

ORDER SHEET
ORM 1964 Para 207(1)

CONTINUATION OF ORDER SHEET

IN WP(C) NO.9566/2023 filed by Sri Gidiyan Pani-Vrs-State of Odisha and Others

SL. No & date of order 1	Order and signature of Officer 2	Note of action taken on order 3
	<p>In pursuance of orders of Hon'ble High Court, Orissa, Cuttack dated 10.04.2023 passed in WP(C) No.9566/2023 filed by Sri Gidiyan Pani-Vrs-State of Odisha and Others, the O.P. No.2 i.e. Revenue Divisional Commissioner, Southern Division, Berhampur, District, Ganjam took up the case for hearing i.e. on 13.06.2023. In the above mentioned case Hon'ble High Court has ordered that "considering the prayer made in this Writ Petition, this Court in disposal of this writ petition directs Opposite Party No.2 to work out the suggestions given in the report vide Annexure-4 within a period of three months from the date of communication of a copy of this order by the petitioner provided there is no lawful obstruction in working out the same".</p> <p>Accordingly notices were issued to the Collector/ A.D.M, Rayagada, Sub-Collector, Gunupur, Tahasildar, Gunupur and the petitioner Sri Gidiyan Pani. Sub-Collector and Tahasildar, Gunupur attended the hearing including Revenue Inspector, Jaltar (GNP) and one villager accompanied with the petitioner. The Members attended is annexed at <u>Annexure-A</u>.</p> <p>During course of hearing the Sub-Collector and Tahasildar, Gunupur apprised that there is no counter affidavit filed by the District Administration in the above writ petition. During the hearing the Sub-Collector and Tahasildar, Gunupur submitted the written submission in the matter. The petitioner stated that Reijingtal is a Revenue village and Puttasing is its hamlet village (Sahi) where they are residing. He stated that there are two Puttasing villages. Out of which one is declared as Revenue village and another one Adivasi Puttasing in which they are residing has not been declared as Revenue village. In that village 300-400 no. of S.C. families, 25-30 nos of SEBC families, 20 nos of ST families and 50 nos of General caste families are residing. Adivasi Puttasing is locally named as</p>	



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	<p>'Putta'. The Grampanchayat Office is also functioning in their village. He demanded that 'Puttasing @ 'Putta' village was there since long but now there is no village existed by that name where they are residing.</p> <p>As per Government guideline for declaration of new Revenue village, they demanded for their village to be declared as Revenue village. He claimed that there are separate Sahi, Mandira and Church existing in their village. Puttasing is covered under the Revenue village Reijingtal and the R.I. Office is situated 9 KMs from Reijingtal. All offices are situated in Puttasing Basti which is a Basti. So he demanded this village to be declared as Revenue village.</p> <p>The Tahasildar stated that Reijingtal and Puttasing are two separate Revenue villages. The Gram Panchayat Headquarter is in the name Puttasing alongwith all offices like Bank, School, Police Station are functioning in village Taikariguda which is a hamlet village under Reijingtal Revenue village since long. The distance from Reijingtal to Taikariguda is 5 KMs. There exists good connectivity to village Puttasing. R.I. Office is situated 9 KMs from Reijingtal. There is a canal between Puttasing and Reijingtal village and in the past due to flood all offices were shifted to one side of the canal where Puttasing Basti existed.</p> <p>Hence, it is required to report the following in detail.</p> <ol style="list-style-type: none"> 1. The Sub-Collector was instructed to submit the details of existing Grampanchayat wise reorganisation of villages. 2. The Tahasildar, Gunupur was instructed to check the history of Puttasing (existing) and Puttasing (demanded by the petitioner) as per revenue records and submit a detailed report alongwith map showing the villages distinctively. 3. It was also instructed to the petitioner to submit additional records, if any, in support of his claim before the 26.06.2023 to this office. <p>The hearing was ended with a direction to both parties to make written submissions basing on available record and as per discussion/ instruction held by latest by 26th June, 2023 for next course of action.</p>	

