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Government of Karnataka

No.RD 418 LRM 76

Karnataka Government Secretariat,  
Vidhana Soudha,  
Bangalore, dated 19th Febr. 1977

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CIRCULAR

Sub:- Resumption of lands by the members of  
Armed Forces - Clarification -

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It is brought to the notice of Government that some Tahsildars have intepreted Sec.15 of the Karnataka Land Reforms Act to mean that a Soldier or a Seaman who has created tenancy under the provision of Sec.5 of the Act, is entitled to resume the tenanted land for his personal cultivation from the tenant only after he is released from service or sent to the reserve.

According to Sec.15 of the Karnataka Land Reforms Act, a Soldier or Seaman can resume the tenanted lands if he bonafide requires the said land for his personal cultivation.

As per Sec.2(ii) of the Act "to cultivate personally" means to cultivate land on one's account (i) by one's own labour or (ii) by the labour of any member of one's family or (iii) by hired labour or by servants on wages.

It is therefore clear that a Soldier or Seaman can resume tenanted lands even while he is in service provided that he can arrange for personal cultivation within the meaning of Sec.2(ii). However the resumption of the tenanted land is subject to the tenancy conforming to the provisions of Sec.5(2) and being intended for bona fide personal cultivation as per Sec.15.

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Asst. Spl. Officer for Land Reforms &  
Ex-officio Under Secretary to Govtt.  
Revenue Department.

- To
- All the Divisional Commissioners.
- All the Deputy Commissioners/Spl. Deputy Commissioners.
- All the Assistant Commissioners/Spl. Assistant Commissioners.
- All the Tahsildars/Special Tahsildars.
- The Secretary, Karnataka Rajya Sainik Board, Vidhana Soudha,