Odisha Real Estate Regulatory Authority
Regulations, 2017

Odisha Real Estate Regulatory Authority
Bhubaneswar
S.R.O. No.373/2017— In exercise of the powers conferred by sub-section (1) of Section 85 of the Real Estate (Regulation and Development) Act, 2016; the Odisha Real Estate Regulatory Authority does hereby make the following regulations, namely:—

1. **Short title and Commencement.** — (1) These regulations may be called the Odisha Real Estate Regulatory Authority Regulations, 2017.

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

2. **Definitions.** — (1) In these regulations, unless the context otherwise requires,—

   (a) “Act” means the Real Estate (Regulation and Development) Act, 2016;

   (b) “authenticated copy” shall mean a self-attested copy of any document required to be provided by any person under these regulations;

   (c) “covered parking” means parking provided under stilt, in basement, in any floor of a multilevel parking, roof top or a parking space with a covered roof without walls on sides other than a garage in the real estate project;

   (d) “Form” means Form appended to these regulations;

   (e) “Rules” means the Odisha Real Estate (Regulation & Development) Rules, 2017;

   (f) “section” means a section of the Act.

   (2) Words and expressions, used but not defined in these regulations, shall have the meanings as respectively assigned to them in the Act and Rules.

3. **Application by promoter.** — Every application for registration of a new or ongoing real estate project made under sub-section (1) of Section 4 by the promoter or a person authorized by the promoter shall be in Form I and shall be in triplicate, with requisite documents as mentioned in Form I prescribed under the provisions of sub-section (2) of
section 4, duly signed and authenticated, at the office of the Authority, until the application procedure is made web based for registration of a real estate project.

4. Fees. — (1) Application made under sub-section (1) of section 4 shall be accompanied by a fee specified in the table below.

<table>
<thead>
<tr>
<th>Type of Projects (1)</th>
<th>Rate of fee per sq. m of plot area exceeding 500 sq.m (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Project</td>
<td>Five rupee (Subject to a maximum of two lakhs fifty thousand rupees)</td>
</tr>
<tr>
<td>Commercial Project</td>
<td>Ten rupee (Subject to a maximum of five lakhs rupees)</td>
</tr>
<tr>
<td>Mixed development</td>
<td>Seven rupee (Subject to a maximum of three lakhs rupees)</td>
</tr>
</tbody>
</table>

(2) The payment of fees shall be accepted by way of a demand draft or pay order from a scheduled bank in favour of the Authority or through any other form that may be specified by the Authority, from time to time, which may include netbanking and online payment.

(3) The promoter, if intends to extend the time as declared by him under sub-clause (c) of clause (l) of sub-section (2) of section 4 for completion of the project or phase thereof, as the case may be, he shall make an application in Form II accompanied with the fees which shall be twice the amount of fee paid by him in the manner as provided in sub-rule (1).

5. Application for approval of the Authority for transfer. — (1) The promoter shall make an application in Form III for obtaining prior written approval of the Authority as provided under sub-section (1) of section 15 for transfer of assets and liabilities of the project to a third party either in full or part, furnishing details about such intended transfer.

(2) Every application under sub-regulation (1) shall be accompanied by authenticated documents as specified below:
   (a) Copy of the registration certificate of the project which is proposed to be transferred to a third party;
   (b) Copy of the plan approved by the competent Authority;
   (c) The part of the registered project proposed to be transferred should be marked on copy of approved plan along with a statement indicating the area of land, carpet area and common area, common facilities and amenities;
   (d) Consent from the bank which is the chief financier of the project, if any;
   (e) List of allottees with names and correspondence address, with email ID and mobile number and copies of their identity proof;
   (f) List of at least two third of the total allottees, except the promoter, who have consented for such transfer of the real estate project to the third party with copies of their written consent letter in Form IV.
On receipt of such application for transfer, the Authority shall intimate through a written notice to all the allottees about the intended transfer and shall cause scrutiny and verification of the information and documents provided therein and on being satisfied that such transfer will be in the interest of the development of the project and does not adversely affect the interest of allottees, creditors and parties to the project, the reasons of the same to be recorded in writing, shall either grant written approval for such transfer subject to such conditions if any, as may be specified in the order or refuse the application for transfer:

Provided that at the time of consideration of such applications and prior to grant of written approval, a notice shall also be published giving particulars of the project and description of the proposed transfer along with the name and detail address of the promoter to whom the project is intended to be transferred, calling for objections of the parties and creditors whose interests are likely to be affected by such transfer, in at least two newspapers in circulation in the area where the project is situated and a copy thereof shall also be exhibited on the site of the project as well as in the website of the authority for information of the allottees and parties.

