THE KARNATAKA LAND REFORMS ACT, 1961

ARRANGEMENT OF SECTIONS

Statement of Objects and Reasons:

Sections:

CHAPTER I

PRELIMINARY 1.

Short title, extent and commencement.

2. Definitions.

CHAPTER II

GENERAL PROVISIONS REGARDING TENANCIES

3. Extension of Transfer of Property Act to agricultural land in Gulbarga Area and application of Chapter V of that Act to tenancies and leases.

4. Persons to be deemed tenants.

5. Prohibition of leases, etc.

6. Tenancy not to be terminated by efflux of time.

7. Restoration of possession to tenants dispossessed in certain circumstances.

8. Rent.

9. Rent when deemed as paid and dispute regarding rent payable.

10. Rights and liabilities of land-lord.

10A. Liability to pay land revenue, etc.

11. Refund of rent recovered in contravention of provisions of this Act.

12. Abolition of all cesses, etc.

13. Suspensions, remissions or reduction of rent.

14. Omitted.

15. Resumption of land by soldier or seaman.

16. Omitted.

17. Omitted.

18. Omitted.

19. Restriction on transfer of resumed land.

20. Failure to cultivate, etc.

21. Sub-division, sub-letting and assignment prohibited.

22. Eviction of tenant for default, etc.

23. Eviction not to be ordered if rent paid during pendency of proceedings.

24. Rights of tenants to be heritable.

25. Surrender of land by tenant.

26. Tenancy in abeyance during usufructuary mortgage in favour of tenant.

27. Tenant‘s rights to trees planted by him.

28. Omitted.

29. Tenants responsible for maintenance of boundary marks.

30. Repairs of protective bunds.

31. Tenant‘s right to erect farm house.

32. Betterment contribution.

33. Receipts for rent.

34. Bar to attachment or sale by process of court.

35. Bar to eviction from dwelling house.

36. Site on which dwelling house is built to be sold to tenant.

37. Tenant‘s right to purchase site.

38. Dwelling houses of agricultural labourers, etc.

38A. Grant of certificate of ownership to an agricultural labourer.

39. First option to purchase land.

40. Compensation for improvement made by tenant.

41. Procedure for taking possessions.

42. Procedure for recovery of rent.
43. Rights or privileges of tenant not to be affected.

CHAPTER III

CONFERMENT OF OWNERSHIP ON TENANTS 44. Vesting of lands in the State Government.
45. Tenants to be registered as occupants of land on certain conditions. 46. When tenant entitled to choose land.
47. Amount payable.
48. Constitution of Tribunals.
48A. Enquiry by the Tribunal, etc
48B. Tahsildar to determine the amount payable
48C. Interim Orders.
49. Sub-tenants of tenants to be registered as occupants.
50. Determination of encumbrances and payment of the amount.
51. Mode of payment of the amount.
52. Payment of compensation to be full discharge.
53. Payment of premium by tenant.
53A. Establishment of a separate fund
54. Premium recoverable as arrears of land revenue.
55. Issue of certificate of registration.
56. Omitted.
57. Provisions applicable to minors, persons under disability, etc.
58. Vesting in the State Government of land leased contrary to the Act. 59. Omitted.
60. Failure to cultivate personally.
61. Restriction on transfer of land of which tenant has become occupant. 62. Surrender of land to State Government.

CHAPTER IV

CEILING ON LAND HOLDINGS 63. Ceiling on land.
64. Future acquisition of land.
65. Surplus land to be surrendered to State Government.
65A. Certain lands deemed to be in excess of ceiling area.
66. Filing of declaration of holding.
66A. Penalty for failure to furnish declaration
67. Surrender of land in certain cases.
67A. Payment for use and occupation of land
68. Vesting of land surrendered by owner.
69. Vesting of land surrendered by limited owner.
70. Reversion and vesting of land surrendered by usufructuary mortgagee. 71. Vesting of land surrendered by tenant.
72. Amount payable for lands surrendered to and vesting in the State Government. 73. Claims for the amount and payment of the amount.
74. Prohibition of alienation of holding.
75. Excess land not to be surrendered in certain cases.
76. Taking possession of land vested in State Government.
77. Disposal of surplus land.
77A. Grant of land in certain cases
78. Purchase price of surplus land.
79. Management of surplus lands.

CHAPTER V

RESTRICTIONS ON HOLDING OR TRANSFER OF AGRICULTURAL LANDS 79A. Omitted
79B. Omitted
79C. Omitted
80. Restrictions on transfer of certain lands.
80A. Restriction on lands granted to the Scheduled Castes or Scheduled Tribes. 81. Restriction on Sale or Mortgage of Agriculture Land.
81A. Declaration to be made before to registering authority in certain cases 82. Reporting of illegal transactions.
83. Inquiry regarding illegal transactions.

CHAPTER VI

PROVISIONS FOR CULTIVATION OF UNCULTIVATED LANDS 84. Uncultivated land may be required to be cultivated.
85. Power of Assistant Commissioner to lease out uncultivated land. 86. Cancellation of the lease.
87. Execution of lease, liability of land-owners, etc.
88. Delivery of possession after the period of lease.

CHAPTER VII

CO-OPERATIVE FARMS 89. Formation of a Co-operative Farm.
90. Application for registration.
91. Registration of Co-operative Farm.
92. Members' land transferred to the Farm.
93. Consequences of registration.
94. Bye-laws of the Farm.
95. Amendment of the bye-laws by the Registrar.
96. Land contributed to the Farm to continue to vest in the land-owner thereof. 97. Rights, privileges, etc., of members.
98. Contribution by a member.
99. Liability of the Farm to land revenue and other dues.
100. Admission of new members.
101. Heirs deemed to be members of the Farm.
102. Concessions and facilities for the Co-operative Farm.

CHAPTER VIII

EXEMPTIONS 103. Omitted.
104. Plantations.
106. Amount payable to religious institutions, etc.
107. Act not to apply to certain lands.
108. Lands taken under management of Court of Wards, etc.
109. Certain lands to be exempt from certain provisions. 110. Certain lands to be not exempt from certain provisions.

CHAPTER IX

PROCEDURE AND JURISDICTION OF COURTS AND APPEALS 111. Omitted.
112. Duties of Tahsildar and Tribunal.
113. Application of the Code of Civil Procedure.
114. Commencement of proceedings.
115. Enquiries.
116. Execution of orders.
117. Omitted.
118. Appeals.

118A. Revision by the Divisional Commissioner
119. Stay of execution of orders.
120. Omitted.
121. Orders in appeal.
121A. Revision by the High Court
122. Limitation.
122A. Review by the Tribunal
123. Court fees.
124. Enquiries and proceedings.

CHAPTER X

OFFENCES AND PENALTIES 125.

Offences and penalties.

CHAPTER XI

MISCELLANEOUS 126.

Application of Act to inams.
127. Legal assistance to poor tenants.
127A. Maximum amount payable under the Act.
128. Disposal of fragments.
129. Persons in possession not to be dispossessed except under lawful orders.
130. Summary eviction.
131. Omitted.
132. Bar of jurisdiction.
133. Suits, Proceedings, etc., involving questions required to be decided by the Tribunal. 134. Control.
135. Offences by companies.
136. Indemnity.
137. Rules.
138. Act to prevail over other enactments.
139. Removal of difficulties.
140. Rules and notification to be laid before the State Legislature.
141. Tenure Abolition Acts.
142. Repeal and savings.

SCHEDULES

SCHEDULE I.
SCHEDULE II.

SCHEDULE III.

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STATEMENT OF OBJECTS AND REASONS

I

Act 10 of 1962.—The Bill has been prepared with a view to introducing a common law relating to tenancy and other allied matters throughout the new State of Mysore in replacement of the following Acts which are in force in the several areas:—

1. The Bombay Tenancy and Agricultural Lands Act, 1948, as in force in the Bombay Area; 2. The Hyderabad Tenancy and Agricultural Lands Act, 1950, as in force in the Hyderabad Area; 3. The Mysore Tenancy Act, 1952, as in force in the Mysore Area, including Bellary District; 4. (*a*) The Madras Cultivating Tenants Protection Act, 1955;

(*b*) The Madras Cultivating Tenants (Payment of Fair Rent Act), 1956 as in force in South Kanara and Kollegal Taluk;

5. The Coorg Tenants Act, 1957, as in force in the Coorg District.

The Bill is generally modelled on the recommendations of the Mysore Tenancy and Agricultural Land Laws Committee constituted in May 1957, with some changes in the light of the opinion expressed in the Legislature and the suggestions of the Central Committee on Land Reforms constituted by the Planning Commission.

The main features of the Bill are—

(1) In future, leases will be permitted only in respect of lands held by persons suffering from some disability or persons serving in the Armed Forces or persons whose holding does not exceed a basic holding;

(2) In respect of lands leased out at the commencement of the Act, the right of resumption is generally regulated such that a tenant is left with a part of the holding, except where the land leased out is itself less than a basic holding and cannot be sub-divided;

(3) The rate of rent will be one-fourth of the gross produce in the case of irrigated lands and one-fifth of the gross produce in the case of other lands subject to the condition that the existing rents are not liable to enhancement;

(4) The extent of land which a land-owner cannot resume for personal cultivation will vest in Government on a notified date and the tenants who are actually cultivating such lands will be given occupancy rights subject to payment of fifteen times the rent *minus* land revenue, which amount will be paid to the owner as compensation;

(5) For regulating the rights of resumption and other all matters, the family holding is defined as the holding giving a income of Rs. 1,200 per annum; and

(6) The ceiling limit to land holdings will be three fan holdings. Existing holdings under personal cultivation which are managed according to prescribed standards and existing plantation including coconut and areca plantations will be exempted from ceiling.

II

Amending Act No. 14 of 1965.—It is considered necessary to make certain amendments as suggested by the Government of India, to the Mysore Land Reforms Act, 1961, before the Act is brought into force. Hence the Bill. The more important amendments are the following:—

(1) Transfers made after the passing of the Mysore Land Reforms Bill, 1961 by the State Legislature, i.e., 18th November 1961, will be disregarded both for purposes of determining the extent of land for resumption as also for determining the ceiling area.

(2) In respect of the right of resumption, the rights of landlords to resume land will be limited in the Bombay Area to cases in which notices have been given within the prescribed period under the Bombay Tenancy and Agricultural Lands Act, 1948, and in the Hyderabad Area to cases in which declarations have been made within the prescribed period under the Hyderabad Tenancy and Agricultural Lands Act, 1950, and the extent of land resumable will be determined in accordance with the aforesaid Acts.

(3) As regards restoration of possession to a tenant dispossessed from land held by him, the requirements that he should have held the land for a period of six consecutive years before the 10th day of September 1961 will be deleted, in order to enable tenants who may not satisfy this requirement to get possession restored.

(4) Social provisions made in favour of the members of the Armed Forces of the Union area made applicable to personnel of the Merchant Navy, and in the case of any member of the Armed Forces of the Union who dies while engaged in operations for the defence of India such member‘s spouse, child and grand child dependant upon such member will also be governed by such special provisions.

(5) As regardes surrenders to which section 25 of the Act is applicable, provision is made that the landlord will be permitted to accept surrenders only to the extent to which he could have resumed the land, the excess land being treated as surplus land.

(6) The amount of compensation payable in cash under section 51 will be limited to two thousand rupees instead of ten thousand rupees.

(7) As regards plantations, the limit of one hundred acres for development of plantation fixed in clause (ii) of the explanation to section 104 will be deleted, and the limitation on the interspersed land specified by clause (iii) of the same explanation will also be deleted.

(8) Exemption granted to Government lands under section 107 will also be granted to lands belonging to or held on lease from religious and charitable institutions managed by or under the control of the Government.

III

Amending Act No. 38 of 1966.—According to section 14 of the Mysore Land Reforms Act, 1961, the statements by the landlords who *bona fide* require land for cultivating personally, or for any non-agricultural purpose had to be filed with the Tribunal within one year from the appointed day, namely, the 2nd October 1965. As certain preliminary formalities like determination and publication of areas where land having assured irrigation facilities lie, and notifying average annual rainfall of the different areas, had not been completed to enable the filing of such statements, it was considered necessary to amend sub-sections (2) and (4) of the said section to extend the time limit by three months. Accordingly Mysore Ordinance No. 2 of 1966 was promulgated. Certain minor clarificatory amendments to clause (*c*) of sub-section (2) of section 14 and to section 81A and 142 were also made. The present Bill is intended to replace the said Ordinance. Provision has also been made in the Bill for amending section 7 to enable dispossessed tenants to make applications for restoration of possession within fifteen months from the appointed day. The Director of Statistics has been empowered to notify the average annual rainfall of different areas for purposes of Part A of Schedule I to the Act. The explanation to this Part is also proposed to be amended for this purpose.

188, at p. 4.)

IV

Amending Act No. 1 of 1967.—At present the Bombay Prevention of Fragmentation and Consolidation of Holidays Act, 1947, is in force in the Bombay Area and the Hyderabad Consolidation of Holdings and Prevention of Fragmentation Act, 1956, is in force in the Hyderabad Area.

Both the First Five-Year Plan and the Second Five-Year Plan have emphasised that in all States, programmes for consolidation of holdings should be expanded and pursued with vigour. It is considered necessary to have a uniform Law relating to prevention of fragmentation and consolidation of holdings applicable throughout the new State of Mysore. Hence this Bill.

The main features of the Bill are:—

(1) A plot of land of less extent than appropriate standard area which is not profitable for cultivation is considered a fragment;

(2) Future fragmentation of lands is prevented;

(3) Every holder will be given a compact area equivalent in value to what he held before in the scattered fields;

(4) Transfers or partitions which would result in creation of a fragment are prohibited;

(5) During consolidation proceedings, nobody will become landless however small his holdings may be, and big holder will not get enlarged holdings;

(6) Any owner of fragment can transfer such fragment to the owner of contiguous survey number on payment of compensation determined by the Deputy Commissioner. If the contiguous owner refuses to take it, he can transfer it to the State Government;

(7) If a holding is burdened with lease, mortgage, debt or other encumbrances, such encumbrances shall be transferred therefrom and attach it self to the holding allotted to the original owner thereof in the scheme.

Hence the Bill.

156, at p. 26–27.)

V

Amending Act No. 5 of 1967.—Section 14 of the Mysore Land Reforms Act, 1961 required the landlords who *bona fide* required land for their personal cultivation or for any non-agricultural purpose to file statements with the Tribunal within one year from the appointed day, namely, the 2nd October, 1965. As certain preliminaries like determination and publication of areas having assured irrigation facilities and notifying average annual rainfall talukwise could not be completed before 2nd October 1966 to enable the filing of such statements the time limit was extended by three months firstly by Mysore Ordinance No. 2 of 1966, which was replaced by Mysore Act No. 38 of 1966.

The extended time limit expired on 2nd January 1967. Before the expiry of the extended time limit, the determination and publication of areas where assured irrigation facilities lie could not be completed in the eight districts, *viz*., (1) Chickmagalur, (2) Dharwar, (3) Gulbarga, (4) Hassan, (5) Mysore, (6) Shimoga, (7) South Kanara

and (8) Tumkur. It was therefore considered necessary to further extend the time limit in these eight districts for filing statements by landlords under section 14 by four months from 2nd January 1967. This was done by promulgation of Ordinance No. 1 of 1967. This Ordinance No. 1 of 1967 is now proposed to be replaced by the Bill.

79, at p. 3.)

