

GOVERNMENT OF ODISHA  
HOUSING & URBAN DEVELOPMENT DEPARTMENT  
\* \* \* \*

**RESOLUTION**

NO.T.P.Dev-23/2015/ **14108** /HUD, Bhubaneswar, Dated the **02.06.2015**

The State Government have considered it necessary to create an appropriate policy framework for transfer of Government Land to Development Authorities, allotment of land and properties by Development Authorities, establishment of Comprehensive Development Plan Infrastructure Development Fund and institutional mechanism required for implementation of Comprehensive Development Plan proposals and regulatory framework in an effective and efficient manner with a view to addressing the challenges in the present system of implementation of Comprehensive Development Plan and accordingly formulated the following CDP Land and Implementation Policy,2015.

1. Preamble:

Master Plan of a city and surrounding areas is usually the guiding force for Urbanization. In context of Odisha, it is the Comprehensive Development Plan (CDP), the statutory document for guiding the process of Urbanization of larger urban areas. This is prepared and notified under the provisions of Orissa Development Authorities Act, 1982. The CDP creates a long term vision for development of a city and peripheral areas and provides frame work for organized Urban Development.

The present system of implementation of CDP lacks coordination and an integrated mechanism, which has thrown up following challenges. Firstly, the process of Urbanization requires vacant lands, both government and private, to be developed for the purpose of urban settlements through the process of land assembly and planning. This process should be equitable, effective, and efficient and time bound. In absence of Policy tools like Transferable Development Rights (TDRs), land pooling mechanisms etc.,

optimum results have not been achieved. Secondly, to roll out all projects contained in CDP, mobilization of financial resources at unprecedented level is required. For example, CDP of Bhubaneswar estimates that about Rs.30,000 Crores of investment will be required for BDA area itself. Such significant amounts cannot come directly out of budget but will require methods and policies to proactively promote private investments through PPP and other models and new financing options like CDP Infrastructure Development Fund (CIDF). Thirdly, successful CDP implementation will require seamless coordination between land allotment, assembly, management, planning and development activities. Fourthly, the task of building and expanding a city to the projected population will require involvement of multiple stakeholders including various departments of Government; therefore, same requires an effective Institutional Mechanism for steering and guiding the process. Fifthly, the challenge of environmentally sustainable and climate proofing of the development needs to be addressed by developing regulatory mechanisms for protection of wetlands, flood prone zones, Sustainable Urban Transport strategies through Transit Oriented Development etc. The CDP Land & Implementation Policy will address the challenges as stated above.

## 2. Objectives:

The following objectives are envisaged to be achieved through this Policy:

- 1) To encourage socially and economically efficient allocation of Urban Land so that Urban Development is done in a resource conserving manner and the magnitude of land used for urban settlements is optimal.
- 2) To make government land available in adequate quantities at the right time and on reasonable prices to both Development Authorities & individuals.

- 3) To secure access of land and housing for poor and marginalized sections of society by providing and reserving for same and to ensure adequate provisions of affordable Housing in all urban settlements.
- 4) To encourage co-operative community effort and bonafide individual developers in the field of Urban Development and Housing through PPP model.
- 5) To prevent concentration of land and Housing ownership in a few hands and to encourage home ownership amongst the under-privileged sections of the Urban Society.
- 6) To set up CDP Infrastructure Development Fund (CIDF) for financing of urban development & social housing by leveraging land as a resource.
- 7) To provide for an effective and efficient institutional mechanism for coordinating the efforts of various departments and agencies in implementation of Development Plans.
- 8) To provide for any other matters for successful achievement of the objectives discussed above.

### 3. Guiding Principles:

The CDP Land & Implementation Policy (CLIP) proposes to facilitate Urbanization & Urban land markets as per following guiding principles:

- 1) Efficient – Urbanization and land markets that facilitates quick development and transaction of urban lands.
- 2) Inclusive & Equitable – Urbanization and land markets, which provides reasonable access to land and housing to all income groups.

- 3) Transparent – Urbanization and land markets which are transparent and rule bound and where information on each of the parameter is available in public domain.
- 4) Environmentally sound – Urbanisation and land markets which promotes Urban Development in compact manner and do not promote ribbon and scattered urbanization and do not allow large scale conversion of agricultural lands and natural landscape for Urban Development.
- 5) PPP – Urbanisation and land markets, which pro-actively engages with private investors for development of Urban Infrastructure, Shelter and Commercial spaces. This is essential as investments required for implementation of CDP are of very high order.

#### 4. Category of Measures:

To achieve the above said objectives and roll out of Comprehensive Development Plans, interventions will be made under following categories:

- 1) Transfer of Government land to Development Authorities and allotment of serviced land and properties by Development Authorities
- 2) Setting up of CDP Infrastructure Development Fund
- 3) Setting up of Institutional mechanism
- 4) Changes in Regulatory Framework with reference to:
  - Urban Land Management and Information System
  - Land Assemblage
  - Land Use and Development Norms

5. Transfer of Government land to development authorities and from development authorities to Allottees:

As per the present practice, the Government land is being leased out to Development Authorities by Revenue Department under Orissa Government Land Settlement Act, 1962 and by General Administration Department under Government Grants Act, 1895. In this regard, Policy of transfer of Government land to Development Authorities was last decided in the year 1987, given in Annexure-I, which provides for facilities for moratorium and deferred payments. This process of allotment of Government land to Development Authorities is time consuming, uncertain and not favourable for taking up large scale organized and planned development of city in a time bound manner. For instance, in many cases, time taken from issuance of allotment letter to finalization of lease deed has been more than a decade. In certain cases, it has taken more than 30 years. Because of this, Development Authorities have not been able to sign sub-lease with various allottees on time, leading to generation of avoidable litigation. Further, the provision to develop the allotted land on PPP model is also not built in the allotment letters.

