularization of the sub-divided plots or lay-outs over which the unauthorized construction has been undertaken shall also be made applicable under this Scheme.

**4. Application Procedure.**— (1) Any person who intends to get the unauthorized constructions regularized under this Scheme shall apply to the concerned Development Authority in Form-A accompanied with the fees as prescribed in the Odisha Development Authorities (Common Application Form) Rules, 2016, within six months, unless extended otherwise by the State Government from the date on which this Scheme has come into force, with the following documents, namely:—

- (a) four copies of building plans as per actual construction at site showing site plan, lay out plan, floor plan, four side elevations, drainage and sewerage disposal plan, etc. duly signed by the plot owner or Developer and the Architect or Technical person as per the provisions of the Planning and Building Standards Regulations of respective Development Authority;
- (b) copy of ownership document of land;
- (c) copy of approved plan and approval letter, if any;
- (d) affidavit in Form-B regarding peaceful possession of the land and construction undertaken at site;
- (e) photograph of the building from two angles duly signed by the applicant and attested by the concerned Architect or registered technical person with date;
- (f) site inspection report duly signed with date by the applicant and the Architect registered with Council of Architecture, India or registered Technical Person under the Odisha Development Authority (Common Application Form) Rules, 2016;
- (g) certificates or clearances or No Objection Certificates, as the case may be, relating to,—
  - (i) fire safety in cases where same is required as per the provisions of the Odisha Fire Prevention and Safety Rules, 2017, if any;
  - (ii) structural safety as per Planning and Building Standards Regulations of the respective Development Authority in Form-C;
  - (iii) peripheral infrastructure development in applicable cases from urban local body;
- (h) No Objection Certificate in the form of affidavit from the concerned neighbour, if the person regularizes unauthorized constructions with nil setback on any side of the plot in Form-D:

Provided that No Objection Certificate shall not be required if the neighbour himself is a violator of setback norms laid down in the Planning and Building Standards Regulations:

Provided further that plots having a maximum area of 300 square meters shall be considered for regularization without insisting upon No Objection Certificate from neighbours.

- (i) Other No Objection Certificates as required for particular category of buildings as per planning and building standard regulations of respective Authority, e.g., building require clearance from Archeological Survey of India, Airport Authority of India, State Environmental Impact Assessment Authority, etc.

Note:— The application needs to be mandatorily authenticated by Architect registered with the Council of Architecture, India or other technical persons registered under the Odisha Development Authorities (Common Application Form), Rules, 2016 including the compounding calculation sheet in Form-E.

(2) All other provisions of application procedure as per the Planning and Building Standards Regulations of respective Development Authority shall apply, *mutatis mutandis*.

(3) The applications under this Scheme shall be disposed of within six months from the receipt of complete application, as per the delegation of powers notified by the concerned Development Authority for the purpose of approval of Building Plan.

**5. Restrictions on regularization.**— (1) The unauthorized constructions shall not be regularized in the following cases, namely:—

(a) Where construction has been undertaken on the Government land or land belonging to local body or land not owned by the person undertaking such development;

(b) Where construction has been undertaken over public or private road or on the alignment of any of the natural drainage, channel or any drains proposed in the Development Plan or otherwise;

(c) Where construction has been undertaken in violation of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010:

Provided that such constructions can be regularized if no objection certificate from the concerned authority is produced.

(d) Where construction has been undertaken in violation of the height restrictions notified by the Airports Authority of India:

Provided that such constructions can be regularized if No Objection Certificates from the concerned authority is produced;

(e) Where construction has been undertaken in violation of the prescribed norms of Planning and Building Standards Regulations of respective Development Authorities not specifically relaxed in this Scheme;

(f) Where construction has been undertaken in violation of the zoning regulations governing Environmentally-sensitive zone, open space use zone or any other special land use zone as identified in the respective Development Plan;

(g) Where construction has been undertaken in violation of any norms of Eco-sensitive zone notified by Forest and Environment Department:

Provided that such constructions can be regularized if No Objection Certificate from the concerned authority is produced;

(h) Where construction has been undertaken in violation of coastal regulation zone or any other special restriction made in the Planning and Building Standard Regulation of the concerned authority.

