



ODISHA REAL ESTATE REGULATORY AUTHORITY

Block-A1, 3rd Floor, Toshali Bhawan, Satya Nagar, Bhubaneswar-751007

No. MISC-2521/ORERA

(Regd)

No-2009

Dated 15/07/2021

SUB- DIRECTION ON REQUIREMENT OF REGISTRATION OF THE PROJECTS COMING UNDER SECTION 3(2)(a) OF THE REAL ESTATE (REGULATION & DEVELOPMENT) ACT, 2016.

ORDER

A question is raised if registration is necessary for a project where the area of the land proposed to be developed does not exceed 500 square meters or the number of the Apartment proposed to be developed does not exceed 8 inclusive of all phases. There is no ambiguity in the provision that needs a clarification.

A project is exempted from registration within the scope of Section 3(2)(a) of Real Estate (Regulation & Development) Act, 2016 which reads:

"(2) Notwithstanding anything contained in sub-section (1), no registration of the real estate project shall be required-

(a) where the area of land proposed to be developed does not exceed five hundred square meters or the number of apartments proposed to be developed does not exceed eight inclusive of all phases".

Both the clauses are to be read disjunctly and not conjointly.

If the land area does not exceed five hundred Square meters, but the apartment proposed to be developed exceeds eight inclusive of all phases, there is no requirement of registration.

Similarly, if land area is more than five hundred Square Meters, but the apartment proposed to be developed does not exceed eight inclusive of all phases, no registration is required to be taken from this Authority.

The order to the above effect is passed in exercise of power conferred on this Authority U/s 37 of Real Estate (Regulation & Development) Act, 2016.


Member-II


Member-I


Chairperson