

# The Orissa Land Reforms (General) Rules, 1965

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### Rule THE-ORISSA-LAND-REFORMS-GENERAL-RULES-1965 of 1965

- Published on 25 September 1965
- Commenced on 25 September 1965
- [This is the version of this document from 25 September 1965.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Land Reforms (General) Rules, 1965 Published vide Revenue and Excise Department Notification No. 57165 dated 25.9.1965 and first published in Orissa Gazette Extraordinary No. 1502 dated 26.10.1965 Chapter-I General

#### 1. Short title and commencement.

- These rules may be called the Orissa Land Reforms (General) Rules, 1965.

#### 2. Definitions.

- In these Rules, unless the context otherwise requires-(a)"Act" means the Orissa Land Reforms Act, 1960 (16 of 1960);(b)"Form" means a form set out in the appendix to these Rules;(c)"Schedule" means a schedule appended to these Rules;(d)"Section" means a Section of the Act;(e)"Tahasildar" includes an Additional Tahasildar;(f)"Village" shall have the same meaning as assigned to it in the Orissa Survey and Settlement Act, 1958 (Orissa Act 3 of 1959);(g)all words and expressions used in these Rules but not defined therein shall have the same meaning as are respectively assigned to them in the Act.

#### 3. [ Conduct of proceeding under the Act. [Substituted by Notification No. 86140-Re-312/76, dated 6.11.1976.]

(1)The proceedings before the Revenue Officer under the Act and these Rules shall be of a summary-nature.(2)The Revenue Officer shall record the substance of the evidence of the witness, it any, examined before him in the for of a memorandum which shall be duly signed by the Officer and shall form part of the record.(3)No order in any proceeding shall be passed without giving the parties concerned a reasonable opportunity of being heard.(4)It shall be the responsibility of the

objector to produce his witness and documents before the Revenue Officer on the date fixed. In the matter of enforcing the attendance of parties and witnesses and the production of documents the Revenue Officer shall have all the powers of a Civil Court exercisable under the Civil Procedure Code.]

#### **4. Notice and mode of service.**

(1)All notices required under the Act or these rules shall be in writing.(2)[ Where a notice is required to be served or issued under the Act or under these rules on or by the Government as the landlord, it shall be served on or issued by the Tahsildar.] [Substituted by Notification No. 36496-Re-1-55/80-R-D.16.5.1980.](3)Where no other mode of service of notice is prescribed by the Act or by these rules, service shall be effected in the manner prescribed for the service of summons on a defendant under the Code of Civil Procedure, 1908 (5 of 1908), if the notice is addressed to only one persons.(4)If the notice is addressed to a number of persons or to persons in general, it shall be served in the manner prescribed for the service for summons on a defendant under the Code of Civil Procedure, 1908 (5 of 1908) or by proclamation and beat of drum and posting it, in the presence of not less than two persons to some conspicuous place in the village.(5)In the case of an uninhabited village the service of any general notice shall be effected in the nearest inhabited village.

**4A. [ Classes of land under Clause (5-a) of Section-2. - Classes of land shall be determined with reference to entries in the record of rights and other records prepared under any law or rule or order for the time being in force and after such local enquiry as may be necessary.] [Inserted by Notification No. 65926-Re-179/73-R-D. 11.10.1973.]**

**5. [ 6. 7. and 8. \* \* \*] [Deleted by Notification No. 42688-Re-157/76-R-D.8.6.1976.]**

#### **Chapter-II Raiyats and Tenants**

**9. [ \* \* \*] [Omitted by Notification No. 72947-Re-64/65-R-D.17.11.1965.]**

#### **10. Form and manner of application under Sub-section (2) and (5) of Section 4.**

(1)The application under Sub-section (2) of Section 4 shall be in Form No. 1.(2)The application under Sub-section (5) of Section 4 shall be in Form No. 2.(3)The application under Sub-rule (1) or under Sub-rule (2) shall be presented to the Revenue Officer personally by the applicant or by his authorised agent.(4)As many copies of the application as there are opposite-parties shall be filed along with the application.(5)For every village there shall be a separate application in respect of each landlord.

**10A. [ [Inserted vide O.G.E.No. 162, Notification No. 10100-Re-I-87/79-R, dated 11.2.1980.]**

(1)Before declaring a sub-tenant or under raiyat or his successor-in-interest, as the case may be, to be a raiyat under Sub-section (5) of Section 4, the Revenue Officer shall give a notice to the parties and hear them as also the person filing objection.(2)A general notice shall also be served on the villagers of the village or villages in which the land is situated inviting objections within a period of fifteen days, to the settlement asked for by the sub-tenant or under-raiyat or his successor-in-interest.(3)The notice shall be served in the manner provided in Rule 4].

**11. Payment under Sub-section (7) of Section 4.**

(1)The payment envisaged under Sub-section (7) of Section 4 shall be made by the subtenant or under raiyat, [or his successor-in-interest] [Substituted by Notification No.10100-Re-187/79-R-D.11.2.1980.], as the case may be in person or through an authorised agent to the landlord or his authorised agent.(2)The person making payment under sub-rule(1) shall be entitled to a receipt for such payment.(3)The payment may at the option of the sub-tenant or under-raiyat [or his successor-in-interest] [Substituted by Notification No.10100-Re-187/79-R-D.11.2.1980.] as the case may be, be made through Postal Money Order at his cost and in such an event, the Money-Order acknowledgement receipt shall be treated as the receipt for payment.(4)[ (a) When a recorded sub-tenant or under-raiyat] [Inserted by Notification No.42688-Re-157/76-R-D.8.6.1976.] [or his successor-in-interest] [Substituted by Notification No.10100-Re-187/79-R-D.11.2.1980.] offers or tendered money on account of compensation and the person entitled to compensation refuses to receive it or refuses to grant a receipt for it, or(b)When the compensation is payable to co-sharers jointly and the recorded sub-tenant or under-raiyat [or his successor-in-interest] [Substituted by Notification No.10100-Re-187/79-R-D.11.2.1980.] is unable to obtain a joint receipt from the co-sharers for the money and no person has been authorised to receive the compensation on their behalf and grant receipt, or(c)[ When the recorded sub-tenant or under-raiyat [or his successor-in-interest] [Inserted vide O.G.E.No. 162, Notification No. 10100-Re-I-87/79-R, dated 11.2.1980.] entertains a bona fide doubt as to the right person or persons entitled to receive the compensation, the recorded sub-tenant or under raiyat or his successor-in-interest as the case may be, may apply to the Revenue Officer in writing before expiry of the period specified in Sub-section (7) of Section 4 of the Act for permission to deposit in the Court, the full amount or instalment amount of compensation payable to the person or persons entitled thereto and obtain orders therefor].(5)The application under Sub-rule (4) shall bear court fees and process fees as prescribed in Schedule-I and among other things shall contain the following particulars, namely :(a)in case of Sub-rule (4)(a) the names of the persons to whose credit the deposit is to be made;(b)in case of Sub-rule (4)(b) the names of the co-sharers to whom the compensation is due or so any of them as the sub-tenant or under raiyat [or his successor-in-interest] [Inserted by O.G.E.No. 937, Notification No. 42688-Re-i57/76-R-D.8.6.1976.] may be able to specify;(c)in case of Sub-rule (4)(c) the names of the co-sharers to whom the compensation is payable as per order of the Revenue Officer.(6)The application shall be signed by the recorded sub-tenant or under-raiyat [or his successor-in-interest] [Inserted by O.G.E.No. 937, Notification No. 42688-Re-157/76-R-D.8.6.1976.]and duly verified in the manner laid down in the

Code of Civil Procedure, 5 of 1908 for the verification of pleadings.(7)if it appears to the Revenue Officer that the facts stated in application are correct and the applicant is entitled to deposit the compensation money, he shall receive the same and grant a receipt for it in Form No. 15.(8)The receipt so granted shall operate as an acquittance for the amount of the compensation payable by the recorded sub-tenant or under-raiyat, [or his successor-in-interest] [Inserted by O.G.E.No. 937, Notification No. 42688-Re-157/76-R-D.8.6.1976.] in the same manner and to the same extent as if, that amount of compensation had been received to the full satisfaction and in compliance with the order of the Revenue Officer.(9)The Revenue Officer receiving the deposit shall forthwith cause a notice of its receipt to be served on the person or persons specified in the application, giving sixty days time for receiving the payment.(10)(a)The Revenue Officer shall pay the amount under deposit to the person or persons entitled to the same if he or they appear before him either in person or through authorised representative within sixty days from the date of issue of the notice.(b)If the person or persons entitled to the same do not appear before him to receive the payment, the amount under deposit shall be kept under revenue deposit after expiry of the said period in the manner prescribed in subsidiary Rule 424 contained in Part II of the Orissa Treasury Code and simultaneously intimate the facts of deposit to the persons entitled to the same.(11)The amount under Court deposit or under revenue deposit shall not carry interest.(12)The amount under revenue deposit shall lapse to Government after expiry of the period prescribed in Rule 436 of the Orissa Treasury Code and in case the payee or payees want refund of the amount, the procedure with regard to refund of the lapse deposit as laid down in the Orissa Treasury Code shall apply.(13)[(a) If a recorded sub-tenant or under-raiyat or his successor-in-interest defaults in making payment of compensation in pursuance of the orders of the Revenue Officer under Sub-section (6) of Section 4, the person immediately under whom such recorded sub-tenant or under-raiyat or his successor in interest was holding the land may make an application to the Revenue Officer within six months from the date on which the payment falls due to recover the compensation or any portion thereof which remains unpaid as an arrear of land revenue.(b)The application shall bear court-fees, and process fees as prescribed in Schedule I.(14)On receipt of the application the Revenue Officer shall initiate proceedings and after making such enquiries, as he deems necessary, he may take action for re-covering the compensation of the unpaid portion thereof as an arrear of land revenue :Provided that the Revenue Officer shall given reasonable opportunity to the sub-tenant or the under-raiyat or his successor-in-interest, as the case may be, to pay the same before proceeding to recover it as an arrear of land revenue.] [Inserted by Notification No. 42688-Re-157/76-R-D.8.6.1976.]

## **12. [ Determination of fair and equitable rent under Sub-section [(8-a)] [Inserted by Notification No. 33205-Re-125/44-R-D.8.6.1976.] of Section 4.**

- In determining the fair and equitable rent under Subsection [(8-a)] [Substituted by S.R.O. No. 790/85 O.G.E. 1479/D.1.11.1980.] and (9) of Section 4, the Revenue Officer shall adopt the rate of cash rent payable by raiyats for similar lands with similar advantage in the vicinity as may be derived from the record-of-rights or any other records for the time being in force.]

**12A. [ [Inserted vide S.R.O.No. 776/97, Notification No. 28165-Re-55/96, dated 29.11.1997.]**

(1)(a) A Raiyat may make an application in duplicate to the authorised officer in Form No. 25 for use of his agricultural land for purpose other than agriculture. (b) On receipt of application, the authorised officer shall register a case and if the land is situated in any area on which the Orissa Town Planning and Improvement Trust Act, 1956 or, as the case may be, the Orissa Development Authorities Act, 1982 is in force, the authorised officer shall refer the application for conversion in Form No. 26 to the concerned Development authority requesting him to furnish its opinion keeping in view the land use envisaged for the areas in the Development Plan/Master/Plan/Improvement Scheme/Town Planning Scheme made or published under the said Act. The concerned Development Authority/Town Planning Authority/Improvement Trust shall furnish its opinion on the application for conversion within 30 days from the date of receipt of the same from the authorised officer failing which it shall be deemed that there is no objection to the Conversion applied for. (c) The authorised officer shall make an enquiry or cause an enquiry to be made through any officer subordinate to him into the matter after giving a reasonable opportunity of being heard to the applicant. (d) While considering the application for conversion, the authorised officer shall satisfy himself that the proposed conversion will not—(i) obstruct natural water courses thereby causing water logging of agricultural lands in the neighbourhood, or (ii) obstruct water courses laid out for carrying water for irrigating agricultural holdings in the neighbourhood. (e) The authorised officer, if considers the conversion to be objectionable or not genuine or the information given by the applicant is not correct, may record the same and reject the application with intimation to the applicant. (2)(a) The authorised officer, after enquiry, if satisfied that the proposed conversion is of genuine nature, he may allow conversion and order for settlement of the land on lease basis under the provisions of the Orissa Government Land Settlement Act, 1962. (b) Terms and conditions of settlement of land for non-agricultural purposes both in rural and urban areas, shall be such as specified in the standard lease-deed in Form No. 27 and as may be determined by the Government from time to time. (3) In cases where the conversion has already taken place prior to the 1st day of July, 1994, the authorised officer shall issue a notice in Form No. 28 to the raiyat or the person to whom the land has been transferred by the raiyat asking him to pay the premium and land revenue and after the payment of premium and land revenue, the land shall be settled on lease basis under the provisions of the Orissa Government Land Settlement Act, 1962. (4)(a) In both the cases under Sub-rules (2) and (3), before settling the land the authorised officer shall assess the quantum of premium to be paid in accordance with the rate prescribed in Sub-section (3) of Section 8-A of the Act and the land revenue as have been assessed for similar non-agricultural lands in the vicinity and intimate to the person who has so converted the agricultural land for purposes other than agriculture or the transferee, as the case may be, to deposit the amount of such premium and land revenue in full within thirty days : Provided that in cases covered under Sub-rule (2) the land revenue shall be payable with effect from the beginning of the agricultural year next after the date of conversion and in cases covered under sub-rule (3) it shall be payable from the beginning of the agricultural year next after the date on which actual conversion has taken place subject to the limitation under the Orissa Limitation (Recovery of Revenue) Act, 1964. (b) For payment of premium and land revenue in respect of cases under Sub-rule (2), the authorised officer may, on application, allow additional period not exceeding sixty days from the date of order of settlement to the applicant in exceptional

and genuine cases.(c)The premium and land revenue so assessed in respect of cases under Sub-rule (3), may be paid in four equal quarterly instalments as specified by the authorised Officer and on default of payment by the last date of any quarter the balance amount shall be paid in one instalment within a period of one month from the last due date of payment, failing which the amount shall be recovered as arrears of land revenue under the Orissa Public Demands Recovery Act, 1962.(5)The authorised officer shall execute lease-deed in Form No. 27 within a period of fifteen days from the date of premium and land revenue are paid in full.]

