

NO.RD 112 LRM 76

GOVERNMENT OF KARNATAKA

Karnataka Government Secretariat,
"Vidhana Soudha",
Bangalore: Dt: 19.2.1976.

C I R C U L A R

Sub: Clarification of Sections 126 and 141 of Karnataka Land Reforms Act, 1961 - in respect of Charitable and religious Inams -

The applicability of the Land Reforms Act to the tenants holding inam lands has been clarified in Government Circular No.RD 252 LRM 75 dt.15th December, 1975.

In the above Circular, instructions have been issued to the Tribunals to desist from passing orders on the applications of the tenants under sec.48-A in respect of inam lands coming under those Inam Tenure Abolition Acts specified in Schedule-II, which have, built in provisions for conferment of occupancy rights, or grant of a hyatwari patta in favour of any inferior holder, in respect of the lands held by him. However, in respect of Charitable and religious Inams in the erst-while Bombay-Karnataka and Hyderabad Karnataka Area there was no Inam Abolition which had come into force prior to 1.3.1974.

It is, therefore, made clear that in respect of the Religious and Charitable Inams in those areas, the Tribunals can consider the applications filed by tenants holding Inam lands and take action to confer occupancy rights on tenants after deciding the case on merits.

In respect of Temple Inam Lands which are cultivated by the Archak or The Managing Trustees himself, the question of confirming the occupancy rights should be deferred, as the point whether an archak or managing trustee rendering service to the Institution and taking the produce of the lands can be deemed to be a tenant is under examination.

It is made clear that Section 126 of Land Reforms Act ceases to operate in respect of ex-inam lands which have been regranted on ryatwari tenure to the ex-inamdars or the tenants under such inamdars.

Any valid case entered into after the regrant is governed by the provisions of the Land Reforms Act, including the grant of occupancy right to the tenant. In view of the over-riding effect of Sec.138 the Land Reforms Act, the tenants holding regranted lands under valid leases from the regrantees are entitled to get occupancy rights, notwithstanding the condition of non-alienation imposed at the time of re-grant.

(B.M.NAGARAJ)

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

To

The Divisional Commissioners of Divisions.
The Deputy Commissioners of District.
The Special Deputy Commissioners of Districts.
The Assistant Commissioners / Special Assistant Commissioners.
The Tahsildars / Special Tahsildars.

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