

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. RDM-Reg-POLICY-0001-2025- 25800

/R&DM, dated : 19 JUN 2026

RESOLUTION

Sub : Standard Operating Procedure (SOP) for registration of apartments.

1. Background and Objective

The Odisha Apartment (Ownership and Management) Act, 2023 has consolidated the law relating to ownership, transfer and management of apartments in the State of Odisha. The Act applies to apartments constructed on freehold land or leasehold land having a lease period of thirty years or more.

It has come to the notice of Government that there is need for clarity and uniformity regarding registration of apartments due to varying interpretations of the provisions of the Odisha Apartment (Ownership and Management) Act, 2023, the Real Estate (Regulation and Development) Act, 2016 and the Registration Act, 1908.

To ensure transparency, uniformity of practice and ease of implementation, the following Standard Operating Procedure (SOP) is hereby issued for registration of apartment-related documents in the State

2. Legal Framework

Registration of apartment-related documents shall be governed by the following statutory provisions, rules, notifications and orders, as amended from time to time:

- The Registration Act, 1908;
- The Registration (Odisha Amendment) Act, 2013;
- The Odisha Registration Rules, 1988;
- The Real Estate (Regulation and Development) Act, 2016;
- The Odisha Real Estate (Regulation and Development) Rules, 2017;
- The Odisha Apartment (Ownership and Management) Act, 2023;
- The Odisha Apartment (Ownership and Management) Rules, 2023;
- Notification No. 3804 dated 16.02.2024 and Notification No. 24100 dated 13.10.2025 issued under Section 23 of the Odisha Apartment (Ownership and Management) Act, 2023, appointing Competent Authorities;
- Special Order No. 29259 dated 03.12.2025 and Special Order No. 2470 dated 12.06.2026 issued under Section 35 of the Odisha Apartment (Ownership and Management) Act, 2023;
- Such other statutory provisions, notifications, orders and instructions as may be issued by the Government from time to time.



3. Applicability

3.1 This SOP shall apply to registration of documents relating to apartments governed by the Odisha Apartment (Ownership and Management) Act, 2023.

3.2 The following shall be treated as apartment projects for the purpose of this SOP:

- (a) Residential apartment projects;
- (b) Commercial apartment projects comprising offices, shops, showrooms and business units;
- (c) Mixed-use apartment projects;
- (d) Buildings or projects where ownership of individual units is intended to be transferred separately together with proportionate undivided interest in common areas and facilities;
- (e) Projects having eight or more apartments/units requiring registration under the Real Estate (Regulation and Development) Act, 2016;
- (f) Projects having more than one apartment/unit but less than eight apartments/units not requiring registration under RERA Act and otherwise governed by the Odisha Apartment (Ownership and Management) Act, 2023.

Explanation: The threshold of eight apartments under Section 3(2) of the Real Estate (Regulation and Development) Act, 2016 is relevant only for determining applicability of RERA registration and shall not exclude smaller apartment projects having multiple ownership from the operation of the Odisha Apartment (Ownership and Management) Act, 2023.

3.3 This SOP shall not ordinarily apply to:

- (a) Stand-alone dwelling houses not transferred as apartments;
- (b) Government buildings;
- (c) Buildings owned and occupied entirely by a single owner and not transferred as apartments.

4. Competent Authority

For the purposes of the Odisha Apartment (Ownership and Management) Act, 2023, the Competent Authorities notified by Government vide Notification No.3804 dated 16.02.2024 and vide Notification No. 24100 dated 13.10.2025 shall be:

- (a) Deputy Commissioner (Legal), Bhubaneswar Municipal Corporation (BMC) within the jurisdiction of BMC
- (b) Secretary of the concerned Development Authority within the jurisdiction of the concerned Development Authority; and
- (c) Sub-Collector concerned within the local limits of the concerned Revenue Sub-Division excluding Development Authority areas.



The Registering Officer shall verify that the endorsement required under the Act has been issued by the Competent Authority having territorial jurisdiction over the apartment project

5. Promoter

Promoter means a promoter as defined under Section 3 of the Odisha Apartment (Ownership and Management) Act, 2023 and includes

(a) a person who constructs or causes to be constructed an independent building or a building consisting of apartments, or converts an existing building or part thereof into apartments; and where such person is different from the owner of the property, the term shall include both such persons;

(b) any Development Authority or other public body in respect of apartments constructed by it on land owned by it or placed at its disposal by the Government, and any co-operative housing society which constructs apartments for its members;

(c) any person acting as a builder, coloniser, contractor, developer, estate developer, or by any other name, including a person acting under a power of attorney from the owner of the land on which the apartment is constructed; and

(d) Any other person who constructs apartments for sale to the general public.

