

GOVERNMENT OF ORISSA  
REVENUE DEPARTMENT

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No. 7530 / Dated, 28.2.06  
RE-I-5/05.

From

Shri S.N.Das, ,  
Joint Secretary to Government.

To

The Collector, Subarnapur.

**Sub : Clarification regarding contravention of section 34 of O.C.H. & P.F.L. Act for partition under section 19(1) (c) of O.L.R. Act.**

Sir,

I am directed to invite a reference to your letter No. 5729 dt.11.8.05 on the above noted subject and to say that the powers of Revenue Officer to effect partition under section 19(1)(c) of O.L.R. Act 1960 is abated consequent upon publication of notification under section 3(1) of O.C.H. and P.F.L. Act in respect of the concerned village. The consolidation courts are empowered to effect such partition under section 7 of O.C.H & P.F.L Act 1972 till publication of notification under section 41(1) or 5(1) of the Act as the case may be.

Keeping in view the provision contained under section 34 (1) of OCH and PFL Act , 1972 which prohibits fragmentation of agricultural land, it is clarified that the Revenue Officer can take up partition under section 19(1)(c) of the OLR Act in respect of a village where notification under section 41(1) of the OCH and PFL Act has been published, subject to condition that the partition so allowed should not create a fragment of agricultural land as defined under section 2(m) of OCH and PFL Act.

In case of Subarnapur District while allowing partition it shall be ensured that no fragmentation of agricultural land held by a land owner by himself or jointly with others comprising an area which is less than two acres is allowed as per the provision under section 2(m) (ii) of OCH and PFL Act.

This may be brought to the notice of all the field functionaries accordingly.

Yours faithfully,

  
Joint Secretary to Government

Memo No. 7531 /Dt. 28.2.06

Copy forwarded to All Collectors except Collector, Subarnapur for information and necessation.

Memo No. 7532 /Dt. 28.2.06 Joint Secretary to Government

Copy forwarded to Land Reforms Commissioner, Orissa, Cuttack/ Secretary, Board of Revenue Orissa, Cuttack /All Revenue Divisional Commissioners for information and necessary action.

Joint Secretary to Government

Memo No. 7533 /Dt. 28.2.06

Copy forwarded to Co-ordination (B) Branch/ CH & S Branch/ LR(B) Branch for information.

Joint Secretary to Government