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	<p>As per hearing held on 13.06.2023 the Sub-Collector, Gunupur submitted old record vide Letter No.24923, dated 23.06.2023 in support of evidence on Puttasing village. The records involve Census-1951 record, census Map, Notification of PR Department of 2016 regarding constitution of Grampanchayat Puttasing and Notification of 1966. From the old records it is evident that Puttasing village exists since 1951. It is reported that as per the Gazette Notification published vide Letter No.3706/GP, dated 10.03.1966 of Community Development and Panchayati Raj (Gram Panchayat) Department, Orissa. The Grampanchayat Puttasing was constituted with 7 no of Revenue village namely 1.Puttasing, 2.Gundurugam, 3.Manengul, 4.Borei, 5.Rajital, 6.Lade and 7. Kumulusing respectively. The same has been revealed in the latest Notification on constitution of Grampanchayats issued vide Gazette No.24239, dated 22.12.2016 of Panchayati Raj Department, Odisha. It is also reported that from the census map 1951 Head quarter of Puttasing Police Station, Dispensary and Post Office were existed in the village Putta (Puttasing) and no part of Reijingtal Mouza involved with the above establishments whereas in the Census Map, 1961 only the Headquarter of Puttasing Police Station was indicated to have existed in the village Putta (Puttasing). The details of population during two consecutive census i.e.1951 Total Household-509, Total Population-2366 and 1961- Total Household-530, Total Population-2107.</p> <p>It is also reported that different Government establishments like Puttasing Police Station, Post Office, Medical Dispensary and Rest House were existed in the revenue village Putta (Puttasing) itself and which have later been shifted to Reijingtal Mouza in course of time.</p> <p>The views of Sub-Collector on the demand of the villagers as per Annexure-4 of the writ petition is as below:</p>	



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Demands of villagers	Views of Sub-Collector against the demand of villagers	
Point No.1		
To shift Govt. offices/institutions to Puttasing village from functioning place Taikariguda hamlets village of Reijingtal Revenue village.	Puttasing Grampanchayat is a big Grampanchayat consisting of 7 nos of Revenue villages with households 1254 and population 6152 in 2011 census. It's voters as per last P.R.I. Election 2022 is 4797. Re-organization of Grampanchayat can be considered in next notification of Government for re-organization of Grampanchayats if any.	
Point No.2		
To give justice by comparing and verifying the ROR and Map of Puttasing and Reijingtal village.	There exist two separate revenue villages namely Puttasing and Reijingtal with their relevant revenue records under Puttasing Grampanchayat.	
Point No.3		
Shifting and functioning of Grampanchayat at Puttasing	Shifting of Grampanchayat Office from its present location (Reijingtal) to (Putta) Puttasing village is not possible as Grampanchayat Office is centrally located and better suitable from administrative point of view.	
Point No.4		
To provide 200 days of work @ Rs.600/- daily wages to each family.	Under MGNREF Act, 2005 rural households are guaranteed 100 days (150 days in case of FRA beneficiary) unskilled work in a year and Central Government fixes rates of unskilled wages for the State based on particular study and at present Rs.237.00 is the rate for unskilled wage for Odisha. For any change in man days and wage rate Government of India will take a decision.	



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<p align="center">Point No.5</p> <p>Issue of Labour card in favour of each member of the family those are having above 18 years of age.</p>	<p>Engagement for 90 days as labourer in a year under an employer/employers is precondition for registration under the Building and Other Construction Workers (Regulations of employment and condition of Service) Act, 1996. A labourer with requisite certificate in that regard and other documents like Bank Account can apply for registration through online/offline mode to the District Labour Officer and DLO will issue construction worker identity card observing all formalities.</p> <p>Hence all persons whoever attained 18 years of age can't be issued with construction worker identity card.</p>	
<p align="center">Point No.6</p> <p>Distribution of old age pension at Grampanchayat Office</p>	<p>Government of Odisha has been pleased to consider the difficulties being faced by the social security pensioners in withdrawing entitlements due to DBT mode payment and decided to disburse the pension entitlement to all beneficiaries under Madhu Babu Pension Yojana (State Sponsored) in cash mode at Grampanchayat Headquarter on Janaseva Diwas (15th of every month) like earlier practice from the month of June, 2023. In case of NSAP, there will not be any change in DBT mode as the Central Government mandates the DBT mode payment. The DBT paid beneficiaries under NSAP will withdraw the cash at BC/CSPs available in their locality and Banks also been instructed to insist the BC/CSPs to facilitate the door step delivery of pension amount to bedridden/PWDs as per the list provided by the concerned Grampanchayats.</p>	