Similarly, as land is transferred on lease to Development Authorities, they allot the same on sub-lease basis. This requires such Allottees to keep visiting offices of Development Authorities for taking approvals for transfer of such allotted properties to third parties. This procedure breeds lack of transparency and leads to avoidable recurring visits to Government offices by Allottees and citizens. It is so because there is no provision for converting allotted property from leasehold to freehold even after a predefined lock in period.

A. Transfer of Government Land under Section 75:

In view of above background, there is an urgent requirement for putting in place an effective, efficient, easy and simple mechanism for transfer of Government lands to the Development Authorities for the

purpose of taking up urban infrastructure and development projects including housing and commercial complexes. Therefore, Government will transfer Government land under Section-75 of ODA Act, 1982, to development authorities by way of a Notification on freehold basis on following terms and conditions:

- 1) The Development Authorities will take up development of such transferred land as per the approved statutory development plans.
- 2) Provisions of ODA Act, rules & regulations made there under must be adhered to.
- 3) Development projects can be implemented on PPP model or directly by Development Authorities.
- 4) Allotted lands can be auctioned by Development Authorities after specifying end use, which shall be in conformity with terms and conditions prescribed by government during transfer of such land to the Authority for generating funds for CIDF.
- 5) Land should be transferred by Government on free of cost basis for the purposes of Urban Infrastructure projects such as roads, parks, drainage and sewerage systems, electricity installations, drinking water installations, solid waste management, transport terminals, parking, vendors markets, neighborhood shopping & public parking for motorized and non-motorized transport. Any other use whether falls within this category or not may be decided by Empowered Committee.
- 6) For taking up slum redevelopment and affordable housing projects as approved by State Government under the relevant policies, land required will be transferred on free of cost basis to development authorities.

- 7) Fixation of value of land & payment of same by development authorities for Residential and Commercial Projects will be fixed as follows:
- a) Total value of land to be transferred will be calculated on basis of Bench Mark Values (BMV) notified by government for commercial projects.
  - b) For Housing projects:
    - i) Total value of land will be calculated @ 80% of notified BMV. This will be subject to the conditions that at least 20% of the lands allotted for housing projects shall be utilized for affordable housing units i.e. EWS & LIG housing. The condition of 20% reservation of land for affordable housing may not be for every project or land allotted but to be maintained overall. But, it is further provided that every housing project above a stipulated minimum area, as provided in state government's policy for Affordable Housing, must have provisions of EWS & LIG housing in the same project itself.
    - ii) The development authority will pay 10% of BMV at the time of allotment of land.
    - iii) The balance amount shall be paid in three equal annual installments, payment of which shall commence from the date of expiry of two years from the date of allotment of such land by Government to development authority.
  - c) 95% of the surplus generated by disposal of land on PPP model or auction shall be credited into CIDF.

- 8) The lands required by development authorities will be selected and approved by the Empowered Committee on CDP constituted under this policy. Mandate of any other Site Selection Committee, if any, will stand modified; accordingly.
- 9) Detailed procedure to be followed by Government for transfer of land under Section-75 of ODA Act, 1982 is given in Annexure-III.

B. Regularization of lands which are already allotted to Development Authorities:

There has been a considerable delay in execution of lease-deeds under Orissa Government Land Settlement Act, 1962 and Government Grants Act, 1895 for lands allotted to various Development Authorities in the past. The Development Authorities have not been able to regularize allotments made and execute lease deeds to various allottees for want of execution of original lease-deeds. These lease deeds are pending at various levels due to lack of well defined guidelines.

To address the concerns of Development Authorities and citizens who are allottees of properties developed and allotted by Development Authorities till date, following principles will be followed for regularization of the pending lease deeds:

- 1) The premium will be calculated as per the principles set out for calculation of premium in the Government Resolution of the year 1987 subject to following changes and clarifications:
  - a) The rate of premium will be charged as per the rate prevalent at the time of allotment made to various Development Authorities.
  - b) Interest on payments of outstanding premium, beyond the period provided in 1987 resolution, will be charged at simple 9% interest rate.



- 2) On payment of balance amount as calculated above, lands will be transferred on freehold basis to Development Authorities under Section 75 of ODA Act, 1982.
- 3) The conditions to develop these lands on PPP model or dispose off by auction will be inbuilt in the final order of transfer subject to the conditions that 75% of the net surplus generated through PPP transactions or auction will be credited into CDP Infrastructure Development Fund (CIDF).
- 4) Development Authorities can settle the developed properties on Freehold basis in favour of various individual allottees, if the allottees have been in continuous possession of the property for a period of five years. This will be done on payment of 20% of prevailing Bench Mark Value of the land as applicable on date of final approval in each individual case. The funds generated out of same will be credited by DAs into CIDF. The process followed by G.A. Department for same will be followed mutatis mutandis by development authorities.
- 5) The existing lease deeds, which have already been executed between Government & Development Authorities will also be converted into freehold basis by following the above said procedure.

C. Redevelopment Projects in Bhubaneswar:

ODA Act, 1982 provides for re-development of the existing developed areas. For taking up such projects within BMC jurisdiction, the land required for the same will be transferred under Section-75 of ODA Act to BDA by G.A. Department on following terms & conditions:

- 1) The land will be transferred on freehold basis.
- 2) The land will be transferred on free of cost basis.

- 3) The re-development plan and projects must be approved by Empowered Committee or HLC as per requirement.
- 4) The re-development projects will be implemented by BDA itself or through a competent Central or State Public Sector Unit which has the experience of taking up such redevelopment projects as the project implementing agency in other cities in India.
- 5) The project should be launched within one year of transfer of Government land and should be completed within five years from such transfer. The extension of time can be considered by Empowered Committee on the basis of the specific reasons for such delay.
- 6) 95% of the surplus fund, if any, generated from such projects will be credited into CIDF of BDA.
- 7) FAR for redevelopment projects shall be in conformity with the regulations of BDA.

