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GOVERNMENT OF KARNATAKA

NO.RD 453 LRW 75

Ka-rnataka Government Secretariat,
"Vidhana Soudha"
Bangalore:Dt: 18th December, 1975.

C I R C U L A R

Sub: Implementation of the recommendations of the High Court Arrears Committee -

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Reference is invited to Government Circular No.RD 54 LRW 75 dated 30.10.1975 wherein the High Court of Karnataka's observation with regard to the procedure to be adopted by the Tribunal in deciding tenants' applications under Section 48-A of the Land Reforms Act was brought to the notice of all Assistant Commissioners / Special Assistant Commissioners who are working as Chairman of the Tribunals. It was indicated in that circular that the tribunal being a quasi-judicial body, has got to dispose of the case on the basis of evidence placed before it, in an objective way and the members of the Tribunal cannot act on their private information.

The Government of India have stated that the High Court's Arrears Committee has expressed its strong view that Tribunals and Heads of Departments exercising quasi-judicial functions should make 'speaking orders' indicating therein the grounds on which the orders are made. This is apparently based on the principle that if speaking orders containing reasons for such orders are passed, further litigation can be avoided and one of cannons of natural justice is complied with.

The Assistant Commissioners who are the Chairman of the Land Tribunal should strictly adhere to the above instructions and ensure that 'speaking orders' are invariably passed by the Tribunals.

(B.M.NAGARAJ)

Asst.Spl.Officer for L.R.& Ex-officio
Under Secy.to Govt. Rev.Dept.

SKM

To

All the Deputy Commissioners / All Special Deputy Commissioners of Districts.

All Assistant Commissioners / All Special Assistant Commissioners.

All Tahsildars / All Special Tahsildars.

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