*Example:—*

(I) In open space use zone area the coverage and height of the Building shall not exceed 40 % and 7 meters, respectively.

(II) In environmental sensitive zone, the minimum plot area is to be 4000 square meter, coverage should not exceed 40 % and the approach road should not be less than 12 metres.

(III) The height of the building on Grand Road and up to a distance of 100 meters on either side of the Grand Road in Puri shall not exceed 12 metres.

(i) Where construction has been undertaken in sweet water zone restricting construction through a notification; and

(j) Where the plot does not have any authenticated access or approach to the plot.

(k) Where construction or usage of land or Building has been undertaken in violation of conditions of lease in case of leasehold land leased by Government in the General Administration and Public Grievances Department, Revenue and Disaster Management Department or any other Public Agencies.

(2) The general restrictions on permission as per the Planning and Building Standards Regulations of Development Authorities shall prevail while considering the regularization of Special Buildings.

**6. Relaxation of Planning and Building norms.—** (1) In case of Non-multi-storied and multi-storied buildings, the unauthorized constructions may be regularized as per the Planning norms specified in the Table-I below:

**Table - I**

Sl. No	Buildings Type	Minimum Planning Norms to be met		
		Ground Coverage	Setback	Parking
(1)	(2)	(3)	(4)	(5)
(a)	Non-High rise			
	Residential			
	Plotted development up to 300 square metres of plot area	up to 100%	NA	NA
	Plotted development >300 square metres of plot area	up to 75%	NA	NA
	Apartments	NA	Cumulative set back of 2/3rd of the total set back requirements on either opposite sides of site.	50% of parking requirement & consent of Residents' Welfare Association/apartment owners
	Commercial			
	up to 300 square metres of plot area	up to 100%	NA	25% of parking requirement
	>300 square metres of plot area and upto 500 sqm.	up to 75%	NA	50% of parking requirement
	>500 square metres of plot area	up to 70%	Cumulative set back of 2/3rd of the total set back requirements on either opposite sides of site.	75% of parking requirement
(b)	High Rise building			
	Residential	NA	6m in all sides with cumulative set back of 2/3rd of the total set back requirements in either opposite sides	75% of parking requirement & consent of Residents' Welfare Association
	Commercial	up to 65%	6m in all sides with cumulative set back of 2/3rd of the total set back requirements in both sides	75% of parking requirement

- Note:— (a) For this purpose opposite sides shall mean front and back or right and left sides of the building.  
 (b) For special and institutional buildings except clinical establishment relaxed planning norms for commercial buildings shall apply.  
 (c) Cinema halls and multiplexes- no relaxation shall be given.

(2) In case of non-high rise building and high rise building, the unauthorised construction may be regularised as per building norms specified in the Table-II below:

**Table-II**

Sl. No.	Buildings Type	Minimum Building Norms to be met	
(1)	(2)	(3)	
(a)	Non-high rise		
	Residential	Staircase (a)	Corridor (b)
	Plotted development up to 300 square metres of plot area	Not applicable	Not applicable
	Plotted development >300 square metres of plot area	Not applicable	Not applicable
	Apartments and special buildings	<p>(a) have the provisions of second staircase, the existing stair case of minimum width of 1.5m shall be converted to fire stair case (pressurized) fitted with smoke extraction system and fire resistant doors (two hours rating).</p> <p>(b) In case there is a single staircase, an external stair case (fire escape) of minimum 0.90m width shall be provided from ground to top of the building connecting all floors for easy evacuation of the occupants</p> <p>Where a single stair case of required width as above in (b) is provided, the owner of the building shall create refuge area of 10 Square meter fitted with fire resistant doors of two hours rating in each floor of the building along with the provisions of opening/exit doors on the external wall facing to the side open space (setbacks).</p>	<p>a. The corridor shall be of minimum of 1.5 m wide</p> <p>Minimum two exits of 1.5 m width each shall be provided in the ground floor.</p>

