VOLUME 21

Revenue Court Practice

Orissa Mutation Manual, 1962 · checklists for lease & alienation · model order sheets

21

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About this volume

This volume brings together the Acts and the Government of Odisha orders, circulars, notifications and resolutions on practice in revenue courts – the Mutation Manual, checklists and model order sheets drawn from actual Government-land cases that are published on odisharevenuelaws.com. Each document is reproduced as issued, in its original form. Use the Contents page or the PDF bookmarks to jump to any document. Page numbers at the foot of each page run continuously through the volume. This is a compilation for ready reference only; for official purposes, please rely on the notified text and the latest orders of the Government.

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The Orissa Mutation Manual, 1962

Brief Introduction

Record-of-rights and map finally published or deemed to be published under the Survey and Settlement Act, 1958 requires maintenance to keep it up-to-date for various reasons. These changes are done through Mutation proceedings and the Tahasildars including Additional Tahasildars have been empowered for the purpose. Sec. 16 of the Survey and Settlement Act read with Chapter IV of the Survey and Settlement Rules provide grounds and manners for correction of the record-of-rights and map and exhaustive procedures have been provided in the Orissa Mutation Manual.

The Orissa Survey and Settlement Rules, 1962 is a statutory provision whereas the instructions contained in the Mutation Manual are executive in nature. The provisions contained in the Mutation Manual cannot override the provisions contained in the Orissa Survey and Settlement Rules, 1962. The Mutation Manual only seeks to amplify the provisions in addition to laying down detailed instructions for regulating the administrative aspect of the work.

After final publication of the record-of-rights any person aggrieved by any entry or omission from any record, can institute a suit for relief within three years from the date of such publication under Sec. 42 of the Orissa Survey and Settlement Act, 1958. It has been held by the High Court of Orissa that any suit filed beyond three years from the date of final publication for correction of record-of-rights is barred by limitation in Panu Behera v. Jitendra Das reported in 54 (1982) CLT 393 and Bhagabat Jena v. Gobardhan Patnaik and others reported in 54 (1982) CLT 30. It has also been held in the case of State of Orissa v. Smt. Pana Mali and others, reported in 1978 (1)CWR 209 that if the suit is based on title then the bar of limitation under Sec. 42 of the of the Orissa Survey and Settlement Act would not be attracted. In a mutation proceeding complicated question of title cannot be decided.

The Manual cited as **"The Orissa Mutation Manual, 1962"** is incorporated hereunder:

CHAPTER – I

GENERAL

Throughout these instructions unless it appears otherwise from the context, "the Act" means 'the Orissa Survey and Settlement Act, 1958 (3 of 1959) and "the Rules" means the rules made there under*

2. Unless there is anything repugnant in the subject or context words and expressions used in this Manual shall have the same meaning as in the Act and the Rules.

3. In these instructions "Naib- Tahasildar" **means a Naib-Tahasildar, a Revenue Inspector and any other whole-time salaried Government employee in charge of revenue collection and other miscellaneous revenue work at the village level and includes a part-time collection agent by whatever designation he is called, namely Gountia, Sarbarakar, Pradhan, Village Officer etc. Comment:-Part-time collection agency is no more vogue.**

4. Sub-sec. (2) of Sec. 16 of the Act gives power to Government to prescribe the manner in which the map and the record-of-rights will be maintained and kept up-to-date. The manner of maintenance has been prescribed by Government in Chapter IV of the Rules (reproduced in Appendix-I). These rules supersede all other rules governing mutation proceedings in the areas where Secs. 2 to 47 of the Act are in force.

5. The dates on which Secs. 2 to 47 of the Act came into force in different areas of the State are given in Appendix-2.

6.– The instructions in this Manual must be complied with exactly and no deviation shall be made. If any deviation is considered necessary in the interest of work, the Director of Land Records and Surveys shall be moved for issue of formal amendment to the relevant paragraph or paragraphs of the Manual.

7. A complete list of registers maintained by any person who under these rules is required to maintain them has to be hung up at the place of the person concerned.

***The rules were issued in Notification No. 46572-S-6/60-R., dated the 29th October, 1960 of Government in Revenue Department and first published in the Extraordinary Gazette No. 679, dated the 29th October, 1960. These have been superseded by another set of rules issued In Notification No. 28842-S-167/62-R., dated the21st June, 1962 and first published in Extraordinary Gazette No. 327. dated the22nd June, 1962.)**

8. A label is to be affixed to the outside front cover of each register showing its name, the authority under which it is maintained and its period of preservation. Each register should be serially page numbered and a certificate as to the number of pages contained in each register shall be appended in the first page before the register is brought into use.

9. Proper preservation of registers forms an essential part of the duties of the person who is entrusted with their maintenance. The conditions of the registers has in some places been found to be very unsatisfactory owing to one or more of the following causes, namely:

(i) Incorrect recording of dates,

(ii) Careless work, such as errors in copying,

(iii) Slovenly work, such as bad writing,

(iv) Faulty arrangement of sheets in binding,

(iv) Faulty folding of sheets,

(v) Faulty arrangement of sheets in binding,

(vi) Want of care in preservation of sheets,

(vii) Delay in binding,

(viii) Want of information,

(ix) Incorrect understanding of meaning and object of headings,

(x)

Erasures, and

(xi)

Leaving corrections unattested.

10.

When a correction is made in a register at any time later than the day of the original entry, the person who makes the correction should invariably add the date month and year to the initials of correction.

11.

It is not necessary to open a new set of registers every year unless the rules or instructions specifically provide for this. A register should be in use until it is fully used by a new series of entries being commenced each year. Blank registers should not be kept at all, and all registers kept should be neatly bound in Kharwa cloth and kept in good order.*****
*****Note:-"Year" means the calender year.

CHAPTER-II
APPOINTMENT OF TAHASILDARS

12.

(1)

"Record-of-rights" means the record-of-rights finally published under Sub-sec.(1) of Sec. 12-B or finally re-published under Sub-sec. (1) of Sec. 23 or

deemed to have been finally published under Sec. 38 of the Act and includes, as provided in Sub-sec. (1) of Sec. 16, any record-of-rights prepared and maintained under any law or custom having the force of law and declared by Government as record-of-rights finally published under the Act. Details of such declaration are given in Appendix-3.

(2)

"Map" means a map prepared under Sub-sec. (6) of Sec, 11 and /or as corrected under Sub-sec.(I) of Sec. 23 of the Act.

13.

Under the provisions of Sub-rule (4) of Rule 29 and Sub-rule (4) of Rule 55 the finally published and the finally re-published map and the record-of-rights shall remain in the custody of the Tahasildar. Rule 32 requires that they are to be maintained and kept up-to-date. Rule 34 requires that the Tahasildar is to initiate mutation proceedings for maintenance of the record-of-rights. Thus the Tahasildar is the most important person, so far, as preservation and maintenance of the record-of-rights is concerned. Clause (d) of Rule 2 defines the Tahasildar as an officer whom the Board of Revenue may appoint to discharge anyof the functions of a Tahasildar under Chapter IV of these rules and includes an Additional Tahasildar. Any Officer who is intended to be entrusted with the disposal of mutation proceedings will therefore, have to be notified by the Board of Revenue to discharge the functions of a Tahasildar under Chapter IV of the Rules. The notification will also define the jurisdiction of each 'Tahasildar'. There is no harm in empowering more than one officer in respect of the same jurisdiction. On the other hand, this may be found necessary in many cases. Recommendation for empowering officers as "Tahasildar" shall be submitted by the Collector to the Director of Land Records and Surveys.

14.

Continuity in the office of the Tahasildar is essential. That is to say, the person who will function as the Tahasildar in respect of any area must have an independent office with arrangements for proper preservation of the map and the record-of-rights. The Taluk Officers in Southern districts and the Tahasildar (comparable to these Taluk Officers) in some of the Northern districts fulfill these conditions and they have, therefore, been notified under the rules the as "Tahasildar" by designation. In some of the Northern districts there are no Revenue Officers comparable to Taluk Officer of Southern districts, In these areas officers have been notified as "Tahasildar" by name as well as by designation (such as Third Officers, Fourth Officers). In these cases, though the map and the record-of-rights are preserved either in the district or in the Sub-divisional Record Room, as the case may be, the person notified as the "Tahasildar" is its custodian according to the rules. It is thus necessary at least one person is to be appointed as the "Tahasildar" for the entire area covered by a single administrative unit, namely a Taluk. Tahasil or Sub-division and he should be appointed as such designation whereas many persons as are considered necessary "for ensuring expeditious disposal of mutation cases from time to time may also be appointed as Tahasildars. The Collector and the Sub- divisional Officer (or Revenue Divisional Officer) have the responsibility to see that sufficient number of officers are empowered to dispose of mutation cases as soon as it appears to them that prompt disposal of pending mutation cases is not possible by the existing number of officers having necessary powers. While submitting his recommendations in this regard the Collector shall specifically mention that the officer recommended is acquainted with the law and rules on the subject that he has knowledge of land records. The Director of Land Records and Surveys will recommend only those cases to Board of Revenue where he is satisfied on these two points.

15.

Under Clause (a) of Sub-sec. (2) of Sec. 31 of the Act the Collector has power to distribute work among his subordinate officers. Where two or more, officers have mutation powers in respect of the same area, the Collector by a written order, shall have to distribute the work among them preferably by defining their respective territorial jurisdiction (giving names of Police Stations, Firaks, Naib-Tahasil Circles. Village, etc.) as will be readily

understood by the general public. A substance of this order shall be notified by posting a copy of it on the notice board. It will also be circulated to all Revenue Subordinates of the area who should give wide publicity to it. Such as an order cannot have retrospective effect and will not apply to cases pending on the date of the order. But the Collector has power under Clause (a) of Sub-sec. (2) of Sec. 31 to withdraw such cases from the disposal to the file of the officer who is subsequently given power in respect of the area concerned. In many cases, this course of action will be found advisable as there may be more than one proceeding in respect of the same property or same persons though initiated at different times and it is always desirable that they should be disposed of by the same officer.

16.

A list of Tahasildars appointed by designation is given in Appendix-4.

CHAPTER - III
INITIATION AND DISPOSAL OF CASES BY TAHASILDARS

17.

(1)

The Tahasildar can initiate a proceeding for mutation;

(a)

on application for the same from any person interested; or

(b)

on a report furnished to him by any of his subordinates; or

(c)

on receipt of a notice from the Registrar or Sub-Registrar appointed under the Indian Registration Act, 1908; or

(d)

on receipt of an intimation from a Court; or

(e)

on receipt of intimation on acquisition of land under the Land Acquisition Act; or

(f)

on his own motion.

(2)

There should be separate proceedings for different holdings even if the recorded owner is the same person or even if the reason for initiation of the proceedings is the same.

18.

If any application is made by any person on anyone or more of the grounds mentioned in Clauses (a) to (f) of Rule 34, the Tahasildar has to initiate a mutation proceeding taking the application as the starting point of the proceedings.

19.

The Naib- Tahasildar shall make all endeavour to ascertain the changes that entail correction of the map and the record-of-rights.In particular at the time of collection of rent, every rent-payer should be asked if he has any mutation to report and if so, the Naib-Tahasildar shall ascertain the details from him. Similarly while engaged in any other revenue or miscellaneous work, the Naib-Tahasildar may come across mutation

cases. In all such cases he shall ascertain all the details from the person concerned and submit a report in the form given in Appendix-5. The Tahasildar shall ensure that the Naib-Tahasildar has with him sufficient stock of this form. The Naib-Tahasildar shall maintain a register in the form given in Appendix-6 for keeping a note of all information relating to mutation which he gets at the time of enquiries of collections of rent and forwards to the Tahasildar. The Report of the Naib- Tahasildar shall be treated as the starting point of the relevant mutation proceeding before the Tahasildar if such a proceeding has not been started by him.*****

Note:-This rule applies to all other revenue subordinates of the Collector who may be entrusted with the work of reporting mutation cases to the Tahsildar.

20.

When land is acquired permanently for a Public purposes or for a company the Land Acquisition Officer shall, immediately after the sanction of abatement of land revenue forward a report to the Tahasildar in the the form given in the Appendix-5. Separate reports for each khata/khewat affected by the Land Acquisition proceeding shall be forwarded by the Land Acquisition Officer so as to the facilitate initiation of separate mutation proceedings. When such a report is received, it shall form the starting point of the mutation proceeding. The Land Acquisition Officer shall keep a note of all mutations reported to the Tahasildar in a register the pro forma of which is given in Appendix-6.

21.

Certain laws require transfer of ownership in land to be notified by the Registering Officer to the authority competent to maintain land records. Sub-sec. (5) of Sec. 11 and Sub-sec. (3) of Sec. 19 of the Orissa Land Reforms Act, 1960 are instances of this type. When such a notice is received, a mutation proceeding has to be initiated the notice being taken as the starting point of the proceeding.

22.

Courts are required under provisions of certain law to notify changes of ownership in land to the authority competent to maintain land records. Sub-

sec. (5) of Sec. II, Sub-sec. (3), (5) and (6) of Sec. 19 and Sub-sec. (2) of Sec. 31 of the Orissa Land Reforms Act, 1960 are instances of this type. when such a notice is received, a mutation proceeding has to be initiated the notice being taken as the starting point of the proceedings.

23.

Generally Officers having power to initiate and dispose of mutation proceedings have powers under other Revenue and Tenancy Laws and as such they deal with cases which have the effect of correcting the land records. For example, a Tahasildar who exercises the powers of a Collector under the Orissa Estate Abolition Act,1951 deals with cases of assessment and conversion of private lands and jagir lands into raiyati. Similarly a Tahasildar,as the manager of a Government Estate deals with lease, encroachment, relinquishment and similar cases, and a Tahasildar exercising powers of a Revenue Officer under the Orissa Land Reforms Act, 1960 may be dealing with cases of allotment of ceiling-surplus lands or such other cases involving change in ownership, occupation, status etc. When such a case is disposed of and the period of appeal and/or revision if any is over and no appeal or revision is filed during the period or if any such appeal or revision is filed, after its disposal, the officer shall initiate a mutation case by taking extracts of the relevant portion of the order passed in the disposal of case. It is inexpedient to wait in all these cases till the interested party applies for mutation.

24.

The Specific grounds on which the record-of-rights can be corrected have been enumerated in Rule 34. It will be notified that this rule covers a very wide field. In particular Clause (e) of the rules is very elastic and covers not only changes in ownership or occupation but also changes in the classification of land, rights of easement, status, adverse possession, encroachments, induction of sub-tenants etc. As a matter of fact, any entry which can be made in course of a record- of-rights or rent settlement operation can also be made in the record-of-rights through a mutation proceeding. This wide scope of mutation proceeding casts a heavy responsibility on the Tahasildar and he

cannot discharge this responsibility if he is to wait for application or intimations for starting such a proceeding in all cases. He should therefore take cognizance of all prima facie mutation cases which come to his notice while engaged in any other duty.

25.

Each voluntary application for mutation filed by a party shall bear Court-stamp of one rupee. In case of a suo motu proceeding started under any of the paragraphs 19 to 24 the party in whose favour mutation is allowed will be called upon to pay this fee unless he has paid it, before final order are passed. The Tahasildar shall make a mention of this fact in his final order and call upon the party to pay the Court-fee stamp. A register of Court-fees to be realised (the headings of which are given in Appendix-25) shall be maintained and realisations shall be properly accounted for in the Court-fee register as mentioned in Paragraph-28.

26.

All such applications shall be received by the Tahasildar himself and in his absence by such other officer as may be authorised in writing by him in this behalf.

27.

If any application for mutation is presented to Revenue Officer other than a Tahasildar he shall return the application to the petitioner directing him to file it before the proper authority after making an endorsement to that effect in the body of the application.

28.

Immediately after a mutation application is received or when Court-fee stamps are received in case of suo motu proceeding all the labels of Court-fee stamp shall be punched with a round punch so as to drive a neat hole on the figure-head. All the labels should then be defaced by the Bench Clerk who shall write his full name on each of them in red ink in such a way that portions of his

name will be beyond the labels on either side. The Court-fee shall be accounted for in the Court-fee register, the pro forma of which is given in Appendix- 7. A reference to the serial number of the entry in this register with the date of entry and the value of the stamp shall be given in the body of the petition (not on any stamp). The application shall at the same time be registered as a mutation case in the mutation register as required by Rule 35. The pro forma in which the mutation register is to be maintained is given in Appendix-8. All officers who exercise mutation powers shall have separate mutation registers, separate Court- fee registers and other registers.

29.

After the mutation application has been entered in the mutation register the connected case record shall be sent to Record Keeper. He shall check the application on the basis of the existing entries in the record of rights. That is to say he will examine if the statements made in the application provide sufficient information to warrant a change in the record-of-rights or any information is lacking. In particular he will see if the khata number, Plot number and name of the recorded tenant have been correctly mentioned in the application. If he finds that this has been done and the application gives complete information, he shall append a certificate to that effect on the back of the application and submit the record to the Tahasildar who shall admit the application for initiation of proceedings. This work shall be completed within three working days from the date of receipt of the mutation application. The Tahasildar shall ensure this in all cases and if he finds that the existing staff in the Record Room will not be able to cope with the volume of work he should promptly apply to the Collector for augmentation of the staff, The Collector shall, if he is satisfied that sanction has to be applied for extra staff, submit an application in this regard to the Director of Land Records and Surveys.

30.

If the application is found to be incorrect or deficient in information required, the Tahasildar shall direct the petitioner to file an amendment petition within one week from the date on which the order is received by him (petitioner). The

amendment petition shall be on plain paper and shall not bear any Court Fee Stamp.

31.

If the amendment petition is not filed in time the case shall strike off unless the Tahasildar in his discretion. allows further time. Generally cases where the amendment petition is not filed within reasonable time are struck off. When a case is struck off, a note to that effect shall be made in the remarks column of the mutation register.

32.

If the application is admitted the Tahasidar shall order the petitioner to deposit the process fee required within seven days at the rates prescribed under Rule 37. The amount of process fee to be realized shall be mentioned in the order sheet of the case record by the Tahasildar. It shall be realized in shape of Court fee stamps and shall be entered in the Court Fee Register.

33.

If the petitioner fails to deposit the process fee in time, the Tahasildar may in his discretion, give him further time to deposit the fee or may strike off the case. Generally cases where the fee is not paid within reasonable time are struck off. If the case is struck off a reference to that effect shall be made in the remarks column of the mutation register.

34.

Where an amendment petition is necessarv on an application for mutation, no process fee shall be realised unless the amendment petition is checked and found correct and the petition is admitted for initiation of proceedings.

35.

On the date of realisation of process fee, the Tahasildar shall issue a general notice in the form given in the Appendix (Form No.9 of the Rules) inviting

objections from persons interested within a period of thirty days from the date of service.

36.

As required under Rule 4,the general notice shall be served in the manner prescribed for the service of summons on defendant under Code of Civil Procedure. The relevant extracts from the Code of Civil Procedure are given in Appendix-10. It can also be served by proclamation and beat of drums and posting it in the presence of not less than two persons to some conspicuous place in the village such as the Grama Panchayat Office, Recreation Club and the like and also by fixing it in the village office, if any, where the rent is usually paid. The signature of at least two persons shall be taken on the back of the office copy of the notice in token of due service. The certificate of the process-server at the back of the office copy of the notice shall mention the manner of service and names of persons present at the time or service. This certificate shall be authenticated by the Nazir or solemnly affirmed before the Tahasildar. In case of an uninhabited village, the service of such notice shall be by the above method in the nearest inhabited village.

37.

Individual notice (in Form No. 10 of the Rules, Appendix II) shall be served on all persons whose interest may, in the opinion of the Tahasildar, be affected and all such persons shall be called upon to attend at such time and place as the Tahasildar may fix for the disposal of the case.

38.

Individual notice may not be necessary in all cases whereas a general notice has to be served in all cases. The following are some illustrations of the point:

(a)

A is the only recorded tenant of a khata B and C jointly apply for mutation claiming that A is dead and they are his only sons. In such a case the Tahasildar need not issue an individual notice on any person as it is not

possible for him to know at that stage, if the interest of anybody else will be affected thereby. A general notice only will do.

(b)

A and B are jointly recorded as tenants of a particular khata. C and D jointly apply for mutation claiming that A is dead and they are his only sons. In such case individual notice on B is necessary (as he stands recorded jointly with A) in addition to the .general notice.

39.

As soon as a proceeding is initiated under any of the paragraphs 19 to 24 of this Chapter, that is otherwise than on a specific application, it shall be registered as mutation case in the mutation register. The connected case record shall then be sent to the Record Keeper for check and report as indicated in paragraph 29. The report of the Record Keeper may in some cases indicate that certain additional information are required so as to make the basic information complete. In such a case if the proceeding has been initiated under any of the paragraphs 19 or 20, then the person on whose report it has been initiated shall be asked to supply the omissions. If the proceeding has been initiated under paragraph 24, the Naib-Tahasildar shall be asked to supply the omissions. If the proceeding has been initiated under any of the paragraphs 21 to 23 the party interested, namely, the party in whose favour the land records are likely to be corrected, shall be asked to supply the requisite information. In all such cases, the Tahasildar shall see that delay in obtaining the requisite information does not occur. On receipt of the requisite information, the general notice as mentioned in paragraph 35 shall be issued. In all cases of this type individual notice shall also be issued on all persons who are interested in the land in question as ascertainable from the record-of-rights and on all persons in whose favour the record-of-rights is likely to be corrected. No process fee for the issue of general and individual notice need be realised from anybody in these cases.

40.

The general notice and the individual notice shall he issued simultaneously.

41.

All processes shall be handed over to the Nazir of service after being entered in the process register. The headings of this register are given in Appendix-12.

42.

Objection petitions in response to the general notice or individual notice are required under Rule 40 to be filed within thirty days from the date of service. Every such petition shall bear Court-fee stamp worth one rupee. All objection petitions shall be entered in a register called Mutation Case Objection Petition Register. The proforma of the register is given in Appendix-13.

43.

On the date of the first hearing the Tahasildar shall first ascertain whether the period of objection which is thirty days from the date of service of the general notice is over. In case period has not yet been over because of delay in service of the notice, the Tahasildar shall fix another date after the period of objection.

NOTES

The period of objection is fifteen days not thirty days. (See 1 Rule 40 under Appendix-I).

44.