### **13. [ Form and manner of application under Sub-section (1-a) and Sub-section (4) of Section 9. [Substituted by Notification No. 65926-Re-179/73-R-D.11.10.1973.]**

- [(1) The application under Sub-section (1-A) of Section 9 shall be filed in Form No. 17 within three years from the date of commencement of the Orissa Land Reforms General (Amendment) Rules, 1985 :Provided that any such application made after the 19th February 1981 and before the aforesaid date shall for all purposes, be treated as an application filed within the period prescribed under said Sub-section (1-A)].[Provided further that any person who has failed to make such application within the period specified in this sub-rule may make an application within a period of three years from the date of commencement of the Orissa Land Reforms (General) (Amendment) Rules, 1996.] [Inserted by Notification No. Re-l-58/96, 44115/R, dated 1.10.1996.](2)The application under sub-section (4) of Section 9 shall be filed within sixty days from the date of dispute.(3)The application under Sub-rule (1) or Sub-rule (2) shall be filed in Form No. 17 in the same manner as laid down in Sub-rules (3), (4) and (5) of Rule 10.(4)[ Grant of certificate by the Revenue Officer under Sub-section (1 -A) of Section 9 - The certificate under Sub-section (1-a) of Section 9 shall be in Form No. 21] [Inserted by Notification No. 70711-Re-175/74 (Pt)R-D.21.11,1974.]

### **13A. [ Procedure for payment of compensation under Sub-section 2 of Section 9. [Inserted by Notification No. 58432-Re-144/75 (Pt)R-D.30.7.1975.]**

(1)(a)When the raiyat or tenant referred to in Sub-section (2) of Section 9 offers or tenders money on account of compensation and the person entitled to compensation refuses, to receive it or refuses to grant a receipt for it; or(b)When the compensation is payable to co-sharers jointly and the raiyat or the tenant is unable to obtain a joint receipt from such co-sharers for the money and no person has been authorised to receive the compensation on their behalf or grant receipt; or(c)When the raiyat or the tenant entertains bona fide doubt as to the right person or persons entitled to receive the compensation, the raiyat or the tenant may apply to the Revenue Officer in writing for permission to deposit in the Court, the full amount of the compensation payable to the person or persons entitled thereto and obtain orders therefor.(2)The application under Sub-rule (1) shall bear court fees and process fees as prescribed in Schedule I and among other things shall contain the following particulars, viz -(i)the name or names of the persons to whose credit the deposit in made, and(ii)in case of co-sharers, the names of such co-sharers to whom the compensation is due or so many of them as the raiyat or the tenant may be able to specify.(3)The application shall be signed by the raiyat or the tenant and duly verified in the manner laid down in the Code of Civil Procedure,

1908 for the verification of pleadings.(4)If it appears to the Revenue Officer that the facts stated in the application are correct and the applicant is entitled to deposit the compensation money, he shall receive the same and grant a receipt for it in Form No. 23.(5)The receipt so granted shall operate as an acquittance for the amount of compensation payable by the raiyat or the tenant in the same manner and to the same extent, as if that amount of compensation had been received to the full satisfaction.(6)The Revenue Officer receiving the deposit shall forthwith cause a notice of its receipt to be served on the person or persons specified in the application giving sixty days time from the date of receipt of the said notice for receiving the payment.(7)(a)The Revenue Officer shall pay the amount under deposit to the person or persons entitled to the same if her or they appear before them either in person or through authorised representative within the aforesaid date.(b)If the person or persons entitled to the same do not appear before him to receive the payment, the amount under deposit shall be kept under revenue deposit after the expiry of the said period in the manner prescribed in subsidiary Rule 424 contained in Part II of the Orissa Treasury Code and simultaneously intimate the fact of deposit to the person or persons entitled to the same.(8)The amount under Court deposit or revenue deposit shall not carry any interest. The amount under revenue deposit shall lapse to Government after the expiry of the period prescribed in Rule 436 of the Orissa Treasury Code and in case the payee or payees want refund of the amount, the procedure with regard to the refund of lapsed deposits as laid down in the Orissa Treasury Code shall apply.]

### **13B.**

In determining the fair and equitable rent under Sub-section (3) of Section 9 the Revenue Officer shall have regard to rent payable in respect of similar lands with similar advantages in the vicinity.

### **13C.**

As soon as may be, after the issue of the certificate under Subsection (1-A) of Section 9 the Revenue Officer shall also cause a copy of the said certificate to be transmitted to the authority competent to maintain the record-of-rights.

### **13D.**

When fair and equitable rent is fixed in the manner provided in Sub-section (3) of Section 9 the Revenue Officer shall send a copy of the order fixing the fair and equitable rent to the authority competent to maintain the record-of-rights.

## **14. Notice under Sub-section (2), (3) and (4) of Section 11.**

(1)The notice under Sub-section (2), (3) and (4) of Section 11 shall be in Form No. 3.(2)As many copies of the notice as there are landlords on whom the notice is required to be served shall be filed under Sub-section (5) of Section 11.(3)Two more copies of the notices shall also be filed out of which one copy shall be retained by the Revenue Officer for record in his office and the other copy shall be transmitted by him to the authority competent to maintain the record-of-rights.(4)Separate notice

shall be filed for each village.

## **15. Manner of filing applications under Sub-section (1) of Section 12.**

- The manner of filing an application under Sub-section (1) of Section 12 shall be the same as provided in Sub-rules (3) and (4) of Rule 10.

### **15A. [ Notice under Section 14(2). [Inserted by Notification No. 42688-Re-157/76-R-D.3.6.1976.]**

- The notice under the first proviso to Sub-section (2) of Section 14 shall be in Form No. 24.]

## **16. Application under Section 15.**

- [(1) An application under Section 15 shall be filed in the same manner as provided under Sub-rules (3) and (4) of Rule 10.(2)A general notice shall also be served on the villagers of the villages in which the land is situated inviting objections.(3)the notice shall be served in the manner as provided in Rule 4.] [Substituted by Notification No. 36496-Re-155/80-R-D.16.5.1980.]

### **16A. [ [Inserted by Notification No. 47018-Re-50/72-R-D.16.8.1972.]**

If a tenant fails to comply with a notice served on him under Sub-section (2) of Section 15, or a landlord fails to comply with a notice served on him under Sub-section (5) thereof, the Revenue Officer may issue an order in Form No. 14 to such Officer or authority as may be specified therein, for delivery of possession of the land to the landlord or the tenant, as the case may be].

## **17. Enquiry in case of disputes as to the identify of a tenant under Section 16.**

- The enquiry in case of dispute under section 16 as to the identity of a tenant in cultivation of any land will take into consideration on the following points, namely : (a) orders, if any of a competent Court on the subject; (b) the statement of the landlord and tenant as to the identity of the tenant; (c) the availability of rent receipts in proof of possession of land under disputes; (d) any other evidence either oral or documentary available in support of the claim.

## **18. Particulars to be recorded in the rent receipt and its counterfoil envisaged under Section 17.**

- The receipt to be granted under Sub-section (1) of Section 17 and the counterfoil of the receipt as envisaged under Sub-section (2) of the said section shall contain the following particulars, namely : (a) name of the village, (b) receipt number, (c) name of the landlord, (d) name of the tenant, (e) holding number, (f) area of tenancy, (g) the annual demand of rent and cess, (h) arrears of rent and cess, if any, (i) the year or years for which rent, etc. is paid, (j) the total amount of cash rent and quantity of kind rent and cess paid. (k) where rent is paid in kind, the exact nature of kind rent, and (l) amount of



interest and other payments made, if any.

## **19. Manner in which a partition can be ordered by a Revenue Officer under Clause (c) of Sub-section (1) of Section 19.**

(1) Any person applying for an order of the Revenue Officer under Clause (c) of Sub-section (1) of Section 19 shall file an application giving a full description of the land and other details as may be necessary to effect the partition of a holding among co-sharer raiyats. (2) The application shall cite other co-sharer raiyats and the landlord as opposite-party. (3) It shall be submitted in the same manner as laid down in Sub-rules (3), (4) and (5) of Rule 10. (4) Not more than one application shall be necessary for partition of more than one holding, if situated in the same village and if they belong to the same co-sharer raiyats under the same landlord. (5) The Revenue Officer shall afford reasonable opportunity to the opposite-parties to be heard in the matter. (6) He shall make such other enquiry as he deems necessary for disposal of the application. (7) The application can be allowed only when all the co-sharer raiyats give their consent to the partition applied for. (8) If there is any difference of opinion among the co-sharer raiyats, the application for partition shall be rejected. (9) When a partition is allowed, the order of the Revenue Officer partitioning the holdings of co-sharer raiyats shall clearly mention the plots of land that are allotted to the share of every co-sharer raiyat and the amount of rent, cess and other legal dues payable by each co-sharer raiyat after partition. (10) If any survey plot is required to be subdivided in course of partition of a holding such partition shall be effected by the Revenue Officer only after causing necessary enquiry to be made before the final order of partition is made : Provided that no such subdivision shall be made nor the enquiry required for making such subdivision shall be taken up until the prescribed fees are paid by the applicant : Provided further that if such fees are not paid within such time as may be allowed by the Revenue Officer, the application for partition shall be rejected.

### **19A. [ Inserted by Notification No. 50070-Re-80/68-R-D.27.9.1963.]**

(1) Where, however, an order under Section 11, 18 or 36 of the Orissa Survey and Settlement Act, 1958 with regard to any area has been issued, Rule 19 shall not be applicable. (2) Any application to a Revenue Officer for an order under Clause (c) of Sub-section (1) of Section 19 of the Act in an area where Survey and Settlement operations are in progress, may be oral. (3) Such an application shall be made, to the Revenue Officer by all the co-sharer raiyats either personally or through their authorised agents. (4) Such applications may be made also to any subordinate of the Revenue Officer by all the Co-sharer raiyats either personally or through their authorised agents and such subordinate of the Revenue Officer, shall reduce the application, if it is oral, into writing and transmit the same to the Revenue Officer. (5) The Revenue Officer may make such enquiry as he deems necessary before passing orders allowing or disallowing the partition. (6) Before passing orders, the Revenue Officer shall obtain the signature or the thumb impression of all co-sharer raiyats or their authorised agents on the body of the record signifying their consent to partition the holding on mutual agreement. (7) When a portion is allowed, the order of the Revenue Officer shall clearly mention the plots of land allotted to the share of every co-sharer raiyat, the amount of rent, cess and other local dues payable by each co-sharer raiyat, after partition. (8) In case of a dispute amongst the co-sharer raiyats, about the quantum of rent payable by each in respect of the new

holding created after partition, prayer for partition shall be rejected.]

## **20. Notice under Sub-section (2) of Section 19.**

(1)The notice envisaged under Sub-section (4) of Section 19 shall be in Form No. 4.(2)The number of notices and copies thereof to be filed under Sub-rule (1) shall be the same as provided Sub-rules (2), (3) and (4) of Rule 14.

## **21. List under Sub-section (4) of Section 19.**

(1)The list envisaged under Sub-section (4) of Section 19 shall be in Form No. 5.(2)It shall be sent to the Revenue Officer by the Court either through a messenger or by registered post with acknowledgement due.(3)The number of lists and copies thereof to be sent under Sub-rule (2) shall be as provided in Sub-rules (2), (3) and (4) of Rule 14.

## **21A. [ [Inserted by Notification No. 8350-Re-75/72-R-D.8.2.1972.]**

The list envisaged under Sub-section (6) of Section 19 shall be in Form No. 5-A.]

## **22. manner of application under Sub-section (1) of section 20.**

- The application under Sub-section (1) of Section 20 shall be submitted in the same manner as provided in Sub-rules (3), (4) and (5) of Rule 10.

