

GOVERNMENT OF KARNATAKA

NO.RD 498 LRM 75

Karnataka Government Secretariat,
Vidhana Soudha,
Bangalore, Dated: 29 - 11 - 1975.

C_I_R_C_U_L_A_R

Under the sub-clause (iii) below provisio to Sub-Section (1) of Section 47 of the Land Reforms Act, widows, minors, small-holders, unmarried women, persons subject to physical or mental disability, soldiers and seamen whose lands vest in Government under Section 44 are entitled to 20 times the net annual income payable as against the 15 times the net annual income payable to others.

A point has been raised as to whether when the owner of the land is deceased and his sons have all authorised their unmarried sister to receive the amount, the said unmarried sister is eligible to claim 20 times the net annual income in respect of the entire extent of land.

The lady who is an unmarried sister of the deceased is entitled to twenty times the net annual income in respect of the land falling to her share as the legal heir. Regarding the other portion falling to the shares of the other members of the deceased's family, who have authorised her to collect the amount, she can only get fifteen times the net annual income as she would be representing them as their agent.

Under these circumstances, for her share she gets twenty times the annual net income and for the share of her other relations whom she represents, she is only entitled to fifteen times the annual net income.

Wherever there is relinquishment of land by means of a proper registered deed, in favour of such unmarried woman or widow etc., before 1.3.1974, she gets their rights by means of such relinquishment, and she would be entitled to twenty times of the annual net income. So, each case requires to be analysed on the abovesaid lines before the compensation is decided.

To safeguard against higher claims being made against Government under transfers effected subsequent to the coming into force of the Land Reforms (Amendment) Act, the status of the person, who held the land on 1.3.1974, should be taken into consideration and that where land held is joint family property, the higher multiple would apply only in respect of the share actually falling to the unmarried woman, widow, etc., under the personal Law applicable. If the claim is that the other heirs have relinquished their shares also in favour of such unamrried sister, etc., such relinquishment should be evidenced by a registered Deed executed prior to 1.3.1974. An oral relinquishment cannot be accepted to jus-tify the payment of higher compensation.

(B.M.Nagaraj)

Asst.Spl.Officer for L.R. & Ex-officio
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.

Weekly Gazette. (Final orders approved by Revenue Secretary
and Revenue Commissioner on 27.11.1975).

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