If the proceeding has been initiated on an application the applicant shall be called upon to adduce evidence in support of his claim on the date of hearing. After the applicant's evidence is closed the objector shall be called upon to give evidence in support of his objection. In other cases, that is, in cases initiated under any of the paragraphs 29 to 24 it is only the objector who will be asked to give evidence in support of his objection to the mutation proposed to be effected on the basis of the information forming the starting point of

proceedings. This information need not be formally proved by anybody, ordinary objection petition received after the period of thirty days will be summarily rejected and in such a case the objector need not be called upon to adduce any evidence or remain present at the time of subsequent hearings. But the Tahasildar may, in his discretion admit any objection petition filed after the period of thirty days for good and sufficient reasons.

45.

The parties have to furnish lists of witnesses present and documents produced. The names of the witnesses shall be entered in the register for attendance of witnesses in Revenue Courts. The proforma of this register is given in Appendix-14.

46.

As provided in Rules 3 and 41 all enquiries considered necessary for the disposal of mutation cases like all other proceedings conducted under the Act are to be summary in nature. That is to say, elaborate and detailed recording of evidence and statements is not necessary. Only a substance thereof need be recorded. It has however to be noted that 'summary' does not mean 'arbitrary' and all relevant facts necessary for coming to a decision must be kept on the record. Rule 3 requires that as far as may be practicable, certain stages of the enquiry are to be governed by certain provisions of the First Schedule of the Civil Procedure Code, 1908. These provisions are given in Appendix-15. The procedure cannot be made so summary as to short-circuit the spirit of any of these provisions. At the same time it is necessary to impress on the parties that mutation proceedings are a fiscal enquiry and therefore they cannot decide any title. Hence, it is a waste of everybody time, energy and money to undertake elaborate examination of the title in a mutation proceeding.

47.

Prima facie title coupled with possession is sufficient to merit full recognition in the record-of-rights, The following are some of the more important points which are relevant for deciding mutation cases, namely

(a)

the possession under the colour of any title;

(b)

the person or persons from whom rent is being received without any objection;

(c)

the connection of the present disputants with the persons recorded in the record-of-rights;

(d)

orders of competent Court dealing with titles; and

(e)

documents of transfer of title,

Care should always be taken to see that full recognition is not allowed in favour of person in possession who have no title under the Law. Thus when a person is in possession of a landed property though purchase and the law requires that transaction should be through a registered instrument he can be given full recognition in the record- of-rights only if the purchase has been effected through a registered instrument or, if he has perfected his title by adverse possession. Otherwise his possession only can be recorded in the remarks column of the plot or plots concerned giving details of the transaction, like the date of sale, consideration money paid etc. Similarly when a person is in possession of land obtained on transfer from a member of a Scheduled Tribe, such possession is to be construed as coupled with title if permission of competent authority to transfer the property as required under the Orissa Land Reforms Act, 1960, or the Orissa Scheduled Areas Transfer of Immovable Property (By Scheduled Tribes) Regulation, 1956 was obtained' in addition to satisfying all other conditions of transfer of title. Otherwise illegal possession of the transferee will be noted in the remarks column with the details of such possession. Similarly, where transfer of a rent-free tenancy is subject to prior

permission of a revenue authority, there can be no transfer of title without such permission and a mutation case cannot give full recognition to the transferee in possession in such a case. He can be shown in the remarks column as an illegal transferee. Where the tenancy law requires that on transfer, the status of a land will change or higher assessment will be levied (as in the case of rent-free tenures of Dhenkanal and Kamakshayanagar Sub-divisions), the order in the mutation case will cover these points' specifically; that is to say, the amount of new assessment shall be mentioned in the order as well as the status under which the land will be recorded.

48.

Where mutation fee is payable to Government, the final order shall make a mention of the amount so payable and the party by whom it is payable. Though mutation can be allowed in such cases if other conditions are satisfied, the final order cannot be implemented until the fee is paid. The fee realised shall be accounted for in the register of measurement and mutation fees (Appendix-16) as well as in the subsidiary register of miscellaneous receipts in the Tahasil Office (Appendix-I7).

49.

No Sub-division of a holding can be allowed unless all the parties interested in the same agree to it, though the advantage of Sub-division of tenancy generally out-weigh disadvantages. Freedom of subdivision may in some cases cause an increase in the number of holdings, but much can be done to counteract this by always amalgamating tenancies of the same status when they come under possession of one person. Moreover, it is easier as a Rule, to Collect rent from an individual than from a number of persons with conflicting interest in the land. It must tend to the benefits of the share-holders that sub-division of holdings should be allowed, when for one reason or another it has become difficult for them to hold the land in common.

50.

In case of subdivision of holdings the effect of sub-division on the rent allotted to each new holding shall be explained to the parties. The Sub-diyision of rent

should be equitable. If rent is correlated to classification of land, this shall not be disturbed at the time of subdivision of holding of distribution of rent.

51.

In case of registered sale deeds, the division of rent mentioned therein shall be accepted without any change unless the parties are agreeable to any other division. Prima facie inequity in division of rent as mentioned in the sale deeds should however be brought to the notice of parties and they will be asked to consider if they want to make it equitable. Equitable division should also be suggested to them.

52.

Mutation on account of partition of landed properties shall be allowed only when the partition has been effected in conformity with the provisions of law for the time being in force.

53.

In case of disappearance of a person for more than seven continuous years and in the absence of any evidence to show that he is still alive,he should be considered dead and mutation shall be allowed in favour of legal heirs applying for the same.Where there are no legal heirs,it may be effected in favour of the persons in possession of the land ascertained after due enquiry. In such cases proper field enquiry preferably by the Tahasildar himself is necessary.

54.

Mutation may be granted in favour of persons having no document of title, but found in course of an enquiry to have been in possession of any private property as reputed owners for a period of 12 years or more.

55.

In some cases the period of undisputed possession may be less than twelve years. In such cases a note of adverse possession shall be entered in the

remarks column of the Khatian along with the date from which the possession commences.

56.

If in course of the proceedings, the Tahasildar deems it necessary to issue individual notice to any other persons for the reasons mentioned in paragraph-38, such a notice shall be issued promptly in the form given in Appendix-II.

57.

If in the course of enquiry any measurement of land of field enquiry is deemed necessary, the party applying for mutation or claiming such measurement or enquiry, as the case may be, has to deposit the requisite fee at the rates prescribed under Rule 38. Where a proceeding is initiated under any of the paragraphs 19 to 24, the person in whose favour the record-of-rights is likely to be corrected shall be called upon to pay the fee if there' is no specific claim for measurement or enquiry by any other person.

58.

The actual payment of the fee shall be made to the cashier or to any other person authorised to receive the fee. The payer is entitled to a receipt in O. T.C. Form No.5. The payment shall be entered in the subsidiary register of miscellaneous receipts. The *pro forma* of this register is given in Appendix-I7.

59.

An account of the fee realised shall also be maintained in the register of measurement and mutation fees. The pro forma of the register is given in Appendix-16.

60.

Ordinarily the work of measurement of field enquiry has to be done by the Naib- Tahasildar, only after realization of the fee whenever such fee is realisable. When the Naib- Tahasildar does not know survey, the work shall be entrusted to one of the Amins attached to the Tahasil Office or to any other

subordinate as the Tahasildar may decide. A copy of the mutation application (with its enclosure, if any) or the requisite information shall be given to him for facility of enquiry. His report shall be furnished in a form called Amin's enquiry report form. It is given in Appendix-I8. A percentage (not less than 10) of these reports shall be checked by the Tahasildar on the spot.

61.

In cases involving- measurement, the enquiry report should be accompanied by a separate tracing or printed copy of the village map or so much of it as is necessary showing the plots affected and the alterations required, the latter being in red ink.

62.

The party requiring the Tahasildar to serve notice on any witness in course of the proceeding shall have to pay process fee at the rates mentioned in paragraph 32. No process can be issued until the requisite fee is paid in shape of Court-fee stamps. If a party does not pay the fee within reasonable time the case shall proceed without waiting for him.

63.

When no objection has been filed within the period allowed and adequate service of the general notice and the individual notice, if any issued, is proved, final order can be passed on the date of first hearing provided the case does not involve spot enquiry or measurement. Most of the mutation cases are of this nature. But there will be a large number of cases where objections have to be heard, witnesses have to be examined, or spot enquiry and measurement have to be conducted. It shall be the endeavour of the TahasiIdar to dispose of such cases as promptly as possible.

64.

The Tahasildar shall maintain a Court diary in the form given in Appendix-19. Entries under different dates mentioned in the diary shall be made as soon as cases are posted to these. This work shall not be allowed to accumulate.

65.

Every witness is to be examined viva voce on solemn affirmation in open Court in the presence of the Presiding Officer (Tahasildar).

66.

The Tahasildar must not be engaged in any other business while the examination of any witness is going on or while documentary evidence is being read.

67.

The examination of any witness must not be interrupted unless the Tahasildar is compelled to attend to any other business of an urgent nature which fact should be recorded in the order sheet of the case.

68.

The Tahasildar shall make in his own hand, a memorandum of the substance of what each witness deposes. Such memorandum must be written legibly in English or Oriya, it must be signed and dated by him and is to form a part of the record. It must always be sent up with the record to the Appellate or Revisional Court in the event of an appeal or revision, as the case may be. The memorandum of evidence has to be signed by the witness concerned after it is read out and explained to him.

69.

After the examination of the witnesses has commenced the case has to proceed until all the witnesses on both sides have been examined (those of the party upon whom the onus of proof lies being examined first and then those of the opposite party). Adjournment of the hearing must not be allowed except for sufficient cause, which must be recorded.

70.

Case may arise in which, from the absence of an important witness, which could not be avoided by the party who requires his evidence, it may be necessary to adjourn the hearing. In such cases the evidence of the witnesses in attendance must be taken and witnesses must not be detained or required to attend again unless for some special reasons to be recorded.

71.

Whenever an adjournment takes place it must be for as short a time as possible regard being had to the circumstances under which the adjournment is granted.

72.

No adjournment must be granted in any case except viva voce in open Court. The date to which the case is adjourned and reason for the adjournment must in all cases be stated publicly by the Presiding Officer in the open Court and recorded in the order sheet.

73.

If, after all, the witnesses have been examined, the exhibits perused and the parties heard, by themselves or through their lawyers the Presiding Officer is not prepared to deliver the judgment, he may postpone the delivery thereof until a future date of which due notice must be given to the parties or their lawyers. The witnesses must not be detained.

74.

The gist of the judgment, as written, must be pronounced viva voce in open Court, either in the language in which it is written or in the language used in the Court.

75.

Correction of record-of-rights (including the map) according to orders passed in a mutation case shall be made after expiry of forty-five days from the date of final orders and after the mutation fee whenever payable to Government

has been paid. Changes in the entries in the record-of-rights shall be carried out under due attestation of the Tahasildar. Reference to the number of mutation case must be given in all changes. All changes must be recorded in red ink.

76.

Changes in the record-of-rights shall not be effected in cases in which appeals or revisions have been preferred. The record-of-rights can be corrected only after appeals or revisions as the case may be, are finalised.

77.

Before effecting corrections in the record-of-rights, the Tahasildar should ensure that no application for copy of the judgment lies pending in his office. In such cases it should be presumed that the copy has been asked for which the intention to go in on appeal. Hence, the Tahasildar should wait for a reasonable time; say for about a fortnight, after the grant of the copy before correcting the record-of-rights. If within this period intimation of appeal is received, the record-of- rights cannot be corrected, until the disposal of the appeal.

78.

When a new holding is created it should be allotted a new number following the last in the serial of the same status. To cite an example, suppose there are 100 raiyati khatas (holding) and five chandna khatas in a village, the raiyati khatas coming first and then the Chandna khatas. The raiyati Khatas will bear numbers from 1 to 100 and the chandna khatas form 101 to 105. If a new raiyati Khata is created it should be numbered as 100/1. If another khata is created thereafter it should be numbered as 100/2 and so on. Similarly if a new chandna khata is opened, it should be numbered as 105/1 and so on.

79.

When land has been acquired for a department of Union or State Government, it should be recorded in. a Departmental Khata to be created if necessary. Land acquired for the Revenue Department will however be recorded in the Rakhit Khata. Similarly new holdings should be created for a local body or a company when land has been acquired for such a body or a company.

80.

If all lands included in a holding are, in course of time transferred from that holding, it should be left blank, but its Khata number cannot be used for any other holding.

81.

If a plot is subdivided and formed into more than one plot each plot will be allotted number, the original number being allotted to the plot retained in the original holding. In case no plot is retained in original holding, the original plot number will be allotted to one of the newly formed plots which is nearest to the pending plot number. Other plots will be allotted numbers next to the last number in the village map. For instance, if plot number 190 is divided into two parts and the last plot number in the village is 305, one part of the plot number 190, will carry the original number 190 and the other part will be numbered 306. At the bottom of the relevant sheet of the village map, this net number should be shown in red ink as 190/306. In the record-or-right this new plot number should also be written as 190/306.

82.

When it is necessary to fully amalgamate a plot of land, with an adjoining plot, the number of the first plot will be eliminated and a note to that effect should be left at the bottom of the relevant sheet of the village map.

83.

Much of the efficiency of revenue administration depends, on up-to-date maintenance of the map and the record-of-rights. It is therefore the duty of

the Tahasildar to see that all changes ordered by him are incorporated in them as early as possible. The work is to be done by the Record Room staff. If the staffs are inadequate to cope with the work, sanction for additional staff should be applied for to Director of Land Records and Surveys through the Collector.

84.

When the correction of record-of-rights is taken up according to orders passed on a mutation case, an intimation slip in the form' given in Appendix-20 with a sketch map showing corrections, if any in the map duly authenticated shall be forwarded to the Naib- Tahasildar in duplicate. One copy shall be returned within 15 days from the date of receipt by the Naib-Tahasildar with an endorsement that he has retained a copy of the slip. Until the returnable copy is received by the Tahasildar, he shall not show the connected mutation case as disposed of. The intimation slip returned to the Tahasildar shall form a part of the connected case record.

85.

The slips along with sketch maps retained by the Naib- Tahasildar shall be serially arranged and kept in a separate guard file in the order they are received, a list of contents being attached to the guard file.

86.

A register of changes shall be maintained by the Naib- Tahasildar in the form given in Appendix-21. It shall be filled up on the basis of facts mentioned in intimation slip. The date on which the register is filed up shall be noted in the intimation slip.

87.

The Naib-Tahasildar's copy of record-of-rights shall be corrected on the basis of the intimation slip and each corrected entry shall be attested by the Naib-Tahasildar quoting the case number mentioned in the intimation slip as the authority for such correction. All corrections shall be in red ink. The attestation

shall be counter-signed by the Tahasildar when he visits the office of the Naib-Tahasildar.

88.

In the Tahasildar's copy as well as in the Naib-Tahasildar's copy of the record-of-rights one or more full sheets are allotted to each holding (khata). The blank space left in these sheets is intended to accommodate future corrections, where, however, the blank space is used up by a number of corrections a new sheet to accommodate further corrections has to be inserted immediately below the last sheet meant for holding.

89.

Power of re-writing the record-of-rights or part thereof rest with the Collector of the district according to Rule 45. Therefore, the Tahasildar shall obtain the order of the Collector in writing in case a Khata is to be re-written due to numerous changes of illegibility. The record-of-rights so re-written shall bear a certificate under the facsimile signature and seal of the Collector or any other officer duly empowered by him in this behalf. A copy thereof duly certified by the Tahasildar shall be transmitted to the Collector. This rule applies to the copy of the record-of-rights kept in the custody of the Naib-Tahasildar.

90.

Power of replacement of the map or a part thereof by a revised copy also rests with the Collector of the district according to Rule 46. Therefore the Tahasildar shall obtain the orders of the Collector in writing in case a map is to be prepared afresh due to incorporation of numerous changes. The map so prepared shall bear a certificate under the facsimile signature and seal of the Collector or any other officer duly empowered by him in this behalf. A copy thereof duly certified by the Tahasildar shall be transmitted to the Collector. This Rule applies to the map kept in the custody of the Naib-Tahasildar.

91.

Inspecting officers shall ensure that the Naib-Tahasildar's copy of record-of-rights and map are maintained up-to-date. They shall check all the intimation slips received after the last inspection with the corresponding entries in the register of changes. They shall also check some percentages of changes in record-of-rights against the entries made in the intimation slips.

CHAPTER-IV
APPEALS, REVISIONS AND REVIEWS

92.

Under Rule 42, an appeal from any final order of the Tahasildar shall lie -

(a)

to the SDO or RDO if the original order was made by any other Officer below the rank of the SDO or RDO and

(b)

to the Collector of the District if the original order was made by the SDO or the RDO.

Note:-"Final Order" means final order passed in a mutation case by the Tahasildar after which the connected case can be closed.

93.

Under Clause (3) of Rule 42, the Collector has the authority to delegate his appellate powers to any of his subordinate revenue officers higher in rank than SDO and the RDO. The delegation can be made with prior sanction of Board of Revenue obtained through the Director of Land Records and Surveys. This power may be vested, on officers by designation so as to avoid references to Board with transfer of each officer unless the intention is to give powers to an, additional officer to clear up pending cases only in which case the delegation may be made by name.

94.

The Collector may transfer to the file of any officer who exercises appellate powers any appeal filed before him against the original orders of SDO or RDO passed in a mutation case. Under the provision of clause (a) of Sub-sec. (2) of Sec. 31 of the Act he has the authority to distribute work among the officers working in the district. This power has to be exercised in distributing business if the number of officers exercising appellate powers is more than one. The order has to be in writing and has to be passed as soon as the number of officers exercising appellate powers is more than one. The order has to be in writing and has to be passed as soon as the number of officers exceeds one so that no officer may remain without work. The Collector can withdraw any case from the file of any appellate authority and may dispose it of himself or may transfer it to any other appellate authority working under him. These powers may be exercised when circumstances similar to those mentioned in paragraph 15 exist.

95.

According to Clause (b) of Rule 42 an appeal must be presented within thirty days from the date of the order appealed against. For calculating this period the day on which the judgment complained of was pronounced and the time actually taken for obtaining a copy of the order appealed against shall be excluded.

96.

It is very often seen that much time is taken by the copying section of the office to supply certified copies applied for as a result of which appeal cases are delayed greatly. In this connection it should be borne in mind that failure to comply with one rule might greatly upset the working of another. If such delay is allowed, it is sure that there will be equal amount of delay in incorporating the changes in the record-of-rights which means that the very purpose of mutation will be frustrated. The officer-in-charge of the copying section should ensure that copies are supplied to applicants strictly in accordance with the rules on the subject.

97.

Every application for appeal shall be accompanied with a certified copy of the order appealed against.

98.

If the last day of appeal period falls on a holiday, application .for appeal can be accepted on the day the Court re-opens thereafter.

99.

The application for appeal shall bear a Court-fee stamp of rupees four as provided in Item 12 of Schedule I of the rules. The stamps shall be punched, cancelled and accounted for as mentioned in paragraph 28 before the appeal is registered as a case under paragraph 100.

100.

On the day of receipt the application it shall be entered in the register of appeal. The pro forma of this register is given in Appendix-22.

101.

It is the duty of the Bench clerk to check the petition for appeal as soon as it is received. This check should be done on the day the application is received or on the day following. Particular attention should be given to see if the petition is within time.

102.

If the petition is found to be, defective, he shall put it up before the Presiding Officer for orders. Such cases can be rejected immediately. In such a case a reference to that effect will be made in the remark column of the register. No amendment petition on the petition for appeal is generally entertained as such a course delays proceedings.

103.

If the application is found to be correct the Bench clerk shall certify to that effect on the back of the application. The appeal shall then be formally admitted.

104.

Immediately after admission, the appellate Court shall call for the original case record from the Court which has passed the order appealled against.

105.

Sometimes the appellate Court may find it necessary to call for a report along with the case record from the lower Court: The report, if any, along with the case record should be promptly forwarded to the appellate Court by the lower Court. Any delay in this regard will be seriously viewed.

106.

The appeal cases shall be disposed of as early as possible and in no case unnecessary adjournments shall be given.

107.

As soon as the case is disposed of the original case record along with a copy of the order passed in appeal shall be sent to the Tahasildar for effecting necessary correction in the record-of-rights.

108.

The Tahasildar shall attach the copy of the order in appeal with the original record, make a note to that effect in the order sheet and close the case only after necessary corrections have been made in the record-of-rights and the returnable copy of the intimation slip has been received from the Naib-Tahasildar.

109.

As provided in Rule 43 any person considering himself aggrieved by any decision in a mutation case, may apply within thirty days from the date of the decision for a review of the order to the officer who passed the said order on the ground of any mistake error apparent on the face of record. This applies to both original and appellate orders. The Officer before whom an application for review is filed may, after giving to the parties interested a reasonable opportunity of being heard pass such orders as he thinks fit.

110.

The circumstances in which a review is made should be clearly noted in the order sheet, because reviews are not the same method of changing orders as appeals or revisions. Review can be taken up only on the ground of any apparent mistake or error on the face of the record and not under any other circumstances.

111.

Under Sec. 32 of the Act, the Board of Revenue have powers, with or without petition, to call for and revise any proceedings before any Officer from whose decision no appeal lies. The fact that the Board of Revenue have been vested with this power of revision of any proceedings at any time does not mean that any party to a mutation proceeding can, as a matter of course, move the Board for changing an order passed by a subordinate authority. The statutory rule does not provide for a second appeal or revision after the first appeal and in the absence of such a specific provision the general powers conferred by Sec. 32 cannot be invoked to utilise the Board of Revenue as a Court of second appeal. Powers of control and supervision by the superior authority are discretionary and the authorities exercising such powers are not ordinarily disposed to interfere except in the following classes of cases, namely:

(a)

where a subordinate officer has improperly refused to exercise a jurisdiction vested in him, or

(b)

where such officer in the exercise of the jurisdiction has failed in his duty or has contravened some express provision of law affecting the decision on the merits, and where such contravention has produced a serious miscarriage of justice, or

(c)

generally where it is necessary for the purpose of preventing gross abuse or gross injustice.

112.

In the absence of any time limit as to submission of an application for revision by the Board, the same may be preferred within ninety days from the date of the order in the lower Court, deducting the time for getting the copy of judgment. The Board has however a discretion to admit an application for revision preferred after one month.

113.

The application for revision shall be accompanied with authenticated copies of the orders passed by all the lower Courts.

114.

In cases where the interest of Government is affected, the Collector may apply to the Board for revision of the order of lower Court. Revision cases filed against Government before the Board of Revenue should always be contested by the Collector. If engagement of a Lawyer to argue out the case on behalf of Government is considered necessary by the Collector, he should move the Director of Land Records ad Surveys who has powers to sanction such engagements.

CHAPTER-V
ACCOUNTING PROCEDURE

115.