Every order granting approval or refusing approval, shall state the grounds for imposing such conditions or for such refusal in Form V.

6. Complaints to the Regulatory Authority. — The complaints filed by any aggrieved person shall be in Form VI, and such complaint shall be accompanied by relevant supporting documents along with a fee of rupees one thousand which shall be paid through pay order or Demand Draft from a scheduled bank drawn in favour of the Authority or through online.

7. Complaints to the Adjudicating Officer.— Any aggrieved person may file a complaint with the adjudicating officer in Form VII, and such complaint shall be accompanied by relevant supporting documents along with a fee of rupees one thousand which shall be paid through pay order or a Demand Draft from a scheduled bank drawn in favour of the Authority or through online.

8. Register of complaints.— On receipt of the complaint, the particulars of the complaint shall be recorded in Form VIII and separate registers for records of complaints shall be maintained by the Authority and the Adjudicating Officer mentioning the serial number of the complaint as a reference for subsequent communication between the complainant and the Authority or the Adjudicating Officer, as the case may be.

9. Meetings of the Authority. — (1) All meetings of the Authority shall ordinarily be held, at the office of the Authority.

(2) For every ordinary meeting of the Authority, an intimation in writing along with the agenda for the meeting and relevant notes, statements and reports, if any, shall be sent to all members of the Authority including Chairperson, at least seven days in advance, with the prior approval of the Chairperson.
(3) The non-receipt of a notice of meeting by any member shall not invalidate the proceedings of the meetings or any resolution passed or decision taken at such meeting.

(4) Any member of the Authority may propose for discussion on any matter of importance to be circulated for a decision, which is not included in the agenda with the permission of the Chairperson.

(5) The quorum for every ordinary meeting of the Authority shall be two-third of the members of the Authority, in absence of which the meeting shall stand adjourned.

(6) In case of adjournment, the Chairperson shall decide the date, time and place for meeting for transacting the business of the Authority which could not take place due to adjournment.

(7) The minutes of every meeting held by the Authority shall be recorded by the person as directed by the Chairperson which may be circulated to the members and to any other officer, for implementation.

10. Procedure for adjudication.— For the complaint received by the Authority and Adjudicating officer under regulation 6 and 7, the following procedure shall be followed, namely:—

(a) the notice issued by the Authority or the Adjudicating Officer, shall be in Form IX

(b) the notice may be sent through electronic mode and transmission of such communication shall be regarded as valid and adequate service

(c) on receipt of the notice, a reply shall be filed by the defendants on or before the date fixed for hearing, with a copy delivered to the complainant

(d) a daily cause list in Form X, containing cases fixed for hearing on a day by the Authority and Adjudicating Officer shall be prepared, in triplicate, and shall be pasted on the previous working day on the notice board of the Adjudicating Officer and the Authority or at such other places.
Form I
(See Regulation 3)

Application for registration of real estate project at
___________________(Name of ULB/Panchayat)

To
The Chairperson,
Odisha Real Estate Regulatory Authority,
Bhubaneswar.

For Office Use Only

| Application Serial No: | Date: | Fees Paid: INR |

Sir,

I/We hereby apply for the grant of registration of my/our project to be set up at

_________ Tehsil __________ District _________ State __________

1. Details of the applicant

   Affix Passport Size photograph of Promoter

   a. Name (Individual/ Entity): ________________________________
   b. Type of Entity : ________________________________
   c. Permanent/ Registered Address ________________________________
   d. Company Registration Number (As applicable): ______________________
   e. PAN Number: __________________
   f. Name (s) of chairman of the governing body / partners / directors etc. (As applicable):

   ________________________________
   ________________________________
   ________________________________

   g. Registered Phone number and email id: ________________________________
   h. PAN Number: __________________

2. Basic Information of Project- to be filled in Annexure 1 to this form
3. Details for project to be registered - to be filled in Annexure 2 to this form
4. Details of the fees for registration - to be filled in Annexure 3 to this form
5. Checklist of documents - to be filled in Annexure 4 to this form
Annexure 1

Brief details of the projects, launched by the promoter in the last five years (whether completed or being developed), [Refer sub-clause 2(b) to Section 4 of the Act]

