

Government of Orissa  
Revenue Department

No. LR(B)-Re-I-2/2003. 16002/R.,  
Bhubaneswar, dated the 25 th. March, 2003.

From

Shri R. L. Jamuda, I.A.S.,  
Commissioner-cum-Secretary to Government.

To

All the Collectors.

Sub: Institution and disposal of cases U/s 19(1)(C)  
of O.L.R. Act, 1960.

Ref: Revenue Department Memo No. 9362 dtd. 15.2.99.

Sir/Madam,

I am directed to invite a reference to the section 19(1)(c) of the O.L.R. Act, 1960 wherein adequate provisions have been laid down on partition of holdings among the Co-sharers, raiyats on mutual agreement. It is needless to say that the said provision of the O.L.R. Act is a beneficial provision to the land owners of the joint holdings; specially small land owners who can get the R.O.R. corrected/up dated suitably in individual name and pay rent and cess separately.

2. The procedure of partition as envisaged U/s 19(1)(C) of the O.L.R. Act read with Rule 19 of the O.L.R. Rules, 1965 is very simple. The co-sharers/raiayats can make an application giving details of the land to the Revenue Officer alongwith parcels of land particulars for each co-sharer. The copies of the application and detail of land shall be submitted for service to all Co-sharers. The Revenue Officer shall make enquiry, if necessary and give reasonable opportunity to all Co-sharers to state their case. If all the Co-sharers give their consent, the Revenue Officer can allow the partition and send the detail of the land particulars to the Sub-Registrar for registration of the partition in Form NO 5-A. The registration of the partition documents is to be done free of charge as it is not subject to payment of any charges i.e. registration fee or stamp duty as clarified in this Department letter no 9357/12 dated 15.2.1999.



3. During the last four years action might have been taken in each R.I. circle of all Tahasils on the matter. Therefore, you are requested to collect specific information as regards ~~1-~~  
(i) number of cases instituted U/s 19(1)(c) of the O.L.R. Act, 1960,  
(ii) number of cases disposed of and (iii) number of cases fresh R.O.Rs have been granted to the Co-sharers etc. and submit the consolidated information of your district to this Department by 25.04.2003 positively.

4. Incidentally, the Collector, Balasore has issued a circular to all Tahasildars of Balasore district as regards action to be taken U/s 19(1)(c) of the O.L.R. Act 1960 which is self explanatory. Copy of the same is enclosed for your ready reference. Similar circular/instruction may please be communicated to all the Tahasildars of your district immediately under intimation to this Department.


5. For the coming financial year; this item of work should be given due importance and treated as a thrust area. All the Tahasildars/Additional Tahasildars should be instructed to ensure that each R.I. institutes at least 10 cases U/s 19(1)(c) of the OLR Act in each month from April, 2003 onwards. The Tahasilwise monthly target should be worked out accordingly.

6. This particular matter may also be discussed in the next Revenue Officers meeting of your district and the importance of section 19(1)(c) of the O.L.R. Act 1960, be explained to all the Tahasildars/Addl. Tahasildars.

7. As a matter of precaution for collection of all arrear revenue of the joint khata, before allowing the partition full ~~payment~~ of the arrear dues be insisted upon otherwise once the khata ~~are~~ bifurcated nobody will pay the old dues of the joint khata.

8. It is requested to take immediate ~~action~~ in this matter and the action taken on the points noted above may be intimated to this department by 10.04.2003.

Yours faithfully,

  
Commissioner-cum-Deputy Commissioner,  
to Government.