D. Land Disposal & Allotment of Property by Development Authorities:

- 1) Disposal of Land: The Development Authority will dispose off the land transferred to it by the State Government with or without carrying out any development thereon, either by auction or on PPP model or by allotment. For such disposal of land, any of the following modes shall be followed:-
  - (a) Auction of land: Auction shall be taken up in a transparent manner after specifying the end use of such land. This will help in generation of fund for CIDF, price discovery and development of infrastructures such as hotels, resorts, convention centres, shopping malls, high end residential estates etc. The development should start within 18 months from signing of agreements and auctioned land should be fully developed for the purpose

it was auctioned within five years from the date of start of development by the successful bidders. No extension of time will be allowed.

(b) On Public Private Partnership (PPP) Model: The Authority may develop any land transferred to it on PPP model. This should be subject to following conditions:-

- i) The project must be completed within five years. The successful partner will pay the premium in four equal annual installments or as stipulated and approved in the RFP.
- ii) For calculation of completion period of five years, the date of signing of development agreement will be taken into consideration as the appointed date.
- iii) The Authority may also take up development of properties on PPP model with Central or State PSUs as partner on terms and conditions as approved by EC from time to time.

(c) Allotment of Additional land: The left out patches of land, which cannot be used otherwise or developed as independent residential or commercial plots, can be allotted to the house owners, who have plots/houses contiguous/adjacent to it. These can be allotted on payment of cost, which is equivalent to double of the Bench Mark Value (BMV) of same land as notified by Government. This will be further subject to following:

- i) There is no encroachment of public road, drain or Government or land of Statutory body by the allottee.
- ii) Original allotted land has been utilized for the purpose for which it was allotted.

iii) Adequate justification exists for allotment of such extra/ additional land.

2) Development of Land by the Authority: The Authority may develop up to 20% of land by itself as per the approved norms, rules and regulations. The rest of land should be developed or disposed off by way of auction or under PPP model. To manage & allot such developed properties; every Development Authority shall bring out Estate (Management and Allotment) Regulations. The main objective of same will be to ensure predictability, transparency and social auditing in the process of management and allotment of developed properties. The basic principles to be followed for framing of such Regulations are given in Annexure-II. The H & U.D. Department will prepare and prescribe model regulations to be adopted by various Development Authorities.

#### 6. Setting up of CDP Infrastructure Development Fund (CIDF):

CDP for various cities has been approved and notified. It has envisaged large scale investment for implementation of various urban housing and Infrastructure Projects such as low cost housing, slum re-development, storm water drainage, sewerage, water supply, master plan roads, open space development etc. The quantum of funds required for the purpose will be difficult to be met only out of budgetary resources. Therefore, financing of such infrastructure will require other financial instruments like setting up of dedicated funds. In this regard, State Government approved setting up of State Capital Region Development Fund (SCRDF) for BDA area. This fund works on principles of Development Based Land Value Capture (DBLVC), in which value of government land is unlocked and is used for financing urban infrastructure. This mechanism needs to be extended to other Development Authorities also. Therefore, the Government, accordingly, will constitute CDP Infrastructure Development Fund (CIDF) for every Development Authority. The CIDF will be managed as per following:

## 1) Objective:

The objective is to create a dedicated fund for financing of City Level Infrastructure projects including slum re-development, affordable Housing, master plan roads, open space development, transit & transport infrastructure etc. as proposed in CDP and other development works as approved by appropriate institutional framework prescribed in this policy.

## 2) Principles of Management:

Following principles will be followed for creation and management of this fund:

- (a) This fund will be maintained with the concerned Development Authority and will be managed as per decisions of HLC and EC constituted for implementation of CDP under this policy.
- (b) This fund will be ring-fenced from normal Development Authority expenditures to ensure that funds are utilized only for development of city level infrastructure i.e. Capital Expenditures.
- (c) Development Authority will maintain separate book of account for this fund.
- (d) The fund will supplement and fill gaps in funding available for various urban infrastructure projects. It will not be used to substitute the funds and grants available under various schemes and projects of State & Central Government.
- (e) Fund can be used for provision of technical assistance, preparation of development plans, DPRs, feasibility reports and for hiring of Consultancy for any work relating to implementation of CDP proposals.

- (f) The Empowered Committee on CDP will be the Nodal Authority for sanctioning of projects for expenditure out of this fund.
- (g) The funds in CIDF account should be invested in suitable fiscal instruments so as to generate optimum return with assured safety and liquidity. This should be done as per decision of Empowered Committee.

3) Flow of Funds:

This fund will be generated by taking up development of land for residential and commercial purposes by development authorities and by crediting of other financial resources as indicated below:

- (a) Out of Government Lands Already Allotted to Development Authorities: With reference to Auctions and PPP transactions on lands for which premium has been paid by DA, funds to the extent of @ 75% of total funds received by way of PPP transaction or auction minus the cost of land to DA will be credited into CIDF.
- (b) Out of Government lands to be transferred to Development Authorities:
  - i) Development Authorities will pay 10% of Bench Mark Value (BMV) to Government at the time of transfer of land. The rest of value should be paid in CIDF in three equal annual installments, payments of which shall commence from the date of expiry of two years from the date of transfer/allotment of such land by Government to Development Authority.
  - ii) 95% of surplus generated by disposal of land on PPP model or Auction shall be credited in CIDF.

iii) Funds generated by way of conversion of leaseholds residential properties into freehold properties.

(c) Funds from any other source: As decided by State Government from time to time.

4) Monitoring, Evaluation & Auditing:

(a) The fund will be audited by A.G. of Odisha, besides the Local Fund Audit of Department of Finance, Government of Odisha.