VI

Amending Act No. 11 of 1968.—Certain Land Tribunals in the Bombay Area, while disposing of statements filed under section 14 of the Mysore Land Reforms Act, 1961, have held that in view of section 16(10B) of the Act, the provisions of sections 31A, 31B and 31C of the Bombay Tenancy and Agricultural Lands Act, 1948, are not applicable as these provisions had been suspended by the Bombay Tenancy (Suspension of Provisions and Amendment) Act, 1957 (Mysore Act 13 of 1957). As the intention is that the provisions of the said sections should apply to such cases,

it is considered necessary to make it clear. It is also necessary to amend section 103 to provide that the protection under section 6 of the Act does not extend to leases in favour of industrial and commercial undertakings. It is further necessary to provide for an appeal against the order of the prescribed authority under section 8(3) of the Act. Hence the Bill.

VII

Amending Act No. 6 of 1970.— The Bill is intended primarily to expedite the disposal of the accumulation of resumption Applications. Rent applications and other Miscellaneous applications under the Land Reforms Act with the Special Tribunals appointed for the purposes, by enabling all the Munsiff Court to function as Land Tribunals, and by separating the Judicial from executive functions and transferring the latter to the Tahsildars. This will also add to the conveniece of the parties as the territorial jurisdiction of the present Land Tribunals extend to more than one Taluk in many cases and the new arrangement would make the Tribunals more easily accessible in all the areas. The opportunity has been taken to define the areas specified in the Land Reforms Act in metric terms as desired by the Government of India and to remedy the lacuna observed by the High Court in one of their judgments regarding the powers of the Court to decide as to who is a tenant.

VIII

Amending Act No. 4 of 1972.—Rent recovery suits filed by the landlords from 1966 onwards could not be disposed of in certain areas as the average yields of principal crops and the prices of such crops notified by the Tahsildars and the Chief Marketing Officer respectively had to be revised pursuant to the directions of the High Court on Writ Petitions filed before it. The notifications of average yield could be finalised in a few cases only in the year 1971. Consequently the rent recovery suits filed from 1966 are being disposed of now. It will be a great burden on tenants to pay the arrears of rent accrued from 1966.

The present Bill is intended to save tenants from eviction if a sum equal to two years‘ rent is paid. Provision is also made for restoration of possession to the tenants evicted under certain circumstances.

135, at p. 5.)

IX

Amending Act No. 2 of 1973.—In the Mysore Land Reforms (Amendment and Miscellaneous Provisions) Act, 1972 which is deemed to have come into force from 11th May, 1972, among other things it is provided that no order for restoration of possession of any land to the landlord on the ground of default in paying rent by the tenant shall be executed if the tenant pays to the land-lord an amount equal to the rent due for a period of two years. It was considered that this provision was not adequate enough to save the tenants from unfair eviction especially when the decrees presented for execution are more than one. It was also considered that the tenants do not get the required relief under this provision as it does not provide for payment of arrears of rent in easy instalments.

In view of the urgency involved in providing further safeguards to the tenants, the Mysore Tenants (Relief in Payment of Arrears of Rent) Ordinance, 1972 was promulgated on 28th October, 1972 providing for—

(i) recovery of accumulated arrears of rent in easy instalments to be fixed by the Munsiff Courts taking account the capacity of the tenant to pay;

(ii) postponement of payment of instalment in case of suspension or remission of land revenue; (iii) exempting tenant from arrest and imprisonment in execution of decree or order;

(iv) execution of decrees for deliberate default in payment of instalment by the tenant.

The Bill seeks to replace the said Ordinance.

X

Amending Act No. 1 of 1974.—According to the existing provisions of the Mysore Land Reforms Act, 1961, a person can hold land upto 18 standard acres after 2nd October 1965 or 144 acres of last class of land. In the case of a person who had held land prior to 2nd October 1965, the extent to which he is permitted to continue to hold is 27 standard acres or 216 acres of last class or a joint family, six additional standard

acres are permitted to be held for each member in excess of five, subject however to double the ceiling limit applicable to the family. Thus a large family holding lands prior to 2nd October 1965 could own upto 432 acres of the last class of land. This is considered to be too liberal a scale having regard to the large number of landless persons desiring to take up cultivation.

The existing law defines family as follows:—

―family‖ in relation to a person means such person, and if married, the wife or husband, as the case may be, and the dependant children and grand-children of such person.

It is proposed to adopt a new definition, in which a family would consist of husband, wife and the minor children. This is the natural family. The ceiling for a family consisting of husband, wife and three minor children shall be 10 acres of land with assured irrigation capable of raising two crops of paddy in a year or one crop of sugarcane or 15 acres of irrigated land capable or raising only a single crop of paddy if irrigated from the river projects and major tanks; and 18 acres if irrigated from small tanks. Lands coming under lift irrigation will have a ceiling of 15 acres. Rainfed wet lands will have a ceiling of 25 acres. Dry lands will have a ceiling of 36 acres, 45 acres and 54 acres according to the range of rainfall. For larger families with more than 5 members a proportionate increase is made at the rate of two acres of first class of land for every additional member subject to an overall limit of twenty acres of first class of land.

While applying the ceiling and determining the surplus land for a family, the lands held by the individual members will be added together. Where lands are held separately by the husband and wife of a family, the surplus to be surrendered shall be on *pro-rata* basis from the holding of each member of the family.

Ceiling will not apply to the lands held by Co-operative Farming Societies but the extent held by each person in such society and also in firms, associations and private trusts shall be deemed to be his personal holding for applying the ceiling.

Persons having assured income of not less than Rs. 12,000 per annum from non-agricultural source are not permitted to hold agricultural lands. Persons who are not cultivating personally are also not permitted to hold agricultural lands.

The term ―to cultivate personally‖ is re-defined so as to require residence within 16 kilometres from the limits of the village in which the land is situated.

The exemptions from the ceiling at present available to the lands exclusively used for grazing of cattle, forest land, land used for specialised farms, land used for sugarcane farms and land used for efficiently managed farms have been removed and exemptions from ceiling area made available only in the following cases, namely:—

(*a*) lands owned by Government or taken on lease from Government for a period not exceeding twenty years;

(*b*) lands given as a gallantry award;

(*c*) lands used for stud farms approved by Government;

(*d*) lands belonging to Agricultural Produce Marketing Societies.

Section 8 regarding rent will apply even to exempted lands.

In the case of Sugar Factories hundred acres of land with assured irrigation facilities for purposes of Research and seed farm are permitted to be held.

Orchards will be treated as dry lands and the ceiling of fifty-four acres is made applicable to them. The lands on which coconut trees are grown are treated as dry if they are grown without any irrigation.

For computation of revised ceiling, transfers of lands made from 18th November 1961 will be taken into account.

Rent: Under the existing law, the rent payable by the tenant to the landlord shall not exceed one-fourth of the gross produce or its value in cash in the case of land possessing facilities for assured irrigation from a tank or a river channel, and one-fifth of the gross produce or its value in cash in the case of any other land.

This involves determination of average yield of principal crops, market prices of the various commodities and as such, fixation of rent has become cumbersome process involving much time and energy. The method of fixing the rent is proposed to be simplified by fixing the rent at ten times land revenue for dry lands possessing no facilities for irrigation from Government sources. For lands classified as dry but possessing irrigation facilities from Government sources an additional rent ranging from Rs. 22 per acre per annum to Rs. 66 per acre per annum on the basis of irrigation facilities made available from Government source of irrigation is made payable.

The amount payable to the owner in respect of the non-resumable land vesting in Government under section 44 of the Act and the amount payable in respect of surplus land vesting in Government under section 72 will be a multiple of the net income, which is the same as rent. The multiple will be fifteen for net income upto Rs. 5,000 per annum, twelve for the next slab of net income from Rs. 5,000 to Rs. 10,000 and ten for the slab of net income over Rs. 10,000 per annum paid in instalments through negotiable bonds as at present. The amount payable is limited to rupees two lakhs.

The surplus land that would become available for distribution on applying the revised ceiling will be distributed by following the priorities given below, at the same time reserving fifty per cent of the surplus land for being allotted to the Scheduled Castes and Scheduled Tribes:—

(*a*) displaced tenants who have no land.

(*b*) landless agricultural labourers and other landless persons.

(*c*) other persons having less than

Not less than one unit each.

Not less than one unit each.

Not less than the extent required

one unit. to make up one unit.

Opportunity has also been taken to—

(i) authorise the Deputy Commissioner of the District to issue notifications of vesting of non-resumable lands in Government as and when such extents are determined by the authorities concerned;

(ii) make the Assistant Commissioner the appropriate authority to investigate and locate lands which are deemed to be non-resumable under section 2(A), (29) and section 14(3);

(iii) reduce the price payable by a tenant for site on which a dwelling house is built from twenty times the rent to ten times the rent;

(iv) provide for application of ceiling to holdings becoming irrigable on a future date under Government irrigation projects;

(v) divest Munsiff Courts of certain non-judicial powers and investing them in Revenue Officers; (vi) provide for the definition of ‗Tahsildar' to include Special Tahsildar';

(vii) provide for review of the proceedings of the Tahsildar or the Assistant Commissioner by the Divisional Commissioner;

(viii) substitute a new Schedule I in place of the existing one;

And other consequential amendments to quicken the pace of implementation of the Act.

(Obtained from the Mysore Land Reforms (Amendment) Bill 1972 in File No. LAW 55 LGN 72.)

XI

Amending Act No. 26 of 1974.—Section 48A of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) provides that every person entitled to be registered as an occupant under section 45 may make an application to the Tribunal within six months from 1st March 1974. This time

limit is due to expire on 31st August 1974. It is proposed to extend it to 31st December 1974 as there is a great demand from the rural population to allow extension of time.

Section 66 of the said Act as it stood prior to the promulgation of the Ordinance on 29th May 1974 allowed time for filing declarations of holdings upto 30th May 1974 and the filing of declarations had to be done in terms of A, B, C and D classes of lands.

On further examination it was considered unnecessary to link up filing of declarations with the A, B, C and D classification of lands and that the time limit of 90 days from 1st March 1974 required to be extended further by 90 days to enable the declarants to file their declarations.

Accordingly the Karnataka Land Reforms (Amendment) Ordinance 1974 (Karnataka Ordinance No. 3 of 1974) was promulgated on 29th May 1974 providing for filing of declaration with reference to irrigated, rainfed and dry lands within the extended time of 90 days from 30th May 1974. It is proposed to further extend the time upto 31st October 1974.

Hence this Bill.

2694, at p. 4.)

XII

Amending Act No. 31 of 1974.—Section 133 of the Karnataka Land Reforms Act expressly provides that the Civil Courts shall stay the suits involving issues required to be decided under the said Act and refer such issues to the Tribunal for decision.

In spite of the express provision in section 133, the Civil Courts had been granting injunctions against tenants in suits filed by land-lords under the specific Relief Act claiming that there were no tenants on the land as evidenced by entries in Record of Rights. The Courts took the view that actual possession on the relevant date and not legal title to the land was criteria in such suits. To safeguard tenants from dispossession in consequence of injunctions issued in such suits, further provision in the Land Reforms Act were considered desirable and accordingly an Ordinance (No. 6 of 1974) was issued on 3rd August 1974.

Section 91 of the Karnataka Land Reforms (Amendment) Act, 1973 is also proposed to be amended to make the intention clear.

Hence the Bill.

2693, at p. 5.)

XIII

Amending Act No. 18 of 1976.—Section 48 which provides for the establishment of Tribunals does not enable establishment of additional tribunals even in taluks where the volume of work is very heavy. This section also makes it obligatory for a Legislator being a member of the Tribunal.

To ensure quicker disposals of tenant‘s application establishment of additional Tribunals wherever necessary was considered expedient. It was also considered not practicable to have a Legislator as a member of additional Tribunal. It was therefore considered necessary to amend section 48 to provide for the establishment of additional Tribunals and to make it not obligatory to have a Legislator as a member.

Since it was noticed that in some areas of the State all the tenants had not applied for registration for various reasons it was felt that time may be extended upto 30th June 1976 to enable such applications being filed and admitted if sufficient cause was shown for the delay and for this purpose section 48A may be amended.

Compensation to widows and minor and disabled persons were also to be paid in lumpsum under section 51. It was considered that in their cases such compensation may be paid in one lumpsum. It was therefore proposed to amend section 51.

As a consequence of payments to widows etc., in one lumpsum it was felt that the premium payable by the tenant to be registered as an occupant should also be made payable in one lumpsum

and that section 53 may be amended for this purpose. It is proposed to frame rules and empower the State Government to channel assistance from the State Development Bank or a credit agency to the tenant to make such payments.

To safeguard against a person who had large extents of land in 1961 but who has disposed of all his lands before 1st March 1974 or has brought down his holdings to less than 10 acres of irrigated land or the equivalent thereof as on 1st March 1974, evading to file declaration under section 66, a new sub-section (4) is being inserted in section 66 making it mandatory on all persons who held on or after 18th November 1961, ten acres of irrigated land or 20 acres of rainfed wet land or 40 acres of dry to file their declarations indicating their holdings during the period from 18th November 1961 to 1st March 1974 and the transfers effected.

The original time limit for declaration under the amended sub-section 4 of the section 66 of the Land Reforms Act expired on 9th December 1975 and has been extended by a further period of 90 days. This extension of time is felt necessary in view of certain difficulties expressed by holders of land in tracing all transactions subsequent to 18th November 1961.

Having regard to the current rate of interest on Government borrowings the rate of interest payable to the owners of tenanted land and surplus land vesting in Government and that payable by allottees of surplus land on the instalments of occupancy price is being changed from four and a half per cent to five and a half per cent by amending sections 51, 73 and 78.

Clause 8 of section 125 is being amended to enhance the punishment for failure to furnish a declaration under section 64 (4) or for furnishing false or incorrect declaration, to imprisonment of not less than six months but which may extend to one year or fine which may extend to five thousand rupees.

Section 132 is amended to omit the word ―Court which is superfluous.

The above amendments had to be brought into force through Ordinances in view of the urgency. This Bill seek to replace these Ordinances.

630, at p. 6.)

XIV

Amending Act No. 27 of 1976.—In the absence of specific provisions in the Land Reforms Act investing the Tribunals constituted under Section 48 with powers to issue interlocutory orders in the nature of temporary injunction or appointment of Receivers concerning the land in respect of which an application was made to the Tribunal under Section 48-A, the Civil Courts continued to exercise these powers and there was confusion due to orders issued by the Civil Courts not always taking into consideration the matters which were being agitated before the Tribunal. To remove this parallel jurisdiction, the Tribunals had to be vacated with the powers to issue interlocutory orders in the nature of temporary injunction or appointment of Receiver in respect of any land which is the subject matter of an application under Section 49-A by a tenant. It was considered necessary specifically to empower the Tribunal to decide whether the land in respect of which an application under Section 48-A is made, is agricultural land or not, as it was ruled that in the absence of specific power to the Tribunal to decide this matter, regular Civil Courts could entertain applicati nd is agricultural land, coming within the

purview of Land Reforms Act. Consequential amendment to Section 133 to enable the Civil Courts to refer to the Tribunals all matters in respect of which powers are now vested in the Tribunals was also considered necessary.

In view of the urgency of the matter, these amendments were effected by Ordinance No. 24 of 1975. This Bill is for replacing the Ordinance.

(Obtained from LA Bill No. 17 of 1976.)

XV

Amending Act No. 44 of 1976.—The work relating to determination of surplus lands requires to be expedited so that the surplus lands will become available as soon as possible for distribution among the landless. At present the Tahsildar is the authorised officer entrusted with the work. It is

considered that by associating non-officials quicker progress may be made. It is therefore proposed to entrust this function to the Tribunal already constituted under section 48 of the Act.

