

BY FAX

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No.GE(GL)-S- 17/2012 - 45220 / R & DM. Dtd.

8/10/12

From

Dr. Taradatt, IAS
Principal Secretary to Government

To

All Collectors

Sub: Realization of capitalized value of land revenue in addition to premium in respect of Government land alienated in favour of Ministries / Departments of the Central Government.

Madam/Sir,

I am directed to say that the erstwhile Revenue & Excise Department in G.O. No. 57994 dated 4.9.1964 had communicated the decision of Government that in case of transfer of Government land to Union Government, the latter would have to pay the market value of the land which would include capitalized value of land revenue at 25 times of the annual rental. Thus, as per the said G.O., the Union Government are liable to pay market value of the land and capitalized value of land revenue which is 25 times of the annual rental at the time of alienation of Government land. The Union Government will not have to pay annual ground rent and cess. However, the G.O did not specify whether annual rental includes rent and cess or only rent.

2. Doubts have been raised in various quarters as to whether the capitalized value of land revenue would mean 25 times of annual ground rent and cess or 25 times of ground rent only.

3. The matter was examined in consultation with Law Department as well as Finance Department and this Department in Letter No. 44023/R&D.M. dated 16.11.2009 addressed to Estate Manager, DRDO, Chandipur, Balasore with copy to all Collectors vide Memo No. 44026/R&D.M. of even date, has clarified that land revenue includes the ground rent and cess and hence the capitalized value of both these items is leviable on the Central Government Organisations.

4. Even after issue of the clarification as above, various Central Government Organisations have been requesting the State Government to waive out the cess portion of the capitalized value of land revenue.

5. On the other hand, C& AG, in their various audit reports, have raised objections to non-realization of cess portion of the capitalized value from the Central Government in different Tahasils of the State by concerned revenue authorities.

6. In view of the above position, it is felt necessary to issue a general clarification to all field level revenue functionaries to settle the issue.

7. In this context, Government, after careful consideration, have been pleased to clarify as follows:-

i) The Central Government Ministries / Departments are liable to pay capitalized value of land revenue, which is equivalent to 25 times of annual ground rent and cess in addition to premium of the Government land being alienated in their favour for execution of various projects.

ii) In cases where the Central Government Ministries/ Departments have been allotted Government land on payment of capitalized value of land revenue which included 25 times of annual ground rent only by way of sanction orders issued by competent authorities on or after 16.11.2009 i.e. the date on which the earlier clarification was issued by this Department, cess portion of the capitalized value may be realized from such Ministries/Departments as arrear of land revenue.

iii) The cases where lease/alienation has already been sanctioned by competent authority before 16.11.2009 by realizing capitalized value of land revenue, which included 25 times of annual ground rent only, need not be re-opened.

iv) Payment of capitalized value of land revenue will be applicable in cases of alienation of Government land only in favour of Ministries/Departments of the Central Government. However, the Undertakings/ Organizations/ Corporations/ autonomous bodies under Central Government will have to pay the annual ground rent and cess in addition to premium in case of transfer of Government land in their favour.

8. All concerned field level revenue functionaries may be informed accordingly.

Yours faithfully,


6.10.12

Principal Secretary to Government

FAY

Memo No. 45221

/R&D.M. dtd.

8/10/12

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

Handwritten signature
6.10.12

Memo No. 45222

/R&D.M. dtd.

8/10/12

Principal Secretary to Government

Copy forwarded to all Sub-Collectors/ all Tahasildars for information and necessary action.

Handwritten signature
6.10.12

Principal Secretary to Government

Memo No. 45223

/R&D.M. dtd.

8/10/12

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

Handwritten signature
6/10/12

Memo No. 45224

/R&D.M. dtd.

8/10/12

Joint Secretary to Government

Copy forwarded to OIC, IMU Cell/ LR & GE(A)/(B)/(C)/Budget (B) Branch of Revenue & D.M. Department for information and necessary action.

Handwritten signature
6/10/12

Joint Secretary to Government