(b) State Government, HLC or E.C. may also decide to take up any additional monitoring, evaluation or auditing exercise to ensure appropriate & effective utilization of this fund.

(c) Development Authority will also submit an Annual Report on the management of this fund to Government.

7. Institutional Arrangements:

There is a need to put in place an effective and efficient institutional mechanism for achieving the vision set out in the CDP of respective Authorities. Therefore, the following Committees will be constituted as Single Window Mechanisms for taking decisions as delegated to them.

1. High Level Committee:

A High Level Committee (HLC) shall be constituted by the state government with Hon'ble Chief Minister, Odisha as Chairman and comprising of other members as provided below:

1.	Hon'ble Chief Minister, Odisha	Chairman
2.	Hon'ble Minister, Finance	Member
3.	Hon'ble Minister, Forest & Environment	Member
4.	Hon'ble Minister, Revenue & Disaster Management	Member
5.	Hon'ble Minister, Works	Member
6.	Hon'ble Minister, Commerce & Transport	Member
7.	Hon'ble Minister, Energy	Member
8.	Hon'ble Minister, Planning & Coordination	Member
9.	Hon'ble Minister, Rural Development	Member

10.	Hon'ble Minister, Tourism	Member
11.	Hon'ble Minister, Science & Technology	Member
12.	Hon'ble Minister, Water Resources	Member
13.	Hon'ble Minister, Housing & Urban Development	Member
14.	Chief Secretary, Odisha	Member
15.	Development Commissioner- <i>cum</i> -Additional Chief Secretary, Odisha	Member
16.	Secretary to Government, Finance Department	Member
17.	Secretary to Government, Housing & Urban Development Department	Member - Convener
18.	Vice Chairman of respective Development Authority	Member

This committee may take all policy decisions and undertake necessary measures to implement the CDPs. The end use plan of the corpus of CIDF shall be in accordance with the approval of State Cabinet on the basis of recommendations of the High Level Committee in respect of projects costing Rs. 500.00 Crores and above. The High Level Committee will approve individual urban infrastructural projects including Housing projects costing Rs. 500 Crores and above.

**2. Empowered Committee on CDP:**

Government of Odisha will constitute an Empowered Committee (EC) on CDP under the Chairmanship of Chief Secretary, Govt. of Odisha comprising of members as provided below:

1.	Chief Secretary, Odisha	Chairman
2.	Development Commissioner-cum-Additional Chief Secretary, Odisha	Member
3.	Secretary to Govt., Finance Department	Member
	Secretary to Govt., Water Resources Department	
4.	Secretary to Govt., Forest & Environment Department	Member
5.	Secretary to Govt., Revenue & Disaster Management Department	Member
	Secretary to Govt., Rural Development Department	
6.	Secretary to Govt., Commerce & Transport Department	Member
7.	Secretary to Govt., Energy Department	Member
9.	Secretary to Govt., Tourism Department	Member
10.	Secretary to Govt., Science & Technology Department	Member
12.	Special Secretary to Govt., General Administration Department	Member
13.	Secretary to Govt., Housing & Urban Development	Member



14.	E.I.C.-cum-Secretary to Govt., Works Department	Member
15.	Vice Chairman of respective Development Authority	Member - Convener
16.	Any other officials as Special Invitees	

The end use plan of the corpus of CIDF shall be in accordance with the approval of state government on the basis of recommendations of the Empowered Committee in respect of projects costing below Rs. 500.00 Crores. The Empowered Committee will approve individual urban infrastructural projects including Housing projects costing below Rs. 500 Crores.

Role of EC: The Empowered Committee will be the Nodal Authority to coordinate all efforts of State Government regarding implementation of CDP and for management of CIDF of various Development Authorities. Amongst others, EC will carry out the following duties and responsibilities:

- 1) To prioritize, approve, and sanction various projects to be taken up out of CIDF
- 2) To promote Public Private Partnership (PPP) in Housing & Urban Development and to streamline various procedures for bringing inter departmental coordination.
- 3) To approve Viability Gap Funding support for any project out of CIDF, if required.
- 4) To deliberate and recommend on development projects of more than Rs.500 crores to HLC.
- 5) To inspect, visit, review and monitor any projects with regard to its implementation, execution, operation and management.
- 6) To recommend to various departments for bringing in enabling legal and administrative provisions required for implementation of CDP.

- 7) To adopt, adapt and develop a Model Concession Agreement (MCA) for various projects under PPP Model.
- 8) To finalize and recommend land requirements for Development Authorities and other government agencies for implementation of CDP.
- 9) To prescribe detailed Standard Operating Procedures if required for implementation of CDP and measures to be taken suggested in this report.
- 10) To fix Five Year and Annual Plans for Development Authorities relating to Affordable Housing and Slum Re-Development programmes.
- 11) To approve Development Schemes formulated under Provisions of ODA Act, 1982.
- 12) To approve Town Planning Schemes formulated under provisions of ODA Act, 1982.
- 13) To approve & sanction projects to be given to reputed Central PSUs for urban development.
- 14) To approve the Model Agreements between Central PSUs & various Development Authorities.
- 15) To take any further measures for successful implementation of the CDP and formulate recommendations for consideration by HLC.

