

Government of Karnataka

No.RD 169 LRM 79

Karnataka Government Secretariat,
Vidhana Soudha,
Bangalore, dated: 25-4-1979

CIRCULAR

Sub:- Land Reforms - Classification of lands into 'A', 'B' or 'C' under the Karnataka Land Reforms Act - Guidelines - Issued -

Detailed instructions were issued in Circular No.RD 337 LRM 74 dated 6th March 1975 for classification of lands and scrutiny of declarations filed under Section 66 by the Tahsildars. Under Act 1/79 (Karnataka Land Reforms (Amendment) Act 1978) Schedule 1A to the Karnataka Land Reforms Act has been amended dispensing with the necessity for the Government to notify irrigation works with assured irrigation facilities for 'A' class and 'B' class lands. Therefore, now the Tahsildars and Special Tahsildars for Land Reforms have to classify the lands, without the Government notifying any irrigation works, for determining the amount payable for tenanted lands u/s 47, the premium payable u/s 48A(7), for the purpose of determination of surplus u/s 67(1)(ii), the payment for surplus land u/s 72 and collection of purchase price u/s 78 of the Act. Under Section 67(1)(ii), the Tahsildar is statutorily required to determine the classification of the land for the purpose of determination of surplus by the Tribunal u/s 67. In other cases the Tahsildar has to determine the classification of land for fixing the amount payable, premium or purchase price as the case may be. It is therefore considered necessary to issue the following guidelines for the information of the Tahsildars and the Special Tahsildars.

2. The 'A' and 'B' class lands comprise lands with facilities for assured irrigation from Government canals and tanks. If such irrigation facilities are capable for supplying water for growing two crops of paddy or one crop of sugarcane in a year, the land will have to be classified as 'A' class. On the other hand, if these facilities are capable of supplying water for raising only one crop of paddy in a year or, if the land is irrigated by such lift irrigation works constructed and maintained by the State Government as are capable of supplying water for growing two crops of paddy or one crop of sugarcane in a year, such lands will be classified as 'B'. The 'C' class lands are those irrigated from any Government source of irrigation including Government run lift irrigation projects other than those falling under A or B class. This class also includes land on which paddy crops can be raised or areca-nut crop is grown with the help of rain-water and lands irrigated by lifting water from a river or Government canal or Government tank where the pumping installation or other device for lifting water is provided and maintained by the land-owner. Under the same

category will come the lands having facilities for irrigation from a Government source where the system of water supply is suitable for growing only light irrigated crop, namely, crops other than paddy and sugarcane. These classifications are enumerated in Schedule-I Part-A of the Act.

3. For determining the classification, the Tahsildars/Special Tahsildars will have to look into Akarband, RTC for 1973-74, water rate demand register for 1973-74 which are available in the Taluk Office and the notifications issued by the Public Works Department under the Irrigation Act and the Atchakat Register and the statements showing the survey numbers for which water was made available for each crop season during 1973-74, which will be available with Public Works Department. If a particular land is shown as wet or garden in the Akarband, the source from which the water is made available to that particular land is also noted in the Akarband. The Akarband shows the position as it prevailed when the settlement field-work was done between 1954 and 1965. The information in the Akarband is normally also entered in the RTC which should be cross-verified.

4. The RTC and the water rate demand register will provide information whether two paddy crops or one sugar-cane crop or one paddy crop were raised or, if not, which other crop were raised. The Notifications issued by the Public Works Department or the lists of survey numbers for which water was made available (or a special report obtained from the appropriate P.W. Officer) will give information whether in a given case water is assured for raising two paddy crops or one sugar-cane crop or one paddy crop in a year. Whether the source is Lift Irrigation Scheme constructed and maintained by the Government can be ascertained from the Public Works Department. Over and above all this information, field enquiry by the Tahsildar/Special Tahsildar and staff and local inspection will give information as to what crops were grown in the year and what was the source of irrigation. Such a local enquiry will, in particular, show which lands have suffered from lack of water due to the problems such as tail-end shortage etc.

5. After gathering together all the information as above, classification should be determined on the basis of the following basic criteria:

- (1) Where enquiry and RTC show that two paddy crops or one sugar-cane crop were actually raised with the perennial water supply from Government source, and the Public Works Department Notification or list shows that the water was available for two paddy crops;
- (2) Where perennial water was available for raising two paddy crops or one sugar-cane crop as per Public Works Department Notification/List and enquiry confirms it, but only one paddy crop was actually raised due to various reasons;
- (3) Garden lands lying adjacent to paddy and classified as 'A' Class, if such lands are so situated that they are capable of being grown with two paddy crops in a year, but for the existance of garden trees;

Such lands will have to be classified as 'A' Class lands.

