

Department of Revenue

20.12.1971 Dated at

Minister's Government Secretariat,
Nayana Palace,
Bangalore, Dated 20th Dec 1971

LETTERS

Letter dated before - Summary applications -
Verification of land records under rule 19
of Karnataka Land Revenue Act - 1956.

2.10.1971

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Under Section 4(1) of the Karnataka Land Revenue Act, 1956, all lands held by or in the possession of tenants immediately prior to the date of commencement of the Amendment Act other than lands held by them under leases permitted under the Amendment with effect on and from the said date stand transferred to and vest in the State Government. Under Rule 19 of the Karnataka Land Revenue Act 1956, the Revenue shall verify the particulars mentioned in the Summary applications with reference to the revenue records including the Record of Rights and also give the date of the application. But these provisions read together would mean that the Revenue on verification of revenue records including the R.G.C. will have to take into account the application when it is made and the land mentioned in the application is a leased land and whether it has ceased to be a leasehold land or not. Where this is done by the Revenue on the application, there will be no material for the Revenue to conclude that the land is a leasehold land or not. The Revenue will have to verify when rule 19 and rule 10 of the Act are read together. The Revenue will not have jurisdiction to take up the application for remedy by way of the Amendment of the High Court in writ Appeal No. 1075 of 1971 dated 19-7-1971. Therefore it is suggested to all the District/Special Magistrates that verification and action on the application under Rule 19 is a statutory prerequisite for the Revenue to take up the application for consideration. This has to be done in the case of all applications pending for remedy by the Revenue.

D. During visit and inspection of District offices, it was also observed by the Director, Dept Revenue, that the District Magistrate/Collector did not maintain information about the area owned and the extent covered by each shop. (Uttar Kumbhari, A tenant who was cultivating the land personally from the date of vesting, would cover them, and only eligible for registration as an occupant. Therefore

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furnishing of material by means of R.T.C. extract by the Tahsildar without details of crop would therefore be irregular and indefensible. This aspect will have to be borne in mind by Tahsildars while furnishing copies of R.T.Cs in respect of lands for which applications U/s 48A have been filed. It is suggested that copies of R.T.C. with all the columns may be furnished in the printed Form 16 and kept with the Tribunal records duly attested by the Village Accountant/Revenue Inspector concerned and verified and authenticated by the Tahsildar. This will make available all details of cultivation for the Tribunal to consider. But such furnishing of copies will not be sufficient to discharge the obligation of verifying the contents of Form 7, as verification entails a finding. It is only a finding with reasons can be called a verification.

3. Now that the tribunals of many districts have been already reconstituted and they will recommence functioning, the above instructions may be immediately brought to the notice of the Chairmen of the Tribunals and the Tahsildars/Special Tahsildars for their guidance.

H. N. Ranganathan
11/6/10.

(H. N. Ranganathan),
Asst. Spl. Officer for Land Reforms & Ex-officio Under Secy. to Govt. Rev. Dept.

To
All the Deputy Commissioners.
All the Spl. Deputy Commissioners.
Copy to:- All the Divisional Commissioners.
All the Assistant Commissioners/Spl. Assistant Commissioners/Addl. Spl. Assistant Commissioners for Land Reforms.
The Other Chairmen of Tribunal.
All the Tahsildars/Spl. Tahsildars and Addl. Special Tahsildars for Land Reforms.
The Adviser, Land Reforms and Staff Officer.
Weekly Gazette.

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