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Principal Secretary to Government,
Revenue and Disaster Management
Department



Shri Deoranjana Kumar Singh, IAS
Commissioner cum Secretary to
Government,
Panchayati Raj and Drinking Water
Department.

No- RDM-LRA-MISC-0011-2017 - 61 /R&DM. Date- 1/1/18

To
All Collectors (DMF Districts).

Subject-Purchase of private land to provide housesites to the eligible homesteadless families selected under rural housing schemes like BPGY (Mining) and PMAY-G.

Sir,
It is to inform you that project Basundhara is flagship programme of the Government of Odisha under which homesteadless families in rural area are provided with the homestead land up to ten(10) decimals.

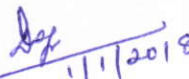
The allotment of homestead land to rural homesteadless families is a continuous programme. Instructions have been also issued vide Letter No-30681 dt.13.08.2013 by the Government in Revenue & DM Department to purchase private land for distribution among eligible homesteadless families in case the leasable Government land is not available.

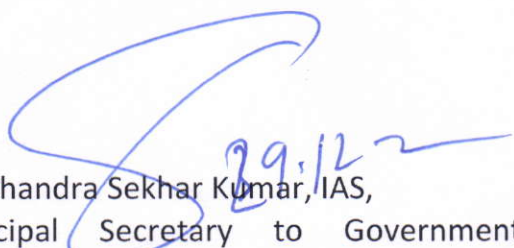
Instances have come to notice of the Government that homesteadless families selected under rural housing schemes like BPGY (Mining) and PMAY-G are unable to construct their houses as they don't possess any homestead land. If allottees under the rural housing schemes are eligible homesteadless families and are encroaching the leasable Government land, expeditious steps shall be taken to settle the same in their favour.

In case the allottee is a homesteadless family and unable to construct his house due to non-availability of homestead land, the collectors shall utilize the funds available at their disposal under DMF for purchase of private land for distribution among the homesteadless beneficiaries selected under rural housing schemes following the guidelines as stipulated in the letter No-30681 dated 13.08.2013 of the Government in Revenue & DM Department (copy enclosed).

This may please be treated as **urgent**.

Yours sincerely ,


Shri Deoranjana Kumar Singh, IAS,
Commissioner cum Secretary
to Government,
Panchayati Raj and Drinking Water
Department.


Dr. Chandra Sekhar Kumar, IAS,
Principal Secretary to Government,
Revenue and Disaster Management
Department.

By Post / E-mail

(77)

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No.Ag-08/2013(pt.)- 30681 /R & DM, Dated 13.08.2013

To: S.S. Bhuyan
Joint Secretary to Government

All Collectors

Sub: Guidelines regarding direct purchase of private land from the sthitiban ~~tenants~~ and distribution of the same among homesteadless families @ Ac.04 decimals in the villages where no leasable Government land is available for distribution.

Madam / Sir,

I am directed say that as per the decision taken in the ADM's Conference held on 08.05.2013, it was proposed that Government would purchase private land and distribute the same to the eligible homesteadless families where no leasable Government land is available for distribution.

Now Government have been pleased to approve the guidelines regarding direct purchase of private land from the sthitiban ~~tenants~~ and distribution of the same among homesteadless families @ Ac.04 decimals. A copy of the said guidelines duly approved is enclosed for your reference and further guidance.

You are, therefore requested to furnish detailed proposal containing requirement of funds in respect of your district for purchase of private land for distribution among eligible homesteadless families as sought for vide this Department letter No. 16143/R&DM dated 02.05.2013 and subsequent reminder No. 23673/R&DM dated 21.06.2013 and D.O. No. 28505/R&DM dated 26.07.2013 to this Department early for taking further follow up action in the matter at this end.

This may be treated as Extremely Urgent.

Yours faithfully,

 13.8.2013
Joint Secretary to Government

Memo No. 30682 / R&DM dated 13.08.2013

Copy alongwith copy of the guidelines duly approved forwarded to the Secretary, Board of Revenue, Odisha, Cuttack / All RDCs for information and necessary action.

 13.8.2013
Joint Secretary to Government

Memo No. 30683 / R&DM dated 13.08.2013

Copy alongwith copy of the guidelines and Memorandum duly approved forwarded to the F.A.-cum-Addl. Secretary to Government of this Department for information and necessary action.

