

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

No. GE (MLKN) - 01/2012- 26333 / R&D.M Dated 17-7-18

From

Avaya Kumar Nayak, OAS (S),
Joint Secretary to Government

To

Collector, Angul/ Bargarh/ Bhadrak/ Balangir/ Cuttack/ Gajapati/
Ganjam/ Jharsuguda/ Kalahandi/ Kandhamal/ Khurda/ Koraput/
Malkangiri/ Nabarangpur/ Nuapada/ Puri/ Rayagada/ Sambalpur/
Sundargarh

**Sub: Settlement of Khasmahal, Nazul, Gramakantha Paramboke and
Abadi category of lands in the State**

Madam/ Sir,

I am directed to say that OGLS Act, 1962 was amended during the year 2009 vide Amendment Act, 2009 to the effect that any land of the category of Khasmahal, Nazul, Gramakantha Paramboke (GKP) or Abadi, wherever situated and used for any purpose, may, on application, be permanently settled with heritable and transferable right with the person who is in occupation of such land either on the basis of lease or otherwise for a period of at least three years prior to the appointed date, in such manner and subject to payment of such amount to the Government as may be prescribed. The appointed date was 26th February, 2009.

2. Accordingly, Government have made two sets of Rules i.e. the OGLS (Amendment) Rules, 2010 and the OGLS (Amendment) Rules, 2014 to prescribe the manner for settlement of such land. While the first set of Rules, where Schedule- V has been substituted, prescribe the manner for settlement of such land used for homestead purpose, the second set of Rules, where Schedule V-A has been inserted, prescribe the manner for settlement of such land used for purposes other than homestead and agriculture.

3. It has come to the notice of Government that doubts have been raised in certain quarters as to whether purely vacant GKP category of land under occupation of a person can be settled under the OGLS Rules, 1983 and if so, under which Schedule.

4. The matter was examined in consultation with Law Department. Law Department has opined that GKP category of lands not used for the purpose of homestead or agriculture which includes purely vacant lands if occupied for a continuous period of three years prior to the appointed date i.e. 26th February, 2009, shall be settled in the manner prescribed in Schedule V-A of the OGLS Rules, 1983.

5. Thus, the purely vacant GKP category of lands may, on application, be permanently settled with heritable and transferable right with the person who is in occupation of such land for a period of at least three years prior to 26th February, 2009 in the manner prescribed in Schedule V-A of the OGLS Rules, 1983. This clarification is being issued with the approval of Government.

6. However, it may be noted that clause 6 (e) of Schedule V-A provides as follows:-

“Lands used for agricultural purpose and vacant plots of land will not be settled under this rule even if such land has been validly leased out as Khasmahal or Nazul to the lessee and in such cases, steps will be taken to determine the lease for violation of terms and conditions of lease”.

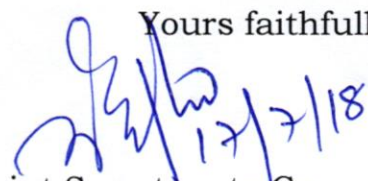
7. Hence, the Khasmahal and Nazul category of lands if lying purely vacant shall not be settled and instead be liable to be resumed.

8. Further, Government, after careful consideration, have been pleased to direct that if the total extent of Khasmahal, Nazul, Gramakantha Paramboke or Abadi category of land with the applicant exceeds fifty decimals (i.e. one-half of an acre), the settlement of such land under

Schedule- V or Schedule V-A, as the case may be, shall be made by the Collector with approval of concerned Revenue Divisional Commissioner.

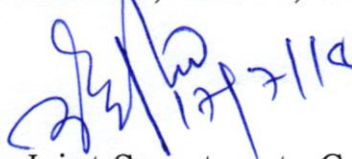
You are, therefore, requested to take appropriate action in the matter accordingly.

Yours faithfully,


Joint Secretary to Government

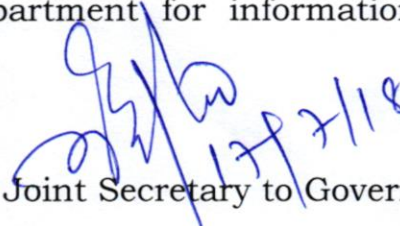
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Joint Secretary to Government

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Joint Secretary to Government