

By Fax/e-Mail

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. GE (GL)-S-26/2013- 26223 / R&D.M. Dated 6.7.13

From

Dr. Taradatt, IAS,
Additional Chief Secretary to Government

To

All Collectors

Sub: Instructions regarding direct purchase of private land for social development projects through bilateral negotiation

Madam/ Sir,

I am directed to say that different Departments of the State Government are implementing various schemes and providing funds for construction/ development of social projects such as Anganwadi Centres, Live Stock Aid Centres, Bharat Nirman Rajiv Gandhi Seva Kendra Buildings, Primary Health Centres, Community Centres etc. Execution of these projects is largely dependent on assigning of Government land for such purposes. However, it has come to the notice of Government that various development projects could not be implemented in time either due to non-availability of Government land in the concerned village or Government land being located at faraway places from habitation. Further, since requirement of land for such purposes is usually very small, the existing procedure of acquiring private land under the Land Acquisition Act, 1894 and making it available for the said purposes is time consuming and cumbersome resulting in considerable delay in execution of such projects.

2. In order to overcome these difficulties, formulation of a principle for direct purchase of private land through bilateral negotiation, for timely execution of social development projects undertaken by different Departments was under active consideration of Government for some time past. Government, after careful consideration, have been pleased to lay down the following principles for direct

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purchase of private land through bilateral negotiation, for execution of social development projects.

- (a) Under these principles, private land up to the extent of 10 hectares can be purchased in a revenue village.
- (b) Officers authorised to file requisition under Land Acquisition Act, 1894 will be declared as the competent authority to purchase land under these principles.
- (c) The purchase price of the land required shall be fixed at a flat rate of 175% of the Bench Mark Valuation. Compensation as admissible under L.A Act shall also be paid over and above the land price stated above in respect of buildings, other structures and trees.
- (d) Legal due diligence like obtaining non-encumbrance certificate from concerned revenue authority and establishing a clear title of the seller over the land should be arrived at before purchase of the land.
- (e) Care should be taken to ensure that suitable compact patches of private land are identified for location of different projects in a cluster.
- (f) The suitability of the land for the development projects, accessibility through public road and other facilities like drinking water etc. should be ascertained.
- (g) In case of land belonging to Scheduled Caste/ Scheduled Tribe persons in non-scheduled areas and in case of land belonging to Scheduled Caste persons in scheduled areas, permission shall be obtained from the competent authority. However, in scheduled areas, land belonging to Scheduled Tribes shall not be purchased as the same is prohibited by law.
- (h) No negotiation/ transaction shall be made with intermediaries/ power of attorney holders. Transaction shall be made only with bona fide owners of the land.
- (i) Land purchased under these principles shall be allowed to be registered without any payment of stamp duty and registration fee.

(j) After purchase and registration of the land, the competent authority of concerned Department/ Organisation shall take immediate steps for mutation of the same.

(k) Budget provisions made under L.A Act can be utilised for purchase of private land through bilateral negotiation under these principles.

3. The aforesaid principles would be applicable to any Government project/ scheme. The Public Sector Undertakings may also adopt these principles, if felt necessary.

4. This has been concurred in by the Finance Department vide their UOR No. 399/ MF&PE dated 18.6.2013.

5. These instructions supersede all other instructions issued in this regard earlier.

Yours faithfully,

Manojit
6.7.13

Addl. Chief Secretary to Government

Memo No. 26224 /RDM dated 6.7.13

Copy forwarded to all Departments of Government/ Secretary, Board of Revenue, Odisha, Cuttack/ All RDCs for information and necessary action.

Manojit
6.7.13

Addl. Chief Secretary to Government

Memo No. 26225 /R&D.M. Dated 6.7.13

Copy forwarded to Under Secretary to Govt. (in charge of IMU Cell)/LR &GE(A)/ (B) / (C)/ LA (A)/ (B)/(C)/ R & R Cell/ LR (A)/ (B)/ Registration Branch/ CH&S Branch of Revenue & DM Department for information and necessary action.

Ch
6/7/13

Joint Secretary to Government

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