

L.R. 8/72-73
8/9/72

C I R C U L A R.

Sub: Implementation of Land Reforms Act, 1961.
Instructions.

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A memo sent to all the Tahsildars & Revenue Inspectors on 8/9/72

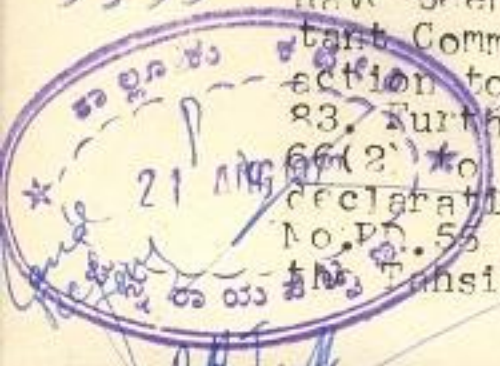
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On a review of the progress made in the matter of implementation of the Mysore Land Reforms Act, the undersigned has observed that the Assistant Commissioner and the Tahsildars have not done any tangible work in this regard in spite of instructions issued in the several Govt circulars which have been addressed to them direct besides instructions issued from this office from time to time. What is more surprising is that some of the Tahsildars have not even understood all the provisions of the Act and the Rules properly and that adequate attention is not bestowed on this important subject. The Deputy Commissioner desires to impress upon the Assistant Commissioners and the Tahsildars once again the importance of taking timely, energetic and firm action by all possible means towards implementation of the Land Reforms Act having regard to the series of instructions issued in this behalf so far. A summary of instructions in respect of certain provisions of the Act calling for immediate action is given below for the guidance of the Tahsildars and the Assistant Commissioners.

2. It is obligatory on the part of every holder of land in excess of ceiling limit to furnish a declaration of all lands held by him within the prescribed time limit. These declarations which do not involve tenanted lands should be verified and disposed of by the Tahsildars determining the surplus lands to be surrendered to Govt in conformity with the instructions given in the proforma annexed to the Govt. Circular No. PD. 55 IRM. 72 dt. 31-5-72 copies of which have been sent to the Tahsildars direct by the Government. The Tahsildar's duty does not end with the disposal of the declarations already received. Attention of all the Tahsildars is also invited to the instructions issued in Para 4 and 5 of the Govt. Circular No. PD. 107 IRM. 72 dt. 17-7-72, according to which the Tahsildar has to investigate with reference to revenue records and find out the cases where by malafide transfers or by omissions, declaration of holdings above ceiling limit have been suppressed, and report such cases to the Assistant Commissioner (as required under Sec. 82) who will take action to invalidate the illegal transactions under Sec. 83. Further, the Tahsildar, has to issue notice Under Sec. 66(2) to the surplus holders who have failed to file declarations. Instructions issued in the Govt circular No. PD. 55 IRM. 72 dated 8-6-72 may be adhered to. Further the Tahsildar has to take action under Sec. 67 after



determining the extent of surplus land to be surrendered to Govt. as instructed in the Govt. circular dated 17-7-72 cited earlier.

3. Section 81-A imposes an obligation on the transferee in the case of transfers of agricultural land to give a declaration in duplicate in Form 11 to the Registering authority for registering the document of transfer. A copy of such declaration is sent to the Tahsildar by the Registering Authority. The Tahsildar is required to verify the correctness of the declaration made under Sec. 81-A and take further action as laid down in Sec. 82 read with Rule 27(4). In respect of all illegal transactions reported under Sec. 82, the Assistant Commissioner is required to deal with such cases under Sec. 83 after holding a summary enquiry. The attention of the Assistant Commissioners and the Tahsildars is drawn to the instructions issued in the Govt. Circular No. RD. 14 IRM. 72 Dt 11-2-72 with instructions to take appropriate action accordingly. It has been brought to the notice of the undersigned that illegal transactions of land are taking place and that no positive action is being taken by the Revenue Officers in this regard under the provisions of the Sections specified above. While impressing upon the Assistant Commissioners and the Tahsildars regarding the need for taking timely action in accordance with the provision of law, the Deputy Commissioner would like to warn the subordinate officers that any act of omission or negligence on the part of any of the officials will be taken serious notice of and that the delinquents dealt with severely.

summary enquiry

4. The attention of the Assistant Commissioners and the Tahsildars is also drawn to the detailed instructions issued in the Govt. Circular No. RD. 55 IRM. 72 dt 8-6-72 regarding registration and disposal of declarations under Sec. 81-A. The Special Register prescribed therein should be opened if not done earlier and the instructions scrupulously followed.