 13.8.2013
Joint Secretary to Government

Subelines regarding direct purchase of private land from the sthitiban tenant and distribution of the same among homesteadless families @ Ac. 0.04 dec. in the villages where no leasable Government land is available for distribution. (76)

1. Introduction.

Rich or poor, a piece of land provides a psychological security and economic filip for the land owner. An affluent person will relate land to his social status, but for a poor it is the source of his survival. The main objective of 'VASUNDHARA' Project is to provide homestead land to the homesteadless families in the State as a means of amelioration of the downtrodden.

2. Objective of the Scheme

The management of land and its distribution to the needy persons are the foremost responsibilities of the Revenue & Disaster Management Department. Government land up to the extent of four decimals was provided free of premium to each homesteadless family for house site purpose since 1974-75. At present, the extent of land to be distributed has been enhanced to Ac. 0.10 decimals vide Revenue & D.M. Department letter No. 28733 dated 3.7.2008. Vigorous attempts are being made from the highest level of Government down to the field level to expedite the implementation of this important work. According to the survey, it is evident that 1,49,266 No. of homesteadless families are found eligible for homestead land as on 01.04.2012. Out of these 1,15,827 No. of beneficiaries have been distributed with homestead land as on 30.04.2013. It is also revealed that there are 22,923 homesteadless families of different districts who could not be provided with homestead land due to acute shortage of leasable government land in those areas, where the beneficiaries belonged to. To tide over the situation, it has been contemplated to purchase the private land from the sthitiban tenants and distribute the same to those beneficiaries.

3. Eligibility of beneficiaries

The homesteadless families who hold no other land in any capacity whatsoever and include the heirs of that persons and whose annual income does not exceed Rs. 24,000/- as defined under Orissa Government Land Settlement Rules, 1983 vide this Department Notification No. 12948/R&DM dated 22.03.2011 shall be eligible to get homestead land.

3.1 Priority for selection of beneficiaries.

While the programme lays stress on homesteadless families in rural area, it is necessary to further focus and prioritise on homesteadless families belonging to ST, SC, Physically Handicapped, Minority Communities, Women and others.

3.2 Identification of potential beneficiaries.

The local Tahasildars, Revenue Supervisors and Revenue Inspectors shall furnish a list of beneficiaries village-wise eligible for homestead land as per the criteria in para.3 & 3.1. The same should be checked by the respective Sub-Collectors and finally approved by the District Collectors. In case of falsification of figures, the concerned officials shall be held liable. District Collectors must involve the field level functionaries of Blocks, Tahasils and other line Departments of their districts for proper identification of actual homesteadless families in revenue villages. The antecedents of those persons such as name of other family members, period of occupation of land, kissam of land occupied, whether the land is leasable or settleable etc. should also be furnished. Since revenue collection season is over, Revenue Administration Machinery should be galvanized on war footing for accomplishment of this philanthropic work.

4. Suitability of land

It is clarified that land to be purchased under the Scheme must be suitable for homestead purposes. The land must be in a location near to the existing habitations to which the beneficiaries shall agree to inhabit which should be drained year-round and has access to sources of water. The land shall not be in geographically hazardous locations or in locations prone to river erosion or other similar natural calamities. All land purchase shall comply with the above requirements.

4.1 Cluster Approach for settling families.

It should be attempted that the land to be purchased is large enough to provide homestead plots of four decimals each to a minimum of 10 to 15 families with provision to provide basic amenities like drinking water, sanitation etc. However, where the number of eligible families is less, the size of land to be purchased may be decided accordingly.

5. Land allocation process

74

5.1 Land Price

The Collector shall adopt the land value as specified in the Indian Stamp Act, 1899 and Indian Registration Act, 1908 for the registration of sale deeds in the area where the land is situated.

5.2 Land allocation

Land allocation process has three parts; (i) Preliminary identification of potential beneficiaries and finalization of beneficiary list, (ii) land identification and purchase and (iii) settlement of homestead land in favour of the beneficiaries.

(i) Preliminary identification of potential beneficiaries

Before identifying land for purchase, the LPD Committee shall finalise the list of potential beneficiaries following the procedure as mentioned in section 3.1 and 4.

