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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 2nd July, 2019

No. 1245-HUD-HU-POLICY-0002/2019/HUD.—In exercise of power conferred by Section-84 of the Real Estate (Regulation and Development) Act, 2016, the State Government do hereby make the following rules to amend the Odisha Real Estate (Regulation and Development) Rules, 2017 (hereafter referred to as the said rules) namely:—

1. Short Title and Commencement:— (1) These rules may be called the Odisha Real Estate (Regulation and Development) Amendment Rules, 2019.

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

2. In the said rules, after rule 26, the following rule shall be inserted namely:—

rule 26 (2). “For the purpose of sub-section (2) of Section 40 of the Act, every order passed by the Adjudicating Officer, Authority or the Appellate Tribunal, as the case may be, shall be enforced by the Adjudicating Officer, Authority or the Appellate Tribunal in the same manner as if it were a decree or order made by the Civil Court in a suit pending before it and it shall be lawful for the Adjudicating Officer, Authority or the Appellate Tribunal, as the case may be, in event of its inability to execute the order, send such order to the Civil Court to execute such order either within the local limits of whose jurisdiction the real estate project is located or in the Civil Court within the local limits of whose jurisdiction the person against whom the order is being issued, actually and voluntarily resides, or carries on business, or personally works for gain”.

3. In the said rules, rule 38, in sub-rule (2), in clause (h), for the words “Adjudicating Officer” the word “Authority” shall be substituted.

4. In the said rules, in rule 39, in sub-rule (2)
 - (a) in clause (d), in sub-clause(i) for the figure “15”, the figure “16” shall be substituted.
 - (b) in clause (i), in sub-clause (i) for the figure “15”, the figure “16” shall be substituted.
5. In the said rules, in rule 40, in sub-rule (4) for the word “Parliament”, the word “Odisha Legislative Assembly” shall be substituted.
6. In the said rule, in Form–F, in Para. 2, in sub-para (ii), for the figure “12”, figure “13” shall be substituted.
7. In the said rule, in Form-I, in Para. 2, in sub-para (ii), for the figure “12” figure “13” shall be substituted.

By Order of the Governor

G. MATHI VATHANAN

Principal Secretary to Government