The fee for measurement or inspection is calculated on the basis of the number of plots involved. It may not be possible in all cases to precisely calculate the number of plots that will be involved until the measurement or inspection, as the case may be, is conducted. At the same time paragraph 60 requires that unless the fee is realised, no measurement or enquiry can be undertaken. From the mutation application or the document forming the starting point of the case, it is always possible to get an idea as to the approximate number of plots likely to be involved in measurement and/or enquiry, and the fee to be realised before such enquiry or measurement is undertaken shall be calculated on this basis. As soon as the report of or measurement is received, the Tahasildar shall calculate the exact amount of fee payable, the amount already realised and the balance, if any, to be realised. If the party has to pay more than what has already been paid by him he will be called upon to pay the balance by a specific date. If he does not make the payment in time the case will proceed as if field enquiry or measurement was involved for such number of plots as can be covered by the fee already paid. If this is not possible, the case shall be disposed of as if no fee has been paid. In such a case the party concerned will not be entitled to refund of the fee already deposited. Refund will be allowed only when the fee paid is in excess of the amount realisable. The procedure for effecting the refund is detailed in paragraph 117 below. The following is an illustration to clarify the point.

Three persons A, B and C are jointly recorded as raiyats of a holding containing four plots. They have executed a registered instrument partitioning the holding. On the strength of this document they want the record-of-rights to be corrected and separate holding allotted to each of them. As no holding can include the fraction on a plot is necessary that the lands allotted to the share of each in the partition deed should be contained into full plots (plot is a parcel or continuous parcels of land of the same classification held in the same right and under the same landlord by the same tenant or by a group of tenants holding jointly in the same tenancy). This will naturally involve measurement. The partition deed indicates that all four plots have been divided in course of partition. The number of plots involved in measurement can therefore be

taken as 12 (that is 4 x 3) and fee will be realised for, 12 plots in the beginning. It is immaterial as to whom the three persons pay the fee because the holding stands recorded jointly and each is jointly liable to make all legal payments in respect of the holding. The Tahasildar may therefore call upon anyone or all of them to pay the fee. Only after the fee for 12 plots is realised measurement can be ordered as required in paragraph 60. If in course of the measurement it is found that the 4 plots are to be divided into 14 new plots then fee for two extra plots shall be realised. If this fee is not paid within reasonable time the case will proceed and if possible, orders for correction of records so as to create 3 holdings with 12 plots will be passed. If this is not possible the prayer for partition has to be rejected but the fees already realised shall not be refunded. If on the other hand the total number of plots into which the 4 plots of the joint holding are to be divided comes to 11 the fee realized for the 12th plot has to be refunded. The exact amount to be refunded shall be recorded by Tahasildar in the order sheet at the time of recording the final order in the case.

116.

All amounts realized as measurement fee or mutation fee are to be accounted for in the register of measurement and mutation fee as soon as they are realised. They shall be credited in to the Treasury under the head ‘VII- Land Revenue-K- Miscellaneous-13-Mutation and Measurement Fees’. The challans under which the amounts are credited into the Treasury should be pasted chronologically in a guard file for reference during the audit. They can be destroyed only after the audit of the relevant accounts is conducted by the Internal Audit Organisation and objections and reference made in the audit note are satisfactorily closed.

117.

In the first week of every month, the Tahasildar shall prepare a refund bill in O.T.C Form No/ 39 in accordance with the instruction contained in S.R 347 of the Orissa Treasury Code, Volume-I for each case where refund of fee has been allowed in the previous month. He shall then forward these bills to the Treasury Officer for verification of credit and payment as prescribed in S.R.

349 of the said Code. If the Tahasildar is not a drawing officer, the drawing officer to whom he is attached shall be responsible for drawing the bill. If for any unavoidable reason any amount drawn cannot be paid within one month from the date of its drawal from the Treasury, it shall be placed as revenue deposit. Reference to the number and date of the challan under which any amount is placed, as revenue deposit shall be given in the column meant for acquittance in respect of the amounts concerned in the relevant registers.

CHAPTER-VI
REGISTERS AND RETURNS

118.

The following registers shall be maintained by Tahasildar in addition to the Court Diary.

(i)

Mutation Register;

(ii)

Court-fee Register;

(iii)

Register of process made over to the Nazir service;

(iv)

Mutation Case Objection Petition Register;

(v)

Register of attendance of witnesses in Revenue Courts;

(vi)

Register of measurement and mutation and fees;

(vii)

Subsidiary Register of miscellaneous receipt in the Tahasil Office

(viii)

Register of refunds;

(ix)

Register of Court-fees to be realised.

119.

Register of Appeals shall be maintained by appellate Court.

120.

The fol!owing Registers shall be maintained by the Naib-Tahasildar.

(i)

Consolidated Register of the Naib- Tahasildar for Mutation reported to the Tahasildar.

(ii)

Register of Changes

121.

The headings of all Registers are given in the Appendices.

122.

A monthly return of mutation cases in the form given in Appendix-25 shall be forwarded by the Tahasildar to the Collector of the district on the 3rd day of every month. The Collector shall compile the returns sent by the Tahasildar and send a consolidated return to Board by 15th of every month in the form given in Appendix-26

APPENDIX-I

Chapter IV of the Orissa Survey and Settlement Rules, 1962 MAINTENANCE OF RECORD-OF-RIGHTS AND MAP

32.

Maintenance of Record-of-rights and map -The record-of-rights and the copy of the map as finally published in accordance with the provisions of the Act or deemed to be the record-of-rights and map finally published under the provisions of the Act and supplied to the Tahasildar shall be maintained and kept up-to-date in accordance with the rules hereunder provided.

***[33.**

Abatement and suspension of proceedings under this Chapter -When an order is made under Secs.11, 18 or 36 with respect to any local area-

(I)

all proceedings for maintenance of the record-of-rights and the map under the rules of this Chapter in respect of the said local area and pending as on the date of such order shall abate; and

(2)

Rule 34 and all-subsequent rules of this Chapter shall remain inoperative with effect from the date of such order till the expiry of three months from the date of final publication , of record-of-rights.]

*** Substituted by S,R,O, No. 357/1973-D/22.3.1973, Orissa Gazette Extraordinary No. 598-D/I.5.1973.**

34.

Ground on which correction of the record-of-rights and map is to be made - The Tahasildar may on application in that behalf of any person interested or on receipt of a report from any of his subordinate officers or on receipt of a notice from the Registrar of Sub-Registrar appointed under the Indian Registration Act, 1908 or from a Court or on his own motion, order any change of , any entry in the record-of-rights according to the rules hereinafter prescribed on any one or more of the following grounds, namely:

(a)

that all persons interested in any entry in the record-of- rights wish to have it changed;

(b)

that by a decree in a civil suit, any entry therein has been declared to be erroneous;

(c)

that being founded on a decree or order of a Civil Court or on the order of any competent authority, the entry therein is not in accordance with such decree or order;

(d)
that such decree or order has subsequently been varied on appeal, revision or review;
(e)
that any entry therein has no relationship with the existing facts; and
(f)

that by preparation of a survey record under Chapter 11 of the Act, any change is necessitated in the record-of rights.

***[35.**

Registration of Proceedings -All proceedings commenced on a report, application of otherwise under this Chapter shall be registered as mutation cases and each such case shall be numbered and entered in a register in Form No.8 to be called the Mutation Register:

Provided that changes in any entry of the record-of-rights arising out of an order or decree of Revenue or a Civil Court or the order of a Tribunal constituted under any law for the time being in force shall be numbered and entered in the Register as separate cases and carried out by the Tahasildar immediately on receipt of such order or decree, as the case may be, and it shall not be necessary to commence a Mutation Proceeding for that purpose.

*** Substituted by Orissa Gazette. Extraordinary No. 1541 D/ 23.9.1974.**

36.

Application Fees -Fees on every application for mutation and on the petition of objection, if any, shall be one rupee and shall be realised in the shape of Court-fee stamps:

*****[Provided that where proceedings are commenced otherwise than on an application, no application fees shall be realised from the party.]

*** Substituted by S.R.O No. 197 of 12.2.1976 O.G.E No. 299 of 1976**

37.

Process Fees - *[Process fee for the services shall be realised in the shape of the Court fee stamp from the party applying for mutation and where proceedings are commenced otherwise than on an application no process fee shall be realised from the party]. Process fees shall also be realised from the party who applies for issue of

summons to a witness for examination in course of a mutation proceeding. The rates of process fee shall be regulated in the following manner, namely:

(i)

in every case in which personal or substituted service of any process on parties or witness is required, a fee of Rs. 1.50np. shall be charged, for service of the same document on not more than four persons an additional fee of Re. 025 np. shall be charged for every such person in excess of four; and

(ii)

for issue of general notice, a fee of Rs. 1.50np. shall be charged.

Provided that where the fee is payable by Government, such fee shall not be realised.

*** Substituted by S.R.O No. 197 of 12.2.1976 O.G.E No. 299 of 1976**

38.

Measurement -Where a measurement or field enquiry is claimed, fees shall be realised at the rate of two rupees for every plot of land covered by such measurement or enquiry:

Provided that the fees shall be calculated on the number of plots that are made after the said measurement or enquiry:

*[Provided further that no measurement fee shall be realised for measurement or field enquiry necessitated in any proceedings commenced otherwise than on an application].

*** Inserted by S.R.O. No. 197-Dt. 12.2.1976.**

***[38-A.**

Exemption -No fee shall be realised under Rules 36,37 and 38 in respect of lands distributed in accordance with the provisions of the Orissa Bhoodan Yagna Act, 1953 (Orissa Act] 6 of1953]

*** Inserted by Orissa Gazette, Extraordinary No. 1513-Dt. 27.9.1965.**

39.

Consent of parties for sub-divisions of holdings -The sub-division of a holding shall not be allowed unless all the parties interested in the holding, give consent for the same or such a sub- division has been ordered by a competent Court or authority.

40.

Service of notice -While acting under Rule 34 the Tahasildar shall issue a general notice in Form No.9, inviting objections from persons interested within a period of *[fifteen] days from the date of service of such notice. The Tahasildar if he deems it necessary, may issue individual notices in Form No.10.

*** Substituted by S.R.O. No. 197-Dt. 12.2.1976.**

41.

Manner of disposal of mutation applications -The mutation application and the petitions of objection, if any, shall be disposed of after giving the parties an opportunity of being heard and the enquiry to be so held shall be summary in nature.

***[42.**

Appeal-(1]) An appeal from any final order made under Rule 41 shall lie :

(i)

if the original order was made by an Assistant Settlement Officer exercising the powers of the Tahasildar under those rules and working under the administrative control of the Settlement Officer, to the Settlement Officer, and

(ii)

if the original order was made by any other officer exercising the powers of the Tahasildar under these rules, to Sub- divisional Officer.

(2) Every such appeal must be presented within thirty days from the date of the order appealed against.]

*** Substituted by S.R.O. No. 357/73-O.G.E. No. 598-Dt.1.5.1973.**

43.

Review -Any person considering himself (aggrieved by any decision under this Chapter may apply within thirty days from the date of the decision for a review of the order to the Officer, who passed the said order on the ground of any mistake or error apparent on the face of the record and the officer may after giving to the parties interested a reasonable opportunity of being heard, passed such order thereon as he thinks fit.

44.

Entry of corrections in the record-of-rights and map- The changes in the entries in the record-of-rights shall be carried out under attestation by the Tahasildar. The copy of the map finally published or deemed to be finally published under the Act shall be corrected so as to be in conformity with the changes carried out in the record-of-rights.

45.

Re-writing of the record-of-rights -Where the Collector considers that due to incorporation of numerous changes in the record-of-rights or any part thereof, it has become unfit for further use, he may cause the record or the

part to be re-written. The record-of- rights so re-written and brought up-to-date shall bear a certificate under the facsimile signature or signature and seal of the Collector or any other Officer duly empowered by him in this behalf and shall replace the original record or the relevant part thereof, as the case may be, in the custody of the Tahasildar. A copy thereof duly certified by the Tahasildar shall be transmitted to the Collector.

46.

Replacement of the map -Where the Collector considers that due to incorporation of numerous changes or for an other reasons the map or any part thereof has become unfit for future use, he may cause a copy there to be prepared. Such copy shall bear a certificate under the facsimile signature or signature and seal of the Collector or any other officer duly empowered by him in this behalf, and shall replace the original map or the relevant part thereof, as the case may be, in the custody of the Tahasildar. A copy thereof duly certified by the Tahasildar shall be transmitted to the Collector.

APPENDIX-5

Form of report to the Tahasildar for intimation of mutation cases.

To
The Tahasildar ��������������������.
Sir,
I beg to bring to your notice that change as scheduled below in the interest covered by the existing entry in the record-of-rights necessitating its correction has occurred. This is brought to your notice for necessary action.

Your's faithfully

(Designation of the Officer furnishing the report)

SCHEDULE

Name of the village

Thana No

Name of the Tahasil

Khata No.

Plot No.

Detailed particulars of change

APPENDIX-6
Register of mutations reported to the Tahasildar

1

Serial No.

2

Date of submission of the report to the Tahaisldar

3

Particulars of changes requiring corrections of the record-of-rights.

4

Remarks

APPENDIX-7

***** Court-Fee Register

1

Serial No. of document

2

Process Fees

3

Other fees

4

Date

Daily Total

1

Process Fees

2

Other Fees

3

Total

4

Remarks

*__Instructions__ -This register is meant to show in detail every document filed bearing court-fee stamps except certified copies, the stamps on which are to be entered in this register by the Court or Office which issues them. At the time the stamps are first punched a serial number should be entered on the stamp as well as in every document (including certified copies at the time of issue) immediately below the stamps and in column 1 of the register, in the remaining columns of which will be entered the amount of the fees realised on the document. The entries in columns 2 and 3 will be totalled daily and the results entered in columns 5, 6 and 7 and initialled daily by the Presiding Officer. The entries in the latter three columns should also be totalled monthly.
.

APPENDIX -8
Mutation Register

1.

Serial number

2.

Name of petitioner or nature of document occasioning the case

3.

Abstract of the case

4.

Date of institution

5.

Date of order No

6.
Abstract of orders

7.

Remarks

APPENDIX -9
Form of General Notice

General Notice inviting objection in mutation case

In the Court of Tahasildar ....Mutation Case No ��� of 19.....

It is hereby notified for general information that the aforesaid mutation case instituted by..... for correction of Khata/ Khewat No.....of Village..... Thana.....Tahasil.....
District..... Thana No.....has been posted for hearing on .....Any person having any objection to the proposed change of the record as mentioned below may file an objection petition before the undersigned on or before .....which will be duly considered before the disposal of the mutation case. No objection petition will be entertained after the aforesaid date.

Tahasildar

Changes proposed to be made

APPENDIX -10

Extracts from the Code of Civil Procedure, 1908 regarding service of summons on defendants and witnesses
Order XVI, Rules 1 to 21
Summoning and attendance of witnesses, See. C.P.C. amended up-to-date.

APPENDIX **-11**

Form of Individual Notice

(Individual Notice inviting objection in mutation case) In the Court of the Tahasildar ..... Mutation Case No..... Village.....

Take notice that the aforesaid mutation case instituted for correction of Khata/Khewat No..... Village..... Thana..... Tahasil..... District ..... Thana No..... has been posted for hearing on.....

If you have any objection to the proposed change of the record as mentioned below you may file an objection petition before undersigned on or before..... which will be duly considered before the disposal of the mutation case. No objection petition will be entertained after the aforesaid date.

Tahasildar

Changes proposed to be made

APPENDIX **-12**

Register of process made over to the Nazir for service

1.

Serial number

2.

Number and date of case to which process relates

3.

Character of process

4.

Date of issue

5.

Date when returnable

6.

Receiver's initials with date

7.

Date of return

8.

Remarks

NOTES

I. This register; being intended as a check on the Nazir's Department must not be left in the hands of Nizarat establishment.
2. In the Certificate Department, orders issued to the Nizarat for execution in connection with certificates filed should be noted in this register.

APPENDIX -13
Mutation Case Objection Petition Register

1 .

Serial number

2.

Name and address of the objector

3.

Serial number of the mutation case in the mutation register to which the objection relates

4.

Abstract of objection

5.

Date of disposal of the mutation case

6.

Purpose of the order on the objection-petition

7.

Remarks

APPENDIX -14
Register of Attendance of witnesses in Revenue Court

1.

Serial number of the witness

2.

Name of the witness

3.

Number of case in the register for cases of this class

Date of attendance

4.

First day

5.

Second day

6.

Third day

7.

Fourth day

8.

Fifth day

9.

Sixth day

APPENDIX -15
Extracts from the Code of Civil Procedure, 1908 regarding the procedure to be followed in mutation proceedings

ORDER-V
Rules 1, to 4, 6, 7, 9 to 12 and 15 to 20

ORDER-IX
Rules 1,6,7,10 to 14

ORDER-XI
Rules 12 to 21

ORDER -XII
Rule 2

ORDER -XIII
Rules 1 to 11

ORDER-XVIII
Rules. 1,2,4,6,8 to 12 and 15 to 18

ORDER-XXXVI
Rules 1 to 3
(Comment -For details See Code of Civil Procedure amended up-to-date)

FORM No.5 IN THE APPENDIX 'C' OF FIRST SCHEDULE OF
THE CODE OF CIVIL PROCEDURE, 1908

Affidavit as to Documents (Order XI, Rule 13)
(Title as in No.1 supra)

I, the above named defendant C. D., make oath and says as follows:

1.

I have in my possession or power the documents relating to the matters in question in this suit set-forth in the first and second parts of the Schedule hereto.

2.

I object to procedure the said documents set forth in the second part of the first Schedule hereto [state grounds of objection].

3.

I have had but have not now, in my possession or power the documents relating to the matters in question in this suit set-forth in the second Schedule thereto.

4.

The last mentioned documents were last in my possession or power on [state when and wha has become of them and in whose possession they now are].

5.

According to the best of my knowledge, information and belief, I have not now, and never had, in my possession, custody or power or in the possession, custody or power of my pleader or agent, or in the possession, custody or power of any other person on my behalf, any account, book of account, voucher, receipt, letter, memorandum, paper or writing, or any copy of or extract from any such document, or any other document whatsoever, relating to the matters in question in this suit or any of them, or wherein any entry has been made relating to such matters or any of them, other than and except the documents set-forth in the said first and second schedules hereto.

RULE 17 OF ORDER VII
(Refer Sub-rule (3) of Rule 5 of Order XIII)

17.

(1) Production of shop-book:-Save in so far as is otherwise provided by the Banker's Book Evidence Act, 1891, where the document on which the plaintiff sues is an entry in a shop-book or other account in his possession or power, the plaintiff shall produce the book or account at the time of filing the plaint, together with a copy of the entry on which he relies.

(2) Original entry to be marked and returned:-The Court or such officer as it appoints in this behalf, shall forthwith mark the document for the purpose of identification and after examining and comparing the copy with the original, shall if it is found correct, certify it to be so and return the book to the plaintiff and cause the copy to be filed.

APPENDIX -16
Register of measurement and mutation fees

1.

Serial No.

2.

Serial No. of the mutation case in which the fee is realised

3.

Name of the depositor

4.

Amount of-

(a) Measurement or inspection fee

(b) Mutation fee

5.

Serial No. of the relevant entry in the register of miscellaneous receipt in the Tahasil Office.

6.

Number and date of the challan under which the amount is credited into the Treasury.

7.

Name of the Naib-Tahasildar who conducted the measurement or inspection.

8.

Remuneration payable to the Naib-Tahasildar under paragraph 114 of the Manual.

9.

If the fee realised is more than what is realisable then the amount refundable to the party.

10.

Number and date of Treasury Voucher in which the amount is drawn for payment under Column 8.

11.

In case of refund of column 9, date of presentation of the refund bill in the Treasury.

12.

Remarks.

APPENDIX -17
Subsidiary Register of Miscellaneous Receipts

Subsidiary Register of Miscellaneous receipts in the ��������.Tahasil.

Date

No. of Receipts

Particulars of Receipts

Amount

Remarks

1

2

3

4

5

APPENDIX **-18**

Amin's Enquiry Report Form

1.

Case No.

2.

Date on which the order for enquiry was received.

3.

Date on which the enquiry was conducted.

4.

Report of enquiry (this should be brief but completely giving all necessary information and details of enclosures if any).

Date, Signature and designation of
the person submitting the report.

APPENDIX -19
DIARY
Mutation Officer

Took his seat at .....A.M.
Petitions Nos.���.to�����..received.
following cases fixed for the day were then dealt within the manner indicated in Column,2.

Number of Witnesses Examined

1

2

3

The Court close at.....P.M.

NOTE

A running total in red ink should be inserted from day to day in order to show the total number of witnesses examined during each quarter of the year. Rule No.3 of1909 (See also Rule 2 Preliminary Volume 1).

APPENDIX -20
Intimation Slip

Office of the Tahasildar□□□□□□□□□□.

District □□□□□□□.

Case No□□□□□□□ of □□□□□□□□□□

The following changes in the record-of-rights have been ordered.

Name of Village □□□□□□□..

Name of Thana □□□□□□□□□□

Thana No□□□□□□□□□□

*****Details of change □□□□□□□□□□

Tahasildar

*****In case the change involves sub-division of plots, a sketch map indicating the sub-division shall be enclosed in the slip which is meant for the Naib-Tahasildar.

Certified that the changes mentioned in the slip have been incorporated in all the relevant registers on .....

Naib-Tahasildar

APPENDIX -21
Register of Changes-A

Register showing changes affecting Demand of ����..... Village for�����

1. Serial No.

2. Holding No.

Changes in Assessment

3. Rent

4. Water-tax

5. Cesses

6. Nistar cess

7. Total

8. Date from which the order is effective

9. No. and date of order sanctioning change and brief description of the change.

10. By whom given up or to whom transferred or assigned or other particulars.

11. Remarks

NOTES

All changes resulting in addition to the demand shall be written in black ink and those involving decrease in the demand in red ink and the net result worked out at the end of Fasli year.