(ii) land identification and purchase

- (a) The District Collector shall not advertise the purchase of land till the list of beneficiaries is finalized and approved by the LPD Committee following the procedure set forth in Section 3.1 and 4.
- (b) Selected beneficiaries may also recommend to the local Tahasildar (member of the LPD Committee) for purchase of land. Often such beneficiaries may be aware of suitable land in the vicinity that might be offered for sale. If selected beneficiaries recommend land for purchase, this is especially helpful since it also signals that the beneficiaries would likely be willing to use such land for homestead purposes.
- (c) The District Collector shall advertise in the local newspapers and offices in the locality inviting offers from willing land sellers for purchasing land after the finalization of the potential beneficiaries list. Anyone willing to sell land must write to the LPD Committee declaring that the land belongs to him and he is in possession of the said land with supporting documents like Sale Deed or copy of the ROR.
- (d) The LPD Committee shall conduct physical verification of the land in order to confirm that the land is dry, not rocky free from river erosion and suitable for homestead purposes. The land should be free from any dispute and is accessible to public road.

(e) Once the LPD Committee is satisfied on all the above points and the consent of the selected beneficiaries for the land is obtained, only then the District Revenue Officer shall place the matter before the Committee alongwith the following papers.

1. Beneficiary list according to priorities as per the Section 3.1 above.
2. Declaration of the willing seller.
3. Certificate of the District Revenue Officer to the effect that the land satisfies the criteria as in Section 4 above.

5. Formation of Committee for Purchase and Distribution of Land

6.1 The programme implementation Committee shall be named as Land Purchase and Distribution (LPD) Committee.

6.2 The LPD Committee will be empowered to approve the beneficiaries, the land purchase, recommend to the District Collector for purchase of land, take action for initiating infrastructural and livelihood convergence process and regularly monitor the process of implementation. The Members of the LPD Committee shall be as follows.

- | | | | |
|------|--|---|--------------------|
| i) | Additional District Magistrate | - | Chairman |
| ii) | Sub-Collectors(in case of more than one Sub-Division) | - | Members |
| iii) | Block Development Officers | - | Members |
| iv) | Tahasildars | - | Members |
| v) | District Sub-Registrar | - | Member |
| vi) | Sub-Registrars | - | Members |
| vii) | District Revenue Officer | - | Member
Convener |

6.3 The LPD Committee shall meet as convened by the District Revenue Officer to consider and take action as per the following

- i) Approval of the list of beneficiaries as per priorities set in Section 3.1.
- ii) Approval and recommendation of the land purchase to the District Collector.
- iii) Physical inspection of the land

- iv) To get the Declaration signed by the land seller agreeing to agreed price.
- v) To initiate actions for convergence of the schemes for line Departments of the State Government for providing basic amenities and support for development of the homestead land.
- vi) To monitor the progress of implementation of land allocation.
- vii) Any other relevant action to be taken in this regard.

6.4 Once the LPD Committee approves the list of beneficiaries and recommends the same to the District Collector to that effect, the District Revenue Officer shall immediately send the following papers to the District Collector for his final approval and signature of the cheque. The papers to be sent by the District Revenue Officer are as follows :

- i) Approved beneficiary list, indicating for each family, priority number according to criteria in Section 3.1;
- ii) Written confirmation by the beneficiaries to the effect that they have visited the land and consented to live on the said land;
- iii) Declaration of the willing land seller;
- iv) Certificate by the District Revenue Officer to the effect that the land satisfies the criteria as in Section 4 above;
- v) Approval of the LPD Committee for land purchase;
- vi) The Title Deed (*Dali*) and ROR(*Patta*) if any in favour of the seller.

The Collector on being satisfied with the papers submitted before him/her by the District Revenue Officer and the Chairman (ADM) of the LPD Committee shall sign the Account Payee Cheque indicating the value of land as per the land value specified in Indian Stamp Act, 1899 and Indian Registration Act, 1908 for registration of Sale Deeds in the area where the land is situated.

Upon receipt of the cheque, the District Revenue Officer shall get the Purchase Deed for the land registered in the name of Government of Odisha and the payment shall be made by him to Account Payee Cheque only to the owner-cum-seller of the land. The District Revenue Officer while being present in the District Sub-Registrar's Office shall personally hand over the cheque to the seller and obtain receipt thereof.

