

PROJECT REPORT ON

**PROCEDURE FOR LEASE OF GOVERNMENT
LAND FOR INDUSTRIAL PURPOSE IN ODISHA**



**Revenue and Disaster Management Department
Government of Odisha**

Submitted by

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Sub-Registrar (I/c), Bonth, Bhadrak
Trainee Officer-22nd Batch, ROTI

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Revenue Officer's Training Institute, Gothapatana, Bhubaneswar

**Earth provides
enough to
satisfy every
man's needs,
but not every
man's greed.**

*We abuse land because we regard it as a commodity
belonging to us. When we see land as a community to
which we belong, we may begin to use it with love
and respect.*



Everyone wants a piece of land. It's the only sure

INVESTMENT

It can never depreciate like a car or a washing machine

LAND

will only double its value in ten years

The beauty of the trees,
the softness of the air,
the fragrance of the grass,
speaks to me.

The summit of the mountain,
the thunder of the sky,
the rhythm of the sea,
speaks to me.

The strength of the fire,
the taste of salmon,
the trail of the sun,
and the life that never goes away,
they speak to me.
And my heart soars."

"Land" is considered as an imperative resource as it provides habitation to a large diversity of flora and fauna. It is also utilized by human beings for various purposes, such as, agriculture, forestry, mining, construction of buildings, roads and setting up industries. It stands for all- environment, livelihood and lifeless. In this case, "Land" refers to Government land of Odisha.

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1. Land-in general, an Introduction

The term '**land**' usually includes all physical rudiments in the wealth of a nation bequeathed by nature, such as, climate, environment, fields, forests, minerals, mountains, lakes, streams, seas and living creatures. The surface of the mother earth referred to as dry land is the solid surface that is not enduringly covered by water.

The word 'land' is derived from Middle English, "*land, lond*" and Old English, *land, lond* that means "earth, land, soil, ground; distinct portion of land, territory, sphere, province, district; landed property; country (not town); ridge in a ploughed field", from Proto-Germanic, *land* ("land") and from Proto-Indo-European, *lend-* ("land, heath").

2. Definition of Land as per revenue laws

As per U/s-2(14) of the OLR Act, 1960, "Land" means land of different classes (Class-I, II, III and IV) used or capable of being used for agricultural purposes and includes homestead. Land can be classified as follows.

- **Class I** – Irrigated land in which two or more crops (i) were in any year within a period of three years before the commencement of the Orissa Land Reforms (Amendment) Act, 1973, grown or (ii) can be grown in a year.
- **Class II** – Irrigated land in which not more than one crop (i) was, in any year within a period of three years before the commencement of the Orissa Land Reforms (Amendment) Act, 1973, grown or (ii) can be grown in a year.
- **Class III** – Land, other than irrigated land, in which paddy (i) was, in any year within a period of three years before the commencement of the Orissa Land Reforms (Amendment) Act, 1973, grown or (ii) can be grown in a year.
- **Class IV** – Any other land. *Explanation* – For the purposes of this clause, tanks, coconut gardens and orchards (except orchards growing banana), shall be deemed to be Class III land.

Generally, land can also be categorized into two broad classes, i.e., private land and Government land.

2.1 Government Land

- ❖ U/s 2 (b) of the OGLS Act, 1962, Government land means any waste land belonging to Government whether cultivable or not, recorded as House

site, Anabadi, chot jungle, puratan patit, nutan patit, parityakta bedakhali, Gochar or by any other description whatsoever; any other description whatsoever includes, Khasmahal land (Government estates and the rent of which are payable under Bengal land Revenue Settlement Regulation, 1822 or 1825), Nazul lands, Gramkantha Paranboke lands of es-madras areas and Abadi lands. Other than the Private land and land belonging to different departments of the State and the Government of India, local bodies, all other lands of the village shall be recorded under Government Khata, such as, Abada Ajogya Anabadi, Abada Jogya Anabadi, Rakhit and Sarbasadharana.

- ❖ Section 2 of the OPLE Act, 1972 defines the term as *property of Government/Government land* that includes the following types of lands i.e. U/s-2 (a) all public roads, streets, lanes and paths, the bridges, ditches, dikes and fences, on or beside the same, the bed of the sea and of harbours and creeks below high water mark and of rivers, streams, nalas, lakes and tanks and all canals and water courses and all standing and flowing water and all lands including temple sites, house sites or backyards wherever situated, save in so far as the same area -
- Lands belonging to Ex-Rulers of Ex-intermediaries.
 - Lands belonging to people paying rent in any form to intermediaries.
 - Lands for which rent is paid to Government.
 - Lands of registered land holders with proprietary rights.
 - Any land held under the Government by any person.
 - Departmental or local authority lands.
 - Land acquired under the Land Acquisition Act 1894 or any such act in force.
 - Immovable properties of Ex-Rulers settled in their favour.
 - Lands belonging to PSUs.
 - Lands belonging to Government undertakings or in which Government has substantial stake or control.

