



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.1347, CUTTACK, FRIDAY, SEPTEMBER 11, 2009 /BHADRA 20, 1931

LAW DEPARTMENT

NOTIFICATION

The 11th September, 2009

No. 10486/I-Legis.- 21/09- The following Act of the Orissa Legislative Assembly having been assented to by the Governor on the 6th September, 2009 is hereby published for general information.

ORISSA ACT 15 OF 2009

THE ORISSA GOVERNMENT LAND SETTLEMENT (AMENDMENT)ACT, 2009

AN ACT FURTHER TO AMEND THE ORISSA GOVERNMENT LAND
SETTELEMENT ACT, 1962.

BE it enacted by the Legislature of the State of Orissa in the Sixtieth Year of the Republic of India as follows:-

1.(1) This Act may be called the Orissa Government Land Settlement (Amendment) Act, 2009.

(2) It shall be deemed to have come into force on the 26th day of February, 2009.

2. In the Orissa Government Land Settlement Act, 1962, in section 3, -

(i) sub-section (2-a), shall be omitted;

(ii) for sub-section (4) the following sub-section shall be substituted, namely:-

“(4) Notwithstanding anything to the contrary contained in the preceding sub-sections or in any law or any custom, practice or usage having the force of Law-

(a) any land of the category of Khasamahal, Nazul, Gramkantha Parambok or Abadi, wherever situated and used for any purpose, may, on application, be permanently settled with heritable and transferable right with the person who is in occupation of such land either on the basis of lease or otherwise for a period of at least three years prior to the

Short title
and
commence-
ment

Amendment of
section 3.

Orissa
Act 33
of 1962

appointed date, in such manner and subject to payment of such amount to the Government as may be prescribed:

Explanation:- The word 'lease' includes sub-lease or subsequent lease by the lessee or the sub-lessee, as the case may be.

(b) if any person in occupation of the land as mentioned in clause (a) fails to apply under the provisions of the said clause within a period as may be prescribed from the date of publication of the Orissa Government Land Settlement(Amendment) Act, 2009 in the Official Gazette for settlement of such land, he shall be summarily evicted in the manner prescribed and such land shall be resumed by the Government ; and

(c) the amount and rent payable to Government for such settlement through the Tahasildar concerned shall be recovered as arrear of land revenue, if the occupant fails to pay the same at the time of settlement.

Explanation:- For the purpose of the sub-section the expression "appointed date" shall mean the date of commencement of the Orissa Government Land Settlement (Amendment) Act, 2009.", and

(iii) after sub-section(4), the following sub-section shall be inserted namely:-

“(5) Government shall, from time to time, determine the maximum extent of land to be settled with any person under the provisions of this Act, for different purpose”.

By Order of the Governor

Sd/-

B.K.NAYAK

Principal Secretary to Government