

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

\*\*\*\*\*

**No. RE-I-28/2015/ 18125 /R&D.M Dated the 10<sup>th</sup> June, 2016**

From

Dr. Mona Sharma, IAS  
Principal Secretary to Government

To

All Collectors,

Sub: Applicability of section-8-A of the OLR Act,1960 in urban areas after coming into force of the Odisha Development Authorities (Amendment) Act, 2015.

Sir,

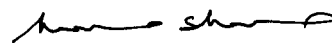
As you are aware that as per section 8-A of the Odisha Land Reforms Act,1960, the Authorised Officer allows conversion of the use of agricultural land for the purposes other than agriculture on payment of a conversion fee, if he is satisfied that such conversion shall not violate any master plan, improvement scheme, development plan or town planning. On receipt of the application for conversion, if the land is coming under any development area, improvement trust area or town planning area, the Authorised Officer refers the application to the concerned Development Authority or Town Planning Authority or Improvement Trust as per Rule 12-A of the Odisha Land Reforms (General) Rules, 1965 seeking opinion. The concerned Development Authority or Town Planning Authority or Improvement Trust furnishes its opinion within thirty days from the date of receipt of such application from the authorized officer failing which it is deemed that there is no objection of the concerned authority for conversion of the same land.

In the meantime, the Odisha Development Authorities Act, 1982 has been amended in 2015, wherein new modes of acquisition of land by Development Authorities like land pooling scheme, issue of Transferable Development Rights (TDR) etc. have been provided. Section 119 (3) of the ODA (Amendment) Act, 2015 expressly provides that "the person requiring a permission for development on a final plot, which has been recorded as agricultural land in RoR and which has been carved out and approved under the town planning scheme, development scheme or land pooling scheme or permitted under the provisions of section 16 of the Act, shall not require a written permission for conversion of the use of land for the purpose other than agriculture under the provisions of section 8A of the OLR Act,1960 and rules made thereunder, but shall pay the conversion fees at the rate provided in section 8A of that Act, which shall be credited to the Comprehensive Development Plan Infrastructure Development Fund referred in sub-section (5-a) of section 77."

In view of the above, Government, after careful consideration of the provisions of both the Acts along with the intent of the legislature, have been pleased to clarify as follows for evolving a smooth practice and procedure in implementation of the provisions of the Acts.

1. In view of the provision under sub-section (3) of section 119 of the Odisha Development Authorities Act, 1982, the conversion fees at the rate provided in section 8-A of the Odisha Land Reforms Act, 1960 shall be collected.
2. The Development Authorities shall intimate the lay out plan, the final town planning scheme duly sanctioned by Government and notified u/s 48 of the ODA Act, Development scheme or Land Pooling scheme, duly approved by the Competent Authority to the concerned Tahasildar for effecting correction of kizam from agriculture to non-agriculture.
3. The concerned Development Authorities shall also intimate if the conversion fees at the rates specified u/s 8A has been collected or not u/s 119(3) of the ODA Act. The copies of the fee collection receipts may be furnished to the concerned Tahasildar.
4. On receipt of such intimation, the Tahasildar shall initiate OLR cases and after ensuring collection of conversion fees, if not collected, shall effect correction of RoRs.
5. The kizam of land in case of private holdings shall be recorded as 'Gharabari' after conversion in the RoR. If the lands are proposed to be used for any other infrastructure development as per the above mentioned scheme, the same may be recorded as such in the RoR like road, park etc and kept in the Government Khata.
6. Any doubt in this regard shall be referred to the State Government for issue of necessary clarification.

Yours faithfully,



Principal Secretary to Government

Memo No. 18126 /RDM dated 10.6.16

Copy forwarded to Ps to ACS to Chief Minister for kind perusal of Hon'ble CM/  
PS to Minister, R&DM for kind perusal of Hon'ble Minister/ OSD to CS for kind perusal  
of Chief Secretary



Principal Secretary to Government

Memo No. 18127 /RDM dated 10.6.16

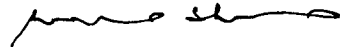
Copy forwarded to Commissioner cum Secretary to Government, H& UD Department for information and necessary action.



Principal Secretary to Government

Memo No. 18128 /RDM dated 10.6.16

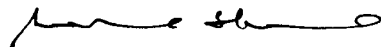
Copy forwarded to Secretary, Board of Revenue, Odisha, and Cuttack/All RDCs for information and necessary action.



Principal Secretary to Government

Memo No. 18129 /RDM dated 10.6.16

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



Principal Secretary to Government.