## **22A. [ [Inserted by Notification No. 50756-Re-53/73-R-D.6.8.1973.]**

On declaration being made under Sub-section (2) of Section 23, the Revenue Officer shall issue to any member of his staff or any other person a warrant in Form No. 16 to put the transferor or his heirs in possession of the land, if necessary, by removing any person bound by the order under Section 23 who refuses to vacate the land.

## **22B.**

The person to whom a warrant is issued under Rule 22-A shall after putting the transferor or his heirs in possession of the land, return the warrant and the Revenue Officer on being satisfied that the warrant has been duly executed, countersign the same and keep it as a para of the records of the case.

## **22C.**

When the person directed to execute the warrant fails on the date fixed therein to put the transfer or his heir in possession, the Revenue Officer may issue another warrant to the same person or any other member of the staff.

## **22D.**

The Revenue Officer may at any time recall or cancel any warrant issued under Rule 22-A or 22-B and may also order necessary police or other assistance to be rendered for the due execution of the warrant.

## **22E.**

If on the dates specified in the warrant, for putting the transferor or his heirs in possession of land, crops not ripe for immediate harvest are found on the land, the execution shall be postponed and a report of such fact shall be made to the Revenue Officer and on receipt of such report the Revenue Officer may postpone the execution till such time as the crops are harvested.]

## **22F. Surrender or abandonment by raiyat or tenant.**

(1)The information referred to in Sub-section (2) of Section 22-A shall be furnished in Form No. 18.(2)The information in Form No. 18 shall be presented to the Revenue Officer personally by the applicant or by his authorised agent.(3)For every village there shall be a separate application in Form No. 18.(4)The application shall, in each case, be made in triplicate.(5)One copy of the application shall be published by the Revenue Officer in the village in which the land is situated and objections shall be invited to the proposed surrender or abandonment within a period of 30 days with effect from the date of the publication. Where the application is made by a tenant, a copy thereof shall be sent to his landlord by registered post with acknowledgement due.(6)A date shall thereafter be fixed for hearing after issuing notices to the applicant and objectors, if any. Final orders in each case shall be passed after such hearing. While passing the final orders, the Revenue Officer shall keep in view the circumstances of the proposed surrender or abandonment, as the case may be and determine whether the surrender or abandonment has been applied for due to natural reason, like inundation sand casting, erosion etc. or with a view to circumventing the provisions of any law for the time being in force or underling the effect of any law, contract, decree or order of a Court.(7)Where the surrender or abandonment of any holding or part thereof is approved by the Revenue Officer under Sub-section (4) of Section 22-A, the holding or part thereof so surrendered or abandoned shall vest in the Government.(8)A copy of the final order referred to in Sub-section (6) above shall be sent by the Revenue Officer to the Tahsildar entrusted with the maintenance of record-of-rights under Chapter IV of the Orissa Survey and Settlement Rules, 1962.Chapter-III Resumption of Land For Personal Cultivation

## **23. Form and manner of application under Sub-section (1) of Section 26.**

(1)The application under Sub-section (1) of Section 26 shall be in Form No. 6.(2)A separate application shall be filed for each tenant in respect of each village.(3)The application shall be accompanied by a copy thereof.(4)It shall be presented to the Revenue Officer personally by the applicant or by his authorised agent.

## **24. Form and manner of application under Sub-section (2) of Section 26.**

(1)The application under Sub-section (2) of Section 26 shall be in Form No. 7.(2)A separate application shall be filed for each landlord in respect of each village :[Provided that where the number of landlord is more than one and the tenant entertains, bona fide doubts as to the interest of the landlords in the land in his possession, he may file one application in respect of all such landlords.] [Inserted by Notification No. 42688-Re-175/76-R-D.8.6.1976.](3)The application shall be accompanied by a copy thereof.(4)It shall be presented to the Revenue Officer personally by the applicant or by his authorised agent.

## **25. Manner of payment of compensation for non-resumable lands under Sub-section (1) of Section 28.**

(1)The compensation for the non-resumable lands shall be paid in person or through and authorised agent by the tenant [or his successor-in-interest] [Inserted by Notification No. 10100-R-D.11.2.1980. Vide S.R.O. No. 216/80.] to the landlord or his authorised agent.(2)The person making the payment under Sub-rule (1) shall be entitled to a receipt for such payment.(3)The payment of compensation or any instalment thereof may, at the option of the tenant, [or his successor-in-interest] [Inserted by Notification No. 10100-R-D.11.2.1980. Vide S.R.O. No. 216/80.] be made through postal money-order acknowledgement receipt shall be treated as a valid receipt in support of payment for all purposes.[(3-A)(a) When a tenant or his successor-in-interest or his authorised agent referred to in Sub-rule (1) offers or tenders money on account of compensation and the person entitled to it or his authorised agent refuses to receive it or refuses to grant a receipt for it; or(b)When the compensation payable to the co-sharers jointly and the tenant or his successor-in-interest or his authorised agent is unable to obtain a joint receipt from the co-sharers for the money and no person has been authorised to receive the compensation on their behalf and grant receipt; or(c)When the tenant or his successor-in-interest ; or his authorised agent entertains a bona fide doubt as to the right person or persons entitled to receive compensations;he may apply to the Revenue Officer in writing before expiry of the period specified in Sub-section (2) of Section 28 of the Act for permission to deposit in the Court the full or instalment amount of compensation payable to the person or persons entitled thereto and obtain orders therefore.(3-B) The procedures, prescribed in Sub-rule (5) to 12 of Rule 11 shall mutatis mutandis apply in respect of cases referred to in Sub-rule (3-A).] [Substituted vide Notification No. 3535-Re-12/67/13.7.1986.](4)In case of an application to a Revenue Officer for recovery of compensation or any instalment thereof as an arrear of land revenue under Sub-section (2) of Section 30 of the Act, the Revenue Officer shall give reasonable opportunity to the tenants to pay the same before proceeding to recover it as an arrear of land revenue.

## **26. Form of certificate in respect of resumable and non-resumable lands.**

(1)The certificate in respect of resumable and the non-resumable lands as provided in Section 29 shall be in Form No. 8.(2)There shall be a separate certificate for every tenant in relation to every landlord in respect of every village.(3)If for preparing the certificate a survey plot is required to be subdivided the prescribed fees for making such subdivision shall be realised from the tenant before

the subdivision is effected.

## **27. Procedure in cases falling under Section 35.**

(1) Where Revenue Officer proposes to proceed to determine the particulars of the resumable and the non-resumable lands under Section 35, he shall issue a general notice inviting objection to his proposal. (2) He shall also issue similar notices to such persons who according to the information available with him are landlord and tenant in respect of the same land. (3) He shall hear all objections that are received by him by the dates specified in the notices in this behalf or within such further time as may be allowed by him of his own motion or an application filed on this behalf and then proceed to finalise his proposal.

## **27A. [ Procedure for filing application under Section 36-A. [Inserted by Notification No. 6926-Re-179/73-R-D.11.10.1973.]**

- The application under Section 36-A shall be made in Form No. 19 and in the manner laid down in Rule 24].

## **27B. [ [Substituted by Notification No. 42688-Re-157/76-R-D.3.6.1976.]**

(1) Before declaring the non-resumable land of the tenant under Section 36-A, the Revenue Officer shall give a notice to the tenant and hear them. (2) A general notice shall also be served on the villagers of the village or villages in which the land situated inviting objections [within a period of fifteen days from the date of issue of the notice] to the settlement asked for by tenant. (3) The notice shall be served in the manner provided in Rule 4.]

## **27C.**

(1) For the purpose of consulting local committee under Section 36-A, the Revenue Officer shall inform the members of the Committee of the date, time and place of its meeting by a notice specifying the matters for such consultation and the said notice shall be served seven clear days before the meeting. A copy of the notice signifying due service on the person concerned shall be retained by the Revenue Officer and shall form part of the case record. (2) The Revenue Officer shall consult the Committee in the meeting on the appointed day. (3) The proceedings of the meeting, of Committee shall form part of the proceeding under Section 36-A. (4) If consultation with the Committee on the appointed day is not possible due to absence of the members or due to their disinclination or inability to express their opinion, the fact shall be recorded by the Revenue Officer and it shall thereupon constitute sufficient compliance with the requirement of consultation with the committee.

## **27D.**

The application under Sub-section (1) of Section 36-C, Subsection (2) of Section 56-B and Sub-section (4) of Section 57-B shall be filed in Form No. 19 and in the manner prescribed in Rule 24. Chapter-IV Ceiling and Disposal of Surplus Land

## **28. Principles for determining the ceiling area.**

- [For the purposes of determining the ceiling area of a family under Section 37-A read with the explanation to Section 37-B and Section 39 the fact of transfer or partition referred to in Section 39 shall be verified by the Revenue Officer with reference to the notices of transfer transmitted to him under Sub-section (5) of Section 11 and the notices and list of partitions received by him under section 19.] [Substituted by Notification No. 42688-Re-157/76-R-D.3.6.1976.]

## **29. [ Recording of the ceiling area. [Substituted by Revenue Department, vide S.R.O. No. 60376/D.3.6.1976.]**

- The ceiling area which is fixed for a family shall be recorded in the name of the one or more members of the family in the manner as may be specified by them in an application filed for the purpose before the Revenue Officer duly signed and verified by all the major member of-the family.]

## **29A. [ Maintenance of a list of privileged raiyats. [Substituted by Notification No. 6926-Re-179/73-R-D. 11.10.1973.]**

- For the purpose of Clause (a) of Section 38, the Revenue Officer shall maintain a list of privileged raiyats. The list shall be verified periodically and brought up to day.

## **29B. Report on the lands held by industrial undertakings.**

- Where exemption for ceiling is granted to lands held by industrial or commercial undertakings or comprised in mills, factories or workshops under Clause (b) of Section 38, the Revenue Officer shall furnish to the Collector at the end of each year a report on the actually utilisation of the lands so exempted to facilitate review of their utilisation as required under the first proviso to that clause.]

## **29C. Principle for determining ceiling area.**

- For the purpose of Clause (a) of Section 39 tanks shall mean water reservoirs ordinarily used as such and shall not include any other water spread area.

## **29D. Filing of return under Section 40-A.**

(1)The return under Subsection (1) of Section 40-A shall be filed in duplicate to the Revenue Officer

by the person liable to file the return under section 41 or by his authorised agent.(2)The return shall contain village wise particulars of all lands held by such person as raiyat or land holder or both in the State of Orissa.(3)Where a person who is liable to file return under Section 41 is member of a family, he shall furnish the return specifying the total area of land held by him together with the total area of land held by each member of his family and transfers and partitions effected by them if any, after the 30th day of September 1970.(4)The return mentioned in Sub-rule (1) above shall be filed in Form No. 12.

#### **29DD. [ [Inserted by Notification No. 42688-Re-157/76-R-D.3.6.1976.]**

The return or revised return, if any submitted under Section 46-B shall not be taken into account if a proceeding under Section 3 in respect of the person, who has filed the return, has been initiated by the Revenue Officer, on his own motion, and the draft statement of surplus land has been confirmed under Sub-section (1) of Section 44,

#### **29DDD.**

For the purpose of consultation with the Local Committee under section 43, of the provisions contained in Rule 27-C shall so far as may be apply.

#### **29E. [ Preparation and publication of draft statement showing selling and surplus lands. [Substituted by Notification No. 65926-Re-179/73-R-D.11.10.1973.]**

- The draft statement referred to Sub-section (1) of Section 43 shall be prepared in Form No. 13].

#### **30. Publication of draft statement under Sub-section (2) of Section 43.**

(1)The draft statement shall be published by affixing a true copy of it to the notice-board of the Revenue-Officer and keeping it open for inspection, free of charge, by any person interested during office hours on working days for a period of thirty days from the date on which the copy is first affixed to his notice-board.(2)[ A copy of the draft statement published under Sub-rule (1) shall be simultaneously sent by registered post with acknowledgement due to the person to whom it relates together with a notice intimating such person that objections, if any, to any entry in, or omission from such statement filed within a period of thirty days from the date of issue of such statement shall be taken into consideration.] [Substituted by Notification No. 10100-Re-187/79-R-D. 11.2.1980.][(2-A) A notice accompanied by a copy of the draft statement shall also be simultaneously published in the village or villages in which the land is situated by proclamation and beat of drum and by pasting a copy of it in presence of not less than two persons at some conspicuous place in the village informing all persons including those persons mentioned in the said statement that objections, if any, to any entry in, or omission from such statement filed within a period of thirty days from the date of such publication under Sub-rule (1) shall be taken into consideration] [Substituted by Notification No. 71205-Re-189/75-R-D.10.9.1975.].(3)During the period of thirty

days, as aforesaid, every facility shall be given to the person to whom the statement relate for inspecting it and for taking extracts therefrom.

**31. [ Appellate authority under Sub-section (2) of Section 4. [Substituted by Notification No. 10100-Re-187/79-R-D.11.2.1980.]**

- An appeal under Sub-section (2) of Section 44 shall lie of the Subdivisional Officer or to an Officer specially appointed by Government in this behalf who is suitable for appointment as a Sub-divisional Officer. Provided that appeal under Sub-section (2) of Section 44 pending on the date of commencement of the Orissa Land Reforms (General) (Amendment) Rule, 1980 shall be transferred to the Subdivisional Officer for hearing and disposal.]