Basic Information of Project in the last five years

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name and address of the project</th>
<th>Project registration number (if any)</th>
<th>Type of Project</th>
<th>Type of Land (ownership/joint venture)</th>
<th>Status of project (Completed/Ongoing)</th>
<th>If ongoing, project (delayed/on time)</th>
<th>Cases Pending (Y/N)</th>
<th>Details of cases, if any</th>
<th>Payments Pending (Y/N)</th>
<th>Other Details, if any</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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</tbody>
</table>

1 used for any residential or commercial use such as residence, office, shop, showroom or godown or for carrying on any business, occupation, profession or trade, or for any other type of use.
## Details to be provided for project to be registered

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particular</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Name of the project</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Type of Project 2 (Residential/ Commercial/ Mixed/Plotting)</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Address of the project</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Details of the title-holder and land details</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Name of the title holder</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Name of the partner in the joint venture (if any)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mouza</td>
</tr>
<tr>
<td></td>
<td>Land Details</td>
<td></td>
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<tr>
<td></td>
<td>Area of plot</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Classification of the plot</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Plot area utilized for the project</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Actual Date of Commencement of the project</td>
<td></td>
</tr>
</tbody>
</table>

\(^2\)used for any residential or commercial use such as residence, office, shop, showroom or godown or for carrying on any business, occupation, profession or trade, or for any other type of use
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particular</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.</td>
<td>Scheduled date of completion of the project</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Reasons for Delay (if any)</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Types of units to be sold(^3)-Nos.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Plots (1)</td>
<td>Residential units (2)</td>
</tr>
<tr>
<td>9.</td>
<td>Details of Units (types of Units and their Details)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Carpet Area (sq. m) of each category</td>
<td>Area of balcony/, in each category</td>
</tr>
<tr>
<td>i.</td>
<td>Type 1 (mention nos. of units)</td>
<td></td>
</tr>
<tr>
<td>ii.</td>
<td>Type 2 (mention nos. of units)</td>
<td></td>
</tr>
<tr>
<td>iii.</td>
<td>Type 3 (mention nos. of units)</td>
<td></td>
</tr>
<tr>
<td>iv.</td>
<td>Type 4 (mention nos. of units)</td>
<td></td>
</tr>
<tr>
<td>v.</td>
<td>Type 5 (mention nos. of units)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>((Add\text{,}rows\text{,}as\text{,}applicable))</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Types of Garages and Parking</td>
<td></td>
</tr>
<tr>
<td>i.</td>
<td>Total Nos. of garages in the project (categorize by area and nos. of each category)</td>
<td>Area</td>
</tr>
<tr>
<td>Sl. No.</td>
<td>Particular</td>
<td>Details</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>ii.</td>
<td>Total Nos. of covered Parking in the project (categorize by area and nos. of each category)</td>
<td>Area</td>
</tr>
<tr>
<td>iii.</td>
<td>Total Nos. of open Parking in the project (categorize by area and nos. of each category)</td>
<td>Area</td>
</tr>
<tr>
<td>11.</td>
<td>Details of the bank or banker with which account in terms of section 4 (2)(I)(D) of the Act will be maintained</td>
<td></td>
</tr>
<tr>
<td>i.</td>
<td>Name of Bank/Banker/IFSC Code:</td>
<td></td>
</tr>
<tr>
<td>ii.</td>
<td>Address and phone number of the Bank:</td>
<td></td>
</tr>
<tr>
<td>iii.</td>
<td>Account Number :</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Name and address of contractors, architects, structural engineers and other technical persons concerned with the proposed project</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Name</td>
<td>Role (Architect, engineer, contractor, any other)</td>
</tr>
<tr>
<td></td>
<td>Registered Address, Phone no. email id</td>
<td>Registration. No.</td>
</tr>
<tr>
<td>13.</td>
<td>Name and address of the real estate agents with registration numbers for proposed projects</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Name</td>
<td>Registered Address</td>
</tr>
<tr>
<td></td>
<td>Phone No. and email</td>
<td>Registration. No. (if any)</td>
</tr>
<tr>
<td>14.</td>
<td>Any other information the applicant may like to furnish</td>
<td></td>
</tr>
</tbody>
</table>
I. **Fees for registration**