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Point No.7	
Supply of water under Basudha Scheme to every Revenue village.	No project is taken under Basudha Yojana. 6 nos of PWS and 7 nos of Solar Water Supply systems have been taken under Jala Jiban Mission. In total 36 tube wells, 2 Sanitary wells 6 Spring water supply and 19 open wells are available in Puttasing Grampanchayat.
Point No.8	
Reijingtal is consisting of 11 nos of hamlet villages. Declare it as a new Grampanchayat.	Reijingtal revenue village with hamlet villages having population 2510 with 522 households as per 2011 census. Puttasing Grampanchayat Office is already there in Reijingtal Mouza for administrative and geographical point of view it may be considered in future taking Reijingtal, Manergul and Kumbulsing as one Grampanchayat after a thorough study.
Point No.9	
Provide proper education facility.	Learning Recovery programme phase-I for class VI to IX has already been conducted to enhance the standard of student as remedial step for interruption in education due to COVID-19 . At present Foundational Literacy and Numeracy activities for Class-I-III are being taken up to enable all children to read and respond with comprehension independently write with understanding, develop number sense, mathematical thinking and problem solving and reasoning.
Point No.10	
Establishment of Primary Health Centre in each Revenue village so as to eradicate Malaria Diarrhoea.	Sufficient Rapid Diagnosis Kits for Malaria, Paracentmol Tablets and ORS Packets are available with Asha Karmi who will primarily take care of patient and then refer to ANM and PHC. One mobile Health Unit with Ayush Doctor, Pharmacist and ANM alongwith Driver in PHC headquarter and conduct visits.

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Point No.11	
Allotment of ration card to each newly married couples of a family.	Deletion of the dead/ineligible and addition of eligible left out beneficiaries under NSA/SFSS is a continuation process basing on threshold limit of Block target. It any eligible left out cases comes to notice the same will be included under NFSA/SFSS.
Point No.12	
Cancellation of Electricity Rules-2022.	Electricity bills are generated under OESD code 2019. If any justified discrepancy is there in billing procedure, grievances, can be filed before the President, Grievance Redressal Forum, Jeypore by the consumer concerned.

The report of Tahasildar, Gunupur also corroborates the facts as reported by the Sub-Collector, Gunupur.

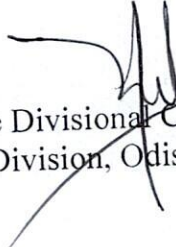
The views of Collector, Rayagada on the report of Sub-Collector was called for vide this Office Letter No.4197, dated 07.07.2023 The Collector has agreed with the report of Sub-Collector and on the report of Tahasildar at **Annexure-4** (Demands of the villagers) vide Letter No.2493, dated 23.06.2023 communicated by Collector, Rayagada.

The petitioner Sri Gidiyan Pani has also produced copies of Job Card, Lease Patta, ROR, wherein no such proof has come to notice regarding existence of another Puttasing village.

In the view of the above facts it is clear that the some of the demands cannot be considered as the Rules / Schemes are regulated at Central / State Government level. However, should the need be felt for modification, the district administration could always assess such demands and move recommendations for such to the Government as per procedure. Other benefits/ demands like eradication of Malaria, Supply of Water under Basudha, Education facility etc are being provided by District Administration and may be enhanced as per need.



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	<p>Further, Reijingtal a revenue village and Puttasing is its hamlet village (Sahi/Basti) where the petitioner and others are residing. As per statement of the petitioner there are two Puttasing villages out of which one is declared^d as revenue village and another one is Adivasi Puttasing (Basti) in which they are residing has not been declared as revenue village. However as per the demand of the villagers, in the next Grampanchayat reorganization or in the assessment for creation or declaration of new revenue village, the District administration may review their positions on the basis of the petitioners' demand and move appropriate proposal to the Government as per procedure. Accordingly the petition is disposed of.</p> <p style="text-align: center;">  Revenue Divisional Commissioner, Southern Division, Odisha, Berhampur. </p>	