**32. [ Publication of confirmed statement under Sub-section (3) of Section 44. [Substituted by Notification No. 71205-Re-189/75-R-D.10.9.1975.]**

(1)The confirmed or modified statements shall be published in the same manner as laid down in Sub-rule (1) of Rule 30 for a period of fifteen days.][Provided that the date of publication shall be excluded in computing the said period.] [Inserted by Notification No. 86140-R-D.6.11.1976.](2)After the period of publication is over, the Revenue Officer shall append a certificate to the statement as to the fact of publication.(3)The fact of publication shall be communicated by registered post with acknowledgement due to the person to whom the statement relates along with a certified copy of such statement including the certificate appended under Sub-rule (2).

**33. Authorities to whom copies of the statement are to be sent under Sub-section (3) of Section 44.**

- A true copy of the confirmed statement shall be furnished to -(1)the authority competent to maintain the record of rights;(2)The Sub-Registrar; and(3)every landlord of the person to whom that statement relates;Provided that where Government is the land-lord no copy need to be furnished under this clause.

**33A. [ Preparation of draft statement showing ceiling surplus lands under Section 45-B which escaped ceiling. [Inserted by Notification No. 10100-Re-87/79-R-D.11.2.1980.]**

- For the purpose of making a declaration under Sub-section (1) of Section 45-B of the Act, the Revenue Officer shall cause to be prepared a revised draft statement in Form No. 13-A.

**33B. Publication of the revised draft statement of ceiling surplus lands and service of notice to the person concerned.**



(1)The revised draft statement prepared under Rule 33-A shall be dealt with in the same manner as laid down in Rule 30.(2)Objections, if any, received under Sub-rule (1) shall be considered by the Revenue Officer on such date and at such place and time, as he may fix by notice served on the objectors in that behalf and the Revenue Officer after making such enquiries as he deems necessary and after consulting the local committee, if any, may by order recording his reasons in writing, alter and amend all or any of the particulars specified in the draft statement.

### **33C. Declaration of ceiling surplus lands under Section 45-B.**

(1)On termination of the proceedings under Rule 33-B, the Revenue Officer shall, by order, confirm or modify the draft statement and record a declaration on it specifying the land adjudged surplus for the purpose of Sub-section (1) of Section 45-B of the Act.(2)The draft statement as confirmed or as modified in appeal or revision, if any, shall be published in the same manner as laid down in Sub-rule (1) of Rule 30, for a period of fifteen days.(3)After the period of publication is over, the procedure laid down in Sub-rules (2) and (3) of Rule 32, shall mutatis mutandis apply.(4)A true copy of the confirmed statement published under Sub-rule (2) shall also be furnished to the authorities prescribed under Rule 33].

### **34. Manner of ascertaining the Government dues under Sub-section (1) of Section 48.**

(1)The Revenue Officer shall address ail Tahsildars in whose jurisdiction the person entitled to [an amount] [Substituted by Notification No. 42688-Re-157/76-D.3.6.1976.] under Section 47 has interest in land as to the dues payable to Government by such person.(2)On receipt of such a reference, the Tahsildar shall intimate the Revenue Officer all the details as to the dues referred to in Sub-rule (1).(3)If there is no dues payable to Government, the Tahsildar shall communicate the fact to the Revenue Officer.(4)On receipt of information under Sub-rules (2) and (3) the Revenue Officer shall proceed to prepare the draft [\* \* \*] [Deleted by Notification No. 42688-Re-157/76-D.3.6.1976.] Assessment Roll under Sub-section (1) of Section 48.

### **35. Form and manner of publication of the draft Assessment Roll under Sub-section (1) of Section 48.**

(1)The draft [\* \* \*] [Deleted by Notification No. 42688-Re-157/76-D.3.6.1976.] Assessment Roll shall be in Form No. 9.(2)It shall be published by affixing a true copy of it to the notice board of the Revenue Officer and keeping it open for inspection, free of charge, by any person interested during office hours on working days for a period of sixty days from the date on which the copy of first affixed to his notice board.(3)[ On the date of affixture on the notice board under Sub-rule (2), a copy of the draft Assessment Roll shall be communicated to the persons who are shown in the Roll as entitled to an amount by registered post with acknowledgement due and they shall be informed that objections, if any, to any entry or omission from it, may be filed within sixty days from the date.] [Substituted by Notification No. 101000-Re-1/87-R-D.11.2.1980.][ (3-A) A notice accompanied by a copy of the draft Assessment Roll shall also be simultaneously sent by registered

post with acknowledgement due to Co-operative Societies registered or deemed to be registered under the Co-operative Societies Act, 1962 including Co-operative Land Development Bank and State Co-operative Land Development Bank as defined in that Act and other public financing institutions as defined under Clause (25) of Section 2 of the Act in whose jurisdiction the person shown in the draft Assessment Roll have interest in land as to the dues payable to said Co-operative Societies of Banks or other financing institutions and they shall be informed that objections, if any, may be filed within sixty days from the date of publication of Roll.] [Inserted by Notification No. 101000-Re-1/87-R-D.11.2.1980.](4) During the period of sixty days as aforesaid every facility shall be given to the persons to whom the Roll relates for inspecting it and for taking extracts therefrom.

### **36. Manner of disposal of objections under Sub-section (1) of Section 48.**

(1) When an objection to the draft [\* \* \*] [Deleted by Notification No. 42688-Re-157/76-D.3.6.1976.] Assessment Roll is received, notice of the objection shall be served on every person whose interest may in the opinion of the Revenue Officer be affected thereby and all such persons shall be called upon to attend at such time and place as the Revenue Officer may fix for disposal of the objection. (2) On the date fixed for hearing of the objection or on any other date to which the hearing may stand adjourned, the Revenue Officer shall after making such enquiry as he considers necessary and after giving the parties present an opportunity of being heard pass such orders as he deems proper.

### **37. [ Appellate authority under Sub-section (2) of Section 48. [Substituted by Notification No. 101000-Re-1/87-R-D.11.2.1980.]**

- An appeal under Sub-section (2) of Section 48 shall lie to the Sub-divisional Officer or to an officer specially appointed by Government in this behalf who is suitable for appointment as the Sub-divisional Officer and any appeal under Sub-section (2) of Section 48 pending on the date of commencement of Orissa Land Reforms (General) (Amendment) Rules, 1980 shall be transferred to the Sub-divisional Officer for hearing and disposal.]

### **38. [ Manner of final publication under Sub-section (1) of Section 49. [Substituted by Notification No. 71617-Re-145/78-R-D.1.11.1978.]**

(1) The draft Assessment Roll as envisaged under Sub-section (1) of Section 49 shall be finally published by affixing a true copy of it to the notice board of the Revenue Officer. Provided that the Assessment Roll finally published within sixty days immediately prior to the commencement of the Orissa Land Reforms (General) Amendment Rules, 1978 shall be deemed to have been published under this rule. (2) A copy of the Assessment Roll published under Sub-rule (1) shall simultaneously be communicated by registered post with acknowledgement due to the persons or person who are shown in the roll as entitled to the amount. (3) The Revenue Officer shall append a certificate to the Roll as to the date and fact of final publication.]

**38A. [ Procedure for settlement of ceiling surplus lands under Subsection (2) of Section 51 and definitions. [Inserted by Notification No. 59795-Re-144/75-R-D.4.8.1975.]**

(1) For the purpose of Subsection (2) of Section 51 of the Act, the Settlement of ceiling surplus lands, vesting in the Government, in pursuance of the provisions of Section 45, shall be made in the manner hereinafter laid down. (2) For the purpose of the Settlement of surplus lands referred to above and unless there is anything repugnant in the subject or context- (a) [ Landless person or landless agricultural Labourer shall mean any person the total extent of whose land along with the lands held as a raiyat or tenant by all members of his family living with him in one mess is not more than 0.7 standard acre and who has no profitable means of livelihood other than agriculture.] [Substituted by Notification No. 28212-Re-62/76-R-D.16.4.1976.] (b) "Co-operative Farming Society" shall mean a Society registered under the Orissa Co-operative Societies Act, 1962 and formed by landless agricultural labourers. (bb) [ The Revenue Divisional Commissioner may at any time revise the order of settlement of land passed by the Revenue Officer, Sub-divisional Officer, Additional District Magistrate or Collector, whether in exercise of original, appellate or revisional jurisdiction under this rule.] [Inserted by Notification No. 86.496-Re-155/80-R-D.16.5.1980.] (3) Application for Settlement of surplus lands - (a) On the vesting of surplus lands in Government under Section 45 of the Act, the Revenue Officer shall issue notice inviting applications for settlement from deserving persons to be filed within [fifteen] [Substituted by Notification No. 10100-R-D.11.2.1980.] days from the date of issue of notice : Provided that the Revenue Officer may, for reason to be recorded in writing receive such application from any deserving person at any time before the settlement of surplus lands in the village under Sub-rule (8) whereupon the provisions of the Sub-rule following hereafter shall apply. (b) [ The notice shall be affixed on the Notice Board in the Office of the Revenue Officer. A copy of the notice shall also be affixed at a conspicuous place of the village in which the land in question is situated. The notice shall contain details of the land proposed to be settled, namely, the name of village where the land is situated, Khata number, Plot number, area, classification, status of the land and such other particulars, as may be necessary for its identification] [Inserted by Notification No. 59795-Re-144/75-R-D.4.8.1975.], (4) [ Filing of applications and enquiry into the applications - (a) The applications for settlement of surplus land shall be filed by the persons categorised under Section 51 of the Act, within the period specified in Sub-rule (3)(a), and shall bear Court-fee stamp of rupees one and thirty paise :] [Substituted by Notification No. 28212-Re-62/76-R-D.16.4.1976.] Provided that the State Government may exempt from payment of Court-fee in any case or class for settlement of surplus land. (b) The applications received under Sub-rule (3)(a) shall be registered and the particulars thereof, shall be entered in a Register in Form No. 22. (c) The applications shall be sorted out village-wise and taken into consideration village wise in accordance with the priority provided in Section 51 of the Act. (d) The Revenue Officer shall thereafter, cause an enquiry to be made in respect of each application and if after such enquiry he is of the opinion that settlement of land may not be granted, he shall reject the application after recording the reasons for rejection. (e) If after enquiry the Revenue Officer is of the opinion that settlement of land may be granted he shall publish a proclamation which shall contain particulars of the applicant and particulars of land applied for settlement such as the name of the Village, Plot No., Holding No., classification of the land, area and such other particulars as may be necessary and invite objections if any, fixing date for hearing of objections. (f) The proclamation shall

be published by beat of drum [and] [Substituted by Notification No.28212-Re-62/76-R-D.16.4.1976.] by affixing a copy of the same at a conspicuous place in the village in which the land is situated in the presence of not less than two persons. If the village is uninhabited, the notice shall be published in the aforesaid manner in the nearest inhabited village. A copy of the proclamation shall also be published by affixing it on the Notice Board in the office of the Revenue Officer and a copy thereof shall also be sent to the Gram Panchayat in which the land is situated.(g)On expiry of [fifteen] [Substituted by Notification No.10100-R-D.11.2.1980.] days from the date of publication of the proclamation in the village and after hearing objections, if any, the Revenue Officer shall, if he is satisfied that the applicant is deserving and there is no objection to the settlement on any ground, make an order granting settlement of the land applied for or any portion thereof.(5)Priority of Settlement - The Settlement of surplus lands vested in Government under Section 45 of the Act shall be made by the Revenue Officer [after consulting the local committee, if any] [Inserted by Notification No.10100-R-D.11.2.1980.] with deserving persons in the order of priority indicated under Section 51 of the Act.(6)[(a) to (6)(c) \* \* \*] [Deleted vide Orissa Gazette Extraordinary No. 615/24.4.1986.](d)Settlement of the lands with the applicants belonging to the Scheduled Castes and Scheduled Tribes and others shall be considered separately in accordance with the priority specified in Section 51 of the Act. Applications of persons belonging to one category shall be considered together and disposed of before going to the next category in order of priority :Provided that preference shall be given to those landless persons who have no land or other means of livelihood, over those, who are comparatively better.(7)(a)Extent of settlement of land - Settlement of surplus lands shall be made in accordance with the priority mentioned in Sub-rule (5) and the procedure specified in Sub-rule (6).(b)No more than 0.7 standard acre of land shall be settled with any person :Provided that when a person already owns some land so much of land not exceeding in the aggregate 0.7 standard acre may be settled with him.[Provided further that where the area of surplus land available for settlement comprised in any plot is more than 0.7 standard acre but less than one standard acre and no person come forward to accept settlement of the residual land after the initial settlement up to 0.7 standard acre, such land may be settled with the person with whom contiguous land has been settled.] [Inserted vide Orissa Gazette Extraordinary No. 615/24.4.1986.]Explanation - For the purpose of conversion one acre shall be equal to 0.4047 hectore.(8)[ The land shall be settled with deserving persons on rayati basis free of salami.] [Inserted vide Orissa Gazette Extraordinary No. 615/24.4.1986.][(8-a) \* \* \*] [Deleted vide Orissa Gazette Extraordinary No. 615/24.4.1986.](9)Transitory Provisions - Notwithstanding anything contained in the Orissa Land Reforms (General) Rules, 1965 all the outstanding amounts towards salami together with interests accrued thereon due from the allottees of surplus lands that have already been settled prior to the 1st day of November, 1983 shall be deemed to have been exempted.[(9-a) \* \* \*] [Deleted vide Orissa Gazette Extraordinary No. 615/24.4.1986.](b)While settling the land, Revenue Officer shall determine the fair and equitable rent in respect thereof to be paid by the person with whom the land is settled.(c)A copy of final order of settlement shall be sent to the authority competent to maintain the record-of-rights.(10)(a)Appeal and Revision - An appeal against the order of the Revenue Officer under this rule, if presented :(i)by any person aggrieved by the order, or(ii)by the State Government, shall lie to the Sub-divisional Officer within a period of thirty days from the date of such order.(b)Revision against any order passed by the Sub-divisional Officer in appeal shall lie to the Collector of the district within the period of thirty days from the date of such order :Provided that this power of the Collector of the district may be exercised by the

