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Orissa Act No. 19 of 1957

*THE ORISSA REVENUE DIVISIONAL COMMISSIONERS 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 PROVIDE FOR THE CONSTITUTION OF REVENUE DIVISIONS
AND THE APPOINTMENT OF REVENUE DIVISIONAL COMMISSIONER
FOR SUCH DIVISIONS IN THE STATE OF ORISSA,

WHEREAS it is expedient to provide for the constitution of Revenue Divisions and the appointment of Revenue Divisional Commissioners for such divisions in the manner hereinafter appearing.

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

1. Short title extent and Commencement: 1. This Act may be called the Orissa Revenue Divisional Commissioners Act, 1957.

2. It extends to the whole of the State of Orissa.

3. It shall come into force on such date as the State Government may, by notification, appoint.

2. Constitution of Divisions:

(i) The State Government may constitute one or more Revenue Divisions consisting of such districts as may be notified in this behalf from time to time.

(ii) The State Government may, by further notifications, from time to time, transfer any district or district from one Revenue Division to another, increase or reduce the number of Revenue Divisions and constitute or reconstitute or revise the constitution of Divisions or any one of them as and when they deem it necessary or expedient to do so.

3. Appointment of Revenue Divisional Commissioners: The State

Government may, by notification from time to time, appoint for each Division such person as they may deem fit to be Revenue Divisional Commissioner

4. Powers and Functions of Revenue Divisional Commissioners: (l)

The Revenue Divisional Commissioner appointed under section 3 shall subject to the control of the State Government, be the Chief executive authority in charge of the general administration of the Division and shall deal directly with the appropriate Departments of the Government in respect of such matters as may be prescribed.

Explanation - 'General Administration' includes executive functions relating to revenue administration, law and order, administration of local bodies and such other functions as may be specifically entrusted to the Revenue Divisional Commissioner by Government from time to time.

(2) The said commissioner so appointed shall exercise in respect of his Division:

(a) Such revenue powers and executive functions as Government from time to time; and

¹[(b) All or any of the powers of the Board of Revenue under the Orissa Board of Revenue Act, 1951 (Orissa Act 23 of 1951) or under any other law for the time being in force, as the State Government may, by rules prescribe.]

(3) ²[x x x]

5. Appointment of Additional Commissioners: The State Government may, by notification appoint as many persons as they may deem necessary, to be Additional Revenue Divisional Commissioners.

6. General Powers of Transfer and withdrawal of Powers and assignment of functions : (1) The Revenue Divisional Commissioners may transfer any case, appeal or other proceedings pending before him for trial or disposal to an Additional Revenue Divisional Commissioner appointed under section 5 and on such transfer the Additional Revenue Divisional Commissioner shall exercise all the powers discharge all the functions of the Revenue Divisional Commissioner in respect of such case appeal or other proceeding.

(2) The Revenue Divisional Commissioner may withdraw any case, appeal, or other proceedings from, or recall any case, appeal or other proceedings which he has transferred to an Additional Revenue Divisional Commissioner and dispose of it himself or transfer it to another Additional Revenue Divisional Commissioner, if any,

(3) The State Government, may from time to time, by an order, require an Additional Revenue Divisional Commissioner to discharge such functions of the Revenue Divisional Commissioner other than those specified in sub-sections (l) and (2) as they may deem necessary.

1. *Substituted vide Orissa Act 22 of 1959*

2. *Omitted vide Orissa Act 222 of 1959*

7. Form of proceedings of the Revenue Divisional Commissioner or the Additional Revenue Divisional Commissioner. : (1) The form of proceedings and the manner of disposal of matters before the court of a Revenue Divisional Commissioner or an Additional Revenue Divisional Commissioner shall be regulated by regulations made by the Board of Revenue with the approval of the State Government.

(2) It shall be competent for the State Government to fix the stations within the State of Orissa at which a Revenue Divisional Commissioner or an Additional Revenue Divisional Commissioner when not employed on duties of circuit, shall ordinarily sit.

8. Power to make Rules: (1) The State Government may make rules not inconsistent with the provisions of this Act for carrying out the purposes of this Act,

(2) In particular and without prejudice to the generality of the foregoing power, they shall have power to make rules:

Providing for the powers and functions of the Revenue Divisional Commissioner under section 4.

(3) All rules made under this Act shall be published in the Gazettee.

9. Power to remove Difficulties: 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.

SECTION 3 OF THE ORISSA ACT 22 OF 1959

Orissa Act 19 of 1957:

For the purpose of removal of all doubt it is hereby declared that all rules made under the said Act Conferring the powers of the Board of Revenue, Orissa, with respect to certain matters on the Revenue Divisional Commissioner shall be deemed to have been validly made under the said Act as amended by this Act and all actions taken or things done in pursuance of any such rule shall be deemed to have been validly taken or done. Orissa Act 22 of 1959.