

ORISSA ORDINANCE No. 7 OF 1975

# THE ORISSA GOVERNMENT LAND SETTLEMENT (AMENDMENT) ORDINANCE, 1975

*[Promulgated by the Governor on the 4th October 1975, Published  
in an extraordinary issue of the Orissa Gazette,  
dated the 8th October 1975]*

AN

## ORDINANCE

TO AMEND THE ORISSA GOVERNMENT LAND SETTLEMENT ACT,  
1962

WHEREAS the Legislature of the State of Orissa is not in Session;

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Orissa Government Land Settlement Act, 1962 in the manner hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor of Orissa is pleased to make and promulgate the following Ordinance in the Twenty-sixth Year of the Republic of India:—

Short title  
and comm-  
encement.

1. (1) This Ordinance may be called the Orissa Government Land Settlement (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

Amendment  
of section 2.

2. In section 2 of the Orissa Government Land Settlement Act, 1962 (hereinafter referred to as the principal Act), in clause (b), after the words "Parityakta Bedakhali", the comma and the word "Gochar" shall be and shall be deemed always to have been inserted. Orissa Act  
33 of 1962.

Amendment  
of section 3.

3. In section 3 of the principal Act, after sub-section (1), the following proviso shall be and shall be deemed always to have been inserted, namely:

"Provided that no Government land recorded as Gochar shall be reserved for any purpose mentioned in clause (a) or settled under clause (e) without being de-reserved in accordance with the provisions contained in section 3-A."

Amendment  
of section  
3-A.

4. In section 3-A of the principal Act,—

(a) in sub-section (1), after the word and figure "section 3", the words "or any Government land recorded as Gochar" shall be and shall be deemed always to have been inserted;

(b) to sub-section (2), the following proviso shall be and shall be deemed always to have been added, namely:—

"Provided that the officer so authorised shall, in assessing the reasonable requirement for the purpose of Gochar, follow the prescribed principles laying down the quantum of Gochar land to be set apart for use by the community."

validation  
of certain  
actions.

5. Notwithstanding anything contained in the principal Act, no de-reservation of any Gochar land and the subsequent settlement thereof made by the Collector of any district prior to the commencement of this Ordinance in the belief or purported belief that such de-reservation or settlement was authorised under the principal Act, shall be questioned in any court of law or otherwise be open to challenge merely on the ground that the de-reservation and the settlement were not authorised under the principal Act and all such de-reservation and settlement shall be deemed to have been validly made in exercise of the powers conferred by or under the principal Act as amended by this Ordinance.

Dated the 4th October 1975

AKBAR ALI KHAN  
GOVERNOR OF ORISSA