



No. **21643** / ACSR&DM, Date **16 JUN 2023**
No. RDM-LRGEA-CLRFIC-0001-2023

To
All Collectors.

Sub: Clarification regarding change of classification of land in the Record of Rights.

Ref: - Letter No. 4822/CS dated 12.02.2015 issued under the signature of Chief Secretary, Odisha


Madam/ Sir,

I am directed to say that clarification regarding how to ascertain the status of the land as forest or non- forest where the Hal RoR has been published after 25.10.1980 i.e. the date of coming into force of the Forest (Conservation) Act, 1980, has been issued vide the letter under reference.

2. In the said G.O. it is clarified that "*where the present RoR has been published after 25.10.1980, the old RoR may have to be referred to find out the forest land required to be diverted for non-forest purpose and Forest Diversion Proposal (FDP) is required to be processed accordingly. If old RoR is not available in cases where RoR is published after 25.10.1980, the status of land classified as 'forest' as on 25.10.1980 needs to be ascertained as per the current RoR and other records available with Tahasildar while preparing FDP.*"

3. Further, the Secretary, Board of Revenue, Odisha, Cuttack vide letter No. 1486/Rev. dated 10.08.2022 has given instruction to verify forest kizam status of suit land as on 25.10.1980 before processing lease/ alienation case records.

4. However, reports are being received at Government level from different districts that in some cases where current RoR (i.e. Hal RoR) has been published after


16/6/23

25.10.1980, the corresponding Sabik records are not available. So, the district revenue authorities are unable to ascertain the status of the land as on 25.10.1980.

5. The G.O No. 4822/CS dated 12.02.2015 clarifies that if old RoR is not available in cases where RoR is published after 25.10.1980, the status of land classified as 'forest' as on 25.10.1980 needs to be ascertained as per the current RoR and other records available with Tahasildar while preparing FDP. Doubts have been raised in different quarters as to which other records are to be verified in those cases.

6. In this context, the Government, after careful consideration, have been pleased to clarify that in the case where the Hal RoR of a government land has been published after 25.10.1980, the Tahasildar shall verify the following conditions and if all the three conditions are satisfied, then Forest Diversion Proposal shall not be required for lease/ alienation proposal in respect of the said land,-

(a) the Hal RoR is non-forest in kisam,

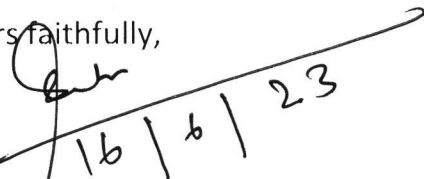
(b) the corresponding Sabik records are not available,

(c) the land does not find place in the District Level Committee Report which formed the basis for the affidavit filed by the State Government before the Hon'ble Supreme Court of India in WP (C) No. 202 of 1995 (T.N. Godavarman Thirumulkpad Vs Union of India and others).

7. Where the Sabik record is not available and the above three conditions are satisfied, the Tahasildar shall certify in the Case Record that the Sabik record is not available and he shall process for lease/ alienation of the land on the basis of Hal records.

You are, therefore, requested to take appropriate action in the matter accordingly.

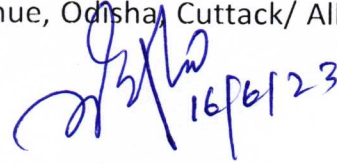
Yours faithfully,


16 / 6 / 23

Additional Chief Secretary to Government

Memo No. 21644 /R&DM Dated 16 JUN 2023

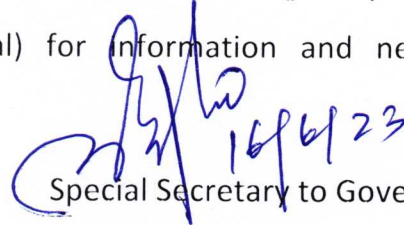
Copy forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ All RDCs for information and necessary action.



Special Secretary to Government

Memo No. 21645 /R&DM Dated 16 JUN 2023

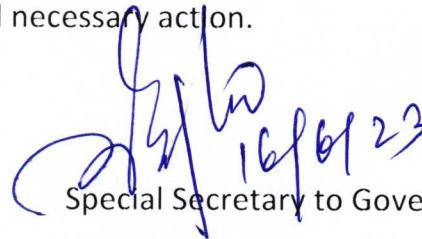
Copy forwarded to Forest, Environment and Climate Change Department/ Principal Chief Conservator of Forests (Nodal) for information and necessary action.



Special Secretary to Government

Memo No. 21646 /R&DM Dated 16 JUN 2023

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Special Secretary to Government