

GOVERNMENT OF ORISSA
LAW DEPARTMENT

ORISSA ORDINANCE No. 3 OF 1957

**THE ORISSA DEVELOPMENT OF INDUSTRIES, IRRIGATION,
AGRICULTURE, CAPITAL CONSTRUCTION AND RESETTLEMENT
OF DISPLACED PERSONS LAND ACQUISITION PROCEED-
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SITION PROCEEDINGS VALIDATION
ORDINANCE, 1957

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AN
ORDINANCE

TO REMEDY CERTAIN DEFECTS AND IRREGULARITIES THAT HAVE COME TO LIGHT IN RESPECT OF THE LAND ACQUISITION PROCEEDINGS FOR THE PURPOSE OF DEVELOPMENT OF INDUSTRIES IN THE DISTRICT OF CUTTACK UNDER THE ORISSA DEVELOPMENT OF INDUSTRIES, IRRIGATION, AGRICULTURE, CAPITAL CONSTRUCTION AND RESETTLEMENT OF DISPLACED PERSONS (LAND ACQUISITION) ACT, 1948 AND TO DECLARE THE SAID PROCEEDINGS VALID

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 to take immediate action to remedy the said defects and irregularities in respect of the said proceedings and to declare them valid,

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 Eighth Year of the Republic of India.

Short title and commencement.

1. (1) This Ordinance may be called the Orissa Development of Industries, Irrigation, Agriculture, Capital Construction and Resettlement of Displaced Persons Land Acquisition Proceedings Validation Ordinance, 1957.

(2) It shall come into force at once.

Validating certain Proceedings undertaken prior to the commencement of this Ordinance.

2. Notwithstanding anything contained in the Orissa Development of Industries, Irrigation, Agriculture, Capital Construction and Resettlement of Displaced Persons (Land Acquisition) Act, 1948 (hereinafter referred to as the said Act), or the Rules made thereunder or any judgment, decree or order of

Orissa Act
18 of 1948.

any Court all operations for the purpose of or in relation to Land Acquisition proceedings undertaken, started and continued in the district of Cuttack in the years 1954 and 1955 and prior to the commencement of this Ordinance by or under the orders of any Subdivisional Magistrate or any other officer or the State Government in the said district in pursuance of the said Act or purporting to have been so undertaken, started and continued shall be deemed to be lawful and valid and shall have force and effect to all intents and purposes and as fully and effectively as if—

(i) the said Subdivisional Magistrate or the officer had been appointed as a competent Authority under clause (b) of section 2 of the said Act and the said operations or proceedings had been undertaken, started and continued in accordance with the provisions of the said Act ;

(ii) all notifications issued, forms used, notices served, orders passed, decisions made, proceedings or actions taken or things done in the course of or incidental to such operations or proceedings or purporting to have been so issued, used, served, passed, made, taken or done had been free from all defects and irregularities and had been validly issued, used, served, passed, made, taken or done ; in accordance with the provisions of the said Act ; and

(iii) the omission to issue any notification or notice, use any prescribed form specify any particulars in any such notification, form or notice or follow the procedure in respect of service of notices or the publication of notifications required to be issued, used, specified, made or followed by or under the said enactment had never occurred.

Savings

3. Nothing contained in this Ordinance shall render any officer liable to any action by any private person by reason of anything done or omitted to be done by the said officer prior to the commencement of this Ordinance to any punishment or penalty to which such officer would have been otherwise liable for the defects and irregularities.

BHIMSEN SACHAR

Governor of Orissa

The 18th May 1957

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