Additional District Magistrate in any particular case or class of cases as may be specified by the Collector by an order in writing made in this behalf.(bb)[ The Revenue Divisional Commissioner may at any time revise the order of settlement of lands passed by the Revenue Officer, Sub-divisional Officer, Additional District Magistrate or Collector, whether in exercise or original appellate or revisional jurisdiction under this rule.] [Inserted vide S.O.No. 624/16.5.1980.](c)With every appeal or revision a certified copy of the order appealed against or sought to be revised shall be filed.(d)Every appeal or revision petition shall be drawn up in the form of a memorandum signed and dated by the appellant or petitioner or his recognised agent or his counsel the memorandum shall set forth concisely and under district heads the grounds of objections to the order appealed against or sought to be revised and such grounds shall be numbered consecutively.(e)If an appeal or revision petition is admitted, the authority hearing the appeal or revising may call for a report from the officer against whose order the appeal or revision petition has been filed.Provided that the points on which such report is required shall be distinctly mentioned in the order calling for the report.(f)Pending disposal of the appeal or revision, operation of the order appealed against or sought to be revised may, at the discretion of the authority hearing the appeal or revision petition be stayed.(g)A notice of the appeal or revision and the date of its hearing shall be served on the respondent, if any.(h)Reasonable opportunity shall be given to the parties to be heard in person through lawyers before any final order in an appeal or revision petition is passed.

**38B. [Renumbered by Notification No. 59795-Re-144/75-R-D.4.8.1975.]  
Ceiling of future acquisition.**

- [For the purpose of Section 52 of the Act it shall be the duty of the Tahsildar who is entrusted with the maintenance of record-or-rights under Chapter IV of the Orissa Survey and Settlement Rules, 1962 to inform the Revenue Officer of the cases where the total area of land held by a raiyat or land holder exceeds the ceiling area after the commencement of the Orissa Land Reforms (Amendment) Act, 1973 (President's Act 17 of 1973.) [Inserted by Notification No. 65926-Re-179/73-R-D.11.10.1973.]

**38C. [Inserted by Notification No. 86140-Re-312/76-R-D.6.11.1976.]**

For the purpose of filing of return under proviso to Section 52 of the Act, the provisions contained in Rule 29-D shall so far as may be apply.]Chapter-V Miscellaneous

**39. [ Manner of conducting proceedings of the land Commission under  
Sub-section (4) of Section 53. [Substituted by Notification No. 35351-S.R.O.  
No.1100/67/D.13.7.1968.]**

- The manner of conducting the proceedings of the Land Commission shall be as follows :(1)The Secretary to the Commission with the approval of the Chairman shall call its meeting and fix the date, time and place of the same, notice for which shall be given to all members of the Commission at least seven days before the date of meeting.(2)The notice shall contain the agenda of the meeting, but any item not mentioned in the agenda may be considered with the permission of the

Chairman.(3)The Chairman shall preside at all meetings of the Commission.(4)In absence of the Chairman the members present shall elect a President for the meeting.(5)The quorum for a meeting shall be four.(6)The meeting shall be adjourned for want of a quorum and no quorum shall be necessary for an adjourned meeting, but the date, time and venue therefore shall be notified at the time of adjournment of which fresh notice shall be given to all members.(7)The Secretary to the Commission shall keep a brief record of the proceedings of each meeting in English and shall send copies thereof to Government and all members.(8)The Commission may meet at such intervals and at such places in the State as may be deemed expedient but no less than [four] times in a year, to transact its business.(9)The Chairman of the Commission may, with the concurrence of the members, in a meeting Co-opt. any other persons for special purposes as required under Sub-section (3) of Section 53.(10)In the absence of the Chairman, a member of the Commission authorised by him in writing or in the absence of such authorisation, a member authorised by the Commission under a resolution to this effect shall be entitled to sign any document and act as may be necessary for the transaction of the Commission's official business.(11)In case of any vacancy in the membership of the Commission, the Secretary of the Commission shall take immediate steps to move Government for appointment of a member in the vacancy.(12)Notwithstanding the existence of any vacancy in the membership of the Commission but subject to the provisions of these rules, all business transacted by the Commission shall be valid.(13)Only the Secretary to the Commission shall be competent to authenticate all communications made on behalf of the Commission:Provided that the Chairman of the Commission may authorise any other person to authenticate such communication when the Secretary is absent or is otherwise unable to perform his function].

### **39A. [ Constitution of Local Committee and its conduct of business. [Inserted by Notification No. 603-76-D.3.6.1976.]**

(1)[Local Committees may be constituted for each Revenue Inspector's Circle. The Committee shall consist of four members of whom the Revenue Inspector of the Circle shall be one. Three other members shall be non-officials to be nominated by the Government or by the Officer authorised under Section 89, who shall, unless sooner replaced or unless the Committee is sooner reconstituted hold office for a period of three years.(2)There shall be no quorum for the meeting of the Local Committee.(3)the Revenue Inspector of the circle shall be the convener of the meetings of the Committee.(4)The Convener shall keep brief record of the proceedings of each meeting in Oriya Language.]

### **40. [ Application under Section 56-A. [Inserted by Notification No. 603-76-D.3.6.1976.]**

(1)The application under Subsection (1) of Section 56-A shall be in Form No. 10.(2)It shall be inquired into by such person as may be authorised by the Revenue Officer.(3)On receipt of the enquiry report and after giving the applicant a hearing and making such further enquiry as may be necessary, the Revenue Officer shall decide if the certificate prayed for in the application should be granted.Provided that the certificate in respect of a person who is subject to any physical disability shall not be granted if the person has an income exceeding eight thousand rupees per annum from a

source other than land.](4)[ The certificate to be granted by the Revenue Officer under Sub-rule (3) shall be in Form No. 11] [Inserted by S.R.O. No. 216/80-D.11.2.1980.]

#### **41. Costs under Sub-section (2) of Section 57.**

- The Revenue Officer may award costs to the successful party not exceeding the total amount of the court-fees paid in the application or petition or memorandum of appeal subject to a minimum of five rupees.

#### **41A. [ Claims before Tribunals for declaration as privileged raiyats. [Inserted by Notification No. 65926-Re-179/73-R-D.11.10.1973.]**

- Declaration of trusts as privileged raiyats under Section 57-A shall be made in the following manner :](i)[ A person competent to act on behalf of a trust shall made an application to the Tribunal appointed under Section 57-A stating that the Trust may be declared as a privileged raiyat in respect of the lands held by such Trust.] [Substituted by Notification S.R.O. No. 216/80-D.11.2.1980.](ii)The Tribunal shall, as far as may be, follow such procedure for the disposal of applications referred to in Sub-rule (1) above as is laid down for trial of suits in the Code of Civil Procedure, 1908 (5 of 1908).(iii)An application by a trustee in respect of a trust under sub-Clause (e) of Clause (24) of Section 2 shall be in Form No. 20 and shall be verified in the manner prescribed for verification of a plaint under Code of Civil Procedure, 1908 (5 of 1908) by the applicant or his agent duly authorised in that behalf.(iv)The application shall be accompanied by three copies thereof and shall be presented to the Tribunal having jurisdiction either in person or through his authorised agent or sent by registered post with acknowledgement due.(v)[ A copy of the application received by the Tribunal shall be sent to- [Substituted by Notification No. 10100-Re-1-87/79-R-D.11.2.1980.](a)Endowment Commissioner, if the Trust belong to a Hindu Religious Institution;(b)Board of Wakfs, if the same belongs to a Muslim Wakf; and(c)The Collector of District in other case, inviting objection from them, if any](vi)A copy shall also be published at a conspicuous place of the village or villages where the Trust is situated, inviting objections from the persons interested.(vii)Objections, if any, under [clauses (v) and (vi)] [Substituted by Notification No. 10100-Re-1-87/79-R-D.11.2.1980.] shall contain the grounds on which the objector relies and shall be filed in triplicate within thirty days from the date of publication of the application.(viii)[Copies of the objection petition shall be sent by the Tribunal to the Endowment Commissioner or the Board of Wakfs or the Collector of the District as the case may be, and to the Trustee concerned. [Substituted by Notification No. 10100-Re-1-87/79-R-D.11.2.1980.](ix)After the receipt of objections, the Tribunal shall fix a date for hearing and shall give notice thereof to the parties concerned and also to the Endowment Commissioner or Board of wakfs or the Collector, as the case may be, in case such Commissioner or Board or Collector is not already impleaded as a party.(x)Upon the declaration of the Trust as privileged raiyat or the rejection of his claim in that behalf, the Tribunal, shall as soon as may be, intimate the fact to the Collector of the District.]

**42. [ An appeal under Sub-section (1) of Section 58. [Substituted by Notification S.R.O. No. 216/80-D.11 2 1980.]**

- An appeal under Section 58 shall lie to -(1)The Sub-divisional Officer or an officer specially appointed by Government in this behalf who is suitable for appointment as Sub-divisional Officer if the order appealed against was passed by a Revenue Officer below the rank of a Sub-divisional Officer and is against any order other than an order passed under Sections 22, 23 and 23-A of the Act and any appeal against any such order pending on the date of commencement of the Orissa Land Reforms (General) (Amendment) Rules, 1980 shall be transferred to the Sub-divisional Officer for hearing and disposal.(2)The Additional District Magistrate of the District or an Officer specially appointed by Government in this behalf who is suitable for appointment as Additional District Magistrate if the order appealed against was passed by a Revenue Officer not below the rank of Sub-divisional Officer or against an order passed under Sections 22, 23 and 23-A :Provided that any such appeal pending on the date of commencement of the Orissa Land Reforms (General) (Amendment) Rules, 1980 shall be heard and disposed of as if the said rules had not come into force.]

**42A. [ [Inserted by Notification No. 50070-Re-80/68-R-D.27.9.1968.]**

Any person aggrieved by an order of one Revenue Officer passed under Clause (c) of Sub-section (1) of Section 19 of the Act, read with Rule 19-A of these rules may prefer an appeal to the Settlement Officer exercising jurisdiction over that area.]

**42B. [ Revision under Section 59. [Substituted by Notification No. 10100-Re-1-87/7S-R-D. 11.2.1980.]**

(1)An application for revision under Sub-section (1) of Section 59 shall lie to -(i)The Additional District Magistrate or an Officer specially appointed by Government who is suitable for appointment as Additional District Magistrate if the order against which revision is filed who passed by an appellate authority under the Act below the rank of an Additional District Magistrate;(ii)[ "The Collector of the district or an officer specially appointed by Government who is suitable for appointment as Collector of a district if the order was passed by an appellate authority under the Act of the rank of an Additional District Magistrate." ]Provided that any applicant for revision under Sub-section (1) of Section 59 pending on the date of commencement of the Orissa Land Reforms (General) (Amendment) Rules, 1980 shall be heard and disposed of by the Additional District Magistrate of the district or an Officer specially appointed by Government in this behalf who is suitable for appointment as Additional District Magistrate, if the appellate order against which revision is filed was passed by the Sub-divisional Officer and by the Collector, if the appellate order was passed by the Additional District Magistrate.][Provided further that any application for revision under Sub-section (1) of Section 59 pending with the Collector on the date of commencement of the Orissa Land Reforms (General) (Amendment) Rules, 1982 shall be heard and disposed of by the Officer appointed by Government under Clause (ii)] [Substituted by S.R.O. No. 528/82-D.16.8.1982.]



#### **43. Procedure for filing and disposal of appeals under Sub-section (2) of Section 58.**

- The procedure for filing and disposal of appeals shall be the same-as is provided under Order XLI of the Code of Civil Procedure, 1908 (5 of 1908).

#### **44. [ Limitation for filing application for revision under Section 59. [Substituted by Notification S.R.O. No. 216/80-D.11.2.1980.]**

- Every application for revision under Sub-section (1) of Section 59 shall be filed within a period of thirty days from the date of the order against which such application is preferred :Provided that an application for revision which has been filed on or after the 19th day of May, 1976 and before the date of commencement of the Orissa Land Reforms (General) (Third Amendment) Rules, 1976 shall, if such application was filed within the prescribed period, be deemed to have been filed before the Revenue Divisional Commissioner, having jurisdiction and shall be heard and disposed of by him.]