Register of Changes-B

Register showing changes not affecting demand of.������������ Village for the ��������

1. Serial No.

From whom transferred

2. Holding No.

3. Name of the Holder

To whom transferred

4. Holding No.

5. Name of the Holder

Assessment

6. Rent

7. Water-tax

8. Cesses

9. Nistar cess

10. Total

11. Date from which the order is effective

12. No. and date of the sanctioning the change and brief description of the change

13. Remarks

APPENDIX **₹22**

Register of Appeals in Mutation Cases

1. Serial number

2. Name of parties

3. Name of office or officers against whose decision the appeal is made

4. Date of decision of lower Court.

5. Date of institution of appeal

6. Date of order in appeal and by what officer passed

7. Purport of order

8. Remarks.

APPENDIX -23
Return to be submitted by the Tahasildar

1. Name of Tahasil

2. No. of mutation applications pending at the close of the last month

3. No. of mutation applications received during the month

4. Total pending for disposal

5. No. of mutation applications disposed of during the month

6. No. of cases pending for disposal at the close of the month

7. No. of cases pending for more than three months

8. No. of disposed of cases in which the record-of-rights has not been corrected

9. Remarks.

APPENDIX -24

Return to be submitted by the Collector

1. No. of mutation applications filed till the last month

2. No. of mutation applications filed during the month

3. Total

4. No. of mutation applications disposed of till the last month

5. No. of mutation applications disposed of during the month

6. Total

7. No. of applications pending (give separate figures for each Tahasil)

APPENDIX -25

Register of Court-fees realised

1. Serial No

2. Serial No. of the case in mutation register in which Court-fee is realised.

3. Name of the person liable to pay the fee

4. Date of realisation

5. Remarks

T. Ao, IAS
Revenue Divisional Commissioner,
Southern Division, Odisha,
Berhampur

Phone (0680) - 2281456 (O)
2292755 (R)
2292750 (F)
Mobile : 94371 83200
e-mail : rdcbmp@nic.in

542
8/7/20
53

No. 1575/Rev.
V-12/2020.
Date 01.07.2020

03/07/2020

To

All Collectors of Southern Division.

Sub: Revision of checklist in respect of processing of applications for sanction of Lease/Alienation of Government land.

2530
02-7-2020

Ref: Letter No.299, dated 04.03.2020 of Board of Revenue, Odisha, Cuttack.

Madam/Sir,

I am to say that in addition to the points communicated by Board of Revenue in the letter under reference, the following points are to be verified and included in the checklist for examination of the proposal for sanction of alienation and lease of Government land in favour of Departments of Government and institutions/organizations/corporations/companies.

Rev

1. Information in respect of Serial No.3 of application Form No.1-A should be furnished completely.
2. As per provisions contained U/R-34(e) of Orissa Survey and Settlement Rules-1962 the Tahasildar is Competent Authority to pass orders for change of Kissam. This should be followed religiously.
3. Change of Khata from Abad Ajogya Anabadi to Abad Jogya Anabadi is required to be ordered by Sub-Collector concerned in accordance with Para-10(4) of Letter No.4898, dated 28.01.1966 of Revenue and Excise Department.

Adm
DC/Revenue

4. Change of Khata from Rakhita /Sarbasadharana to Anabadi and Abada Jogya Anabadi needs to be approved by Collector except in case of land situated in urban areas of which Master Plan has been approved by RDC.
5. Map should be prepared on tracing cloth instead of sketch paper for its maintenance for a long duration.
6. Orders of de-reservation passed by the authorized officer shall be communicated to the Tahasildar and such orders shall be published in the manner prescribed in Sub-Rule-5 of Rule-5 of OGLS Rules,1983. Thereafter, the Tahasildar shall make necessary correction in the ROR.
7. Prior clearance of the S.P. of the District should be obtained for lease of land Government land/building to religious, pseudo-religious or Socio-Political organization by Government Department Establishment.
8. Trace map of the proposed land should be attached in the Lease/Alienation case record indicating the approach road to the proposed site, status of the adjoining plots. The total area of the plot and the area proposed to be alienated and to be shown distinctively in different colours.
9. Site selection proceeding should clearly indicate the status of land, tree growths, encroachment etc. The facts on visit of the spot by the committee members and suitability for settlement also be clearly mentioned in the proceeding.
10. The case record for change of classification under OSSA may be enclosed with the lease/alienation case record, if any.
11. In case of Advance possession the Letter No.6341, dated 21.02.2013 of Government in Revenue & Disaster Management Department to be followed.
12. Title page should be attached in every Case Record before submission to proper quarters.

Yours sincerely,

Revenue Divisional Commissioner,
Southern Division, Odisha, Berhampur.

Memo No. 1576 Dated. 01.07.2020

Copy forwarded to the Additional Secretary to Government of Odisha. Revenue and Disaster Management Department, Bhubaneswar for information.

Secretary to RDC, SD.

Memo No. 1577 Dated. 01.07.2020

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

Secretary to RDC, SD.

Memo No. 1578 Dated. 01.07.2020

Copy forwarded to all Tahasildars of Southern Division for information.

Secretary to RDC, SD.

CHECK LIST FOR PROCEEDING OF SITE SELECTION COMMITTEE MEETING

Sl. No.	PARTICULARS OF DOCUMENTS	Yes/No.
1	The application for lease/alienation in prescribed form 1-A duly filed in with all necessary details and signed by the applicant attached.	YES
2	The requisition along with the authorisation letter, land schedule and sketch map has been filed in quadruplicate with dated signature and acknowledged by the Tahasildar indicating date of its receipt.	YES
3	Requisite court fee has been affixed as per OGLS (Amendment) Rules, 2013 (with calculation at the bottom/top of the sheet). For example- Rs. 10 x 10=100 Rs. 20 x 10=200 Total- 300	YES
4	Site selection proceeding with dated signatures of all members of the site selection committee has been attached in quadruplicate.	YES
5	The site selection proceeding is clearly indicating the status of the land, tree growth, sairat source, encroachment, availability of approach road to the proposed site and name of the applicant organisation.	YES
6	The spot visit report of R.I. and Tahasildar regarding encroachment, Sairat sources, tree growth, encumbrance etc indicating the adjoining plots and passage to the plot along with land schedule as per the existing ROR has been enclosed.	YES
7	Trace map is clearly indicating total area of the proposed plot, area proposed to be alienated, and status of the adjoining plots along with approach road to the proposed site.	YES
8	Authenticated copy of R.O.R. of the proposed plots in quadruplicate have been enclosed.	YES
9	Dated signature of Tahasildar is available in all documents enclosed to the proposal	YES
10	Whether the land is reserved for any purpose in master plan	NO
11	DLC land status & Forest status of the land as on 25.10.1980 as per Forest (Conservation) Act, 1980	NO

Checklist for Sub-Collector Approval (Sec. 22 OLR Act)

Document / Requirement	Yes	No	Source
Application with requisite Court Fee and Annexure-A?	☐	☐	
Detailed enquiry report from the Tahasildar submitted?	☐	☐	
Report of the ADWO/DWO received and reviewed?	☐	☐	
General Proclamation (Annexure-B) served and affirmed by Nazir?	☐	☐	
Proclamation signed by 5 local persons and 30-day period over?	☐	☐	
Supporting documents attached (Education/Medical/Construction)?	☐	☐	
Is the stated cost of requirement justified against the land value?	☐	☐	
Tahasildar confirmed the purpose is "genuine beyond doubt"?	☐	☐	
Verification of applicant's annual income and financial condition?	☐	☐	
Confirmation that alienation won't result in "distress"?	☐	☐	
Residual land verified (must provide moderate sustenance)?	☐	☐	
Bench Mark Value (BMV) of the land correctly recorded?	☐	☐	
Elaborate deposition of the applicant taken and on record?	☐	☐	
Prior permission verified if a GPA holder is involved?	☐	☐	

LEASE AGREEMENT

PHOTOGRAPH, LTI, & SIGNATURE OF LESSOR OF THE DOCUMENT	PHOTOGRAPH, LTI, & SIGNATURE OF LESSE OF THE DOCUMENT	PHOTOGRAPH, LTI, & SIGNATURE OF PRESENTANT OF THE DOCUMENT

This Lease Agreement made on the ……, Day of ……., 201… (Year),

BETWEEN

Sri/Smt./Kum....., aged about ..... years, Son/Daughter/Wife of .....,Caste- ....., Profession ....., permanent resident of ....., P.O. ..... P.S. ....., District ..... State.....Pin Code ..... At present residing at ....., P.O. ..... P.S. ....., District ..... State ..... Pin Code.....

[**If represented by Attorney Holder by virtue of Power of Attorney**]

represented by his Power of Attorney Holder vide G.P.A. Document No. ....., dated.....,registered in the Office of the Sub-Registrar, ...,District-.....,State.....**Sri/Smt./Kum.....**, aged about ..... years, Son/Daughter/Wife of ....., Caste- ..... , Profession ....., resident of ....., P.O. ..... P.S. ....., District ..... State..... Pin Code ..... At present residing at ....., P.O. ..... P.S. ....., District ..... State..... Pin Code .....

((Here-in-after called **LESSOR** which expression shall unless excluded by or repugnant to the context, be deemed to include the said Lessor and his authorized signatory, permitted and authorized executors, administrators, and assignees) of the First part.

AND

Sri/Smt./Kum....., aged about ..... years, Son/Daughter/Wife of .....,Caste- ....., Profession ....., permanent resident of ....., P.O. ..... P.S. ....., District ..... State..... Pin Code ..... At present residing at ....., P.O. ..... P.S. ....., District ..... State..... Pin Code.....

[**If represented by Attorney Holder by virtue of Power of Attorney**]

represented by his Power of Attorney Holder vide G.P.A. Document No. ...../ dated....., registered in the Office of the Sub-Registrar, ...,District-.....,State.....**Sri/Smt./Kum .....**, aged about ..... years, Son/Daughter/Wife of ....., Caste- ..... , Profession ....., resident of ....., P.O. ..... ,P.S. ....., District ....., State....., Pin Code ..... At present residing at ....., P.O. ..... ,P.S. ....., District ..... State..... ,Pin Code .....

(Here-in-after called **LESSEE** which expression shall unless excluded by or repugnant to the context, be deemed to include the said Lessee and its authorized signatory, permitted and authorized executors, administrators, and assignees) of the Second part.

WHEREAS the lessor is the absolute owner of the schedule of Property detailed below, as recorded in the R.O.R. and is in peaceful possession of the said land as the absolute owner without any restraint, litigation and objection from any other person or agency or body of persons.

That, the lessor has the good transferable title over the said land with all rights, interests, title and possession over the said land, free from all encumbrances.

That, all the land are in peaceful and absolute possession of the lessor and no part of land has been let to any other Person(s) /Associations /Body of Associations for any purpose. No part of the land has been given in any mortgage, Lease, or as surety or by any means or instruments of transfer of right or interest, there to any other person, Financial Institution(s), Govt./Private/Semi Govt. Bank(s)/ Offices/ Institutions, etc.

That, the lessor, hereby declare that no other person other than him, has any claim whatsoever regarding any right, title, or interest over the scheduled property detailed below.

And whereas the lessee is desirous of taking on lease of the said schedule of land more detailed under the Schedule of the Property under the terms and conditions mentioned below for establishment and running a ..... (Office/business/institution/ etc pl. specify), and the said lessor has agreed to give on lease the said house under the said terms.

Now therefore this Lease witnesseth

That in consideration of the rent and the lessee's covenants hereinafter reserved and contained the lessor leases unto the plot of land situated at Village- ....., P.S.- ....., District- ..... measuring an area of Ac. ..... decimal and which is more particularly described under the Schedule of the Property, to hold the same unto the lessee for a period not less than ..... years from the date of the execution of this deed determinable nevertheless as hereinafter mentioned, yielding and paying an annual rent of Rs ...../- (Rupees in words) and subject to the provisions and conditions hereinafter contained, that is to say.

1. The lessee shall pay the annual rent hereby reserved to the lessor at such time and in such manner as the lessor may require.
2. The Lessee shall pay all the Government rents general and local taxes, rates, or cess for the time being imposed on the said land by competent authority.
3. The lessee shall commence the construction and establishment of the Office/Shop/Business Establishment/ Etc at his convenience as per the prescribed specifications and norms for establishing such centre by the competent statutory controlling Institution or authority.
4. The lessee shall complete the construction and all other formalities to establish and run the said Industrial Training Centre, within six months.
5. During the said terms of lease, lessee shall use the said plot of land exclusively for the purpose of establishment and running of the said Office/shop/business establishment/ Institution and the lessee shall never use this plot of land for no other purpose other than specified above.

6. The lessee is not entitled to sublet or assign his interest in the said lease hold property, to any person In case the lessee purports to sublet or assign his

interest in the whole or part of the land or should actually do so, the same shall be null and void against the lessor, and the lease hold in favour of the lessee shall be deemed to have been terminated immediately and the lessor shall be entitled to recover the possession here of forthwith.

or

The lessee may sublet or assign his interest in the said lease hold property to any person whatsoever with exclusive written permission of the Lessor.

7. In case either of the said parties, that is the lessor prior, to the expiration of the period of the lease aforementioned such party may do so after giving six months notice to the other party in writing intimating his intention to do so and on the expiry of the period so fixed in the notice the lease shall be deemed to terminate and the lessee shall deliver the possession of the property to the lessor.
8. If and so long the lessee shall fully perform, and comply with and shall continue to so perform and comply with each and all of the terms and conditions herein stated expressed or implied made and provided, but not otherwise, the lessor shall secure the lessee in full and peaceful enjoyment of the rights and privileges herein and hereby conveyed and assured.

SCHEDULE OF PROPERTY

DISTRICT :

P. S. :

MOUZA : ....., THANA No. .....

(Under the Jurisdiction of Office of the Sub-Registrar, & Tahasil Office, ...)

KHATA No: ..... (in words)

PLOT No. : ..... (in words), Part/Full Kissam :-

Area: Ac. ..... (in words) out of Total Area Ac .....

Four Boundaries in case of Part Plots

(Details of Building or Structure if any to be leased out)

In witness whereof the parties hereto have hereunto subscribed their name at the respective places herein mentioned.

Read and found correct

Lessor Lessee

Witnesses

1. Signature:

   Name:

   S/O:-

   Address:

2. Signature:

   Name:

   S/O:-

   Address:

THIS DOCUMENT IS PREPARED BY
LESSOR/LESSE/ ADVOCATE/ LICENSED DEED WRITER/ ANY OTHER PERSON

(Signature with Date/ Name & Address)

ଆଦେଶ ପତ୍ର
ORDER SHEET
(See Paragraph – 207 (I) of the Orissa Record Manual 1964)
(ଓଡ଼ିଶା ଅଭିଲେଖ ପ୍ରକରଣ ପୁସ୍ତକ, 1964 ର ପାରା 207 (1) ଦ୍ରଷ୍ଟବ୍ୟ)

ଗ. .... ରୁ ..... ରିଖ ପର୍ଯ୍ୟନ୍ତ, ତହସିଲ : **Kalahandi,** ଥା. **Bhawanipatna**

ଗ୍ରାମ : ....., ସଂ. ....., ଜିଲ୍ଲା : **Kalahandi,** ଉପଖଣ୍ଡ : **Bhawanipatna,** ସଂଖ୍ୟା .....

20 ..... ର ଆଦେଶ ପତ୍ର I

କେଉଁ ପ୍ରକାରର ମାମଲା : Lease **of Govt land to homesteadless persons**

ଆଦେଶର କ୍ରମିକ ସଂଖ୍ୟା ଓ ତାରିଖ	ଅଧିକାରୀଙ୍କ ଆଦେଶ ଓ ସ୍ୱାକ୍ଷର	ଆଦେଶ ପ୍ରକାରେ କରାଯାଇଥିବା କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ର ଟିପ୍ପଣୀ ସହ ତାରିଖ
01/07/2023	Perused an application in form 1 received from one .... S/o., W/o., D/o. of ..... Resident of village ..... P.S. ....., Dist. Kalahandi, Odisha for lease of Lease of Govt land in his favour claiming that he is a homestead less person . A court fee of Rs.10/ has been affixed in the application form .(in pursuance of SRO No Along with this he has attached Voter ID Card/Adhar Card /Ration Card for his/her identity and residence proof. She /he has also affixed passport size photograph in the application. **Land Schedule** | Mouza | Khata No. | Plot No. | Area | Kissam | | | | | | | | | | | | | Institute a case under section 3 of the OGLS Act 1962 Ask Revenue Inspector ..... to enquire on the eligibility of the applicant on following criteria i) He /she does not have an annual income together with the annual income of all members of his family from all sources exceeding Rs.100000/ ii) He/She does not have any homestead land anywhere in the State He/She does own less than one standard acre of agricultural land. Further the RI is directed to visit the spot and report on Leasability of the case land adhering to following points • Approach Road is available • No deposit of Minor Minerals • No growth of valuable tree • The Kissam as on 25.10.1980 is not Jungle • Encroachment free • Not leased out earlier to anybody /or acquired for any Irrigation/ Railway/ National Highway/ etc. purpose • The case land is not a place of Religious/Historical/Archaeological importance.	

CONTINUATION OF ORDER SHEET

(ଓଡ଼ିଶା ଅଭିଲେଖ ପ୍ରକରଣ ପୁସ୍ତକ, 1964 ର ପାରା 207 (1) ଦ୍ରଷ୍ଟବ୍ୟ)

ଆଦେଶର କ୍ରମିକ ସଂଖ୍ୟା ଓ ତାରିଖ	ଅଧିକାରୀଙ୍କ ଆଦେଶ ଓ ସ୍ୱାକ୍ଷର	ଆଦେଶ ପ୍ରକାରେ କରାଯାଇଥିବା କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ର ଟିପ୍ପଣୀ ସହ ତାରିଖ
1	2	3
13/07/2023	Further if the RI found the case land is leasable as per section 2(b) of the OGLS Act 1962 than he will demarcate the land , prepare sketch map thereof in triplicate and submit before the hearing date which is fixed on …… • Similarly Record Keeper is directed to verify the record on The Kissam as on 25.10.1980 is not Jungle • Not leased out earlier to anybody /or acquired for any Irrigation/Railway/National Highway/etc. purpose And report before the hearing date Issue notice to the applicant to appear in person before my Court at …… on …… at 11 .00 A.M. Put up on …… Dictated, Tahasildar, Kalahandi The case is taken up today .perused the report of record keeper . He has reported that the land has never been leased out earlier to anybody as per official records available. Further the Kissam of the case land is …… as on 25.10.1980.further the Kissam of the case land is …… which is leasable as per section 2(b) of the OGLS Act 1962 . Put up on …… for hearing and spot visit. Dictated, Tahasildar, Kalahandi The case is taken up today . The applicant present on call . RI also present .heard .RI told me that the Annual income of the family is …… , No homestead land was found to be recorded in the name of applicant /family members .The applicant does have agricultural land of more than one standard acre. Heard the applicants .He/she told me by way of affidavit that Annual income of the family is ……, No homestead land is available in the name of applicant /family members .Though ……acre is available at mouza …… the area is not sufficient to construct a house . He/she does have agricultural land of more than one standard acre .His /her family members consists of ……	

ଅନୁସୂଚୀ LIII ଫାରସ ସଂ. 321

ଆଦେଶର କ୍ରମିକ ସଂଖ୍ୟା ଓ ତାରିଖ	ଅଧିକାରୀଙ୍କ ଆଦେଶ ଓ ସ୍ୱାକ୍ଷର	ଆଦେଶ ପ୍ରକାରେ କରାଯାଇଥିବା କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ର ଟିପ୍ପଣୀ ସହ ତାରିଖ
1	2	3
13/07/2023	After going through the version of the applicant as well as the Revenue Inspector I found the applicant is eligible for settlement of Govt land for homestead purpose. Later on the day I visited the site . The case land was identified and demarcated by the RI . I found that there was approach road to the spot .There wasno encroachment .There was no growth of valuable tree . There was no deposit of Minor Minerals . The site was not a place of Religious / Historical /Archaeological importance. The case land is coming under Rural Area. I found the case land was leasable. Rule 5(3) has been followed. As per Rule 5(4) I am in of opinion that the settlement of land may be granted. Hence publish proclamation in form - III and invite objections from general public and said objection if any shall be heard on ..... The proclamation shall be published by beat of drum or by loud speaker as and by affixing a copy of the same at a conspicuous place in the village or urban area in which the land is situated in presence of not less than two persons of the locality . If the village is uninhabited the notice shall be published in the nearest inhabited village . A copy of the proclamation shall be published by affixing in the notice board of the Tahasil Office and a copy shall be sent to the Gram Panchayat or Municipality as the case may be under which the land is situated .Also a copy of the proclamation be sent to the District Informatics Officer ,NIC , Kalahandi for uploading the same in the District website for wide publicity Put up the case on ..... Dictated, Tahasildar, Kalahandi The case is taken up today. No objection has been preferred from any quarters during the objection period. Rules 5(1),(2),(3),(4),(5) of the OGLS Rule 1983 have been duly maintained .I found the applicant is eligible and the land is leasable	

ଆଦେଶର କ୍ରମିକ ସଂଖ୍ୟା ଓ ତାରିଖ	ଅଧିକାରୀଙ୍କ ଆଦେଶ ଓ ସ୍ୱାକ୍ଷର	ଆଦେଶ ପ୍ରକାରେ କରାଯାଇଥିବା କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ର ଟିପ୍‌ପଣୀ ସହ ତାରିଖ
1	2	3
13/07/2023	**ORDER** In exercise of power conferred in Rule 11 of the OGLS Rule 1983 read with Schedule –II ,Sl No 9 , the following case land is settled for Homestead purpose in favour of …… The Rent and cess is fair and equitable as in the Mouza. **Land Schedule** Mouza | Khata No. | Plot No. | Area | Kissam | | | | | | | | | | As per Rule 5(6) Put up the case record after expiry of appeal period of 15 days. Dictated, Tahasildar, Kalahandi The case is taken up today . No appeal has been preferred from any quarters. As per in Rule 11 of the OGLS Rule 1983 read with Schedule – II, Sl. No. 9, Column 3, the case record required approval of the Sub Collector Bhawanipatna. As such send the case record to the Sub Collector Bhawanipatna for kind perusal and approval of the case record. Put up after receipt of the same Dictated, Tahasildar, Kalahandi	

ଅନୁସୂଚୀ.IIIଫାରସ ସଂ. 320

ଆଦେଶ ଫର୍ଦ୍ଦ
ORDER SHEET
(See Paragraph – 207 (I) of the Orissa Record Manual 1964)
(ଓଡ଼ିଶା ଅଭିଲେଖ ପ୍ରକରଣ ପୁସ୍ତକ, 1964 ର ପାରା 207 (1) ଦ୍ରଷ୍ଟବ୍ୟ)

ଓ. ରୁ ..... ରିଖ ପର୍ଯ୍ୟନ୍ତ, ତହସିଲ**Kotagarh,** ଥା. **Kotagarh**
ଗ୍ରାମ : ରାଣିପାଙ୍ଗା ., ସଂ. ....., ଜିଲ୍ଲା : **Kandhamal,** ଉପଖଣ୍ଡ **Balliguda,** ସଂଖ୍ୟା .....
20 ..... ର ଆଦେଶ ଫର୍ଦ୍ଦ।

Nature of Case: -**Dereservation of land**

Order Sl. No. And date	**Order of officer and signature** **Dereservation case no 04/2024**	Detail of compliance on order

Perused the letter no _____ dated _____ of Block Education Officer, Kotagarh for alienation of Govt. Land in favour of School & Mass Education Dept, for Govt UP School Ranipanga at village Ranipanga at mouza Ranipanga under Kotagarh Tahasil where in the Kissam is to be change from Gochara to Patiata and khata is to be change from Rakhita to Abad Jogya Anabadi of proposed plot and process the proposal of dereservation before processing alienation case.