(b)	High Rise Building	<p>(a) The width of the stairs of both the staircases shall be at least 1.5m wide each.</p> <p>(b) Out of minimum of two stair cases, one must be pressurized and fitted with smoke extraction system and fire resistant doors of two hours rating in each floor.</p> <p>(c) If the width of one or both the stair cases is less than the required width as per NBCI, the owner shall provide a refuge area of 10 Square meter fitted with smoke extraction system and fire resistant doors of two hours rating in each floor having exit of 1.5 meter wide towards open spaces / side setbacks / roads in each floor.</p>	<p>a. At least two exit doors of minimum 1.5m wide shall be provided in the ground floor. The width of the corridor shall not be less than 1.5m wide.</p>
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*Explanation.*— Irrespective of the relaxation provided in this Para,—

(a) the accessibilities of fire engine and fire-fighting personnel to different sites and parts of special buildings shall be assessed by the State Fire Service Organisation while issuing No Objection Certificate or Fire Safety Certificate;

(b) The owner shall provide all the fire prevention and safety installations as per the provisions of National Building Code of India and any additional fire protection measures as recommended by State Fire Service Organisation, the reasons of which shall be recorded in writing;

(c) The owner shall provide underground Water Tank and Terrace Tank as per the provisions of the National Building Code of India; and

(d) The setbacks mentioned above shall remain free from all obstructions and open to sky.

**7. Relaxation in planning and building norms for clinical establishments.**—(1) Non-high-rise Building Category having plot size above 200 Square metres and up to 1000 Square metres. Shall meet the following requirements; namely:—

(a) Means of access shall be at least 6 Metres. wide public road;

(b) the front setback need not be insisted upon if the building abuts to 6 Metres wide public road;

(c) at least one side setback (excluding rear setback) is required as per Planning and Building Standard Regulations of the concerned Planning Authority;

(d) if the public road of 3 meters wide on the side of the plot or 6 Metres wide on the rear of the plot is available, it will be considered as

relaxation towards open space or setback for the purpose of emergency evacuation and the above requirement of one side set back (excluding rear set-back) may not be insisted upon:

Provided that the owner shall provide one exit or exit of refuge area facing to the said public road.

(2) Non-High rise building category having plot size above 1000 square metres. shall fulfill the following requirements, namely:—

(a) means of access shall be at least 6 metres. wide public road;

(b) atleast two setbacks of 2.5 metres wide;

(c) if the public road of 4.5 meters wide on one side of the plot or 6 metres wide on the rear side of the plot is available, the same will be considered as relaxation towards open space or setback for the purpose of emergency evacuation and the above requirement of corresponding set back may not be insisted upon:

Provided that the owner shall provide one exit or exit of refuge area facing to the said public road.

(3) In case of High rise clinical establishment i.e. height of 15 metres and above the following requirements shall be met, namely:—

(a) minimum means of access shall be 9 metres for buildings up to 18metres height and 12 metres for building above 18 metres height.

(b) setbacks in all four sides shall be 6 Metres with cumulative setbacks of  $2/3^{\text{rd}}$  of the total set back requirements in either opposite sides.

(4) (a) The parking requirements shall be relaxed to the extent available, on compounding in case of non-high-rise clinical establishments on payment of compounding towards deficit in parking.

(b) in case of high rise clinical establishments 75 % of the parking requirement is to be met.

(c) The deficit in off street parking against the provision of Planning and Building Standard Regulation of the concerned Development Authority shall be compounded at the rate as specified in item (a) of sub Para. (1) of Para. 8 below.

*Explanation:* (a) The Building norms specified in Table II shall apply to the clinical establishments.

(b) The restriction of numbers of beds as mentioned in Planning & Building Standard Regulations with respect to Nursing Homes/ Hospitals/Clinical Establishments shall be done away with.

(c) The owner shall provide underground Water Tank and Terrace Tank as per the provisions of National Building Code of India.

(d) The owner shall provide all the fire prevention and safety installations as per the provisions of National Building Code of India and any additional fire protection measures as recommended by State Fire Service Organization, the reasons of which shall be recorded in writing.

(e) All these buildings shall require NOC from the DISCOM/Electrical Inspector prior to regularization.

(f) The fire safety certificate is required as per the provisions of the Odisha Fire Prevention and Safety Rules, 2017 before regularization.

(g) The set backs mentioned above shall remain free from all obstructions and open to sky.

