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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:—

I. (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.
Definitions—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, parityaka Bedakhali or by any other description, whatsoever;

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

Reservation and settlement 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.

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 Tenancy Act, 1891 shall not apply to any Government land.

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

Revision during settlement proceedings.

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.

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.

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.

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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