

"Circular"

11 It has been brought to the notice of Government that the landlords have got busy evicting their tenants with a view to circumventing the provisions contemplated by the proposed amendments to the Mysore Land Reforms Act which have been getting publicity in the newspapers for some time past now.

Section 22 of the Mysore Land Reforms Act, 1961 provides for giving six months time to the tenant to pay the arrears of rent to the landlord. Sub-section (1) of Sec. 23 empowers the Munsiff Court to allow such period as may be fixed by it to pay the arrears of rent. The provisions in these two sections are quite liberal to the tenants, in that they have a further opportunity to pay the arrears of rent even after proceedings for eviction are taken by the landlord before the Munsiff Court and thus avoid getting themselves evicted. Section 23 of the same Act empowers the Assistant Commissioner (prescribed authority) to make summary enquiry and declare any transaction in contravention of law as null and void. Section 129 prohibits any person who is lawfully in possession of agricultural land from being dispossessed except in accordance with the law and if any person is dispossessed of any land in contravention of the provisions of the law, such person can apply to the Munsiff Court within two years from the date of such dispossession and the Court after holding an enquiry may pass such order on the application as it deems fit including a direction to the offender for payment of such compensation to the person dispossessed in addition to the penalties provided in section 125. Further, any person unauthorisedly occupying or wrongfully in possession of any land can be summarily evicted from such land by the Tahsildar, Sec. 142(1A) continues to agriculturists to whom it applies, the protection against eviction from any land in his possession given by the Mysore Tenants (Temporary protection from Eviction) Act, 1961. All these provisions are adequate to save from

In some of the districts of the State of Mysore, the records of Rights have not been prepared and in some Districts where records of Rights exist, they are not upto date as the particulars of persons holding under oral leases are not recorded. Taking advantage of the situation, it is likely that the landlords may attempt eviction of the oral lessees illegally. Government are anxious that such lessees should be protected from illegal eviction. The Deputy Commissioners of districts may kindly impress upon the Asst. Commissioners, Tahsildars and other officers at all levels the importance of timely, energetic and firm action by all possible means including intercessions and warnings in advance to prevent attempts by landlords to evict the oral lessees illegally. The matter may be brought to the notice of the local police officers for giving all necessary help to the Revenue Officers in this important task of protecting the legitimate rights of the oral lessees.

In cases where illegal eviction takes place inspite of all the possible efforts to prevent it, prompt action should be taken under section 130 of the Mysore Land Reforms Act for summary eviction of any person unauthorizedly occupying or wrongfully in possession of any land.

sd/-K. Balasubramanyam,
 Commissioner for Land Reforms and
 Ex-Officio Secretary to Government,
 Revenue Department,

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For Deputy Commissioner,
 Hassan District.

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