6. Classification of Apartment Registrations

Apartment transactions shall be classified as follows:

A. Pre-RERA Apartments

Category-I: Resale of pre-RERA apartments covered under Special Order No. 29259 dated 03.12.2025.

Resale of apartments in respect of which the first deed of transfer/sale deed executed by the promoter was registered prior to 05.10.2016 and covered under Special Order No. 29259 dated 03.12.2025.

Category-II: Pre-RERA apartments in projects completed prior to 05.10.2016, where the unsold inventory of such apartments continues to be held by the promoter/landowner and are covered by the Special Order 2470 dated 12.06.2026.

B. Post-RERA Apartments

Category-III: Other Apartments Governed by the Odisha Apartment (Ownership and Management) Act, 2023.

All apartment projects in respect of which the deed of transfer/sale deed is registered on or after 05.10.2016 and which are governed by the Odisha Apartment (Ownership and Management) Act, 2023, irrespective of whether registration under the Real Estate (Regulation and Development) Act, 2016 is required.

7. Procedure for Registration of Different Categories of Apartments

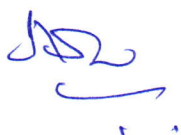
A. Resale of Pre-RERA Apartments

Category-I: Resale of pre-RERA apartments covered under Special Order No. 29259 dated 03.12.2025

1. Registration of resale deeds relating to apartments in respect of which the first deed of transfer/sale deed executed in favour of an individual allottee was registered prior to 05.10.2016 shall be governed by Special Order No. 29259 dated 03.12.2025 of the Housing & Urban Development Department.
2. Such apartments shall be exempt from production of documents prescribed under Section 8(2) of the Odisha Apartment (Ownership and Management) Act, 2023.
3. The transferor shall produce:
 - (a) Original registered deed of transfer/sale deed;
 - (b) Chain of title documents, wherever applicable;
 - (c) Documents required under registration laws.
4. Every resale deed shall incorporate the declarations prescribed in the aforesaid Special Order.
5. Registration under this category shall not be construed as regularisation of any unauthorised construction or violation of building laws.

Category-II: Pre-RERA apartments in projects completed prior to 05.10.2016, where the unsold inventory of such apartments continues to be held by the promoter/landowner and covered under Special Order 2470 dated 12.06.2026

1. Registration of sale deeds relating to apartments in projects completed prior to 05.10.2016, where the unsold inventory of such apartments continues to be held by the promoter/landowner, shall be governed by the Special Order issued under Section 35 of the Odisha Apartment (Ownership and Management) Act, 2023.
2. Such apartments shall be exempt from production of documents prescribed under Section 8(2) of the Odisha Apartment (Ownership and Management) Act, 2023, subject to compliance with the conditions specified in the aforesaid Special Order.
3. Registration under this category shall be permitted only where:
 - (a) The project was completed prior to 05.10.2016;
 - (b) At least fifty per cent of the apartment units in the project had been transferred through registered sale deeds on or before 05.10.2016; and
 - (c) The apartment proposed to be registered forms part of the original approved building plan.



4. The promoter/landowner shall produce:
 - (a) Approved building plan issued by the competent authority;
 - (b) No Objection Certificate issued by the Association of Allottees in accordance with the Special Order;
 - (c) Undertaking regarding compliance with the conditions stipulated in the Special Order; and
 - (d) Documents required under registration laws.
5. Every sale deed registered under this category shall incorporate the declarations prescribed in the aforesaid Special Order.
6. Registration under this category shall not be construed as regularisation of any unauthorised construction, deviation from approved plans or violation of building laws.

