GUIDELINES FOR BOUNDARY CHANGE PROCEEDINGS

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Government of Orissa
Revenue and Excise Department

No.S-III-118/92 62501 R.,

Dated, Bhubaneswar, the 28th Dec'92.

From

Shri N.K.Baliarsingh, I.A.S.
Addl. Secretary to Government

To

The Secretary,
Board of Revenue, Orissa, Cuttack

Sub: Identification of important hamlets to be declared as Revenue village.

Sir,

I am directed to say that there are large number of hamlets in the main revenue villages having no separate identity of their own. In a number of cases hamlets are bigger than the main revenue villages both in area and population. Having no identity of their own, many hamlets though have a large segment of population are lost sight of while locating development centres in terms of revenue villages. Therefore, the question of declaring important hamlets as revenue villages has engaged the attention of Government. Some of the criteria which should weigh in favour of declaring the hamlets as revenue villages are as follows:-

i) The hamlet located at more than ½ K.M. away from the main revenue village with a population of 250 or more.

ii) The hamlet lying within ½ K.M. from the main revenue village but having population of more than 300.

iii) Hamlets separated from the main revenue villages by natural barrier even if these have a population of less than 250.

2. In order to have a complete picture of the hamlets, it is requested that suitable instructions may be issued to the Field Level Revenue Officers to identify such hamlets which should be declared as Revenue villages on basis of the above mentioned criteria. Any problem case

Contd...P/2.

associated with such declaration should also be studied and reported. This exercise should be completed within a period of 2 months. As Government are attaching much importance to this issue, the time limit for completion of the exercise should be strictly adhered to.

Yours faithfully,

23/12/92
Addl. Secretary to Government.

Memo No. 62502 /R., dt. 23/12/92.

Copy to all Revenue Divisional Commissioners for information and necessary action.

23/12/92
Addl. Secretary to Government.

Memo No. 62503 /R., dt. 23/12/92

Copy to all Collectors/all S.D.Os./all Tahasildars for information and necessary action.

23/12/92
Addl. Secretary to Government.

Memo No. 62504 /R., dt. 23/12/92

Copy to the Director, Land Records and Surveys, Orissa, Cuttack/Director, Consolidation for information and necessary action.

23/12/92
Addl. Secretary to Government.

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Board of Revenue, Orissa, Cuttack.

No. VI-20/94 - 15706 /LRS. Dated, 16-12-1994

From:

Shri Arvind Pandit, I.A.S.,
Commissioner, Land Records & Settlement.

To

All Collectors
All Settlement Officers.

Sub:- Procedure for disposal of Boundary Change Proceedings.

Sir,

I am directed to say that while scrutinising case records of boundary change proceedings received from different quarters, it is seen that procedural defects are very often repeated as a result there is un-necessary delay in finalising such proceedings. Although in the past, several instructions have been issued in this regard, these are not followed scrupulously leaving scope for frequent references and cross references. In order to obviate such difficulties and to ensure expeditious finalisation of such cases, the following guide lines are issued which should be followed meticulously by all concerned.

1. Boundary change proceedings are initiated under the provisions of section 37 of the O.S & S.Act, 1958 read with Rule 61 of the Orissa Survey & Settlement Rules, 1962. According to Rule 61(1) of the said Rules, where proceeding in pursuance of an order made under section 11, 18 or 36 is in progress, the settlement officer can initiate proceeding effecting changes in the boundaries of the existing village or constitution of a new village. When there is no proceeding under the aforesaid section, the powers of the settlement officer shall be exercised by the Collector under Rule 61(7) of the O.S & S.Rules, 1962.

2. A separate case record for each case involving boundary change should be opened and detailed facts necessitating change should be recorded in the order sheet. As per provision of law mentioned above, the settlement officer or Collector may take up the proceeding himself or authorise any other officer in this behalf. Since the settlement officers/Collectors

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/ally remain occupied in multifarious activities, they may not get adequate time to handle the B.C.P. cases themselves. It will, therefore, be advisable if such enquiries relating to change of boundary are entrusted to some other officer like A.S.O./Tahesildar or Additional Tahasildar, as the case may be. In such cases, the settlement officer/Collector may authorise an officer sub-ordinate to him and an order to that effect shall be recorded in the order sheet. The case record will thereafter be transferred to the concerned officer to take up the proceeding as per Rule 61 of the O.S & S.Rules, 1962.

