

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

No. GE (GL)-S-19/2017- 26316 / R&D.M Dated 9-8-17

From

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

To

All Collectors

Sub: Grant of permission for use of rivers, canals, Nala, Mahara, road etc. for construction of over- bridges by railway authorities in the State on free of premium and free of incidental charges basis but subject to payment of capitalized value of land revenue

Madam/ Sir,

I am directed to say that while laying railway lines, the railway authorities have also to construct over-bridges across rivers, canals, Nala, Mahara, road etc. for which they require permission from the revenue authorities for construction of such bridges.

2. At present, there is no policy decision of the State Government to realize or not to realize any amount from the railway authorities towards grant of permission for construction of over-bridges across rivers, canals, Nala, Mahara, road etc. In absence of any clear-cut guideline of the State Government, the field level revenue authorities are charging premium, capitalized value of land revenue and incidental charges while processing such proposals. However, such permissive use is different from lease in the sense that no right or title over the lands is given to them, only permission to use the land is given. Besides, the railway authorities cannot infringe upon the communal rights over the land and cannot obstruct the natural flow of water. Thus, it will not be appropriate to charge premium and incidental charges on permissive use of such land for construction of over-bridges.

3. Keeping the above in view, the Government, after careful consideration, have been pleased to decide as follows:-

(i) permission for use of rivers, canals, Nala, Mahara, roads belonging to the State Government etc. for construction of over- bridges by railway authorities shall be granted on free of premium and free of incidental charges basis.

(ii) however, the railway authorities shall be liable to make onetime payment of capitalized value of land revenue which is equivalent to twenty five times of the annual

ground rent and cess taken together for getting permission for using the aforesaid lands for construction of over-bridges.

(iii) The capitalized value of land revenue of the river, canal, Nala, Mahara, State Government road etc. for the above purpose shall be calculated in the following manner:-

- (a) the average of market value per acre of the government land of both sides of the bridge i.e. the land from which the bridge starts from one side and the land on which the bridge ends on the other side shall be taken as the market value of land per acre of the river, canal, Danda, Mahara, State Government road etc.
- (b) the area of the bridge for calculation of total market value of the land shall be derived on the basis of width and length of the railway bridge.
- (c) the annual ground rent shall be calculated at the rate of 1 per centum of the total market value of the land and cess shall be assessed at the rate of 75 per centum of the ground rent so calculated.
- (d) the capitalized value of land revenue shall be calculated by multiplying 25 into the annual ground rent and cess taken together.

(iv) Collector of the District shall be the competent authority for sanction of permissive use of the aforesaid lands in favour of Railway Authorities for construction of such over-bridges.

All concerned field level revenue functionaries may be intimated accordingly.

Yours faithfully,


Principal Secretary to Government

Memo No. 26317 /RDM Dated

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


Principal Secretary to Government

Memo No. 26318 /RDM Dated

Copy forwarded to Principal Secretary to Chief Minister, Odisha/ P.S to Minister, Revenue & DM for kind information of Hon'ble Chief Minister and Hon'ble Minister respectively.


Principal Secretary to Government

Memo No. 26319 /**RDM Dated** 9-8-17

Copy forwarded to Commissioner, Rail Coordination & Special Secretary to Government, Commerce & Transport Department for information and necessary action.


Principal Secretary to Government

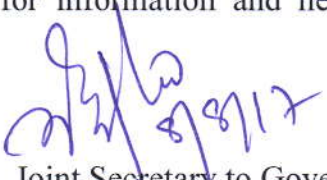
Memo No. 26320 /**RDM Dated** 9-8-17

Copy forwarded to Parliamentary Affairs Department for information with reference to their Memo No. 3834/PA dated 02.08.2017.


Principal Secretary to Government

Memo No. 26321 /**RDM Dated** 9-8-17

Copy forwarded to Deputy Secretary (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