#### **45. Manner of disposal of matters under Section 59.**

(1)The provisions of Rule 43 shall mutatis mutandis apply to the filing, hearing and disposal of cases of revision before the [Additional District Magistrate or Collector as the case may be.] [Substituted by Notification S.R.O. No. 216/80-D.11.2.1980.](2)The [\* \* \*] [Deleted by Notification S.R.O. No. 603/76-D.3.6.1976.] hearing and disposal of cases of revision before the Board of Revenue shall be regulated by the provisions of the Board of Revenue, Orissa Regulation, 1963.

#### **46. Fees including Court-fees under Section 62.**

- Unless otherwise specifically provided in these rules, the Court-fees and other fees payable under the Act shall be as mentioned in the Schedule-I.

#### **47. Application for delivery of possession under Sub-section (1) of Section 65.**

(1)An application under Section 65 for delivery of possession shall be accompanied by a certified copy of the order in pursuance of which delivery of possession is applied for.(2)No direction for delivering possession of land shall be issued by the Revenue Officer without giving the parties interested a reasonable opportunity of being heard.

#### **48. Power of enter upon land under Section 72.**

(1)Any officer entrusted with the performance of any duty under the Act may enter upon any land by giving reasonable and prior intimation to the owner or occupier of the land or any adult member of his family not being a pardahnashin lady.(2)If the owner or occupier of the land or any other person

on his behalf is not available, the entry to the land may be made in the presence of two persons.(3)The signature of the owner or occupier or any person on his behalf or the two persons as the case may be, may be taken on the records of measurement or other act done.

#### 49. Saving in regard to the form of application.

- No document made under the Act or under these Rules shall be void merely because it is not in the prescribed form provided that all materials and particulars provided in the form are given in the document.

#### 50. Savings as regards to language of application, notice, etc.

- All documents, under the act or under these rules shall be in English or in the Court language.

#### 51. Repeals.

- The Orissa Land Reforms Rules, 1961, are hereby repealed.[Schedule-I] [Substituted vide Orissa Gazette Extraordinary No. 570/6.4.2005-SRO No. 13999/21/2005 dated 29.3.2005.][See Rule 46]Fees payable under the Act and the Rules

Serial No.	Application, Memorandum etc. in respect of which fee is payable	Officer before whom to be filed or person to whom to be given	Fees to be charged
(1)	(2)	(3)	(4)
1.	Application or petition generally not otherwise provided in this Schedule	Appropriate officer or authority as mentioned in the Act, or these rules	Rs. 10.00
2.	Application or petition for payment of compensation for surplus land under Chapter IV of the Act	Authority competent to make payment	Nil
3.	Memorandum of appeal	Authority competent to hear the appeal	Rs. 15.00
4.	Application for revision	Authority competent to dispose of the application	Rs. 20.00
5.	Vakalatnama or Mukhtarnama	Filed before Board of Revenue or Collector	(a) For Board of Revenue Court Rs. 20. (b) For Collector Court Rs. 10
6.	Fees for service of notice on opposite parties, Respondents, Defendants or for other persons or summoning	Authority before whom the relevant proceeding is pending	(a) Rs. 10 for not more than 4 persons and additional fees

witnesses in course of proceedings  
under the Act, or these rules

of Rs. 5 for every  
person i.e. excess of  
four. (b) For issue  
of a general notice  
Rs. 10.00

7.	Fees for sub-division of plots	Authority before whom the proceedings in connection with which the question of subdivision arises, is pending	Rs. 20.00
8.	Fee under Sub-section (3) of Section 56-A	The Revenue Officer to whom the application is made under Sub-section (1) of Section 56-A	Rs. 10.00

Explanation. - All the fees payable under this Schedule shall be paid in shape of Court-fee stamps except the fee mentioned in item 7 thereof which shall be paid in cash. The fee mentioned in item 8 of the Schedule when payable to the Gram Panchayat shall also be paid in cash. Appendix Form No. 1 Application for being declared as a raiyat under Clause (h) of Subsection (1) of Section 4 [See Sub-section (2) of Section 4 and Sub-rule (1) of Rule 10] In the Court of the Revenue Officer.....

**1. Name of the applicant, his parentage and address.**

**2. Name of the village in which the land forming the subject of this application is situated.**

**3. Identifying particulars like survey plot number, holding number, classification, area and other details of the land in question.**

**4. The year from which the land has been in cultivating possession of the applicant.**

**5. The amount of rent paid in respect of each year of occupation up-to-date.**

**6. The name, parentage and address of the landlord directly under whom the land is held.**

**7. Any other relevant statement which, the applicant wants to make.**

Place.....Date.....Signature of applicant or his authorised  
agent Verification I..... son of..... declare that the facts contained in this

application are true to the best of my knowledge, belief and information. Place.....Date.....Signature of applicant or his authorised agentForm No. 2Application for being declared as a raiyat under Clause (i) of Subsection (1) of Section 4.[See Sub-section (5) of Section 4 and Sub-rule (2) of Rule 10]In the Court of the Revenue Officer .....

**1. Name of the applicant, his parentage and address.**

**2. Name of the village in which the land forming the subject of this application is situated.**

**3. Identifying particulars like survey plot number, holding number, classification, area and other details of the land in question.**

**4. The name, parentage and address of the landlord directly under whom the land is held.**

**5. Any other relevant statement which, the applicant wants to make.**

Place.....Date.....Signature of applicant or his authorised agentVerificationI, ..... son of..... declare that the facts contained in this application are true to the best of my knowledge, belief and information. Place .....Date .....Signature of applicant or his authorised agentForm No. 3Notice of landlord giving particulars of transfer of a holding of a raiyat or a portion or share thereof[See Sub-section (5) of Section 11 and Sub-rule (1) of Rule 14]ToShri.....Take note that transfer has been effected of the raiyati land specified below :

**1. Description and area of the land transferred with its annual rental.**

Tahasil	Name and number of village	Holding number	Survey Plot No.	Area transferred (where a portion of the entireplot has been transferred, area of that portion be given)	Annual rent of the area (where a portion has beentransferred, proportionate annual rent relating to that portion)	Remarks
1	2	3	4	5	6	7

**2. Mode of transfer whether by voluntary sale, exchange, gift, bequest or sale in execution of a decree in Civil/Revenue Court.**

**3. Name of Registration Office where registered, Registration Volume No., Page No., Deed No., and year:**

**4. I decreed in Court or ordered by a Revenue Officer particulars of the year and number of the case, suit, execution proceedings etc.**

**5. Name and address of the transferor-**

**6. Name and address of the transferee-**

**7. The name and address of the landlord-**

Signature of Transferor.....Signature of transferee.....N.B. - A separate notice should be filed for each village, if the transfer relates to more than one village.  
Note. - The particulars required in Item No. 3 are to be filled in by the Registering Officer.  
Form No. 4 Notice of partition of a holding made by a registered instrument [See Sub-section (2) of Section 19 and Sub-rule (1) of Rule 20]  
Shri.....  
landlord Address.....We have effected partition among us in respect of the land given below :

Particulars of land      District.....Tahasil.....  
Village.....Thana No.....  
Khata No.....Survey Plot  
No.....  
Status of land.....

The particulars of partition are shown below :

Name of co-sharer raiyat	Area allotted	Rent and cess demanded	Remarks
Survey Plot No.	Area		
1	2	3	4 5

Signature of Co-sharer/Raiyat.....Form No. 5 Notice of partition of a holding made by a decree of a Court [See Sub-section (4) of Section 19 and Sub-rule (1) of Rule 21] From The Court of.....To The Revenue Officer.....Sir, Partition has been effected in the decree of this Court in suit No.....of the year.....in respect of the land given in the Schedule A appended A list of the lands allowed to each share is shown in Schedule B.

**"A"**

Particulars of land      District..... Tahasil.....  
Village..... Thana No.....  
Khata No..... Survey Plot No.....

Status of land.....

**"B"**

Name of co-sharer raiyat	Area allotted	Rent and cess demanded	Remarks
Survey Plot No.	Area		
1	2	3	4
			5

Seal.....Signature of Presiding Officer of the CourtDate.....[Form No. 5-A] [Inserted vide Notification No. 8350-Re-75/72-R/8.2.1972.] Notice of partition of a holding made by an order of the Revenue Officer[See Sub-section (6) of Section 19 and Rule 21-A] From The Court of.....To The Tahasildar/Sub-Registrar.....Sir, Partition has been effected by order, dated ..... of this Court in case No.....more of the year in respect of the land given in the Schedule "A" appended. A list of the lands allowed to each share is shown in Schedule B. Particulars of Land

**"A"**

District..... Tahasil.....  
 Village..... Thana No.....  
 Khata No..... Survey Plot No.....  
 Status of land.....

**"B"**

Name of co-sharer raiyat	Area allotted	Rent and cess demanded	Remarks
Survey Plot No.	Area		
1	2	3	4
			5

Signature of the Presiding Officer of the CourtDate.....Form No. 6 Application by landlord for determining the resumable and the non resumable Lands[See Sub-section (1) of Section 26 and Sub-rule (1) of Rule 23] In the Court of the Revenue Officer .....

**1. Name of the applicant, his parentage and address.....**

**2. Name of the village in which the land forming the subject of this application is situated.....**

**3. Identifying particulars like survey plot number, holding number, classification, area and other details of both the resumable and non-resumable lands.....**

**4. Name of the tenant from whom land is proposed to be resumed, his parentage and address.....**

**5. Identifying particulars of the land selected by the applicant for resumption.....**

**6. Any other relevant statement which the applicant wants to make.....**

Place.....Date.....Signature of applicant or his authorised agentForm No. 7Application by tenant for issue of a certificate determining the resumable and the non-resumable lands[See Sub-section (2) of Section 26 and Sub-rule (1) of Rule 24]In the Court of the Revenue Officer.....

**1. Name of the applicant, his parentage and address.....**

**2. Name of the village in which the land forming the subject of this application is situated.....**

**3. Identifying particulars like survey plot number, holding number, classification, area and other details of the land in possession of the applicant.....**

**4. The name, parentage and address of the landlord in respect of the land in question.**

**5. Any other relevant statement which, the applicant wants to make.**

Place.....Date.....Signature of applicant or his authorised agentForm No. 8Certificate specifying the resumable and the non-resumable lands[See Sub-section 29 and Sub-rule (1) of Rule 26]In the court of the Revenue Officer.....This is to certify under section 29 of the Orissa Land Reforms Act, 1960 that the lands described in the Schedule A below have been determined as resumable by Sri..... son of..... of village ..... from Shri..... son of.....of village.....and that the lands described in Schedule B below have been determined as non-resumable in respect of which the said Shri.....son of of village.....shall become a raiyat under the provisions of Section 30 of the aforesaid Act.

**"A"**

(Here give full identifying particulars of the resumable lands)

## **"B"**

(Here give full identifying particulars of the non-resumable lands) Given under my hand and seal, this the day of 20.....SealRevenue OfficerForm No. 9Draft [\* \* \*] [Deleted vide Notification No. 42688-Re-157-R./3.6.1976.] Assessment Roll[See Sub-section (1) of Section 48 and Rule 35]

**1. Name, parentage and address of the person entitled to [an amount] [Substituted vide Notification No. 42688-Re-157-R./3.6.1976.] under Sub-section (2) of Section 47.....**

**2. Name of the village in which the surplus land is situated.....**

**3. Number of each survey plot of the surplus land.....**

**4. Classification of the land contained in each survey plot .....**

**5. Its area-**

(1)in terms of ordinary acres(2)in terms of standard acres

**6. Total extent of the surplus land in standard acres.....**

**7. Name and address of the land-holder if any, mediately or immediately under whom the surplus land is held.....**

**8. Rent payable to each land-holder mentioned in column 7.....**

**9. Amount payable under Sub-section (1) of Section 47 to each entitled person.....**

**10. Amount payable under-**

(1)Clause (a) of Sub-section (2) of Section 47.(2)Clause (b) of the said Sub-section(3)Clause (c) of the said Sub-section

**11. Total [amount] [Substituted vide Notification No. 42688-Re-157-R./3.6.1976.] payable under Sub-section (2) of Section 47.**



**12. Other particulars, if any.**

**13. Remarks.**

Form No. 10 Application for a certificate regarding incapability to cultivate land personally [See Sub-section (1) & (3) of Section 56-A & Sub-rule (1) of Rule 40]

**1. Name of the applicant, his parentage and address.....**

**2. Reasons in detail in support of the claims for a certificate.....**

**3. Any other relevant fact which the applicant wishes to mention [if the application is made on the ground of physical disability].....**

