

Government of Odisha
Revenue and DM Department

No 44019 /R&DM, Bhubaneswar, dated the 23rd Nov' September, 2013
G/E(04)-5-63/15

From

Dr Taradatt, IAS
Additional Chief Secretary

To

All RDCs
All Collectors
All Sub-Collectors
All Tehsildars

Sub:- Clarification regarding classification of land in the RoR

Sir,

I am directed to invite a reference to this Department's letter no 43968/R&DM, date 24-10-2011 and to say that doubts have been entertained at different quarters as to whether the provisions of Forest(Conservation) Act, 1980 are attracted to the land recorded as forest in the sabik records but subsequently classified as non-forest in the Hal Record of Rights.

Government after careful examination of the issue have been pleased to clarify that if RoR prepared under the statute does not recognize any land as forest, the same may be treated as non-forest land. So long the

entry of the Hal RoR as non-forest land stands good, the Forest (Conservation) Act, 1980 will not be applicable to those lands. However, presumption under the RoR is rebuttable and unless the entry in the RoR is changed by the competent authority in due procedure of law the same shall hold good. In this regard, it should be seen that there is no mismatch between the RoR text and the corresponding cadastral maps.

Further, In view of the affidavit filed by the State Government in WP(C) no 202/1995, the lands included within the list filed before the Hon'ble Apex Court may be treated as forest land and which are not included in the list may be treated as non-forest land.

Yours faithfully

Mamata
22.11.13

Additional Chief Secretary

Memo No 44020 Date 23.11.13

Copy forwarded to Principal Secretary, Forest and Environment Department/ Principal Chief Conservator of Forests, Odisha, for kind information and necessary action.

Mamata
22.11.13

Additional Chief Secretary