B. Post-RERA Apartments

Category-III: Other Apartments Governed by the Odisha Apartment (Ownership and Management) Act, 2023

No deed of transfer of apartment shall be accepted for registration unless:

- (a) In cases where registration under the Real Estate (Regulation and Development) Act, 2016 is mandatory, the project is registered under Odisha RERA;
- (b) Occupancy Certificate has been obtained;
- (c) Association of Allottees has been registered;
- (d) Declaration under Section 9 of the Odisha Apartment (Ownership and Management) Act, 2023 has been duly registered and copies thereof are produced;
- (e) The deed bears endorsement of the Competent Authority under Section 8(4) and Section 8(5) of the Act certifying compliance with the provisions of the Act and Rules;
- (f) The deed transferring the undivided proportionate title in Common Areas and Facilities in favour of the Association of Allottees, as required under Section 8(1) of the Act and Rule 7 of the Rules, has been executed or is presented simultaneously for registration
- (g) Any other documents as required under the Registration Act, 1908

8. Scrutiny and Endorsement by Competent Authority

8.1 For endorsement under Section 8 of the Act, the promoter or transferor shall submit:

- (a) Application for endorsement;
- (b) Duly stamped and executed Deed of Transfer;



- (c) Occupancy Certificate;
- (d) Odisha RERA Registration Certificate, wherever applicable;
- (e) Approved Building Plan;
- (f) Registration Certificate of Association of Allottees;
- (g) Registered Declaration under Section 9 of the Act and amendments thereto, if any;
- (h) Details of common areas and facilities;
- (i) Deed relating to transfer of common areas and facilities;
- (j) Previous title documents;
- (k) Any other document required under the Act and Rules.

8.2 No deed covered by 7B shall be accepted for registration unless endorsed by the Competent Authority under Section 8(4) and Section 8(5) of the Act.

8.3 The Competent Authority shall scrutinise the documents and satisfy itself regarding compliance with the provisions of the Act and Rules.

8.4 The endorsement shall certify:

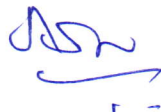
- (a) Registration of Association of Allottees;
- (b) Registration and compliance of Declaration under Section 9 of the Act;
- (c) Compliance regarding common areas and facilities;
- (d) Eligibility of the apartment for transfer;
- (e) Compliance with the provisions of the Act and Rules;
- (f) Scrutiny and acceptance of documents required under Section 8(2) of the Act.

8.5 The endorsed deed shall be returned to the applicant for presentation before the Registering Officer within the period of thirty days as prescribed under the Act.

8.6 The Registering Officer shall ordinarily rely upon the endorsement made by the Competent Authority and shall not undertake independent examination of compliances certified therein except in cases involving apparent fraud, impersonation, deficiency of stamp duty, deficiency of registration fee, lack of jurisdiction or any statutory prohibition under law.

9. Stamp Duty and Registration Fees

9.1 Stamp duty and registration fee in respect of apartment-related documents shall be payable in accordance with the provisions of the Indian Stamp Act, 1899 as applicable in Odisha, the Registration Act, 1908, the Odisha Registration Rules, 1988 and notifications/orders issued thereunder from time to time.



Stamp duty on deeds of transfer of apartment units shall be assessed under **Article 23 of Schedule-I-A of the Indian Stamp Act, 1899, as applicable in Odisha**, at the rate prescribed by the Government from time to time. At present, stamp duty is chargeable at **5% of the market value/consideration value, whichever is higher**, subject to any concession or exemption notified by the Government.

9.2 The remission of one per cent of stamp duty available in favour of women under Revenue and Disaster Management Department Notification No. RDM-Reg-Policy-0001-2016- 37153/ /R&DM dated 29.11.2016, as amended from time to time, shall also be applicable to conveyance deeds relating to apartments executed in favour of women, subject to fulfilment of the conditions stipulated therein.

9.3 The deed executed by the promoter for transfer of the undivided proportionate title in the common areas and facilities in favour of the Association of Allottees shall be chargeable with a nominal stamp duty of Rs.50,000/- and registration fee of Rs.20,000/- in accordance with the provisions of the **Indian Stamp (Odisha Amendment) Ordinance, 2025** and the corresponding notification in respect of registration fees

9.4 Notwithstanding the concession applicable to the deed transferring common areas and facilities in favour of the Association of Allottees, stamp duty and registration fee attributable to the undivided interest in common areas and facilities shall be realised in each individual deed of transfer of apartment in accordance with law.

