

**GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

No.GE (GL)-S-26/2013- 10241 / R&D.M Dated 31.03.14

From

Dr. Taradatt, IAS,
Additional Chief Secretary to Government

To

All Collectors

Sub: Instructions regarding direct purchase of private land for social/infrastructure development projects through bilateral negotiation- Modification thereof

Ref: - This Department G.O No. 26223/ R&DM dated 6.7.2013

Madam/ Sir,

I am directed to say that guidelines regarding direct purchase of private land for social/infrastructure development projects were laid down in this Department G.O. referred above. Subsequently, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLAR&R) Act, 2013 has come into force w.e.f 01.01.2014 wherein a new method for computation of market value of land has been prescribed.


1. Government after careful consideration revises its guidelines issued earlier vide Letter No. 26223/ R&DM dated 06.07.2013 regarding direct purchase of private land as under:
 - (a) Private land up to an extent of 10 hectares can be purchased in a revenue village.
 - (b) Officers authorized to file requisition under RFCTLAR&R Act, 2013 are the Competent Authorities to purchase land under these guidelines.
 - (c) Market value of the land shall be assessed as per the provisions of Section 26 to 30 of RFCTLAR&R Act, 2013. Compensation as admissible in

respect of building and other structures under the said Act shall be payable.

- (d) Legal due diligence like obtaining non-encumbrance certificate from concerned revenue Authority and establishment of a clear title of the seller over the land should be arrived at before purchase of the land.
 - (e) Care should be taken to ensure that suitable compact patches of private land are identified for location of different projects in a cluster.
 - (f) The suitability of the land for the development projects, accessibility through public road and other facilities like drinking water etc. should be ascertained.
 - (g) In case of land belonging to Scheduled Caste/Scheduled Tribe persons in non-scheduled areas and in case of land belonging to Scheduled Caste persons in scheduled areas, permission shall be obtained from the competent authority. However, in scheduled areas, land belonging to Scheduled Tribes shall not be purchased as the same is prohibited by law.
 - (h) No negotiation/transaction shall be made with intermediaries/power of attorney holders. Transaction shall be made only with bona fide owners of the land.
 - (i) Land purchased under these principles shall be allowed to be registered without any payment of stamp duty and registration fee.
 - (j) After purchase and registration of the land, the competent authority of concerned Department/Organization shall take immediate steps for mutation of the same.
 - (k) Budget provisions made for acquisition of the land can be utilized for purchase of private land through bilateral negotiation under these principles.
2. The aforesaid principles would be applicable to any Government project/scheme. The Public Sector Undertakings may also adopt these principles, if felt necessary.

3. This has been concurred in by the Finance Department vide their UOR No. 249/ MF&PE dated 25.03.2014.
4. The earlier instruction issued in this Department Letter No.GE (GL)-S-26/2013-26223/R&DM Dated 06.07.2013 is superseded.

Yours faithfully,

 31.3.14

Additional Chief Secretary to Government

Memo No. 10242 / RDM dated 31.03.14

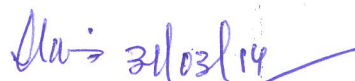
Copy forwarded to all Departments of Government/ Secretary, Board of Revenue, Odisha, Cuttack/ All RDCs for information and necessary action.

 31.3.14

Additional Chief Secretary to Government

Memo No. 10243 / RDM dated 31.03.14

Copy forwarded to Under Secretary to Govt. (in charge of IMU Cell)/ LR & GE (A)/ (B)/(C)/ LA (A)/ (B)/(C)/ R&R Cell/ LR (A)/ (B)/ Registration Branch/ CH&S Branch of Revenue & DM Department for information and necessary action.

 31.03.14

Joint Secretary to Government