

By FAX/e-Mail

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

No. EA-I-07/2016- 39967 / R&DM, dated 20-12-16

From

Dr. Mona Sharma, IAS
Principal Secretary to Government

To

The Secretary,
Board of Revenue,
Odisha, Cuttack

Sub:-Implementation of judgment and order dated 15.12.2015 passed by Hon'ble Supreme Court of India in Civil Appeal Case No.7729 of 2009 and 7730 of 2009, 142 of 2010, 221 of 2010, 2981 of 2010, 3414 of 2010, 3415 of 2010, 3446 of 2010, 14631-14632 of 2015 and 9627 of 2010.

Sir,

With reference to the cases mentioned above Hon'ble Supreme Court have struck down the first part of the proviso to Section 2(00) of the OEA Act, 1951 which pertains to the properties of Lord Jagannath Temple at Puri and has also quashed the notification dated 18.03.1974 issued by the State Govt. under Section 3A of the OEA Act, 1951, in so far as quashing of Section 2(00) of the OEA Act, 1951 is concerned to the extent it applies to the lands and estate of Lord Jagannath Temple at Puri. It has also been clarified by the Hon'ble Court that the striking down of the first part of the proviso to Section 2(00) of the OEA Act, 1951 as mentioned above and quashing of the notification will be prospective and their judgment shall not be applicable to the settled claim of the claimants hitherto under the provisions of the OEA Act, 1951 in so far as the lands of the Lord Jagannath Temple at Puri are concerned. An extract of relevant portion of the order of the Hon'ble Supreme Court dated 15.12.2015 is quoted below.


“34. For the forgoing reasons, we pass the following order: ---

- i) xxx ...xxx
- ii) We strike down the first part of the proviso of Section 2(00) of the OEA Act, 1951, which pertains to the properties of Lord Jagannath Temple at Puri.

- iii) The notification dated 18.03.1974 issued by the State Government under section 3A of the OEA Act, 1951 in so far as point No (ii) is concerned, is also quashed by this Court, to the extent, it applies to the Lands and estate of Lord Jagannath Temple at Puri.
- iv) We make it very clear that the striking down of the first part of the proviso to section 2(00) of the OEA Act, 1951 as mentioned above and quashing of the notification referred to supra will be prospective and this judgment shall not be applicable to the settled claim of the claimants hitherto under the provisions of the OEA Act of 1951 in so far as the Lands of the Lord Jagannath Temple at Puri are concerned.
- v) XXXXXX
- vi) XXX.....XXX”

After consultation with the Law Department and upon careful examination of the judgment of the Hon'ble Supreme Court, you are requested to dispose of the claims under the O.E.A. Act, 1951 relating to the lands of Shree Jagannath Temple, Puri expeditiously, by following the aforesaid principles meticulously as decided by the Hon'ble Supreme Court in the aforesaid judgment.

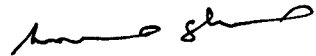
Yours faithfully,


20/12

Principal Secretary to Government

By Fax
Memo No. 39968 / R&DM, Dated 20.12.16

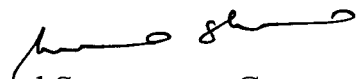
Copy forwarded to all Revenue Divisional Commissioners / all Collectors for information and necessary action.



Principal Secretary to Government

Memo No. 39969 / R&DM, Dated 20-12-16

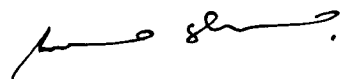
Copy forwarded to the Chief Administrator, Sri Jagannath Temple, Puri for information and necessary action.



Principal Secretary to Government

Memo No. 39970 / R&DM, Dated 20-12-16

Copy forwarded to Advocate-on-Record, Supreme Court of India, E-83, Greater Kailash Part-II, New Delhi-110048 for information.



Principal Secretary to Government