Hence this Bill.

1857, at p. 4.)

XVI

Amending Act No. 67 of 1976.—The time limit for condonation of delay by the Tribunals in respect of applications filed under section 48A of the Karnataka Land Reforms Act expired on 30th June, 1976. In view of the general awareness generated among the tenants it was considered necessary to give further opportunity to them to file applications under section 48A by extending the time limit for condonation of delay by the Tribunals by another six months from 1st July, 1976 upto the end of December 1976 by promulgating an Ordinance.

This Bill seeks to replace the said Ordinance.

(Obtained from L.C. Bill No. 10 of 1976.)

XVII

Amending Act No. 12 of 1977.—By an amendment to Karnataka Land Reforms Act, the Tribunal were given the power to condone delay and accept the applications filed by tenants under section 48A upto 31st December 1976.

During the extended period from 1st July 1976 to 31st December 1976 it is seen that there was a receipt of about 30271 applications for a period of five months giving a monthly average of 6,000 applications. In view of the awareness now generated among the tenants by widespread publicity and special drives undertaken by the Revenue Officers, it is considered desirable to further extend the time limit by another six months and afford further opportunity to the tenants, who either due to ignorance or for other reasons, have not yet filed their applications for confirmation of occupancy rights.

As it was felt expedient to extend the time limit till 30th June 1977, and as both the Houses of State Legislature were not in session, and as the matter was urgent Ordinance No. 38 of 1976 was promulgated.

The tenants were required to pay the premium in one lumpsum under section 53(1) of the Karnataka Land Reforms Act and under section 53(1A) the State Land Development Bank/Taluk Primary Land Development Bank could finance the tenants to pay the premium in one lumpsum. This scheme picked up adequate momentum during the last quarter of 1976. However, at this state a serious bottleneck threatened to block further progress under the scheme. This was because the Reserve Bank of India had enjoined a limit on financing for such purposes at 10 per cent the total financing by S.L.D.B., in a year. By December 1976, the S.L.D.B. in Karnataka had exceeded this 10 per cent limit. The Reserve Bank of India agreed in the 3rd week of February 1977 to relax this 10 per cent limit provided certain amendments were made to the Land Reforms Act, so that, the tenants could be called upon to pay only so much in each at a time as was required to be paid correspondingly by the Government to the landlords and were thus relieved of the burden of a heavy interest. This suggestion of Reserve Bank of India was found eminently reasonable and accepted by the Government. In order to ensure that there was no slowing down of the scheme of financing the tenants through the S.L.D.Bs/P.L.D.Bs. and help all the deserving tenants to obtain the occupancy rights on their lands, an Ordinance was promulgated making further amendments to the Land Reforms Act, in conformity with the principles enunciated by the Reserve Bank of India. Since, under the Act, Government is obliged to pay an annuity in perpetuity to the Institutions to compensate them for their loss of income from the tenanted lands, a special provision has also had to be made for such Institutions in the (Amendment) Ordinance issued.

Therefore, the Karnataka Land Reforms (Amendment) Ordinance, 1977 was also promulgated. This Bill seeks to replace the said Ordinance.

XVIII

Amendment Act No. 23 of 1977.—In order to clarify certain provisions of the Land Reforms Act and for the purpose of its speedy implementation, it is considered necessary to make the following among other amendments to certain of its provisions.

(1) Not to recover any rent from the tenant pending disposal of his application by the Tribunal for registration as an occupant.

(2) For eviction of an unauthorised occupant before surplus land is disposed of under section 77.

(3) To provide that a member of the Tribunal who absents himself from three consecutive meetings ceases to be a member.

(4) To provide that previous proceedings may be continued by a reconstituted Tribunal.

(5) To enable the Tribunal to pass orders in respect of the admitted part of a claim and proceed separately in respect of the contested part.

(6) To provide that the number of instalments under which the tenant is to pay the premium shall be the same as the number of instalments under which he receives the loan from a credit agency.

(7) To recover compensation for use and occupation of surplus land from a person who does not hand over possession to Government immediately.

(8) To enable rules being made regarding distribution of surplus lands remaining after reservation to Scheduled Castes and Scheduled Tribes.

(9) To provide for appeal against orders passed by the prescribed authority under section 83. (10) To provide for incidental and other consequential amendments.

Hence this Bill.

549, at p. 8.)

XIX

Amending Act No. 1 of 1979.—Amendments proposed in the Bill are mainly to give effect to the suggestions made by the Government of India while assenting to the Act 1 of 1974 and to remove certain difficulties felt in the implementation of the Act. Some of the important amendments proposed are.—

(1) cocoa is being made a plantation crop;

(2) persons cultivating lands on the strength of leases created upto 1st March 1974 contrary to the provisions of section 5 are proposed to be declared as ―tenantǁ;

(3) certain dependents of soldiers who have died while in service are proposed to be permitted to alienate the land resumed from their tenants;

(4) provision is being made to grant agricultural labourers ownership of their dwelling houses; (5) members of the Tribunal who continuously absent themselves for more than three consecutive meetings of the Tribunal are proposed to be removed and the Deputy Commissioners are being empowered to transfer cases from one Tribunal to another wherever necessary;

(6) the High Court has recently struck down the registration of tenants as occupants who filed their applications after 31-12-1974 without showing sufficient cause for the delay. It is proposed to validate all such applications. Time to file declarations is being extended upto the expiry of three months from the date of commencement of this Act;

(7) it is proposed to provide for the payment of compensation in a lumpsum to landlords whose annual income is not more than Rs. 2,400 and to give option to widows to receive the compensation amount either in lumpsum or in the form of annuity. In the case of religious and charitable institution, in lieu of annuity it is proposed to give every year the interest that would accrue had the amount payable been deposited in fixed deposit in a Scheduled Bank for a period not less than 61 months;

(8) as desired by the Reserve Bank of India it is proposed to give compensation in the form of non-negotiable bonds to landlords;

(9) it is proposed to empower the Deputy Commissioner or some other officer authorised by the Government to distribute surplus lands;

(10) the Tribunal is being empowered to reopen any orders passed under section 67 of the Tribunal is satisfied that the said order has been obtained by fraud, misrepresentation or suppression of facts or by furnishing false, incorrect or incomplete declarations;

(11) the provisions of the Act are being made applicable to all tenants and landlords holding lands in inams or other alienated lands;

(12) according to the existing Schedule I the Government has to issue a notification specifying the nature of irrigation facilities from Government canals and from Government tanks in respect of all lands for the purpose of classification of lands. It is proposed to remove the necessity of issuance of notification by the Government.

Opportunity is taken to make some other consequential and minor amendments.

Hence this Bill.

(Obtained from LA Bill No. 27 of 1978.)

XX

Amending Act No. 2 of 1980.—U a Land Reforms Act, 1961 (Karnataka Act

10 of 1962) a person entitled to be registered as occupant had to pay the amount payable in full or the first instalment thereof, in order to obtain a certificate of registration as occupant. It was considered necessary that small tenants entitled to be registered as occupants of an extent of land not exceeding two units should be permitted to get themselves registered as occupants on payment of a sum of one hundred rupees initially. This would facilitate them to obtain financial assistance for the development of their land and for agricultural operations.

In order to extend the benefit to the small tenants immediately an Ordinance had been promulgated. The present Bill is intended to replace the Ordinance.

138, at p. 3.)

XXI

Amending Act No. 3 of 1982.—Sub-section (2) of section 5 is amended to exempt tenancy created prior to 1st March 1974 but continued by a soldier or seaman also from the provisions of section 5(1).

Substitution of clause (*b*) in sub-section (1) of section 8 with effect from 1st January 1979, is intended to restore the quantum of ―amount payable‖ to land owners to the position as it stood on 31st December 1978.

The proviso to sub-section (6) of section 48A is inserted to enable Tribunals to correct clerical or arithmetical mistakes in their orders.

Section 48C is amended to empower Tribunals to issue interim orders in respect of homestead dwellers to prevent their eviction pending disposal of applications filed.

The Amendment of section 51 is intended to limit the lumpsum payment to minors, widows, small holders etc. to Rs. 50,000/-. Persons who were minors or those who were subject to the prescribed physical or mental disability at the time of the determination of the amount payable are also made eligible for the lumpsum payment.

By amending section 53 the discrimination that existed as regards payment of premium amount by ex-tenants in lumpsum and in instalments depending upon the status of the land owners is removed. Further, the tenants are not to pay interest on instalments towards which amount is advanced by the Karnataka State Land Development Bank.

Section 53A is inserted to create a fund for payment of annuities to religious and charitable institutions.

Section 55 is amended to enable ex-tenants to get certificates of occupancy rights soon-after receipt of the decisions of Land Tribunals even without payment of the sum of Rs. 100/- or any amount of premium or the 1st instalment thereof, in the first instance.

The amendment of section 67 is intended to facilitate Tribunal of a taluk to dispose of declarations where portions of the land declared are situated in another taluk.

The amendment of section 78 is mainly intended to enable grantees, who have obtained surplus land under section 77 to obtain loans from the Karnataka State Land Development Bank for payment of purchase price.

On account of the view held by the High Court in a judgment delivered on 26th February 1979, the amendment of section 80 and 83 is necessitated to make invalid transfers referred to in section 80.

The amendment of section 106 is to make payment of annuity to Religious and Charitable Institutions in respect of tenanted lands. The position as it stood on 31st December 1978 has been restored.

The amendment of section 107 is to enable Research Institutions; affiliated to Universities to hold land for research purposes.

Provision is also made to frame rules in respect of study farms provided for in section 107 (1) (v). Other amendment are incidental and consequential.

Hence the Bill.

98, at p. 8.)

XXII

Amending Act No. 1 of 1983.—Under section 38 of the Karnataka Land Reforms Act, 1961 the agricultural labourers had to file applications for registration as owners of their dwelling houses on or before 31st December, 1969. This period was extended till 31st December, 1981 by the Karnataka Land Reforms (Amendment) Act, 1981 (Karnataka Act 3 of 1982). Since Act 3 of 1982 received the assent of the President only on 1st March 1982, the benefit of extended time could not be availed of by many. Having in view this circumstance and the demand from the public it is proposed to extend the time upto 31st March 1983.

In cases where an order under sub-section (1) of section 67 had been obtained by filing false, incorrect or incomplete declarations etc., the tribunal had to exercise its power of review under section 122A within a period of two years from the date of the order or the 31st December, 1981, whichever is later.

It is considered necessary to extended the time till 31st March 1983. Accordingly an ordinance was promulgated.

This Bill seeks to replace the said ordinance.

XXIII

Amending Act No. 35 of 1985.—According to the existing provisions under the Karnataka Land Reforms Act, Compensation to ex-landlords is paid partly in cash and partly in bonds (in the case of extended lands) and wholly in the form of bonds (in the case of surplus lands). The bonds are envisaged to be non-transferable and non-negotiable in character, carrying an interest at 5½% per annum and maturing in a period not exceeding 20 years.

A number of representations have been received that payment in the form of bonds would cause enormous inconvenience to the payees. Keeping this in view, it is now proposed to make payment in the form of National Savings Certificates instead of bonds. Payment in the form of National Savings Certificates is expected to bring considerable relief to the ex-landlord payees.

Section 122-A of Karnataka Land Reforms Act, 1961 provides for review of case of surplus declaration already decided earlier in cases where the determination has bee obtained by fraud, mis-representation etc. The time limit fixed is two years from the date of such order or within 31st

December 1981 whichever is later. However as Act 3 of 1982 which extended time limit upto 31st December 1981 received the assent of the President of India on 1st March 1982 i.e. after the lapse of the time limit fixed, it did not serve any purpose.

Decision had been taken in the State Level Conference of Divisional Commissioner, Deputy Commissioners and Special Deputy Commissioner held on 22nd and 23rd January, 1982 to extend the time limit. Accordingly Government had further amended the section 122-A by extending time limit upto 31st March 1983 by Act 1 of 1983.

As there are still a number of such surplus land cases remaining to be reviewed, it is considered necessary to extend the time limit for a further period of upto 30th June 1984 by amending section 122-A of the Karnataka Land Reforms Act, 1961.

Hence the Bill.

111, at p. 4–5.)

XXIV

Amending Act No. 19 of 1986.—In the Karnataka Land Reforms Act, 1961, there is no provision for preferring an appeal against the order passed by the Land Reforms Tribunal.

The High Court of Karnataka in Writ Petition No. 28441/1981 has observed that the disposal of the cases by the Tribunal is not satisfactory and to facilitate proper adjudication of disputes a provision in the Act for preferring an appeal is desirable.

It is hence intended to provide for an appeal against decision of the Land Reforms Tribunal by constituting an Appellate Authority.

It is also intended to waive the installment of premium payable on or after 17th October 1984 by person registered as occupants of land equal to 10 acres of D Class land or less.

The Karnataka Land Reforms (Amendment) Ordinance 1985 (Karnataka Ordinance 18 or 1985) was promulgated for the said purpose.

This Bill seeks to replace the said Ordinance.

Opportunity is also taken to extend the jurisdiction of the Appellate Authority to the case under the Mysore (Personnel and Miscellaneous) Inams Abolition Act, 1954, the Mysore. (Religious and Charitable) Inams Abolition Act, 1955, the Karnataka (Sandur Areas) Inams Abolition Act, 1976 and the Certain Inams Abolition Act, 1977, decided by the Land Reforms Tribunal.

XXV

Amending Act No. 18 of 1990.—After the Karnataka Land Reforms Act, 1961, was amended by Act 1 of 1974, it was expected that litigations pertaining to the tenancies would be disposed off early.

However, the Act was again amended by Act No. 19 of 1986, and provision was made for an appeal to the Land Reforms Appellate Authority with two Official Members, of whom one was a Civil Judge from the Judicial Department and another from the Revenue Department not below the rank of a Deputy Commissioner.

Earlier to the amendment Act No. 19 of 1986, the orders of the land Tribunals were final and they could only be questioned before the High Court in it‘s Writ Jurisdiction.

However, from the past experience, it is found that the desired results were not forthcoming from the Constitution of the Appellate Authorities. The system has also not proved to be beneficial in the majority of the cases.

Hence, after taking all factors into consideration, the Government decided to abolish the Land Reforms Appellate Authorities and to make the decision of the Tribunal final.

Hence the Bill.

420, at p. 7.)

XXVI

Amending Act No. 1 of 1991.—The Government having considered several representations to amend the Karnataka Land Reforms Act, 1961, has considered it necessary to amend certain provisions of the said Act.

Salient features of the Bill are as follows:—

1) The dependents of the soldier become entitled to resume the land, when the soldier dies while in service.

2) Rent payable to soldiers is enhanced.

3) A person with income upto rupees 10,000 is proposed to be included in the definition of the expression _small holder‘.

4) _Cocoa‘ is omitted from the definition of Plantation Crops.

5) Persons who have attained age of 65 years are made eligible to receive compensation in lumpsum.

6) A person registered as an occupant whose holding does not exceed 10 acres of _D‘ class of land, is proposed to be exempted from the payment of premium of instalments which have fallen due and remained unpaid.

7) The limit of rupees 12,000 on the income accruing from sources other than agriculture is proposed to be enhanced to rupees 50,000 to make persons having such income eligible to acquire agricultural land.

8) The period fixed for filing application to the High Court consequent to the abolition of appellate authorities is extended from 90 days to 120 days.

Opportunity is also taken to make some incidental and consequential amendments.

Hence the Bill.

(Obtained from LA Bill NO. 28 of 1990.)