10. Forwarding of Registered Documents

After registration of any document requiring endorsement under Section 8 of the Act, the Registering Officer shall forward a certified copy of the registered document to the concerned Competent Authority in accordance with Section 8(6) of the Odisha Apartment (Ownership and Management) Act, 2023. Such transmission to be made electronically through the registration system. The requisite facility is to be made available in the SUJOG Platform.

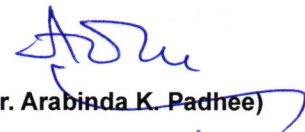
This SOP is being issued with the Government Approval.



(Smt. Usha Padhee)

Additional Chief Secretary to Government

Housing and Urban Development Department



(Dr. Arabinda K. Padhee)

Additional Chief Secretary to Government

Revenue & DM Department

Memo No. 25801 /R&DM, dated: 19 JUN 2026

Copy forwarded to the PS to Hon'ble Minister, R&DM/ PS to Hon'ble Minister, H&UD for kind information of Hon'ble Minister R&DM and Hon'ble Minister, H&UD respectively.

Additional Secretary to Government
19/06/26

Memo No. 25802 /R&DM, dated: 19 JUN 2026

Copy forwarded to the OSD to Chief Secretary, Odisha / PS to Hon'ble Member Board of Revenue, Odisha/ Pr. PS to Development Commissioner, Odisha for kind information of Chief Secretary/ Hon'ble Member, BoR/ Development Commissioner respectively.

Additional Secretary to Government
19/06/26

Memo No. 25803 /R&DM, dated: 19 JUN 2026

Copy forwarded to the Pr. PS to ACS, R&DM Department/ PS to ACS H&UD Department for kind information of ACS, R&DM Department/ ACS, H&UD Department respectively. H&UD Department is requested to kindly circulate the Resolution among all the Development Authorities.

Additional Secretary to Government
19/06/26

Memo No. 25804 /R&DM, dated: 19 JUN 2026

Copy forwarded to the IGR, Odisha/ all RDCs/ all Collectors/ all ADM-cum-DRs/ all Sub-Collectors/ all District Sub-Registrars/ all Sub-Registrars for information and necessary action.

Additional Secretary to Government
19/06/26

Memo No. 25805 /R&DM, dated: 19 JUN 2026

Copy forwarded to the DMA, Odisha/ Secretary, ORERA for kind information and necessary action. The DMA, Odisha is requested to kindly inform all ULBs.

Additional Secretary to Government
19/06/26

Memo No. 25806 /R&DM, dated : 19 JUN 2026

Copy forwarded to the OSD, e-Governance Branch for uploading the Resolution in Department's Website.

Additional Secretary to Government
19/06/26

CHECKLIST FOR COMPETENT AUTHORITY

(Under Section 8 of the Odisha Apartment (Ownership and Management) Act, 2023)

Project Name: _____

Location: _____

Promoter: _____

Application No.: _____

Date: _____

A. Preliminary Verification

1. Competent Authority has territorial jurisdiction over the project.
2. Project falls within the ambit of the Odisha Apartment (Ownership and Management) Act, 2023.
3. Application submitted by promoter/transferor or authorised representative.

B. Documents Verified

1. Draft Deed of Transfer.
2. Occupancy Certificate.
3. Odisha RERA Registration Certificate, wherever applicable.
4. Approved Building Plan.
5. Registration Certificate of Association of Allottees.
6. Registered Declaration under Section 9 of the Act.
7. Amendments to Declaration, if any.
8. Details of Common Areas and Facilities.
9. Deed relating to transfer of Common Areas and Facilities.
10. Previous title documents.
11. Any other document prescribed under the Act and Rules.

C. Compliance Verification

1. Association of Allottees has been duly constituted and registered.
2. Declaration under Section 9 of the Act has been duly registered.
3. Common Areas and Facilities have been properly identified.
4. Undivided interest appurtenant to apartments has been properly specified.
5. Transfer of Common Areas and Facilities complies with Section 8(1) of the Act and Rule 7 of the Rules.
6. Requirements of Section 8(2) of the Act have been complied with.

D. Endorsement

1. Endorsement issued under Section 8(4) and Section 8(5) of the Act.
2. Endorsed document returned to applicant.

CHECKLIST FOR REGISTERING OFFICER

Document No.: _____

Date: _____

A. Classification**Resale of Pre-RERA Apartments**

Category-I: Resale of apartments covered under Special Order No. 29259 dated 03.12.2025, where the first deed of transfer/sale deed executed by the promoter was registered prior to 05.10.2016.