**3. Authority Level Coordination Committee:**

Government will constitute a Authority Level Coordination Committee (ALCC) for each of the Authority. This committee will be chaired by Vice-Chairman of respective Authorities and will have representatives from the Department of Revenue & Disaster Management, Forest & Environment, Housing & Urban Development, Commerce & Transport, Works, Home, Water Resources and Members of the Authority etc. Government may constitute Sectoral Committees

on Housing, Urban Transport, Environment & Public Spaces and Enforcement to strengthen implementation and coordination mechanism at Authority level. Further, every Authority shall constitute an Advisory Committee, with the approval of Government, on disposal of land by such authorities. This Committee shall have experts from Finance, Valuation, Land, Urban Planning, Law and Economics, amongst others. This committee will advise ALCC on valuation and other matters for taking up disposal of land under Auction & PPP mode. The ALCC will have the following functions:

- 1) To provide technical and manpower support to EC & HLC.
- 2) To assist various project development agencies in preparation of Shelf of Projects, feasibility, pre-feasibility report etc.
- 3) To assist various development agencies for preparation of DPRs.
- 4) To process various cases and issues to be placed before the Empowered Committee and HLC and to coordinate and follow up on action taken on various decisions of these Committees.
- 5) To monitor the utilization of funds of CIDF in accordance with the directions of EC.
- 6) To formulate and issue various detailed procedures, guidelines with approval of Empowered Committee & HLC as per requirement.
- 7) To carry out any other functions incidental to the implementation of CDP or assigned to it by HLC & EC.
- 8) To encourage NGOs, Self Help Groups, Citizen Groups and Other Stake-holders in social mobilization, required for successful implementation of CDP.
- 9) To monitor and supervise construction and development projects on regular basis including physical verification, inspection and site visits.

- 10) To appraise and recommend for approval to EC; the RFPs and Bid process documents relating to projects, required for CDP implementation.
- 11) To appraise and recommend all development project to EC for granting approval or for obtaining approval from HLC, as applicable from project to project.
- 12) To ensure compliance to various provisions prescribed under the CDP
- 13) To undertake and coordinate projects related to afforestation, tree plantation etc. for protection of environment and promotion of sustainable development.
- 14) Any other work as deemed appropriate for successful implementation of the projects and provisions of CDP under the guidance and control of Empowered Committee.

## 8. Changes in Regulatory Framework:

Implementation of CDPs will also require enabling changes to be brought in regulatory framework for promotion of planned urban development. In this regard:

- 1) The state government will bring required amendments to Orissa Development Authorities (ODA) Act, 1982 and rules made there under so that CDPs prepared can be implemented effectively and efficiently.
- 2) State government will bring regulatory framework for addressing issues related to land assembly through policy tools of Land Pooling, Transferable Development Rights (TDRs) etc.
- 3) To promote sustainable urban development and use of public transport, state government will bring framework for Transit Oriented Development, High Density Corridors, Mixed Land use etc.

- 4) To promote integrated approach to land & planning; issues related to valuation of urban land, titling system, removal of dual control on change of land use will be addressed.
- 5) To streamline the building plan approval process "Single Window" Mechanism for Building Plan approval will be notified.
- 6) Regulatory Framework for protection of wetlands, flood prone zones, low lying areas will also be brought in.

These enabling changes in regulatory framework will be brought in a time bound manner for efficient implementation of CDPs.

ORDER: Ordered that the resolution be published in the next issue of Odisha Gazette and copies furnished to all concerned.

By order of the Governor  
**Sd/-**  
(G.Mathi Vathanan)  
Commissioner-cum-Secretary to Govt.,

Memo No. **14109** / HUD, Bhubaneswar, Dated the **02.06.2015**

Copy forwarded to the Director of Printing, Stationary and Publication, Odisha, Cuttack with a request to publish this resolution in the next issue of the Odisha Gazette and to supply 50 spare copies to this Department.

**Sd/-**  
Commissioner-cum-Secretary to Govt.,

Memo No. **14110** / HUD, Bhubaneswar, Dated the **02.06.2015**

Copy forwarded to the P.S. to Hon'ble Chief Minister, Odisha/ P.S to Hon'ble Minister, Housing & Urban Development /P.S. to Chief Secretary, Odisha/P.S. to Development Commissioner-cum-Additional Chief Secretary, Odisha/ P.S to Commissioner-cum-Secretary to Govt., Housing & Urban Development Department for information and necessary action.

**Sd/-**  
Commissioner-cum-Secretary to Govt.,

Memo No. **14111** / HUD, Bhubaneswar, Dated the **02.06.2015**

Copy forwarded to the Vice Chairman, All Development Authorities/ Commissioners of all Municipal Corporations/ the Secretary, All Regional Improvement Trusts/ All Special Planning Authorities/ the Executive Officer, All Urban Local Bodies of the State for information and necessary action.

**Sd/-**

Commissioner-cum-Secretary to Govt.,

Memo No. **14112** / HUD, Bhubaneswar, Dated the **02.06.2015**

Copy forwarded to All Departments of Govt. / All Heads of Departments/ R.D.C (CD), Cutback / R.D.C.(ND), Sambalpur/ R.D.C.(SD), Berhampur/ All Collectors / All A.D.Ms / IGR(O), Cuttack/ D.T.P, Odisha, Bhubaneswar for information and necessary action.

**Sd/-**

Commissioner-cum-Secretary to Govt.,

Memo No. **14113** / HUD, Bhubaneswar, Dated the **02.06.2015**

Copy forwarded to the Directorate Section/ P.H. Section/ Water Supply Section / L.F.S Section / Municipal Section/ Project Section/ Housing Section/ T.P. Section (20 spare copies) of the Housing & Urban Development Department for information and necessary action.

**Sd/-**

Commissioner-cum-Secretary to Govt.,

Annexure-I

Government of Orissa  
Housing & Urban Development Deptt.

Memo No. 41476 / HUD  
TP-con-3/87

Bhubaneswar, date 14/10/87

To

The General Administration Department,  
Revenue Department,

Sub:

Transfer of Government land to Development Authorities.