3. Lease-at a glimpse

A contract or an agreement between leaser and lessee by which one party conveys land, property, services, etc. to another for a specified time, usually in return for a periodic payment under certain terms and conditions. Usually, lease of Government land can be granted for the following purposes, such as,

I. Lease for homestead and agriculture purpose

II. Lease for industrial purpose.

III. Lease for Government organization, institutions, departments etc. (called as alienation)

3.1 Objectives of lease of Government land for industrial purpose

- ✓ Rapid industrial development
- ✓ Maintaining a sustained growth in productivity
- ✓ Enhancing gainful employment
- ✓ Achieving optimal utilization of human resources
- ✓ Attaining international competitiveness
- ✓ Transforming the state/country into a major partner and player in the global arena.
- ✓ Balanced regional growth of industries.

4. Laws/Acts for lease

While the Odisha Survey and Settlement Act, 1958 and the Odisha Land Reforms Act, 1960 took care of the issues relating to use of private lands and ownership thereof; regulating the use and ownership of Government land was the foremost concern during the commencement of 1960s in the state. Before 1962, Settlement/lease of Government land was made by way of executive instructions, various Acts, Rules, Orders, Customary practices and usages in force in various parts of the state. In order to settle Government land in a planned and consistent mode throughout the state, the Odisha Government Land Settlement Act, 1962 was enacted and Rules thereof was structured. The Government of Odisha took cognizant judgment to put in place some law regulating the procedure of dealing with Government lands in the entire state in a consistent approach. A set of uniform principles regarding lease of Government waste lands superseding the provisions of different Acts, Rules, Orders as well as conventional and customary practices were enforced with the introduction of the Odisha Government Land Settlement Act, 1962. Instead of tinkering with individual laws the Act introduces planned manner uniformly throughout the State for settlement and lease of Government lands.

The Odisha Government Land Settlement Act, 1962 (Act 33 of 1962) came into force on the 13th day of November, 1962 and covered the entire state of Odisha. Section-3 of the Act explains that notwithstanding anything contained in any other law for the time being in force; the Government has the

power to reserve any Government land or its portions for residential, habitation, communal, or industrial purposes.

Nonetheless, “*Gochar*” lands cannot be settled in pursuance of the above provisions unless de-reserved according to the provisions laid down in section 3-A of the OGLS Act, 1962.

5. Reservation and Settlement of Government Land

As per under section-3 of OGLS Act, 1962, notwithstanding anything to the contrary in any law or any custom, practice or usage having the force of law, Government shall not be deemed to be debarred from exercising all or any of the following powers in respect of Government lands, namely,

- (a) To reserve such portion of the lands as they deem proper for the purpose of being used as house-sites or for any communal or industrial purpose or for any other purpose whatsoever.
- (b) To charge premium for settlement of any such land.
- (c) To charge rent for the lands so settled.
- (d) To charge fees on applications for settlement of lands and such other fees as may be necessary for or incidental to the disposal of such fees shall be payable in the prescribed manner.
- (e) To authorize any officer of Government not below the rank of a Tahasildar to dispose of applications for settlement of lands and to settle the same in such manner as may be prescribed and subject to the provisions of Sub- sections (2) and (3).

6. Lease of Government land

6.1 Applicants for Lease of Government Land (other than Individuals)

- a) Central Government Ministry or Department.
- b) State Government Department.
- c) Corporation or Company or Society or Agency owned by Central Government.
- d) Corporation or Company/Industry or Society or Agency owned by State Government.
- e) Public Limited Company/Industry or Private Limited Company/Industry other than those in (c) and (d).
- f) Registered Society or Trust other than in (c) or (d).
- g) Any other entity such as Educational Institutions, Private Organizations etc.

6.2. Leasability criteria of the land to be settled

1. The land applied for lease shall be free from encroachment and encumbrances.
2. The land must not be a questionable land, i.e., chara, diara or Gochar.
3. There shall not be any sairat source over the land.
4. The suit land shall be connected with road.
5. The suit land shall not be a forest land. Before submission of the proposal, the DLC report shall be verified. Forest land cannot be leased out without the prior approval of Ministry of Environment and Forest in view of the provisions of Forest (Conservation) Act, 1980 read with the order dated 12.12.1996 passed by the Hon'ble Supreme Court of India in W.P. (C) No. 202/95.
6. The suit land shall not be leased out to any individuals/organization earlier. Lease register shall also be verified regarding pendency of any application pertaining to the suit plot.
7. There shall not be any communal right of the public over the suit land (The guidelines contained in R and DM Department letter No. 25616 dt. 27.08.2014 shall be followed regarding change of classification of land classified as communal in the Record of rights. The earlier instruction issued by the erstwhile revenue and Excise Department letter No. 44485/R Dt. 05.10.1991 was withdrawn).

