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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 4th November 2016

**S.R.O. No.546/2016**—In exercise of the powers conferred under Clause (a) sub-section (4) of Section 80 of the Odisha Town Planning and Improvement Trust Act, 1956 (Odisha Act 10 of 1957), the State Government do hereby apply the provisions of the said Act, specified in Schedule 'A' hereto annexed, as adopted in Schedules 'B', 'C' and 'D' below to Utkela Master Plan Areas in the district of Kalahandi to which the said Act has been extended vide Notification of Government in Housing & Urban Development Department bearing No. 25950/HUD., dated the 4th November 2016.

#### SCHEDULE 'A'

Whole of Chapter-I, Sections 3,4,5,6,15,16,17,20,21, sub-sections (1), (2) and (6) of Sections 22,23,24,25,26 and 27 of Chapter-II, whole of Chapters-III, IV, V, VI, VII and IX.

#### SCHEDULE 'B'

1. Wherever the word "Chairman" occurs except the sections being specifically clarified the words "Special Planning Authority" shall be substituted.

2. In Section 15 of the said Act :—

- (i) for the word 'Trust', wherever it occurs the word 'Committee' appointed under Clause (C) of sub-section (4) of Section 80 (hereinafter referred to as committee) shall be substituted;
- (ii) for the word 'Trustee' wherever it occurs the words "Member of Committee" shall be substituted;
- (iii) for the word 'Trustees' wherever it occurs the words "Members of Committee" shall be substituted.

3. In Section 16 of the said Act :—

- (i) for the word 'Trust' wherever it occurs the word 'Committee' shall be substituted;
- (ii) for the word 'Committee' wherever it occurs the word 'Sub-Committee' shall be substituted;
- (iii) for the word 'Committees' wherever it occurs the word 'Sub-Committee' shall be substituted;
- (iv) for the word 'Trustees' wherever it occurs the words "Members of the Committee" shall be substituted.

4. In Section 17 of the said Act :—for the word ‘Committee’ wherever it occurs the word ‘Sub-Committee’ shall be substituted.
5. In Section 20 of the said Act :—for the word ‘Trust’ the words “Special Planning Authority” shall be substituted.
6. In Section 21 of the said Act :—
- (A) In sub-section (1) of words “on behalf of the Trust” shall be omitted and the word ‘Chairman’ wherever it occurs the words “Special Planning Authority” shall be substituted.
  - (B) (i) in the provision to sub-section (1) for the word “Trust” wherever it occurs the word ‘Committee’ shall be substituted.
  - (ii) in the provision to sub-section (1) for the word “Chairman” wherever it occurs the words ‘Special Planning Authority’ shall be substituted.
7. In sub-section (i) of Section 22 of the said Act :—the words ‘on behalf of the Trust’ and except that the common seal of the Trust shall be used, where necessary shall be omitted and the word ‘Chairman’ where it occurs the words “Special Planning Authority” shall be substituted.
8. In Section 23 of the said Act :—
- (A) In sub-sections (1) and (2) for the word “Trust” the word “Committee” shall be substituted.
  - (B) (i) in sub-section (3) for the word “Chairman” the words “Special Planning Authority” shall be substituted.
  - (ii) in Clause (a) of sub-section (3) for the words “the control of the Trust” the words “under him” shall be substituted;
  - (iii) in Clause (c) of sub-section (3) for the word “Chairman” the words “Special Planning Authority” shall be substituted.
9. In Section 24 of the said Act :—
- (A) In sub-section (2) for the word “Trust” wherever it occurs the words “Special Planning Authority” shall be substituted.
  - (B) In the proviso to sub-section (2) :—
    - (i) in Clause (a) for the word ‘Chairman’ wherever it occurs the words “Special Planning Authority” shall be substituted;
    - (ii) in Clause (b) for the word ‘Trust’ with prior approval of “Director of Town Planning” shall be substituted wherever it occurs.
10. (A) In Section 25 of the said Act for the words “of the Trust” the word ‘under’ shall be substituted.
- (B) The word ‘Chairman’ be substituted by the words “Special Planning Authority”.
11. In Section 26 of the said Act :—
- (A) In sub-section (1) for the words “of the Trust” the words “under him” shall be substituted.
  - (B) The words and figures “except those conferred or imposed upon or vested in him by Sections 15,17,21,24,105,109,111 and 134” shall be omitted.
  - (C) The word “Chairman” wherever it occurs shall be substituted by the words “Special Planning Authority”.
12. In sub-section (1) of Section 27, the said Act for the word ‘Trust’ wherever it occurs the words “Director of Town Planning” shall be substituted.
13. In sub-section (2) of Section 90 of the said Act :—
- (i) for the word ‘Chairman’ wherever it occurs the words “Special Planning Authority” shall be substituted;
  - (ii) the words ‘and one other member of the Planning Authority’ shall be omitted.