XXVII

Amending Act No. 31 of 1991.—Sub-section (1) of section 79-A of the Karnataka Land Reforms Act, 1961 was amended by Karnataka Act 1 of 1991, raising the income limit relating to the acquisition of land to Rupees Fifty thousand. A consequential amendment to sub-section (2) has become necessary.

It is considered necessary to exempt the Karnataka Housing Board and certain Other Statutory Authorities from sections 79-A, 79-B and 80 of the said Act.

An Ordinance was promulgated for the above purpose.

This Bill seeks to replace the Karnataka Land Reforms (Amendment) Ordinance, 1991 (Karnataka Ordinance 7 of 1991).

Hence the Bill.

568, at p. 175.)

XXVIII

Amending Act No. 9 of 1992.—Disposal of surplus land under section 77 of the Karnataka Land Reforms Act, 1961 as subject to reservation of fifty percent for grant to persons belonging to the Scheduled Castes and Scheduled Tribes. Reservation of fifty percent to the said category of persons is considered to be inadequate and so it is proposed to enahance the percentage of reservation to seventy-five percent.

In order to promote industrial development and to enable educational institutions to hold land for non-agricultural purposes, it is considered necessary to exempt any land from the provisions of section 79A or 79B also, as section 109 of the said Act empowers the Government to exempt land from the provisions of section 80 only.

Under section 122A, a tribunal can review its order passed under section 67, under certain circumstances within the period specified therein. It is considered necessary to extend the said period upto 31st December, 1995 in the interest of justice.

Hence the Bill.

169, p. 430.)

XXIX

Amending Act No. 31 of 1995.—Certain difficulties have been experienced in recent years in the working of the Land Reforms Act in the State, in as much as restriction imposed on acquisition of agricultural land for certain purposes have come in the way of achieving development in certain sectors of economy, especially the Agro-Industrial Sector where the State holds considerable potential for advancement. Industries and other economic sectors where speedy execution is necessary, are found resorting to various indirect methods of obtaining lands for their requirement, which often tend to defeat the very purpose of the Land Reforms Law. In the new environment of economic liberlisation sweeping the country, it is felt necessary to enable the industries based on aquaculture, floriculture, horticulture and also the housing industry which hold high potential for drawing outside investment in the State, to obtain lands required for their establishment and expansion, easily.

The amendments proposed in this Bill are formulated with a view to addressing these issues which have roused persistent demand for public regulation, and to achieve overall development of the State by giving impetus to its economic growth and to that end to remove the lacunae in the existing law. Opportunity is also taken to make some other consequential and incidental changes.

Hence the Bill.

(Obtained from LA Bill NO. 31 of 1995.)

XXX

Amending Act No. 8 of 1996.—To enable the industries based on aquaculture, floriculture, horticulture and also the housing industry which hold high potential for drawing outside investment in the State, to obtain lands required for their establishment and expansion, easily, the Karnataka Act No. 31 of 1995 was enacted to amend section 109 of the Karnataka Land Reforms Act, 1961.

In order to clarify that the exemption of land under sub-section (1A) of section 109 was subject to the provisions of Town and Country Planning Act, 1961 and that grant of exemption is restricted to the provision, of section 63, 79A, 79B or 80, Karnataka Ordinance No. 8 of 1995 was promulgated, amending the said sub-section. As Ordinance No. 8 of 1995 would have lapsed on 8th February 1996, Karnataka Ordinance 1 of 1996 was promulgated.

This Bill seeks to re-place the said Ordinance.

Hence the Bill.

(Obtained from LA Bill No. 1 of 1996.)

XXXI

Amending Act 23 of 1998.—It is considered necessary to amend the Karnataka Land Reforms Act, 1961, to make a provision for grant of land vested in Government under section 44, if a person fulfills the following conditions.

(i) he was, immediately before the first day of March, 1974, in actual possession and cultivation of any land not exceeding one unit, which has vested in the State Government under section 44, and

(ii) being entitled to be registered as an occupant of such land under section 45 or 49, has failed to apply for registration of occupancy rights in respect of such land under sub-section (1) of section 48A within the period specified therein, and

(iii) has continued to be in actual possession and cultivation of such land on the date of commencement of the Karnataka Land Reforms (Amendment) Act, 1997.

Hence the Bill.

(Obtained from LA bill No. 27 fo 1997.)

XXXII

Amending Act 34 of 1998.—It is considered necessary to amend the Karnataka Land Reforms Act, to provide,—

(i) for reckoning the period of 15 years for transfer of the land for which occupancy rights have been given under this Act from the date of final order passed by the Tribunal under section 48A instead of from the date of issue of certificate under section 55;

(ii) that not only the Special Deputy Commissioner but any other Officer authorised by the State Government may grant the land under this section;

(iii) that the process of granting land may be completed within one year from the date of commencement of the Karnataka Land Reforms (Amendment) Act, 1997.

(iv) that the land which shall be granted together with the land already held by such person shall not exceed 2 hectares of D class of land or its equivalent and no land which lies within the limits of the area specified in the Table shall be granted.

Hence the Bill.

(Obtained from LC Bill No. 12 of 1998.)

XXXIII

Amending Act 22 of 2001.- It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 1 of 1962),-

(i) to provide for registration of the tenant alongwith his or her living spouse as joint occupations.

(ii) To remove the time limit for grant of land under section 77A of the Act. Hence the Bill.

(Obtained from L.A.Bill No.12 of 2001)

XXXIV

Amending Act 20 of 2003.-It is considered necessary to provide for,-

(i) acquiring by sale, gift or mortgage of any land or interest therein of agricultural property in favour of the Karnataka State Road Transport Corporation constituted under the Road Transport Corporation Act, 1950 (Central Act LXVI of 1950), the Karnataka Power Transmission Corporation Ltd., constituted under the Companies Act, 1956;

(ii)

the Deputy Commissioner to grant exemption under section 109 of the Act of any land in any area from the provisions of sections 63, 79-A, 79-B or 80 subject to the same restrictions and in the same manner but within the limits to be set forth under section 109. Hence the Bill.

[L.C. Bill No.13 of 2002]

[Entry 18 of List-II of the Seventh Schedule to the Constitution of India]

XXXV

Amending Act 34 of 2003.-Sub-section (1) of section 77 of the Karnataka Land Reforms Act, 1961 provides for grant of surplus land to,-

(a) land less persons whose gross annual income does not exceed rupees four thousand eight hundred and ex-military personnel whose annual income does not exceed rupees twelve thousand [clause (iv)];

(b) other persons residing in villages in the same Panchayat and whose gross annual income does not exceed rupees two thousand [clause (vi)].

It is considered necessary to amend the law and to provide in one clause for grant of land to landless persons or other persons residing in villages in the same Panchayat area whose gross annual income does not exceed rupees twenty thousand and to ex-military personnel whose gross annual income does not exceed rupees twenty-two thousand.

Hence the Bill.

[L.A. Bill No. 14 of 2003]

[Entry 18 of List-III of Seventh Schedule to the Constitution of India]

XXXVI

Amending Act 18 of 2004.- It is considered necessary to amend section 109 of the Karnataka Land Reforms Act, 1961 to provide for the Deputy Commissioners to grant exemption under the said section to an extent not exceeding half hectare of land.

Hence the Bill.

[L.C. Bill No.9 of 2004]

[Entry 18 of List-III of Seventh Schedule to the Constitution of India]

XXXVII

Amending Act 7 of 2005.-By inserting a proviso to sub-section (1-A) of section 109 of the Karnataka Land Reforms Act, 1961, the Deputy Commissioners were empowered to exercise the powers of the State Government to grant exemptions to an extent not exceeding half hectare of land. It is now considered necessary to retain the said power of the State Government in respect of the areas under Bangalore Rural District and Bangalore District.

Hence the Bill.

[L.A. Bill No.3 of 2005]

[Entry 18 of List-III of Seventh Schedule to the Constitution of India]

XXXVIII

Amending Act 17 of 2005.- It is considered necessary to provide for an appeal to the Revenue Appellate Tribunal from an order passed by the Deputy Commissioner or an Officer authorised under sub-section (1) of section 77A by suitably amending sub-section (2) of section 118 of the Act.

Hence the Bill.

[L.A. Bill No.8 of 2005]

XXXIX

Amending Act 17 of 2007.- In G.O.NO.RD 9 BMM 2003, dated: 8.9.2005 the posts of Regional Commissioners at Bangalore, Mysore, Gulbarga and Belgaum along with supporting staff has been created.

The Regional Commissioners have to be conferred with statutory powers by necessary amendments to the relevant Acts.

Since the matter was urgent and the Karnataka Legislature was not in session, the Karnataka Land Revenue and Certain Other Laws (Amendment) Ordinance 2006(Karnataka Ordinance No.5 of 2006) was promulgated to achieve the above Object.

Hence the Bill.

[L.A.Bill No. 7 of 2007]

[Entry 5 and 18 of List II of the Seventh Schedule to the Constitution of India.]

XL

Amending Act 35 of 2010.- Sub-section (2) of section 61 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) enable an occupant to raise loan by mortgaging or create a charge on his interest in the land for development of land or improvement of agricultural practices. It is considered necessary to enable the owner to raise loan by mortgaging their lands, for higher studies of their children.

Hence the Bill.

[L.A.Bill No. 14 of 2010, File No.39 Shasana 2009]

[Entry 18 of List II of the Seventh Schedule to the Constitution of India.]

XLI

Amending Act 27 of 2014.- It is considered necessary to amend section 109 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) and section 95 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) to provide that once the permission under section 109 of the Karnataka Land Reforms Act, 1961 is taken the permission under section 95 of the Karnataka Land Revenue Act, 1964 is deemed to have been taken as the procedure under the two enactments is similar but is time consuming one as separate permission has to be taken under each enactment which result in undue delay. It is considered necessary to simplify the said procedure.

Provision is also made in cases where the land in any area, cannot be utilized for the purpose of industrial development, educational institutions, places of worship, a housing project approved by the State Government or Horticulture purpose under sub-section (1) within the prescribed time such land shall be surrendered to the Land Bank of the Government, failing which the exemption shall be cancelled and same be forfeited to the Government without paying compensation. Hence, the new proviso to sub-section (2) of section 109 of Karnataka Land Reforms Act, 1961, is proposed to be inserted.

Hence the Bill.

[L.A. Bill No.47 of 2014, File No. Samvyashae 24 Shasana 2014]

[entry 5 and 18 of List II of the Seventh Schedule to the Constitution of India.]

XLII

Amending Act 02 of 2015.-It is considered necessary,-

(1) to amend section 109 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) to insert an explanation relating to ―Industrial development‖ in sub section (1) of the said section to provide for inclusion of mining of minor minerals whether specified or non-specified and stone crushing activity for providing exemption under the said section.

(2) to amend section 95 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), to simplify or minimize the time required for diversion of land subject to obtaining the permission for the purpose of quarrying of Minor

Mineral or stone Crushing activity, under the relevant law for the time being in force.

Hence, the Bill.

[L.A. Bill No.64 of 2014, File No. Samvyashae 42 Shasana 2014]

[entries 5 and 18 of List II of the Seventh Schedule to the Constitution of India.]

XLIII

Amending Act 33 of 2015.- It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), for the following reasons, namely:- (1) to enhance the annual income limit from two lakh to twenty-five lakhs from sources other than agricultural lands to acquire any land taking into consideration the revision of rupee value since 1995;

(2)

to empower Deputy Commissio missioner to grant

permission for non agriculturist to purchase agriculture land under section 80 to take more caution while granting such permissions;

(3) to enhance the power of the Government and the Deputy Commissioner excisable on behalf of the Government to grant the land in any area to exempt from the provisions of section 63, 79A, 79B of the Act.

Hence, the Bill.

[L.A. Bill No. 33 of 2015, File No. Samvyashae 21 Shasana 2015]
[entry 18 of List II of the Seventh Schedule to the Constitution of India.] * * * *

XLIV

Amending Act 43 of 2017.- It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), to provide for an agricultural labourer to be entitled for registration as owner in respect of dwelling house built on land not belonging to him immediately prior to 1st day of January 1979, by vesting such Land in Government on the date of commencement of the Karnataka Land Reforms (Amendment) Act, 2016 and matters connected therewith or incidental thereto.

Hence the Bill,

[L.A. Bill No.37 of 2016, File No. Samvyashae 54 Shasana 2016]
[entry 18 of List II and entry 42 of List III of the Seventh Schedule to the Constitution of India.]

XLV

Amending Act 09 of 2020.-It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) to provide for,-

(i) deemed exemption to purchase Land for Industrial purpose to the extent approved by the State High Level Clearance Committee or the State Level Single Window Clearance Committee under the Karnataka Industrial (Facilitation) Act, 2002.

(ii) permission for sale of the lands exempted under section 109 after utilizing such land for the period of seven years for the purpose for which it was permitted to tide over the financial crisis to other company or organization for the same purpose to which it was permitted earlier.

As the matter was urgent and both houses of the Karnataka state legislature were not in a session, the Karnataka Land Reforms (Amendment) Ordinance 2019 (Karnataka Ordinance 3 of 2019) was promulgated on 20.11.2019

This Bill seeks to replace the said Ordinance.

Hence the Bill.

[L.A. Bill No. 15 of 2020, File No. Samvyashae 08 Shasana 2020]
[Entry 18 of List II of the Seventh Schedule to the Constitution of India.]
[Published in the Karnataka Gazette Extra-ordinary No. 152 in part-IV dated: 27.04.2020]

XLVI

Amending Act 56 of 2020.- Whereas several cases are being registered for the violation of the provisions of section 79A and 79B of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) and the Government has been receiving huge requests for the removal of restriction for purchasing agricultural land.

And whereas, in W.P.No 16199/2019 Hon‘ble High Court of Karnataka has given an interim judgment in which it has given direction to the State Government (Revenue Department) which is administrating section 79A and 79B of the said Act to simplify the services and to respond properly to the public grievances.

And whereas, the High Court Karnataka,-

(i) in the previous order dated: 28.05.2019 has observed that since 1974 to till this date though several orders have been passed in respect of the proceedings initiated under section 79-A

and 79B of the Karnataka Land Reforms Act, 1961 in majority of them the proceedings are dropped. In some of the cases, order for confiscation of the land to the State was passed but no action is taken by the authorities in taking over the possession of such land.

(ii) therefore, the Principal Secretary of the State who is present before the Court shall look into all these matters and come back to this Court with a plan of action that he would take to regulate the aforesaid proceedings and also to ensure grievances of the people are addressed in a systematic process where the intervention of the official for extraneous consideration is removed. Further he shall also ensure action as initiated for not recovering lands where section 79A and 79B orders are passed in favour of the State in confiscation of the said land to the State.

(iii) in the order dated: 29.07.2019, the principal Secretary, Revenue Department would also State that with reference to section 79A and 79B proceedings, time bound mechanism would be put in place to ensure that the

proceedings are not initiated at the whims and fancies of the Officers but it would be based on legitimate revenue entries, he has given instructions to all the officers to pursue recovery of lands wherever the orders are passed in confiscating such lands to the State where violation of the provisions of section 79A and 79B is proved.

And whereas, the officers of the Revenue Department who are registering more cases against the persons who has purchased the land after several years for the violation of the provisions of section 79A and 79B of the Land Reforms Act, 1961, therefore public-general facing more problems by the action of Revenue Officers.‖

Therefore it is considered necessary to amend the said Act to provide for,- (i) removal of restriction on purchasing agriculture land and purchaser of agricultural land shall use such land for agricultural purpose only;

(ii) A-class irrigated Land shall be sold only for Agriculture purpose;

(iii) agriculture land shall only be mortgaged in favour of financial institution specified in section 81; and

(iv) no restrictions laid down in this Act shall be relaxed in respect of land granted under the Karnataka Schedule Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 (Karnataka Act 2 of 1979)

Therefore after detail examination it is consider necessary to omit the sections 79A, 79B and 79Cof the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962)and certain consequential amendments are also made.