6.3 Application and Documents required for Lease/Alienation (other than Individuals)

- Application in Form I A in quadruplicate u/r 5 (2).
- Land Schedule and land plan in quadruplicate.
- Authorization of the Organization in favour of the representative applicant.
- Attested true copy of the Certificate of incorporation or registration, if applicable.
- Attested true copy of Memorandum or Articles of Association, if applicable.
- Copy of audited statement of accounts for last three years.
- Land utilization plan.
- Willingness to pay the requisite Government dues.
- Administrative approval where ever applicable.

Note: - Documents at Sl. No. (4) to (6) shall not be required in respect of applicant organizations of State Government or Central Government such as:

- Central Government Ministry or Department.

- State Government Department.
- Corporation or Company or Society or Agency owned by Central Government.
- Corporation or Company or Society or Agency owned by State Government.

6.4 Fees payable in course of lease/ alienation proceedings under Amended Rule, 2013

- Application fees – Rs. 100/- (in shape of court fee)
- Proclamation fees - Rs. 50/- (in shape of court fee)
- Measurement Fees per plot – Rs. 100/-
- Objection petition - Rs. 20/- (in shape of court fee)
- Fees for serving of individual notice - Rs. 50/- (in shape of court fee)
- Fees for issue of general notice - Rs. 50/-(in shape of court fee)

6.5 Government dues to be accessed while leasing out the Government Land

Premium (One time), Annual Ground Rent (1% of premium fixed), Cess (75% of annual ground rent) and Incidental Charges (Onetime; 10% of premium so fixed) including interest if applicable. (Other than cases of special concessions granted by Government, premium is generally fixed on the basis of the Benchmark valuation or highest market value of the village to be obtained from the Sub-Registrar and of course the area under lease proposal while lease gets recommended by the Tahasildar). Industrial Policy Resolution (IPR) also prescribes concessional rate for lease of Government land zone wise for promoting industrialization in the state.

6.6 Stages of lease of Government land for industrial purpose

1. Filing of application in Form-IA.
2. On receipt of applications, it shall be immediately entered chronologically in the lease register maintained in Form No. II.
3. There shall be two registers one for the urban area and another for the rural area.
4. Verification of records by the R.K.
5. Field verification report from the R.I. and Office Amin.
6. The Tahasildar shall issue proclamation in Form No. III inviting public objections, if any, if he is satisfied that the suit land is leasable and the applicant is eligible.

7. General proclamation shall be published in the locality in the manner as prescribed in Rule 5(5)¹. {¹ U/R 5(5) of the OGLS Rule, 1983 2) General notice shall be issued in the prescribed Form No. III. 3) Notice shall be signed with date by the Tahasildar. 4) Court seal and seal of the Tahasildar shall be affixed. 5) P.R No. and date shall be indicated. 6) Name of the applicant, address, purpose of lease and detail land schedule shall be indicated. 7) Beat of drums. 8) By affixing a copy at a conspicuous place in the village in presence of at least two nos. of independent witness. 9) If the village is uninhabited, the notice shall be published in the nearest village. 10) Notice shall be published by affixing in the notice board of the Tahasil Office, GP Office, NAC and Municipality Office.}

8. On expiry of stipulated period of the proclamation, the Tahasildar shall hear and disposed of objection petition received during the proclamation period.

9. Thereafter, the case record will be submitted to the Sub-Collector.

10. While submitting the case record, the Tahasildar shall pass orders carefully.

The order of the Tahasildar shall contain

- a) The provisions of law on which the case is initiated.
- b) Name and detail address of the applicant.
- c) Detail land schedule.
- d) Eligibility of the applicant.
- e) Leasability of the suit land.
- f) Regarding de-reservation (for Gochar land) and change of classification u/r 34 (e) of the OSS Rules, 1962 if required.
- g) The Tahasildar shall indicate as to whether the applicant is a Department of the Government In such case, alienation shall be made free of all charges in view of the provisions of Rule 283(1) of Orissa General Financial Rule, Vol-I communicated by the Finance Department vide office memorandum No. 26279/F.D dated 09/06/1999. The relevant paragraph is quoted below. "283(1)- When any land or building is transferred from one Department to another of the State Government, the transfer shall be free of all charges".
- h) Calculation of premium, rent, cess and incidental charges payable by the applicant other than a Department of the Government
- i) Competency of the Officer to sanction the lease shall be reflected as indicated in schedule-II.

7. Procedure for settlement of Government Land for industrial purpose

All applications for settlement of Government land irrespective of purpose of lease or the extent of area involved either in urban area or rural area

shall be filed before Tahasildar having jurisdiction over the area in which land is situated.