3. On receipt of the case record, the officer authorised for the purpose of the enquiry shall issue a general notice in form No.11 of O.S & S.Rules, 1962 inviting objection to the proposed change of boundary or to the constitution of the new village, as the case may be. Such notice shall be published in the concerned village and in the adjoining village as per the procedure laid down in rule 6 of the OSS Rules, 1962. A copy of the notice shall also be transmitted to the Collector, Tahesildar and to the D.F.O. (where forest boundary is involved). When the B.C.P. proposal is initiated by the Collector, service of the notice on the Collector is however not necessary. After service of the notice, the process Server in his affirmation should clearly mention that the notice has been published by beat of drum and by pasting a copy of the notice in some conspicuous place in the villages concerned. In case of uninhabited village or when the tract under survey is not included in any village, publication of notice shall be made in the nearest neighbouring inhabited village.

Service of notice.

4. The name of the concerned village and the proposed change in the boundary or constitution of new village should be clearly indicated in the schedule below the form No.11 so as to be intelligible to all concerned. A trace map of the village showing the proposed change of boundary in 4" = 1 mile scale should be prepared and published alongwith the notice in form No.11 for the information of public.

5. The served copy of such notice to be attached to the case record should bear the signature of the villagers (not less than two persons) in token of service and the name of the village to which the signatories belong should be indicated

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against their names. Acknowledgment of the Collector, Tahasildar and D.F.O. or their representatives should also be obtained with dated signature and seal.

6. Clear 30 days period from the date of service of the aforesaid notice should be allowed for filing objection as per sub-rule 4 of Rule 61 of the O.S & S.Rules, 1962. Objections received within the statutory period of notice shall be considered by the Authorised Officer. In all cases, a field enquiry shall be conducted and the report of enquiry should form part of the case record.

7. Even if no objection is received against the proposed change of boundary from any quarters a field enquiry should be conducted to ascertain thefact of possession of land, existence of communal rights, if any, and other facts relevant to the proceeding. For this purpose, the Enquiring Officer will issue prior intimation fixing the date, place and time of such enquiry to all concerned to enable them to remain present during field enquiry.

8. Statements of the parties present at the time of enquiry should be recorded in the memorandum of field enquiry and the signatures of such persons whose statements are recorded should be obtained in the said memorandum.

9. In case of forest blocks involved in the change of boundary, joint verification with the forest authority should be made. The Revenue and forest officers conducting the enquiry should sign the joint enquiry report. Government Notification declaring forest block as Reserved forests, forest cairons and the forest plan/map etc. should always be verified during the joint enquiry for fixing the village boundary adjoining the reserved forests.

10. The officer authorised by the Collector/Settlement Officer shall conduct the enquiry himself and he should not entrust the enquiry to any of his sub-ordinates.

11. Three map in the scale 4" = 1 mile showing the boundary of the village involved in B.C.P. should be prepared in tracing cloth and submitted in duplicate for approval of the Board of Revenue. The trace map should be

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authenticated by the concerned Enquiring Officer/Settlement Officer/Collector as the case may be. In the trace map the Rabik boundary line should be shown in red ink and hal boundary in black ink.

Trace map

12. Area Slip showing area of the existing village and proposed village should be prepared correctly and attached to the B.C.P. case record (sample copy enclosed). It should be signed by the Authorised Officer and the Settlement Officer/Collector, as the case maybe.

13. In case the village adjoins the inter-district/inter-state boundary, copy of the notice in form No.11 along with the trace map may also be served on the concerned Collector of the adjoining district.

14. On completion of enquiry in the manner indicated in Rule 61(4), the Authorised Officer shall submit the case record to the concerned Settlement Officer/Collector, as the case may be, for his recommendation.

15. On receipt of the case records from the authorised officer, the Settlement Officer/Collectors shall consider the boundary change proposal from all aspects and, if he is satisfied, shall recommend the case to the Board of Revenue giving adequate justification for approval.

