

Government of Odisha
General Administration Department

ORDER

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CA-IV-Land-90/2013

Government land were allotted to different individuals in the year 1992 with certain terms and conditions specified in Kalinga Nagar plotted Scheme floated in the year 1989. Even after 20 years of allotment, a sizeable number of allottees are found to have not executed/registered their lease deeds for different reasons and they are frequently approaching for regularisation of their cases. Till now the defaulted cases were being examined on case to case basis and decisions were being taken thereon. Now, the land premium of Government land in Bhubaneswar is at par with bench mark valuation of the said area. Keeping in view the increase in land value in the capital, the Government feels it necessary to formulate a uniform policy to deal with defaulted cases in a more transparent and time bound manner. Therefore, Government after careful consideration have been pleased to frame this broad guideline for disposal of pending cases of Kalinga Nagar Scheme.

1. For cases where allotment orders have not been issued to the winners after drawal of lottery, allotment orders shall be issued immediately to the winners of lottery with a direction to deposit the differential premium at prevailing rate and revised ID cost (@ Rs. 2.5 crore per acre) in one instalment within 90 days from the date of issue of allotment order without fine. In case, they fail to deposit the said amount within the specified 90 days, they may deposit the same within further period of 30 days on payment of fine @Rs.50/- for each day of delay on deposit of differential premium and also for delay on deposit of ID cost, failing which allotment shall be automatically cancelled.
2. For cases where land premium has not been deposited by the allottees on the ground that allotment order sent to them have returned due to non-service at their present address and the allottees are coming with a prayer for issue of fresh allotment order, allotment orders shall be issued immediately to the allottees in their permanent address with a direction to deposit the differential premium at prevailing rate and revised ID cost @ Rs. 2.5 crore per acre in one instalment within 90 days

from the date of issue of allotment order without fine. In case, they fail to deposit the said amount within the specified 90 days, they may deposit the same within further period of 30 days on payment of fine @Rs.50/- for each day of delay on deposit of differential premium and also for delay on deposit of ID cost, failing which allotment shall be automatically cancelled. For cases where allotment orders have been despatched both in their present as well as permanent address, their cases shall not be reopened.

3. Where allotment orders have been issued, balance premium has not been paid within the stipulated period as prescribed in Clause-1(2) of the allotment order, but has been paid later and allottees are coming with a prayer for execution of lease deed, for such cases 90 days from the date of issue of allotment order shall be treated as permissible period for the allottees for making payment without fine. If the payment has not been made within 90 days but same has been deposited within further period of 30 days, then fine amount of Rs.50/- per each day of delay shall be collected from the allottees for the delayed period. If payment has not been made within 120 days from the date of issue of allotment order in the manner mentioned above, then it shall be treated as violation of lease condition 1(2) of allotment order and their prayer shall be rejected.

4. For cases, where full premium has been paid within 120 days from the date of issue of allotment order and the lease deed forms have not been supplied to the allottees by the Department, lease deed forms would be supplied immediately to the allottees as per Clause-5 of the allotment order with a direction to deposit the revised Infrastructure Development Cost (ID Cost) @ Rs. 2.5 crore per acre and to execute the lease deed within 60 days from the date of issue of this lease deed form. If he/she fails to deposit and execute the lease deed within 60 days from the date of issue of lease deed form, he/she shall be allowed to deposit the ID Cost and to execute lease within further period of 30 days subject to payment of fine Rs. @50/- per day of delay failing which the allotment shall stand automatically cancelled and the amount of premium deposited shall be refunded to him/her.

5. For cases, where full premium has been deposited in time within 120 days from the date of issue of the allotment order and lease deed forms have been supplied to the allottees, but the lease deeds have not been executed by the allottees within 60 days from the date of issue of lease deed forms but has been executed within further period of 30 days, fine shall be collected @ Rs.50/- per each day of delay. If the lease deeds

have not been executed within 90 days from the date of issue of lease deed form, they shall be allowed to execute lease deed by the cut off date (i.e 31.03.2014), subject to deposit of differential premium at prevailing rate along with the revised ID cost in one go within 90 days from date of intimation. If lease deeds have been executed after 90 days from the date of issue of lease deed form, their cases would be approved on deposit of differential premium at prevailing rate along with revised ID cost @ Rs. 2.5 crore per acre in one go within 90 days from date of intimation, failing which allotment shall stand automatically cancelled.