(h) Irrespective of the relaxation provided in these recommendations, the accessibilities of fire engine and fire fighting personnel to different sites and parts of these buildings shall be assessed by the State Fire Service Organization while issuing Fire Safety Certificate.

**8. Compounding rate.**— (1) The following charges shall be levied for compounding of;

(a) parking deficit:

Area	Parking Deficit Charges per Square meter (in Rupees)	
	Residential	Non-residential
(1)	(2)	(3)
Municipal Corporation	10,000/-	17,500/-
Municipality	8,000/-	15,000/-
NAC	6,000/-	13,000/-
Rural	5,000/-	10,000/-

(b) Violation in Floor Area Ratio beyond Base Floor Area Ratio:

The rate for violation of Floor Area Ratio is linked to purchasable Floor Area Ratio which is in turn linked to the Benchmark value and the procedure for assessment of purchasable Floor Area Ratio shall be as per the notification of Bhubaneswar Development Authority (*Annexure*).

(c) Unauthorized buildings:

(i) The charges for deviation within the norms of the Planning and Building Standards Regulations of the concerned Authority shall be applicable as per the provision of the said regulation;

(ii) The charges shall be levied for regularization of unauthorized constructions undertaken beyond compoundable norms of the Planning

and Building Standards Regulation of the concerned Authority with respect to front, side and rear setback as specified in the table below:

Sl no.	Area	Compounding Charges
(1)	(2)	(3)
(a)	Municipal Corporation	1.4 times of the compounding rate as per the existing regulations of the respective Development Authority.
(b)	Municipality	1.3 times of the compounding rate as per the existing regulations of the respective Development Authority.
(c)	NAC	1.2 times of the compounding rate as per the existing regulations of the respective Development Authority.
(d)	Rural Area	1.1 times of the compounding rate as per the existing regulations of the respective Development Authority.

(2) In case of regularization of construction undertaken in respect of plot size up to 100 Square meters with maximum built up area of 150 square meter, a lump sum compounding fee of INR 20,000 shall be charged.

**9. Manner of Payment of fee.**— (1) The application shall be accompanied by self-assessed compounding fee as per the rates prescribed and other fee and which shall be deposited with concerned Development Authority in one installment only in the form of two separate bank drafts drawn in any nationalized bank payable in their favour.

(2) The differential amount, if any, shall be paid within 30 days from the date of receipt of intimation from the Development Authority and extra amount deposited by the applicant, if any, shall be refunded without interest.

(3) Conversion Fees, if applicable, as per sub-section (3) of Section 119 of the Act shall be paid by the applicant.

(4) The compounding fees and kissam conversion fees so collected under this Scheme shall be deposited in the Comprehensive Development Plan Infrastructure Development Fund (CIDF) of the respective Development Authority.

**10. Penalties.**— (1) In the event of incomplete application and non-compliance to the observations of the Development Authority, the application shall be rejected and 10% of the compounding charges prescribed under the Scheme shall be forfeited.

(2) In the event of misrepresentation or suppression of facts, the compounding fee shall be forfeited and the permission for regularization so issued shall be revoked and the matter shall be reported to the Council of Architecture, New Delhi for cancellation of the license of the concerned Architect and Director Town Planning for cancellation of registration in case of technical persons.

(3) This shall also warrant criminal prosecution against the applicant or Architect or the Technical person who has signed the application without verifying the correctness of the facts as mentioned in the application.

**11. Miscellaneous.**—(1) The permission to regularize the unauthorized construction will not confer any right, title and interest over the land or plot.

(2) The unauthorized constructions once regularized under this Scheme shall not be considered for any regularization in future.

(3) The representatives of concerned Development Authority, Public Health Engineering Department and the Urban Local Bodies will form a panel to take up random inspection of the construction on the site.

(4) The Development Authority reserves the right to initiate proceedings against unauthorized constructions under the Act where the cases cannot be regularized under this Scheme.

(5) A summary of the unauthorized constructions regularized under the Scheme shall be published through a public notice as per the provisions of the relevant regulation of the Development Authority.

(6) In case of any dispute in interpretation of this scheme, the decision of the State Government is final.

**12. Appeal.**— Any person aggrieved by the decision of the Development Authority may prefer appeal under the relevant sections of the Act and the decision of the Appellate Authority shall be final.