16. The case record should be maintained properly showing the details of the proceedings taken up at all stages. The order of the Collector/Settlement Officer regarding institution of proceeding the appointment of authorised officer, all orders of the authorised officer including issue of statutory and executive notices the manner of disposal of objections received, the findings of the authorised officer and recommendations of the Settlement Officer/Collector to Board of Revenue should clearly find mention in the order sheet of the case record chronologically.

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It is therefore requested that the aforesaid guide-lines may please be followed scrupulously while conducting enquiry and submission of case records to Board of Revenue for approval.

Yours faithfully,

C.L.R & S., Orissa, Cuttack.

Memo No. 15707 /LRS. dt. 16-12-1994

Copy forwarded to the secretaryto Government of Orissa, Revenue Department, Bhubaneswar/Secretary, Board of Revenue, Orissa Cuttack for information.

C.L.R & S., Orissa, Cuttack.

Memo No. 15708 /LRS. dt. 16-12-1994

Copy forwarded to all Wing Charge Officers for information and necessary action.

Addl. C.L.R & S. Orissa Cuttack. 16.12.1994

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AREA SLIP

of the ige	Name of the P.S. & P.S.No	Area					Remarks
		Sabik area of the village	Area excluded	Area included	Total Sabik area after exclusion & inclusion.	Hal pata area	
1	3	4	5	6	7	8	9

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CHECK LIST FOR SCRUTINY OF B.C.P. CASE NO.....

As per provision u/s 37 of the O.S.& S. Act, 1958 read with Rule-61 of the O.S. & S Rules, 1962 and G.O. No. 39114/R., dated 01.09.1994, Board of Revenue, Circular No. 15706/LR&S., dated 16.12.1994 and No. 2353/LR&S., dated 04.05.2011.

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

District. .....

Hamlet .....

Sl. No.	Requisites	Reference Page of B.C.P. Case record.	Remarks
1	2	3	4
1.	Authorization by S.O. u/R 61(3) or Collector, u/R-61(7) of the O.S. & S. Rules, 1962.		
2.	Preliminary enquiry and its Memorandum done after due notice. (Board of Revenue Circular No. 15706/R., dated 16.12.1992, Para-8)		
3.	Population of the Hamlet visa-Vis mother village (last census report/ any basis to be specified).		
4.	Distance of Hamlet from mother village (Exact nearby hamlet)		
5.	Natural barrier (Specified in detail)		
6.	Village Survey Khaka and trace map along with Tracing cloth map (T.C.M.) in duplicate, 4"= 1 mile scale annexed as per Technical Rules, indicating in red ink the habitation of hamlet and mother village/ nearest hamlet thereof.		
7.	Service of statutory notices as per Rule-6 and prevailing guidelines of Board of Revenue. (No.15706/LR&S., dt.16.12.1994, Para- 4,5 & 6)		
8.	Service of notice in Form No. 11 to Collector in case of I.D.B./ I.S.B. (As above circular, Para-13)		
9.	Filing of objection within statutory period as per Rule-61(4) of the O.S. & S. Rules.		
10.	Disposal of objection with proper notice for conducting field enquiry by the A.O. (As above circular, Para-6)		

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11.	Joint verification of E.O. and Forest Authority where Forest Boundary involved (Board Circular No. 15706/R., dt.16.12.1994, Para-9).		
12.	Drawal of Reservation proceeding (R.P.) in both villages as per R.P. Principles. (Sarakari Jami Record Kariba Pranali- Para-(46 to 50)		
13.	Detail land schedule of Government khatas (As per R.O.R.)		
14.	Preparation of Area Slip as per Board's prescribed form (As per circular, Supra at Sl.-11-Page-5)		
15.	Detail Land Schedule enclosed in case of B.C.P. to be approved. (As per R.O.R.)		
16.	A.O. submitted B.C.P. case records to S.O./JD. or DD.CH./ Collector after completion of all stages of work. (O.S. & S. Rule-61(4)		
17.	Forwarding of proposal by S.O./ JD. or DD.CH. / Collector with opinion and suggestion to Board in the order sheet. (As above Rule)		
18.	Specimen signatures of statutory empowered officials enclosed (Prescribed Form No. 262, Sch.-I)		
19.	Arrangement of B.C.P. Nathi as per rules along with combined title page & Fly leaf (L-III, Form No. 319)		
20.	Compliance report in detail annexed properly, with due regards to objection.		