As the matter was urgent and both houses of the Karnataka state legislature were not in a session, therefore the Karnataka Land Reforms (Amendment) Ordinance, 2020 (Karnataka Ordinance No.13 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance. Hence the Bill.

[L.A. Bill No. 42 of 2020, File No. Samvyashae 54 Shasana 2020]
[Entry 18 of List II of the Seventh Schedule to the Constitution of India.]
[Published in Karnataka Gazette Extra-ordinary No. 719 in part-IVA dated: 30.12.2020]

XLVII

Amendment Act 56 of 2025:- It is considered necessary further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) and Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964) to,- (i) give effect to the Budget Speech of 2025-26;

(ii) encourage renewable energy projects for generation of clean energy; and

(iii) adopt the provisions on the lines of the Jan Vishwas (Amendment of Provisions) Act, 2023 (Central Act 1

Hence, the Bill.

[L.A. Bill No. 51 of 2025, File No. SAMVYASHAE 59 SHASANA 2025]
[Entry 18 of List II of the Seventh Schedule to the Constitution of India] [Published in Karnataka Gazette Extra-ordinary No.562 in part-IVA dated:10.09.2025

1[KARNATAKA ACT]1 No. 10 OF 1962.

THE 1[KARNATAKA]1 LAND REFORMS ACT, 1961.

(*Received the assent of the President on the Fifth day of March, 1962.*)

(As amended by Karnataka Acts 14 of 1965, 38 of 1966, 1 & 5 of 1967, 11 of 1968, 6 of 1970, 4 of 1972, 2 of 1973, 1, 26 & 31 of 1974, 18, 27, 44 & 67 of 1976, 12 & 23 of 1977, 1 of 1979, 2 of 1980, 3 of 1982, 1 of 1983, 35 of 1985, 19 of 1986, 18 of 1990, 1 & 31 1991, 9 of 1992, 31 of 1995, 8 of 1996, 23, 34 of 1998, 22 of 2001, 20 of 2003, 34 of 2003, 18 of 2004, 7 of 2005, 17 of 2005, 17 of 2007, 35 of 2010, 27 of 2014, 02 of 2015 33 of 2015, 43 of 2017 , 09 of 2020, 56 of 2020 and 56 of 2025)

An Act to enact a uniform law relating to land reforms in the 1[State of Karnataka]1.

WHEREAS it is expedient to enact a uniform law in the 1[State of Karnataka]1 relating to agrarian relations, conferment of ownership on tenants, ceiling on land holdings and for certain other matters hereinafter appearing;

BE it enacted by the 1[Karnataka State]1 Legislature in the Twelfth Year of the Republic of India as follows:—

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the 1[Karnataka]1 Land Reforms Act, 1961.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

(2) It extends to the whole of the 1[State of Karnataka]1.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

(3) It shall come into force on such 2[date]2 as the State Government may, by notification, appoint.

1. Act came into force by notification w.e.f. 2.10.1965. Text of notification is at the end of this Act.

2. Definitions.—(A) In this Act, unless the context otherwise requires,— 1[(1) —agriculture‖ includes,—

1[(*a*) acquaculture;]1

1. Item (a) inserted by Act 31 of 1995 w.e.f. 20.10.1995.

1[(*aa*)]1 horticulture;

1. Renumbered by Act 31 of 1995 w.e.f. 20.10.1995.

(*b*) the raising of crops, grass or garden produce; (*c*) dairy farming;

(*d*) poultry farming;

(*e*) breeding of livestock;

(*f*) grazing;

but does not include the cutting of wood only;]1

1. Substituted by Act 1 of 1974 w.e.f. 01.03.1974.

(2) —agricultural labourer‖ means a person whose principal means of livelihood is manual labour on land 1[and includes an artisan whose principal means of livelihood is preparation of agricultural implements]1;

1. Inserted by Act 3 of 1982 w.e.f. 6.3.1982.

(3) —agriculturist‖ means a person who cultivates land personally;

1[(4) —Amendment Act‖ means the 2[Karnataka]2 Land Reforms (Amendment) Act, 1973;]1 1. substituted by Act 1 of 1974 w.e.f. 1.3.1974.

2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

1[(4A) x x x]1

1. Inserted by Act 19 of 1986 w.e.f. 6.12.1985 and Omitted by Act 18 of 1990 w.e.f. 8.10.1990..

(5) —appointed day‖ means the date appointed under sub-section (3) of section 1; 1[(5A) —Assistant Commissioner‖ means an Assistant Commissioner appointed under the Karnataka Land Revenue Act, 1964 and includes a Special Assistant Commissioner for Land Reforms and an Additional

Special Assistant Commissioner for Land Reforms appointed by the State Government to exercise all or any of the powers of the Assistant Commissioner under this Act;][1]

1.Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

[1][(6) x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(7) —ceiling area‖ means the extent of land which a person or family is entitled to hold under section 63;][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(8) —co-operative society‖ means a co-operative society as defined in the [1][Karnataka][1] Co-operative Societies Act, 1959;

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

(9) —co-operative farm‖ means a co-operative farm registered as provided in section 91; [1][(9A) —Court‖ means the Court of Munsiff within the local limits of whose jurisdiction the land is situate;][1]

1. Inserted by Act 6 of 1970 w.e.f. 15.1.1970.

(10) —to cultivate‖ with its grammatical variations and cognate expressions means to till or husband the land for the purpose of raising or improving agricultural produce whether by manual labour or by means of cattle or machinery, or to carry on any agricultural operation thereon; and the expression —uncultivated‖ shall be construed correspondingly;

Explanation.—A person who takes up a contract to cut grass, or to gather the fruits or other produce of any land, shall not on that account only be deemed to cultivate such land; (11) —to cultivate personally‖ means to cultivate land on one‘s own 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 payable in cash or kind, but not in crop share, under the personal supervision of oneself or any member of one‘s family;

[1][**Explanation I.**—In the case of an educational, religious or charitable institution or society or trust, of a public nature capable of holding property, formed for educational, religious or charitable purpose, the land shall be deemed to be cultivated personally if such land is cultivated by hired labour or by servants under the personal supervision of an employee or agent of such institution or society or trust;][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

Explanation II.—In the case of a joint family, the land shall be deemed to be cultivated personally, if it is cultivated by any member of such family.

[1][**Explanation III.**—x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(12) —family‖ means,—

(*a*) in the case of an individual who has a spouse or spouses, such individual, the spouse or spouses and their minor sons and unmarried daughters, if any;

(*b*) in the case of an individual who has no spouse, such individual and his or her minor sons and unmarried daughters;

(*c*) in the case of an individual who is a divorced person and who has not remarried, such individual and his minor sons and unmarried daughters, whether in his custody or not; and

(*d*) where an individual and his or her spouse are both dead, their minor sons and unmarried daughters;][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(12A) —financial institution‖ means,—

(i) a banking company as defined in the Banking Regulation Act, 1949;

(ii) the State Bank of India constituted under the State Bank of India Act, 1955; (iii) a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959;

(iv) a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970;

(v) the Agricultural Refinance and Development Corporation constituted under the Agricultural Refinance Corporation Act, 1963;

(vi) the Karnataka State Agro-Industries Corporation, a company registered under the Companies Act, 1956;

(vii) the Agricultural Finance Corporation Limited, a company incorporated under the Companies Act, 1956; and

(viii) any other institution notified by the State Government as a financial institution for the purpose of this Act;][1]

1. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

[1][(13) x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(14) x x x][1]

1. Omitted by Act 31 of 1995 w.e.f. 20.10.1995.

(15) ―improvement‖ means, with reference to any land, any work which adds to the [1][productivity][1] of the land and which is suitable thereto and consistent with the purpose for which it is held and which, if not executed on the land, is either executed directly for its benefit or is, after execution, made directly beneficial to it; and, subject to the foregoing provisions, includes,―

1. Substituted by Act 1 of 1979 w.e.f. 1.3.1974

(*a*) the construction of tanks, wells, water channels, embankments and other works for the storage, supply or distribution of water for agricultural purposes;

(*b*) the construction of works for the drainage of land or for the protection of land from floods, or from erosion or other damage from water;

(*c*) the planting of trees or plantation crops and the reclaiming, clearing, enclosing, levelling or terracing of land;

(*d*) the erection of buildings on or in the vicinity of the land, elsewhere than in the municipal or urban area, reasonably required for the convenient or profitable use or occupation of the holding; and

(*e*) the renewal or reconstruction of any of the foregoing works, or alterations therein or additions thereto;

but does not include temporary wells and such water-channels, embankments, levellings, enclosures or other works, or petty alterations or repairs to such works, as are commonly made by cultivators of the locality in the ordinary course of agriculture;

Explanation.―A work which benefits several lands may be deemed to be an improvement with respect to each of such holdings;

(16) ―intermediary‖ means any person who, not being a land-owner, has an interest in the land, and is entitled, by reason of such interest, to possession thereof, but has lawfully transferred such possession to others;

(17) ―joint family‖ means in the case of persons governed by Hindu Law, an undivided Hindu family, and in the case of other persons, a group or unit the members of which are by custom joint in estate or residence;

(18) ―land‖ means agricultural land, that is to say, land which is used or capable of being used for agricultural purposes or purposes subservient thereto and includes horticultural land, forest land, garden land, pasture land, plantation and tope but does not include house-site or land used exclusively for non-agricultural purposes;

(19) ―landless person‖ means a person who, holding no land whether as owner or tenant, earns his livelihood principally by manual labour on land, and intends to take to the profession of agriculture;

(20) ―landlord‖ means a person who has leased land to a tenant and includes a person entitled to receive rent from a tenant.

Explanation.―An intermediary such as a permanent tenant or mulgenidar, mirasi-tenant or khata kul who having taken land on lease from the land-owner has leased it to another person shall be deemed to be the landlord with reference to the person to whom the land is leased;

(21) ―land-owner‖ means an owner of land and includes a trustee or mortgagee with possession thereof;

[1][(21A) ―land revenue‖ means all sums and payments received or claimable by or on behalf of the State Government from any person on account of land held by or vested in him as fixed at a settlement of land revenue current in the area in which the land is situated.

Explanation.―In the case of any village in which settlement of land revenue has not been made, an amount equal to the land revenue assessment levied on the same extent of similar land in an adjoining village in which settlement of land revenue has been made shall be deemed to be the land revenue for purposes of this clause;

(21B) —limited owner‖ means any person entitled to a life estate in any land and includes persons deriving rights through him.

Explanation.—A person who has right to enjoy land during his life time shall be deemed to be a limited owner notwithstanding that he has no power to alienate the land;]1

1. Sub-sections (21A) and (21B) inserted by Act 1 of 1974 w.e.f. 1.3.1974

(22) —notification‖ means a notification published in the official Gazette;

(23) —permanent tenant‖ means a tenant 1[who cultivates land personally]1,—

(*a*) the commencement or duration of whose tenancy cannot satisfactorily be proved by reason of antiquity of such tenancy; or

(*b*) whose name or the name of whose predecessor-in-title has been entered in the record of rights or in any public record or in any other revenue record as a permanent tenant; or

(*c*) who by custom, agreement or the decree or order of a court holds the land on lease permanently; or

(*d*) who holds land as mulgenidar, mirasdar or khata kul; and includes any person whose tenancy is under the provisions of any law presumed to be co-extensive with the duration of the tenure of the landlord;

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974

1[(24) x x x]1

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

(25) —plantation crops‖ means cardamom, 1[x x x]1 coffee, pepper, rubber and tea; 1. Inserted by Act 1 of 1979 w.e.f. 1.3.1974 and Omitted by Act 1 of 1991 w.e.f. 5.2.1991.

(26) —prescribed‖ means prescribed by rules made under this Act;

(27) —protected tenant‖ means a tenant of any land if he has held it continuously and cultivated it personally for a period of not less than twelve years prior to the appointed day, and includes,—

(i) in the 1[Belgaum Area]1, a person who was recognised to be a protected tenant under section 4A of the Bombay Tenancy and Agricultural Lands Act, 1948, as in force in that Area before the appointed day, and

(ii) in the 1[Gulbarga Area]1, a person who was deemed to be a protected tenant under the Hyderabad Tenancy and Agricultural Lands Act, 1950, as in force in that Area before the appointed day;

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

Explanation.—(i) If the tenant came to hold the land by inheritance or succession from another person or if he has held such land as a tenant and is an heir to such other person, the period during which such other person held such land as a tenant shall be included in calculating the period of twelve years under this clause;

(ii) If the tenant holding the land held, as a tenant, at any time within the twelve years before the appointed day from the same landlord in the same village, any other land which he cultivated personally, the period during which he held such other land shall be included in calculating the period of twelve years under this clause;

(iii) Where any land is held by two or more persons jointly as tenants all such persons shall, if any, one of them cultivated and continues to cultivate such land personally be deemed to be protected tenants in respect of such land;

(iv) If a tenant had sublet a land on account of any temporary disability, he shall be deemed, for purposes of his acquiring rights of a protected tenant, to continue in possession and cultivate the land personally for the period of the sub-lease;

1[(28) —rent‖ means money paid or payable by a tenant on account of the use and occupation of the land held by him;]1

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974

1[(29) —Scheduled Bank‖ means a bank included in the Second Schedule to the Reserve Bank of India Act, 1934;

(29A) —Scheduled Castes‖ means the Scheduled Castes specified in respect of the 2[State of Karnataka]2 or in respect of any area thereof, in the Constitution (Scheduled Castes) Order, 1950;

(29B) —Scheduled Tribes‖ means the Scheduled Tribes specified in respect of the 2[State of Karnataka]2 or in respect of any area thereof, in the Constitution (Scheduled Tribes) Order, 1950;]1

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974

2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

[1][(30) —seaman‖ means a person including a master, pilot or apprentice, employed or engaged as a member of the crew of a ship or sailing vessel to which the Merchant Shipping Act, 1958 (Central Act 44 of 1958) applies;][1]

Provided that if a question arises whether any person is a serving member of the armed forces of the Union such question shall be decided by the State Government, and its decision shall be final;

1. Substituted by Act 4 of 1965 w.e.f. 29.7.1965.

(31) ‗small holder' means a land owner owning land not exceeding [1][two units][1] whose total net annual income including the income from such land does not exceed [2][ten thousand rupees][2];

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

2. Substituted by Act 1 of 1991 w.e.f. 5.2.1991.

[1][(31A) —soldier‖ means a person in the service of the Armed Forces of the Union and [2][for purposes of resumption of land and transfer of the resumed land][2] includes in the case of a soldier who has died [3][while in service as such soldier]3, the father, the mother, the spouse, the child and the grand child who were dependent upon such soldier at the time of his death: Provided that if a question arises whether any person is a soldier or whether any soldier has died [3][while in service as such soldier][3], such question shall be decided by the State Government, and its decision shall be final;][1]

1. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.

2. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

3. Substituted by Act 1 of 1991 w.e.f. 5.2.1991.

[1][(32) —stridhana land‖ means any land held by any female member of a family in her own name;

(32A) —Tahsildar‖ includes a Special Tahsildar empowered by the State Government to exercise all or any of the powers of the Tahsildar under this Act;][1]

1. Sub-Sections (32) and (32A) substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(33) —tenancy‖ means the relationship of landlord and tenant;

[1][(34) —tenant‖ means an agriculturist 1[who cultivates personally the land he holds on lease][1] from a landlord and includes,—

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974

(i) a person who is deemed to be a tenant under section 4;

(ii) a person who was protected from eviction from any land by the [1][Karnataka][1] Tenants (Temporary Protection from Eviction) Act, 1961;

. 1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

[1][(iia) a person who cultivates personally any land on lease under a lease created contrary to the provisions of section 5 and before the date of commencement of the Amendment Act.][1]

1. Inserted by Act 1 of 1979 w.e.f. 01.03.1974

(iii) a person who is a permanent tenant; and

(iv) a person who is a protected tenant.

