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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 16th June, 2015

ODISHA DEVELOPMENT AUTHORITIES (AMENDMENT) RULES, 2015

S.R.O. No. 271/2015. The following draft of certain rules further to amend the Odisha Development Authority Rules, 1983, which the State Government proposes to make in exercise of powers conferred by Section 123 of the Odisha Development Authority Act, 1982 (Odisha Act 14 of 1982) is hereby published as required by Section 125 of the said Act for information of all persons, likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after expiry of a period of 30 days from the date of their publication in the *Odisha Gazette*.

Any objection or suggestion which may be received from any person with respect to the said draft before expiry of the period specified above will be considered by the State Government.

DRAFT RULES

1. (1) Short title and commencement- These Rules may be called the Odisha Development Authorities (Amendment) Rules, 2015.
(2) They shall come into force on the date of their publication in the *Odisha Gazette*.
2. In the Odisha Development Authorities Rules, 1983 (hereinafter referred to as the said Rules), in **Rule 5**,

(a) after proviso to **sub-rule(4)**, the following proviso shall be added namely:-

Provided further that the Authority may, by recording reasons therefore, engage a retired Government Servant with the concurrence of the State Government or retired Officer or Employee of the Authority on such terms and condition as may be decided by the Authority.+

(b) for **sub-rule(5)**, The following sub-rule shall be substituted, namely:-

Notwithstanding anything contained in these rules, reservation, relaxation of age limit and other concession as provided for the Scheduled Castes and Scheduled Tribes, SEBC, Women, Sports person, Ex-servicemen and person with disabilities shall apply in accordance with the provisions, made under such Act and Rules made thereunder, and under Order, Rules, Instructions or Resolutions issued in this behalf by the State Government from time to time;+ and

(c) for **sub-rule(6)**, the following sub-rule shall be substituted namely:. No person who has been dismissed, compulsorily retired, convicted in a criminal offence shall be appointed as an officer or employee of the Authority.+

3. In the said rule, in **Rule 18**, for the table the following table shall be substituted, namely:-

TABLE

Sl. No.	Details of construction & area	Fee in Rupees
(1)	(2)	(3)
(A)	Fee for development of land	@ Rs.10.00 per Sq.Mtrs.
(B)	Fee for building operation	
	(i) For residential building (covered area on all floors)	
	(a) upto 100 sq. meters	Rs.250.00
	(b) above 100 and upto 150 sq. meters	Rs.500.00
	(c) above 150 and upto 300 sq. meters	Rs.1000.00
	(d) for every additional 50 sq. meters or part thereof.	Rs.1000.00
	(ii) For commercial building (Business, Mercantile, Shops, Hotels, Public Assembly, Buildings, Show Rooms, Business Offices, Godowns, Warehouses, Banks, Cinemas, Theatre, Clubs, etc.) (Covered Area on all floors)	
	(a) upto 20 sq. meters	Rs.500.00
	(b) above 20 and upto 50 sq. meters	Rs.1000.00
	(c) for every additional 50 sq. meters or part thereof.	Rs.1500.00
	(iii) For Industrial buildings (Covered area on all floors)	
	(a) upto 150 sq. meters	Rs.2500.00
	(b) for every additional 150 sq. meters or part thereof.	Rs.1500.00
	(iv) For Public buildings (Educational, Religious, Charitable, Government or Local Bodies uses): (Covered area on all floors)	Rs.2.00 per sq.mtr.

4. In the said Rules in **Rule 19, in sub-rule (2)** for the words ~~an~~ applicant shall be entitled to a refund of fifty per cent of the fees paid by him+ the words ~~he~~ shall not be entitled to refund of any fee deposited by him+ shall be substituted.

5. In the said rules, in **Rule 60, for sub-rule (2)**, the following sub-rule shall be substituted namely:-

(2) ~~Every~~ contract shall be made on behalf of the Authority by the Vice-Chairman or any member or officer of the Authority authorised by the Vice-Chairman in this behalf in consultation with Member (Finance) subject to such financial limits as the State Government may, by notification, specify from time to time.+

6. In the said Rules, in **Rule 62, for sub-rule (5)**, the following sub-rule shall be substituted namely:-

(5) ~~Notwithstanding anything contained in this rule in the case of a contract for work or for supply of materials, the value of which is less than two lakhs rupees, the condition of deposit of earnest money and initial security may be dispensed with by the Vice-Chairman or by the member or officer of the Authority authorised by him+.~~

7. In the said Rules, in **Rule 66, in proviso to sub-rule (1)**, for the words ~~does not exceed twenty thousand rupees+.~~ The words ~~does not exceed two lakhs rupees+.~~ shall be substituted.

8. In the said Rules, in **Rule 70 .**

(a) for **sub-rule(5)**, the following sub-rules shall be substituted, namely:-

~~On~~ receipt of tenders, a comparative statement thereof shall be prepared and be placed along with the tenders so received before .

- (i) The Executive Engineer working in the establishment of the Authority in case the estimate cost of work does not exceed fifty lakhs rupees;
- (ii) The Engineer Member in case where the estimate cost of work exceeds as per (i) but does not exceed three crores rupees
- (iii) Vice Chairman in case where estimated cost of the work exceeds as at (ii) provided the Authority may modify the amount specified in clauses (i), (ii) of sub-rule 5 from time to time.+

(b) for **sub-rule (6)**, the following sub-rules shall be substituted, namely:-

~~The~~ Executive Engineer working in the establishment of the Authority or Engineer Member or Vice-Chairman, as the case may be, shall consider the tenders and may accept or reject any of the tenders on recommendations of tender committees constituted under section 6 of the Act for this purpose under their chairmanships, respectively:

Provided, further that if tendered amount exceeds the estimated cost of the work by 10%, then approval of next higher authority should be taken.+

(c) The **sub-rule(7)** shall be omitted.

9. In the said Rules, for **Rule 81** the following rules shall be substituted, namely:-

“81- Mode of payment –

- (1) All payments should ordinarily be made out of the funds of the Authority referred to Rule 79 through electronic remittance to the payee's account (employee/ supplier / contractor / 3rd party etc.). However, in cases where electronic payment cannot be made directly to the payee's accounts, payment through crossed cheque / bank draft / pay order may be made.
- (2) Payment of any sum due to Authority exceeding five hundred rupees in amount shall be made by means of a crossed cheque or Bank draft or pay order or other electronic mode of remittances as would be made available from time to time.+

10. In the said Rules, for **Rule 82**, the following rules shall be substituted, namely:-

“(82) Signature on Modes of Payment:-

- (1) All cheques or any other modes of Payment as specified under sub-rule (1) of Rule 81 in respect of money payable by the Authority shall be signed manually or digitally approved or signed, as the case may be, by the Finance Member or such officer of the Authority as the Authority may authorise in this behalf.
- (2) Before the Finance Member or the officer authorised for the purpose signs a cheque or authorises payment through any other mode of payment as specified in sub-rule (1) of Rule 81 on behalf of the Authority, he shall satisfy himself that the sums for which such payment is to be made, is either required for the purpose of work specifically sanctioned by the Authority or is an item of payment specified in sub-rule (3) of Rule 79.+

[No.15419. T.P.Dev.-06/2015/HUD.]

By Order of the Governor

G. MATHI VATANAN

Commissioner-*cum*-Secretary to Government