5. If any land has remained uncultivated for a period of not less than two consecutive years without sufficient cause cases, the Assistant Commissioner in exercise of the Powers vested in him under Sec. 84 may, by notice served upon the land owner and any other person entitled to be or in possession of the land, require such persons to cultivate the land within one year from the date of service of such notice. On failure to do so, the Assistant Commissioner may lease out the land under Sec. 85 and 86 after holding summary enquiry. There may be several cases of uncultivated lands in this district but such cases are not reported to the Assistant Commissioner. It may be because that provisions regarding cultivation of un-cultivated lands contained in Chapter VI of the Land Reforms Act have not been properly understood by the Tahsildars down to the Revenue Inspectors and the Village Officers. The Tahsildars should issue necessary instructions to their executive subordinate staff in this behalf and see that cases of uncultivated lands are reported to the Assistant

*Call for
all R's
12/9/72*

Commissioners for appropriate action. This should not be neglected any further.

6. All the Tahsildars in this district are requested to take timely and effective steps in the matter of implementation of the provisions of the Mysore Land Reforms Act bearing in mind the instructions issued and not to give room for adverse comments. The Assistant Commissioners of Hassan and Saklespur should effectively supervise the work of the Tahsildars in this behalf paying visits to Taluk Offices quite frequently and bring to the notice of the undersigned any instance of slackness or lethargy on the part of any of the Tahsildars for being dealt with suitably.

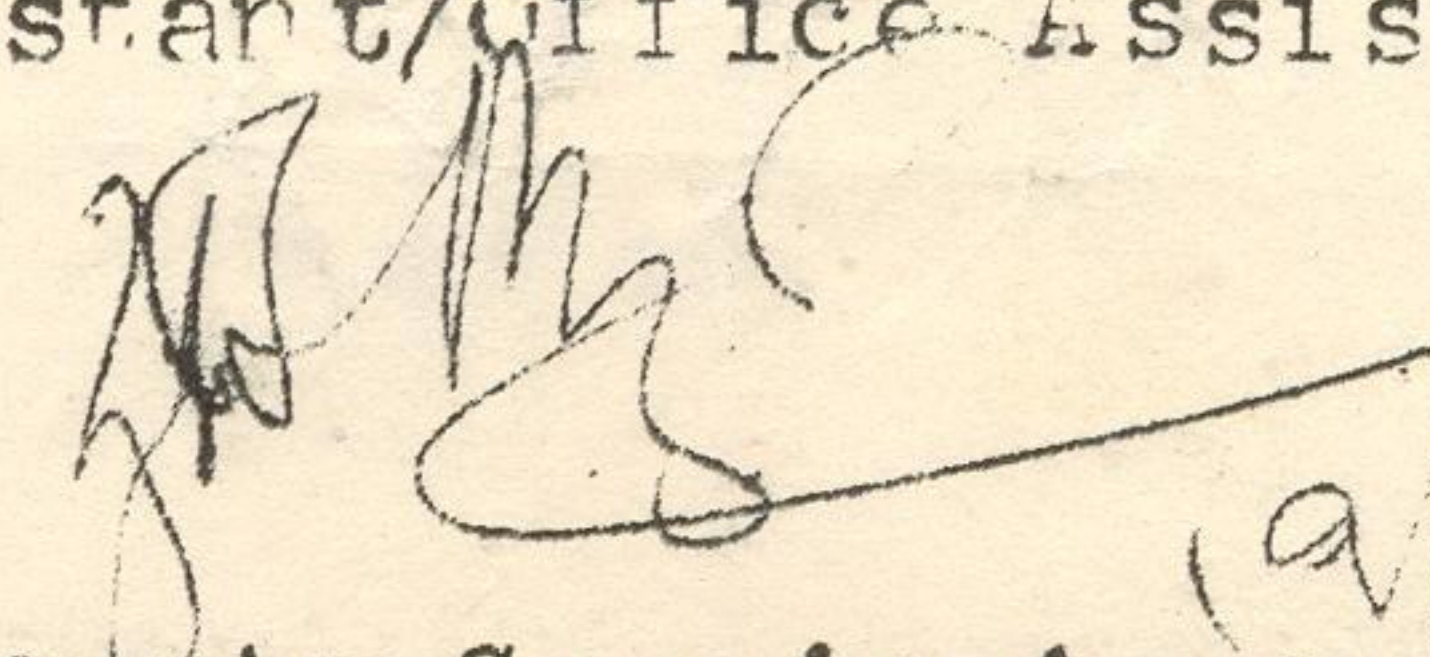
7. The receipt of this circular should be acknowledged forthwith.

Sd/-G. Muniyappa,
Deputy Commissioner,
Hassan District.

Copy to:-

1. The Assistant Commissioners Hassan/Saklespura
2. All the Tahsildars in the district.
3. The Headquarters Assistant/Office Assistant/
Circular file.

GDK/-


For Deputy Commissioner,
Hassan District.

19/8/72