- Application for settlement of land shall be in Form-1A with all requisite fees.
- On receipt of applications, application shall be immediately entered chronologically in a register maintained in Form-II. There shall be two such registers, one for the urban area and another for the rural area.
- On receipt of application, Tahasildar shall cause an enquiry/ verification with respect to RoR and Map by the Record Keeper, ascertain whether land is free from encroachment or encumbrance or not, and whether the lease can be granted and whether any de-reservation is required.
- The R.I. and Amin shall be directed to enquire the field position vis-à-vis the land schedule for which the lease has been applied and to submit a detailed report regarding the land. In the meanwhile, Tahasildar has to verify the DLC report - as forest land cannot be leased out without the prior approval of Ministry of Environment and Forest in view of the provisions of Forest (Conservation) Act, 1980 read with the order dated 12.12.1996 passed by the Hon'ble Supreme Court of India in W.P. (C) No. 202/95.
- Tahasildar has to verify the pendency of any application pertaining to the suit plot.
- Whether the applicant is eligible to get the land for the purpose for which he has applied and the like. Such verification shall as far as prescribed, be completed within a period of fifteen days from the date of receipt of the application. If after verification/enquiry, it is ascertained that land cannot be settled because of non-availability of land in question or non-eligibility of the person applying for the land or the like, Tahasildar shall reject the application after recording in writing reasons of such rejection in respect of each application.
- If after necessary verification, as mentioned in sub-rule (3) of OGLS Rules, 1983, Tahasildar finds that land can be settled then Tahasildar shall publish a proclamation in Form No. 3 (by beat of drum 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 the presence of not less than two person of the locality. If the village is un-inhabited, the notice shall be published in the nearest inhabited village. A copy of the proclamation shall be published in the Notice Board of the Tahasil office and a copy

shall be sent to the Gram Panchayat or Notified Area, Council or Municipality, as the case may be or urban where the land is situated), inviting objection, fixing a date for hearing the said objection, if any. The proclamation period is 30 days.

- Within the period of proclamation or later on, the Tahasildar has to make a spot visit to ascertain that the applied land for lease is
 - ✓ Free from encroachment and encumbrances
 - ✓ No sairat source over the land
 - ✓ No valuable tree growth
 - ✓ Suit land is well connected with road
 - ✓ No obstruction to flow of rain water/natural water course
 - ✓ No obstruction to the passage of animals and public
 - ✓ Will not create any hindrance to the nearby land owners, if any
 - ✓ Suit land is not a forest land in its hal or sabik record
 - ✓ There is no communal right of the public over the suit land
- After completion of stipulated period of proclamation, the Tahasildar shall dispose of objections, if any, in writings, in separate case records.
- After disposing objections or immediately after completion of proclamation period, where no objection has been filed, the Tahasildar shall, if he satisfied that the applicant is deserving and there is no objection to settlement on any ground, make order granting such settlement of the land applied for or any portion thereof and submit the case record, after expiry of the appeal period, to the Sub-divisional Officer having jurisdiction for approval or he will submit case record to such officer as empowered under schedule-II of OGLS Rules, 1983.
- One of the evidences would be that the land in question is recorded as Khasmahal, Nazul, Gramkantha Paramboke, or Abadi in the sabik records and as *Gharabari* in the current settlement record.
- If such sabik records are not available, the Tahasildar will record it and proceed with the inquiry in accordance with the procedures established by law.
- Tahasildar will then either settle, or reject, or submit the case record for confirmation to Sub-Collector who on turn will settle, reject, or submit the same to the Collector who may settle or reject the case or remand it to lower courts with observation.

7.1 Intimation slip and lease deed

In all cases where a settlement of land is granted, an intimation slip in Form-IV shall be issued by the Tahasildar in the name of the lessee. Lease deed as wherever necessary, shall be executed and registered at the cost of the lessee.

8. Power to Sanction and Settlement of Government Land (Schedule II)

Sl. No.	In whose favour	Officer exercising powers	In Rural area	In Urban area
1.	In favour of small and medium Industries	Collector	Not exceeding five acres on the recommendation of the District Industries Centre	Not exceeding one acre on the recommendation of the District Industries Centre
2.		RDC	Exceeding five acres but not exceeding ten acres on the recommendation of the District Industries Centre	Exceeding one acre but not exceeding five acres on the recommendation of the District Industries Centre

9. Checklist

The Secretary to RDC, C.D., Cuttack in letter No. 710/Rev.1 dated 02.03.1996 has communicated a checklist to all the Collectors to process the lease/ alienation applications before submission of proposal to higher quarters. The Joint Secretary, Board of Revenue, Odisha in his letter No. 2288/Rev-1 dated 22.12.2011 has circulated a checklist for scrutiny of proposals for lease/ alienation of Government land.

The Tahasildars while submitting the lease applications shall fill up the check list and submit the case record along with the check list to the Sub-Collector.