*Annexure***BHUBANESWAR DEVELOPMENT AUTHORITY****Akash Shova Building, Sachivalaya Marg, Kharavela Nagar, Unit-III  
Bhubaneswar**No. 35/Secy/BDA  
Planning (R&L) - 196/16

Date 26.12.2016.....

**NOTIFICATION**

Whereas, The OTDR Rules, 2015 have fixed Base FAR at 2.00. Any person who wants to build beyond the base FAR of 2.00 within the maximum permissible FAR is required to submit TDR certificate of the equivalent value to the Development Authority for availing the permission for development beyond Base FAR.

And, whereas, it was decided by Authority in its 132<sup>nd</sup> meeting held on 04.04.2016 that for a period of one year, such extra FAR can be made available to applicants on payment of equivalent charges.

And, whereas, to make provision for availing FAR beyond the Base FAR, several meetings have been convened with members including Director of Town Planning, Odisha, Members and officers of BDA and BMC. After threadbare discussion, the Standard Operating Procedure (SOP) has been prepared for availing Purchasable FAR beyond the Base FAR.

Accordingly, SOP given in *annexure* is prescribed for guidance of all officials of BDA.

**By order of Vice-Chairman**

sd/-

**Secretary  
BDA, Bhubaneswar**

## **STANDARD OPERATING PROCEDURE FOR AVAILING PURCHASABLE F.A.R. BEYOND THE BASE F.A.R.**

### **I.BACKGROUND**

TDR Rules as of now have fixed Base FAR at 2.00. Any person, who wants to build beyond the Base FAR of 2.00, but within the maximum permissible FAR, is required to submit TDR certificate of the equivalent value to the Development Authority for availing the permission for development beyond Base FAR. As TDR market will take time to mature, it was decided by Authority in its 132<sup>nd</sup> meeting held on 04.04.2016 that for a period of one year, such extra FAR can be made available to applicants on payment of equivalent charges. Therefore, to define a uniform process for granting of purchasable F.A.R. and calculation of charges towards same; this Standard Operating Procedure has been prepared.

Basic information required for calculation of fees is the Benchmark Value (BM Value) of the plot on which the project is proposed. On basis of same, charges to be paid will be calculated. This is so, as valuation of the TDR Certificate itself is linked to the benchmark value. Charges due will be equal to the value of such TDR certificates which would have been consumed in the same area to achieve the proposed FAR (Beyond Base FAR). There can be two scenarios in this respect, i.e.-

- (a) If Benchmark Value for all the plots covered in the project is same
- (b) If Benchmark Value of plots covered under project is varied.

### **II. SCENARIO– A: PROCEDURE FOR CALCULATION OF FEES IF BENCHMARK VALUE (BMV) IS SAME FOR ALL PLOTS IN A PROJECT:**

**Step-1: Collect the Benchmark Value-** Collect Bench Mark value of the plots covered under the project as per latest notification of Department of Revenue & Disaster Management Department.

**Step-2: Calculate Value of Unit Area of TDR Certificate-** Calculate valuation of unit area of TDR certificate as per following-

- |   |   |  |
|---|---|--|
|   | = | 2 Sq. m of TDR certificate               |
| (a) 1 Sq. m of surrendered land Area          | = | (as per OTDR Rules, 2015)                |
| (b) Value of 1 Sq. m of surrendered land area | = | BM Value of 1 Sq. m of Land of same plot |
| (c) 2 Sq. m of TDR certificate                | = | BM Value of 1 Sq.m of Land of same plot  |

(d) Therefore, 1 Sq. m of TDR Certificate = BM Value of 1 Sq. m of Land of same plot / 2

\*Where BM Value is Benchmark Value

**Illustration:**

If Benchmark value of the Sending Plot	=	₹2000/Sq. m
Then, cost of TDR Certificate for Unit Area	=	₹2000/2
	=	₹1000

**Step-3: Charges for purchasable FAR:**

If TDRs are not available, the applicant can make payments in lieu of deposit of TDR Certificates.

