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HOUSING & URBAN DEVELOPMENT DEPARTMENT

ORDER

The 9th February, 2024

No.3331—HUD-TP-POLICY-0005/2020/HUD.— Whereas the Odisha Apartment (Ownership and Management) Act, 2023 (Odisha Act 8 of 2023) came into force on the dated 28th June, 2023;

And, whereas ,sub-section (3) of Section 10 of the said Act entitles the promoter to levy proportionate maintenance charge in respect of maintenance of common areas and facilities till the association of allottees is formed;

And, whereas, sub-section (1) of Section 18 of the said Act provides that common profits shall be distributed among and the common expenses shall be charged equally on the apartment owners irrespective of un-divided interest in common areas and facilities;

And, whereas, it will be appropriate for the association of allottees to distribute the common profits and the charge for maintenance of common area and facilities proportionately;

Now, therefore in exercise of the powers conferred by Section 34 of the Odisha Apartment (Ownership and Management) Act, 2023 (Odisha Act 8 of 2023), the State Government do hereby make the following Order to remove the aforesaid difficulties, namely :-

1. Short title and commencement. – (1) This Order may be called the Odisha Apartment (Ownership and Management) Removal of Difficulties Second Order, 2024.

(2) It shall come into force on its publication in the *Odisha Gazette*.

2. In the Odisha Apartment (Ownership and Management) Act, 2023, in sub section (1) of Section 18, for the word “equally”, the word “proportionately” shall be substituted.

By Order of the Governor

G. MATHI VATHANAN

Additional Chief Secretary to Government