No registration fees or stamp duty shall be required as this is a transaction in favour of Government of Odisha. Land so purchased shall be maintained in a register of the concerned Tahasil Office with specific entry of the deed number and date of registration. The District Revenue Officers will file a mutation case before the concerned Tahasildar, who shall mutate the purchased land in favour of the Government of Odisha on the basis of the said deed and then the mutated land shall be brought to the Abada Jogya Anabadi Khata.

7 Land Settlement (distribution)

7.1. The District Revenue Officer shall conduct the land settlement process which shall be made on permanent basis. The Deed of settlement should be in the name of husband and wife jointly. The Deed of settlement should be executed in triplicate with one copy to be retained in the concerned Tahasil Office, the second in the District Collector's Office and the third one with the beneficiary. The Deed of settlement should be signed by the District Revenue Officer on behalf of the Governor.

After mutation of the purchased land and entry in the Abada Jogya Anabadi Khata, the beneficiaries shall apply for settlement of Government land in the prescribed form under the OCLS Act & Rules. After observation of the statutory formalities, the land will be settled with the homesteadless families. Then the Tahasildar will send lease case records to the Sub-Collector for confirmation. After confirmation, the copy of the ROR and sketch map showing the area are to be provided to each such beneficiary. The concerned Tahasildar shall cause the boundaries of the land to be physically demarcated on the spot in presence of the allottee and shall ensure physical possession of the land to each allottee along with the possession certificate.

7.2. The settlement of land is conditional and the beneficiary is not allowed to transfer the land in any manner but it is heritable. In case the beneficiary does not settle the allotted land within a period of three years from the date of execution of Patta or violates the terms and conditions of settlement, the Government may cancel the Deed of Settlement through a procedure as may be prescribed and allot the same land to other suitable beneficiary under the Scheme following the priorities set in Section 3.1.

7.3 Section 6A of the OLR Act, 1960 provides for temporary ban on transfer of land settled by the Government. The ban period of ten years should be amended. The experience shows that after the ban period is over, the homesteadless and landless families are transferring the land and thus become homesteadless / landless. Hence the land settled with the homesteadless families should not be allowed to be transferred in any manner which should be non-transferable but heritable.

7.4. No premium shall be charged for such settlement under this scheme. All records shall be maintained in accordance with the Orissa Government Land Settlement Act & Rules for this purpose. No land revenue is payable but cess and other charges are payable. If any agricultural land is purchased from private persons/ willing sellers, no conversion premium is payable by the beneficiaries for conversion in to 'Gharabari' kissam of land allotted.

8. Shifting of beneficiaries to allotted plots

While allocation of land in itself is a very important step for implementation of the scheme, experience shows that ensuring availability of basic amenities and other additional support on site are helpful in shifting of beneficiary families to allotted plots. This has to be ensured through converged support from other Departmental Schemes for poor families. Multi Departmental efforts need to be drawn at State, District and Block level and executed from Block level.

- (i) Indira Awas Yojana, Mo Kudia or through other existing Government Schemes;
- (ii) MGNREGS support for constructing house and development of land;
- (iii) Internal road to each house hold;
- (iv) Sanitary toilet to each house hold;
- (v) Drinking water facility;
- (vi) Street lights;
- (vii) Micro credit support to women's self-help group for group enterprises based on inherent skills of group members.

All these above inputs should be made available by the line departments of the State Government. Therefore, it becomes imperative to make efforts to converge the above and similar activities of these institutions in favour of the beneficiaries.

9. Monitoring and Evaluation of the Scheme

9.1. The land allocation to all homesteadless families in the rural areas in the Districts under the above scheme should be completed by the end of December 2013.

9.2. The LPD Committee should monitor the progress of the scheme at the Tahasil and district level on monthly basis.

9.3. Similarly, the District Collector shall review the Scheme on monthly basis to ensure its timely implementation.

9.4. The District Collector shall send his recorded comments on the monthly progress report to the Board of Revenue, Odisha as well as to Government in Revenue & D.M. Department.

9.5. The Secretary of Revenue & D.M. Department shall take up Review Meeting in this regard as and when necessary.



(Dr. Taradatt)

Additional Chief Secretary