Explanation.—A person who takes up a contract to cut grass, or to gather the fruits or other produce of any land, shall not on that account only be deemed to be a tenant;][1] 1. Clause (34) substituted by Act 14 of 1965 w.e.f. 29.7.1965.

[1][(35) —Tribunal‖ means the Tribunal constituted under section 48;

(35A) —Unit‖ means 2[one acre (40.47 ares)]2 of A Class land, the soil classification value of which is fifty paise (eight annas) and above or an extent equivalent thereto consisting of one or more classes of other land specified in Part A of Schedule I determined in accordance with the formula in Part B of the said Schedule.][1]

1. Clause (35) omitted by Act 6 of 1970 w.e.f.15.1.1970 and Clauses (35) & (35A) inserted by Act 1 of 1974 w.e.f.1.3.1974.

2. Substituted by Act 1 of 1979 w.e.f. 1.3.1974

(36) —[1][unmarried daughter][1]‖ means a [1][daughter][1] who has never been married;

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974

(37) —village‖ means a village recognised as such in the revenue accounts.

(B) Words and expressions used in this Act but not defined shall have the meaning assigned to them in [1][the [2][Karnataka][2] Land Revenue Act, 1964][1], and the Transfer of Property Act, 1882, as the case may be.

1. Substituted by Act 14 of 1965 w.e.f. 29.7.1965.

2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

[1][(C) x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

CHAPTER II

GENERAL PROVISIONS, REGARDING TENANCIES

3. Extension of Transfer of Property Act to agricultural land in [1][Gulbarga Area][1] and application of Chapter V of that Act to tenancies and leases.—(1) The Transfer of Property Act, 1882 (Central Act V of 1882) shall extend to agricultural land in the [1][Gulbarga Area][1], and the terms ―property‖ and ―immoveable property‖ in the said Act shall include agricultural land.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f.1.11.1973.

(2) The provisions of Chapter V of the Transfer of Property Act, 1882, shall, in so far as they are not inconsistent with the provisions of this Act, apply to the tenancies and leases of lands to which this Act applies.

4. Persons to be deemed tenants.—A person lawfully cultivating any land belonging to another person shall be deemed to be a tenant if such land is not cultivated personally by the owner and if such person is not,—

(*a*) a member of the owner‘s family, or

(*b*) a servant or a hired labourer on wages payable in cash or kind but not in crop share cultivating the land under the personal supervision of the owner or any member of the owner‘s family, or

(*c*) a mortgagee in possession:

Provided that if upon an application made by the owner within one year from the appointed day [1][x x x][1],—

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

(i) the [1][Tribunal][1] declares that such person is not a tenant and its decision is not reversed on appeal, or

(ii) the [1][Tribunal][1] refuses to make such declaration but its decision is reversed on appeal, such person shall not be deemed to be a tenant.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974

[1][**5. Prohibition of leases, etc.**—(1) Save as provided in this Act, after the date of commencement of the Amendment Act, no tenancy shall be created or continued in respect of any land nor shall any land be leased for any period whatsoever.

[2][(2) Nothing in sub-section (1) shall apply to,—

(*a*) a tenancy created or continued by a soldier or seaman if such tenancy is created or continued while he is serving as a soldier or a seaman or within three months before he became a soldier or a seaman.

(*b*) to any land leased after the commencement of the Karnataka Land Reforms (Amendment) Act, 1995 in the districts of Uttara Kannada and Dakshina Kannada by land owners or persons registered as occupants under the provisions of this Act for the purpose of utilising the land for acquaculture for a period not exceeding twenty years, at such lease rent as may be determined by mutual agreement between the parties and such agreement shall be registered and a copy thereof shall be sent to the Deputy Commissioner within fifteen days from the date of such registration.][2]

(3) Every lease [3][created][3] under sub-section (2) shall be in writing.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

2. Substituted by Act 31 of 1995 w.e.f. 20.10.1995.

3. Substituted by Act 1 of 1991 w.e.f. 5.2.1991.

6. Tenancy not to be terminated by efflux of time.—No tenancy of any land shall be terminated merely on the ground that the period fixed for its duration whether by agreement or otherwise has expired.

7. Restoration of possession to tenants dispossessed in certain circumstances.—(1) A person who or whose predecessor-in-title held any land as a tenant [1][x x x][1] before the tenth day of September, 1957 and who after that date and before the appointed day, has been dispossessed from such land either by surrender of the tenancy or by eviction, may, within [2][fifteen months][2] from the appointed day apply to the [3][Tribunal][3] for the restoration of his tenancy unless on the appointed day the land has been put to non-agricultural use.

1. Omitted by Act 14 of 1965 w.e.f. 29.7.1965.

2. Substituted by Act 38 of 1966 w.e.f. 29.9.1966.

3. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.

(2) On receipt of an application under sub-section (1), the 1[Tribunal]1 shall inquire into the circumstances in which and the procedure under which such dispossession took place and [2][if [1][it][1] is satisfied][2] that such dispossession took p

(*a*) surrender and the consent of the tenant was procured by fraud, misrepresentation or undue influence or pressure of any kind whatsoever or was otherwise in contravention of the provisions of the law applicable for the time being; or

(*b*) expiry of the duration of tenancy; or

(*c*) any act of the landlord or any person acting on his behalf without recourse to a court of law or in contravention of any provision of law,

the [1][Tribunal][1] shall order the restoration of possession of the land and the tenancy thereof to the tenant: [3][Thereupon such land shall be deemed to have vested in the State Government and the provisions of the Act shall apply to such tenant as if he had been ordered to be registered as an occupant under sub-section (5) of section 48A.][3]

Provided that the [1][Tribunal][1] shall not order restoration of possession of the land, [2][if [1][it][1] is satisfied][2] that the land is held on lease *bona fide* by a tenant who is not a member of the family of the landlord, or the dispossession, by surrender of the tenancy or by eviction, took place in accordance with any provision of law, or that another person, not being the landlord, is legally entitled to possession of the land.

1. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
3. Inserted by Act 1 of 1979 w.e.f. 1.1.1979.

(3) Sub-sections (1) and (2) shall have effect notwithstanding that another person not being a person referred to in the proviso to sub-section (2), may be in possession of the land as a tenant or otherwise, and where such other person is so in possession he shall be liable to be evicted.

[1][**8. Rent.**—(1) Subject to the provisions of this Act and notwithstanding anything in any law, custom, usage, agreement, decree or order of a Court to the contrary,—

(*a*) the rent payable in respect of any land by the tenant shall be payable annually; and [2][(b) such rent shall be the aggregate of ten times the land revenue and ten times the water rate, if any, payable in respect of such land,][2]

Provided that in the case of A Class, B Class and C Class lands (other than lands specified in item (ii) of C Class) referred to in Part A of Schedule I, the amount of water rate to be taken into account shall not exceed the amount specified below:—

(i) A Class lands	(ii) B Class lands	(iii) C Class lands other than lands specified in item (ii) of that class.
.. Rupees sixteen and paise fifty per acre	.. Rupees eleven per acre.	.. Rupees five and paise fifty per acre:

Provided further that where the rent payable by a tenant under any contract is less than the rent specified in clause (*b*), such tenant shall not be liable to pay more than such rent and where under any contract made prior to the date of commencement of the Amendment Act such lesser rent is payable in kind, the amount payable shall be calculated by converting rent in kind to its cash equivalent in the prescribed manner:

Provided also that in any area notified as malnad area the rent in respect of lands specified as dry land, but used exclusively for grazing or removing leaves, shall be equal to the land revenue payable for such land.

[3][Provided also that the rent payable by a tenant to the soldier or seaman shall be,— (*a*) in the case of A or B class of land, one-fourth of the gross produce or its value in cash which in any case shall not exceed rupees five hundred per acre; and

(*b*) in the case of any other class of land, one-fifth of the gross produce or its value in cash which in any case shall not exceed rupees two hundred and fifty per acre;

or the contract rent whichever is less.

Explanation.—For the purpose of this proviso, the gross produce per acre or its value in cash shall be determined as may be prescribed.][3]][1]

Explanation.—In this section ‗water rate' means the water rate payable in respect of land classified for purposes of land revenue settlement as dry land and irrigated by water obtained from any source of water which is the property of the State Government.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
. 1.1.1979.

3. Inserted by Act 1 of 1991 w.e.f. 5.2.1991.

[1][**9. Rent when deemed as paid and dispute regarding rent payable.**—(1) Where the landlord evades receiving the rent and giving a receipt, the tenant shall be deemed to have paid the rent if he sends the same by postal money order to or deposits it with the Tahsildar.

(2) A dispute between the landlord and the tenant as regards the rent payable shall, on the application of the landlord or the tenant, be determined by the Tahsildar.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

10. Rights and liabilities of landlord.—Notwithstanding any law, usage or agreement or the decree or order of a court, but save as otherwise provided in this Act, in the case of land in respect of which the rent is payable under section 8,—

(*a*) the landlord shall not be liable to make any contribution towards the cost of cultivation of the land in the possession of a tenant;

[1][(*b*) x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

(*c*) no landlord or any person on his behalf shall recover or receive rent [1][in kind or][1] in terms of service or labour.

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**10A. Liability to pay land revenue, etc.**—Notwithstanding any law, custom, usage, agreement, decree or order of a Court, the tenant shall, with effect from the date of commencement of the Amendment Act, be responsible for the payment of the land revenue, water rate and all cesses or fees levied thereon to the State Government or a local authority in respect of the land held by him on lease.][1]

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974

11. Refund of rent recovered in contravention of provisions of the Act.—If any landlord or any person on his behalf recovers rent from any tenant in contravention of the provisions of section 8, 9 or 10, the landlord shall forthwith refund the excess amount so recovered to the tenant and shall be liable to pay such compensation to the tenant as may be determined by the [1][Tahsildar][1] in this behalf, and shall also be liable to such penalty not exceeding twice the excess amount recovered, [2][x x x][2] as the [1][Tahsildar][1] may fix.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

12. Abolition of all cesses, etc.—Notwithstanding any agreement, usage or law, it shall not be lawful for any landlord to levy any cess, rate, premium, *huk* or tax or service of any description or denomination whatsoever from any tenant in respect of any land held by him as a tenant other than the rent lawfully due in respect of such land.

13. Suspensions, [1][remissions or reduction][1] of rent.—(1) Whenever from any cause the payment of the entire land revenue payable to the State Government in respect of any land is suspended or remitted, the landlord shall suspend or remit, as the case may be, the payment to him of the rent of such land by his tenant. If in the case of such land the land revenue is partially suspended or remitted, the landlord shall suspend or remit the rent payable by the tenant of such land in the same proportion.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) If no land revenue is payable to the State Government in respect of such land and if from any cause, the payment of the whole or any part of the land revenue payable to the State Government in respect of any other land in the neighbourhood of such land has been suspended or remitted, the Deputy Commissioner shall, subject to the general or special orders of the State Government, in the manner provided in sub-section (1), suspend or remit, as the case may be, the payment to the landlord of the rent or part of it due in respect of such land.

(3) No suit or other proceeding shall lie and no decree or order of a civil court or other authority shall be executed for recovery by a landlord of any rent, the payment of which has been remitted, or during the period for which the payment of such rent has been suspended under this section. The period during which the payment of rent is suspended under this section shall be excluded in computing the period of limitation prescribed for any suit or proceeding for the recovery of such rent.

[1][(4) x x x][1]

1. Omitt .

(5) If any landlord fails to suspend or remit the payment of rent as provided in this section, he shall be liable to refund to the tenant the amount recovered by him in contravention of this section. The tenant may apply to the [1][Tahsildar]1 for the recovery of the amount, and the [1][Tahsildar][1] may, after an inquiry, make an order for the refund, and for payment of such penalty not exceeding the amount so recovered, as the [1][Tahsildar][1] may fix.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(6) The [1][Tahsildar][1] may, after inquiry, on an application by the tenant or landlord at any time during the currency of the tenancy,—

(*a*) reduce the rent payable for any year, if [1][he][1] is satisfied that on account of the deterioration of the land by flood or other cause beyond the control of the tenant, the land has been wholly or partially rendered unfit for cultivation, or there has been damage to crops;

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(*b*) x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**14.** x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**15. Resumption of land by soldier or seaman.**—(1) A soldier or a seaman who has created or continued a lease in accordance with the provisions of section 5 shall, subject to the provisions of this Act, be entitled to resume land to the extent of the ceiling area whether his tenant is a protected tenant or not.

(2) The soldier or the seaman shall, if he *bona fide* requires the land to cultivate personally, issue a notice to the tenant requiring him to deliver possession of the land within the period specified in the notice, which shall not be less than the prescribed period.

(3) The notice referred to in sub-section (2) shall be given,—

(i) in the case of a soldier in service in the Armed Forces of the Union, [1][at any time not later than one year][1] from the date on which he is released from the Armed Forces or is sent to the reserve;

1. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.

(ii) in the case of the father, mother, spouse, child or grand-child of a soldier, within one year from the date of the death of such soldier; and

(iii) in the case of a seaman, within one year from the date on which he ceases to be a seaman.

(4) If the tenant fails to deliver possession of the land within the period specified in the notice, the soldier or the seaman may make an application to the Tahsildar within whose jurisdiction the greater part of the land is situated, furnishing the prescribed particulars for eviction of the tenant and delivery of possession of the land.

(5) On receipt of such application, the Tahsildar shall issue a notice to the tenant calling upon him to deliver possession of the land to the soldier or the seaman within such time as may be specified in the notice, [1][which shall not be less than the prescribed period][1] and if the tenant fails to comply, the Tahsildar may summarily evict the tenant and deliver possession of the land to the soldier or the seaman.

1. Inserted by Act 1 of 1991 w.e.f. 5.2.1991.

(6) Where the Tahsildar, on application by the tenant or otherwise and after such enquiry as may be prescribed, is satisfied that a notice as required by sub-section (2) is not issued, he shall, by notification, declare that with effect from such date as may be specified in the notification the land leased shall stand transferred to and vest in the State Government free from all encumbrances. The Tahsildar may take possession of the land in the prescribed manner and the tenant shall be entitled to be registered as an occupant thereof. The provisions of section 45 shall *mutatis mutandies* apply in this behalf.][1]

1. Section 15 substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**16.17.18.** x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

19. Restriction on transfer of resumed land.—[1][(1)][1] Notwithstanding anything contained in any other law or in section 80, no land resumed from a tenant [2][shall within fifteen years][2] from such resumption be transferred by sale, [3][gift, exchange or otherwise][3]: Provided that such land may be sold to the tenant who on resumption had been evicted from that land, at a value to be determined by the [2][Tahsildar][2].

[4][Provided further that such land may be sold by the father, the mother, the spouse, the child or the grand child of a soldier who has died [5][while in service][5] and who was dependent upon such soldier at the time of his death.][4]

1. Re-numbered by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
3. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.
4. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.
5. Substituted by Act 1 of 1991 w.e.f. 5.2.1991.