Signature of A.S.O., B.C.P. Cell

District .....

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ଘରାଗ୍ରାମକୁ ଆକ୍ରା ଗ୍ରାମରେ ପହଞ୍ଚିବା ପରେ ଜଗବନ୍ଧୁ ଆଖା ଆଶ୍ରିକା ସମସ୍ତେ ଜଗବନ୍ଧୁ ଉପାଧ୍ୟକ୍ଷଙ୍କ, ଜଗନ୍ନାଥ ଆଖା ଆଶ୍ରିକା ସମସ୍ତଙ୍କ ଜଗନ୍ନାଥ ଅଧିକାରୀ ଓ ଜଗଦୀଶ କିଶା ଜଗନ୍ନାଥ ଆର୍ଯ୍ୟା ଆଖ୍ର ମଣ୍ଡଳୀ ସମସ୍ତେ ଏକତ୍ର ଜିଲ୍ଲାପାଳ ପାଖରୁ ଅଭିବନ୍ଦନ ପତ୍ରଖଣ୍ଡ ଆଣିଲେ ଓ ଏହି ପତ୍ରଖଣ୍ଡ ପଲ୍ଲୀବାସୀଙ୍କଠାରେ ଦେଖାଇବା ମାତ୍ରକେ ସମସ୍ତେ ପୂରଣ କରୁଥିଲେ ଆକାଶ ଫଟା ଜୟଧ୍ୱନି ହୋଇଥିଲା ।

ଆକ୍ରା ଗ୍ରାମ ଅତ୍ୟନ୍ତ ଘରାଗ୍ରାମ ଜିଲ୍ଲାରେ ସମସ୍ତେ ପୂରଣ କରୁଥିଲେ, ମାତ୍ର ସାମ୍ବା ଦିନରେ କଣ ହୋଇ ଆକ୍ରା ଗ୍ରାମରେ ପହିଲାରେ ଜଗିବା ପାଇଁ ଜଗବନ୍ଧୁ ଘରାଗଣ ଦିଆଯାଇଛି ।

ଘରାଗ୍ରାମକୁ ଆକ୍ରା ଗ୍ରାମରୁପେ ଘୋଷଣା ଦିଅନ୍ତୁ ମାନବ :

* ମୁଜ୍ୟାକ୍ରା ଗ୍ରାମାଞ୍ଚଳ ଘରାଗ୍ରାମ ୧/୩ ଜିଲ୍ଲାରେ ଏବଂ ଅନ୍ୟ ଦୁଇଟି ଗ୍ରାମ ଦୁଇଟିରେ ଅବସ୍ଥିତ ହୋଇଛି ।
* ଘରାଗ୍ରାମର ମୋଟ ଦୂରତା ୨୫୦ କିଲୋ ମିଟର ଅଟେ ।
* ଘରାଗ୍ରାମଟି ୧/୩ ଜିଲ୍ଲାରେ ଦୂରତା ସମୟ ଧରି ଅନେକ ଅଞ୍ଚଳ ଅତିକ୍ରମ କରିଥିଲା ।
* ଘରାଗ୍ରାମର ସୌନ୍ଦର୍ଯ୍ୟ ଦେଖିବା ପାଇଁ ଅନେକ ଲୋକ ଘରାଗ୍ରାମ ଓ ଆକ୍ରା ଗ୍ରାମ ପ୍ରାନ୍ତରେ ଠାରେ ଠାରେ ଠିଆ ହୋଇଥିଲେ ।
* ଜଗବନ୍ଧୁ ଘରାଗ୍ରାମ ଓ ଆକ୍ରା ଗ୍ରାମର ଜଗନ୍ନାଥ ଅଞ୍ଚଳରେ ଘୋଷଣା କରି, ଗୁଣାଳ, ଗୁଡ଼, ଜଗନ୍ନାଥ ଓ ଅନ୍ୟାନ୍ୟ ସାଥି ସାଙ୍ଗମାନଙ୍କ ଜଗିବା ପୁରସ୍କାର ମଧ୍ୟ ପ୍ରଦାନ କରିଥିଲେ ।