Land schedule

Mouza	Khata	Plot	Total area	Proposed area	Kissam
Ranipanga	15 Rakhita	24/26	Hc. 2.130R	Hc.0.360 R	Gochara

Institute a dereservation case under section 3 (A) of OGLS act 1962. ask Record keeper to verify the RoR and submit a detail report regarding date of publication of RoR, DLC status, note of possession, & whether any lease has been granted earlier over the case land.

Similarly ask R.I, Parigarh on detail report mentioning encroachment tree growth deposit of Minor mineral, importance of the case land regarding religious, archaeological, historical. Put up on after

ଅନୁସୂଚୀ IIIଫର୍ମ ୩୨୧

CONTINUATION OF ORDER SHEET

(ଓଡ଼ିଶା ଅଭିଲେଖା ପ୍ରକରଣ ୧୯୬୪ ର ପାରା ୨୦୭(୧) ଦ୍ରଷ୍ଟବ୍ୟ)

Sl No and Date of Order	Order and initial of the Officer **Dereservation case no 04/2024**	Note of action taken on order
	receipt of the report of Record keeper and R.I. I shall visit the spot on _____ Intimate RI to remain present. Put up on _____ Dictated Tahasildar, Kotagarh The case is taken up today. Perused the report of record keeper. I found that the case land is recorded in khata no 15 which is Rakhita khata. further the record keeper has reported that no lease has been granted or pending in favour of any individual or institution. The land is not coming under DLC category. The RoR of the Mouza has been published on _____ I also perused the report dated _____ of Revenue Inspector, Parigarh he has reported that there is no forest growth no deposit of minor mineral over the case land found. Also, the case land is not importance of the case land regarding religious, archaeological, historical. Suitable approach road is available to the case land. I also visited the spot today. The School is functioning over the land. The land was identified and demarcate by the RI Parigarh in my presence. I found no tree growth over the case land. Also, there is no deposit of Minor Mineral not a place of historical religious & archaeological importance. There is suitable approach road to the spot. As per letter no 1575/rev dated 01.07.2020 of Revenue Divisional Commissioner, Southern Division change of khata from Rakhita/ Sarbasadharana to Anabadi And Abas Jogya Anabadi and which needs to be approved by Collector.	

Sl No and Date of Order	Order and initial of the Officer **Dereservation case no 04/2024**	Note of action taken on order
	As per Rule 5 (3) & (4) of the Rule OLGS of rule 1983 after verification of report of Record Keeper and Revenue Inspector, I am inclined that the lease can be granted after dereservation of the case land. Also, as this is an alienation case for proposal transfer to a Department of Govt. of Odisha, the sub rule (3) is complied with. Hence issue proclamation inviting objection, by beat of drum /announce with loud speaker and affixing a copy of the same at a conspicuous place in the village in which the land was situated I the presence of not less than at least two villagers. If the village is uninhabited, the notice shall be published in the nearest inhabited village. A copy of proclamation shall be published by affixing in the notice board of the Tahasil Office and a copy shall be sent to the Gram Panchayat under which the land is situated. Send a copy of the proclamation to the D.I.O. NIC Kandhamal with a request to upload the same in district web site. Put up the case after proclamation period is over. Dictated Tahasildar, Kotagarh The case is taken up today. Proclamation has been duly served vide process number 898/2024 dated 08.11.2024 No objection has been preferred from any quarter. The land has been reserved and recorded in Rakhita khata with Kissam Gochara which is not leasable Kissam under section 2(b) of OGLS Act 1962.	

Sl No and Date of Order	Order and initial of the Officer **Dereservation case no 04 /2024**	Note of action taken on order

Further rule 5(7) of OGLS Act 1983 speaks on settlement of land shall be in conformity with reservation if made under clause (a) of sub section (1) of section 3

However, the said reservation can be dereserve if it's the criteria.

(a) There is no longer required for the purpose for which it was reserved.

(b) Can no longer serve the purpose for which it was reserved as

(c) In excess of the reasonable requirement for the purpose for which it was reserved.

In this case the land was reserved for Gochara purpose and it is proposal to use for Gharabari purpose. As such there is In excess of the reasonable requirement for the purpose for which it was reserved this dereservation case has been initiated to transfer the case land from Gochar kisam to Patita kisam and Rakhita Khata to Abad Jogya Anabadi khata for eventual alienation in favour of S& ME dept. Moreover section 3 (1)(c) is applicable in this case as there is may be such case land in the mouza to meet other purpose. Calculation of surplus gochar land of Ranipanga mouza is given below.

Private agriculture land	Hc.4.758
Gochar land (in Hc.)	Hc. 2.130
Waste land (AJA)	Hc. 6.078
Village forest area	Hc 2.025
Total	Hc. 14.991
Effective area is calculated 20/23 Of the above total area	Hc. 14.991 X 20/23 =Hc. 13.036
Minimum Gochar land is 5%of the effective area i.e	Hc. 13.036 X 5/100 = Hc. 0.652
Surplus Gochar land of the village =(Total Gochar land –Minimum Gochar land)	Hc.2.130 – Hc. 0.652= Hc. 1.478

Sl No and Date of Order	Order and initial of the Officer **Dereservation case no 04 /2024**	Note of action taken on order

Total Surplus Gochar land	Hc. 1.478

Rule (4) (6) of OGLS Rule 1983 has been duly maintained in this case

As per section 3(A)of the OGLS act 1962 read with OGLS amendment 1974 act Collector of the District is competent to dereserve the case land.

As such send the case record to the Collector Kandhamal through the Sub Collector, Balliguda for kind perusal and kind approval of the dereservation case.

Dictated

Tahasildar,Kotagarh

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ଅନୁସୂଚୀ LIIIଫାରସ ସଂ. 320

ଆଦେଶ ଫର୍ଦ୍ଦ
ORDER SHEET
(See Paragraph – 207 (I) of the Orissa Record Manual 1964)
(ଓଡ଼ିଶା ଅଭିଲେଖ ପ୍ରକରଣ ପୁସ୍ତକ, 1964 ର ପାରା 207 (1) ଦ୍ରଷ୍ଟବ୍ୟ)

ତା. **27.082024** ରୁ **.....** ରିଖ ପର୍ଯ୍ୟନ୍ତ, ତହସିଲ**Kotagarh,** ଥା. **Kotagarh**
ଗ୍ରାମ : ମଦାଙ୍ଗି **.,** ସଂ. **.....,** ଜିଲ୍ଲା : **Kandhamal,** ଉପଖଣ୍ଡ **Balliguda,** ସଂଖ୍ୟା **.....**
20 ..... ର ଆଦେଶ ଫର୍ଦ୍ଦ।

Nature of Case: -**Dereservation of land**

Order Sl. No. And date	Order of officer and signature Dereservation case no 01/2024	Detail of compliance on order
27.08.2024	Perused the letter no 7737 dated 24.08.2024 of Registrar, Civil Courts-cum-Asst. Sessions Judge, Kandhamal, Phulbani for alienation of Govt. Land in favour of Law dept, for construction of Court building , Quarters for Judicial officers and staff, transit house, and other ancillary building at mouza Madangi under Kotagarh Tahasil where in the khata is to be change from Rakhita/ Sarbasadharana to Anbadi and Abad Jogya Anabadi of proposed plot and process the proposal of dereservation before processing alienation case. Land schedule Mouza | Khata | Plot | Total area | Proposed area | Kissam Madangi | 5 | 36 | Hc. 7.850R | Hc.1.800R | UJJ Institute a dereservation case under section 3 (A) of OGLS act 1962. ask Record keeper to verify the RoR and submit a detail report regarding date of publication of RoR, DLC status, note of possession, & whether any lease has been granted earlier over the case land. Similarly ask R.I, Kotagarh on detail report mentioning encroachment tree growth deposit of Minor mineral, importance of the case land regarding religious, archaeological, historical. Put up on after	

ଅନୁସୂଚୀ LIIIଫର୍ମ ୩୨୧

Sl No and Date of Order	Order and initial of the Officer **Dereservation case no 01/2024**	Note of action taken on order
	receipt of the report of Record keeper and R.I. I shall visit the spot on 28.08.2024 Intimate RI to remain present. Put up on 28.08.2024 Dictated Tahasildar, Kotagarh	
28.08.2024	The case is taken up today. Perused the report of record keeper. I found that the case land is recorded in khata no 5 which is Rakhita khata. further the record keeper has reported that no lease has been granted or pending in favour of any individual or institution. The land is not coming under DLC category. The RoR of the Mouza has been published on 15.02.1980 I also perused the report dated 28.08.2024 of Revenue Inspector, Kotagarh he has reported that there is no forest growth no deposit of minor mineral over the case land found. Also, the case land is not importance of the case land regarding religious, archaeological, historical. Suitable approach road is available to the case land. I also visited the spot today. The land was identified and demarcate by the RI Kotagarh in my presence. I found no tree growth over the case land. Also, there is no deposit of Minor Mineral.Not a place of historical religious & archaeological importance. There is suitable approach road to the spot. As per letter no 1575/rev dated 01.07.2020 of Revenue Divisional Commissioner, Southern Division change of khata from Rakhita/ Sarbasadharana to Anabadi And Abas Jogya Anabadi and which needs to be approved by Collector	

Sl No and Date of Order	Order and initial of the Officer **Dereservation case no 01/2024**	Note of action taken on order
	As per Rule 5 (3) & (4) of the Rule OLGS of rule 1983 after verification of report of Record Keeper and Revenue Inspector, I am inclined that the lease can be granted after dereservation of the case land. Also, as this is an alienation case for proposal transfer to a Department of Govt. of Odisha, the sub rule (3) is complied with. Hence issue proclamation inviting objection, by beat of drum /announce with loud speaker and affixing a copy of the same at a conspicuous place in the village in which the land was situated I the presence of not less than at least two villagers. If the village is uninhabited, the notice shall be published in the nearest inhabited village. A copy of proclamation shall be published by affixing in the notice board of the Tahasil Office and a copy shall be sent to the Gram Panchayat under which the land is situated. Send a copy of the proclamation to the D.I.O. NIC Kandhamal with a request to upload the same in district web site. Put up the case after proclamation period is over. Dictated Tahasildar, Kotagarh	
18.09.2024	The case is taken up today. Proclamation has been duly served vide process number 293/24 dated 28.08.2024 No objection has been preferred from any quarter. The land has been reserved and recorded in Rakhita khata with Kissam Unnata Jojana Jogya which is leasable Kissam under section 2(b) of OGLS Act 1962.	

ଅନୁସୁଚୀ LIIIଫର୍ମ ୩୨୧

CONTINUATION OF ORDER SHEET

(ଓଡ଼ିଶା ଅଭିଲେଖା ପ୍ରକରଣ ୧୯୭୪ ର ପାରା ୨୦୭(୧) ଦ୍ରଷ୍ଟବ୍ୟ)

Sl No and Date of Order	Order and initial of the Officer **Dereservation case no 01/2024**	Note of action taken on order
	Further rule 5(7) of OGLS Act 1983 speaks on settlement of land shall be in conformity with reservation if made under clause (a) of sub section (1) of section 3 However, the said reservation can be dereserve if it's the criteria. (a) There is no longer required for the purpose for which it was reserved. (b) Can no longer serve the purpose for which it was reserved as (c) In excess of the reasonable requirement for the purpose for which it was reserved. In this case the land was reserved for Gharabari purpose and it is proposal to use for Gharabari purpose. As such there is no requirement of assessing the reasonable requirement for the same this dereservation case has been initiated to transfer the case land from Rakhita Khata to Abad JogyaAnabadikhata for eventual alienation in favour of cooperation dept. Moreover section 3 (1)(c) is applicable in this case as there is may be such case land in the mouza to meet other purpose. Rule (4) (6) of OGLS Rule 1983 has been duly maintained in this case As per section 3(A)of the OGLS act 1962 read with OGLS amendment 1974 act Collector of the District is competent to dereserve the case land. As such send the case record to the Collector Kandhamal through the Sub Collector, Balliguda for kind perusal and kind approval of the dereservation case. Dictated Tahasildar,Kotagarh	

ଅନୁସୂଚୀ LIIIଫର୍ମ ୩୨୧

CONTINUATION OF ORDER SHEET

(ଓଡ଼ିଶା ଅଭିଲେଖା ପ୍ରକରଣ ୧୯୬୪ ର ପାରା ୨୦୭(୧) ଦ୍ରଷ୍ଟବ୍ୟ)

Sl No and	Order and initial of the Officer	Note of

Date of Order	**Dereservation case no 01/2024**	action taken on order
	The Case is Taken up today upon receipt of the same vide letter no 6029 dated 29.11.2024of the Deputy Collector, Revenue Collectorate Kandhamal. The De reservation case no 01/2024 has been duly approved by the Collector Kandhamal. On 27.11.2024. As per Rule 5 (5) of the OGLS Rule 1983upon approval of the de reservation case the order of the Collector is required to be published in the locality where he land is situated. the proclamation shall be published Hence issue proclamation inviting objection, by beat of drum /announce with loud speaker and affixing a copy of the same at a conspicuous place in the village in which the land was situated I the presence of not less than at least two villagers. If the village is uninhabited, the notice shall be published in the nearest inhabited village. A copy of proclamation shall be published by affixing in the notice board of the Tahasil Office and a copy shall be sent to the Gram Panchayat under which the land is situated. Send a copy of the proclamation to the D.I.O. NIC Kandhamal with a request to upload the same in district web site. Put up the case after proclamation period is over. Dictated Tahasildar,Kotagarh	

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Schedule L-III form No. 321

CONTINUATION OF ORDER SHEET

(See Paragraph 207(1) of Orissa Records Manual, 1964)

Sl. No & Date of Order	Order & signature of the Officer (Case No: RMC No 57/2025)De-Reservation	Note of action taken
1	**2**	**3**

The case is taken up today upon receipt of the same from the Tahsildar Athamallik. it case was initiated following a requisition by the Deputy Registrar of Co-operative Societies, Angul Division. The Cooperation Department requires the land in question for the essential infrastructure of the Aida Primary Agriculture Cooperative Society (PACS). The alienation proposal (Lease/Alienation Case No. 19/2025) was previously approved by the Collector, Angul, on 29.10.2025.

Land Schedule

Mouza	Khata	Plot	Kissam	Area
Aida	189 (Rakhita)	179	Gharbari	Ac 0.280

Following a joint field enquiry conducted on 07.01.2026 by the Tahasildar, Revenue Supervisor, and Revenue Inspector, the following facts are established:

The land is non-forest Govt. land; the Record of Rights (ROR) was published on 01.04.1976, predating the Forest Conservation Act of 1980.The land is currently vacant, free from encroachment, and contains no forest growth,

Sl. No & Date of Order	Order & signature of the Officer (Case No: RMC No 57/2025)De-Reservation	Note of action taken
1	**2**	**3**
	sairat sources, or historical monuments. No alternative suitable Government land is available in the village; the land is deemed absolutely required and suitable for the proposed office and godown. A proclamation was issued via the beat of a drum on 22.12.2025. No objections were received from the general public or the Gram Panchayat. The land is currently recorded in the **Rakhita (Reserved) Khata** for homestead purposes. Under **Section 3(A)(2)(a)(b) of the OGLS Act** and **Para 10(4) of G.O No. 4898/R dated 28.01.1966**, land that is no longer required for its original reserved purpose may be de-reserved by the Competent Authority. The Tahasildar's proceedings (dated 22.12.2025 to 02-2026) align strictly with the **Orissa Government Land Settlement (OGLS) Act** and various departmental standing orders: The order correctly cites **Notification No. 6172-GE(GL)** dated 29.01.1974, which authorizes Collectors to de-reserve land previously reserved under Section 3 of the Act. The Tahasildar adhered to **Rule 5, Sub-Rule 5 of the OGLS (Amendment) Rules, 2023** by issuing a public proclamation via "Beat of Drum" and digital publication on the district website. The transition from *Rakhita*	

Sl. No & Date of Order	Order & signature of the Officer (Case No: RMC No 57/2025)De-Reservation	Note of action taken
1	**2**	**3**
	(Reserved) to *Abad Jogya Anabadi* (Settlable) is the legally mandated pathway for eventually alienating land to a government department. As the Tahasildar has completed all statutory formalities under the **OGLS (Amendment) Rules, 2023**, I hereby recommend the de-reservation of the aforementioned land to the Collector, Angul, for final sanction. Dictated Sub Collector Athamallik	

Continuation of Order Sheet

(See Paragraph 207(1) of Orissa Records Manual, 1964)

Sl. No & Date of Order	Order & signature of the Officer	Note of action taken
1	**2**	**3**

The case is put up today. I have personally enquired into the OLR- 8 (A) case land the enquiry reports are as follows. 1. The proposed conversion will not obstruct natural water sources like stream, nala, nayanjoris or any drainage channel and irrigation channel 2. The proposed conversion will not obstruct natural water courses thereby causing water logging to the agricultural land in the neighborhoods 3. The land proposed for conversion will not obstructs the watercourse lay out for causing water for irrigating agricultural holdings in the neighbourhood 4. The land proposed for conversion situated in any area within One-fourth KM on either side if State Highway 5. The land proposed for conversion is coming under Rural area 6. The Actual date of conversion is 05.12.2024. 7. Present market value of the land proposed conversion is Rs.218451.00 8. The conversion will not cause any inconvenience or difficulties to the neighboring landowner and normal agricultural operation in the neighborhoods 9. The present conversion along with the conversion already made will not obstruct the passage of men, animals and agricultural implements 10. The land proposed for conversion does not situate within protected/prohibited area or archaeological landscape 11. There is access to the land proposed for conversion 12. The purpose the land will be used after conversion is Homestead 13. The land proposed for conversion comes under the Ayacut area of any irrigation projects and assessed with water rate hence I have personally enquired into the OLR- 8 (A) Case land and reveals that the case land proposed for conversion comes under the Ayacut area of irrigation projects and assessed with water rate. but the water source not obstructed by the proposed land and also lower agricultural lands are not affected by the conversion, hence the proposed land is suitable for conversion. 14. The land proposed for conversion is not coming within flood zone/flood perceptibility area/back water submerged area/rain water submerged area 15. There is public easement (Road etc.) to the suit land 16. The land proposed for conversion is not coming within notified area of the Govern for land acquisition 17. The land proposed for conversion is not coming under LT/33K/High Tower Electricity 18. The original khata of the scheduled land is not a Lease status, marfatdar of any Deity/intermediary/ceiling surplus food/bhodan land 19. The land is suitable for conversion. Benchmark valuation of the scheduled land is Rs. 1481025/- per acre. BMV of the converted plot is Rs. 218451/- for Hc 0.059 R. Hence, the applicant is liable to pay Rs. 2223.00 (Rs. 22.00 GR + Rs. 16.00 Cess + Rs. 2185.00 Premium) as per letter number Letter No. VI-01/2024-270 / LR, Dated: 09.01.2024 with reference to Govt. in R & DM Deptt. 773/R&DM, Dated: 06.01.2024.

L

(See Paragraph-207 (I) of the Orissa Record Manual 1964)

Sl. No. & Date of Order	Order and Signature of Officer	Note of Action taken on order with date
1	2	3
	Perused the ORDER number 4959/LA, dated 16.12.2022 of the L.A., Collector Kalahandi the order read as follows. "Sanction is here by accorded to the abatement of Land Revenue is respect of the land shower in the statement appended hereinthe effect from 29.03.2022 in connection with acquisition of land in village …….. for construction of Link Road to NH 26 in Bhawanipatna town measuring an area of Ac. 8.909 dec. in accordance with paragraph 95 of the L.A. Mannual the land may be transferred in favour of Superintending Engineer Kalahandi (R & B) Division, Bhawanipatna. **Land Schedule** **Mouza :……** **Khata No. Plot No. Area Kissam** Institute a case under Paragraph 17(v) of the Odisha Mutation Manual 1962 with amended 2020. Ask Record Keeper to verify the record. Put up after verification. Dictated, Tahasildar, Kalahandi The case is taken up today. Verified the record. As the case land has been sold by R.T.s or all legal heir there is no need to issue notice as per the Odisha Mutation Manual (amand) 2020. All formalities have been maintained. The case is allowed. **ORDER** Record Keeper is directed to correct the RoR in the name of Supertanding Engineer, Kalahandi (R & B) Division, Bhawanipatna in Bibhagiya Satwa. Put up after record correction. Dictated, Tahasildar, Kalahandi	

L

(1) Earlier **Right of Way (ROW) for Optical Fibre Cable infrastructures Policy** has been renamed as **Odisha Mobile Towers and Telegraph Line, OFC and related Telecom Infrastructure Policy, 2017** as per the Indian Telegraph Right of Way (Amendment) Rules, 2022.

(2) New clauses 5.5.1 (xiv) to 5.5.1 (xx) are added under existing Clause-**5.5.1-** Process of Granting Permission extending the conditions of getting permission to mitigate public inconvenience or enhance public safety or structural safety.

(3) One financial clause like tariff for underground telegraph infrastructure has been fixed as ₹. 1000/- per kilometre to meet administrative.