[1][(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for a landowner to take a loan and mortgage or create a charge on his interest in the land in favour of the State Government, [2][a financial institution, a co-operative land development bank, a co-operative society,][2] a company as defined in section 3 of the Companies Act, 1956 in which not less than fifty-one per cent of the paid up share capital is held by the State Government or a Corporation owned or controlled by the Central Government or the State Government or both, for development of land or improvement of agricultural practices; and without prejudice to any other remedy provided by any law, in the event of his making default in payment of such loan in accordance with the terms and conditions on which such loan was granted, it shall be lawful to cause his interests in the land to be attached and sold and the proceeds to be utilised in payment of such loan.][1]

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.

[1][**20. Failure to cultivate, etc.**—(1) [2][Subject to section 19, where a person][2] who has taken possession of any land by evicting a tenant in order to cultivate it personally or use it for non-agricultural purposes, fails within one year from the date he took possession or ceases within three years from such date to do so, the Tahsildar shall, on application [2][by such tenant][2] or otherwise, if satisfied that such person has so failed or ceased, declare by notification, that with effect from such date as may be specified therein the land shall stand transferred to and vest in the State Government free from all encumbrances.

[2][(2) When the land has so vested, such tenant shall, if he makes an application for the purpose within twelve months from the date of the notification under sub-section (1), be entitled to be registered as occupant thereof and the provisions of Chapter III shall *mutatis mutandis* be applicable in this behalf.][2]][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.

21. Sub-division, sub-letting and assignment prohibited.—(1) No sub-division or sub-letting of the land held by a tenant or assignment of any interest therein shall be valid: Provided that nothing in this sub-section shall affect the rights, if any, of a permanent tenant:

Provided further that if the tenant dies,—

(i) if he is a member of a joint family, the surviving members of the said family, and (ii) if he is not a member of a joint family, his heirs,

-shall be entitled to partition and sub-divide the land leased, subject to the following conditions:—

(*a*) each sharer shall hold his share as a separate tenant;

(*b*) the rent payable in respect of the land leased shall be apportioned among the sharers, as the case may be, according to the share allotted to them;

(*c*) the area allotted to each sharer shall not be less than a fragment;

(*d*) if such area is less than a fragment the sharers shall be entitled to enjoy the income jointly, but the land shall not be divided by metes and bounds;

[1][(*e*) if any question arises regarding the apportionment of the rent payable by the sharer it shall be decided by the Tahsildar:

Provided that if any question of law is involved the Tahsildar shall refer it to the Court. On receipt of such reference the Court shall, after giving notice to the parties concerned, try the question as expeditiously as possible and record finding thereon and send the same to the Tahsildar. The Tahsildar shall then give the decision in accordance with the said finding.][1]

1..Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for a tenant who is a soldier in service in the Armed Forces of the Union or a seaman to sub-let the land held by him as a tenant.

(3) Notwithstanding anything contained in sub-section (1), it shall be lawful for a tenant to take a loan and mortgage or create a charge on his interest in the land in favour of the State Government, 2[a financial institution, a co-operative land development bank, a co-operative society]2, a company as defined in section 3 of the Companies Act, 1956 in which not less than fifty one per cent of the paid up share capital is held by the State Government or a Corporation owned or controlled by the Central Government or the State Government or both, for development of land or improvement of agricultural practices; and without prejudice to any other remedy provided by any law, in the event of his making default in payment of such loan in accordance with the terms and conditions on which such loan was granted, it shall be lawful to cause his interest in the land to be attached and sold and the proceeds to be utilised in payment of such 1oan.]1

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.

22. Eviction of tenant for default, etc.,—(1) Notwithstanding any agreement, usage, decree or order of a court of law, 1[or anything contained in any enactment or law repealed by section 142 or in any other law in force before the commencement of such enactment or law]1 and subject to the provisions of section 2[15]2, no person shall be evicted from any land held by him as a tenant except on any of the following grounds, namely:—

(*a*) that the tenant has failed to pay the rent of such land on or before the due date during two consecutive years, provided the landlord has issued every year within three months after the due date, a notice in writing to the tenant that he has failed to pay the rent for that year;

(*b*) that the tenant has done any act which is permanently injurious to the land; (*c*) that the tenant has sub-divided, sublet or assigned the land in contravention of section 21;

(*d*) that the tenant has failed to cultivate the land personally for a period of two consecutive years;

(*e*) that the tenant has used such land for a purpose other than agriculture 3[x x x]3: Provided that no tenant shall be evicted under this sub-section unless the landlord has given 2[three months]2 notice in writing informing the tenant of his decision to terminate the tenancy and the particulars of the ground for such termination, and within that period the tenant has failed to remedy the breach for which the tenant is proposed to be evicted.

4[Proviso x x x]4

1. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
3. Omitted by Act 1 of 1979 w.e.f. 1.3.1974.
4. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

Explanation.—A tenant shall be deemed to have failed to pay rent payable by him to the landlord for any year, if he does not pay it before the end of June next after the expiry of the year.

(2) Nothing in sub-section (1) shall apply to the tenancy of any land held by a permanent tenant unless by the conditions of such tenancy the tenancy is liable to be terminated on any of the grounds mentioned in the said sub-section.

(3) Notwithstanding anything contained in sub-section (1), the tenancy of any land held by a tenant who is 1[x x x]12[a soldier in service in the Armed Forces of the Union or a seaman]2, shall not be liable to be terminated under the said sub-section only on the ground that such land has been sublet by or on behalf of the said tenant.

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 14 of 1965 w.e.f. 29.7.1965.

23. Eviction not to be ordered if rent paid during pendency of proceedings.—(1) Notwithstanding anything contained in section 22, the 1[Tahsildar]1 shall not order possession to be restored to the landlord on the ground of default in paying rent, if during the pendency of any proceeding for such restoration of possession, the tenant pays to the landlord the arrears of rent 2[for two consecutive years]2, together with the costs of the proceedings, as decided by the 1[Tahsildar]1, within such period as may be fixed by the 1[Tahsildar]1.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) Notwithstanding anything contained in any enactment or provision of law repealed by section 142 or in any other law, in any proceedings ay or instituted on or after that day in

pursuance of any such repealed enactment or law before any court, officer or authority for eviction of a tenant on the ground of default in paying rent, such court, officer or authority shall not order eviction of the tenant, if the tenant pays to the landlord the arrears of rent together with the costs of the proceedings as decided by such court, officer or authority within such period as such court, officer or authority may fix.

[1][(3) Notwithstanding anything contained in sub-sections (1) and (2) or in section 116, no decree or order for eviction on the ground of default in paying rent shall be executed if the tenant pays to the landlord the arrears of rent for two consecutive years together with the costs of the proceedings as specified in such decree or order and on such payment, the said decree or order shall abate.][1]

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**24. Rights of tenant to be heritable.**—Where a tenant dies the landlord shall be deemed to have continued the tenancy to the heirs of such tenant on the same terms and conditions on which such tenant was holding at the time of his death.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**25. Surrender of land by tenant.**—(1) No tenant of a soldier or seaman shall surrender any land held by him as tenant except in favour of the State Government:

Provided that any such surrender shall not be effective unless made in writing and the tenant has admitted the same before the Tahsildar and the same has been registered in the office of the Tahsildar in the prescribed manner.

(2) In respect of the land surrendered to it under sub-section (1), the State Government shall pay to the landlord rent calculated according to the provisions of section 8.

(3) The State Government may, subject to rules made for the purpose, lease the surrendered land to any person if possession thereof is not claimed by the soldier or the seaman for personal cultivation.

(4) Where the State Government leases the land under sub-section (3), the lessee shall pay the rent for the land to the landlord directly and with effect from the date of such lease the State Government's liability under sub-section (2) for payment of rent of the land shall cease.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

26. Tenancy in abeyance during usufructuary mortgage in favour of tenant.—If any land is mortgaged by a landlord by way of a usufructuary mortgage to a tenant cultivating such land, the tenancy of such land shall be in abeyance during the period the mortgage subsists. After the expiry of the said period it shall be lawful to the tenant to continue to hold the land on the terms and conditions on which he held it before the mortgage was created.

27. Tenant's rights to trees planted by him.—If a tenant has planted or plants any trees on any land leased to him, he shall be entitled to the produce and the wood of such trees during the continuance of his tenancy and shall on the termination of his tenancy be entitled to such compensation for the said trees as may be determined by the [1][Tahsildar][1]: [2][Proviso x x x][2]

Provided [2][x x x][2] that the landlord shall, during the continuance of the tenancy, be entitled to the rent of the land as if the trees had not been planted.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**28.** x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

29. Tenants responsible for maintenance of boundary marks.—Notwithstanding anything contained in any law relating to the maintenance of boundary marks of lands, the responsibility for the maintenance and good repair of the boundary marks of lands held by a tenant and any charges reasonably incurred on account of service by revenue officers in case of alteration, removal or repair of such boundary marks shall be upon the tenant.

30. Repairs of protective bunds.—(1) Notwithstanding any agreement, usage or custom to the contrary, if it appears to the Assistant Commissioner that the construction, maintenance or repair of any bunds protecting any land held by a tenant is neglected owing to a dispute between the landlord and the tenant or for any other reason, he may by an order in writing direct that the construction, maintenance or repair shall be carried out by such persons as may be specified in the order and the costs thereof shall be recoverable as arrears of land revenue from the person who under any agreement usage or custom is liable to construct, maintain or repair the bund

(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for the tenant of any land, the protective bunds of which are neglected, to construct, maintain or repair such bunds at his cost and the cost so incurred by him shall, on application made by him to the [1][Tahsildar][1], be recoverable by him from the landlord according to his liability under any agreement, usage or custom. The costs of the proceedings on the tenant's application shall also be recoverable from the landlord in case the landlord is held wholly or partially liable to pay the cost incurred by the tenant for the construction, maintenance or repair of the bunds.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

31. Tenant's right to erect farm house.—A tenant shall be entitled to erect a farm house reasonably required for the convenient or profitable use or occupation of the holding, on the land held by him as a tenant.

32. Betterment contribution.—If at any time any amount is levied or imposed by the Government on a land held by a permanent tenant as betterment contribution under the provisions of the [1][Karnataka][1] Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, or under any other provision of law, the permanent tenant thereof shall be liable to pay such amount to the Government.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

33. Receipts for rent.—(1) In the absence of an express intimation in writing to the contrary by a tenant, every payment made by a tenant to the landlord shall be presumed to be a payment on account of rent due by such tenant for the year in which the payment is made.

(2) When any rent is received in respect of any land by a landlord or by a person on behalf of such landlord, the landlord or, as the case may be, such person shall, at the time when such rent is received by him give a written receipt therefor in such form and in such manner as may be prescribed.

34. Bar to attachment or sale by process of court.—Save as expressly provided in this Act or in the [1][Karnataka][1] Co-operative Societies Act, 1959, no interest of a tenant in any land held by him as a tenant shall be liable to be attached, seized or sold in execution of a decree or order of a civil court.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

35. Bar to eviction from dwelling house.—(1) If in any village, a tenant is in occupation of a dwelling house on a site belonging to his landlord, such tenant shall not be evicted from such dwelling house (with the materials and the site thereof and the land immediately appurtenant thereto and necessary for its enjoyment), unless,—

(*a*) the landlord proves that the dwelling house was not built at the expense of such tenant or [1][any of his predecessors-in-title][1]; and

(*b*) such tenant makes 1[default during three consecutive years]1 in the payment of rent, if any, which he has been paying for the use and occupation of such site.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) The provisions of sub-section (1) shall not apply to a dwelling house which is situated on any land used for the purposes of agriculture from which a tenant has been evicted under [1][section 15 or 22][1].

1. Substituted by Act 1 of 1991 w.e.f. 5.2.1991.

[1][**36. Site on which dwelling house is built to be sold to tenant.**—(1) If a landlord to whom the site referred to in section 35 belongs intends to sell such site, it shall be sold only to the tenant at the expense of whom or of any of whose predecessors in-title the dwelling house thereon has been built.

(2) The price payable by the tenant for such site shall be an amount equal to ten times the land revenue payable thereon and where such site is not assessed to land revenue, an amount equal to ten times the land revenue which may be assessed if it had been used for agricultural purposes.

(3) Any sale in contravention of the provisions of this section shall be null and void.][1] 1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

37. Tenant's right to purchase site.—(1) If a tenant referred to in section 35 intends to purchase the site on which a dwelling house is built, he shall give notice in writing to the landlord to that effect.

[1][(2) If the landlord refuses or fails to accept the offer and execute the sale deed within three months from the date thereof, the tenant may apply to the Tahsildar who shall, by order in writing, require the tenant to deposit with him the sale price within ninety days from the date of the order. When such deposit is made the site shall be deemed to have been transferred to the tenant and the Tahsildar shall, on payment

of the prescribed fees and in the prescribed form, grant a certificate to the tenant.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**38. Dwelling houses of agricultural labourers, etc.**—(1) (*a*) If, in any village, an agricultural labourer is ordinarily residing in a dwelling house on a land not belonging to him, then, notwithstanding anything contained in any other law, but subject to sub-sections (2) and (3), such dwelling house along with the site thereof and land immediately appurtenant thereto and necessary for its enjoyment, [2][x x x][2], shall, on the date of publication of the Karnataka Land Reforms (Amendment) Act, 1978 in the official Gazette, vest absolutely in the State Government, free from all encumbrances and the agricultural labourer shall be entitled to be registered as owner thereof.

1. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
2. Omitted by Act 3 of 1982 w.e.f. 1.1.1979.

Explanation:—For the purpose of this clause, an agricultural labourer residing in a dwelling house which is a portion of the house of the owner or which is a temporary residence on such land shall not be regarded as ordinarily residing therein.

(*b*) Every agricultural labourer entitled to be registered as owner under clause (*a*), may, make an application to the Tribunal in the prescribed form and manner [1][on or before the 31st day of [2][March, 1983][2]][1] and the Tribunal shall, after enquiry in the manner specified in or under section 48 A, by order, determine the person entitled to be registered as owner, the dwelling house and land in respect of which he is entitled to be so registered and such other matters as may be prescribed and forward a copy of the order to the Tahsildar.

1. Substituted by Act 3 of 1982 w.e.f. 1.1.1979.
2. Substituted by Act 1 of 1983 w.e.f. 1.1.1979.

(*c*) The Tahsildar shall, on receipt of the order passed under clause (*b*), determine in the manner specified in sub-sections (1) and (2) of section 47, the amount the land owner shall be entitled to for the extinguishment of his rights in such land. On payment of the amount so determined, to the Government, by the agricultural labourer, the Tahsildar shall issue a certificate to such labourer specifying the extent and such other particulars as may be prescribed relating to such dwelling house and land and that he has been registered as owner thereof. A copy of the certificate shall be forwarded by the Tahsildar to the Sub-Registrar who shall, notwithstanding anything contained in the Registration Act, 1908 (Central Act 16 of 1908) register the same. The owner of the land shall be paid the amount paid by the agricultural labourer in cash in a lumpsum.

(2) If the owner *bona fide* requires the dwelling house for his own use or for any other purpose or considers that the dwelling house is so located as to cause inconvenience to him, he may require the agricultural labourer to shift to a new site belonging to him, subject to the following conditions, namely:—

(i) the owner shall pay to the agricultural labourer the price of the dwelling house if the same was erected by the agricultural labourer;

(ii) the new site shall be fit for erecting a dwelling house and shall be within a distance of one kilometre from the existing dwelling house;

(iii) the extent of the new site shall not be less than the extent of the dwelling house including the land immediately appurtenant thereto and necessary for its enjoyment; and (iv) the owner shall transfer ownership and possession of the new site to the agricultural labourer and shall pay to him the reasonable cost of shifting to the new site.