Application made under sub-section (1) of section 4 of the Act for grant of registration of projects, shall be accompanied by a registration fee specified in regulation 4. The payment of fees shall be accepted in shape of a demand draft or pay order from a scheduled bank in favour of the Authority or through any other form that may be specified by the Authority from time to time like through debit and credit cards, online payment etc.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particular</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Demand draft Number.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Online transaction reference Number</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Name of Bank</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Date of drawing demand draft or online</td>
<td></td>
</tr>
<tr>
<td></td>
<td>transaction</td>
<td></td>
</tr>
</tbody>
</table>
## Annexure 4

### II. List of Documents to be enclosed

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>List of Documents</th>
<th>Tick as applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Authenticated copy of the PAN card of the promoter;</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>A brief details of enterprise including its name, registered address, type of enterprise (Proprietorship, societies, partnership, companies, competent authority)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The copy of registration/incorporation certificate, the name and 2 passport size photographs of individual promoter, all partners of a firm, Directors of company</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Brief details of project launched by promoter in last 5 years</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Whether projects already completed or being developed</td>
<td></td>
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<tr>
<td></td>
<td>Current status of the said project</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Details of cases pending</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Details of type of land and Payments pending</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Copy of the legal title deed reflecting the title of the promoter to the land on which development is proposed to be developed along with legally valid documents with authentication of such title, if such land is owned by another person;</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>The details of encumbrances on the land on which development is proposed including any rights, title, interest or name of any party in or over such land along with details;</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>If the promoter is not the owner of the land on which development is proposed details of the consent of the owner of the land along with a copy of the collaboration agreement, development agreement, joint development agreement or any other agreement, as the case may be, entered into between the promoter and such owner and copies of title and other documents reflecting the title of such owner on the land proposed to be developed;</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>An authenticated copy of the approvals and commencement certificate from the competent authority obtained in accordance with the laws as may be applicable for the real estate project mentioned in the application</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>If the project is proposed to be developed in phases, an authenticated copy of the approvals and commencement certificate from the competent authority for each of such phases</td>
<td></td>
</tr>
</tbody>
</table>
| 12 | Attach the sanctioned plan

- Layout plan
- Specifications of the proposed project or the phase thereof
- The whole project as sanctioned by the competent authority

| 13 | The plan of development works to be executed in the proposed project and the proposed facilities to be provided thereof including:

- Fire-fighting facilities,
- Drinking water facilities,
- Emergency evacuation services,
- Use of renewable energy,
- Others (Specify)

| 14 | The location details of the project, with clear demarcation of land dedicated for the project along with its boundaries including the latitude and longitude of the end points of the project; |

| 15 | Performa of

- The allotment letter,
- Agreement for sale,
- The conveyance deed proposed to be signed with the allottees |

| 16 | Details of the number, type and the carpet area of apartments for sale in the project along with the area of the exclusive balcony or verandah areas and the exclusive open terraces areas apartment with the apartment, if any |

| 17 | The number and areas of garage for sale in the project |

| 18 | The names and addresses of real estate agents, |

| 19 | The names and addresses of

- The contractors
- Architect
- Structural engineer |
Any other person concerned with the development of the proposed projects.

20 Bank Passbook details: Name of the bank, IFSC Code, Account No., Date of opening of bank account (Authenticated copies of the first page and the last page of the pass book reflecting the latest transaction or any other document as a proof of the above details)

21 A declaration, supported by an affidavit signed by the promoter or any other person authorised by promoter as per clause (L) under sub-section 2 of section 4 of Real Estate(Regulation and Development)Act, 2016

I/We solemnly affirm and declare that the particulars given in herein are correct to my /our knowledge and belief and we attach all necessary certificates and documents in support of our application.

Dated:

Place:

Yours faithfully,

Signature and seal of the applicant(s)
Form II
(See Regulation 4(3))
Application for extension of registration of the project

From:
___________________________________________________
___________________________________________________
___________________________________________________

To
The Chair person
Odisha Real Estate Regulatory Authority,
___________________________________________________
___________________________________________________
___________________________________________________

Sir,
I/We hereby apply for extension of registration of the following project:
___________________________________________________

registered with
the regulatory authority vide project registration certificate bearing No.______________, which expires on___________________________.

