

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. RDM-CHS-POLICY-0042-2019- 5269 /R&DM dated 26 FEB 2024

From

Sri Satyabrata Sahu, IAS
Additional Chief Secretary to Government

To

All Revenue Divisional Commissioners
Director, Land Records & Survey, Odisha, Cuttack
All Collectors

Sub: Updation of RoR as a Special Drive.

Madam/Sir,

I am to say that updation of map and record-of-rights is the primary responsibility of Tahasildar. Tahasildar is mandated under section 16 of O.S.&S. Act, 1958 to keep the record-of-rights up-to-date. Para 17(1)(b) of the Odisha Mutation Manual mandates Tahasildar to institute a mutation proceeding and update the record-of-rights on a report furnished to him by any of his subordinates. Para 19 of the Manual provides that at the time of collection and other miscellaneous revenue works, Revenue Inspectors shall make all endeavour to ascertain the changes that entail correction of the map and record of rights for updation. Tahasildar is to take cognizance of all prima facie mutation cases which come to his notice while engaged in other duty.

In Odisha, record-of-rights were prepared and finally published between 1960 and 2013. In many cases, there has been no further revision settlement. In between, more than two generations have passed; so in many cases, these record-of-rights may not reflect the field reality. They may contain the names of the predecessors of the present tenants in Column 2 of the record-of-rights. There may be joint holdings in record-of-rights in the name of the tenants who are dead long ago. In some old cases, the tenants have not approached Tahasil for mutation after purchase of land and thus, land records may have not been updated. In such cases where land records are not updated, the actual tenants are facing problems in availing formal credit from Banks, housing loan, benefits from many Government welfare schemes due to requirement of elaborate documentation for not having their names in record-of-rights. They also face difficulties in obtaining various miscellaneous and Caste certificates.

After death of the recorded tenants, the names of their legal heirs/ successor-in-interest can be substituted in column-2 of the record-of-rights on the grounds of inheritance and thus record-of-rights can be updated by concerned Tahasildar. The provision U/S 19(1)(C) of Odisha Land Reforms

Act 1960 read with Rule 19 of Odisha Land Reforms(General) Rules, 1965, land can be partitioned among all co-sharers on the basis of mutual consent. In this process, the record-of-rights can be also updated by separately recording in the name of present tenants.

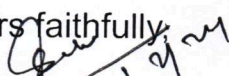
The letter No. 31999 dated 21.09.2022 and letter No. 34126, dated 07.10.2022 of this Department elaborately dealt with the procedure to update the record-of-rights. **Tahasildar /Additional Tahasildar were asked to dispose of at least 100 partition cases under section 19(1)(C) of Odisha Land Reforms Act 1960 and 100suomoto mutation cases per month for updation of RoR so as to reflect the ground reality on land records. In letter No 35874, dated 20.10.2022, instructions were also issued for holding virtual hearing through video conferencing to make the disposal under 19(1)(c) to overcome the difficulties of obtaining consent from recorded tenants who are staying outside.** Funds were also placed with you to purchase computers for functioning of Revenue courts on this score. Despite issue of such instructions, the matter has not been given due attention by Tahsildars. The matter is being viewed seriously by Govt. as absence of up to date land records create problem for the common people.

In view of the above, following instructions are issued for updating the record-of-rights:

1. There are 51727 revenue villages in the State and 2718 number of RI circles. One RI circle, on average, comprises of 20-25 villages within its jurisdiction. Hence, it is directed that RI is to collect forms/ applications for updation of record of rights by way of partition Under 19(1)(c) of OLR Act, 1960 or by way for correction of column 2 of record-of-rights for recording the name of present tenants in camp mode . For this purpose, he shall make a program for each village in such a way that he can hold camp in the concerned villages for at least 3 consecutive days for collecting applications. It is desirable that all RIs give proper prior notice to each village regarding the dates to hold camps . RI shall take sufficient number of application forms for OLR 19(1)(C) and mutation/column 2 correction with them to the camp .RI shall also take the hard copy of Jamabandi Register (register of RoR) to the village for convenience of the people.
2. On the first day of this camp, the RI will hold a meeting and make the people aware regarding the updation of RoR and inform and facilitate them to submit applications / forms. RI/ARI shall receive the applications/forms from the people. He will also make enquiry into details as per application in the presence of witnesses, prepare an elaborate enquiry report for each application received in the camp. His report is to contain the details of genealogy or successor-in-interest of recorded tenants who are dead. Since legal heir certificates are issued on the basis of field enquiry report of RI, further insistence on production of legal heir certificate by RI for determining genealogy shall be obviated.

3. The RI shall submit the application forms along with enquiry report to the Tahasildars at the end of each day for institution of cases. On receipt of application and enquiry report form the RI, the Tahsildar shall institute mutation/ partition cases. In the above process the RI shall saturate all villages within his jurisdiction within three months.
4. In case of mutation on basis of old sale deeds, the Tahsildar can decide whether cases are contested or uncontested. In uncontested cases, the Tahasildars can dispose the case without forwarding to RI as the enquiry report is already furnished by RI. In contested cases and in respect of all mutation cases pertaining to correction of column-2 of ROR, general and individual notice shall be served and hearing can be done using both physical and virtual mode, maintaining due procedure.
5. Incase of disposal of partition cases under section 19(1) C , notices to all co-sharers/ legal heirs and General Notice be served in the village. In case legal heirs are residing in far off places, hearing may be done in hybrid mode, i.e. physical and virtual. In case of virtual mode, the production of Aadhar card by party for identification is necessary. If required, Tahsildar may hold camp court in the village, posting all cases of the village to that date.
6. Updation of RoR shall be reviewed in District Revenue Review meeting regularly and this would also form as a Key Performance Indicator in Annual Performance Appraisal. Hence, you are requested to make this program as a Success through special drive. The Revenue ADMs and Sub-Collectors shall review the matter on weekly basis. Tahasildars shall take stock of the matter on daily basis. Besides Tahasildars may be oriented on the above mater and may be instructed to take IEC activities among the people through revenue field functionaries. RDCs and DLR&S shall review the matter fortnightly. The District shall submit the consolidated monthly report to Govt. in the proforma enclosed to this letter. The monthly information on the matter in proforma shall be updated in the Google spreadsheet .This may be brought to notice of all concerned.

This may be treated as "**Most Urgent**".

Yours faithfully,

26/2/24

Additional Chief Secretary to Government

Memo No. 5270

/RDM dated 26 FEB 2024

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


26/2/24
Additional Secretary to Government

Memo No. 5271

/RDM dated 26 FEB 2024

Copy forwarded to the e-Governance Branch, Revenue & DM Department for information and necessary action.



Additional Secretary to Government

