

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. LA (A)-46/13 (Misc)

1862

/R&DM, Dated: 24.01.14

From:

Dr. Taradatt, IAS
Additional Chief Secretary
Revenue & D.M Department

To

All Collectors/ Spl LAOs/ LAOs

Sub: Clarification on Section-24 of the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013".

Sir/Madam,

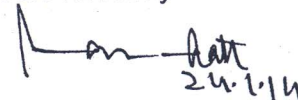
In inviting reference to the subject mentioned above, I am directed to say that the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" has come into force from 01.01.2014 and after careful consideration, Government have been pleased to issue the following clarifications on the provisions laid down under Section -24 of the said Act. (RFCTLAR&R Act, 2013) for your information, necessary guidance and action.

Retrospective effect clause in the Section-24 of the RFCTLAR&R Act, 2013 (New LA R&R)	Corresponding action envisaged to be followed.
Section 24(1) (a)- LA proceedings where no award u/s-11 has been made, then all provision of the new Act relating to determination of compensation shall apply.	4(1) Notification and 6(1) Declaration issued by Government shall continue up to the stage u/s-7 under the old LA Act 1894; but from the stage of determination of compensation and award, all provision of the Right to Fair Compensation and Transparency in Land Acquisition Resettlement & Rehabilitation Act-2013 (new LAR&R Act) shall apply.
Section 24(1) (b)- LA proceedings where award u/s-11 has been made.	Payment of compensation shall continue under the Provision of L.A. Act-1894 (Old Act).
Section 24(2) - LA proceedings where award u/s-11 has been made five years or more prior to commencement of the new Act i.e. 1.1.2014, but compensation has not been paid or physical possession has not been taken.	Such LA proceedings shall be deemed to have lapsed. The Requiring Authority if it so chooses shall initiate LA proceedings afresh under the provision of the new LAR&R Act-2013.
Section 24(2) proviso- LA proceedings where award u/s 11 has been made 5 years or more prior to commencement of the new Act, i.e. 1.1.2014 but compensation in respect of the majority of land holding has not been paid to the beneficiaries.	All awardees whose land is covered in 4(1) Notification under LA Act-1894 shall be entitled to compensation in accordance with the provision of the new LAR&R Act-2013.

Necessary follow up action may be taken accordingly.

This may be brought to the notice of all concerned.

Yours faithfully



Additional Chief Secretary

Memo No. 1863 /R&DM Dt. 24.01.14

Copy to All Departments of Govt. for information and necessary action.


Additional Secretary 24/1/14


Memo No. 1864 /R&DM Dt. 24.01.14

Copy to Secretary, Board of Revenue Odisha, Cuttack & All RDCs for information and necessary action.


Additional Secretary 24/1/14


Memo No. 1865 /R&DM Dt. 24.1.14

Copy to Private Secretary to Hon'ble Minister, Revenue & DM for kind information of Hon'ble Minister.


Additional Secretary 24/1/14


Memo No. 1866 /R&DM Dt. 24.01.14

Copy to All Officers / All Branches / IMU Cell of Revenue & DM Deptt. for information and necessary action.


Additional Secretary 24/1/14

Memo No. 1870 /R&DM Dt. 24.1.14

Copy to CMD, IDCO, Bhubaneswar for information and necessary action.


Additional Secretary 24/1/14