**Illustration:**

Say, applicant requires 100 Square meter of Built up space (FAR) beyond Base FAR then payments in lieu of deposit of 100 Sq.m of TDR certificate will be equal to-
= 100 x TDR Certificate of the same plot from Step-2
= 100 x 1000 = ₹1,00,000

**III. SCENARIO-B: PROCEDURE OF CALCULATION OF FEES FOR MULTIPLE PLOTS HAVING VARIABLE BENCHMARK VALUE:**

**Step-1: Calculation of Average Benchmark Value through Weighted Average Value**

As described in the procedure for single plot above, the valuation of unit area in case the project area encompasses multiple plots with varied Benchmark values, the weighted average of Benchmark values shall be taken.

**Average Benchmark Values of all Plots will be-**

$$V_{WT} = \{(P_1/A) \times V_1\} + \{(P_2/A) \times V_2\} + \{(P_3/A) \times V_3\} + \dots \{(P_n/A) \times V_n\}$$

Where, P = Individual Plot Area;

A = Total Project Area;

V = Benchmark Value of the plot

**Illustration:**

Different areas having various Benchmark Values as given in the Table below:

Sl. No.	Plot Number	Plot Area (in Sq. m)	Benchmark Value (per Sq. m)
1	220	120	2500
2	221	150	2200
3	225	90	2300
4	228	240	2000
5	224	160	2700
<b>Total Project Area(A)</b>		<b>760</b>	

**As per the formula BMV of unit area for the project will be taken as-**

$$\text{BM Value}_{\text{weighted}} = \{(120/760) \times 2500\} + \{(150/760) \times 2200\} + \{(90/760) \times 2300\} + \{(240/760) \times 2000\} + \{(160/760) \times 2700\} = \mathbf{2301}$$

Step 2 and 3 shall be similar to step 1 & 2 for single plot. Only the Benchmark value shall be the weighted average of all Benchmark values across all plots of the site as calculated in Step-1 above.

**Step-2: Valuation of Unit Area of TDR Certificate-**

If, Average Benchmark Value of the Sending Plot =Rs.2301/Sq.m

Base FAR=2

Then, Cost of TDR Certificate for Unit Area (1 Square meter)=2301 / 2=Rs.1150.50

**Step-3: Payment in terms of TDR certificate for FAR above Base FAR.**

Say, applicant requires 570 Sq.m of built-up space (FAR) beyond Base FAR then payments in lieu of deposit of 570 Sq. m. of TDR certificate will be equal to-

=570 Sq. m X Cost of TDR Certificate for Unit Area from Step-2

=570 Sq. m X 1150.50

=Rs.6,55,785

**IV. PROCESS FOR ALLOWING PURCHASABLE FAR:**

- i. In Building Plan Applications requiring additional FAR beyond the Base FAR, if TDR Certificates are not available, then the charges for additional FAR required shall be calculated as per above.
- ii. Before sanction of Building Plan, fees towards purchasable FAR, will be calculated by the Planning Officer and the same shall be deposited by the applicant. The charges shall be deposited in the CIDF account under a separate head "Purchasable FAR Charges". A register shall be maintained by the Finance wing of BDA for all deposits made under this Head.

## FORM A

[See Para 4(1)]

APPLICATION FOR REGULARISATION OF UNAUTHORISED CONSTRUCTION OF BUILDING WITHIN  
DEVELOPMENT PLAN AREA OF \_\_\_\_\_ DEVELOPMENT AUTHORITY

(Form to be filled in by the applicant in block letters)

FOR OFFICE USENAME:  
PRESENT POSTAL ADDRESS  
(FOR CORRESPONDENCE)Registration No :  
Fees realized in Rs. :  
(i) Scrutiny fee:  
draft No. & date  
(ii) Compounding fee:  
Draft No. & date:

Tel. No:

To

The Vice-Chairman,  
\_\_\_\_\_ Development Authority,  
\_\_\_\_\_Affix recent photograph  
of the applicant with  
signature on the body of  
the photograph

Sir,

I/We hereby apply for regularization of unauthorized/deviated construction as mentioned  
below:

- Name of the applicant :
- Applicant's interest in land with
- record-of-rights : Owner: \_\_\_\_\_ Power of attorney: \_\_\_\_\_
- Plot No. :
- Area in Sq. Mtrs. :
- Mouza :
- Nature of Ownership  
(Lease hold/Sthitiban) :
- Category of the building
- Land use in C.D.P. :
- Kisam of the Land :
- Approach road : Private: \_\_\_\_\_ Public: \_\_\_\_\_
- Road width :
- Whether connected to  
Existing public road : Yes: \_\_\_\_\_ No: \_\_\_\_\_
- Distance from A.S.I/State protected Monuments :
- Within 100 Mtrs :
- Upto 300 Mtrs :
- Beyond 300 Mtrs :
- Whether coming within Airport Restriction Zone? If yes,  
Height permissible as per colour code zoning map:
- Height of the existing building :

- Total deviation in Sq mtrs. (Please refer Form-D)
  - Parking Deficit :
  - FAR deviation :
  - Unauthorized construction area :
- Documents/plans furnished
  1. Copy of the ownership document :
  2. Copy of the Kisam conversion certificate/  
money receipt for conversion, if necessary. :
  3. Four Ammonia print copies of plan  
as per actual construction site :
  4. Photocopy of the approved plan and  
approval letter, if any :
  5. Affidavit (in the Form-B) :
  6. Photographs of the building from two  
angles existing at the time of application,  
signed by the applicant and attested by the  
Architect with date :
  7. Site Inspection Report :
  8. Structural Safety Certificate (in Form-C) :  
from a Structural Engineer in case of  
building exceeding two floors/vetting of  
Structural Design wherever applicable :
  9. NOC clearances obtained
    - (i) Fire Safety Certificate :
    - (ii) NOC from Urban Local Body in respect  
of peripheral Infrastructure  
Development :
    - (iii) NOC from the Neighbour(Form-E) :
    - (iv) Any other applicable NOC/Clearance:
  10. Land use Map of CDP of the Site :
  11. Deposit details:
    - (i) Fees as per ODA(CAF) Rules 2016:  
Amount in Rs. \_\_\_\_\_ Draft No. \_\_\_\_\_  
Drawee Bank/Branch: \_\_\_\_\_
    - (ii) Compounding fee:  
Amount in Rs. \_\_\_\_\_ Draft No. \_\_\_\_\_  
Drawee Bank/Branch: \_\_\_\_\_

Date:	Signature of the Architect/ Technical Person	Signature of the applicant(s)
Place:	Name: Regn No.: Postal address: Tel No.:	Name: Postal address:  Tel No.:

**FORM B**  
**[See Para 4(1)(d)]**  
**AFFIDAVIT**

(To be sworn by the applicant)

I/We, Shri/Smt. \_\_\_\_\_ aged \_\_\_\_\_ years, son/daughter/wife of Shri/kumara/Smt. \_\_\_\_\_ of village \_\_\_\_\_ P.S. \_\_\_\_\_ Dist \_\_\_\_\_ do hereby solemnly affirm as follows :

1. That I/We have obtained a plot/building by way of purchase/lease/gift/family partition/court decree from \_\_\_\_\_ of village \_\_\_\_\_ vide deed No. \_\_\_\_\_ Dt. \_\_\_\_\_ the details of which are given in the schedule below.

**SCHEDULE OF PROPERTY**

Name of the Mouza/Village :  
 Tahasil :  
 Sabak/Hal Plot No. :  
 Khata No. :  
 Area :  
 Layout plot (Drawing) No. :  
 Approved by \_\_\_\_\_ vide letter No. \_\_\_\_\_, dated \_\_\_\_\_

**BOUNDED BY (Please mention plot numbers/road)**

Eastern side : \_\_\_\_\_ Western side : \_\_\_\_\_  
 Northern side : \_\_\_\_\_ Southern side : \_\_\_\_\_

2. That from the date of acquisition, I/We am/are in lawful and peaceful possession over the above plot.
3. That I/we have not constructed the building or any part thereof beyond my/our legally owned land.
4. That I/We have not encroached any Govt. land or any other land abutting or contiguous to my aforesaid land.
5. That the plan submitted for regularization is exactly as per the actual construction at site.
6. That the information furnished in the application form and documents submitted along with the application are correct.
7. That the restrictions imposed in Para. 5(Five) of the scheme are not applicable to this proposal.
8. That I/We undertake the responsibility of structural safety/vetting of structural design of the building and \_\_\_\_\_ Development Authority shall in no way be held accountable for any structural failure of the building.
9. That in the event of any suppression and/or misrepresentation of facts in the application , the Authority has got every right to refuse the permission/voke the permission and forfeit the compounding fee deposited by me/us and I/We shall be liable for criminal prosecution.