ଘରାଗ୍ରାମକୁ ଆକ୍ରା ଗ୍ରାମକୁ ସ୍ଥାନାନ୍ତର କରିବା ପାଇଁ ଜଗନ୍ନାଥଙ୍କ ପ୍ରୟାସ ଜିଲ୍ଲାପାଳ ଏବଂ ଅନ୍ୟାନ୍ୟ ସମସ୍ତଙ୍କୁ ଖୁସି କରିଥିଲା ଏବଂ ଆକ୍ରା ଗ୍ରାମର ଉନ୍ନତିକୁ ଆଗକୁ ନେବାକୁ ସମସ୍ତେ ଦୃଢ଼ ସଂକଳ୍ପ ହୋଇଥିଲେ ।



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Board of Revenue, Odisha, Cuttack
(LR&S Branch)

File No. VI-24/2014- 3272 /LR&S dated 8/10/14

From,

Sri Gobinda Chandra Sethy, IAS
Director, Land Records & Surveys,
Board of Revenue, Odisha, Cuttack.

To,

The All Collectors.

Sub : Declaration of Hamlets / Newly created villages as Revenue village through Boundary Change Proceeding.

Madam/Sir,

It is being observed that the BCP proposals are submitted to the undersigned without observing proper formalities, as such, the proposals are being returned with objection for compliance. This causes unnecessary delay. While sending the BCP proposal the following guidelines are to be followed.

1. (a) The hamlet located at more than ½ K.M. away from the main Revenue village with a population of 250 or more.
   (b) The Hamlet lying within ½ KMs from the main revenue village but having population of more than 300.
   (c) Hamlets separated from the main revenue village by natural barrier even if those have population of less than 250.
   (d) Apart from this, availability of Gochara land, Burial grounds, Govt. land for communal purpose, land for development purpose etc. will be taken into consideration.
2. Boundary change proceedings are also to be initiated for the accreted land due to recession of sea.
3. For the villages coming under Consolidation operation, the Deputy Director, Consolidation initiates the Boundary Change Proceedings under sub Section 4 of Section 7 of OCH&PFL Act, 1972 and under Rule 16 of the OCH&PFL Rules, 1973.
4. For the villages coming under Settlement Operation, the Settlement Officer initiates the Boundary Change Proceeding u/s 37(3) of the OSS Act, 1958 & under Rule 61 of the OS&S Rules, 1962.
5. In respect of villages, neither coming under Settlement nor Consolidation Operation, the Boundary Change Proceedings are to be initiated by the Collectors as required under Rules 61(7) of the OS&S Rules, 1962.

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An illustrated procedure and check list for BCP proposal is enclosed herewith for your kind reference.

You are requested to submit BCP proposals to the undersigned after observing all due procedure to avoid delay in approval of BCP.

Yours faithfully,

Director
Land Records, Surveys & Consolidation

Memo No. 3273 /LR&S dated 28/6/11

Copy forwarded to the Additional Secretary to Govt., Revenue & DM Department, Odisha, Bhubaneswar for information and necessary action.

Director
Land Records, Surveys & Consolidation

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Procedure for declaration of hamlets as revenue villages.

1. Separate case records are to be opened in respect of hamlets which conform to the criteria prescribed, for consideration for declaration of new revenue village. The case record need be initiated by the Collector himself and the 1st order need be made by him under his signature and seal. Collector may authorize an officer to take up detailed enquiry and follow up. It would be prudent to authorize the Tahasildar/ Addl. Tahasildar (by Designation and not by Name) and the same should find place in the order sheet. The case record is then transmitted to the Authorized Officer.

2. On receipt of the case record, the Authorized Officer makes an entry and issues a general notice in Form No. 11 of the Orissa Survey and Settlement Rules, 1962 (O.S.S. Rules) inviting objections, if any. This should be published in the concerned village and hamlet by beat of drum and by pasting a copy of the notice in a conspicuous place in the village and the hamlet in presence of not less than two witnesses. Prescription of modalities of proclamation is available at Rule 6 of the O.S.S. Rules.

3. From No. 11 should clearly indicate the name of the hamlet to be constituted as a new revenue village. A trace map of the village in 4" to a mile scale showing the boundary of the hamlet to be constituted into new revenue village should also be published along with the notice.

4. The served copy should be kept in the case record. The name of the signatories and the village to which they belong should be clearly mentioned in the served copy.

