

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

No. R&REH - 47/10 - 25975 /R&DM, Date.17.06.11

From

Sri R.K. Sharma, IAS
Commissioner- cum- Secretary to Government.

To

All Revenue Divisional Commissioners
All Collectors
Director, Land Records, Surveys & Consolidation, Orissa, Cuttack
The Secretary, Board of Revenue, Orissa, Cuttack

Sub: Clarification on issue of RoR in respect of Resettlement and Rehabilitation Colonies.

Sir/Madam,

The matter of prescription of guidelines for issue of Record of Rights (Pattas) in respect of land to be utilized for Resettlement and Rehabilitation (R&R) Colonies for various projects was under consideration of Government for some time. After careful consideration, Government have been pleased to prescribe the following guidelines in this regard.

In respect of each project involving displacement and resettlement, the project authority shall prepare a master plan showing details of the area to be allotted in favour of the individual oustee as well as details of land required for common facilities like road, dispensary, community centre, anganabadi centre, school, nursery, places for worship, burial/ funeral ground etc. and they shall furnish the same to Project Director, R&R and in case the land acquisition is done through IDCO a copy of the same is to be furnished to IDCO. In the districts where there is no Project Director, R&R, the Land Acquisition

Officer/Special LAO, as the case may be, shall carry out the functions of Project Director, R&R for the respective project.

1. **Procedure to be followed where the sanction of lease has been made and lease executed:**

IDCO/ Project Authority, as the case may be, shall execute a deed of surrender with the lessor i.e. the Collector represented by the Tahasildar in respect of the portion of land to be utilized for houses of the displaced persons. The possession, if already taken by the lessee, i.e. Project / Authority/ IDCO, will be handed over to the concerned Tahasildar. The procedure for distribution of RoR (Pattas) in favour of displaced persons will be as laid down in Para-3.

2. **Procedure to be followed where lease of land has been sanctioned but lease deed has not been not executed :**

The sanction order issued in favour of the project authority/ IDCO will be revised keeping in view the approved master plan of the rehabilitation colony so that land required for common facilities only shall be leased in favour of the project authority/ IDCO, as the case may be. The balance land meant to be allotted in favour of displaced persons will be retained in the Government Khata (RoR). Out of this upto 0.10 decimals of land will be leased out without payment of premium afresh in favour of each displaced family. For such individual lease cases public notice inviting objections is to be dispensed with since before acquiring or alienating or leasing out the whole land for the rehabilitation colony, general notice of proclamation would have been issued and objections if any would have been heard and disposed of.

3. **Procedure to be followed in new cases where sanction will be made and there shall be construction of proposed R&R Colonies.**

The master plan of the rehabilitation colony as mentioned above has to be approved by the Collector. The land required for common facilities will be leased out in favour of the IDCO/ Project authority, as the case may. Thereafter Pattas (RoR) for the individual outstees is to be issued by the Tahasildar without payment of premium. For achieving this objective the procedure to be followed is as follows :

- i) The land where individual plots are proposed to be allotted inside the R&R colony will remain in the Government Khata and the area earmarked for common facilities will be leased out for 15 years in favour of the project authority/ IDCO. In cases where lease is sanctioned in favour of IDCO, the IDCO may sub-lease the land to the project authority.
- ii) The project authority will develop the area earmarked for individual plots as well as common infrastructure and will intimate the same to Project Director, R&R/ LAO/Special LAO, as the case may be, regarding the progress. A committee under chairmanship of Project Director, R&R with Tahasildar and representative of project authority as members will oversee the construction and maintenance of common facilities in the Rehabilitation Colony. A list of displaced families with plot numbers will be furnished by the project authority to the Project Director, R&R who will approve it before recommending to the Tahasildar for issue of Patta(RoR).

- iii) After getting the letter from the Project Director, R&R/ LAO/ Special LAO, the Tahasildar will sanction lease in favour of the displaced families. The land so leased will not be transferable for a period of 20 years without the approval of the Collector. The amount of premium paid at the time of lease by the project authority will be deemed to have been premium paid by the lessee. He/ she shall not be required to pay premium afresh, but will be liable to pay ground rent and cess at the applicable rates every year.

4. Maintenance of community assets in the R&R Colonies:

- i) The community assets in the R&R Colony such as schools, anganwadis, nurseries, health institutions, burial/ funeral grounds, play grounds etc. will be maintained by the Project Authorities for a period of at least 15 (fifteen) years or until their transfer to a government department/ agency/ local body. Respective government departments, for example, Health & Family Welfare, Youth and Sports, W&CD, Education etc. will be advised to accept the respective institutions coming under the community assets to be surrendered by the Project Authorities, wherever such arrangements are considered desirable.
- ii) Efforts will be made by the RPDAC/ R&R officer to make arrangements for taking over of maintenance of the community assets by agency concerned beyond the period of 15 years. Until transfer of asset to another agency, the project authorities will continue to maintain the assets at their cost.

- iii) On transfer of the assets to the respective government agency etc, the land relating to such asset will be alienated in favour of such agency and the revenue records will be corrected by the Tahasildar accordingly.
- iv) In case of R&R Colonies of projects directly implemented by a government department/ agencies, land alienation/ lease in favour of such government departments will be made instead of sanctioning permissive possession for areas other than individual plots assigned to displaced families in these Colonies. Remaining provisions of these guidelines will, however, be applicable in such cases also.

These guidelines may be brought to the notice of all concerned. Rehabilitation and Periphery Development Advisory Committee (RPDAC) will be the overall supervisory body for implementation of this circular. Difficulties, if any, in implementation may be brought to the notice of the undersigned.

Yours faithfully,

Sd/-

Commissioner-cum-Secretary to Government

Memo No. 25976/R&D.M. dtd. 17.06.11

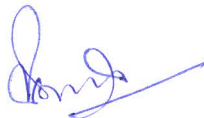
Copy to all Departments, of Government for information and necessary action.



Director, R&R & Ex-officio Addl. Secy. to Government

Memo No. 25977/R&D.M. dtd. 17.06.11

Copy to P.S to Chief Minister/ P.S to Minister, Revenue & D.M. Department for kind information of Hon'ble Chief Minister/ Hon'ble Minister, Revenue & D.M.



Director, R&R &Ex-officio Addl. Secy. to Government

Memo No. 25978/R&D.M. dtd. 17.06.11

Copy to OSD to Chief Secretary/ P.S to Development Commissioner for kind information of Chief Secretary/ Development Commissioner.



Director, R&R &Ex-officio Addl. Secy. to Government

Memo No. 25979/R&D.M. dtd. 17.06.11

Copy to CMD, IDCO/ Director (R&R), WR Department for information and necessary action.



Director, R&R &Ex-officio Addl. Secy. to Government

Memo No. 25980/R&D.M. dtd. 17.06.11

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Director, R&R &Ex-officio Addl. Secy. to Government