**4. Sources of income other than land.....**

**5. Annual income from the said sources.....] [Inserted vide Notification No. 42688-Re-157-R./3.6.1976.]**

Place .....Date .....Signature of applicant or his authorised agent or his guardian as the case may be Form No. 11 Certificate regarding incapability to cultivate land personally [See Sub-section (2) & (3) of Section 56-A & Sub-rule (4) of Rule 40].....[\* \* \*] [Deleted vide Notification No. 42688-Re-157-R./3.6.1976.].....Court of the Revenue Officer.....This is to certify that Shri son of.....of village.....in Tahasil.....is incapable of cultivating his lands personally because of the fact that he is (here record the exact person)[\* \* \*] [Deleted vide Notification No. 42688-Re-157-R./3.6.1976.]Date.....Seal.....Revenue Officer [Form No. 12] [Substituted vide Notification No. 65926-Re-17973 R, dated, 11.10.1973.] Return to be submitted by Raiyats and Land-holders regarding lands held in excess of ceiling areas [See Section 40-A and Rule 28]

**1. Name/Father's name of the person filing the return.....**

**2. Address .....**

**3. No of members with family (that is) husband, wife and children.....**

Part-I Particulars of lands held and lands selected to be retained

Serial No.	Name of raiyat or land-holder and names of members	Name of village/ villages	Particulars of land owned
------------	--	---------------------------	---------------------------

of his family  
owning lands

Khata No.	Plot No.	Area in acres	Classification according to record-of-rights	Sources of irrigation, if any	Area of land under Class I, Class II, Class III and Class IV	Total area in standard acres	8	9	10
1	2	3	4	5	6	7			

Particulars of land  
transferred or  
partitioned after  
26.9.1970

Khata No.	Plot No.	Area in acres	Classification of land according to record-of-rights	Sources of irrigation, if any	Areas of land under Class I, Class II, Class III and Class IV	Total area in standard acres
11	12	13	14	15	16	17

Particulars of land  
transferred after  
the commencement of the  
Orissa Land Reforms  
(Amendment) Act, 1973 with  
or without the permission of  
the Revenue Officer

Khata No.	Plot No.	Area in acres	Classification of land according to record-of-rights	Sources of irrigation, if any	Areas of land under Class I, Class II, Class III and Class IV	Total area in standard acres
18	19	20	21	22	23	24

Lands claimed as  
privileged raiyats

Lands Claimed for  
exemptions as  
plantation

Khata No.	Plot No.	Classification	Area in acres	Khata No.	Plot No.	Classification	Area in
-----------	----------	----------------	---------------	-----------	----------	----------------	---------

							acres		
25	26	27	28	29	30	31	32		
Land claimed for exemption for industrial or commercial undertakings, mills, factories or workshops	Lands claimed for exemption as Agricultural University as Veterinary College, Agricultural School, Agricultural Research Institute								
Khata No.	Plot No.	Classification	Area in acres	Khata No.	Plot No.	Classification	Area in acres		
33	34	35	36	37	38	39	40		
Lands in possession of tenant and mortgagees	Lands covered by homesteads								
Khata No.	Plot No.	Classification	Area in acres	Khata No.	Plot No.	Classification	Area in acres		
41	42	43	44	45	46	47	48		
Tanks and their embankments	Particulars of land selected to be retained								
Khata No.	Plot No.	Classification	Area in acres	Khata No.	Plot No.	Classification	Area in acres	Area in standard acres	Remarks
49	50	51	52	53	54	55	56	57	58

## Part II – Particulars of land involved in resumption proceedings under Chapter-III of the Orissa Land Reforms Act, 1960 under Mutation proceedings or subjudice in Civil Court

Name of village/ Villages	Khata No.	Plot No.	Classification	Area in acres	Area in standard acres	Nature of proceeding	Remarks
1	2	3	4	5	6	7	8

Place.....Date.....Signature of the Land-holder/raiyat or his authorised agentI..... son of..... declare that the fact contained in this return are true to the best of my knowledge, belief and information.Place.....Date .....Signature of the Land-holder/raiyat or his authorised agentAcknowledgmentReceived the return under Section 40-A of the Orissa Land Reforms Act, 1960 from Shri.....in respect of his family/firm/factory in respect of the following villages :

1. Village P.S. Khatian No.
2. Village P.S. Khatian No.
3. Village P.S. Khatian No.

Signature of the Receiving OfficerDate.....[Form No. 13] [Substituted vide Notification No. 65926-Re-17973.R, dated 11.10.1973 SRO No. 873/73.]Statement showing ceiling surplus lands[See Rule 29]

## 1. Name and father's name of the land-holder/raiyat .....

## 2. Address-Village..... P.S..... P.O..... District.....

Serial No.	Name of raiyat or land-holder and names of members of his family owning lands	Name of village/ villages	Particulars of land owned
Including lands held by tenants and mortgagees	Sources of irrigation, if any	Area of land under Class I, Class II, Class III and Class IV	Total area in standard acres
Khata No.	Plot No.	Area in acres	Classification according to record-of-rights
1	2	3	4
			5 6 7 8 9 10

Particulars of land transferred or partitioned after 26.9.1970

Khata No.	Plot No.	Area in acres	Classification of land according to record-of-rights	Sources of irrigation, if any	Areas of land under Class I, Class II, Class III and Class IV	Total area in standard acres
11	12	13	14	15	16	17

Particulars of land

transferred after  
the commencement of the  
Orissa Land Reforms  
(Amendment) Act, 1973 with  
or without the permission of  
the Revenue Officer

Khata No.	Plot No.	Area in acres	Classification of land according to record-of-rights	Sources of irrigation, if any	Areas of land under		Total area in standard acres
					Class I, Class II, Class III and Class IV		
18	19	20	21	22	23		24

Particulars of lands claimed as privileged raiyats

Particulars of lands Claimed for exemptions as plantation

Khata No.	Plot No.	Classification	Area in acres	Khata No.	Plot No.	Classification	Area in acres
25	26	27	28	29	30	31	32

Particulars of land claimed for exemption for industrial or commercial undertakings, mills, factories or workshops

Particulars of lands covered by homesteads

Particulars of lands covered by tanks

Khata No.	Plot No.	Classification	Area in acres	Khata No.	Plot No.	Classification	Area in acres	Khata No.	Plot No.	Classification
33	34	35	36	37	38	39	40	41	42	43

Particulars of lands to be retained

Particulars of lands in excess of the ceiling

within  
the ceiling  
limit

Khata No.	Plot No.	Classification according to record-of-rights	Area in excess	Area of lands under		Total area in standard acres	Khata No.	Plot No.	Classification	Area in acres	Remarks
				Class I, Class II, Class III and Class IV	Class						
45	46	47	48	49	50	51	52	53	54	55	

[Form No. 13A] [Inserted vide Notification No. 10100-R/11.2.1980.] Statement showing ceiling surplus lands which is have escaped ceiling proceedings [See Rule 33-A]

## 1. Name and Father's name of the land-holder/raiyat

## 2. Address -

Village..... PS..... P.O..... District..... Reference to the Original ceiling case

Serial No.	Name of raiyat or landholder	Name of village/ villages	Reference to the original final statement under Sub-section (3) of Section 44. Ceiling Case No./ Year.	Total area allowed towards ceiling in original ceiling case referred to in column 4 (Area in acres and standard acres).	Total area declared as surplus in original ceiling case (Area in acres and standard acres)	Date of vesting of surplus lands referred to in column 6.
1	2	3	4	5	6	7

Particulars of lands not taken into account in original ceiling case referred to in column 4 and required to vest in Government under Section

45-B.

Date of delivery or taking over possession of surplus lands referred to in column 7	Khata No.	Plot No.	Classification of land according to record-of-rights	Source of Irrigation if any	Area of land under		Total area in standard acres
					Class I, Class II, Class III and Class IV		
8	9	10	11	12	13		14

Signature of the Revenue Officer Date.....[Form No. 14] [Inserted vide Notification No. 47018-Re-52-72-R/ 16.8.1972.] Order of Revenue Officer for delivery of possession of the land to the landlord or tenant under Sub-section (4) & (6) of Section 15[See Rule 16-A] To.....Whereas a notice under Sub-section (2)/(5) of Section 15 of the Orissa Land Reforms Act, 1960 was served on.....of Village.....District.....to cease to cultivate the land.....specified in the Schedule below :to allow the tenant to enter land And whereas the said .....has not ceased cultivation the said land..... on and from.....has failed to allow the tenant to enter the land You are hereby ordered that you shall deliver possession of the said land to.....of village..... P.S. .... District.....

## Schedule 7

Seal of the Revenue Officer Revenue Officer [Form No. 15] [Inserted vide Notification No. 47020-Re-23/72,-R. dated 16.8.1972.] Receipt in support of payment of compensation [See Sub-rule (7) of Rule 11 [and Sub-rule (3-B) of Rule 25] [Inserted vide Notification No. 10100-Re-187/79-R., dated 11.2.1980.]]

	(Counterfoil)
Case No.....	Case No.....
Name of the tenant.....	Name of the tenant.....
Village.....	Village.....
P.S. ....	P.S.....
District.....	District.....
Name and address of the landlord.....	Name and address of the landlord.....
Village.....	Village.....
P.S. ....	P.S.....
District.....	District.....
Description of land	Description of land
Plot No. .... Khata No. ....	Plot No. .... Khata No.....
Village..... Area.....	Village..... Area.....

Amount of compensation money received from the tenant.

Rs. .... (Rupees.....only)

The above amount of compensation has been deposited in the Court to be paid to the landlord or his co-sharers on demand by the landlord.

Revenue Officer

Amount of compensation money received from the tenant.

Rs. .... (Rupees.....only)

Whereas the above named landlord refused to accept the aforesaid amount of compensation and whereas the tenant could not be able to pay the compensation to the landlord or his co-sharers, the above amount of compensation has been received by this Court from the tenant for payment to the landlord on demand.

(Seal of the Court)

Date.....

Revenue Officer

[Form No. 16] [Inserted vide Notification No. 50756-Re-53/73-R.6.8.1973.] Warrant to Officer to give possession of land [See Rule 22-A] In the Court of Revenue Officer..... Application No..... of Name(s) and address(es) of applicant(s)..... Name(s) and Address(es) of respondent(s)..... To Whereas the land prescribed in the schedule below has to be put into the possession of..... you are hereby directed to put the said person in possession of the same on the day of..... 20 ..... and you are hereby authorised to remove any person bound by the order who may refuse to vacate the same. Should there be crops not ripe for immediate harvest on the land the execution shall be postponed and report of such fact shall be made. Given under my hand and seal this day of 20.....

## Schedule 8

Date..... Place..... Revenue Officer Certificate of Execution I..... do hereby declare that the land schedule above has been put into possession of..... on the..... day of 20 .... in the presence of two witnesses described below -

Names and addresses and their signature

Witnesses

1. Address.....

2. Address.....

Date..... Place..... Signature of the Officer executing the warrant I/We declare that I/We have received today possession of the land in the schedule. Name(s) and address(es) of the party receiving possession from the officer and the signature of such persons. (Countersigned) Date..... Place..... Revenue Officer [Form No. 17] [Inserted vide Notification No. 6592-Re-179/73-R/11.10.1973.] [Application for being declared as a raiyat under Sub-section (1)(a) of Section 9] In the Court of the Revenue Officer .....



- 1. Name of the applicant, his parentage and address.....**
- 2. Whether the applicant is a raiyat or a tenant of any land, if so detailed particulars of the said land .....**
- 3. Name of the village in which the land forming the subject of this application is situated.....**
- 4. Particulars of the land i.e. plot number, holding No., classification, are and other details of the land in question.....**
- 5. Name, Parentage and address of the landlord owning the land mentioned in column 4 above.....**
- 6. Any other relevant statement which, the applicant wants to make.....**

Place .....Date .....Signature of applicant or his authorised agentVerificationI,.....son of.....declare that the facts contained in this application are true to the best of my knowledge, belief and information.Place.....Date.....Signature of applicant or his authorised agentForm No. 18[Application for surrender or abandonment of land by a raiyat or tenant under Sub-section (2) of Section 22-A]In the Court of the Revenue Officer.....

- 1. Name of the applicant, his parentage and address.....**
- 2. Name of the village in which the land forming the subject-matter of this application is situated.....**
- 3. Identifying particulars like survey plot number, holding number, classification, area and other details of the land in question.....**
- 4. Name of the landlord/landlords under whom the land is held with his parentage and address.....**
- 5. Amount of rent paid to the landlord.....**

**6. Reasons for the surrender or abandonment.....**

**7. Any other relevant statement which the applicant wants to make.....**

Place.....Date .....Signature of applicant or his authorised agentVerificationI,.....son of.....declare that the facts contained in this application are true to the best of my knowledge, belief and information.Place.....Date .....Signature of applicant or his authorised agent[Form No. 19] [Inserted vide Notification No. 65926-Re-179/73-R. 11.10.1973.]Application by tenant for determining his non-resumable lands[See Rule 36-A]In the Court of the Revenue Officer .....