The undersigned is directed to say that the Development Authorities are formulating a number of developmental schemes for which land and margin money are required. For getting the land both from the General Administration Department as well as from the Revenue Department the Development Authorities have to pay premium. The financial position of the Development Authority is not sound. They are unable to pay huge amount of premium on account of transfer of Government land at the time of execution of lease deed. The State Government in view of their budgetary constraints have not been able to sanction required amount of grant and loan to the Authorities. The question as to how the financial base of the Development Authorities can be strengthened has been engaging the attention of the Government for some times. After careful consideration the State Government have been pleased to decide that:-

1) The Development Authorities will not pay any premium in respect of land allotted to them and which are required for public utility services such as laying of roads, site for schools, colleges, hospitals, parks, playground, community centres and the like. In such cases they may develop the land and make it over to Government for utilisation by the concerned Departments for specific public purposes.

2) The Development Authorities will, however, pay premium in respect of Government land allotted to them and required by them for use as house sites and for other commercial purposes. There will be a moratorium on the payment of premium for three years. From the fourth year, the premium will be payable in five annual instalments. If they need further moratorium or longer period of instalments, they shall be allowed time for two more years subject to payment of 9% interest per year. In regard to land to be allotted to the Development Authority for the above purpose in Bhubaneswar Municipal area, one-tenth of the premium shall be paid at the time of execution of the lease deed and the balance premium shall be paid in three equal annual instalments, payments of which shall commence from the date of expiry of two years from date of execution of the lease deed.

contd.



3) Wherever Development Authorities require Government land for housing schemes and other schemes meant for the vulnerable sections of the community, premium should be fixed at concessional rates i.e. 50% of the normal premium if the land is required for economically weaker sections/slum dwellers and 2/3rd of the normal premium if the land is required for low-income groups.

4) A nominee of the Revenue Department/General Administration Department shall be associated and included in the Committee constituted by Development Authorities for allotment of land for different purposes.

5) This has been concurred in by G.A. Department, Revenue Department and Finance Department in their UOR No. 263/GA dt. 26.3.87, UOR No. 175/R dt. 24.8.85 and UOR No. 676/F dt. 1.6.87 respectively and approved by Cabinet in its meeting held on 5.9.87 at 11.30 A.M.

Memo No. 41477/HUD

Secretary to Government.  
Dt. 10/10/87

Copy forwarded to Finance Department for information and necessary action.

Memo No. 41478/HUD

Director of Housing-cum-Deputy Secretary to Govt.  
Dt. 14/10/87

Copy forwarded to A.G. (Accounts), Orissa/R.D. (C.D.), Cuttack/Collector, Cuttack/Collector, Puri/D.T.P., Orissa, Bhubaneswar/Vice-Chairman, B.D.A., Bhubaneswar/Vice-Chairman, C.D.A. Cuttack/I.G.R., Orissa, Cuttack, D.S.R., Cuttack/D.S.R., Bhubaneswar/Executive Officer, Cuttack Municipality/Executive Officer, Bhubaneswar Municipality/E.O., Choudwar Municipality/E.O., Khurda NAC/E.O., Jatni NAC for information and necessary action.

Memo No. 41479/HUD

Director of Housing-cum-Deputy Secretary to Govt.  
Dt. 10/10/87

20 spare copies to Town Planning Section for needful.

Director of Housing-cum-Deputy Secretary to Govt.

(3) p

Copy - 3



**Annexure-II****ALLOTMENT OF DEVELOPED PROPERTY BY THE AUTHORITY**

The Authority shall develop land as per the approved norms, rules and regulations. To manage & allot such developed properties, every Development Authority will prepare Estate (Management and Allotment) Regulations. The main objective of same will be to ensure predictability, transparency and social auditing in the process of management and allotment of land and developed properties. The basic principles to be followed for the same will be:

1. **Online Registration:** A person who wants to procure any property from DA will be required to register on-line on the official website of DA. The online registration shall require capture of bio-metric data or submission of UIDAI/ AADHAAR number of the applicant. In case Aadhaar Number is not available, the Development Authority will facilitate the applicant to have Aadhaar number.
2. **Unique Account Number (UAN):** On basis of online registration, a Unique Account Number (UAN) will be generated. The same UAN shall be used by the applicant for all transactions with the DA.
3. **Application for Property:** As and when a public notice is issued for inviting applications for allotment of property by DA, the registered person will apply online through official website of DA.
4. **Facilitation Centre:** Persons not having access to computer & internet can visit Facilitation Centers notified by BDA for the purpose of online registration and application.
5. **Eligibility Criteria:** Following must be followed:
  - (1) For Dwelling units : The same shall be allotted only to such family, who is not or has never been owner of any freehold or leasehold dwelling unit/plot of land in the jurisdiction of the concerned Development Authority.
  - (2) For Commercial unit : The same shall be allotted only to such applicant, who is a Company or Partnership Firm or Proprietorship Firm having a valid Trade License issued by concerned Urban Local

Body, Sales Tax (VAT) Registration, Service Tax Registration etc. as decided by the Authority from time to time.

6. **Draw of lot:** The draw of lottery for allotment of developed property will be made on an IT Platform having randomization abilities. It will be supervised by the Property Allotment Committee in presence of independent observers.
7. **Special Provisions for Affordable Housing & Slum Rehabilitation Housing:** A dwelling unit which is to be allotted to Economically Weaker Sections (EWS) and Lower Income Group (LIG) families will have additional requirements as defined in the relevant policies of State Government.
8. **Change of Ownership, Mutation, NOC, Payment etc.:** Any request for change of ownership, mutation, payment of dues or request for NOC etc. shall be made on-line through the same Unique Account Number (UAN).
9. **Transparency:** All documents including affidavits submitted by applicant shall be put up in public domain for the purpose of social auditing.
10. **Transfer of Ownership & Freehold:** After a lock in period of 5 years from the date of the registration of ownership in favour of an allottee, he shall be eligible to either transfer ownership to any third party or get the property registered on freehold basis by paying 20% of the present Bench Mark Value of land in case of plots and 20% of differential value of property in case of flats. The differential value will mean the present value of the property minus the value at which property was allotted. For EWS & LIG housing and Slum Redevelopment Housing, separate norms will be prescribed by Government in respective policies.
11. **Commercial properties ownership:** The developed commercial properties will not be settled on freehold basis by the Development Authority. They can be allotted either on License or on leasehold basis.

