

GOVERNMENT OF ORISSA
LAW DEPARTMENT

ORISSA ACT 18 OF 1957

THE ORISSA BOARD OF REVENUE (AMENDMENT) ACT, 1957

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ORISSA ACT 18 OF 1957

**THE ORISSA BOARD OF REVENUE (AMENDMENT)
ACT, 1957**

*[Received the assent of the Governor on the 10th August 1957,
first published in an extraordinary issue of the
Orissa Gazette, dated the 20th August 1957]*

AN ACT TO AMEND THE ORISSA BOARD OF REVENUE
ACT, 1951

WHEREAS it is expedient to amend the Orissa Board of Revenue Act, 1951, in the manner hereinafter appearing; Orissa Act
23 of 1951.

It is hereby enacted by the Legislature of the State of Orissa in the Eighth Year of the Republic of India as follows :—

Short title and commencement. *1. (1) This Act may be called the Orissa Board of Revenue (Amendment) Act, 1957.

(2) It shall come into force on such date as the State Government may by notification appoint.

Amendment of section 2, Orissa Act 23 of 1951. 2. For section 2 of the Orissa Board of Revenue Act, 1951 (hereinafter referred to as the said Act), Orissa Act
23 of 1951 the following section shall be substituted, namely :—

“ 2. There shall be constituted for the State of Orissa a Board of Revenue (hereinafter referred to as the Board), consisting of one member to be appointed by the State Government by notification :

Provided that when the member is, by reason of absence or otherwise, unable to perform the duties of his office, the State Government may appoint any person to be, for the time being, the member of the Board.”

* For statement of objects and reasons see Orissa Gazette extra-ordinary dated the 7th June 1957 and or S. C. R. see O. G. extra-ordinary dated the 9th July 1957.

Amendment
of section 3,
Orissa Act
23 of 1951

3. In section 3 of the said Act—

(i) to clause (d) the word 'or' shall be added and after the said clause, the following new clause shall be inserted, namely :—

“(e) the Board of Revenue as constituted after the 1st day of August 1951 and continued till the date of commencement of the Orissa Board of Revenue (Amendment) Act, 1957.”

Orissa Act
18 of 1957.

(ii) for the words “shall be construed as references to the Board as constituted by or under this Act”, the words “shall be construed as references to the Board as constituted by or under this Act as amended by the Orissa Board of Revenue (Amendment) Act, 1957” shall be substituted.

Orissa Act
18 of 1957.

Amendment
of section 4,
Orissa Act
23 of 1951.

4. For section 4 of the said Act, the following section shall be substituted, namely :—

“4. Subject to the control of the State Government the duties of the Board shall be—

(a) the superintendence of the administrative work of Revenue Divisional Commissioners as may be appointed under the Orissa Revenue Divisional Commissioners Act, 1957 and of the Collectors and other Revenue Officers of districts in respect of such revenue matters as may be prescribed ;

Orissa Act
19 of 1957.

(b) recommendation of such propositions to the State Government as in the opinion of the Board may be calculated to augment or improve the State revenues relating to matters referred to in clause (a) ;

(c) to superintend and regulate the collection of revenue from all revenue-paying and revenue-free lands or estates under the laws for the time being in force in the State ;

(d) to superintend and regulate all measures of land reforms :

Provided that it shall be competent for the State Government to assign to the Board such other duties and functions as they may deem fit :

Provided further that the State Government may, by an order in writing, assign such powers and duties of the Board, as they may deem necessary, to the Revenue Divisional Commissioner or Commissioners.”

Repeal of sections 5 and 6, Orissa Act 23 of 1951.

5. Sections 5 and 6 of the said Act shall be omitted.

Amendment of section 8, Orissa Act 23 of 1951.

6. In sub-section (3) of section 8 of the said Act, the words "or any member thereof" wherever they occur, shall be omitted and the words "from time to time" as they occur for the second time in the proviso shall also be omitted.

Amendment of section 9, Orissa Act 23 of 1951.

7. In sub-section (2) of section 9 of the said Act, after the words "commencement of this Act" the words "as amended by the Orissa Board of Revenue (Amendment) Act, 1957" shall be inserted.

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Amendment of section 10, Orissa Act 23 of 1951.

8. In section 10 of the said Act, the words "or the Commissioner or the Revenue Commissioner as the case may be" shall be omitted and the words "as amended by the Orissa Board of Revenue (Amendment) Act, 1957" shall be inserted after the words "commencement of this Act".

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Repeal of section 11, Orissa Act 23 of 1951.

9. Section 11 of the said Act shall be omitted.

Amendment of section 12, Orissa Act 23 of 1951.

10. For section 12 of the said Act, the following section shall be substituted, namely :—

"12. (1) The State Government may make rules not inconsistent with the provisions of this Act for carrying out the purposes of this Act.

(2) Subject to the rules that may be made by the State Government, the Board shall have power to make regulations regulating generally the practice and procedure of the Board as to the time within which in the absence of any express provision in the relevant enactment, appeals or applications for revision to the Board may be filed, as to the cost of and incidental to any proceedings before the Board."

Insertion of a new section 13, Orissa Act 23 of 1951.

11. After section 12 of the said Act, the following new section shall be inserted, namely :—

Removal of difficulties.

"13. If any difficulty arises in giving effect to the provisions of this Act, the State Government may as occasion may require, do anything which appears to them necessary for the purpose of removing the difficulty."

Savings

12. All orders passed, decisions made and actions taken by any member or members of the Board whether in the capacity of the Board or otherwise prior to the commencement of this Act shall continue in force and be deemed to have been validly passed, made and taken by the Board as constituted by this Act.