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GOVERNMENT OF KARNATAKA

NO. RD 339 LRM 74

Karnataka Government Secretariat,
Vidhana Soudha,
Bangalore, Dt: 24th December 1974.

C I R C U L A R

Sub: Inquiry regarding illegal transactions -
regarding.

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Under Section 83 of the Karnataka Land Reforms Act, 1961, the prescribed authority shall, after a summary inquiry, determine whether the transaction reported to it under section 83 or coming to its notice in any other manner is in contravention of the provisions of this Act, and make a declaration accordingly. Any transaction so declared to be in contravention of any of the provisions of this Act shall be NULL AND VOID. But it has been brought to the notice of the Government that some of the Assistant Commissioners functioning as "prescribed authority" under Section 83 are dismissing complaints preferred before them by private persons about the transactions contravening Section 83 of the Land Reforms Act on the ground that the persons who preferred the complaint have failed to appear and prosecute the application. This procedure is not correct. The prescribed authority has to take action on the basis of any information received by it from any source and it cannot dismiss the complaint and close the proceedings on the ground that the complainant has defaulted to put in appearance. When once the Assistant Commissioner has received information from any source that a particular transaction contravenes the provisions of the Land Reforms Act, the proceedings can be closed only after he has examined the merits of the case and come to the conclusion either that the transaction is 'null and void' being in contravention of the provisions of the Act or that there has been no contravention of the provisions of the Act. After the amendment of Section 83 which has come into force on 1.7.1974, all land involved in transactions which are declared as null and void by the prescribed authority shall be forfeited to and vest in Government. Hence, it is the Government which is ultimately interested in getting the transaction declared as null and void.

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NB Sakhardande

(N.B. Sakhardande)
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.
 - All the Assistant Commissioners/Special Asst. Commissioners.
 - All the Tahsildars, Special Tahsildars.
 - Weekly Gazette.

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