

Copy of the letter NO. RD 126 LRM 79 dated 26th November 1979 from the Karnataka Government Secretariat, Bangalore to the Deputy Commissioner Hassan District.

CIRCULAR

Sub:- Land reforms-Grant of permission for conversion of land for non-agricultural use.

Government have come across a case where an ex-tenant has obtained permission for conversion of non-agricultural use, of the land occupancy of which has been registered in his favour under the Land Reforms Act and then sold the land so converted to somebody else.

2 Under Section 60 of the Land Reforms Act the occupant has to cultivated the land of which occupancy rights have been granted to him under the Land Reforms Act for three consecutive years and under section 61 transfer of such lands within a period of 15 years by sale gift, exchange, lease or assignment, mortgage except to a co-operative society etc., for the purpose of loan for the cultivation or improvement of the land, is prohibited.

3 The question whether the ex-tenant can be granted permission for conversion of the land for non-agricultural purposes has been considered by the Government. There is no provision in the Land Reforms Act prohibiting him from applying for permission for diversion of the land use under Section 95 of the Land Revenue Act. If no orders are passed and communicate within four months of the receipt of such application permission for conversion is deemed to have been granted under section 95 of the Land Revenue Act. The Government consider it not equitable and just to prohibit the occupants from the being granted permission for conversion for their bonafide non-agricultural purpose like putting up houses or such other purposes of their own. Government therefore desire that Assistant Commissioners and Deputy Commissioners should scrutinise carefully the application for conversion in respect of land occupancy of which is granted in favour of ex-tenants, and may grant permission in case conversions are requested for bonafide use. They may refuse permission in cases where they are satisfied that the main intention of the applicant is to circumvent the non-alienation condition by which he is otherwise bound.

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NO. LRF.402/79-80

Office of the Special Deputy
Commissioner, Hassan District,
Hassan, dt. 6th December 1979.

Copy of the circular is forwarded to all the Tahsildars, in the District for guidance and instruction issued should be followed.

Copy to Alienation section/B.A. to D.C. B.A. to SPL., D.C. Hassan for information.

B. Ranganath
for Special Deputy Commissioner,
Hassan District, Hassan.



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