6. For cases, where allotment orders have been issued, full premium has been paid within 120 days from the date of issue of the allotment order, lease deed formats have been supplied for execution but the allottees have expired without executing the lease deed and the legal heirs now want to execute lease deed, the legal heirs / successors of the allottees shall be allowed to execute lease deed by cut off date (i.e. 31.03.2014) on deposit of differential premium at prevailing rate and revised ID cost @ Rs. 2.5 crore per acre in one instalment within 90 days from the date of intimation, failing which allotment shall stand automatically cancelled.

7. For cases, where full premium have been paid within 120 days from the date of issue of the allotment order, lease deeds have been executed and approved, ID Cost have been paid in full in time or with penalty for delayed payment, but the lease deeds have not been registered due to loss of approved copy of lease deed at the level of the allottee/the sub-registrar, allottees shall be allowed to execute fresh lease deed within the cut off date (i.e. 31.03.2014).

8. Where full premium have been paid, lease deeds have been executed and approved, lease deeds registered/not-registered, ID Cost not paid or partly paid, for such cases the defaulting allottees shall deposit the revised ID cost or remaining instalments of ID cost at revised rate, within 90 days (60 days without fine + 30 days with fine @ Rs. 50 per day) from date of intimation. Lease shall be determined in case they fail to deposit the revised ID cost in the said manner followed by refund of premium and other instalments, if any, deposited.

Those who have already deposited ID Cost fully / partly (at old rate) after the due dates they shall deposit fine amount @ Rs. 50 /- per day of delay from due dates for each default instalment within 60 days from the date of intimation of fine amount.

9. For cases, where allotment orders in respect of exchanged 'non-forest' kisam plots have not been issued even though the allottees have registered the lease deed and have paid full ID cost in respect of earlier 'forest' kisam plots, allotment orders in respect of newly exchanged plots shall be issued immediately to the allottees / legal heirs of the allottees (where allottees have expired) adjusting the earlier payments. Simultaneously, surrender deed and lease deed formats shall be provided to the allottees for execution of surrender deed in respect of earlier plot and execution of fresh lease deed in respect of newly allotted plot. Both the surrender deed and lease deed duly executed by the allottees shall be submitted to the Deptt. within 60 days from the date of supply of lease deed / surrender deed formats. In case they fail to execute the same within 60 days from date of supply of formats they may be allowed to execute the lease deed / surrender deed within further period of 30 days subject to payment of fine @ Rs. 50/- per each days delay, failing which the allotment shall stand automatically cancelled and the amount of premium only deposited shall be refunded to him/her.

10. Where the allottees are required to pay the extra-charges for 'non-forest' corner plots allotted in exchange of earlier allotted 'forest' kisam middle plots and allotment orders in respect of such plots have not been issued to respective allottees, allotment orders shall be issued with a direction to the allottees to pay 20% of the prevailing premium (Bench Mark Valuation) within 90 days from date of issue of allotment order. In case, they fail to deposit the said amount within the specified 90 days, they shall deposit the same within further period of 30 days on payment of fine @ Rs.50/- per each day of delay, failing which the allotment shall stand automatically cancelled.

11. Where full premium have been paid in respect of earlier 'forest' kisam plots within the period of 120 days from the date of issue of allotment order but the lease deed forms have not been supplied to the allottees and in the meantime, non-forest plots have been selected to be allotted in exchange of their earlier plots, but allotment orders have not been issued, allotment orders in respect of exchanged 'non-forest' plots shall be issued immediately along with the lease deed format to the allottee with a direction to deposit the revised ID cost (@ Rs. 2.5 crore per acre) in one instalment and execute the lease deed within 60 days from the date of issue of allotment order / lease deed format .If he fails to deposit ID Cost and to execute the lease deed within 60 days from the date the issue of allotment order he shall be allowed to deposit ID cost and to execute the deed within further period of 30 days subject to payment of fine @ Rs.50/- per day of delay, failing which allotment shall stand automatically cancelled and the amount of premium deposited shall be refunded to him/her.

