



The Orissa Government Land Settlement Act, 1962

Act No. 33 of 1962

Keywords:

Land, Settlement

Amendment appended: 21 of 2021

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THE ORISSA GOVERNMENT LAND SETTLEMENT ACT, 1962

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The Orissa Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 684 CUTTACK, MONDAY, NOVEMBER 26, 1962

LAW DEPARTMENT

NOTIFICATION

The 23rd November 1962

No. 7689-Legis.—The following Act of the Orissa Legislative Assembly, having been assented to by the Governor on the 13th November 1962, is hereby published for general information :—

ORISSA ACT 33 OF 1962

**THE ORISSA GOVERNMENT LAND SETTLEMENT
ACT, 1962**

**AN ACT TO PROVIDE FOR SETTLEMENT OF GOVERNMENT LAND IN THE
STATE OF ORISSA**

BE it enacted by the Legislature of the State of Orissa in the Thirteenth Year of the Republic of India, as follows :—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Orissa Government Land Settlement Act, 1962.

(2) It shall extend to the whole of the State of Orissa.

(3) This section shall come into force at once and the remaining provisions of this Act shall come into force on such date as Government may, by notification, appoint in that behalf.

Definition s. 2. In this Act, unless the context otherwise requires—

(a) 'Government' means the State Government of Orissa ;

(b) 'Government land' means any waste land belonging to Government, whether cultivable or not, recorded as House-site, Anabadi, Chot Jungle, Puratan patit, Nutan patit, parityakta Bedakhali or by any other description, whatsoever ;

(c) 'prescribed' means prescribed by rules made under this Act.

Reservations
and settle-
ment of
Government
lands.

3. Notwithstanding anything to the contrary in any law or any custom, practice or usage having the force of law Government shall not be deemed to be debarred from exercising all or any of the following powers in respect of Government lands, namely:—

(a) to reserve such portion of the lands as they deem proper for the purpose of being used as house-sites or for any communal or industrial purpose or for any other purpose whatsoever ;

(b) to charge premium for settlement of any such land ;

(c) to charge rent for the lands so settled ;

(d) to charge fees on applications for settlement of lands and such other fees as may be necessary for or incidental to the disposal of such application at such rates as may be prescribed and all such fees shall be payable in the prescribed manner ; and

(e) to authorise any officer of Government not below the rank of a Sub-Deputy Collector to dispose of applications for settlement of lands and settle the same.

Explanation—For the purposes of this clause an Assistant Settlement Officer appointed under the Orissa Survey and Settlement Act, 1958 shall be deemed to be an officer not below the rank of a Sub-Deputy Collector. Orissa Act 3 of 1959.

Settlement
of char and
diara lands.

4. Nothing in any other law or custom or usage having the force of law shall debar the Government from making a settlement of any char or diara lands coming into existence after the date of commencement of this Act with such persons and subject to such terms and conditions as Government may deem fit.

Section 61 of
Orissa Tena-
ncy Act,
1913 not to
apply to
Government
lands.

5. The provisions of section 61 of the Orissa Tenancy Act, 1913 shall not apply to any Government land. Bihar and Orissa Act 2 of 1913.

Revision
during settle-
ment proce-
dings.

6. The rent payable in respect of any Government land shall be liable to revision during settlement proceedings under the Orissa Survey and Settlement Act, 1958. Orissa Act 3 of 1959.

Appeal and
revision.

7. (1) An appeal, if presented within thirty days of the date of the order, shall lie from every order rejecting an application for settlement of Government land to the prescribed authority.

(2) Any person aggrieved by an order passed in appeal may, within thirty days from the date of the order, prefer a revision before the prescribed authority only on a question of law.

(3) All appeals and revisions shall be heard and disposed of in the prescribed manner.

Power to make rules. 8. (1) The Government, may, after previous publication, make rules for carrying out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers they may make rules in respect of all matters expressly required or allowed by this Act to be prescribed.

(3) All rules made under this section shall be laid before the Legislative Assembly as soon as possible after they are made for a total period of fourteen days which may be comprised in one or more sessions and shall be subject to such modifications as the Assembly may make during the said period.

Removal of doubts or difficulties. 9. If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything not inconsistent with the provisions of this Act or rules made thereunder, which appears to them necessary for the purposes of removing the doubt or difficulty.

By order of the Governor

B. C. DAS

Secretary to Government

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By order of the Governor

B. C. DAS

Secretary to Government

THE ODISHA GOVERNMENT LAND SETTLEMENT (AMENDMENT) ACT, 2021

PREAMBLE:

SECTIONS:

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2. Repeal of certain enactments
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The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1714, CUTTACK, FRIDAY, OCTOBER 22, 2021/ ASWINA 30, 1943

LAW DEPARTMENT

NOTIFICATION

The 22nd October, 2021

No.10674—I-Legis-16/2021/L.— The following Act. of the Odisha Legislative Assembly having been assented to by the Governor on dated the 11th October, 2021 is hereby published for general information.

ODISHA ACT 21 OF 2021

THE ODISHA GOVERNMENT LAND SETTLEMENT (AMENDMENT) ACT, 2021

AN

ACT

FURTHER TO AMEND THE ODISHA GOVERNMENT LAND SETTLEMENT ACT, 1962

BE it enacted by the Legislature of the State of Odisha in the Seventy-second Year
of the Republic of India as follows:—

Short title.

1. This Act may be called the Odisha Government Land Settlement
(Amendment) Act, 2021.

Amendment
of
Section 3.

2. In the Odisha Government Land Settlement Act, 1962, in Section 3, for
sub-section (4), the following sub-section shall be substituted, namely:—

“(4) Notwithstanding anything to the contrary contained in the preceding
sub-sections or in any law or any custom, practice or usage having the
force of law,—

(a) any land of the category of Khasmahal, Nazul, Gramakantha
Parambok or Abadi, wherever situated and used for any purpose, may, on
application, be permanently settled with the heritable and transferable right
with the person who is in occupation of such land either on the basis of
lease or otherwise for a period of at least three years prior to
commencement of Odisha Government Land Settlement (Amendment)

Odisha
Act 33
of 1962.

Act, 2021, in such manner and subject to payment of such amount to the Government as may be prescribed;

Explanation: - The word 'lease' includes sub-lease or subsequent lease by the lessee or the sub-lessee, as the case may be.

(b) if any person in occupation of the land as mentioned in clause (a) fails to apply under the provisions of the said clause within a period as the Government may, by Notification, specify for settlement of such land, he shall be summarily evicted in the manner prescribed and such land shall be resumed by the Government;

(c) the amount and rent payable to Government for such settlement through the Tahasildar concerned shall be recovered as arrear of land revenue, if the occupant fails to pay the same at the time of settlement”.

By Order of the Governor

AMBUJA MOHAN DAS

Principal Secretary to Government