

No. RD. 41. LRM. 87

Karnataka Government Secretariat,
M. S. Buildings,
Bangalore, dated 2-4-1987

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"Circular"

Sub:-Clarification regarding Farm House.

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A doubt has been raised as to what type of premises constructed on the Agricultural Lands should be treated as Farm House or Residential House.

Explanation to section 81 of KLR. Act. 1961 enunciates that the activity including Marketing of Agricultural Products, storage and transport and the acquisition of implements and machinery in connection with any such activity is treated as Agriculture.

In Section 95 of Karnataka Land Revenue Act 1964 it is envisaged that the premises used for rearing of cattle, stocking hay, storing manure for Agriculture, storing Agriculture products and storing of Agricultural implements for the better cultivation of land or its more convenient use for the purpose are the activities of agriculture.

The premises constructed on the Agricultural Land for the aforesaid purposes shall have to be treated as Farm House.

While deciding whether the premises is a Agricultural or not the following factors should be taken into consideration.

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- i) situation of premises, in the village.
 - ii) Whether the premises are assessed to tax.
 - iii) Whether the tenancy of the premises is monthly or annually and whether the rent is monthly or annually.
 - iv) Whether the tenant residing in the premises is agriculturist or not
 - v) in determining the dominant character of premises, whether agriculture or non agriculture no one factor is decisive and the cumulative effect of all factors should be considered.
 - v) Where it is established that the house constructed on the Agricultural Land is being used for one or the other purposes aforesaid, such premises shall be treated as farm house.

sd/-Under Secy to Govt.,
Revenue Department.

No. LRF. 30/87-88

Dated:-8-5-1987

Copy forwarded to the Assistant Commissioners of Hassan and Sakleshpur Sub-Division and all the Tahsildars and Land Tribunal Chairmans in the District for information.

For Special Deputy Commissioner,
Hassan District