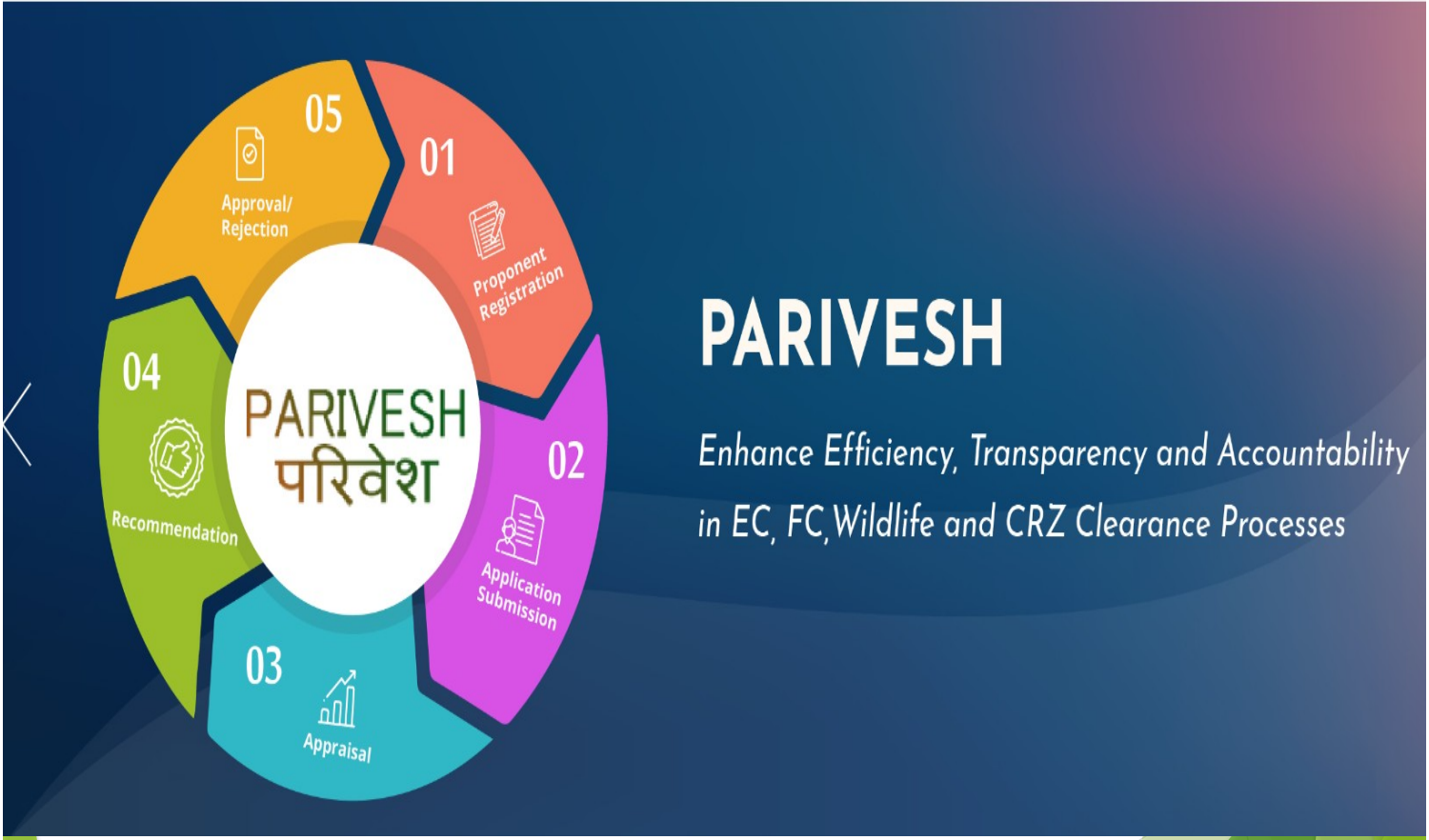
(4) Existing clause **5.5.2 (2) (i)** has been modified by adding the **charges to be levied for pits only** with other terms remain unaltered as addition of telegraph infrastructure has been made.

(5) New sub-clause has added under 5.10 as **5.10 (viii)-**relate to some financial modification for overground telegraph infrastructure**.** Besides new clauses have also been added **as 5.10 (A)** on usage of street furniture for installation of small cells and telegraph line and **5.10 (B)** on Establishment of telegraph infrastructure over private property**.**

(6) **4th Paragraph of Clause 6.17** has been updated in order to fix a time line i.e. 90 days removal/alteration of telegraph infrastructure having regard to emergent and expedient circumstances.

(7) New 2 numbers of paragraphs need to be included under **Clause-3-Nodal Department** wherein the ADM has been assigned with the task of RoW clearance and Nodal Officers from distribution companies to resolve all power related issues of Telecom service/infra providers.

(8) New clauses is added as **4.4 (vii)** under clause **4.4** to expand the scope of responsibility of the Distribution Companies i.e. to intimate the infra providers of the duration of electric supply to telecom infra in rural areas on request by the service providers. This will help service providers to plan for power back up.


05
Approval/
Rejection
01
Proponent
Registration
04
Recommendation
PARIVESH
परिवेश
02
Application
Submission
03
Appraisal
PARIVESH
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Welcom

TRAINING FOR FILING OF ENVIRONMENTAL CLEARANCE (EC) FOR MINOR MINERAL PROPOSALS(0-5ha & Above>5ha)

at

State Environment Impact Assessment Authority (SEIAA) /State Level Expert Appraisal Committee (SEAC)

IN

PARIVESH PORTAL

Requirements of prior Environmental Clearance for extraction of minor minerals

EIA Notification - 2006

14th September 2006 and amendment thereafter.

(Present Reference to -S.O.3977(E) Dated 14th August,2018 &

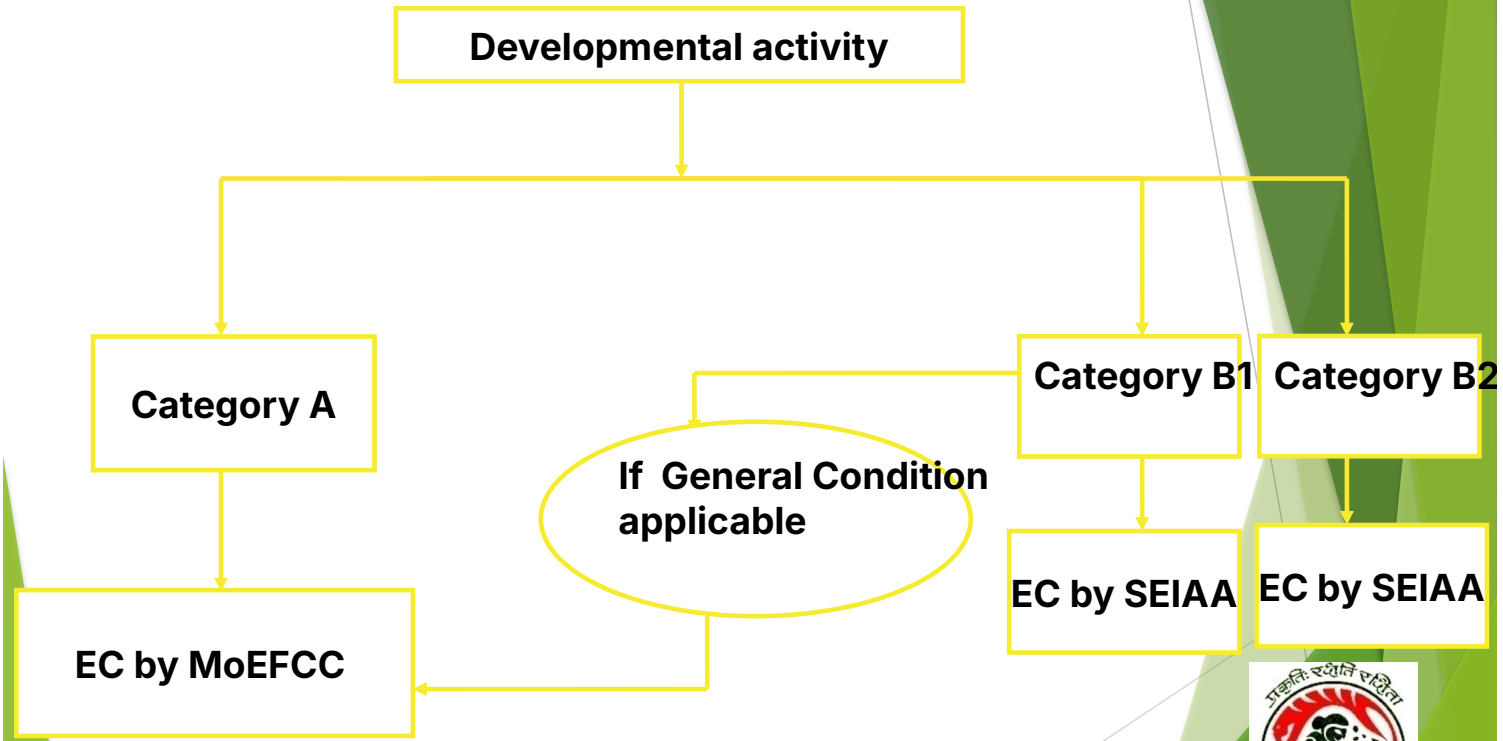
Office Memorandum(OM)

dated 12.12.2018,20.04.2022 issued by Ministry of Environment, Forest & Climate Change(MoEF & CC) for EC of all Minor Mineral Proposals irrespective of lease area will be delt at the state level.

Categorization of Environmental Clearance

- **Category A projects: Central Government in the Ministry of Environment and Forests**
  - **Base decisions on the recommendation by Expert Appraisal Committee (EAC)**
- **Category B projects: At state level the State Environment Impact Assessment Authority (SEIAA)**
  - **The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification**
  - **In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project**

CATEGORIZATION OF PROJECTS



Categorization of minor minerals before 04.04.2022 for E Mining of Minerals(as per S.O.3977(E) dated 14th August,2018 & OM dated 12th December,2018)-Non-Coal Mining

Lease Area	Category	Regulatory Authority
>100 ha. of mining lease area in respect of non-coal mine lease (including minor mineral)	Category A project	MoEF&CC, Govt. of India. (on recommendation of EAC)
≤100 ha. of mining lease area in respect of non-coal mine lease (including minor mineral)	Category B project Category B2 for area ≤5ha Category B1 for area >5ha	State Environment Impact Assessment Authority (SEIAA) (On recommendation of SEAC)

Categorization of minor mineral EC projects as per the latest MoEF notification dt.04.04.2022

B2 Category	B1 category
0-5 ha of lease area	>5 ha of lease area
The application can be filed by any technically qualified person. Terms of reference (ToR) – ✗ Public Hearing – ✗ Detailed Environmental Impact Assessment (EIA) Study- ✗	The application can be filed through NABET accredited Consultants only. Terms of reference (ToR)- ✓ Public Hearing – ✓ Detailed Environmental Impact Assessment (EIA) Study- ✓

Stages in EC process

- Stage 1: Screening
- Stage 2: Scoping
- Stage 3: Public Consultation
- Stage 4: Appraisal

Stage 1: Screening (ToR filing)

- Only for Category B1 projects and activities to determine if they need EIA
- Scrutiny of an application seeking EC by SEAC for determining whether or not the project or activity requires further environmental studies
- Classify category B projects as B1 (require EIA) and B2 (don’t require EIA)

Stage 2: Scoping

- Expert Appraisal Committee (EAC) in the case of Category ‘A’ projects or activities
- State level Expert Appraisal Committee (SEAC) in the case of Category ‘B1’ projects

- Determine comprehensive **Terms of Reference (TOR)** addressing all relevant environmental concerns **for preparation of an Environment Impact Assessment (EIA) Report and Environment Management Plan(EMP) in respect of the Project (EIA/EMP Report).**

Stage 3: Public consultation

- **All Category 'A' and Category B1 projects or activities shall undertake Public Consultation.**
- **Public hearing shall be conducted by the State Pollution Control Board (SPCB).**
- **Applicant shall address all environmental concerns expressed during this process**
- **Make appropriate changes in the draft EIA/EMP**
- **Final EIA/EMP report shall be submitted by the applicant to the concerned regulatory authority for appraisal**

Stage 4: Appraisal

- **Detailed scrutiny by the EAC or SEAC of**
  - **documents like the Final EIA report**
  - **outcome of the public consultations including public hearing proceedings**
  - **submitted by the applicant to the regulatory authority concerned for grant of environmental clearance**
- **EAC or SEAC shall recommend to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions or rejection of the application for prior environmental clearance, together with reasons for the same.**
- **The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant.**

Summary of EC process (Minor Minerals)and Rough Timelines (for lease area: 0-5 ha)

Submission of application (Form -1, pre-feasibility report, Approved Mining Plan, DSR etc) as applicable to MM projects

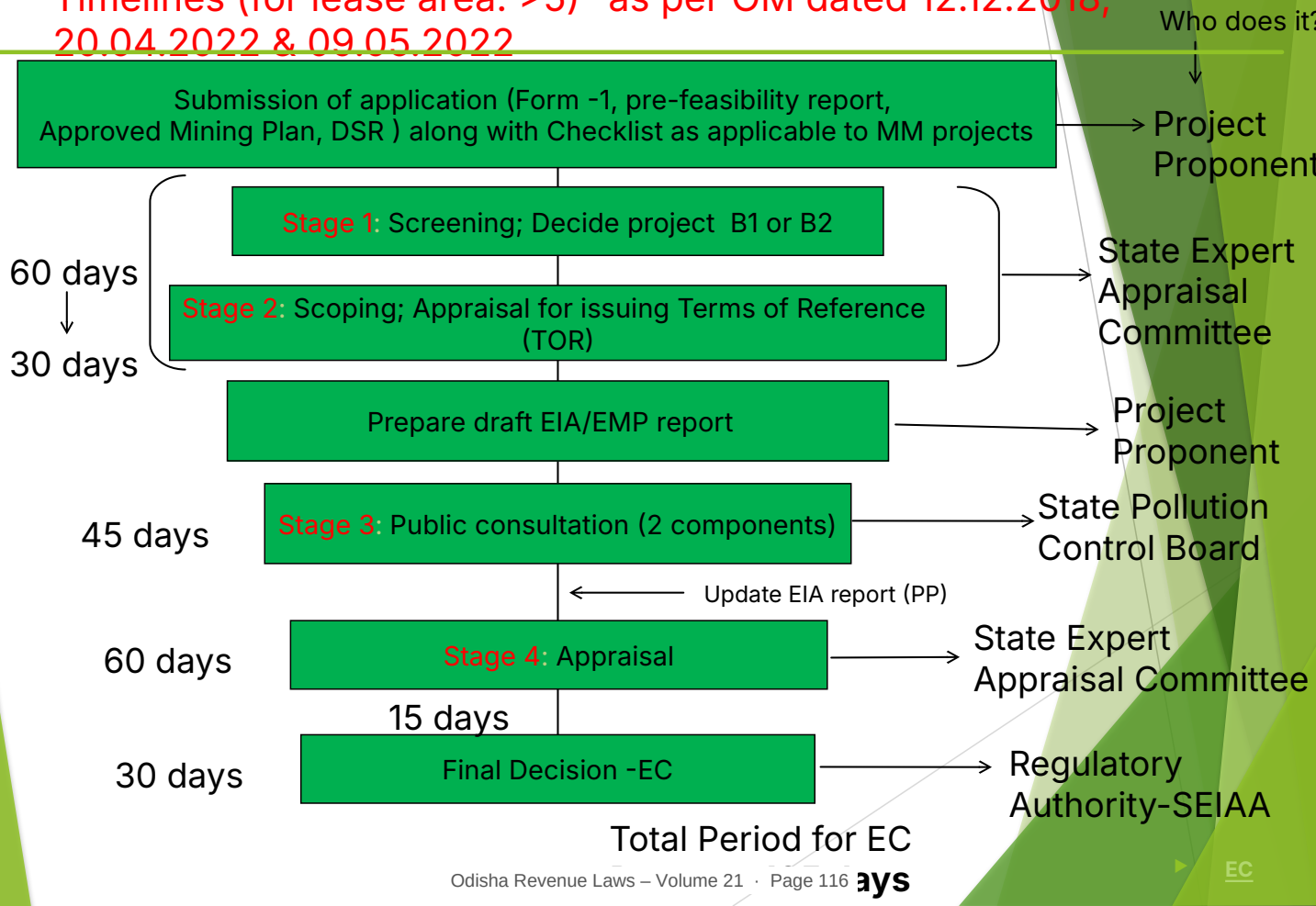
EIAA Checks completeness of proposal (if proposal complete then send to SEAC if not complete EDS to PP)

: Appraisal for EC by SEAC as Category B2

Final Decision for Grant of EC - SEIAA , Basing on Recommendation of SEAC

Average Total Period for EC grant Process **<70 days**

Summary of EIA process (Minor Minerals)and Rough Timelines (for lease area: >5)- as per OM dated 12.12.2018, 20.04.2022 & 09.05.2022



Application for Prior Environmental Clearance(EC) in the Online State Portal of PARIVESH of MoEF & CC www.parivesh.nic.in

Complete set of documents is Required to be Uploaded in the PARIVESH portal in respective forms prescribed by the ministry.

a. Minor Mineral Proposals of lease area: >5

1. Stage 1: For **Issuing Term of Reference(ToR) by SEAC**:-

- **Form-I as per EIA Notification, 2006 & amended thereto**
- **Checklist for minor mineral signed by competent Authority (Modified as on 10.10.2018)**
- **Pre-feasibility Report (PFR)**
- **District Survey Report (DSR) for minor mineral Applied as per Notification S.O No. 3611(E) dated 25.07.2018**
- **Approved Mining Plan of the Project**
- **Proposed ToR as applicable for Mining Projects**
- **Scrutiny fees, as applicable.**

Stage 2: For **Grant Final EC by SEIAA**:-

- **Final EIA/EMP Report Complying the ToR**
- **Form-2**
- **Public Hearing Proceedings**

Note: Preparation & Presentation of EIA /EMP Report before SEAC shall be done by NABET /QCI Accredited Consultant having accreditation in Mining Sector)

Application for Prior Environmental Clearance(EC)

Complete set of documents is Required to be Uploaded in the PARIVESH portal in respective forms prescribed by the ministry.

b. Minor Mineral Proposals of lease area: 0 to ≤5 ha

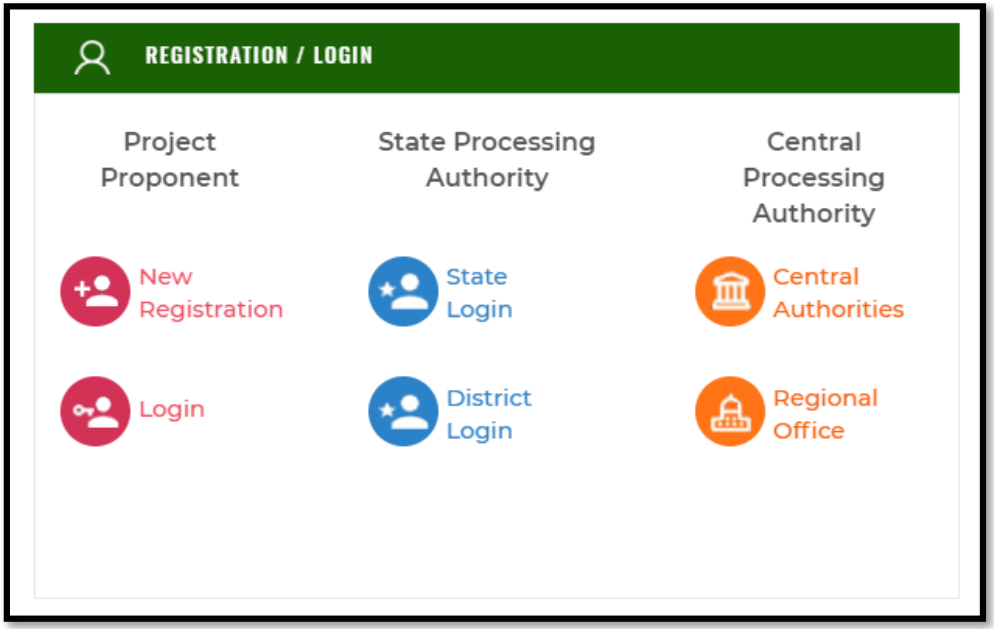
- **KML file of lease area**
- **Checklist for minor mineral signed by competent Authority (Modified as on 10.10.2018) (Uploaded in the state portal of PARIVESH)**
- **Form-1**
- **Pre- Feasibility Report (PFR)**
- **District Survey Report (DSR) for minor mineral Applied as per Notification S.O No. 3611(E) dated 25.07.2018**
- **– Approved by SEIAA**
- **Environmental Management Plan (EMP)**
- **Mining Plan (Approved by Director of Mines)**
- **Distance Certificate (Distance from nearest road bridge, village road, rail line etc)**
- **DLC Certificate from concern DFO.**
- **Cluster Clarification Certificate (Weather any other quarry present within a radial distance of 500 mts)**
- **Forwarding letter from Tahasildar**
- **Letter for authorization of applicant.**
- **Copy of previous EC/ToR (If applicable)**
- **Scrutiny fees, as applic**

How to apply ?