**Annexure-III****GUIDELINES FOR TRANSFER OF GOVERNMENT LAND BY  
GOVERNMENT TO DEVELOPMENT AUTHORITIES U/S-75 OF ODA  
ACT, 1982**

1. As per provision U/s-75 of the Odisha Development Authorities Act, 1982 the State Government is empowered to transfer developed as well as un-developed Government land to the development authority by way of notification on terms and conditions as prescribed in such notification.
2. Following process will be followed for such transfers:
  - (i) The Development Authority shall apply for transfer of Government land in the prescribed format along with details of Land Schedule and other particulars including map to the concerned Department. Copy of Application Format is enclosed as Annexure-III (A).
  - (ii) On receiving the application from the Development Authority, the R & D.M. Department may ask the Collector of district concerned to cause a field inquiry and submit a status report on the required land. The report shall cover Kism of land, the existence of structure if any, suitability for development, encroachment if any, existence of trees and other sairat sources, Bench Mark Valuation, land disputes if any, leasability of land, his/her views. The report shall be submitted preferably within 30 days.
  - (iii) On receipt of the report from Collector of concerned District, the R & D.M. Department will consider the proposal for transfer of land U/S-75 of ODA Act, 1982 by way of a notification as per model notification given in Annexure III (B). The same can also be used for transfer of land for other urban infrastructure projects, mutatis mutandis.
  - (iv) On issuance of such notification and communication to Development Authority, the initial amount payable by the Development Authority is to be deposited with the concerned Tahasildar or in appropriate head of account in government treasury.

- (v) After deposit of the initial amount, Tahasildar will hand over the possession of land to the development authority and issue RoR of the transferred land to Authority after total amount due is paid to State Government or deposited in CIDF as per the stipulations of notification under which such land has been transferred.
- 3.** These guidelines will apply mutatis mutandis in cases of transfer of land from G.A. Department to Bhubaneswar Development Authority. The enquiry in such cases will be done by Director-Estates & initial deposit will be made by BDA, Bhubaneswar in appropriate Head of Account in government treasury.

**Annexure-III (A)****APPLICATION FORM**

Application for Transfer of Government Land under Section-75 of ODA Act,  
1982 to Development Authority

## 1. Details of the Applicant:

- (a) Name & Designation -
- (b) Name of Development Authority -
- (c) Permanent Address of  
Development Authority & other  
contact details including e-mail &  
telephone No. -

## 2. Detail Schedule of the land required by Authority:

- (a) Sl. No. -
- (b) Name of Tahasil -
- (c) Name of Revenue Village -
- (d) Khata No. -
- (e) Plot No. -
- (f) Area ( in Hectares) -
- (g) Kissam -

3. Purpose for which land is required :

4. Details of the Approach Road to  
the scheduled land :

Signature & Seal of the Applicant  
with date

**Annexure-III (B)**


---

**DEPARTMENT**  
**GOVERNMENT OF ODISHA**  
**NOTIFICATION**

No. \_\_\_\_\_

Date \_\_\_\_\_

1. Whereas, provisions under Section-75 of the Odisha Development Authorities Act; 1982 provides for transfer of Government land to Authority constituted under provisions of such Act by way of a notification.
2. And, whereas, the \_\_\_\_\_ (Name) Development Authority, \_\_\_\_\_ (Location) has made a request for transfer of Government land, schedule of which is given in Table below, for the purpose of \_\_\_\_\_  
Vide their Letter No. \_\_\_\_\_, Dt \_\_\_\_\_.

**TABLE: SCHEDULE OF LAND**

Sl. No.	Tahasil	Revenue Village	Khata No.	Plot No.	Area (in Hectares)	Kissam

3. Now, therefore, in exercise of the power conferred on State Government under Section-75 of the ODA Act, 1982, the State Government do hereby transfer above schedule of land to \_\_\_\_\_ (Name) Development Authority subject to following Terms and Conditions:
  - (i) The scheduled land is transferred to Development Authority on freehold basis and Development Authority will have permanent, Transferable and Heritable rights on the same.
  - (ii) The scheduled land should be utilized as per Provisions of Odisha Development Authorities Act, 1982 and rules, regulations and plans made there under.

- (iii) The Authority will have only exclusive surface rights over the land and Government reserves the right to mineral wealth including minor minerals on or in or under the Scheduled Land.
- (iv) Development Authority will be liable to pay a sum of Rs.\_\_\_\_\_ as only rent for the scheduled land. Besides as per rules, Cess is to be paid by the Development Authority, if applicable.
- (v) The rent is liable for revision during survey and settlement operations or at the end of each of 15<sup>th</sup> year, as the case may be subject to a maximum limit of 50 (fifty) per cent over the rate of rent in force in the previous year or the rates applicable at the time to similar lands in the vicinity.
- (vi) Bench Mark Value (BMV) of the land on date of transfer is Rs.\_\_\_\_\_ per Acre. Therefore, total value of the land as per BMV is Rs.\_\_\_\_\_. The development authority will pay Rs.\_\_\_\_\_ for the land. (For housing project only 80% will be total amount due) Out of same, Rs.\_\_\_\_\_ i.e.10% of total BMV is to be paid by Authority, in appropriate Head of Account in the Government Treasury or to Tahasildar within thirty days from the date of this notification. Rest of the amount is to be paid in three equal annual installments, payments of which shall commence from the date of expiry of two years from the date of this notification in CDP Infrastructure Development Fund (CIDF) to be maintained by the respective Development Authority for implementation of CDP.
- (vii) The Development Authority may use the scheduled land or a part there of for development under PPP model or dispose off the same by way of Auction or develop the scheduled land by itself.