5. Clear 30 days should be allowed for filing of objection, if any, to the proceeding. Objections received within the statutory period shall be considered by the Authorized Officer. He should pass appropriate orders on each objection.

6. The Authorized Officer should make field visit to ascertain the position of the land, existence of communal right etc. If the proposal for declaration of the hamlet into a new revenue village is recommended by the Authorized Officer, he should affix boundary stone on the proposed boundary of the main village and the proposed village. Technicalities relating to fixing stones shall be resorted to duly checked by the authorized officer.

7. A memorandum of field enquiry along with signature of the villagers attending such enquiry should be kept in the case record.

Dhiren Jena, 28th April, 2011

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8. The reservation proceedings may be drawn up to conform the minimum requirement of area etc are met in respect of the main village and the proposed new village.

9. A trace map of the village showing the proposed boundary should be prepared by the Authorized Officer through his technical staff. But a trace map in 4" to one mile scale, prepared in tracing cloth should be submitted in duplicate, alongwith the case record.

10. The Authorized Officer shall draw an area slip showing the area of the existing village and the proposed new village. This area slip shall be signed by the Authorized Officer.

11. On completion of the procedure, the Authorized Officer shall submit the case record to the Collector recommending the declaration of the hamlet as a new revenue village. Where the hamlet is not recommended for consideration of a new revenue village, the Authorized Officer may recommend dropping the proceedings.

12. Collector shall recommend to the Board of Revenue suggesting approval of the declaration of new revenue village. In that case he shall sign on the trace map, area slip and such other papers as are relevant. He shall transmit the case record to the Board of Revenue, addressed to Director, Land Records, Survey and Consolidation. After the proposal is approved, Collector shall order for follow up action at the appropriate level.

13. Incase the proceeding need be dropped Collector may pass appropriate orders and retain the case record at his end. He shall send an intimation to this effect to the Board of Revenue.

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Top Priority

By Fax / e-Mail

Government of Odisha

Revenue & Disaster Management Department

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RDM-CHS-CLRFIC-0003-2018L. No. 31912 R & DM dated, 28 JUL 2021

From

Shri Bishnupada Sethi, IAS

Principal Secretary to Government

To

All Collectors

Sub: **Declaration of hamlets as Revenue villages**

Madam/ Sir,

It has been brought to the notice of Government that more than 3,500 proposals have been pending at district level since years for creation of new revenue villages. It is also ascertained that misinterpretation of the existing instructions at district level pertaining to reservation limit for Gochar and communal land has resulted in non-disposal of cases. Therefore, to streamline the matter, following instructions are issued:

a. *The hamlet is to be located at more than* ***half k.m.*** *from the mother revenue village with a population of* ***250 or more.***
b. *The hamlet lying* ***within half k.m.*** *from the mother village should be having a population more than* ***300.***
c. *Hamlet separated from mother village by a* ***natural barrier*** *even if the population of the hamlet is less than* ***250*** *can be constituted to a separate village.*
d. *Reservation limit for Gochar and Communal land for creation of new revenue village out of existing mother village shall not be insisted upon. However, residents of the newly carved out village shall still have access to the existing gochar and communal land situated in mother village. In*

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other words, all communal as well as Gochar lands etc. shall be Common Property Resources (CPR) for both the villages.

These instructions supersede all previous instructions of the Government in the matter.

Yours faithfully,

Principal Secretary to Government

Memo No. 21913 / Dt 28 JUL 2021

Copy forwarded to the Secretary, Board of Revenue, Odisha Cuttack for information and necessary action.

Addl.Secretary to Govt.

Memo No. 21914 / Dt 28 JUL 2021

Copy forwarded to the DLRS&C, Odisha Cuttack for information and necessary action. He may furnish draft amendment of relevant Act and Rules.

Addl. Secretary to Govt.

Memo No. 21915 / Dt 28 JUL 2021

Copy forwarded to All RDCs for information and necessary action.

Addl.Secretary to Govt.

Memo No. 21916 / Dt 28 JUL 2021

Copy forwarded to All ADMs/Settlement Officers/All JDCHs/DDCHs/Sub-Collectors/Addl. Sub-Collectors/ Tahasildars for information and necessary action.

Addl.Secretary to Govt.

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