

# The Odisha Gazette

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## HOUSING & URBAN DEVELOPMENT DEPARTMENT

### ORDER

The 9th February, 2024

No.3325—HUD-TP-POLICY-0005/2020/HUD.— Whereas, the Odisha Apartment (Ownership and Management) Act, 2023 (Odisha Act - 8 of 2023) came into force on dated 28th June, 2023 ;

And, whereas, Section 8 of the said Act provides for execution of deed of transfer in respect of un-divided title in common areas and facilities of the entire land of the project to be registered in the name of Association of allottees;

And, whereas, Section 14 of the said Act with certain exception provides that there shall be single Association of allottees in the project;

And, whereas, difficulties have arisen in such cases where two or more than two projects have been developed by some promoters before commencement of Real Estate (Regulation and Development) Act, 2016 (16 of 2016) with common areas and facilities common to all such projects and it is not possible to separately delineate such common area and facilities for each individual projects;

Now, therefore in exercise of the power conferred by Section 34 of the said Act, the State Government do hereby make the following Order to remove the difficulties, namely :-

**1. Short title and commencement.-** (1) This Order may be called the Odisha Apartment (Ownership and Management) Removal of Difficulties Third Order, 2024.

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

**2.** Where prior to commencement of the Odisha Apartment (Ownership and Management) Act, 2023 (Odisha Act 8 of 2023) and where the Real Estate (Regulation and Development) Act, 2016 (16 of 2016) is not applicable to a project, a promoter has completed two or more projects having common areas and facilities which are common to all such projects and it is not possible to separately delineate such common areas and

facilities for each individual project, the promoter may execute a deed of transfer in respect of un-divided proportionate title in common areas and facilities which are common to all such projects in favour of the association of allottees and one association of allottees shall be formed for such projects.

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