- 14.** In Section 91 of the said Act—For the word ‘Chairman’ wherever it occurs the words “Special Planning Authority” shall be substituted.
- 15.** In sub-section (1) of the Section 106 of the said Act :— for the word ‘them’ the word ‘it’ shall be substituted.
- 16.** In Clause (b) of sub-section (3) of Section 107 of the said Act;—for the words ‘or against the Chairman *ex officio*’ shall be omitted.
- 17.** In sub-section (2) of Section 109 of the said Act :—
- (i) for the word ‘Chairman’ wherever it occurs the words “Special Planning Authority” shall be substituted;
  - (ii) the words “on behalf of and with the Sanction of the Planning Authority and with the like sanction” shall be omitted.
- 18.** In Section 111 of the said Act :—
- (A) In clause (c) for the words “Chairman of the Planning Authority” the words “Special Planning Authority” shall be substituted.
  - (B) Clause (b) shall be omitted.
- 19.** In sub-section 112 of the said Act :—
- (i) for the word ‘Chairman’ wherever it occurs the words “Special Planning Authority” shall be substituted;
  - (ii) the words “or member of the Special Planning Authority” shall be omitted.
- 20.** In sub-section (1) of Section 113 of the said Act :—Clause (a) shall be omitted.
- 21.** In Section 118 of the said Act :—words ‘In Trust’ shall be omitted.
- 22.** In Section 121 of the said Act:— for the words “every Member of the Planning Authority and employee of the said Authority” shall be substituted.
- 23.** In Section 120 of the said Act for the words “Members of a Planning Authority and employee of the said Authority” the words “employee under Special Planning Authority” shall be substituted.
- 24.** In Section 130 of the said Act :—
- (i) for the words ‘as Chairman or as on officer of employee of the said Act’ the words “as an officer or employees under the Special Planning Authority” shall be substituted;
  - (ii) the words ‘or as a member, officer or employee of the said authority’ shall be omitted.
- 25.** In Section 134 of the said Act :—
- (A) for the words ‘Chairman of the Planning Authority’ the words “Special Planning Authority” shall be substituted and the words ‘subject to its control’ shall be omitted; and
  - (B) in Clause (d) for the words “Planning Authority” occurring for the first time the word “Committee” shall be substituted.
- 26.** In Section 135 of the said Act :— the words “or any member and or the Chairman” shall be omitted.
- 27.** In Section 136 of the said Act :— the words ‘or any member and or of the Chairman’ shall be omitted.
- 28.** In Clause (a) of Section 139 and Section 141 of the said Act :— the words ‘or the Chairman’ shall be omitted.
- 29.** In Section 144 of the said Act :— (i) for word ‘Chairman’ wherever it occurs the words ‘Special Planning Authority’ shall be substituted; (ii) the words ‘or of any other member’ and ‘or of such other members’ shall be omitted.
- 30.** (A) In sub-section (1) of Section 147 of the said Act :— for the word ‘Chairman’ wherever it occurs the words ‘Special Planning Authority’ shall be substituted.

(B) In sub-section (2) of the Section 147 of the said Act :— for the words ‘Planning Authority’ the word ‘Committee’ shall be substituted.

**31.** In Section 143 of the said Act :— the words ‘not being share or interest which under sub-section (2) of Section 9, it is permissible for a member to have without being thereby disqualified for being appointed a member’ shall be omitted.

**32.** In Clause (a) of Section 151 of the said Act :—

- (i) for the word ‘Chairman’ wherever it occurs the words “Special Planning Authority” shall be substituted;
- (ii) the words ‘on behalf of the Planning Authority’ shall be omitted.

**33.** In sub-section (2) of Section 153 of the said Act :—

- (A) In Clause (b) the words “and the Chairman respectively” shall be omitted; and
- (B) In Clause (e) the words “and the Chairman under this Act” shall be omitted.

**34.** In the said Act :— for the word “Chairman” wherever it occurs shall be substituted by the words “Special Planning Authority”.

**35.** In the Chapter-VI of the said Act :— for the words “Planning Authority” wherever they occur except Sections 113 and 118, the word ‘Committee’ shall be substituted.

#### SCHEDULE ‘C’

1. Whole of Rules 1,2 & from Rules-5 to 156 of the Odisha Town Planning and Improvement Trust Rules, 1975.

#### SCHEDULE ‘D’

In the Odisha Town Planning and Improvement Trust Rules, 1975 wherever the words “Secretary” and ‘Trust’ occurs the words “Special Planning Authority” shall be substituted.

[No.25960—T.P.-Dev.-56/2016-HUD.]

By order of the Governor

G. MATHI VATHANAN

Commissioner-*cum*-Secretary to Government