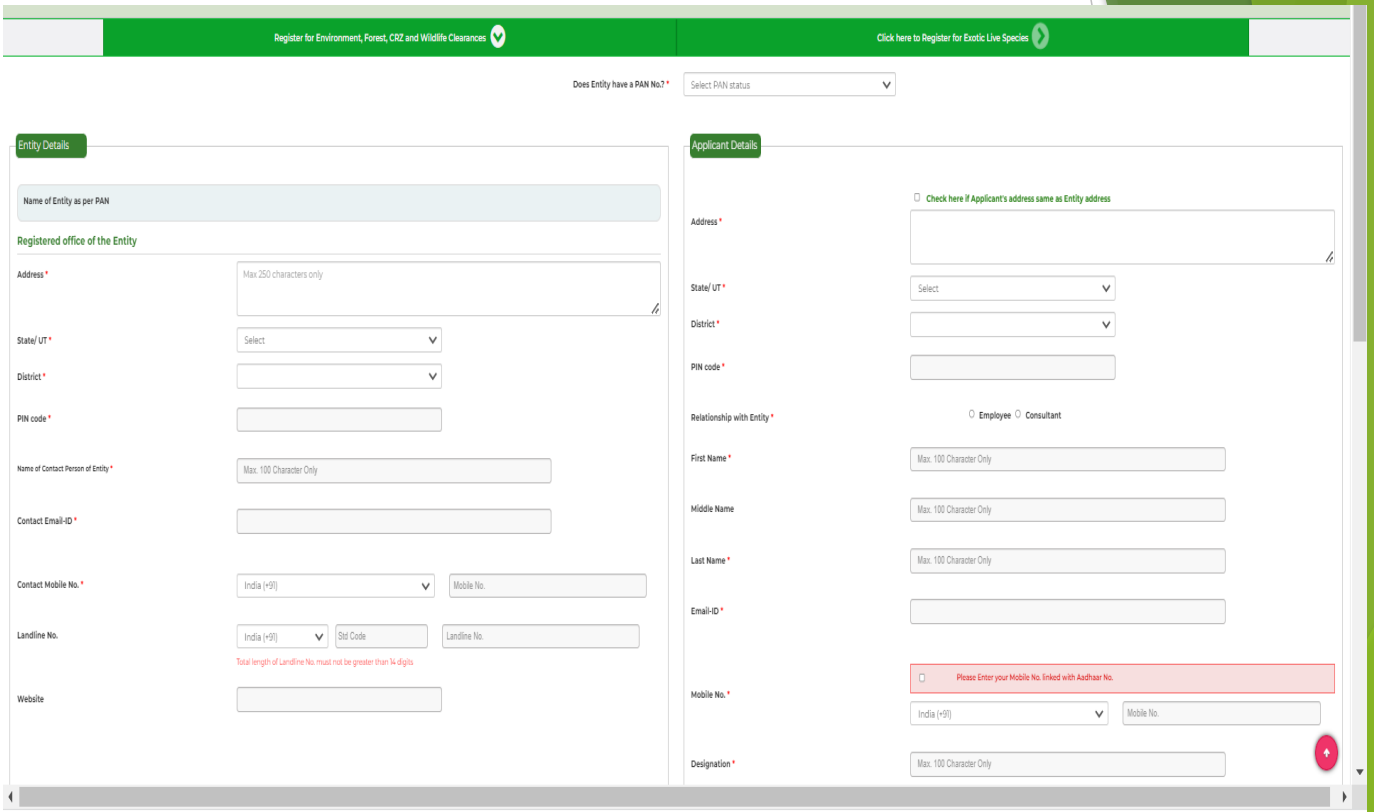
- https://parivesh.nic.in/



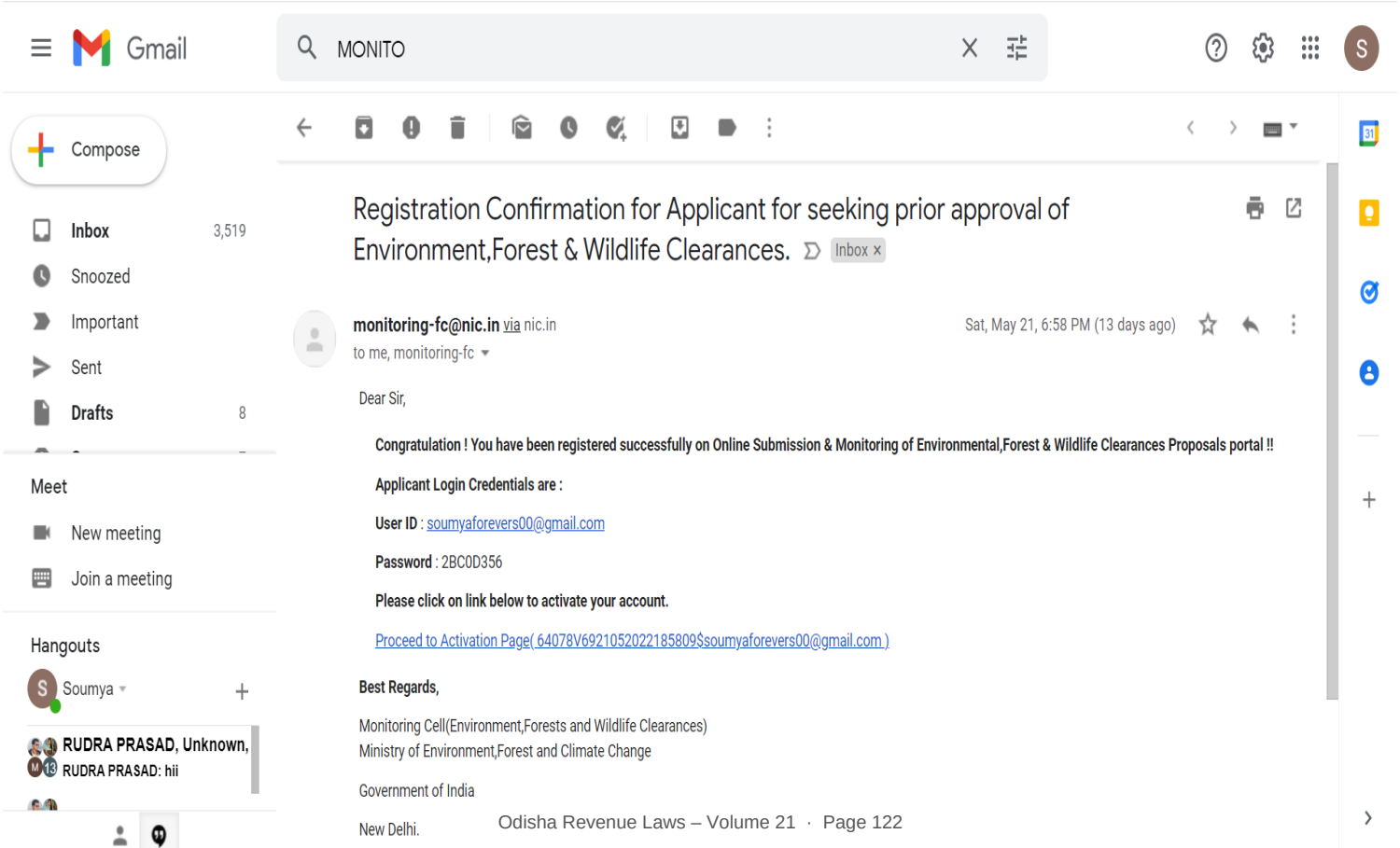
New Registration



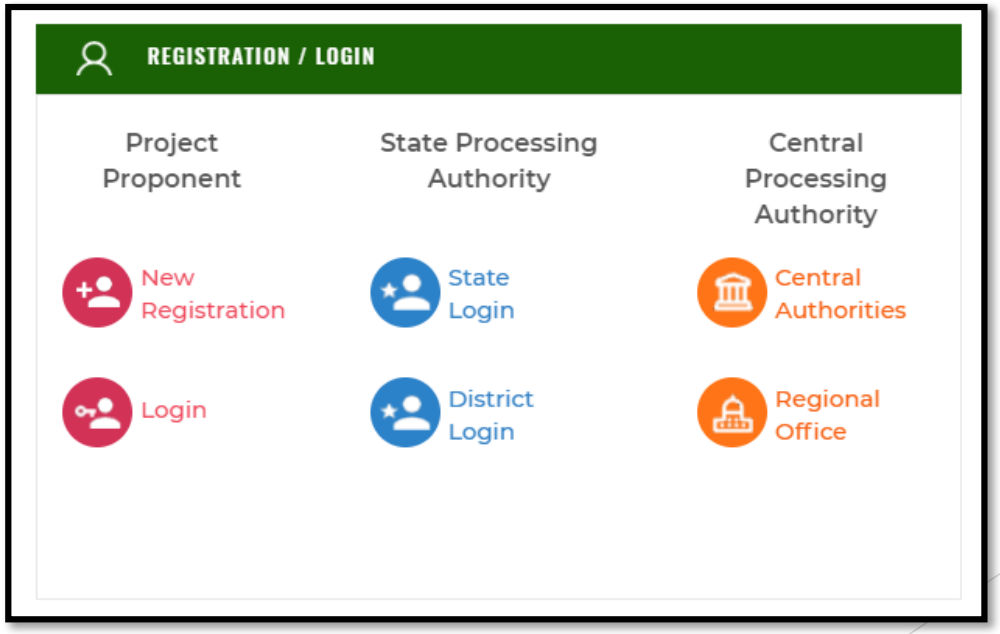
Fill in the following details to get the activation link in mail



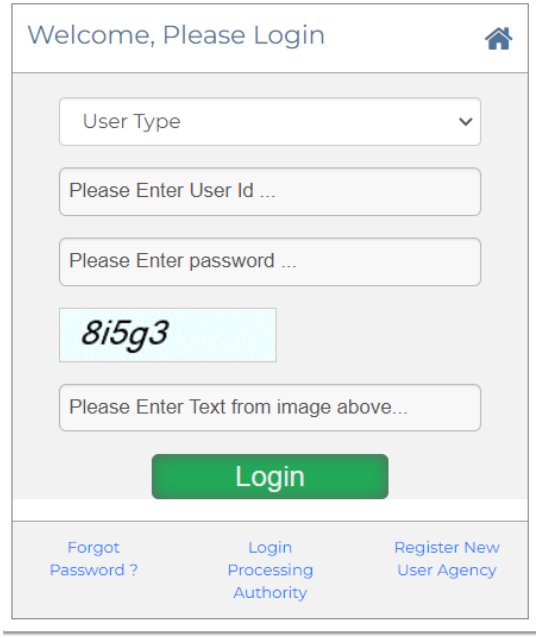
Mail received after Successful registration for aadhar authentication

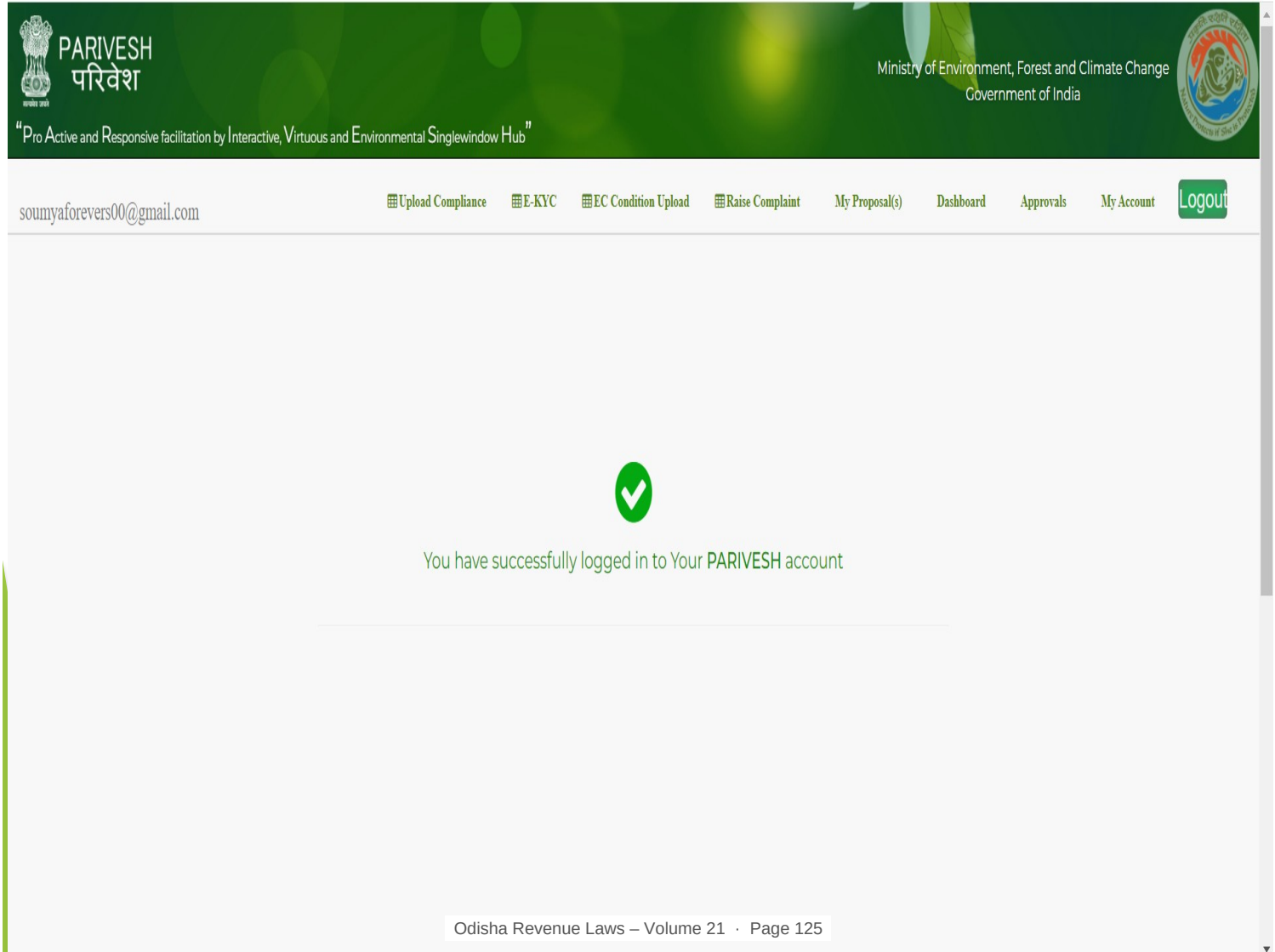


Click on login under Project Proponent login



Login using earlier created login details

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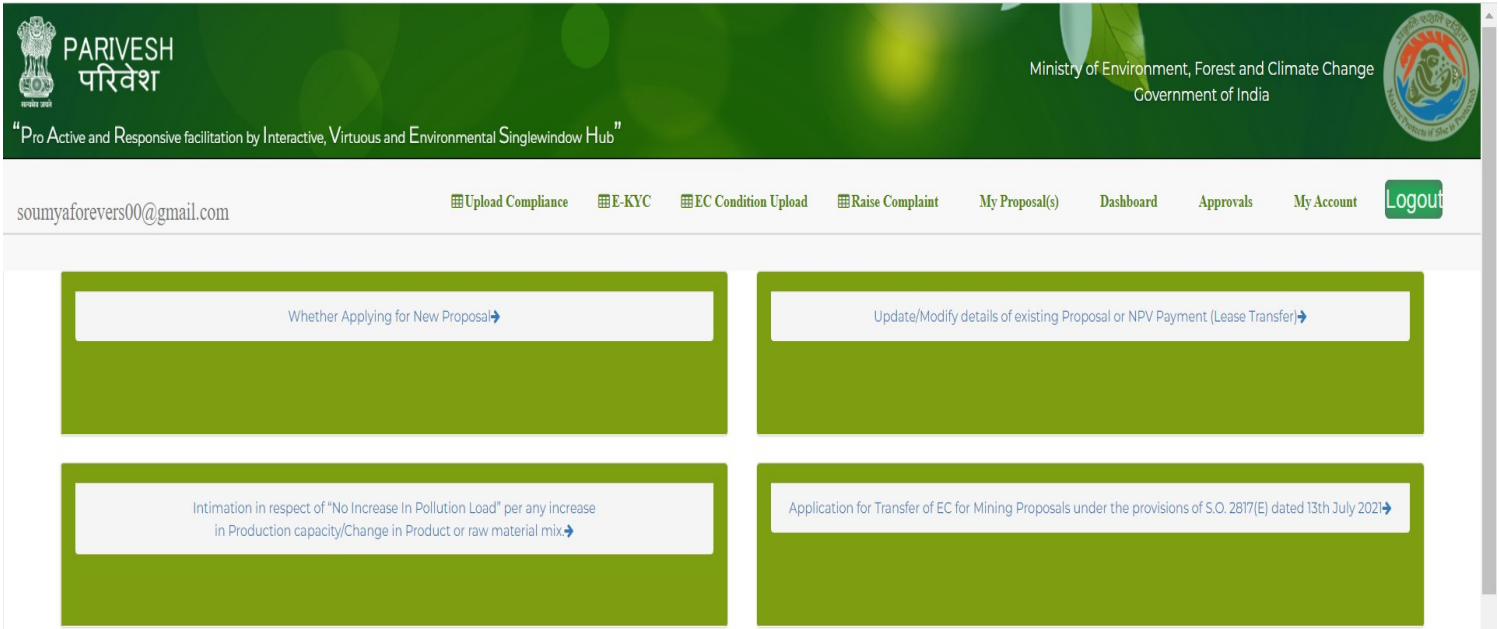
E-KYC
EC Condition Upload
Raise Complaint
My Proposal(s)
Dashboard
Approvals
My Account
Logout
You have successfully logged in to Your PARIVESH account

Approvals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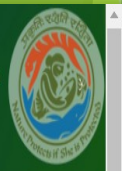
E-KYC
EC Condition Upload
Raise Complaint
My Proposal(s)
Dashboard
Approvals
My Account
Logout
Whether Applying for New Proposal
Update/Modify details of existing Proposal or NPV Payment (Lease Transfer)
Intimation in respect of "No Increase In Pollution Load" per any increase in Production capacity/Change in Product or raw material mix
Application for Transfer of EC for Mining Proposals under the provisions of S.O. 2817(E) dated 13th July 2021



INITIAL QUESTIONNAIRE

Whether the Project requires prior EC under EIA notification 2006?	(NO)
Whether the Project Require Prior Approval Under Forest (Conservation) Act, 1980?	(NO)
Whether the Project Require Prior Approval Under Wildlife (Protection) Act, 1972?	(NO)
Whether the Application is under advisory for Exotic Live Species?	(NO)
Whether the Project attracts Only CRZ notification, 2011?	(NO)

Basic Details of the project:

Project Name:

Single window proposal number generated after submission of initial questionary page

SW/275904/2022

Actual proposal number generated after successful submission application

SIA/OR/MIN/244406/2021



Different Forms in PARIVESH and their applications.

Form 1 – Application for TOR
Form 2 – Application for EC
Form 3 – Application for Amendment TOR
Form 4 – Application for Amendment EC
Form 5 – Extension for TOR
Form 6 – Extension for EC
Form 7 – Transfer of EC
Form 8 – Transfer of TOR
Form 9 – Corrigendum in EC

Types of EC applications in minor minerals (B2)

- **Fresh EC/Expansion (Form 2):** All newly identified sairat sources that are listed in the DSR or **Expansion** and modernization **of existing projects** or activities listed in the Schedule to this notification.
- **Transfer of EC (Form 7)** : For Transferring EC from Tahasildar to the highest Bidder.
- **Corrigendum in EC (Form9)** : For Corrections in granted EC order.

Environmental Clearance(EC) Process of Minor Mineral Project:

a. Minor Mineral Proposals of lease area: >5

Application for ToR (SEIAA) → Issue of ToR for undertaking EIA Study (SEAC) → Prepare Draft EIA/EMP Report (NABET Accredited Consultant) → Submit Draft EIA/EMP Report to SPCB for Public Hearing → Public Hearing (SPCB) → Prepare Final EIA/EMP Report incorporating PH (NABET Accredited Consultant) → Application for EC → EC Grant by SEIAA

b. Minor Mineral Proposals of lease area: 0 to ≤5 ha

Application for EC → Appraisal by SEAC → EC Grant by SEIAA

Complete EC process flow at SEIAA and SEAC



Project Proponent (PP)
Apply for TOR/EC



SEIAA MS

The Proposal is complete ?

yes

No (EDS TO PP)

EDS - Essential details sought



SEIAA SS1

File no. Assigned and file sent to SEAC for appraisal



SEAC MS

File no. Assigned



SEAC SS1

Agenda

The Decision of SEAC meetings

Recommended – In case, Appraisal Committee recommends the proposal to SEIAA.

Rejected – In case, Appraisal committee reject the proposal & the same is forwarded
to SEIAA.

Deferred(Additional detail sought) – In case, asked for Clarification or any additional
document .

Deferred(Site Visit) – In case, Appraisal Committee want to inspect the Site.

For Further consideration – In case, the proponent is absconding for the meeting or
Further extended examination is needed(will be re considered next meeting).

Deferred(Violation) – In case, Appraisal Committee deems the proposal as violation.

All recommended proposals are sent to SEIAA for consideration in next SEIAA meetin

↓

SEIAA Agenda

↓

Minutes of SEIAA Meeting

↓

The Decision of SEIAA meetings

Recommended – In case, Authority approves the proposal to Grant of EC/TOR.

Rejected – In case, Authority reject the proposal.

Deferred(Additional detail sought) – In case, asked for Clarification or any additional document .

Deferred(Site Visit) – In case, Appraisal Committee want to inspect the Site.

For Further consideration – In case, the proponent is absconding for the meeting or Further extended examination is needed(will be re considered next meeting).

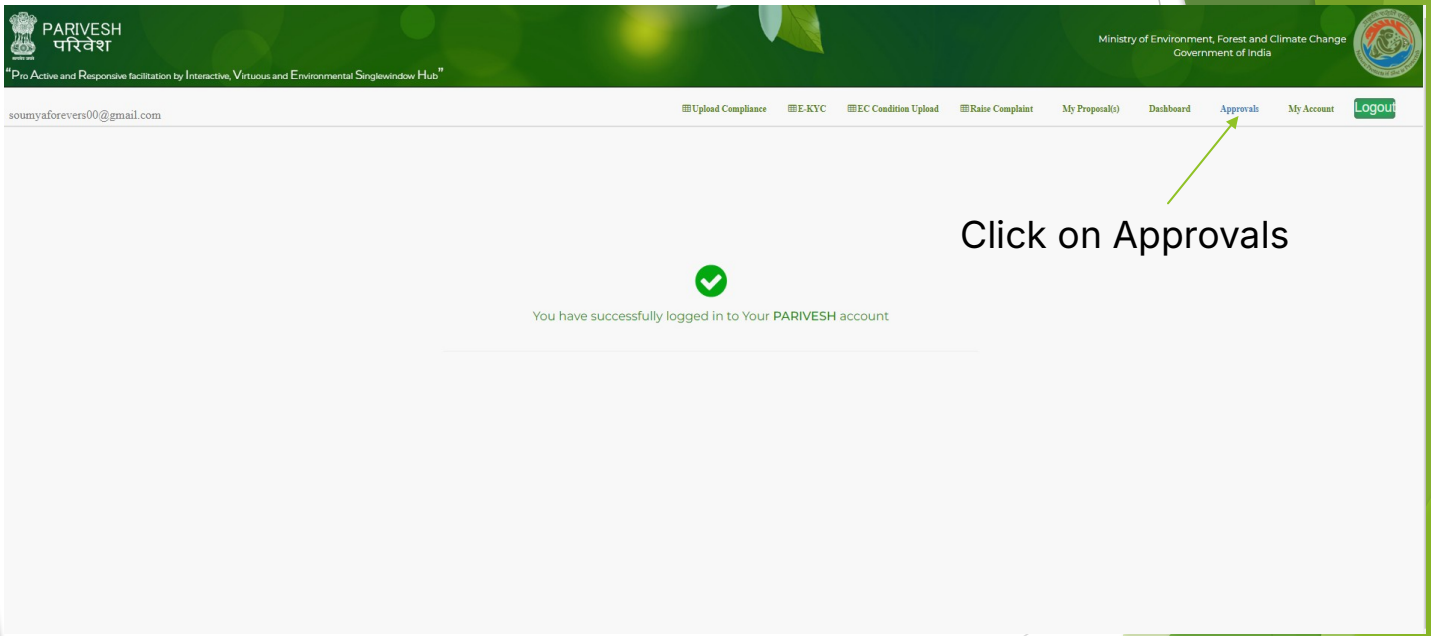
Referred Back – In case, Appraisal Committee deems the proposal as violation.

