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GOVERNMENT OF MYSORE

NO.RD 107 LRM 72

Mysore Government Secretariat,
"Vidhana Soudha",
Bangalore: Dt: 17th July, 1972.

C I R C U L A R

Sub: Surplus land under Mysore Land Reforms Act -
Determination of -

Ref: Circular No.RD 55 LRM 72 dated 31.5.'72 with which
a proforma for disposal of declarations filed under
Section 63 was circulated.

Section 63 of the Mysore Land Reforms Act, 1961
prescribes the maximum extent of land a person is permitted
to hold as on 2.10.1965. Section 64 deals with the acquisition
of land by a person after 2.10.'65 and the maximum limit
permitted to be so acquired by transfer, gift purchase etc.
Section 65 describes what is "surplus land". Sections 66 and
67 describe the procedure of surrender to Government of the land
in excess of the maximum limit (ceiling) and sections 68, 69,
70 and 71 provide for vesting of the surplus land surrendered
by the owner, limited owner, usufructuary mortgagee and tenant
respectively. Section 74 prohibits alienation of holdings by
surplus holders on and from 21.8.'69. Section 125(2) provides
penalty for refusal or failure to furnish the declaration within
the specified period.

2) Section 66 makes it obligatory on the part of every
holder of land in excess of ceiling limit to furnish a declaration
of all the lands held by him within 90 days of the Notified date
or within ninety days after he comes to hold such excess land.
This time limit is however extended to two years in the case of
Defence Personnel. For that purpose, the State Government by
Notification No.RD 213 LRY 69 dated 16.8.'69 had specified
21.8.'69 as the 'notified date' for the whole of the State of
Mysore.

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3) The total number of declarations under Section 66 reported to have been received in the whole of the State is about 1550.

The disposal of these declarations rests with the Tahsildars of Taluks. Report for April '72 received from Belgaum Division discloses that the Revenue Officers there, have disposed of 624 declarations out of 1255 received in that Division and disposal of 572 declarations has been held over these cover tenanted lands. Similar reports from other Divisions have not been received. The Divisional Commissioners and Deputy Commissioners (except Belgaum Division) are requested to furnish a consolidated report in this behalf.

4) The Tahsildar's duty does not end with the disposal of the declarations already received. He has to investigate with reference to revenue records and find out the cases, where by malafide transfers or by omissions declaration of holdings above ceiling limit have been suppressed and report such cases to the Assistant Commissioner to take action to invalidate the illegal transactions under Section 83. Further he has to issue notices under Section 66(2) to the persons, who although surplus holders have failed to file the declarations, requiring them to furnish declarations of all lands held by them within 30 days of the date of service of notice, failing which make them liable for punitive measures provided in Section 125(2). After determining the extent of surplus land to be surrendered to Government under Section 67(1), he has to give a notice to the persons specifying the extent of land to be surrendered and calling upon them to file statements indicating the lands which they intend to retain. Such statements are to be filed within thirty days of the date of service of notice and they are to be approved by the Tahsildar

and thereupon such lands shall be deemed to have been surrendered to Government. If no statement is filed within the thirty days time given, the Tahsildar is empowered to select the lands to be surrendered and such lands, shall thereupon be deemed to be surrendered Section 67(4).

5) The power of issuing notifications of vesting of surplus lands in Government rests with the Munsiff Courts under Sec. 73. This power of the Munsiff Courts is proposed to be vested in the Tahsildars by amending Section 73. Pending the amendment, the Deputy Commissioners and Special Deputy Commissioners are requested to instruct the Tahsildars suitably and ensure that the declarations already received and which do not involve tenanted lands are disposed of by the Tahsildars and the extent of surplus land to be surrendered to Government is determined by them; that the notices contemplated under Section 66(2) are issued to all the big landholders who have failed to file the declarations and further action taken to determine the surplus extent in these cases also.

A copy of the instructions issued in this behalf may be forwarded to Government and the progress made in determining the surplus land may be reported every month beginning from July 1972.

K. Balasubramanyam

(K. BALASUBRAMANYAM)
Commissioner for L.R. & Ex-officio
Secy. to Govt., Revenue Dept. 17/11

To

All Divisional Commissioners.
All Deputy Commissioners.
All Special Deputy Commissioners.
All Assistant Commissioners.
All Tahsildars.
All Special Tahsildars.