As required I/we submit the following documents and information, namely:-

i. A demand Draft No. _______________ dated _______________ for rupees ___________ in favour of ___________ drawn on _______________ (give details of online payment such as date paid, transaction no. etc.); as fees for extension of registration specified under regulation 4 of the Odisha Real Estate Regulatory Authority Regulations, 2017.

ii. Authenticated certificate from the Architect of the project stating the stage of development works undertaken till date.

iii. Explanatory note regarding the state of development works in the project and reason for not completing the development works in the project within the period declared in the declaration submitted in Form ‘A’ of the rules at the time of making application for the registration of the project ____________________;

iv. Authenticated copy of the permission/approval from the competent authority which is valid for a period which is longer than the proposed term of extension of the registration sought from the Authority.

v. The original project registration certificate.

vi. Any other information as may be specified by regulations.

I/We hereby state that the above details are true and correct to our knowledge and we attach all necessary certificates and documents in support of our application.

Place:
Dated:

Yours faithfully,

Signature and seal of the applicant(s)
Form III

(See Regulation 5 (1))

Transfer of real estate project to Third Party

From:

_______________________  
_______________________  
_______________________

To

The Chair person

Odisha Real Estate Regulatory Authority,

_______________________  
_______________________  
_______________________

I hereby apply for approval to transfer the rights of the project from ______________

to _________________, pertaining to the project described in this application.

1. Project Details

i. Unique Project Registration Number (under Section 5(1) of the Act)

ii. Project Address

2. Particulars of Project Transfer

• Name of promoter (Transferor)
• Registered Address and Contact Information

• Name of promoter (Transferee)
• Registered Address and Contact Information

In case of individual –

i. Name

ii. Father’s Name

iii. Occupation

iv. Permanent Address

v. Two Passport Size Photographs
OR

In case of firm / societies / trust / companies / limited liability partnership / competent authority -

i. Name
ii. Registered Address
iii. Copy of registration certificate
iv. Name, photograph and address of chairman of the governing body / partners

<table>
<thead>
<tr>
<th>List of amenities provided.</th>
<th>Total Nos. of apartments/units</th>
<th>Total Nos. of covered Parking</th>
<th>Total nos. of Garages</th>
<th>Status of Allotment</th>
<th>Remarks</th>
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<td>Allotted</td>
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</table>

3. Brief details of the project(s)/ part of project(s) undergoing transfer

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Total nos. of units in project</th>
<th>Current status of transferred part</th>
<th>Scheduled date of Completion</th>
<th>Plot area</th>
<th>Location (attach map)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Under Construction Complete</td>
<td>Received completion certificate</td>
<td></td>
<td></td>
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</table>

4. Reason for Transfer: ☐ Transfer by sale ☐ Others. Please Specify________

5. Proposed Date of Transfer: ______________________________

6. Intimation of transfer to Stakeholder/ apartment owners/ allottees: ☐ Yes ☐ No

7. Consent of two-third of the Stakeholder/ apartment owners/ allottees: ☐ Yes ☐ No
We hereby state that the above details (contents of paragraph 1 to 7) are true and correct to our knowledge and we attach all necessary certificates and documents in support of our application.

Signature of Transferor

Signature of Transferee

Enclosed:

1. Details of the Transferee as stated under rule 3
2. Copy of the registration certificate of the project which is proposed to be transferred to a third party;
3. Copy of the plan approved by the competent Authority;
4. The part of the registered project proposed to be transferred on copy of approved plan
5. List of all Stakeholders/ allottees of the project with ID proof, phone nos. and email address.
6. List of Stakeholders in consent with the transfer
7. Evidence of intimation to Stakeholders
8. Copy of sale agreement, Deeds of sale and transfers
9. Consent letter from allottees as specified in Form IV
Form IV
(See Regulation 5(2)(f))

Consent form of allottee

Date:

1. Name of allottee: __________________________________________

2. Address of the project: __________________________________________

3. Unit Details:
   • Apartment/Unit No.: __________________________________________
   • Carpet Area: __________________________________________
   • Date of Booking: __________________________________________
   • Date of Allotment agreed upon: ________________________________

I hereby grant my consent to the transfer of the project from ____________ to ________________, as requested. I have been made aware of the changes through (at least 2 criteria have to be met):

   • Newspaper Articles
   • Email/Letter
   • Website of promoter or Authority
   • In person meetings

On the transfer, the succeeding promoter shall be required to independently comply with all the pending obligations as per the agreement for allotment/sale entered into by the erstwhile promoter with me (name of allottee) ____________________
Signature of allottee

Address of allottee: ________________________________

Phone no. : ________________________________

Email ID: ________________________________

Place: _________________

Date: _________________

Enclosed:

 o  ID Proof
Form V
(See Regulation 5(4))

Approval/ Rejection of transfer of a real estate project to a third party.

