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GOVERNMENT OF KARNATAKA

NO.RD 196 LRM 75

Karnataka Government Secretariat,  
Vidhana Soudha,  
Bangalore, Dated: 27th December 1975.

C I R C U L A R

Sub: Regarding occupancy rights in  
respect of fragent lands ..

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A question has been raised whether a tenant could be granted occupancy rights in respect of a land which constitutes a fragment under the Prevention of Fragmentation and Consolidation of Holdings Act, 1966.

Section 6 of the Karnataka Prevention of Fragmentation and Consolidation of Holdings Act 1966 prohibits a land from being transferred or partitioned or sub-divided so as to create a fragment. No new fragment could be brought into existence by any one of the acts mentioned in the above said Act.

Section 45 of the Karnataka Land Reforms Act ordains that a tenant personally cultivating the land which is vested in the Government has to be registered as an occupant of that land from the date of the Land Reforms Act coming into force. What is contemplated under the Land Reforms Act is a regulation process of registering a tenant as an occupant of the same land.

No question of transfer, partition, or sub-division of the land is involved and by the process of registration, no new fragment is created. Hence by operation Section 45 of the Land Reforms Act, there is no question of infringing the provisions of Section 6 of the Karnataka Prevention of Fragmentation and Consolidation of Holdings Act, 1966.

(B.M.NAGARAJ)  
Asst.Spl.Officer for L.R. & Ex-officio  
Under Secy. to Govt. Rev. Dept.

- To
- All the Divisional Commissioners of Divisions.
  - All the Deputy Commissioners of Districts.
  - All the Special Deputy Commissioners of Districts.
  - All Tahsildars / Special Tansildars.

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