**1. Name of the applicant, his parentage and address.....**

**2. Name of the village in which the land forming the subject-matter of this application is situated.....**

**3. Identifying particulars like survey plot number, holding number, classification, area and other details of the land in possession of the applicant.....**

**4. Name, parentage and address of the landlord in respect of the land in question .....**

**5. Any other relevant statement which the applicant wants to make.....**

Place .....Date.....Signature of applicant or his authorised agentVerificationI,.....son of Shri.....declare that the facts contained in this application are true to the best of my knowledge, belief and information.Place .....Date.....Signature of applicant or his authorised agent[Acknowledgement] [Inserted vide Notification No. 86140-Re-312/76-R/6.11.1976.]Received the application in Form No. 19 under Section 36-A of the Orissa Land Reforms Act, 1960 from Shri..... in respect of the following lands.(a)Name of the village.....(b)Name of the Tahasil.....(c)Holding No.....(d)Plot No.....(e)Area.....(f)Name of the landlord.....Signature of the Receiving OfficerDate.....[Form No. 20] [Inserted vide Notification No. 65926/73-R/11.10.1973.]Form of application for declaration as religious or charitable trust of public nature under Section 57-ATo.....Sir,I,..... trustee/I.....authorised agent of trustee son of resident of village/town ... thana ... district of trust beg to state that trust particulars of which are furnished in the Schedule below is a religious/charitable trust of public nature within the meaning of sub clause (e) of clause (24) of Section 2 of the Orissa Land Reforms Act 1960, (Act 16 of 1960) and as such [the trust may be declared to be a religious/charitable trust of a public nature for the purpose of the said section.] [Substituted vide Notification No. 10100-Re-187/79-R/11.2.1980.]

## Schedule 9

**1. Name of the trust**

**2. Name of the district or P.S. in which the trust is situated**

**3. Touzi No./Khewat No./Khata No.**

**4. Particulars of villages/lands comprised in the trust**

**5. A short history of the creation of the trust**

**6. The purpose for which the trust was created**

**7. If the trust comprises part of a village, or villages the details of plot numbers with area of each plot in village**

**8. Amount of pecuniary benefit, if any, reserved, in favour of the individual and the particulars thereof.**

Date .....Signature of the Trustee or is authorised agentVerificationI, Shri.....son of Shri.....resident of.....P.S.....District.....trustee/authorised agent of trust declare that the facts contained in the above application including Schedule thereto are true to the best of my knowledge, belief and information.Signature of the applicantPlace.....Date.....[Form No. 21] [Inserted vide Notification No. 70711-Re-175/74 (Pt.)R/21.11.1974.]Certificate recognising raiyati right on homestead land[See Section 9(1-A) Sub-rule (4) of Rule 13]Court of the Revenue Officer.....This is to certify that under Sub-section (1-A) of Section 9 of the Orissa Land Reforms Act, 1960 Shri.....son of.....of village.....Police Station.....P.O.....District.....has acquired raiyati in respect of the lands described in Schedule 'A' below and has" become a raiyat in respect of the said lands under the provisions of sub section (1-A) of the said section.

**"A"**

Given under my land and seal, this the.....day of.....20.....Revenue Officer][Form No. 22] [Inserted vide Notification No. 59795-Re144/5-R./4.8.1975.]Register of application for the settlement of Ceiling Surplus Lands under the Orissa Land Reforms Act, 1960[See Sub-section (2) of Section 51 and Sub-rule (4) (b) of Rule 38-A]

Case Name No. of village	Area of ceiling surplus	Name and address	Whether the applicant	Date of receiving application	Area of land proposed to be settled	Date of final disposal of the application	Area of land settled
--------------------------------	-------------------------------	------------------------	-----------------------------	-------------------------------------	---	---	----------------------------

1	2	3	4	5	6	7	9
		land available in thevillage	of the applicant	belongs to Scheduled Castesor Scheduled Tribes		with theapplicant	[8] [Original item Nos. 10 and 11 re-numbered as item Nos. 8 and 9 and original item Nos. 8 and 9 deleted vide Orissa Gazette Extraordinary No. 615/24.4.1986.]

N.B. - (i) 2-3 pages of the registers should be kept apart from each village according to necessity(ii)The application of each village should be registered chronologically in a continuous serial.[Form No. 23] [Inserted vide Notification No. 58432-Re-144/75 (Pt.)-R/30.7.1975.]Receipt of in support of payment of compensation[See Rule 13-A (4)]

(Counterfoil)

Case No.....	CaseNo.....
Name of the tenant.....	Name of thetenant.....
Village.....	Village.....
P.S. ....	P.S.....
District.....	District.....
Name and address of thelandlord.....	Name and address of thelandlord.....
Village.....	Village.....
P.S. ....	P.S.....
District.....	District.....
Description of land	Description ofland
Plot No. .... Khata No. ....	Plot No. .... Khata No.....
Village..... Area.....	Village.....Area.....
Amount of compensation money received from the tenant.	Amount of compensation moneyreceived from the tenant.
Rs. .... (Rupees.....only)	Rs. ....(Rupees.....only)
The above amount of compensation has been deposited in theCourt to be paid to the	Whereas the above named raiyat/tenant could not be able to pay the compensation tothe landlord or

landlord or his co-sharers on demand by the landlord.

his co-sharers, the above amount of compensation has been received by this Court from the raiyat/tenant for payment to the landlord on demand.

Revenue Officer

(Seal of the Court)

Date.....

Revenue Officer

[Form No. 24] [Inserted vide Notification No. 42688-Re-157/76-R/3.6.1 976.] Notice to tenant given particulars of transfer of a holding or a portion or share thereof [See Sub-section (2) of Section 14 and Rule 15-A] To Shri ..... S/o ..... of village ..... P.S. .... in the district of ..... Take notice that transfer is proposed to be effected of my raiyati land specified below :

### 1. Description and area of the land proposed to be transferred with its annual rental.....

Tahasil	Name and No. of village	Holding No.	Survey Plot No.	Area proposed to be transferred (where a portion of the entire plot is proposed to be transferred, area of that portion should be given)	Annual rent of the area (where a portion is proposed to be transferred proportionate annual rent relating to that plot should be given)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

### 2. Name and address of the landlord (persons under disability)

### 3. Name and address of the person to whom the land is proposed to be transferred.

Signature of the landlord (person under disability) [Form No. 25] [Added vide SRO No. 776/97, dated 29.11.1997.] Application of a raiyat for conversion of agricultural land for non-agricultural purposes [See Rule 12-A (1)(a)] To The Authorised Officer.....

### 1. Name of the raiyat.....

### 2. Father's/Husband's name.....

**3. Address.....**

**4. Specific purpose for which the land will be utilised after conversion**

**5. Particulars of land -**

(a)Holding Number(b)Plot Number(c)Area(d)Classification and status as per current R.O.R.(e)Village with Thana Number(f)Others, if any

**6. Whether land is situated in any area within one-half Km. on either side of a National Highway/one-fourth Km. on either side of, State Highways, if so, the details thereof.....**

**7. Whether the land situated in a Municipal/N.A.C./Developing area/Rural area, if so, the details thereof.....**

**8. Date from which the land is intended to be used/already used for non-agricultural. purpose.....**

**9. Source of ownership.....**

**10. Approximate market value of the land.....**

Signature of the applicantDate:.....Form No. 26[See Rule 12-A (1) (b)]ToThe Development AuthorityThe Town Planning AuthorityThe Improvement TrustSubject - Application for conversion of agricultural land for non-agricultural purposesO.L.R. Case Ref. No.The enclosed application has been received under Section 8-A of the Orissa Land Reforms Act, 1960 for conversion of agricultural land for non-agricultural purpose as provided in Rule 12-A(1)(c) of the Orissa Land Reforms (General) Rules, 1965. You are hereby called upon to scrutinise this application and intimate if the proposed conversion will violate any master Plan/Improvement Scheme/Development Plan or Town Planning Scheme, made or published under the Orissa Development Authorities Act, 1986 or under the Orissa Town Planning Improvement Trust Act, 1956 which is applicable to the area in question and furnish such opinion as may be considered appropriate, within thirty days from the date of receipt of this notice.In case no response is received from you within the period stipulated above, it shall be deemed that you have no objection to the conversion applied for.Signature and Seal of the Authorised OfficerForm No. 27Standard Form of lease deed for lease of agriculture lands for non-agricultural purpose[See Rule 12-A (5)]This Indenture made on this day of 20 ... between Governor of Orissa (hereinafter called for "Lesser" which expression shall, where the context so admits or implies, includes his successors in office and assignees) of the one part.AndShri/Smt.....son/wife of.....aged.....year, resident of village.....P.S.....Tahasil.....District.....(hereinafter called the "Lessee" which impression shall where the context so admits or implies includes his/her heirs, executors,

administrators and assignees) of the other part. Now This Indenture Witnesseth that in consideration of the sum of Rs.....(Rupees.....) paid before the execution hereof (the receipt where of the lesser hereby admit and acknowledges) the lesser doth hereby grant and lessee doth hereby accept a lease for the purpose of on the land specified in the schedule below subject to the terms and conditions mentioned below :

- 1. The lessee shall pay annually to the Tahsildar or such other officer authorised by him/her to receive the same as land revenue for his/her holding a sum of Rs.....till it is revised under Clause 2.**
- 2. The land revenue of the holding shall be liable to enhancement at the end of each (20) twentieth year or at the time of general revision if land revenue of the area during the course of settlement operation, whichever is earlier.**
- 3. The lessee shall not use the holding its premises for any purpose other than the purpose for which the lease is granted.**
- 4. The lessee shall hold the land in perpetuity with heritable and transferable right.**
- 5. The transferee, if any, shall be deemed to hold the land under the same terms and conditions under which this lease is being granted.**
- 6. if the site is used for any purpose other than that for which this lease is being granted, the Tahsildar after giving one month's notice to the party and after hearing him, if satisfied, shall determine the lease where upon the land shall vest in Government free from all encumbrances and the Tahsildar shall have the right to re-enter immediately on the land on behalf of the lessor and taken possession of the site.**
- 7. In the event of re-entry by the Tahsildar in pursuance of Clause 6, the lessee shall not be entitled to refund of any premium paid by him and shall not also be entitled to any compensation whatsoever from the lessor for any improvements or construction effected or made by him.**
- 8. In the event of re-entry under Clause 6, the lessee shall be entitled to remove the materials collected and construction made, if any, from the land at his cost within fifteen days of such re-entry failing which the Tahsildar shall be entitled to cause such materials of constructions removed at the**

**cost of the lessee and to sell the same by auction. The lessee will, in that event, be entitled only to the balance of the sale proceeds after deduction of the costs and arrears of rent, if any.**

**9. Notwithstanding the untimely termination of the lease in accordance with clause 6, the lease shall be liable for the land revenue fixed for his/her holding till the date of re-entry.**

**10. The lessee shall keep the boundaries of his/her holding unaltered and well defined and point them out to any officer or person duly authorised by the Tahsildar in writing to inspect the same, when so ordered by him.**

**11. If at any time the lessee is found to be in occupation of excess land belonging to Government than what is covered by the lease, the Tahsildar shall be at liberty to dispossess him/her summarily after notice in writing from the said excess land held and dispose of it as he thinks proper and the lessee shall be liable to pay assessment, penalty and fine as provided under the Orissa Prevention of Land Encroachment Act, 1972.**

**12. In the case of any intestate succession on the lessee's death or that of any subsequent holder holding wholly or partly hereunder, the successor shall give notice of his/her succession and the manner thereof, and apply to have his/her name entered in the Record of Rights within six months from the date of death of the person whom he/she has succeeded. No transfer fee shall be payable in such a case but it shall be incumbent upon such successor to present to the Collector an application for mutation of his/her name bearing Court-fee as prescribed by law.**

**13. The lessee shall pay all municipal and other local rates and taxes, which may be assessed upon his/her holding under any law for the time being in force whether payable by the owner or occupier.**

**14. (Here specify other conditions, if any, ordered by the Government)**

Signature of the Authorised Officer acting in the premises for and on behalf of the Governor of Orissa

In the presence of witnesses :

1.



2.

Signature of the lessee

In the presence of witnesses

1.

2.

## of Land

Village..... P.S.....

Tahasil..... District.....

Khata No..... Plot No .....

Area ..... Boundaries.....

North.....

South.....

East.....

West.....

## Schedule 12

District.....

Tahasil.....

Village.....

Thana.....

Thana No.....

Khata No .....

Plot No.....

Area of the Plot under conversion.....

Signature and seal of the Presiding Officer of the Court Date..... Form No. 28 Notice to raiyats for payment of premium for using his/her agricultural land for non-agricultural purposes [See Sub-rule (3) of Rule 12-A] From To Whereas the land described in the schedule below has been used for Industries/Commercial other non-agricultural purposes (specify the purposes) ..... since ..... in violation of the provisions of Clause (c) of Subsection (1) of Section 8 of the Orissa Land Reforms Act, 1960 and whereas as per provisions of Section 8-A of the said Act, you are liable to pay premium and land revenue in respect of the land as in the schedule. You are hereby directed to deposit Rs. .... (Rupees ..... ) representing Rs. .... as premium and Rs. .... as arrear of land revenue within a period of one month or in four quarterly instalments on ..... and ..... failing which steps shall be taken to recover the above amount as arrear land revenue under the Orissa Public Demand Recovery Act, 1962.

## of Land