

# **The Orissa Government Lands Bar to Acquisition of the Right of Occupancy Act, 1950**

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### **Act 10 of 1951**

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The Orissa Government Lands Bar to Acquisition of the Right of Occupancy Act, 1950 O.A. No. 10 of 1951 Statement of Objects and Reasons. - In the district of Sambalpur, lands have been acquired for the Hirakud Project. Many of these lands will be submerged under water as the construction of the Dam progresses but the submersion will be gradual. It is, therefore, desirable to utilise these lands which were under cultivation all along instead of allowing them to lie waste, particularly in these days of food shortage. The persons from whom the lands have been acquired would themselves like to cultivate these lands under an agreement with Government till the lands are actually submerged or otherwise utilised in the construction of the Hirakud Dam. The difficulty in doing so is the risk that occupancy right may accrue once these lands are let out and a fresh acquisition may be necessary to dispossess the occupants who might be cultivating with Government permission. To guard against such a contingency happening, it is considered necessary to enact a law by which accrual of occupancy right will be barred on lands acquired by Government. The Orissa Tenancy Act specifically prohibits the accrual of occupancy right on such lands but there is no such provision in the C.P. Tenancy Act or in the Madras Estates Land Act. A general legislation applicable to whole of the State will be more convenient than a specific enactment to amend the Tenancy Law in Sambalpur only. The present Bill has therefore been drawn up to enact a law for barring the accrual of occupancy right on all lands in the State acquired by Government under the Land Acquisition Act, 1894 or under any other law relating to the acquisition of land by Government. Published vide Orissa Gazette Extraordinary/19.1.1951. For Statement of Objects and Reasons, see Orissa Gazette, Extraordinary/30.11.1950. An Act to bar the acquisition of the right of occupancy in certain Government lands in the State of Orissa. Whereas it is expedient to bar the acquisition of the right of occupancy in certain Government lands in the State of Orissa; It is hereby enacted as follows :

## **1. Short title, extent and commencement.**

(1) This Act may be called the Orissa Government Lands Bar to Acquisition of the Right of Occupancy Act, 1950. (2) It extends to the whole of the State of Orissa. (3) It shall come into force at once.

## **2. [ [Substituted vide Orissa Act No. 8 of 1963.]**

Notwithstanding anything contained in any tenancy laws for the time being in force, a right of occupancy shall not, unless it is specifically conferred, accrue in respect of the following classes of lands, namely : (a) lands reclaimed at the cost of the State Government; (b) lands acquired under the Land Acquisition Act, 1894 (I of 1894) or under any other law relating to acquisition of land; and (c) lands in the occupation of the Central or any State Government leased out temporarily by such Government.]