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SECRETARIAT
OF
THE ODISHA LEGISLATIVE ASSEMBLY
NOTIFICATION

The 24th September, 2014

No.8969/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 24th September, 2016 is herewith published under Rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

**THE ODISHA DEVELOPMENT AUTHORITIES (AMENDMENT)
BILL, 2016**

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BILL

FURTHER TO AMEND THE ODISHA DEVELOPMENT AUTHORITIES
ACT, 1982

BE it enacted by the Legislature of the State of Odisha in the Sixty-seventh Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Odisha Development Authorities (Amendment) Act, 2016.

Amendment
of section
18.

2. In the Odisha Development Authorities Act, 1982 (hereinafter referred to as the principal Act), in section 18, in sub-section (1),—

Odisha Act
14 of 1982.

(a) for the words “an Officer” the word “any officer” shall be substituted; and

(b) the following proviso shall be inserted thereto, namely:—

“Provided that where more than one Officer are appointed, the State Government shall specify their respective jurisdiction.”

Amendment
of section
91.

3. In the principal Act, in section 91, in sub-section (2),—

(a) for the words “an Officer appointed by the State Government”, the words “any Officer appointed by the State Government”, shall be substituted; and

(b) the following proviso shall be inserted thereto, namely:—

“Provided that where more than one Officer are appointed, the State Government shall specify their respective jurisdiction.”

STATEMENT OF OBJECTS AND REASONS

The Odisha Development Authorities Act, 1982 provides for constitution of Development Authorities with an objective of achieving planned development of fast growing towns of the State and to provide for mechanisms to promote systematic urban expansion and development in areas under their jurisdictions. The Act also provides for mechanisms to restrict unplanned and unsystematic growth of areas under jurisdiction of Development Authorities. The past experience in implementation of the provisions of the Act and functioning of Development Authorities have brought to fore, certain deficiencies, which needs to be addressed to facilitate and regulate the process of rapid urbanisation in fast growing cities of Odisha. With the passage of time, the activities of different Development Authorities in general have increased manifold including litigations relating to grant of or refusal of permission for development under section 16, revocation of permission under section 17 and the order of removal of unauthorised development passed under section 91 of the said Act. As per the provisions of section 18 and section 91 (2) of the said Act, any person aggrieved by an under section 16 or section 17 and under section 91 (1) may appeal to the State Government or an officer appointed by the State Government in this behalf, against that order within forty-five days and thirty days, respectively, from the date thereof, and the State Government or the officer, as the case may be, may, after hearing the parties to the appeal, either allow or dismiss the appeal by granting permission unconditionally or granting permission subject to conditions.

As large number of appeal cases are pending with the State Government, it is considered expedient to make provision enabling the State Government to appoint more than one officer to here the appeal cases and accordingly, it is proposed to suitably amend sub-section (1) of section 18 and sub-section (2), of section 91 enabling the State Government to appoint any officer to here the appeal. It is also clarified that where more than one officer are appointed, the State Government shall specify their respective jurisdiction to hear such appeal.

The Bill seeks to achieve the above objectives.

PUSPENDRA SINGH DEO

Member-in-Charge

A. K. SARANGI

Secretary

Odisha Legislative Assembly