

Manual-I

Particulars of organisation, functions and duties

[Section4 (1) (b) (i)]

❖ CAPITAL ADMINISTRATION -II & IV(LAND BRANCH):

Land Branch is one of the Branches under General Administration Department of Government of Orissa. It is functioning in the third floor of the Southwestern part of Orissa Secretariat. Land Branch consists of two Sections i.e. Section – CA-II & Section – CA-IV.

This Branch deals with administration and management of Government land within the Capital City, Bhubaneswar. Ambit of Capital City is Co-terminus with Bhubaneswar Municipal area. In the year 1952, Government land of all the 09 revenue villages of Bhubaneswar Notified Area Council were transferred to the control of the then Cabinet Department of Government of Orissa for its administration and management. Thereafter different revenue villages were included within Bhubaneswar Urban area and at present Government land of all the 60 revenue villages of Bhubaneswar Municipal Corporation [hereinafter called BMC] area managed by the General Administration Department [erstwhile Political & Services Department and Cabinet Department) of Government of Orissa. Name of the villages along with the notification numbers are enclosed at Annexure-A.

Functions: -

(a) As per Rules of Business of Government of Orissa, function of Land Branch of the General Administration is to control, administer, manage and protect the Government land within the ambit of the Capital City.

Duties: -

Duties of Land Branch are as follows: -

- (i) To protect Government land within the Capital City from encroachments & encumbrances.
- (ii) To allot Government land to Individuals/ Institutions/ Organisations/ Departments of Central & State Government with approval of Government for Residential, Industrial/Institutional/ Commercial and Developmental purposes.
- (iii) To grant permission/order for mortgage, transfer, conversion (for premium paid residential plot only), mutation as per the orders of competent authority.

- (iv) To acquire land for public purposes.
- (v) To protect and defend the interest of State in different Courts so far Government land within BMC Area is concerned.
- (vi) To fix up premium value and annual ground rent of land allotted for different purposes.
- (vii) To provide space on temporary licence basis for different kiosk & socio-cultural activity within the Capital City.

2. Powers of employees:

No power has been conferred on the employees to take any decision on any matter relating to Government land within Capital City.

Duties of employees: -

Duties of the employees of the Land Branch are to process the files and submit to the concerned Zone Officer for scrutiny.

Powers of Land Officer & Additional Land Officers: -

No power has been vested on the Additional Land Officers and Land Officer to take any decision on land matters.

Powers of Director of Estates: -

Director of Estates exercises the following powers subject to control of the Government: -

- a) To consider request for substitution of lessee after the death of original lessee.
- b) To consider conversion of full premium paid residential plots where building has been constructed as per the approved plan and the conversion applications not covered under the Conversion Schemes.
- c) To consider the application for permission to mortgage the leasehold plot with scheduled financial institutions to avail loan.
- d) To permit temporary licence of space for socio-cultural activities within BMC area.
- e) To execute lease deed with the lessees on behalf of the Government.

Duties of Director of Estates

- i) To protect, administer and manage the Government land as per orders of Government.

- ii) To monitor the cases involving government land pending in different courts.
- iii) To submit requisition for acquisition of land within Capital City as required by Government for public purpose.
- iv) To examine and consider the applications of lessees applied for different purposes like to allow substitution of lessee/ transfer of lease plot/ conversion of full premium paid residential Plots/mortgage of leasehold plots and submit the files to Special Secretary where power to take decision is not vested on him.
- v) To execute the lease deed with the lessees.
- vi) To consider other miscellaneous applications.
- vii) To approve Parawise Comments and Written Statements to defend the interest of the state in the Civil Courts/Revenue Courts pertaining to cases involving Government land.
- viii) To act as the Chairman of Site Selection Committee for allotment of Government land for different purposes within BMC area.