Checklist scrutiny of proposal for Lease/Alienation of Government Land

1.	Name of the Applicant	
2.	Name of the Dept. / Organization/ Company/ Development Authority that applied for lease/Alienation	
3.	Whether the Applicant has been duly authorized to file such requisition	
4.	Purpose for which the land is required	
5.	Whether requisite court fees paid	
6.	Details of land schedule	
7.	Whether proclamation notice inviting public objection u/r of OGLS Rules has been issued and duly served?	
8.	Whether any objection in response to proclamation notice received or not. If received the nature of disposal of such objection	
9.	Site selection/spot visit (if the site is not selected through site selection committee, then Tahasildar shall conduct spot visit and prepare an exhaustive Spot Visit Memorandum covering all field details, like, date of spot visit, present status of land, suitability of the land for the purpose requisitioned, adequate justification for such lease including minimum requirement of land by making of an efficient land-use plan etc.)	
10.	Whether the land is leasable?	
11.	Whether de-reservation of Gochar land done?	
12.	Whether forest clearance in the case of forest land, if any, obtained or not for its diversion under Forest Conservation Act?	
13.	Trace map, whether prepared, authenticated and enclosed to the Case Record or not?	
14.	Whether the proposed land is entitled to concessional/premium under IPR Rate or not?	
15.	Whether any undertaking to pay Government dues has been submitted by the Applicant or not?	
16.	Whether any Government policy decision taken for lease of Government land?	
17.	Whether MoU with Government has been signed?	
18.	Whether premium, Ground rent, Cess and incidental charges duly assessed?	
19.	Defects, statutory or procedural or otherwise, if any noticed?	

10. Conclusion

Industrialization plays a very pivotal role in the economic growth of underdeveloped/developing countries. Consequently, it is pursuing policies that support privatization and deregulation of the economy. The process of industrialization demands, for its utmost success, certain services that only Government can offer, including certain central economic functions i.e., legal, monetary, land, fiscal aiming at the highest welfare of the deprived.

Revenue and Disaster Management Department, Government of Odisha is playing essential role in industrialization, economic development and equally promoting industrial research and technological change in the State through successful implementation of various acts, rules and schemes for settlement of land for industrial purpose in Odisha.

11. References

1. Odisha Government Land Settlement Act, 1962
2. Odisha Government Land Settlement Rules, 1983
3. Odisha Land Reforms Act, 1960
4. Odisha Prevention of Land Encroachment Act, 1972
5. Odisha Prevention of Land Encroachment Rules, 1985
6. www.revenueodisha.gov.in
7. <http://rotiodisha.nic.in/>
8. Records of Tahasil Office, Bonth, Bhadrak.

12. A model Case Record for Example (Please see Annexure-I)

ORDER SHEET

ORISSA RECORD MANUAL, 1964, PARA 207 (1)

Form Date To Tahasil.-Bonth

P.S.: Bonth, Thana No-121.Village- Bonth

Sub-Division: - Bhadrak, District: Bhadrak, Lease Case No-01 /2018.

Type of Case: Industrial Lease

Sl. No. of order and Date	Order of officer and Signature	Remarks															
1	2	3															
1 01.05.2018	<p>Perused the application filed by the Managing Director, M/S XYZ Pvt. Ltd., Bonth, Bhadrak in Form No. I A U/r 5(2) of the OGLS Rules 1983 and the OGLS Amendment Rule, 2013 vide his letter No. XXXXX dt. 28.04.2018 along with land schedule and land plan in quadruplicate for lease of the following schedule of Govt. Land for establishment of industries.</p> <table border="1" data-bbox="411 860 1251 981"> <thead> <tr> <th colspan="5" style="text-align: center;"><u>Land Schedule</u></th> </tr> <tr> <th style="text-align: center;"><u>Mouza</u></th> <th style="text-align: center;"><u>Khata No</u></th> <th style="text-align: center;"><u>Plot No</u></th> <th style="text-align: center;"><u>Area</u></th> <th style="text-align: center;"><u>Kissam</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Bonth</td> <td style="text-align: center;">75(AJA)</td> <td style="text-align: center;">517</td> <td style="text-align: center;">Ac.1.85</td> <td style="text-align: center;">Patita</td> </tr> </tbody> </table> <p>The Application fees of Rs. 100/- has been affixed in shape of Court Fees. The proclamation fees of Rs. 50/- has also been affixed in shape of Court Fee.</p> <p>Institute a lease case under Rule 5(3) of the Orissa Government Land Settlement Rule, 1983.</p> <p>Ask the Record Keeper to verify the RoR and report about the record position within three days.</p> <p>The R.I., Apanda and Amin, A. Das are directed to enquire the field position vis-à-vis the land schedule for which the Lease has been applied and submit a detailed report before the next date.</p> <p>Intimate the Applicant to deposit the demarcation fees of Rs. 100/- @ Rs.100/- per plot with Nazir of this office on acknowledgment of proper receipt.</p> <p>Request the DFO, Bhadrak to intimate whether the suit plots find place in the DLC report and whether the same are notified U/s-30 of Forest Act, etc.</p> <p>Case posted to 28.05.2018 and put up on 28.05.2018. (Dictated)</p> <p>Tahasildar, Bonth. Tahasildar, Bonth.</p>	<u>Land Schedule</u>					<u>Mouza</u>	<u>Khata No</u>	<u>Plot No</u>	<u>Area</u>	<u>Kissam</u>	Bonth	75(AJA)	517	Ac.1.85	Patita	
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Bonth	75(AJA)	517	Ac.1.85	Patita													

