

# The Orissa Board of Revenue Rules, 1959

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### Act 37 of 1959

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The Orissa Board of Revenue Rules, 1959Published vide Notification No.

3745-5/E-1/45-R/28-1-1959, Orissa Gazette Extraordinary No. 37 of 1959In exercise of the powers conferred by Sub-section (1) of Section 12 read with Section 4 of the Orissa Board of Revenue Act, 1951 (Orissa Act 23 of 1951), the State Government in supersession of the rules previously framed, do hereby make the following Rules, namely :

#### 1.

(i)These rules may be called the Orissa Board of Revenue, Rules, 1959.(ii)They shall come into force at once.

#### 2.

In these rules, unless the context or subject otherwise requires-(i)"Act" means the Orissa Board of Revenue Act, 1951;(ii)"Board" means the Board of Revenue constituted under Section 2 of the Act;(iii)"Member" means the Member of the Board of Revenue;(iv)"Commissioner" means a Revenue Divisional Commissioner of a division as defined in the Orissa Revenue Divisional Commissioners Act, 1957;(v)Words and expressions used in these rules but not defined herein shall have the meanings assigned to them in the Act.

#### 3.

Subject to the provisions in these rules, all appeals, reviews and revisions and other applications shall be heard and disposed of by the Members.

**4.**

With the prior approval of the State Government, the Member shall, in the absence of the authority which passed the original order, hear applications for review in the capacity of his successor in office.

**5.**

While hearing matters under the provisions of Rules 3 and 4, the Board shall be deemed to be a Court and it shall give its decision in the form of a judgement signed and sealed by the Member.

**6.**

All cases not triable in circuit shall be heard at Cuttack for the time being which is the headquarters of the Board and cases, which the Member at his discretion considers to be heard in circuit, may ordinarily be posted for hearing the district to which they relate.

**7.**

Subject to the prior approval of the State Government, the Board shall make regulations from time to time regulating generally the practice and procedure of the Board with regard to-(i)filing of appeals and applications for review and revisions;(ii)the language on which these should be written ;(iii)the manner in which and the authority before whom these should be presented ;(iv)the time within which the stamps should be affixed and the fees including process fees should be paid ;(v)the manner in which notice to the parties are to be issued and the procedure of calling for records from the lower Courts;(vi)the filing of affidavits and appearance of Legal Practitioners ;(vii)the grounds on which the appeals and applications to review and revision shall be summarily rejected ; and(viii)such other matters as may be considered necessary.Such regulations shall be published in the Orissa Gazette and from such date as may be prescribed therein, they shall come into force and will have the force of law.

**8.**

For the purposes of the Act, the Board shall be deemed to be the Head of Department in respect of the subjects mentioned in the Appendix appended hereto.

**9.**

In matters of superintendence over the work of Commissioners, Collectors and other Revenue Officers of districts, it shall be the duty of the Board to exercise the following functions, namely :(i)[ inspection of the offices and Courts of each Commissioner in respect of matters relating to revenue administration and land reforms once every year [\* \* \*] [Substituted vide Orissa Gazette Extraordinary No. 375/1960-Notification/RD No. 10767/7.6.1960.](ii)[ inspection of offices and

Courts of Collectors, Sub-Correctors and Tahasildars once in every year (the selection of offices and Courts is to be made in such a manner that at least one office and Court of each category inspected is within the jurisdiction of each Revenue Divisional Commissioner) and such other offices and Courts transacting any business over which the Board exercises superintendence as the Member may, if his discretion, select] [Substituted vide Orissa Gazette Extraordinary 1777/30.12.1989.];(iii)preparation of half-yearly review on the tour diaries of, Commissioners;(iv)inspection of its office once every year and furnishing its report to the State Government [\* \* \*] [Deleted vide Orissa Gazette Extraordinary 1777/30.12.1989.](v)compilation of the Annual Land Revenue Administration Report of the State;(vi)[ Preparation of quarterly review of the demand, collection and balance of revenue from land revenue, cess and other sources under his superintendence and furnishing of reports to the State Government by the end of the month following the quarter to which it relates;] [Substituted vide Orissa Gazette Extraordinary No. 375/1960-Notification/RD No. 10767/7.6.1960.](vii)compilation of the budget for the heads is for which Board is appointed as the controlling authority and furnishing the same to the State Government on the prescribed date;(viii)distribution of allotments under the heads of budget of which Board is the controlling authority, to the Commissioners and the Collectors;(ix)bringing to the notice of Government matters of major administrative importance regarding [any subject in respect of which the Board or R.D.C. is the Head of the Deptt.] [Substituted vide Orissa Gazette Extraordinary No. 1777/30.12.1989.] which the Board considers necessary];(x)[ advising Government on Land Reforms [\* \* \*] [Substituted vide Orissa Gazette Extraordinary No. 1777/30.12.1989.](xi)conducting Survey and Settlement and Consolidation of Holdings operations;(xii)regulation of betterment levy ; and(xiii)preparation, revision, translation and publication or Gazetteers, Statistical Memoirs, road maps and wall map, subject to special orders of the State Government in this regard.

## **10.**

The Board shall have powers of general supervision and shall issue instruction for the efficient and proper working of the Revenue laws and bring to the notice of the State Government any defects discovered in their working and suggest remedial measures from time to time.

## **11.**

The Board shall conduct the departmental examination of Gazetted Officers and publish the results in accordance with the orders of the State Government issued in this behalf. The Member, Board of Revenue, shall be the President of the Board of Examiners.

## **12. [ [Substituted vide Orissa Gazette Part III/1960.]**

The Board shall conduct examinations for recruitment to such services and posts as the State Government may specify.]

**13.**

The Board may maintain, if so required, the confidential character rolls of all Collectors and other Revenue Officers of similar status and of the Commissioners.

**14.**

In the event of any powers exercised by the Board under the laws, rules and orders in force but not specifically provided in these rules or the rules framed under the Orissa Revenue Divisional Commissioners Act of 1957, it shall be the duty of the Board to report to the State Government for passing such orders of delegation to the Commissioner or otherwise as they may deem fit. Appendix [Vide Rule 8]

**1. [ Settlement.**

**2. Survey and Maps.**

**3. Land Records.**

**4. Administration of tenancy and land reforms laws**

**5. Establishment of Board's Office.**

**6. Stamps.**

**7. Water rates and cesses.**

**8. Agricultural Census.**

**9. Superintendence of Revenue Administration.**

**10. Escheats.**

**11. Estates not abolished, Court of wards and escheats relating to such estates.**

**12. Treasure Trove.**

**13. Sairats.**

**14. Minor Minerals for which the Revenue Department is the Administrative Department.**

**15. Preparation of Manuals, Codes, Memoirs and Reports, etc.**

**16. Registration.**

**17. Excise.**

**18. Conduct of examinations for recruitment to services and posts as may be specified by Government.**

**19. Departmental Examinations of Officers required to appear at such examinations conducted by the Board.**

**20. Consolidation of Holdings.] [Substituted vide Orissa Gazette Part III/1960.]**