- (viii) If the scheduled land or a part thereof is developed under PPP model or is auctioned, then 95% of the net surplus generated by such disposal shall also be credited into CDP Infrastructure Development Fund (CIDF).
- (ix) The possession of the land will be delivered by \_\_\_\_\_ Tahasildar or Director Estates (for BMC areas) on deposit of 10% of the Bench Mark Value by development authority as indicated in Point No.VI, supra.
- (x) Tahasildar shall correct necessary records and issue a copy of ROR to the Development Authority after total amount due as calculated and mandated under Clause 3(vi) of this notification has been paid either to Government or in CIDF, as per requirement.
- (xi) Government reserves the right to resume the land through a notification, if the same is required for any other public purpose or if the land has been left unutilized or utilized other than the purpose for which it was transferred.



**Annexure-IV**GOVERNMENT OF ODISHA  
HOUSING & URBAN DEVELOPMENT DEPARTMENT

\*\*\*\*

**NOTIFICATION**NO.T.P.Dev-135/14 73 /HUD, Bhubaneswar, Dated the 1.1.15

Whereas, Comprehensive Development Plan (CDP) of Bhubaneswar Development Plan Area (BDPA) was notified in 2010 and the same is a statutory document for guiding and facilitating the planned development area,

And whereas, there is a need to develop integrated approach for assembling of land, raising of resources for implementation of CDP and putting in place institutional mechanisms for consideration and implementation of CDP of BDPA.

Therefore, Government of Odisha is hereby pleased to constitute a Committee for drafting of Master Plan Land Policy for BDPA.

BDA will provide the needful assistance to the Committee.

**Committee**

1	Development Commissioner-cum-Additional Chief Secretary, Odisha	Chairman
2	Additional Chief Secretary to Government, Revenue & Disaster Management Department	Member
3	Additional Chief Secretary to Government, Finance Department	Member
4	Principal Secretary to Government, Law Department	Member
5	Special Secretary to Government, General Administration Department	Member
6	Commissioner-cum-Secretary to Government, Housing and Urban Development Department	Member
7	Representative of NBCC	Member
8	Representative of NIUA	Member
9	Director, Town Planning, Odisha, Bhubaneswar	Member
10	Vice Chairman, B.D.A., Bhubaneswar	Member-Convener

The Committee will be responsible for

- 1) Preparation of Master Plan land Policy documents along with instruments such as Land assembly and development regulations and mechanisms to regulate and facilitate the planned growth in Bhubaneswar Development Plan area,
- 2) Detailed guidelines of City Infrastructure Fund on basis of Development Based Land Value Capture (DBLVC) and Institutional Mechanisms,
- 3) Strengthening and re-defining role of various development agencies including the ULBs in the Bhubaneswar Development Plan area,
- 4) Putting in place institutional mechanism for planned development of Bhubaneswar Development Plan Area.

The Committee will submit its report preferably in two months for consideration of Government.

By order of the Governor

*G. Mathi Vathanan* 2015  
(G. Mathi Vathanan)

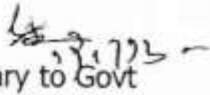
Commissioner-cum-Secretary to Govt.,  
H & UD Department

Contd ...

Memo No. 74 / HUD, Bhubaneswar, Dated the 1-1-15  
Copy forwarded to the Director of Printing, Stationary and Publication, Odisha, Cuttack with a request to publish this Notification in the next issue of the Odisha Gazette and to supply 100 spare copies to this Department.

  
Under Secretary to Govt

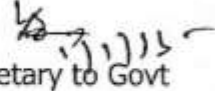
Memo No. 75 / HUD, Bhubaneswar, Dated the 1-1-15  
Copy forwarded to all Departments of Government for information and necessary action.

  
Under Secretary to Govt

Memo No. 76 / HUD, Bhubaneswar, Dated, the 1-1-15  
Copy forwarded to the P.S. to Chief Secretary, Odisha/P.S. to Development Commissioner-cum-Additional Chief Secretary, Odisha/ P.S. to Additional Chief Secretary to Government, Finance Department/ P.S. to Additional Chief Secretary to Government, Revenue and Disaster management Department/ P.S. to Principal Secretary to Government, Law Department/ P.S. to Commissioner-cum-Secretary to Government, Housing and Urban Development Department/ P.S. to Special Secretary to Government, General Administration Department for information and necessary action.

  
Under Secretary to Govt

Memo No. 77 / HUD, Bhubaneswar, Dated the 1-1-15  
Copy forwarded to the Vice Chairman, Bhubaneswar Development Authority, Bhubaneswar/ Municipal Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar/Director, Town Planning, Odisha, Bhubaneswar/Chief General Manager (Business Development); NBCC Limited, NBCC Bhawan, Lodhi Road, New Delhi-110003, Fax-011-24366995, E-Mail: [bd.nbcc@nic.in](mailto:bd.nbcc@nic.in)/ Director, National Institute of Urban Affairs, 1<sup>st</sup> and 2<sup>nd</sup> Floor, Core 4B, India Habitat Centre, Lodhi Road, New Delhi-110003/Team Leader, PMU Cell, Housing and Urban Development Department for information and necessary action.

  
Under Secretary to Govt

Memo No. 78 / HUD, Bhubaneswar, Dated the 1-1-15  
Copy forwarded to the Directorate Section/ P.H. Section/ Water Supply Section / L.F.S Section / Municipal Section/ Project Section/U.P.A Section/ T.P. Section (20 spare copies) of the Housing & Urban Development Department for information and necessary action.

  
Under Secretary to Govt