Continuation of Order Sheet

2 28.05.18	<p>The case record is put up today. Gone through the report of R.I. Apanda and Record keeper which are attached and made part of the case record.</p> <p>The R.K has reported that the case land for which lease has been applied coincides with the Land Schedule in the RoR of Mouza –Bonth. The present status of land Schedule recorded under AbadaJogyaAnabadi Khata of the village is given below which has been published during the HAL Settlement operation of 1962–63 i.e. before 25.10.1980. There is no recording of “Sabik Kissam- Jungle” in the remarks column of the plots for which lease has been applied. The land in question is leasable in nature. The report of the R.K. along with the true copy of the RoR are attached and made part of the case record.</p>										
	<p style="text-align: center;"><u>Land Schedule</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Mouza</th> <th style="text-align: left;">Khata No</th> <th style="text-align: left;">Plot No</th> <th style="text-align: left;">Area</th> <th style="text-align: left;">Kissam</th> </tr> </thead> <tbody> <tr> <td>Bonth</td> <td>75(AJA)</td> <td>517</td> <td>Ac.1.85</td> <td>Patita</td> </tr> </tbody> </table>	Mouza	Khata No	Plot No	Area	Kissam	Bonth	75(AJA)	517	Ac.1.85	Patita
Mouza	Khata No	Plot No	Area	Kissam							
Bonth	75(AJA)	517	Ac.1.85	Patita							
	<p>The R.I Apanda has reported that :-</p> <p>a) That, the case land for which lease has been applied stands recorded under AJA Khata of village Bonth which is suitable for establishment of Industry. [if same plot is Gochar]</p> <p>b) That, the proposed land is free from Encroachment.</p> <p>c) That, there is road connectivity to the proposed site.</p> <p>d) That, there is no Sairat sources exist in the case land.</p> <p>e) That, the case land does not find place in the ayacut area.</p> <p>f) That, there is no public inconvenience and objection.</p> <p>g) That, there is no forest growth of timber value over the case land.</p>										

Comment [O1]: The RK and the RI have reported that the case land is Gochar in Kism belonging to Rakhit Khata which is per se not leasable. The RI has submitted his report along with calculation of the effective area which reveals that there is surplus gochar in the village to the extent of Ac 198.40.

Calculation of Effective Area

1. Gochar (- sand hil)	Ac. 98.43 dec
2. Pvt Agl. Land	Ac. 56.76 dec
3. Vill. Forest	Ac. 31.21 dec
4. Waste Land(Arable)	Ac 12.00 dec
Total	Ac. 198.40 dec
Effective area	198.40 x 20 / 23 = Ac 172.52 dec
5% of effective area as Gochar	Ac .863 dec
Surplus Gochar	= 98.43 - 8.63 = Ac 89.80 dec

The RI reports that,

- The Gochar land under proposal of lease is no longer required / no long serve the purpose / is in excess of reasonable requirement for which it was reserved.

Start a De-Reservation proceeding U/r 4 of OGLS Rules 1983.
Put up after change of kism and khata after the de-reservation proposal is approved.

Continuation of Order Sheet

- h) That, the applied land comes within the compact patch of the applicant industry.
- i) That, the land plan for the applied land has been verified and found to be correct up to the scale and field position.
- j) That, the land in question is leasable in nature. [if belongs to SS Khata]

The report of the RI is attached and made part of the case record.

On verification of the Land Schedule vis-à-vis, RoR and field position, it is found that the land for which lease has been applied are found to be leasable in nature.

However, put up on 02.06.2018 for my spot visit along with RI Apanda and office Amin so as to verify and to have a spot visit memorandum.

Case posted to 02.06.2018 and put up on 02.06.2018.

(Dictated)

Tahasildar, Bonth.

Tahasildar, Bonth.

3
02.06.2018

This case is taken up today for my spot visit. Visited the field along with the RI Apanda and office Amin Sri. A. Das and verified the following Schedule of Land for which lease has been applied.