12. For cases, where full premium have been deposited in respect of earlier 'forest' kism plots within 120 days from the date of issue of allotment order and lease deed forms have been supplied to the allottees, but the lease deeds have not been executed by the allottees within 90 days from the date of issue of lease deed formats and in the mean time a new 'non-forest' plot has been selected to be allotted in exchange of earlier plot and allotment orders have not been issued in respect of new plots, for such cases, the allotment order shall be issued with a direction to deposit differential premium at prevailing rate and revised ID cost @ Rs. 2.5 crore per acre in one go within 90 days from the issue of allotment order without fine. In case they fail to deposit the said amount within the specified period of 90 days, they can deposit the same within further period of 30 days on payment of fine @ Rs 50/- per day of delay on deposit of differential premium and also for delay in deposit of ID cost, failing which allotment shall stand automatically cancelled.

13. Where allotment orders in respect of 'forest' kism plots have been issued, full premium have been paid in time, lease deeds have been supplied but the allottees have expired without executing the lease deeds and 'non-forest' plots have been selected for allotment, but no allotment orders have been issued and the legal heirs now want to execute lease deed, for such cases, allotment orders shall be issued in favour of the legal heirs /successors asking them to deposit differential premium at prevailing rate and revised ID cost @ Rs. 2.5 crore per acre in one go within 60 days. In case they fail to deposit the said amount within 60 days they shall be allowed to deposit the same within further period of 30 days on payment of fine @ Rs. 50/- per each day delay failing which allotment shall stand automatically cancelled.

14. For cases, where full premium in respect of 'forest' kism plots have been paid, lease deeds have been executed and approved, ID Cost have been paid in full, but the lease deeds have not been registered and in the mean time a non-forest plot has been selected to be allotted in favour of the allottee, but the allotment orders have not yet been issued, the allottees will not be required to register the earlier plots. Allotment orders in respect of new plots shall be issued along with the lease deed format with a direction to execute lease deed within the 60 days from the date of issue of lease deed format. If he/she fails to execute the deed within 60 days he shall be allowed to execute the same within further period of 30 days on payment of fine @Rs.50/- per each day of delay failing which allotment shall stand automatically cancelled and the amount of premium only, deposited shall be refunded to him/her.

15. Where full premium have been paid in respect of earlier 'forest' kism plots, lease deeds have been executed and approved, lease deeds registered / not-registered, ID Cost fully paid / partly paid but not in time and a 'non-forest' plot has been selected for allotment, for such cases, the defaulting allottees shall deposit fine amount @ Rs. 50/- per day of delay from the due dates for each instalment within 60 days from date of communication of fine amount. Those who have deposited ID Cost partly shall deposit the remaining instalments of ID cost at revised rate within 90 days (60 days without fine+ 30 days with fine @ Rs. 50 per day) from date of intimation.

On receipt of revised ID cost and fine amount, if any, allotment order shall be issued in respect of new 'non-forest' plot. Simultaneously, surrender deed format and lease deed format will be provided to the allottees for execution of surrender deed in respect of earlier plot and execution of fresh lease deed in respect of newly allotted plot. Both the surrender deed and lease deed duly executed by the allottees shall be submitted to the Deptt. within 60 days from the date of supply of lease deed / surrender deed formats. In case they fail to execute the same within 60 days from date of supply of formats they shall be allowed to execute the lease deed / surrender deed within further period of 30 days subject to payment of fine @ Rs. 50/- per each days delay/ lease shall be determined in case they fail to deposit the ID cost in the said manner and fine amount within 60 days from the date of communication of the fine amount and the premium and ID cost, if any, deposited would be refunded and no allotment order in respect of selected 'non-forest plot shall be issued.

16. Where allottees had executed and registered the lease in respect of earlier forest kism plot and paid ID cost in time and allotment orders in respect of exchanged 'non-forest' plots have been issued and the allottees have not executed lease deed within 60 days from the issue of lease deed format, in such cases, the defaulting allottees shall be allowed to execute lease deed by the cut off date (i.e.31.03.2014) on deposit of fine amount @ Rs. 50/- per day of delay from the due dates. Lease shall be determined in case they fail to deposit the fine amount in the said manner within 60 days from the date of intimation.

17. Where allottees had executed and registered the lease in respect of earlier forest kism plot and not paid ID cost and allotment orders in respect of exchanged 'non-forest' plots have been issued and the allottees have executed / not executed lease deed within 60 days from the issue of lease deed format, in such cases, the defaulting allottees shall deposit the revised ID cost within 60 days from date of intimation and