Identified by :

DEPONENT

FORM C  
[See Para 4(1)(g)(ii)]

STRUCTURAL SAFETY CERTIFICATE

This is to certify that I/We have checked the structural stability of the existing \_\_\_\_\_storey building constructed over the plot No. \_\_\_\_\_ Mouza \_\_\_\_\_ . The existing construction of the building is structurally safe as per the provision of the National Building Code of India taking into account the safety factors especially for cyclone, earthquake and other natural calamities.

Date :  
Place :

Signature with seal of Structural Engineer  
Name :  
Regn. No.:  
Office postal address:  
Ph. No.:

Signature of the applicant(s)  
Name:  
Postal address:  
Tel No.:

FORM D  
[See Para 4(1)(h)]

(No Objection Certificate by the owner of the Neighbour Plot)

AFFIDAVIT

I/We, Shri/Smt. \_\_\_\_\_  
aged \_\_\_\_\_ son/daughter/wife of Shri/Smt /Kumari \_\_\_\_\_  
village \_\_\_\_\_ P.O. \_\_\_\_\_ P.S. \_\_\_\_\_  
Dist \_\_\_\_\_ do hereby solemnly affirm as follows :

That, I/We own a plot of land/building bearing no. \_\_\_\_\_ of village / Unit  
\_\_\_\_\_ P.O. \_\_\_\_\_ P.S. \_\_\_\_\_  
on the North/South/East/West side of Plot/House No. \_\_\_\_\_  
village/Scheme \_\_\_\_\_ owned by Shri/Smt. \_\_\_\_\_  
aged \_\_\_\_\_ son/daughter/wife of Shri/Smt. \_\_\_\_\_  
village \_\_\_\_\_ P.O. \_\_\_\_\_ P.S. \_\_\_\_\_  
Dist \_\_\_\_\_.

That, I/We have no objection for the construction undertaken by Shri/Smt. \_\_\_\_\_  
\_\_\_\_\_ over above plot with nil/zero set back on the  
North/South/East/West side of my /our plot/house.

That, this affidavit is required to be produced before the \_\_\_\_\_ Development  
Authority for regularization of construction undertaken over above plot by Shri/Smt. \_\_\_\_\_  
\_\_\_\_\_ in village/Unit \_\_\_\_\_  
under the provisions of Clause \_\_\_\_\_ of \_\_\_\_\_ Development Authority (P. & B.S.)  
Regulations.

That the facts stated above are true to the best of my knowledge and belief.

Identified by :

DEPONENT

## FORM-E

[See Para 4 (1)(i)]

## Compounding Calculation Sheet

## A) Parking Deficit:

Sl No.	Category of use	Built up area	Parking			Deficit	Rate	Amount
			As per norms	Approved	Provided			

## B) Violation in FAR

- Achieved FAR:-
- Base FAR:-
- Purchasable FAR :-
- Amount :-  
(Purchasable FAR X land area X ½ the benchmark value of land)

## C) Unauthorised construction area:

## (i) Set-back Violations

Sl No.	Category	Actual construction	Norms of Regulations	Provisions of approved plan	Unauthorised construction area		Rate		Amount
					Within compoundable norms	Beyond compoundable norms	Within compoundable norms	Beyond compoundable norms	
1.	Front								
2.	Rear								
3.	Left								
4.	Right								
	Total								

## (ii) Remaining unauthorised construction area:-

(Total built up area – Approved area - Built up area towards setback violation)

- Rate:
- Amount:

D) Total compounding fee:- ( A+B+C(i+ii)):- Rs (In Words ..... )Only

Signature of Technical Person/Architect

Signature of the Owner

[No. 15646–T.P.-Dev.-22/2018/HUD.]

By Order of the Governor

G. MATHI VATHANAN

Commissioner-cum-Secretary to Government