

C I R C U L A R

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As per Circular No. 63. LBY. 87, dated 15th June 1967 the Deputy Commissioners have been

been delegated powers to grant permission for diversion to non-agricultural use 0.10 acres of the agricultural land, in respect of which occupancy rights have been conferred on the applicant under the Karnataka Land Reforms Act. Requests are being received to extend this benefit in respect of the agricultural lands whose occupancy rights have been conferred on the applicant under the Inams Abolition Acts. It is decided that the said benefit be extended in cases where a request is made for diversion to non-agricultural use, of agricultural land whose occupancy rights have been conferred on the applicant under all the Inams Abolition Acts, with the following conditions:-

- 1) Permission for diversion to non-agricultural use may be granted by the Deputy Commissioner for purposes of:-
 - a) construction of residential house and or cottages for the bonafide use of the applicant.
 - b) Starting an Agro-based cottage industry through the installation of a sugarcane/oil crusher or such type of equipment which is primarily intended for the better utilization of the major portion of the agricultural land held by the applicant.
- 2) The maximum extent for which such non agricultural use may be granted vide (1) above shall not exceed 0.10 acre of the land.
- 3) There shall be not more than one such non agricultural diversion grant in respect of any single applicant, notwithstanding the number and size of his holdings. (This is necessary in order to avoid split or installment based applications which might otherwise be resorted in order to circumvent the restrictions imposed vide (2) above.
- 4) The applicant shall give an undertaking to the deputy Commissioner that he would not part with such converted land in the form of sale, mortgage etc., for a period of 15 years from the registration as occupant.

Thus any additional request for non-agricultural permission after lapse of some months or years after first conversion, if any should be referred to Government for approval, irrespective of extent of land involved.

It goes without saying that the request of the applicant should be carefully examined by the Deputy Commissioner before actual granting non-agricultural permission in all cases falling within the purview of this circular so as to ensure that the above conditions are fulfilled.

As the basic aim of this relaxation is only to cover cases of an exceptionally deserving nature and the intention behind this circular is to cut down the needless delay involved in obtaining Government's prior approval in such cases, it shall be obligatory on the part of the Deputy Commissioners to scrutinize all such cases thoroughly and satisfy themselves as to the genuine nature of the same in order to prevent any possible misuse of this relaxation.

The receipt of this Circular may be acknowledged and action taken to implement the same in both letter of spirit with immediate effect.

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