6. The above principles will be applicable mutatis mutandis for determining 'B' Class lands. If a particular land cannot be classified as 'A' Class due to the above criteria, it will have to be given the lower classification of 'B' Class.

7. In this connection, it has to be borne in mind that every classification of land by the Tahsildar/Special Tahsildar except that made under Section 67(1)(ii) is appealable. It is therefore quite necessary that a speaking order is written while determining the classification. Notes of enquiry/local inspection conducted for ascertaining the classification shall be part of the file. The order should give convincing reasons for arriving at the particular classification of the land. The copy of such determination should be invariably kept in the Tribunal file relating to determination of surplus, in addition to referring to it in the check list to be put up, to the Tribunal.

8. In respect of the lands likely to fall under 'A' or 'B', it will be necessary for the Tahsildars/Special Tahsildars to obtain information from the local Assistant Engineer, Public Works Department. The Public Works Department is being requested to issue instructions to the Chief Engineers in this regard and require the Assistant Engineers to issue certificate whether a particular irrigation work was capable of supplying water for one paddy crop or two paddy crops and in cases where an irrigation work is capable of supplying assured water for two paddy crops for certain lands and for only one paddy crop in respect of other lands, they may specify such lands to enable the Tahsildars/Special Tahsildars to determine the classification.

9. In cases of determination of ceiling limit, it will be necessary for the Tahsildars/Special Tahsildars to convert one class of land into another. The formula for determining equivalent extent of different classes of land is given in Part-B of Schedule-I of the Karnataka Land Reforms Act, 1961. Detailed instructions have already been given in Paras 2 and 3 of Government Circular No. RD 337 LRM 74 dated 6th March 1975. They are reproduced below for ready reference.

"(2). A, B and C classes of lands are subject two ceiling limits depending on whether classification of the land is 8 annas or more or below 8 annas. Classification of the land can easily be worked out by comparing the actual rate of assessment levied on the land with the standard rate for the village. Standard rate is the rate for land with 16 annas classification. The actual rate of assessment on any land is got by reducing the standard rate proportionate to the classification of the land. Thus, if the standard rate is Rs.10 per acre and the land classification is 10 annas, the rate of assessment of the particular land will be Rs.6.25 paise per acre. As a rule of thumb, all lands whose assessment per acre is less than 50 per cent of the standard rate, will have classification below 8 annas and all those whose rate of assessment is 50 per cent or above the standard rate, will have classification of not less than 8 annas. The standard rates for dry, wet and garden lands in respect of each village are noted at the top of each page of the Akarband prepared at the time of the revised settlement introduced in 1965. All that the Tahsildar has to do is to compare the

standard rate applicable with the actual rate of assessment levied on the land in question and decide whether the classification of the land is 8 annas or more or less than 8 annas. Even in respect of areas where a fresh revision settlement has been ordered the classification of the land is not going to vary as the old soil classification itself has been adopted. So, the Akarbands prepared for 1965 for those areas also can be looked into to determine the valuation of the land though these revised assessments have not been brought into force.

(3). The Akarbands also provide information as to source as in 1954 and the lands benefited by them. The field work concerned with the revision settlement was done between 1954 and 1965. The Akarbands will indicate the source of irrigation, if any, on the basis of the state of affairs at the time the field work was done. The Tahsildars should, therefore, ascertain from the Assistant Engineer having jurisdiction over their Taluks particulars of the irrigation works newly constructed subsequent to 1954 and the lands benefited by them and then take further action. The Akarbands are sufficient authority regarding the source of irrigation in respect of lands which had facilities for irrigation from a Government source prior to 1954."

9. The Divisional Commissioners and the Deputy Commissioners are requested to ensure that the above instructions are scrupulously followed by the Tahsildars and the Special Tahsildars in classifying lands and working out the equivalence for determining the ceiling.

Sd/-

(R.A. NAIK)
REVENUE COMMISSIONER AND SECRETARY TO
GOVERNMENT, REVENUE DEPARTMENT.

To

All the Divisional Commissioners.
All the Deputy Commissioners/Special Deputy Commissioners.
All the Assistant Commissioners/Spl. Assistant Commissioners/
Addl. Spl. Assistant Commissioners.
All the Tahsildars/Spl. Tahsildars/Addl. Spl. Tahsildars.

Copy to:-

The Secretary, Public Works Department with a U.C. Note.
Spare.

P. Vasudeva Rao

(P. Vasudeva Rao),
I/c Asst. Spl. Officer for Land Reforms & Ex-
officio Under Secy. to Govt. Rev. Dept.

c/

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