To,

__________________________________________

__________________________________________

__________________________________________

From,

The Chairperson
Odisha Real Estate Regulatory Authority,
__________________________________________

__________________________________________

__________________________________________

With reference to the Application Number ____________, Dated __________; the Authority hereby approves/ rejects the transfer of rights for the project from ____________ to ____________, pertaining to the project described in this application;

1. Transfer Details
   i. Name of promoter (Transferor)
   ii. Name of promoter (Transferee)
   iii. Proposed Date of Transfer: ________________________________

2. Project Details
   i. Unique Project Registration Number: ________________________________
      ii. Project Address:
          __________________________________________________________

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Total</th>
<th>Current status of transferred part</th>
<th>Scheduled date of Completion</th>
<th>Plot area</th>
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<td>5.</td>
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<td>7.</td>
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</tbody>
</table>
3. **Conditions (for Approval of transfer of the Real Estate Project to a third party):**

The transfer of rights has been agreed upon by two-thirds of the total stakeholders. This shall not result in extension of time to the intending promoter to complete the real estate project and he shall be required to comply with all the pending obligations of the erstwhile promoter, and in case of default, such intending promoter shall be liable to the consequences of breach or delay, as the case may be, as provided under this Act or the rules and regulations made thereunder.

4. **Reasons (for Rejection of transfer of the Real Estate Project to a third party):**

<table>
<thead>
<tr>
<th>List of amenities provided.</th>
<th>Total Nos. of apartments/units</th>
<th>Total Nos. of covered Parking</th>
<th>Total nos. of Garages</th>
<th>Status of Allotment</th>
<th>Remarks</th>
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</thead>
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<td>10.</td>
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</table>

Signature

Chairperson of Authority


**Form VI**
(see Regulation 6)

**Complaints to the Regulatory Authority**

<table>
<thead>
<tr>
<th>For Office Use Only</th>
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</thead>
<tbody>
<tr>
<td>Date of filing: ______________________</td>
</tr>
<tr>
<td>Date of [receipt at the filing counter of the Registry / receipt by post / online filing]:</td>
</tr>
<tr>
<td>Complaint No.: ______________________</td>
</tr>
<tr>
<td>Signature: ________________________</td>
</tr>
<tr>
<td>Registrar: ________________________</td>
</tr>
</tbody>
</table>

**IN THE REGULATORY AUTHORITY’S OFFICE OF ODISHA**

Between
______________________ Complainant(s)

And
______________________ Respondent(s)

Details of claim:

1. Particulars of the complainant(s):
   
   (i) Name(s) of the complainant:
   
   (ii) Address of the existing office / residence of the complainant:
   
   (iii) Address for service of all notices:
   
   (iv) Contact Details (Phone number, e-mail, Fax Number etc.):

2. Particulars of the respondents:

   (i) Name(s) of respondent:

   (ii) Office address of the respondent:

   (iii) Address for service of all notices:

   (iv) Contact Details (Phone number, e-mail, Fax Number etc.):

3. Jurisdiction of the Authority:

   The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority.

4. Facts of the case:

   [Give a concise statement of facts and grounds for complaint]

5. Relief(s) sought:
In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s)

_____________________________________________.

[Specify below the relief(s) claimed explaining the grounds of relief(s) and the legal provisions (if any) relied upon]

6. Interim order, if prayed for:
Pending final decision on the complaint the complainant seeks issue of the following interim order:

[Give here the nature of the interim order prayed for with reasons]

7. Complainant not pending with any other court, etc.: The complainant further declares that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

8. Particulars of [demand draft or online payment] in respect of the fee as specified in regulation 13
   (i) Amount
   (ii) Name of the bank on which drawn
   (iii) [Demand draft number / online payment transaction no.]

9. List of enclosures:
   (i) Copies of the documents relied upon by the complainant and referred to in the complaint
   (ii) An index of documents
   (iii) Other documents as annexed along with the complaint

Signature of the complainant(s)

Verification

I__________ (name in full block letters), the complainant do hereby verify that the contents of paragraphs [1 to 9] are true to my personal knowledge and belief and that I have not suppressed any material fact(s).

