

THE ODISHA GOVERNMENT LAND SETTLEMENT (AMENDMENT) ACT, 2013

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EXTRAORDINARY

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LAW DEPARTMENT

NOTIFICATION

The 13th November, 2013

No.12417-I-Legis.7/2013/L.,—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 1st November, 2013 is hereby published for general information.

ODISHA ACT 26 OF 2013

**THE ODISHA GOVERNMENT LAND SETTLEMENT
(AMENDMENT) ACT, 2013**

FURTHER TO AMEND THE ODISHA GOVERNMENT
LAND SETTLEMENT ACT, 1962

BE it enacted by the Legislature of the State of Odisha in the Sixty-fourth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Odisha Government Land Settlement (Amendment) Act, 2013.

Amendment
of section 2.

2. In the Odisha Government Land Settlement Act, 1962 (hereinafter referred to as the principal Act), in section 2, in clause (b-2), —

Odisha
Act 33 of
1962.

- (i) for the words “any person” the words “an individual” shall be substituted; and
- (ii) after the words “specify in that behalf” occurring at the end, the words “and includes any company or association or body of individuals whether incorporated or not or any local authority” shall be added.

Amendment
of
section 3-B.

3. In the principal Act, for section 3-B, the following section shall be substituted, namely: —

“3-B. Any officer authorized under clause (e) of section 3 may resume any land settled by him, if he has reasons to believe that—

(a) the person with whom the land was settled, has used it for any purpose other than that for which it was settled; or

(b) the person, other than homesteadless person or landless agricultural labourer, has not used the land for a period exceeding three years from the date of such settlement,

and may impose a penalty of an amount not exceeding one thousand rupees on such person:

Provided that no order under this section shall be passed without giving such person a reasonable opportunity of being heard in the matter:

Provided further that any land settled prior to the commencement of the Odisha Government Land Settlement (Amendment) Act, 2013, if not used within a period of three years from the date of such commencement, the authorized officer shall resume such land.”.

Amendment
of
section 7-A.

4. In the principal Act, in section 7-A, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Notwithstanding anything contained in this Act or any other law, the Collector may, on his own motion or otherwise, call for and examine the records of any proceeding, in which any authority subordinate to him has passed an order under this Act, for the purpose of satisfying himself that any such order was not passed under a mistake of facts or owing to a fraud or misrepresentation or on account of any material irregularity of procedure and may pass such order thereon as he thinks fit:

Provided that no order shall be passed under this sub-section unless the person affected by the proposed order has been given a reasonable opportunity of being heard in the matter.”.

By Order of the Governor
S. PUJAHARI

Principal Secretary to Government