



BHUBANESWAR DEVELOPMENT AUTHORITY
Akash Shova Building, Sachivalaya Marg, Kharavela Nagar, Unit-III
Bhubaneswar

No. /BDA

Dated:

File no. BDA-PLAN-PLAN-0025-2025 (OSWAS)

OFFICE ORDER

Sub: Adherence to Instructions issued vide Notification No. 20784 dated 04.09.2025 by the Housing & Urban Development Department, Government of Odisha – compliance with Hon'ble Supreme Court judgment dated 17.12.2024 in Civil Appeal No.14604 of 2024.

In pursuance of the Notification No. 20784 dated 04.09.2025 issued by the Housing & Urban Development (H&UD) Department, Government of Odisha, for strict compliance with the judgment passed by the Hon'ble Supreme Court of India on 17.12.2024 in Civil Appeal No.14604 of 2024, all officers and staff of the Bhubaneswar Development Authority (BDA) dealing with Planning and Enforcement related matters are hereby directed to strictly adhere to the instructions and directions issued in the aforesaid notification of H&UD Department.

A copy of the said notification is enclosed herewith for information and necessary action to ensure strict and full compliance by all concerned officials of the BDA. Any violation of the aforesaid notification shall be viewed seriously and disciplinary action shall be taken against erring officials/persons concerned.

This order shall come into force with immediate effect.

Encl: Copy of Notification No. 20784 dated 04.09.2025 issued by the Housing & Urban Development Department, Government of Odisha.

(By Order of Vice-Chairman)

**Town & Regional Planning Member,
Bhubaneswar Development Authority**

Memo No. 18870 / BDA, Bhubaneswar

Copy (with enclosure) forwarded to Notice Board, BDA / Sr. I.T. Manager, BDA, for uploading in the BDA website for information of general public.

Dated: 23.09.2025

**Town & Regional Planning Member,
Bhubaneswar Development Authority**

Government of Odisha
Housing and Urban Development Department

Notification

File No. HUD-TP-CASEOP-0055-2025 20784/HUD Bhubaneswar, Dated 04.9.25

In the judgement dated 17.12.2024 passed by the Hon'ble Supreme Court in Civil Appeal No.14604 of 2024, the Supreme Court has taken a strong stance against illegal and unauthorized constructions, emphasizing that they cannot be encouraged. The Court has opined that the construction(s) put up in violation of or deviation from the building plan approved by the local authority and the constructions which are audaciously put up without any building planning approval, cannot be encouraged. Each and every construction must be made scrupulously following and strictly adhering to the Rules. In the event of any violation being brought to the notice of the Courts, it has to be curtailed with iron hands and any lenience afforded to them would amount to showing misplaced sympathy.

Unauthorised constructions, apart from posing a threat to the life of the occupants and the citizens living nearby, also have an effect on resources like electricity, ground water and access to roads, which are primarily designed to be made available in orderly development and authorized activities. Master plan or the zonal development cannot be just individual centric but also must be devised keeping in mind the larger interest of the public and the environment.

Now, in pursuance of the aforesaid judgement, the Housing and Urban Development Department issues the following directions which shall be strictly adhered in line with the Odisha Development Authorities Act, 1982 and Odisha Town Planning and Improvement Trust Act, 1956 and Rules made thereunder :

- (i) While issuing the building planning permission, an undertaking be obtained from the builder/applicant, as the case may be, to the effect that possession of the

building will be entrusted and/or handed over to the owners/beneficiaries only after obtaining completion/occupation certificate from the authorities concerned.

(ii) The builder/developer/owner shall cause to be displayed at the construction site, a copy of the approved plan during the entire period of construction and the authorities concerned shall inspect the premises periodically and maintain a record of such inspection in their official records.

(iii) Upon conducting personal inspection and being satisfied that the building is constructed in accordance with the building planning permission given and there is no deviation in such construction in any manner, the completion/occupation certificate in respect of residential / commercial building, be issued by the authority concerned to the parties concerned, without causing undue delay. If any deviation is noticed, action must be taken in accordance with the Act and the process of issuance of completion/occupation certificate should be deferred, unless and until the deviations pointed out are completely rectified.

(iv) All the necessary service connections, such as, Electricity, water supply, sewerage connection, *etc.*, shall be given by the service provider / Board to the buildings only after the production of the completion/occupation certificate.

(v) Even after issuance of completion certificate, deviation / violation if any contrary to the planning permission brought to the notice of the authority immediate steps be taken by the said authority concerned, in accordance with law, against the builder / owner / occupant; and the official, who is responsible for issuance of wrongful completion /occupation certificate shall be proceeded departmentally forthwith.

(vi) No permission /licence to conduct any business/trade must be given by any authorities including local bodies of States/Union Territories in any unauthorized building irrespective of it being residential or commercial building.

(vii) The development must be in conformity with the zonal plan and usage. Any modification to such zonal plan and usage must be taken by strictly following the

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rules in place and in consideration of the larger public interest and the impact on the environment.

(viii) Whenever any request is made by the respective authority under the planning department/local body for co-operation from another department to take action against any unauthorized construction, the latter shall render immediate assistance and co-operation and any delay or dereliction would be viewed seriously. The States/UT must also take disciplinary action against the erring officials once it is brought to their knowledge.

(ix) In the event of any application / appeal / revision being filed by the owner or builder against the non-issuance of completion certificate or for regularisation of unauthorised construction or rectification of deviation etc., the same shall be disposed of by the authority concerned, including the pending appeals / revisions, as expeditiously as possible, in any event not later than 90 days as statutorily provided.

(xi) Banks / financial institutions shall sanction loan against any building as a security only after verifying the completion/occupation certificate issued to a building on production of the same by the parties concerned.

 4/9/2025
Principal Secretary to Government

Memo No. 20785/ HUD, dated

Copy forwarded to OSD to the Chief Secretary/PS to Principal Secretary, H & UD Department for kind information.


Additional Secretary to Government

Memo No. 20786/ HUD, dated

Copy forwarded to Energy Department/Finance Department/all Development Authorities/all Municipal Corporations/all Municipalities/all NACs/all SPAs/all RITs/MD, WATCO for kind information and necessary action.


Additional Secretary to Government