Category-II: First sale of apartments in projects completed prior to 05.10.2016, where the unsold inventory of such apartments continues to be held by the promoter/landowner.

Post-RERA Apartments

Category-III: Other Apartments Governed by the Odisha Apartment (Ownership and Management) Act, 2023.

B. Verification for Category-I

1. First deed of transfer/sale deed executed by the promoter and registered prior to 05.10.2016.
2. Original registered deed of transfer/sale deed produced.
3. Chain of title documents verified, wherever applicable.
4. Mandatory declarations prescribed in Special Order No. 29259 dated 03.12.2025 incorporated in the deed.
5. Registration requirements under the Registration Act, 1908 complied with.

C. Verification for Category-II

1. Project completed prior to 05.10.2016.
2. At least 50% of the apartment units in the project transferred through registered sale deeds on or before 05.10.2016.
3. Apartment proposed for registration forms part of the original approved building plan.
4. Approved building plan produced.
5. No Objection Certificate issued by the Association of Allottees produced.
6. Undertaking of promoter/landowner regarding compliance with the Special Order produced.
7. Mandatory declarations prescribed in the Special Order incorporated in the deed.
8. Registration requirements under the Registration Act, 1908 complied with.

D. Verification for Category-III

1. Odisha RERA Registration verified, wherever applicable.
2. Occupancy Certificate produced.
3. Registration Certificate of Association of Allottees verified.
4. Registered Declaration under Section 9 verified.
5. Endorsement of Competent Authority verified.
6. Deed transferring Common Areas and Facilities executed or simultaneously presented.

E. Registration Requirements

1. Proper stamp duty paid.
2. Proper registration fee paid.
3. Identity of executants verified.
4. Execution admitted.
5. No prohibition under Section 22-A(1)(c) of the Registration (Odisha Amendment) Act, 2013.
6. No subsisting order of Court or competent authority prohibiting registration.

F. Post Registration

1. Certified copy forwarded to Competent Authority
2. Entry updated in registration system.



WORKFLOW FOR REGISTRATION OF APARTMENTS**A. Resale of Pre-RERA Apartments****Category-I (Resale of Pre-RERA Apartments)**

Apartment Owner / Transferor

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Apartment in respect of which the first deed of transfer/sale deed executed by the promoter was registered before 05.10.2016

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Preparation of Resale Deed incorporating declarations prescribed in Special Order No. 29259 dated 03.12.2025

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Presentation before Registering Officer with previous title deed(s), chain of title documents and other documents required under registration laws

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Verification under the Registration Act, 1908, applicable stamp laws and Special Order No. 29259 dated 03.12.2025

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Registration

Category-II (First Sale of Pre-RERA Apartments by Promoter/Landowner)

Promoter / Landowner

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Project completed prior to 05.10.2016

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Verification that at least 50% of the apartment units in the project were transferred through registered sale deeds on or before 05.10.2016

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Display of approved building plan and obtaining No Objection Certificate from the Association of Allottees

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Execution of undertaking regarding compliance with the Special Order

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Preparation of Sale Deed incorporating declarations prescribed in the Special Order No 2470 dated 12.06.2026

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Presentation before Registering Officer with approved building plan, NOC, undertaking and other documents required under registration laws

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Verification under the Registration Act, 1908, applicable stamp laws and Special Order 2470 dated 12.06.2026

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Registration



B. Post-RERA Apartments

Category-III (Apartments Governed by the Odisha Apartment (Ownership and Management) Act, 2023)

Promoter

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Odisha RERA Registration (where applicable)

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Formation and Registration of Association of Allottees

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Registration of Declaration under Section 9 of the Odisha Apartment (Ownership and Management) Act, 2023

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Execution of Deed transferring Common Areas and Facilities in favour of the Association of Allottees

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Application before Competent Authority

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Submission of documents specified under 7B of the SOP

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Scrutiny under Section 8 of the Odisha Apartment (Ownership and Management) Act, 2023 and the Rules made thereunder

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Endorsement by Competent Authority under Section 8(4) and Section 8(5)

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Presentation before Registering Officer

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Verification under the Registration Act, 1908, applicable stamp laws and this SOP

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Registration

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Forwarding of Certified Copy to Competent Authority under Section 8(6) of the Act