

**THE ODISHA GOVERNMENT LAND SETTLEMENT  
(AMENDMENT) BILL, 2021**

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BILL

FURTHER TO AMEND THE ODISHA GOVERNMENT LAND  
SETTLEMENT ACT, 1962

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

Short title.

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


Amendment of  
section 3.

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

Odisha  
Act 33  
of 1962.

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

(a) any land of the category of Khasmahal, Nazul, Gramakantha  
Parambok or Abadi, wherever situated and used for any purpose, may,  
on application, be permanently settled with the heritable and  
transferable right with the person who is in occupation of such land

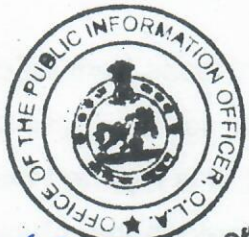
  
27.4.22  
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either on the basis of lease or otherwise for a period of at least three years prior to commencement of Odisha Government Land Settlement (Amendment) Act, 2021, in such manner and subject to payment of such amount to the Government as may be prescribed;

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

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

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

  
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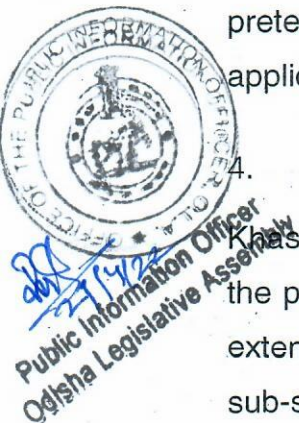
## STATEMENT OF OBJECTS AND REASONS

Sub-section (4) of section 3 of the Odisha Government Land Settlement Act, 1962 provides that any land belonging to the category of Khasmahal, Nazul, Gramakantha or Abadi situated either in rural area or in urban area and used for any purpose may be settled, in such manner and subject to payment of such amount of money to Government as may be prescribed, with the name of the occupant who is in occupation of such land for a period of at least three years prior to the appointed date, as fixed to 26.02.2009, either on lease basis or otherwise and on such payment, such land may be held by the occupant on permanent basis with heritable and transferable right.

2. The appointed date is a crucial factor in settlement of the above categories of land. The persons who have come into possession within three years prior to the appointed date or after the appointed date were not entitled to settlement of such land. Thus, a number of transactions or transfers have taken place in the field and sale deeds have been executed since 26.02.2006.

3. In this connection a number of representations from different quarters of the State requesting to relax the provisions of law so that those persons can get the "Sthitiban" right of the land have been received. It is reported that during this period, more than 30,000 sale deeds have been registered in the urban areas of Kalahandi district. Similarly Collector, Ganjam also informed that out of 2,50,415 occupants under GKP lands in Ganjam district, 1,67,229 applications have been received leaving a balance of as many as 83,186 holdings, which are yet to be settled as a number of applicants have purchased land after 26.02.2006 and residing thereon by constructing dwelling houses. Tahasildars are rejecting such applications on the pretext of lack of jurisdiction. Unless the appointed date is shifted suitably, these applications cannot be settled.

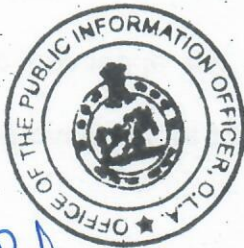
4. In order to simplify the process and to help settle the long pending Khasmahal, Nazul, Gramakantha Parambok or Abadi category of lands in favour of the persons under occupation, it is considered expedient to lift the restriction and to extend the dateline period for settlement and accordingly it is proposed to amend the sub-section (4) of section 3 of the OGLS Act suitably so as to enable the person in occupation of Khasmahal, Nazul, Gramakantha Parambok or Abadi lands either on



lease basis or otherwise for a period of three years held by such person immediately prior to the commencement of the proposed legislation, to file application for settlement and the land shall be settled permanently with heritable and transferable right in such manner and subject to payment of such amount to the Government as prescribed.

5. Further it is also provided that any person in occupation of such lands as stated above shall apply within a period, as the Government may by notification specify, from time to time for settlement of such land, failing which he shall be summarily evicted in the manner prescribed by Rules framed under the Act and such land shall be resumed by the Government.

The Bill seeks to achieve the above objectives.



*Shri Sudam Marndi*  
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Public Information Officer,  
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Shri Sudam Marndi  
Member-in-Charge



## ANNEXURE

[Extract from the Odisha Government Land Settlement Act, 1962

(Act No.33 of 1962)]

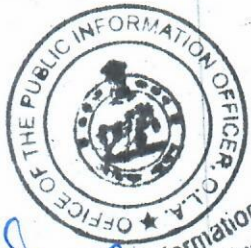
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3. "(4) Notwithstanding anything to the contrary contained in the preceding subsections or in any law or any custom, practice or usage having the force of Law-

(a) Any land of the category of Khasamahal, Nazul, Gramkantha Parambok or Abadi, wherever situated and used for any purpose, may, on application, be permanently settled with heritable and transferable right with the person who is in occupation of such land either on the basis of lease or otherwise for a period of at least three years prior to the appointed date, in such manner and subject to payment of such amount to the Government as may be prescribed.

(b) If any person in occupation of the land as mentioned in clause (a) fails to apply under the provisions of the said clause within a period as may be prescribed from the date of publication of the Orissa Government Land Settlement (Amendment) Act, 2009 in the Official Gazette for settlement of such land, he shall be summarily evicted in the manner prescribed and such land shall be resumed by the Government; and

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

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