

The Orissa



Gazette

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No. 1657- S-191/2005-R
GOVERNMENT OF ORISSA
REVENUE DEPARTMENT

RESOLUTION

The 16th January 2006

SUBJECT- The Orissa Land Pass Book Rules, 2006

The matter regarding framing of a set of comprehensive executive rules regulating the issue of Land Pass Book to all the land holding families of the State was under active consideration of Government.

2. After careful consideration, Government have been pleased to frame the Orissa Land Pass Book Rules, 2006 as in the Annexure which shall come into force on the date of its publication in the Orissa Gazette.

ORDER- Ordered that the Resolution along with the Annexure be published in the Orissa Gazette.

By order of the Governor
TARUN KANTI MISHRA
Principal Secretary to Government

ANNEXURE

THE ORISSA LAND PASS BOOK RULES, 2006

1. Short title, extent and commencement-

- (1) These rules may be called the Orissa Land Pass Book Rules, 2006
- (2) They shall extend to the whole of the State of Orissa
- (3) It shall come into force on the date of its publication in the Orissa Gazette

2. Definitions – In these rules, unless the context otherwise requires, -

- (a) ‘Annual income’ means the gross annual income of the head of the family together with the total annual income of all the members of the family who are living with him in common mess from all sources, whether agriculture, non-agriculture or any other source;
- (b) ‘BPL family’ means the family identified and notified as such by the Government of Orissa in its Panchayati Raj Department and Housing & Urban Development Department in respect of rural and urban areas respectively;
- (c) ‘Form’ means a form appended to these rules;
- (d) ‘Government land’ means any land as defined in clause(b) of Section 2 of the Orissa Government Land Settlement Act, 1962;
- (e) ‘Head of the family’ means the man or woman of the family having, for time being, responsibility over the family;
- (f) ‘Land Pass Book’ means the Land Pass Book issued under Rule3;
- (g) ‘Register of Land Pass Book’ means the register maintained for the purpose under Rule 3 in the Office of the Revenue Inspector; and
- (h) ‘Tehsildar’ means the Chief Officer-in-Charge of revenue administration of a Tehsil and includes an Additional Tehsildar and any other officer whom the Board of Revenue may appoint to discharge any of the functions of Tehsildar under these rules in any area specified in that behalf.

3. Issue of Land Passbook- (1) Each Tehsil of the State shall be the unit for issue of Land Pass Book and each land holding family of the Tehsil shall be issued with a Land Pass Book.

- (2) Every Tehsildar shall publish a notice in the notice board of the Tehsil Office, Offices of each Grama Panchayat and Revenue Inspector and in each village within the Tehsil area, inviting applications in Form-I for issue of Land Pass Book.
- (3) Each head of the family or any adult member of the family authorised by him shall submit application duly filled in Form-I to the authority and at the place, date and time mentioned in the notice published by the Tehsildar.
- (4) The Revenue Inspector having jurisdiction of the area shall conduct an enquiry within fifteen days from the date of receipt of the application and submit his report to the Tehsildar, and the Tehsildar shall, by order, dispose of the application within thirty days from the receipt of the enquiry report from the Revenue Inspector.

- (5) The Land Pass Book shall be issued in Form-II
- (6) No Land Pass Book shall be issued in respect of Government Land.
- (7) The Land Pass Book shall be issued free of cost in respect of BPL families of the State and a sum of rupees twenty shall be realised from every family other than BPL family towards the cost of Land Pass Book.
- (8) In cases where the original Land Pass Book is lost, mutilated or damaged, a sum of rupees twenty shall be charged to the applicant including an applicant belonging BPL category for issue of a duplicate Land Pass Book.
- (9) Every individual whose name is included in the Land Pass Book may apply for a certified copy of the Land Pass Book from the Tehsildar who, on being satisfied about the identity of the applicant, shall issue such certified copy within fifteen days after realizing from him an amount of rupees thirty-five and, where the application is rejected, the reason of such rejection shall be informed to the applicant within the said time limit.
- (10) (a) The Land Pass Book issued under these rules shall remain valid up to three years or till the same is reviewed by the Competent Authority.
(b) It shall be the responsibility of every Land Pass Book holder to intimate the Tehsildar any change occurred during the said period and get it updated.
(c) The Tehsildar may make *suo motu* revision of the Land Pass Book in case of any change therein after giving an opportunity of being heard to the head of the family or any adult member of the family authorised by him whose name has been included in the Land Pass Book.

4. Applicability of the Land Pass Book- (1) The Land Pass Book may be used as an authoritative document for the following purposes in lieu of a Miscellaneous Certificate issued under the Orissa Miscellaneous Certificate Rules, 1984 for any of such purposes:-

- (a) Scheduled Tribe / Scheduled Caste Certificate
- (b) Income Certificate
- (c) Residential Certificate
- (d) Legal Heir Certificate for limited purposes such as drawal of pension, gratuity, arrear salaries, provident fund and the like.
- (e) Socially and Educationally Backward Class Certificate for educational purpose.
- (f) Identification of farmers
- (g) Identification of BPL family.

(2) The holder of the Land Pass Book shall produce the same before the Competent Authority at the time of each sale, purchase or mortgage of landed property.

5. Appeal- Any person aggrieved by an order passed by the Tehsildar under Rule 3 may prefer an appeal before the Sub-Collector concerned within thirty days of the order passed by the Tehsildar.

6. Revision- Any person aggrieved by an order passed by the Sub-Collector under Rule 5 may prefer a revision before the Collector of the District within thirty days of the order passed by the Sub-Collector.

7. Review of the order- Notwithstanding anything contained in these rules, if it is revealed on subsequent verification or otherwise that the Land Pass Book should not have been granted or the contents thereof require modification, the Tehsildar or any officer superior to him namely Sub-Collector, Collector, Revenue Divisional Commissioner or Member, Board of Revenue, shall be competent to review the orders granting the said Land Pass Book and, after giving the person concerned an opportunity of making any representation which he may wish to make, pass such orders as he deems just and proper in the circumstance of the case, provided no such order shall be reviewed under this rule where an appeal or revision on the same issue was preferred and decided.

8. Removal of doubts- In case of any doubt regarding the procedure to be followed for the purposes mentioned in sub-rule (1) of Rule 4, the procedure provided, if any, for any of such purposes in any of the existing rules or instructions issued by Government shall be applicable, subject to the provisions of these rules.

9. Interpretation – If any question arises relating to interpretation of these rules, it shall be referred to Government for decision.