Place:
Date:

Signature of the complainant(s)
Form VII
(See Regulation 7)

Complaint to Adjudicating Officer

(Claim for compensation under section 31 read with section 71 of the Act)

For use of Adjudicating Officer’s office:
Date of filing: ______________________
Date of [receipt at the filing counter / receipt by post / online filing]: ______________________
Complaint No.: ______________________
Signature: ______________________
Authorized Officer: ______________________

IN THE ADJUDICATING OFFICER’S OFFICE OF ODISHA

Between
______________________ Complainant(s)
And
______________________ Respondent(s)

Details of claim:

1. Particulars of the complainant(s):
   (i) Name(s) of the complainant:
   (ii) Address of the existing office / residence of the complainant:
   (iii) Address for service of all notices:
   (iv) Contact Details (Phone number, e-mail, Fax Number etc.):
   (v) Details of allottees apartment, plot or building, as the case may be:

2. Particulars of the respondents:
   (i) Name(s) of respondent:
   (ii) Office address of the respondent:
   (iii) Address for service of all notices:
   (iv) Contact Details (Phone number, e-mail, Fax Number etc.):
   (v) Registration no. and address of project:

3. Jurisdiction of the adjudicating officer:
   The complainant declares that the subject matter of the claim falls within the jurisdiction of the adjudicating officer.
Facts of the case:
[Give a concise statement of facts and grounds of claim against the promoter]

Compensation(s) sought:
In view of the facts mentioned in paragraph 4 above, the complainant prays for the following compensation(s)
_____________________________________________.
[Specify below the compensation(s) claimed explaining the grounds of claim(s) and the legal provisions (if any) relied upon]

Claim not pending with any other court, etc.:
The complainant further declares that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

Particulars of [demand draft or online payment] in respect of the fee as specified in regulation 14
(i) Amount:
(ii) Name of the bank on which drawn:
(iii) [Demand draft number / online payment transaction no]:

List of enclosures:
(i) Copies of the documents relied upon by the complainant and referred to in the complaint
(ii) An index of documents
(iii) Other documents as annexed along with the complaint

Signature of the complainant(s)

Verification

I_________ (name in full block letters), the complainant do hereby verify that the contents of paragraphs [1 to 8] are true to my personal knowledge and belief and that I have not suppressed any material fact(s).

Place:
Date:

Signature of the complainant(s)
Form VIII  
Register for record of complaints  
(See Regulation 8)  

A. Record of complaints for allottee  

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Complaint No.</th>
<th>Name of Complainant</th>
<th>Address of Complainant</th>
<th>Unique Project Registration No.</th>
<th>Date of complaint</th>
<th>Grounds of complaint</th>
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<th>Status of complaints</th>
<th>Status of Clarification</th>
<th>Remarks</th>
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<td>Resolved</td>
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B. Record of complaints for promoters  

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Complaint No.</th>
<th>Name of Complainant</th>
<th>Address of Complainant</th>
<th>Unique Project Registration No.</th>
<th>Date of complaint</th>
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### C. Record of complaints for Real estate agents

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Complaint No.</th>
<th>Name of Complainant</th>
<th>Address of Complainant</th>
<th>Unique Project Registration No.</th>
<th>Date of complaint</th>
<th>Grounds of complaint</th>
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<td>Remarks</td>
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Form IX
(See Regulation 10(a))

Notice by ________________

Date:

......................... Complainant

v.

......................... Respondent

Above named complainant has filed a complaint under section _____________ of Real Estate (Regulation and Development) Act, 2016, Odisha Real Estate (Regulation and Development) Rules, 2017 and regulations made thereunder. The details of the complaint are as follows:

You are directed to reply to the above complaint within a period of seven days of receipt of this notice and appear before the Adjudicating Officer or the Odisha Real Estate Regulatory Authority in person or through an advocate/authorized representative, duly instructed on day of .......... Year ................. at (time) ..........., at (place) ................., failing which the Application shall be heard and decided in your absence.

Given under my hand and the seal of the Adjudicating Officer, this .......... day of ............

Signature

Adjudicating Officer/Odisha Real Estate Regulatory Authority
Form X
(See Regulation 10(d))

Cause List

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Application Number</th>
<th>Name of Applicant or Complainant</th>
<th>Name of Respondent</th>
<th>Name of Applicant’s or Complainant’s Counsel</th>
<th>Name of Respondent’s Counsel</th>
<th>Posted for</th>
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<tbody>
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Signature

Adjudicating Officer/ Odisha Real Estate Regulatory Authority

[No. 19652–HUD-RERA-CELL-10/2017/HUD.]

G. MATHI VATHANAN

Chairperson
Odisha Real Estate Regulatory Authority

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