

NO. RD 106 LGP 88

Karnataka Government Secretariat,
Sachivalay II,
Bangalore, dated the 17th Sept. 1991.C I R C U L A R

SUB:- Status of the C & D class lands after
resumption to Revenue Department -
Clarification regarding.

REF:- Government Order No. RD 106 LGP 88
dated 3.1.1991.

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(1) C & D class lands that were transferred to the Forest Department over a number of years have now been ordered to be retransferred to Revenue Department vide G.O. cited above. The Government have taken this decision after holding a series of discussions and it is the conscious decision of the Cabinet that C & D class lands that have not been notified as reserve forest should be re-transferred to Revenue Department. Therefore, with effect from 3.1.1991 i.e. the date of the issue of the Government Order cited above, all such C & D lands stand resumed to the Revenue Department. The relevant village revenue records obviously take some time to be corrected accordingly.

(2) It has come to the notice of Government recently that even after the issue of Government Order dated 3.1.1991, the Forest Department initiated action to notify such retransferred/resumed lands as reserve forest and even action was taken by the revenue officers to either retain entries in the revenue records that such lands are forest lands or that such lands having some tree growth be maintained as forest and entries be made to that effect in the records. This is apparently against the policy of the Government and such action is not only contrary to the orders of Government issued on 3.1.1991 and is also not legal and proper to make such changes without the prior and specific approval of the Government in the Revenue Department. Necessary clarification was therefore issued to the authorities concerned reiterating the policy/stand of Government in the Revenue Department and to implement the orders issued on 3.1.1991. The Forest Department has also been requested to issue suitable instructions to its officers in this behalf.

3. It is, therefore, hereby clarified that the status of C & D class as on 3.1.1991 i.e. the date of issue of Government Order cited above, is that they stand resumed/vested in the Revenue Department and therefore all C & D class lands transferred to Forest Department stand resumed to Revenue Department as on 3.1.1991 with the sole exception of C & D class lands already

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notified by the Forest Department as reserve forest under the provisions of the Karnataka Forest Act/Rules, prior to 3.1.1991. The Forest Department ceased to have control over these lands after 3.1.1991. This is the correct factual and legal position. It is, therefore, reiterated that the Deputy Commissioners of the Districts shall immediately ensure and take appropriate action in the light of the orders issued on 3.1.1991 and the relevant village revenue records shall accordingly be corrected and maintained properly.

4. The Revenue authorities shall also ensure that such resumed lands are not encroached upon afresh as regularisation of encroachment on such lands is permissible in respect of lands encroached upon prior to 14.4.1990 as per the existing rules. No proposals for grant or otherwise shall be initiated without the specific and prior instructions of Government in the matter, since such lands are required to be utilised only for Government and public purposes without bringing the said extent of land under the availability list as required under Rule 3 of the K.L.G.Rules, as clearly mentioned in item (2) of the Government Order dated 3.1.1991 referred to above.

5. Any action contrary to the above instructions on the part of the revenue officers will be viewed seriously. The Deputy Commissioners of Districts shall therefore immediately report compliance to Government in implementing the above instructions.

K.P.SINGH)

Secretary to Government-I,
Revenue Department.

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To

1. Chief Secretary to Government.
2. Secretary to Chief Minister.
3. Secretary to Government, Animal Husbandry, Fisheries and Forest Department.
4. All Divisional Commissioners.
5. All Deputy Commissioners.
6. All Assistant Commissioners.
7. All Tahsildars.
8. Private Secretary to Revenue Minister.
9. Section Gaurd file.



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RD 106/LGP 88

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