Land Schedule

<u>Mouza</u>	<u>Khata No</u>	<u>Plot No</u>	<u>Area</u>	<u>Kissam</u>
Bonth	75(AJA)	517	Ac.1.85	Patita

On verification it is found that the suit plots are free from encroachment and there is no public inconvenience. The suit plots have

Comment [O2]:

- 1) Land Acquisition
- 2) Sanction of Government in R& D Department is required
- 3) Follow Circular no. 25616 / R&DM dtd 27.08.2014 where ever applicable.

Continuation of Order Sheet

not given in Advance possession to Odisha State Cashew Dev. Corporation Ltd. There is no valuable tree growth of timber value. There is no Sairat source exists over the suit plots. The suit plots are suitable for industrial purpose.

The spot visit memorandum is attached and made part of the case record.

As such issue proclamation in Form No. III U/r 5(4) of the OGLS Rule, 1983 inviting objections from the general public within a period of 30 days from the date of publication of such proclamation.

Request the Sub-Registrar, Bonth to report the bench mark valuation / highest sale statistics of lands of the said village.

The Applicant has deposited Rs 100/- vide MR No XXXXXX dt.15.6.2018.

Put up after the objection period is over.

Case posted to 05.07.2018 and put up on 05.07.2018.

(Dictated)

Tahasildar, Bonth.

Tahasildar, Bonth.

4
05.07.2018

This is taken up today. This case is instituted on basic of the requisition filed by the Applicant i.e. the Managing Director, M/S XYZ Pvt. Ltd., Bonth, Bhadrak in Form No. I A U/r 5(2) of the OGLS Rules, 1983 and the OGLS Amendment Rule, 2013 along with land schedule and land plan in quadruplicate for lease of the following schedule of Govt. Land for establishment of industries.

Land Schedule

<u>Mouza</u>	<u>Khata No</u>	<u>Plot No</u>	<u>Area</u>	<u>Kissam</u>
Bonth	75(AJA)	517	Ac.1.85	Patita

Continuation of Order Sheet

<p>The requisite application fees Rs.100/- has been realized in shape of court fees. The demarcation fees of Rs.100/- has also been realized vide MR No. XXXXX dt. 15.06.2018. Proclamation fees of Rs. 50/- has also been realized in shape of court fees.</p> <p>The R.K has reported that the case land for which lease has been applied coincides with the land status recorded in the RoR. He has also reported that, the present status of land Schedule recorded under AbadaJogyAnabadi Khata of the village, Bonth has been published during the HAL Settlement operation of 1962-63 i.e. before 25.10.1980. There is no recording of "Sabik Kissam- Jungle" in the remarks column of the plots for which lease has been applied. The land in question is leasable in nature. The report of R.K has been made part of the case record. The true copy of Khatian having the land in question is attached and made part of the case record.</p> <p>The RI Apanda has reported that :-</p> <ol style="list-style-type: none"> 1. That, the case land for which lease has been applied stands recorded under AJA Khata of village Bonth which is suitable for establishment of Industry. 2. That, the proposed land is free from Encroachment (if encroached) 3. That, there is road connectivity to the proposed site. 4. That, there is no Sairat sources exist in the case land. 5. That, the case land does not find place in the ayacut area. 6. That, there is no public inconvenience and objection. 7. That, there is no forest growth of timber value over the case land. 8. That, the applied land comes within the compact patch of the applicant industry. 9. That, the land plan for the applied land has been verified and found to be correct up to the scale and field position. 10. That, the land in question is leasable in nature. <p>The report of the RI has also been made part of the case record.</p>	
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Comment [O3]: The RI has reported that the following plot is under encroachment of the applicant/others.
As the land is under encroachment
As such initiate Encroachment Case under OPLE Act and put up after reaching the logical conclusion in that case.
Issue extract of order to the BC, Encroachment Case.

Continuation of Order Sheet

<p style="text-align: center;">I have personally visited the spot along with R.I Apanda and Office Amin A. Das. It is found that the land is suitable for establishment of Industry. The spot visit memorandum has been attached and made part of the case record. As ascertained, the case land has not been given in advance possession to the Orissa State Cashew Development Corporation Ltd.</p> <p style="text-align: center;">General proclamation published under rule 5(4) of OGLS rule 1983 inviting public objection has been served U/r 5(5) of the said rule in the locality. The served copy of the proclamation is attached and made part of the case record. No objection has been received during the statutory period. (If objection is found)</p> <p style="text-align: center;">The DFO, Bhadrak has reported that the scheduled land does not find place in the DLC report and no proposal u/s 30 of the Forest Act is under consideration. The report of the DFO is attached and made part of the case record.</p> <p style="text-align: center;">The Sub-Registrar, Bonth has intimated the benchmark valuation / highest sales statistics of the village Bonth. The valuation report of the Sub-Registrar, Bonth is attached and made part of the case record. I have personally visited the spot along with R.I Apanda and Office Amin A. Das. It is found that the land is suitable for establishment of Industry. The spot visit memorandum has been attached and made part of the case record. As ascertained, the case land has not been given in advance possession to the Orissa State Cashew Development Corporation Ltd.</p> <p style="text-align: center;">General proclamation published under rule 5(4) of OGLS rule 1983 inviting public objection has been served U/r 5(5) of the said rule in the locality. The served copy of the proclamation is attached and made part of the case record. No objection has been received during the statutory period.</p> <p style="text-align: center;">In view of the above facts and circumstances and as the Applicant</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Comment [O4]: One objection petition has been received from one X of village Y against the proposed lease. Issue notice to the objector to remain present in this court the next date for hearing on 10/07/2018. [u/r 5 (6)]</p> </div> <p>10/07/2018: The objector is present. Heard him at length. He objects to the lease proposal on the following grounds. "" As per the record position and the field enquiry report it is found that the grounds of objections are frivolous and therefore has no merit. Hence the objections are considered and rejected being devoid of any merit. Put up on 15/07/2018 for final order.</p>
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Continuation of Order Sheet