↓

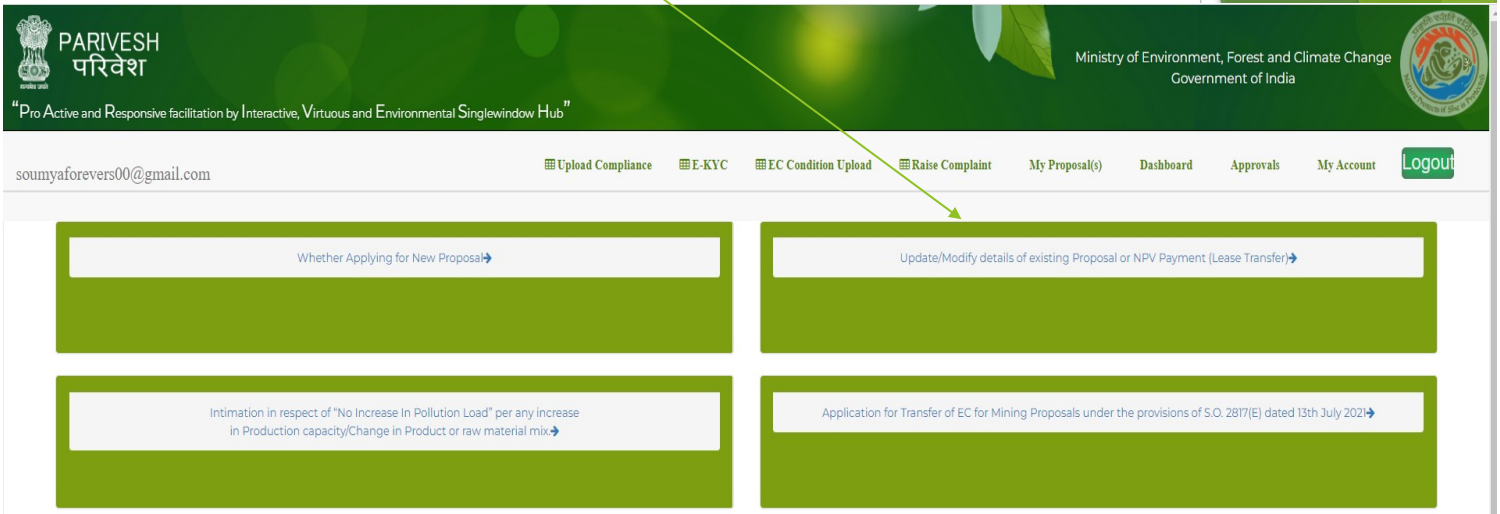
Recommended proposals are granted with E-Signed EC

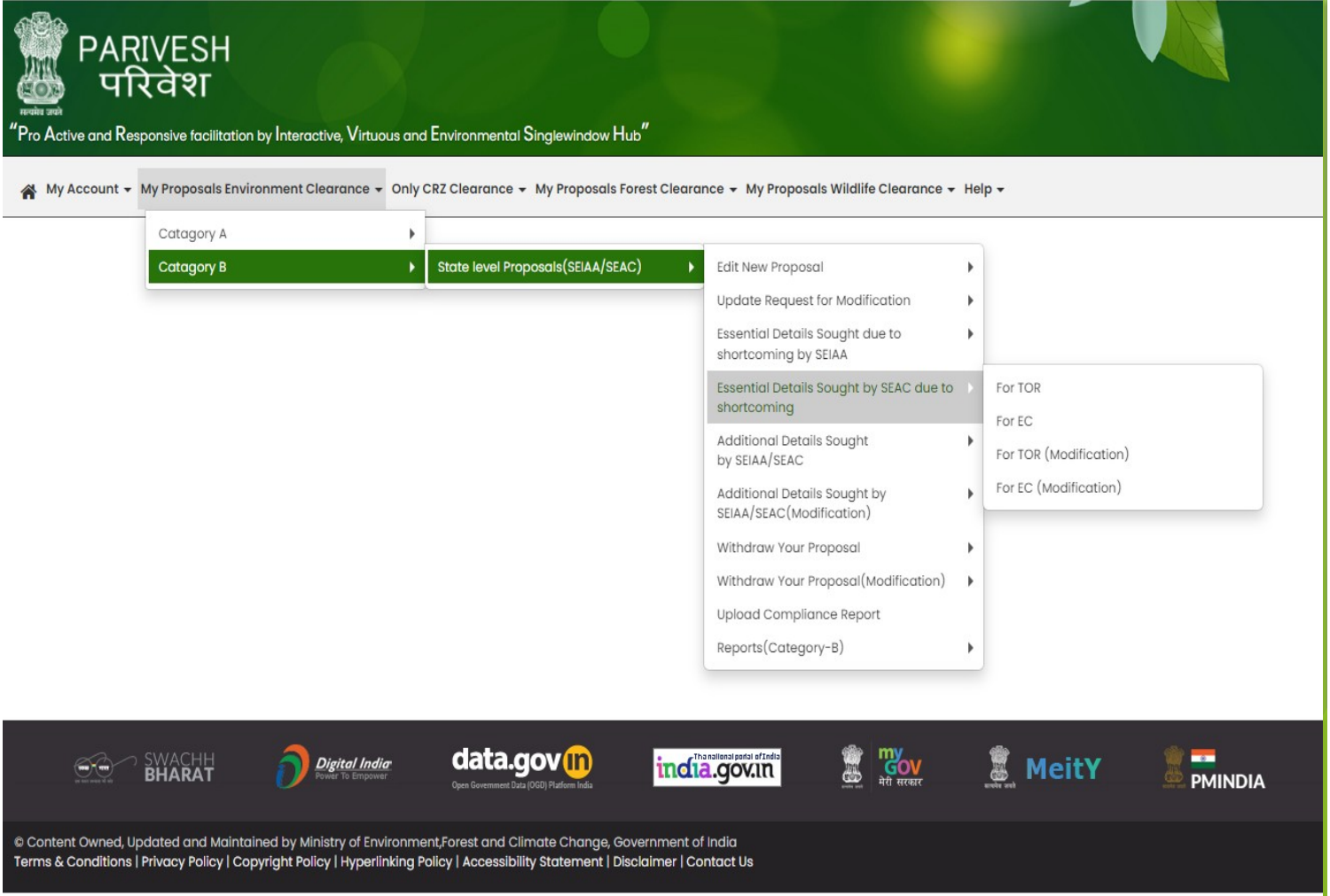
How to comply EDS/ADS by SEIAA/SEAC

Applicant Login



Click on Update/Modify Existing details of proposal

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Only CRZ Clearance
My Proposals Forest Clearance
My Proposals Wildlife Clearance
Help
Catagory A
Catagory B
State level Proposals(SEIAA/SEAC)
Edit New Proposal
Update Request for Modification
Essential Details Sought due to shortcoming by SEIAA
Essential Details Sought by SEAC due to shortcoming
Additional Details Sought by SEIAA/SEAC
Additional Details Sought by SEIAA/SEAC(Modification)
Withdraw Your Proposal
Withdraw Your Proposal(Modification)
Upload Compliance Report
Reports(Category-B)
For TOR
For EC
For TOR (Modification)
For EC (Modification)
SWACHH BHARAT
Digital India Power To Empower
data.gov.in
Open Government Data (OGD) Platform India
india.gov.in
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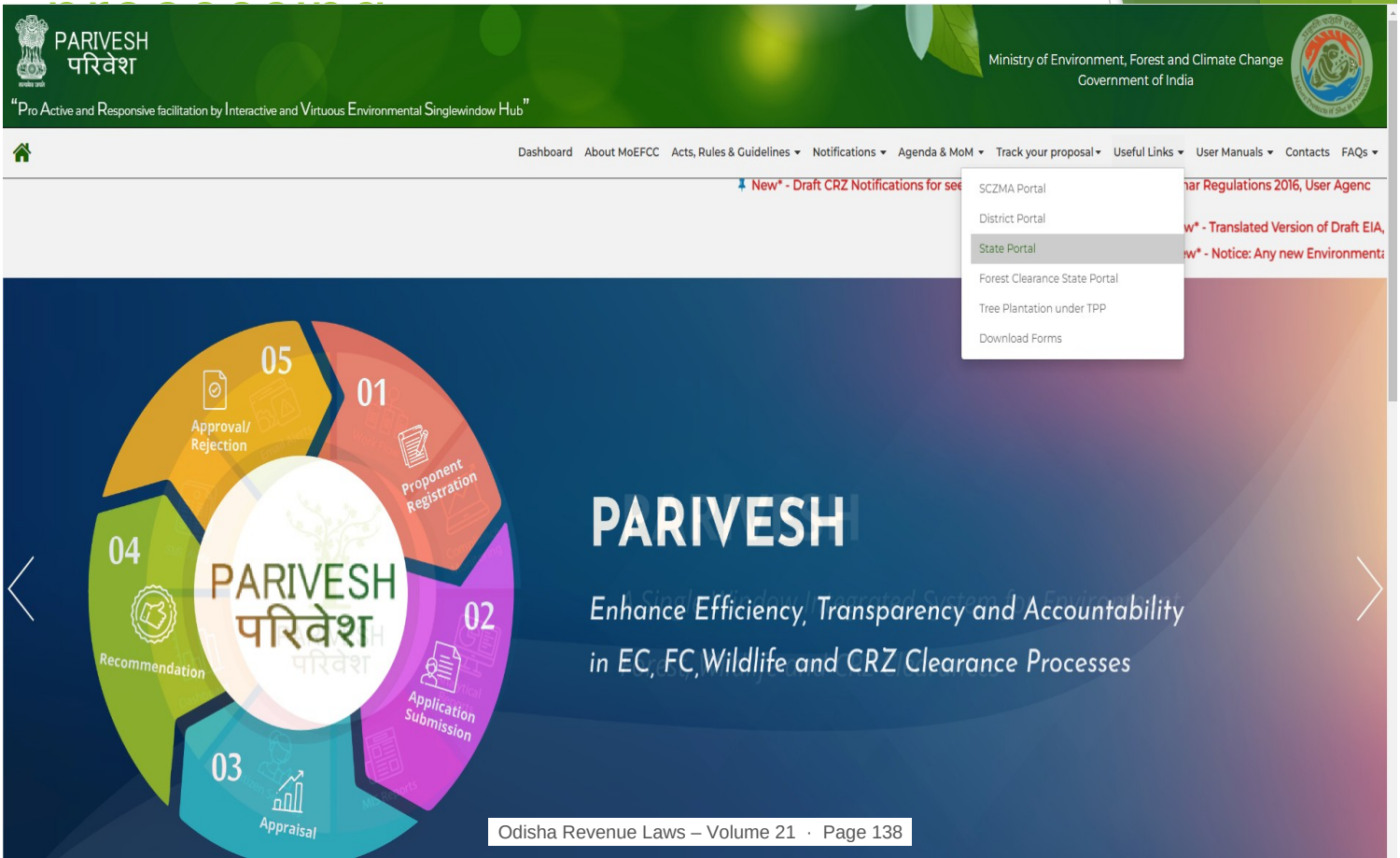
How to Track Proposal Status at different stages of

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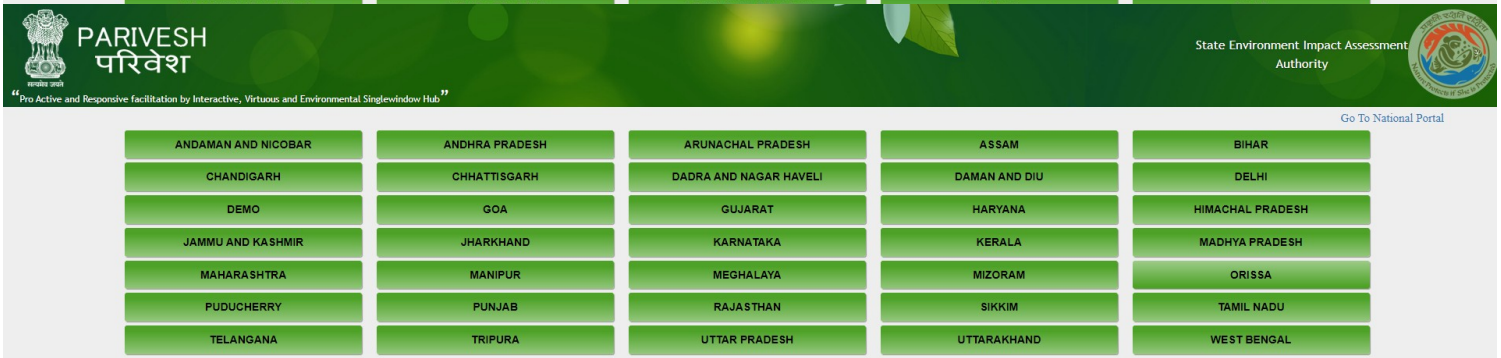
State Environment Impact Assessment Authority
Go To National Portal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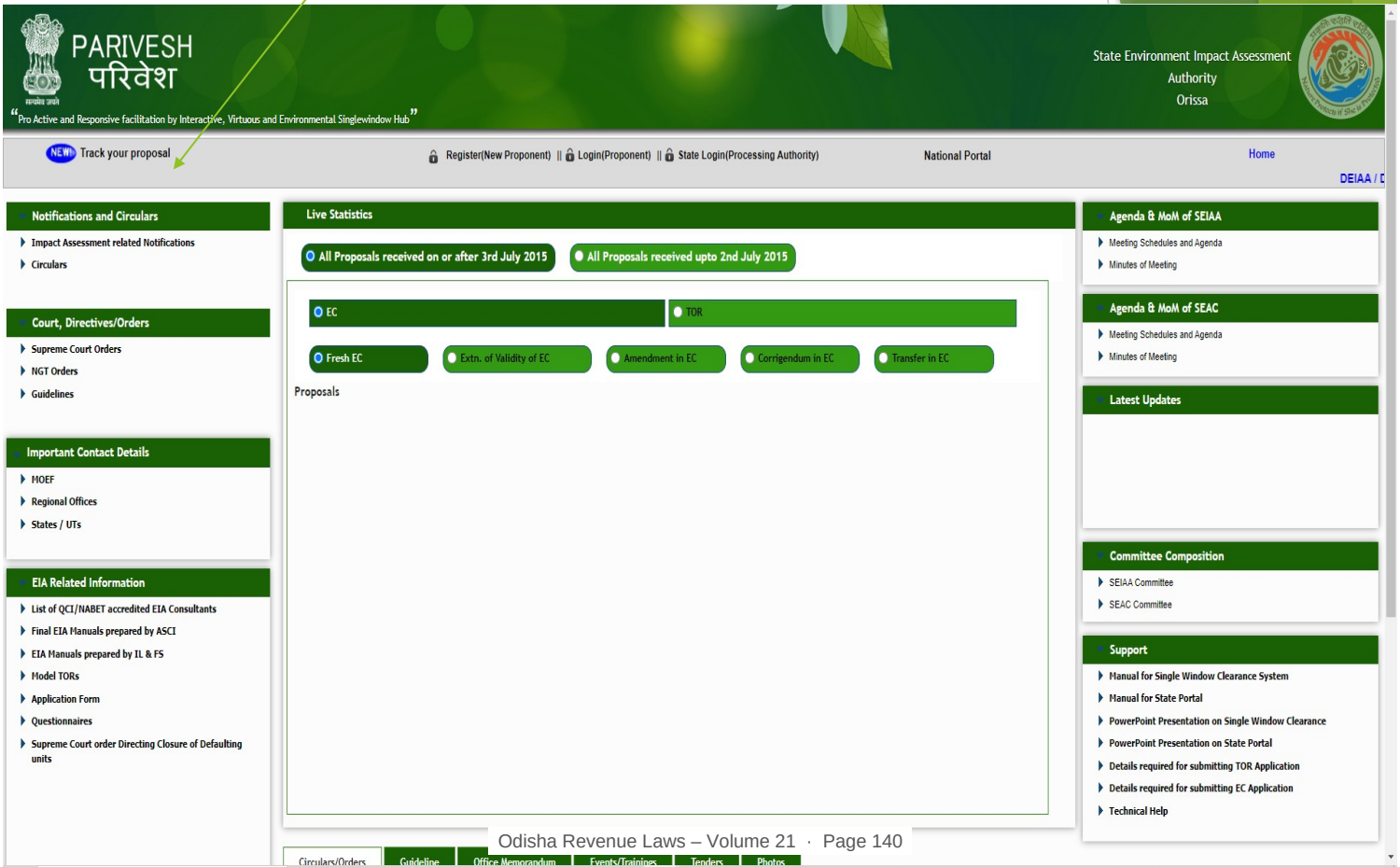

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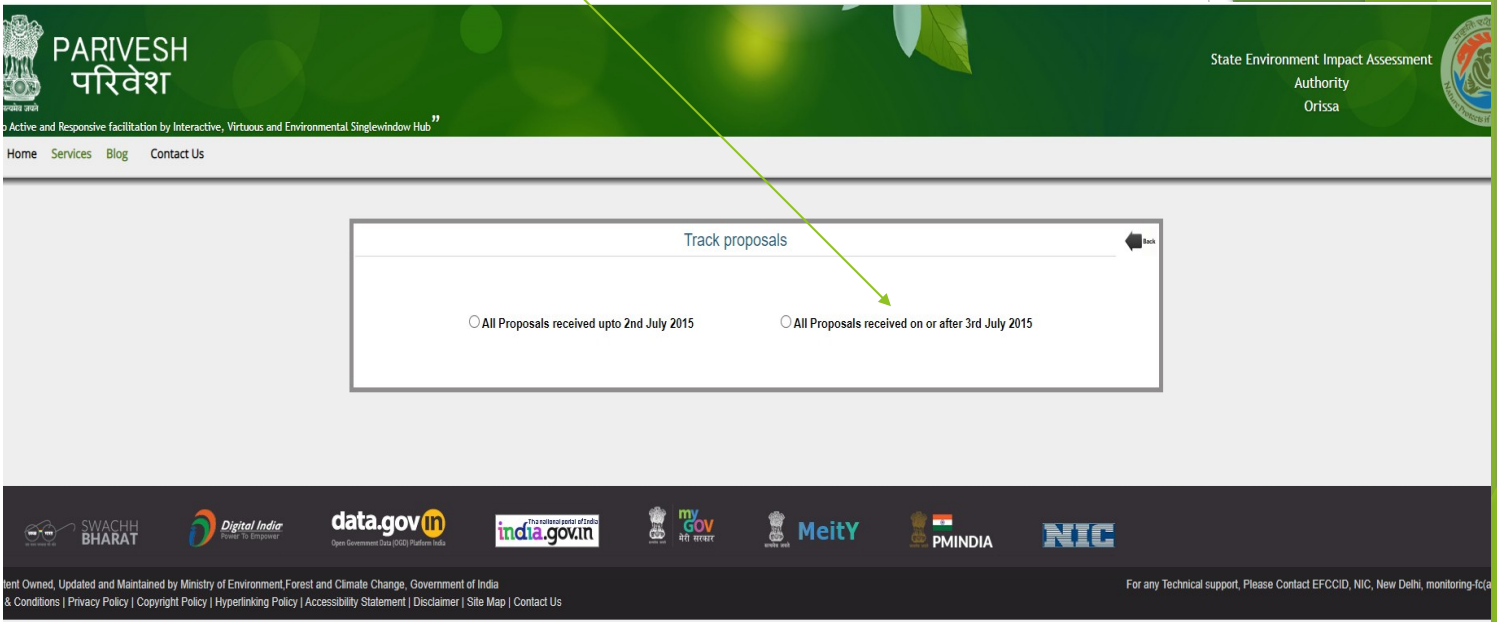

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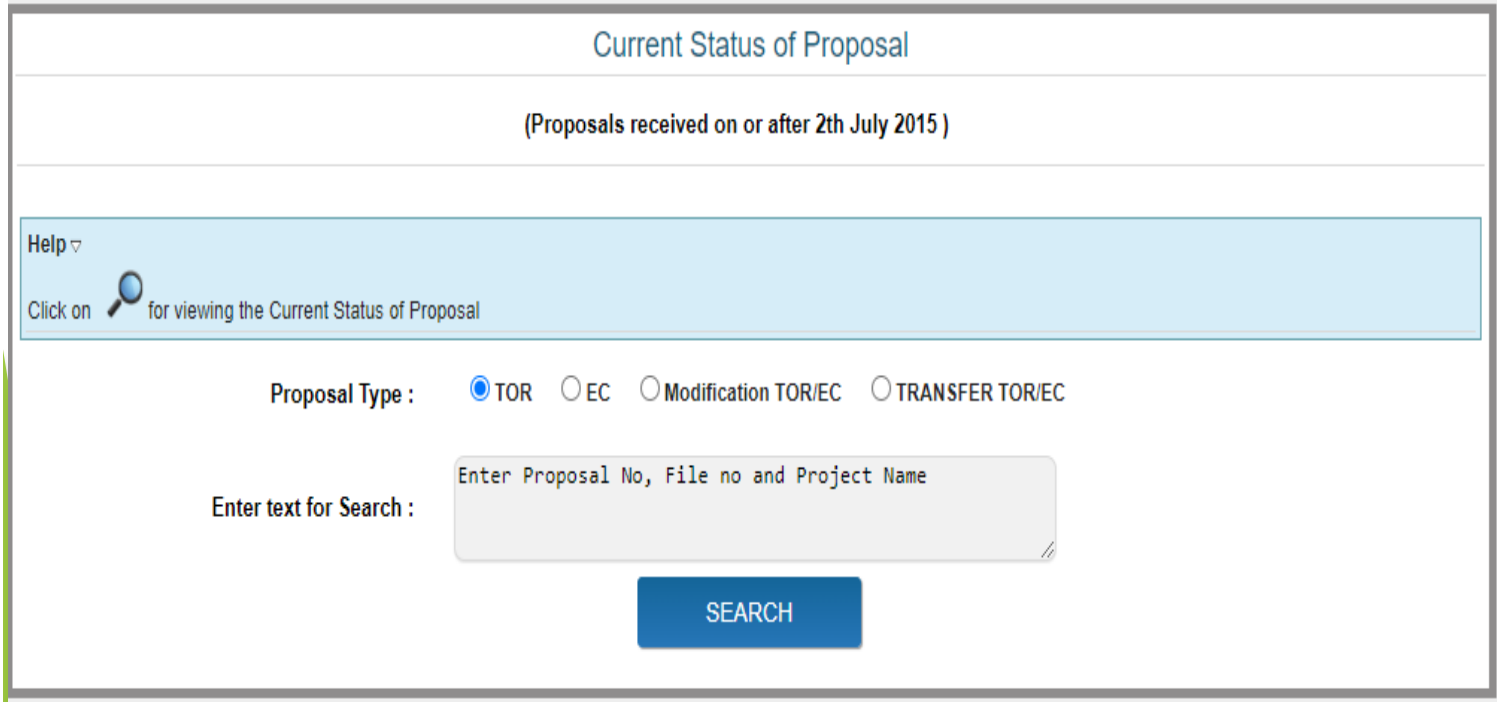

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