

GOVERNMENT OF KARNATAKA

No. RD 112 MRR 2002

Karnataka Government Secretariat,  
M.S. Building,  
Bangalore, dated: 11<sup>th</sup> December 2002.

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CIRCULAR

Sub: Implementing stay orders of various courts  
on Bhoomi system – reg.

Under the new Bhoomi dispensation, the mutation orders are passed by the Revenue Inspectors in the field and then are implemented on the Bhoomi computer system. The stay orders, if any, are received in the taluk office.

It may well happen that while the Revenue Inspectors is processing a mutation in the field, a stay order is received in the taluk office. The Revenue Inspectors may pass the order on manual mutation books and then ask for processing for implementation of the same on Bhoomi system. There have been questions from the field as to what would happen if Revenue Inspectors passes the order in his manual mutation register without being aware of the stay order.

The Law Department was consulted on the issue and their opinion is as follows:

*"According to Rule 62 of the Karnataka Land Revenue Rules, Record of Rights stored in the storage device are to be treated as original copy. Decision taken with regard to the mutation entry at the field level, therefore, will not be complete until proper entries are made in the storage device. Therefore, if any stay order is received in respect of mutation entries, the non-implementation of the said stay order before the mutation decision is fed into the computer, would violate the interim order of the competent court and is likely to invite a charge of contempt of court."*

Therefore the following procedure shall be followed by all for taking care of stay orders.

1. The stay order received from competent court shall be entered on the Bhoomi system on the same day without fail.
2. Before the Revenue Inspectors passes any mutation order in the field, he shall invariably ascertain from the taluk office whether any stay order has been received.
3. If any such order has been received then Revenue Inspectors shall keep the mutation case pending till further orders from the competent court.
4. In case any order is inadvertently passed by Revenue Inspectors in the field where any stay order has actually been received, the mutation order shall not be

- processed further on Bhoomi irrespective of whether such stay order has been incorporated on Bhoomi system using the Bhoomi 3 module or not.
5. Further the mutation order passed by Revenue Inspectors in the field in such cases will be cancelled by RR Shirastedars in Revenue Inspector's mutation register by attesting a seal "This mutation order is cancelled as a stay order is in operation on this mutation. Further order would be passed by Revenue Inspectors after stay order is vacated".
6. Further orders as shown below would be passed by Revenue Inspectors after the stay order is vacated with same mutation number: either in the same page of mutation register or on other page of mutation register in case no space is left on that page. But the mutation number will remain same.
- (a) If the mutation proceedings are quashed by the court, the mutation shall be rejected by Revenue Inspectors indicating the same.
- (b) If the stay is just vacated then further orders as deemed fit shall be passed by Revenue Inspectors
- (c) If some orders modifying the mutation entry are passed by the court, then
- i) The mutation shall be rejected by Revenue Inspectors and closed
- ii) Fresh mutation as per court order shall be initiated on Bhoomi system.

This Circular is also available at the Revenue Department Internet site  
<http://www.revdept.kar.nic.in>.

(RAJEEV CHAWLA)  
Additional Secretary to Government  
Revenue Department (Land Reforms)


To,  
All Deputy Commissioners.

NO.RRT/246/2002-03

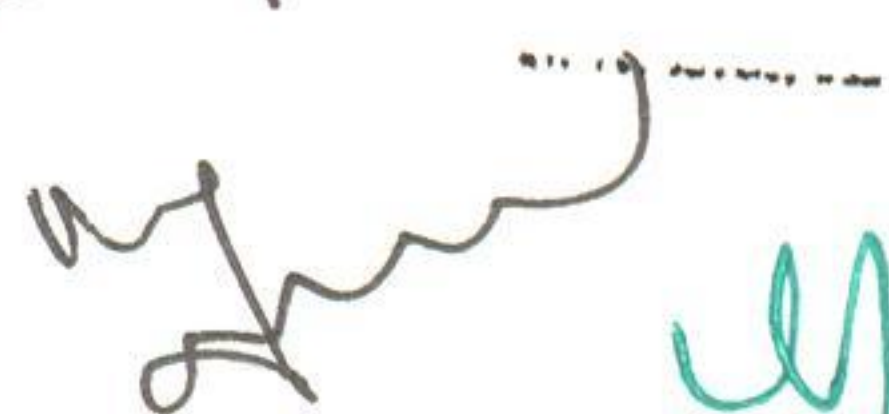
Office of the  
Deputy Commissioner,  
Hassan District, Hassan.  
DT: 24-12-2002.

Circular of the Govt.No.RD:112:2002 dated 11-12-2002 has been circulated to all the Asst Commissioners and Tahsildars for needful. The instructions issued by the Govt.should be strictly adhered to.

To  
The Asst.Commissioners Hassan & Sakaleshpur.  
Tahsildar...C.R. patna... Taluk.

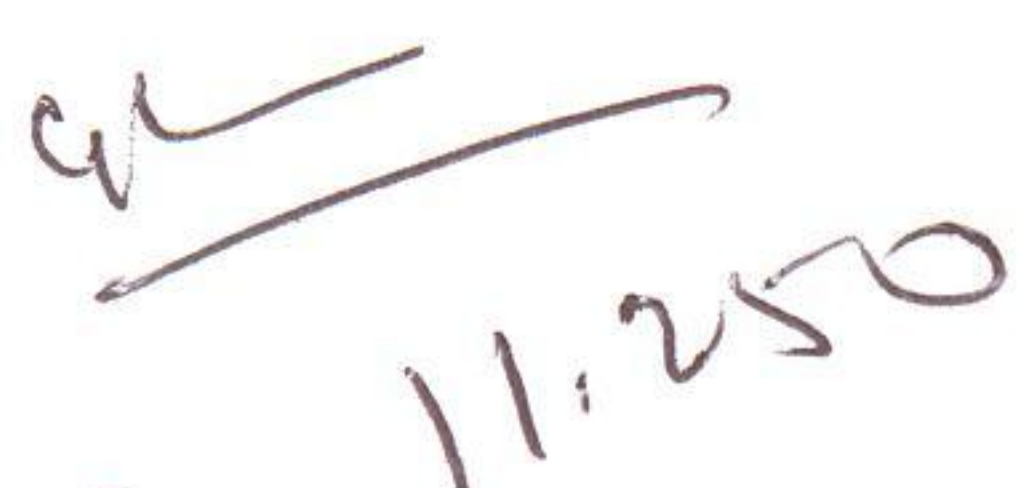
  
For Deputy Commissioner  
Hassan District, Hassan.

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