

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No.GE(GL)-S-37/2012-38800/R&DM.dated 27.08.2012

To

The Secretary, Board of Revenue, Odisha, Cuttack

Sub:- Principles for lease of brackish water areas in the State
Sir,

I am directed to say that the principles for lease of brackish water areas in the State, particularly in the coastal districts were laid down in erstwhile Revenue & Excise Department G.O.No.33847/R.dated 28.7.1993.

2. However, formulation of a revised principle for lease of brackish water areas was under active consideration of Government for sometime past. Government, after careful consideration of the matter and in supersession of the instructions contained in the G.O. cited above, have been pleased to decide as follows

3. The parties/ person in whose favour lease will be granted shall be categorized into two separate groups i.e. Ist category & 2nd category.

Ist category

The lessee intended in the Ist category are again divided into two sub-groups such as sub-Group 'A' & Sub-Group 'B.'

Sub-Group 'A'

The following persons are to be included in sub-Group- 'A,'

- (a) Beneficiaries of anti poverty programme
- (b) Persons under BPL category
- (c) Fishermen by profession or by caste
- (d) Landless persons having income not more than Rs.24,000/- per annum
- (e) Marginal farmers

Sub-Group 'B':

The following types of lessees are to be included in sub-Group 'B'

- (a) Educated un-employed persons (Matriculation and above)
- (b) Self Help Group(SHG)
- (c) Primary Fishermen Cooperative Society (PFCS)
- (d) Women Cooperatives

2nd Category

The following types of lessees are to be included in the 2nd category

- (a) Partnership firms
- (b) Technical entrepreneurs
- (c) State Owned Corporations_

4. The Fisheries and Animal Resource Development Department in consultation with the concerned Collectors will identify the area suitable for brackish water pisciculture. The 50% of the suitable brackish water area so identified will be earmarked for the 1st category of beneficiaries mentioned above and the remaining 50% of brackish water area will be leased out to the 2nd category of beneficiaries.
5. For any individual beneficiaries of Sub Group 'A' of 1st category, the allotment of land should not be less than 0.5 ha but should not exceed 1.00 ha. Where as under Sub Group -'B', the area would be up to 5.00 ha., which may be leased out in their own village. If no villagers come forward to take lease of land in the same village, the prospect of giving lease to the eligible persons of the neighboring village will be considered Outsiders generally should not be encouraged as this may have detrimental cascading effect as far as the proper utilization of land is concerned.
6. The entrepreneurs, firms, corporations etc. coming under the 2nd category may be allotted land with minimum of 5.00 ha. But not exceeding 10.00 ha. which can be determined on the basis of the technical feasibility report as to,be prepared by the concerned District Fisheries Officer keeping the capacity for investment of the farm in view, which shall be approved by the District Level committee.
7. Lease term will be for a period of 15(fifteen) years. The land leased out for the purpose shall be summarily resumed if the lessee fails to develop the land for shrimp culture duly registered under the Coastal Aquaculture Authority (CAA). within one year of execution of lease agreement .The lessee should apply for CAA registration within one month of execution of lease Deed. Only in suitable genuine cases, if the District Level Committee (DLC) feels that the delay was beyond the control of lessee, the said time limit can be relaxed by the said committee to a reasonable extent.
8. The lease deed form shall be the same as has been prescribed in the Department G.O. cited above.
9. Premium @ of Rs.2500/- per ha. annum may be charged for leasing out the land to the beneficiaries coming under 1st category. The ground rent should be charged @ 1% of the premium per annum.
10. For the beneficiaries coming under the 2nd category, the premium @ Rs.10,000/- per ha. per annum may be charged for leasing out of land to the beneficiaries. The ground rent should be charged @ 1% of the premium per annum.
11. The Collector of the district shall be competent to grant lease up to 10.00 ha. of brackish water land for a period of 15 years , but only on the recommendation of the District Level Committee to be formed at the district levels. Appropriate steps are being taken to bring in amendment to serial number 14 of schedule II appended to OGLS Rules 1983 accordingly.

12. There will a District Level Committee consisting of following members under the chairmanship of the Collector of the district to finalize all applications for lease of land to the beneficiaries coming under both the categories. After completion of all formalities, the District Fisheries Officer would sponsor the names to the concerned Tahasildar along with necessary documents and scheme within one month from the date of receipt of application. After due scrutiny, the Tahasildar will forward the names to the District Level Committee for consideration and finalization by the Collector within two months from receipt of the same from District Fisheries Officer

(i)	Collector	Chairperson
(ii)	Project Director DRDA of the district	Member
(iii)	Divisional Forest Officer of the concerned Forest division	Member
(iv)	Sub-Collector of the concerned Sub-division	Member
(v)	Deputy Director of Fisheries of the respective zone	Member
(vi)	Tahasildar of the respective Tahasil	Member
(vii)	Lead Bank Manager of the concerned district	Member
(viii)	Representative of MPEDA	Member
(ix)	District Fisheries Officer of the concerned District	Member
		Convener

13. The lessee can never sub-lease the allotted land but can use it as a collateral security in any Bank /Financial Institution for availing necessary finance after obtaining prior written permission of the lesser

14. These principles will not apply to settlement of fisheries in Chilika lake area. Suitable instructions may be issued for the guidance of the field officers.

Yours faithfully,

Sd/-

Principal Secretary to Government.

Memo No.38801/R&D.M.dated 27.8.12

Copy forwarded to the RDC (CD), Cuttack / RDC (SD) Berhampur/Collector, Balasore/Bhadrak/Cuttack/Jagatsinghpur/Kendrapara/Puri/Khurda/Ganjam for information and necessary action.

Sd/-

Principal Secretary to Government.

Memo No.38802/R&D.M.dated 27.8.12

Copy forwarded to the Fisheries & ARD Department / Agriculture Department / Cooperation Department/ Director of Fisheries, Odisha, Cuttack for information and necessary action.

Sd/-

Principal Secretary to Government.

Memo No.38803/R&D.M.dated 27.8.12

Copy forwarded to P.S. to Chief Minister, Odisha/ P.S to Minister, Revenue & D.M for kind information of Hon'ble Chief Minister and Minister , Revenue & D.M.respectively...

Sd/-

Principal Secretary to Government.

Memo No.38804/R&D.M.dated 27.8.12

Copy forwarded to OIC / IMU Cell/LR & GE (A)(B)/C) of Revenue & D.M. Department for information and necessary action

Sd/-

Joint Secretary to Government