has filed the requisite documents along with willingness to pay the Govt. dues and as the land is leasable and suitable for the purpose for which lease has been applied and as no objection has been filed for the proposed lease and as no legal impediment has been reported so far to the proposed lease, proposal for sanction of lease for in favour of M/S XYZ Pvt Ltd represented by Managing Director, XYZ Pvt Ltd., Bonth, Bhadrak with its head office at- Kolkata, West Bengal is hereby submitted for the following schedule of land subject to payment of the Govt. Dues and under the terms and conditions as per law.

Land Schedule

<u>Mouza</u>	<u>Khata No</u>	<u>Plot No</u>	<u>Area</u>	<u>Kissam</u>
Bonth	75(AJA)	517	Ac.1.85	Patita

On the event of sanction of lease, the lessee shall be liable to pay the following Govt. Dues as calculated below.

1. Premium for Ac 1.85dec land @ 10 lakh per acre	Rs. 18,50,000
2. Annual Ground Rent @ 1% of Premium	Rs. 18,500
3. Cess (75 % of Ground Rent)	Rs. 13,875
4. Incidental Charges @ 10% of Premium	Rs. 1,85,000
Total	Rs. 20,67,375

(Rupees Twenty Lakh Sixty Seven Thousand Three hundred Seventy Five) only.

After sanction of lease the lessee shall have to deposit the above amount fully and execute the lease deed with the sanctioning authority within Six month from the date of sanction of the lease.

As per the Schedule II U/r 11 of the OGLS rules 1983 the Collector, Bhadrak has been vested the power to sanction settlement of Govt. Land in the instant case.

Case posted to 27.07.2018 and put up on 27.07.2018.

(Dictated)

Tahasildar, Bonth

Tahasildar, Bonth

Continuation of Order Sheet

	<p>has been pleased to sanction the lease. As such ask the lessee to deposit the Govt. Dues of Rs. 20, 67,375/- immediately with Nazir of this office and execute the lease deed within the stipulated period as per sanction order.</p> <p>Nazir is directed to receive the above amount on proper receipt.</p> <p>Put up the case after realization of the Govt. Dues.</p> <p>(Dictated)</p> <p>Tahasildar, Bonth Tahasildar, Bonth</p>	
<p>9 28.08.2018</p>	<p>This case is taken up today. The lessee has deposited the requisite Govt. Dues of Rs. 20, 67,375/- vide MR No. 223391 dtd 26/08/2018. Intimate the lessee for further action towards execution of lease deed with intimation to the District Office.</p> <p>(Dictated)</p> <p>Tahasildar, Bonth Tahasildar, Bonth</p>	
<p>10 07.09.2018</p>	<p>This case is taken up today on receipt of the registered lease deed executed between the Collector, Bhadrak on behalf of the Govt. and the lessee. The copy of the registered lease deed is attached and made part of the case record.</p> <p>As such send the case record to the RK for effecting necessary correction in the RoR and issue intimation slip to the RI concerned for further action.</p> <p>(Dictated)</p> <p>Tahasildar, Bonth Tahasildar, Bonth</p>	

Continuation of Order Sheet

11 12.09.2018	<p>This case is taken up today. Necessary corrections have been effected in the RoR. RoR and Intimation slip issued to the stake holder and the RI concerned for necessary changes in his office records and report compliance within seven days.</p>	
	<p>(Dictated)</p>	
	<p>OIC Record Room</p>	<p>OIC Record Room</p>
12 20.09.2018	<p>This case is taken up today. Return copy of intimation slip received from RI. He has intimated that necessary changes in his office records have been effected.</p>	
	<p>As such close the case.</p>	
	<p>(Dictated)</p>	
	<p>Tahasildar, Bonth</p>	<p>Tahasildar, Bonth</p>