

Government of Karnataka

No.RD 269 LRM 76

Karnataka Government Secretariat,
Vidhana Sadhana,
Bangalore, dated: 3-7-1978

CIRCULAR

Sub:- Conferment of occupancy rights on persons
who have purchased the lands after 1-3-1974 -
Further clarifications - issued -

In Government Circular No.RD 269 LRM 76 dt.22-6-1976
it has been stated that the amount paid by the tenants to
the landlords after 1-3-1974 cannot be deducted from the
compensation.

The matter has been further examined as to what should
be done in respect of the purchase price, advanced or instal-
ment paid by the tenant to the land lord before 1-3-1974.
Sub-Sec.4 of Sec.50 specifically provides that such amounts
shall be deemed to be a charge on the land and discharged
in the same manner as an encumbrance on such land. Though
there is no section which specifically says that the amount
so paid and treated as an encumbrance under sub-section 4
of Sec.50, should be set off against the amount payable by
the tenant, under sub-section 7 of Sec.48A read with Sec.53
which lays down how a tenant should pay the premium, such
a set off would appear to be the only logical and convenient
method to follow.

Therefore in continuation of Government Circular of
even number dated 22-6-1976, it is further clarified that
where a tenant represents that he has paid the price of the
tenanted land or part thereof, and the Special Tahsildar/
Tahsildar after due verification is satisfied that such is
the case, the amount paid should be brought under Sec.50(4) of
K.L.A. Act and recovered from the landlord by deduction from
the amount payable to him and repaid to the tenant.

LRF
22-7-78

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M. Maheswarappa

(M. Maheswarappa),
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Under Secy. to Govt. Rev. Dept.

- To
- All the Divisional Commissioners.
- All the Deputy Commissioners/Special Deputy Commissioners.
- All the Assistant Commissioners/Special Assistant Commissioners./
- All the Tahsildars/Special Tahsildars/ Addl. Spl. Asst. Commrs.
- Spare. Addl. Spl. Tahsildars.

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