

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. GE (GL) –S- 13/2017- 13826 / R&D.M Dated 28-04-17

From

Dr. C.S Kumar, IAS,
Principal Secretary to Government

To

All Collectors

Sub- Resumption of leased out government land which are remaining unutilized for more than three years from the date of settlement

Madam/ Sir,

I am directed to say that under clause (b) of section 3-B of the OGLS Act, 1962 as substituted by OGLS (Amendment) Act, 2013, any officer authorized under clause (e) of section 3 may resume any land settled by him, if he has reasons to believe that the person, other than homesteadless person or landless agricultural labourer, has not used the land for a period exceeding three years from the date of such settlement and impose a penalty of an amount not exceeding one thousand rupees on such person. The word 'person' has also been defined in clause (b-2) of section 2 of the Act as amended vide OGLS (Amendment) Act, 2013.

2. The second proviso to the aforesaid clause further provides that any land settled prior to the commencement of the OGLS (Amendment) Act, 2013, if not used within a period of three years from the date of such commencement, the authorized officer shall resume such land. Thus, the OGLS (Amendment) Act, 2013 provided for a grace period of three years from the date of commencement of the Amendment Act in case of lands settled prior to such commencement. The OGLS (Amendment) Act, 2013 came into force w.e.f 13th November, 2013. So, the grace period has lapsed from 12th November, 2016. Similarly, the settlements made up to the end of March, 2014 have also completed three years as of now.

3. Thus, any government land settled up to the end of March, 2014, except the settlements made in favour of homesteadless persons and landless agricultural labourers, is liable for resumption as per the provisions of the OGLS Act, 1962 if such land is not being used for the purpose for which it was settled.

4. Recently, the Departmentally Related Standing Committee- X of the Odisha Legislative Assembly in their Fourth Report have recommended to the State

Government that government land leased out by this Department on 99 years lease or otherwise to government institutions/ private institutions/ individuals which are not used for the purpose for which it was leased out should be resumed by the Department and such recommendation has been accepted by Government.

5. In view of the aforesaid provision of OGLS Act, 1962 and in consideration of the recommendation of the Departmentally Related Standing Committee- X, Government have been pleased to direct that a detailed survey in respect of the settlements of government land made up to the end of March, 2014 may be taken up at the earliest and necessary steps be taken to resume such land under the provisions of the OGLS Act, 1962 if the 'person', other than a homesteadless person or landless agricultural labourer, with whom the land was settled has not used the land for a period exceeding three years from the date of such settlement.

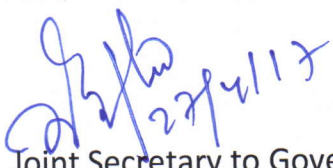
All field level revenue functionaries may be intimated accordingly.

Yours faithfully,


Principal Secretary to Government

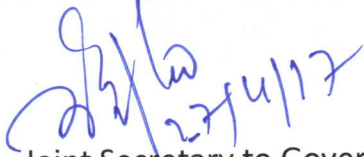
Memo No. 13827 / RDM Dated 28-04-17

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


Joint Secretary to Government

Memo No. 13828 / RDM Dated 28-04-17

Copy forwarded to Deputy Secretary to Government (in charge of IMU Cell)/ all seats of LR&GE (A)/ (B)/ (C) Branch of Revenue & DM Department for information and necessary action.


Joint Secretary to Government