



No. RD 626 LRM 75

12987/76.

Government of Karnataka

Karnataka Government Secretariat,  
Vidhana Soudha,  
Bangalore, dated 3rd Novr. 1976

CIRCULAR

707 Sub:- Cutting and removal of trees in private lands which are to vest in Government under the ceiling provisions of K.L.R. Act, 1961.

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In Circular No. RD 293 LRM 75 dt. 30-7-1975 a procedure was laid down to be followed with regard to cutting and removal of trees in private lands which are to vest in Government under the ceiling provisions of K.L.R. Act, 1961.

A question has been raised as to whether the extraction, by cutting down and transporting, of the trees standing in the surplus land which has not yet been vested in the State Government under Sec. 68 of the K.L.R. Act read with Sec. 73, will not amount to an alienation of the said land, or holding, within the meaning of Sec. 74 of the L.R. Act, which Section prohibits the alienation of holding consisting of surplus land and makes such alienation null and void.

In the context of the above question the earlier Circular instructions have also been reviewed and the following instructions are issued superceding the Circular of 30-7-1975:-

The Land Reforms Act, applies to Forest land as much as to garden land, like arecanut gardens. If it is conceded that the landowner has to the right to fell trees and remove them before vesting, the owner of an areca garden, for example, can cut and remove all the areca trees from the surplus land before it is taken by Government. It is thus against the basic objective of the Act. Therefore a person owning forest or garden land in excess of the ceiling area, which he will have to surrender to Government, cannot cut and remove forest or garden trees thereon and surrender barren excess lands to Government.

A person owning any category of lands in excess of the ceiling area shall have therefore, to surrender such lands as they exist, without altering the basic features of such lands.

(B.M. Nagaraj),

Asst. Spl. Officer for Land Reforms & Ex-officio Under Secy. to Govt. Rev. Deptt.

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