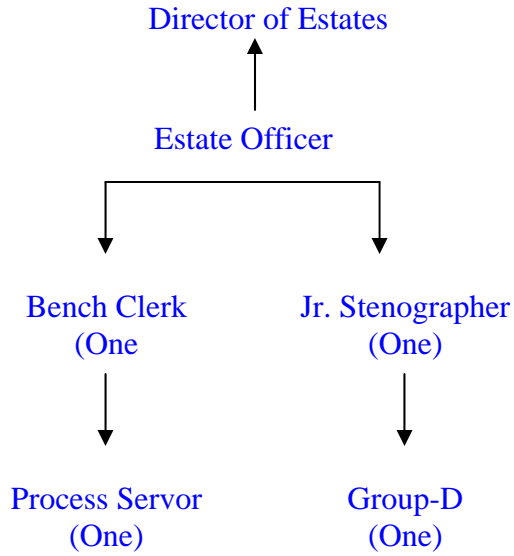
Powers of Special Secretary: -

- i) To consider the request for transfer of leasehold plots where building has been constructed as per the approved plan.
 - ii) To consider the applications for conversion of full premium paid residential plots where the plot is lying vacant/ building has been constructed deviating to the approved plan or without plan/ the building is utilized other than for residential purpose.
 - iii) To approve the Parawise Comments and Counter Affidavits to be filed in the cases pending before Hon'ble Supreme Court and Hon'ble High Court.
3. Norms as set by the Government from time to time guides in discharging its function.
4. No rules, regulations and manuals are held by it or under its control. Instructions issued from time to time by the government are held and followed in the management and administration of Government land. Record relating to allotment of land to different individuals/ institutions/organisations by the erstwhile Cabinet Department/ Political & Services Department and now General Administration of Government of Orissa are held by it. But the following Acts are followed in the management and administration of Government land within BMC area.
- Government Grants Act, **1895**.
 Orissa Public Premises (Eviction of Unauthorised Occupants) Act, 1972.
 Orissa Development Authority Act, 1982.
 Orissa Municipal Corporation Act,**2003**.
 Indian Succession Act,1925.
 Civil Procedure Code
 Indian Evidence Act

Forest Conservation Act, 1980.
Mutation Manual
Orissa Government Land Settlement Act, 1962.
Orissa Prevention of Land Encroachment Act, 1972.
Transfer of Property Act.
Limitation Act
Orissa Survey & Settlement Act, 1958
Board of Revenue Act
Land Acquisition Act
Orissa Estate Abolition Act
Orissa Hindu Religious & Endowment Act

5. Following categories of documents are held in the Land Branch: -
- a) Lease Records of individuals those who have been allotted Government land within BMC area for the purpose of residence/shop-cum-residence/shop/institution/commercial/industrial.
 - b) Lease Records of land allotted to different Organisations/ Institutions/ Departments of Government.
 - c) Case records relating to legal litigations pending in different courts.
6. Government has constituted a Cabinet Sub-Committee consisting of the following public representative to examine;
- i) Formulation of Land Allotment Policy for the Capital City
 - ii) Unauthorised occupation of Government land within Capital City.
- Above issues are under examination of the Sub-Committee.
7. Government in General Administration Department has constituted the Site Selection Committee to examine request for allotment of Government land for institutional/Industrial /Commercial purposes and recommend the eligible cases to Government for consideration. There is no representative of public in the Committee. Committee members consist of;
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| i) Director of Estates | --- | Chairman |
| ii) Government Chief Architect | --- | Member |
| iii) Planning Member, BDA | --- | Member |
| iv) Director, Town Planning | --- | Member |

A minute of the meetings of Site Selection Committee is not accessible to public.



Estate Officer is a court and is appointed U/S 3 of Orissa Public Premises (Eviction of unauthorised occupants) Act, 1972 and vested with powers under all the sections of the said Act. The jurisdiction of Estate Officer is to try cases on land and building unauthorisedly occupied and situated within BMC area and under control of G.A. Deptt.

The Court is manned by one Estate Officer, one Bench Clerk, one Stenographer, one Process Server and one Group-D employee.

