

Government of Orissa  
Revenue Department  
No. LA(C)-5/2003 (Misc) 49451/R.,  
Bhubaneswar, dated, the 21st Oct. 2003.

From  
Sri R.L.Jamuda, IAS  
Commissioner-cum-Secretary to Government.

To  
All Collectors  
All Special Land Acquisition Officers

Sub : **Payment of Land Acquisition Compensation amount in respect of the lands belonging to different Hindu Religious Institutions.**

Sir,

I am directed to invite reference to the subject mentioned above and to say that it has come to the notice of Government that Land Acquisition Officers are seeking clarification from Commissioner of Endowments with regard to the person to whom compensation will be paid in respect of lands of different Hindu Religious Institutions acquired for various projects. This results in delay in making payment of compensation.

2. In this regard, it is clarified that all Hindu Religious Institutions are presumed to be public unless the contrary is proved. Therefore, the compensation money in respect of lands belonging to different Hindu Religious Institutions should be paid to the persons authorized by the Commissioner of Endowments, Orissa irrespective of the fact of recording of any person as Marfatdar in the R.O.R., as mere entry in the R.O.R can not establish the fact of one being Marfatdar.

3. However, Commissioner of Endowments, Orissa has no control over the Institutions and no authority to nominate any person to receive the compensation amount in respect of Institutions which are declared as private by the Asst. Commissioner/Addl. Asst. Commissioner of Endowments to be private as per provision of Section 41 of OHRE Act, 1951 and the said declaration has reached finality.

4. It is, therefore, requested that before making payment of compensation to the persons other than authorized by the Commissioner of Endowments, Orissa due care should be taken by the L.A.O. to see that the deity, its property and money are declared as private as per provision of Section 41 of OHRE Act, 1951 and the said declaration has reached finality.

5. The above instruction should be scrupulously followed while making payment of L.A. compensation in respect of lands belonging to Hindu Religious Institutions.

Yours faithfully,

Sd/-

Commissioner-cum-Secretary to Government