(3) (*a*) If the agricultural labourer does not comply with the requisition made under sub-section (2) by the owner of the land to shift to a new site such owner may apply to the Tribunal to enforce compliance with such requisition:

Provided that no such application shall be made after an order is passed under clause (*b*) of sub-section (1) and without giving the agricultural labourer one month‘s notice by registered post.

(*b*) Subject to such rules as may be prescribed, the Tribunal shall, after such enquiry as it deems fit, and on being satisfied that the applicant has complied with all the conditions mentioned in sub-section (2), may pass an order requiring the agricultural labourer to shift to the new site before such date as may be specified in the order.

(*c*) If the agricultural labourer does not shift to the new site before the date specified in the order under clause (*b*), the Tribunal shall cause the agricultural labourer to be evicted from the dwelling house.

(*d*) Where no application is made under sub-section (1), within the time allowed the right of the agricultural labourer to be registered as owner shall have no effect and the dwelling house and land shall be deemed to have not vested in the State Government.

(4) The provisions of section 61 shall apply to a dwelling house or site granted under this section to an agricultural labourer as they apply to a land in respect of which a tenant has been registered as an occupant.][1]

1. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.

[1][**38A. Grant of certificate of ownership to an agricultural labourer.-** (1) Notwithstanding anything contained in this Act or any other law for the time being in force, where in any village, agricultural labourer is ordinarily residing on dwelling house on a land not belonging to him in an unrecorded habitations like Lambani Tanda, Gollarahatti, Vaddarahatti, Kurubarhatti, Nayakarahatti, Majare Grama, Haadi, Doddi, Palya, Camp, Colony or any other such unrecorded habitations falling within the jursidiction of that village, on the date of commencement of the Karnataka Land Reforms (Ame ndment) Act, 2016, which is notified as such by the Deputy Commissioner, specifying the survey numbers and boundaries in the pre scribed manner, such dwelling house or houses along w ith the site thereof and land immediately appurtenant thereto and necessary for its enjoyment shall, on the date of such notification by the Deputy Commissioner, vest absolutely in the State Government, free from all encumbrances and the agricultural labourer shall be entitled to be registered as owner thereof.

Explanation.- For the purpose of this section an agricultural labourer residing in a dwellinghouse which is a portion of the house of the owner or which is a temporary residence on such land shall not be regarded as ordinary residing therein.

(2) Every agricultural labourer entitled to be registered as a owner under sub-section (1) may make an application to the Assistant Commissioner or any other officer authorized by the State Government, in the prescribed manner on or before completion of one year from the date of notification by the Deputy Commissioner under sub-section (1) and the Assistant Commissioner or the officer authorized, shall after such enquiry as may be prescribed, by order, determine the person entitled to be registered as owner and the dwelling house and land in respect of which he is entitled to be so registered and such other matters as may be prescribed and forward a copy of the Order to the Tahasildar.

(3) The Tahasildar shall, on receipt of the order passed under sub-section(2) determine in the manner specified in sub-sections (1) and (2) of section 47, the amount of the land owner shall be entitled to, for the extinguishment of his rights in such land on payment of the amount determined, to the Government, by the agricultural labourer, the Tahasildar shall issue a notification to this effect and also issue a certificate to such labourer specifying the extent and such other particulars as may be prescribed relating to such

dwelling house and land and that he shall be registered as owner thereof. A copy of the certificate shall be forwarded by the Tahasildar to the sub-registrar who shall, notwithstanding anything contained in the Registration Act, 1908 (Central Act 16 of 1908) register the same. The owner of the land shall be paid the amount remitted by the agricultural labourer in cash in a lump sum.

(4) The provisions of sub-sections (2) and (3) of section 38 shall, so as may be, apply and the reference to "Tribunal" shall be construed as being reference to Assistant commissioner or officer authorized.

(5) The provisions of section 61 shall apply to a dwelling house or site granted under this section to an agricultural labourer as they apply to a land in respect of which a tenant has been registered as an occupant.][1]

1. Inserted by Act 43 of 2017 w.e.f. 28.10.2017.

39. First option to purchase land.—(1) If a landlord at any time intends to sell the land held by a tenant, he shall give notice in writing of the intention to such tenant and offer to sell the land to him. In case the latter intends to purchase the land, he shall intimate in writing his readiness to do so within two months from the date of receipt of such notice.

(2) If there is any dispute about the reasonable price payable for the land, either the landlord or the tenant may apply in writing to the [1][Tahsildar][1] for determining the reasonable price; and the [1][Tahsildar][1] after giving notice to the other party an sted in the land and after making such

inquiry as it thinks fit, shall fix the reasonable price of the land which shall be the average of the prices obtaining for similar lands in the locality during the ten years immediately preceding the date on which the application is made.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(3) The tenant shall deposit with the [1][Tahsildar][1] the amount of the price determined under sub-section (2) within such period as may be prescribed.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(4) On deposit of the entire amount of the reasonable price, the [1][Tahsildar][1] shall issue a certificate in the prescribed form to the tenant declaring him to be the purchaser of the land the [1][Tahsildar][1] shall also direct that the reasonable price deposited shall be paid to the landlord.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(5) If a tenant does not exercise the right of purchase in response to the notice given to him by the landlord under sub-section (1) or fails to deposit the amount of the price as required by sub-section (3), such tenant shall forfeit his right of purchase, and the landlord shall be entitled to sell such land to any other person in accordance with the provisions of this Act.

(6) The forfeiture of the right to purchase any land under this section shall not affect the other rights of the tenant in such land.

40. Compensation for improvement made by tenant.—(1) A tenant who has made an improvement on the land held by him shall, if his tenancy is terminated under the provisions of this Act, be entitled to compensation for such improvement. For determining the amount of compensation, the tenant shall apply to the [1][Tahsildar][1] in the prescribed form.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) The compensation to which a tenant shall be entitled under sub-section (1), shall be the estimated value of such improvement at the time of the termination of his tenancy. In estimating such value regard shall be had to,—

(*a*) the amount by which the value of the land is increased by the improvement; (*b*) the present condition of the improvement and the probable duration of its effects; (*c*) the labour and capital provided or spent by the tenant for the making of the improvement; and

(*d*) any reduction or remission of rent or other advantage allowed to the tenant by the landlord in consideration of the improvement including permanent fixtures.

[1][(3) If such land is subject to mortgage or other encumbrance created by the tenant and lawfully subsisting, the amount of compensation shall be applied first for discharging such mortgage or other encumbrance and the balance, if any, shall be paid to the tenant. The payment to the mortgagees or holders of other encumbrances shall be in the order of priority of the respective mortgages and other encumbrances.][1]

1. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

41. Procedure for taking possessions.—(1) A tenant or an agricultural labourer [1][x x x][1] entitled to possession of any land or dwelling house or site under any of the provisions of this Act or as a result of eviction in contravention of sub-section (2) may apply in writing for such possession to the [2][Tahsildar][2]. The application shall be made in such form as may be prescribed and within a period of two years from the date on which the right to obtain possession of the land, dwelling house or site is deemed to have accrued to the tenant, agricultural labourer [1][x x x][1], as the case may be.

1. Omitted by Act 1 of 1979 w.e.f. 01.01.1979.
2. Substituted by Act 1 of 1974 w.e.f. 01.03.1974.

(2) Save as otherwise provided in this Act, no landlord shall obtain possession of any land, dwelling house or site held by a tenant except under an order of the [1][Tahsildar][1]. For obtaining such order he shall make an application in the prescribed form and within a period of two years from the date on which the right to obtain possession of the land, dwelling house or site, as the case may be, is deemed to have accrued to him.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(3) On receipt of application under sub-section (1) or (2) the [1][Tahsildar][1] shall, after holding an inquiry, pass such order, thereon [1][as he deems fit][1].

1. Substituted by Act 1 of 197

(4) Any person taking possession of any land, dwelling house or site except in accordance with the provisions of sub-section (1) or (2), as the case may be, shall be liable to forfeiture of crops, if any, grown on the land in addition to payment of costs as may be directed by the [1][Tahsildar][1] and also to the penalty prescribed in section 125.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

42. Procedure for recovery of rent.—(1) Notwithstanding anything contained in any agreement or in any law for the time being in force, no suit or other proceeding shall lie in any Court or before any other authority for recovery of any rent payable by a tenant, except as provided in this section.

(2) A landlord claiming payment of rent by a tenant may apply to the [1][Tahsildar][1] in the prescribed form for an order directing the tenant to pay the rent due to the landlord.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(3) On receipt of an application under sub-section (2), the [1][Tahsildar][1] shall, after holding an inquiry, pass such order thereon [1][as he deems fit][1].

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(4) An application under this section shall be filed within one year from the date the rent fell due.

Explanation.—For purposes of this section rent for any year shall be deemed to fall due on the last day of June of that year.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

43. Rights or privileges of tenant not to be affected.—Save as provided in this Act, the rights and privileges of any tenant under any usage or law for the time being in force or arising out of any contract, grant, decree or order of a court shall not be limited or abridged.

CHAPTER III

CONFERMENT OF OWNERSHIP ON TENANTS.

[1][**44. Vesting of lands in the State Government.**—(1) All lands held by or in the possession of tenants (including tenants against whom a decree or order for eviction or a certificate for resumption is made or issued) immediately prior to the date of commencement of the Amendment Act, other than lands held by them under leases permitted under section 5, shall, with effect on and from the said date, stand transferred to and vest in the State Government.

(2) Notwithstanding anything in any decree or order of or certificate issued by any Court or authority directing or specifying the lands which may be resumed or in any contract, grant or other instrument or in any other law for the time being in force, with effect on and from the date of vesting and save as otherwise expressly provided in this Act, the following consequences shall ensue, namely:—

(*a*) all rights, title and interest vesting in the owners of such lands and other persons interested in such lands shall cease and be vested absolutely in the State Government free from all encumbrances;

(*b*) all [2][x x x][2] amounts in respect of such lands which become due on or after the date of vesting shall be payable to the State Government and not to the land-owner, land-lord or any other person and any payment made in contravention of this clause not be valid;

2. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.

(*c*) all arrears of land revenue, cesses, water rate or other dues remaining lawfully due on the date of vesting in respect of such lands shall after such date continue to be recoverable from the land-owner, landlord or other person by whom they were payable and may, without prejudice to any other mode of recovery, be realised by the deduction of the amount of such arrears from the amount payable to any person under this Chapter;

(*d*) no such lands shall be liable to attachment in execution of any decree or other process of any Court and any attachment existing on the date of vesting and any order for attachment passed before such date in respect of such lands shall cease to be in force; (*e*) the State Government may, after removing any obstruction which may be offered, forthwith take possession of such lands:

Provided that the State Government shall not dispossess any person of any land in respect of which it considers, after such enquiry as may be prescribed, that he is *prima face* entitled to be registered as an occupant under this Chapter;

(*f*) the land-owners, landlord and every person interested in the land whose rights have vested in the State Government under clause (*a*), shall be entitled only to receive the amount from the State Government as provided in this Chapter;

(*g*) permanent tenants, protected tenants and other tenants holding such lands shall, as against the State Government, be entitled only to such rights or privileges and shall be

subject to such conditions as are provided by or under this Act; and any other rights and privileges which may have accrued to them in such lands before the date of vesting against the landlord or other person shall cease and determine and shall not be enforceable against the State Government.

1. Sections 44 and 45 substituted by Act 1 of 1974 w.e.f. 1.3.1974.

45. Tenants to be registered as occupants of land on certain conditions.—(1) Subject to the provisions of the succeeding sections of this Chapter, every person who was a permanent tenant, protected tenant or other tenant or where a tenant has lawfully sublet, such sub-tenant shall, with effect on and from the date of vesting, be entitled to be registered as an occupant in respect of the lands of which he was a permanent tenant, protected tenant or other tenant or sub-tenant before the date of vesting and which he has been cultivating personally.

(2) If a tenant or other person referred to in sub-section (1),—

(i) holds land partly as owner and partly as tenant but the area of the land held by him as owner is equal to or exceeds a ceiling area he shall not been entitled to be registered as an occupant of the land held by him as a tenant before the date of vesting;

(ii) does not hold and cultivate personally any land as an owner, but holds land as tenant, which he cultivates personally in excess of a ceiling area, he shall be entitled to be registered as an occupant to the extent of a ceiling area;

(iii) holds and cultivates personally as an owner of any land the area of which is less than a ceiling area, he shall be entitled to be registered as an occupant to the extent of such area as will be sufficient to make up his holding to the extent of a ceiling area.

(3) The land held by a [1][person][1] before the date of vesting and in respect of which he is not entitled to be registered as an occupant under this section shall be disposed of in the manner provided in section 77 [2][after evicting such person][2].][1]

1. Sections 44 and 45 substituted by Act 1 of 1974 w.e.f. 1.3.1974. 2. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
3. Inserted by Act 23 of 1977 w.e.f. 1.3.1974.

46. When tenant entitled to choose land.—If any tenant [1][entitled to be registered as an occupant under][1] sub-section (1) of section 45, held land from one or more than one landlord, such tenant shall, subject to such rules as may be made by the State Government, be entitled to choose the area and the location of the land of which he wishes to become the registered occupant [2][x x x][2]:

Provided that the area so chosen shall not, as far as may be practicable, be other than the area included in a survey number or a sub-division or a recognised share of a survey number.

1. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
2. Omitted by Act 14 of 1965 w.e.f. 29.7.1965.

[1][**47. Amount payable.**—(1) [2][Save as provided in section 106][2] every land-owner, landlord and all other persons interested in the land shall, for the extinguishment of their rights in the lands vesting in the State Government under sub-section (6) of section 15 or section 20 or section 44, be entitled to an amount determined with reference to the net annual income derivable from the land or all the lands, as the case may be, in accordance with the following scale, namely:—

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Inserted by Act 3 of 1982 w.e.f. 1.1.1979.

(i) for the first sum of rupees five thousand or any portion thereof of the net annual income from the land, fifteen times such sum or portion;

(ii) for the next sum of rupees five thousand or any portion thereof of the net annual income from the land, twelve times such sum or portion;

(iii) for the balance of the net annual income from the land, ten times such balance: Provided that,—

(i) if the tenant in respect of the land is a permanent tenant, the amount payable shall be six-times the difference between the rent and the land revenue payable for such land; (ii) if the tenant holds land from intermediaries the amount shall be paid to the land-owner and the intermediaries in the same proportion in which the rent paid for the land by the tenant was being appropriated by them immediately before the date of vesting;

(iii) if the land vesting in the State Government is D class land referred to in Part A of Schedule I or if the landlord is,—

(1) a small holder;

(2) a minor;

(3) a widow;

(4) a woman who has never been married;

(5) a person who is subject to [1][such physical or mental disability as may be prescribed][1]; or

1. Substituted by Act 3 of 1982 w.e.f. 25.11.1980.

(6) such soldier or seamen whose lands vest in the State Government under section 44, an amount equal to twenty times the net annual income from such land shall be payable.

(2) For the purpose of sub-section (1), the net annual income from the land shall be deemed to be the amount payable as annual rent in respect of the land as specified in section 8. But where in a land assessed as wet land or dry land the landlord has raised fruit bearing trees, the annual income for purpose of sub-section (1) [1][shall, subject to such rules as may be prescribed, be determined][1] on the basis of assessment for garden land which could have been levied having regard to the nature of the fruit bearing trees.

1. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.

(3) Where there are wells or other structures of a permanent nature on the land constructed by the landlord the value thereof calculated in the prescribed manner shall also be payable.

(4) Notwithstanding anything in sub-sections (1) and (3), the aggregate amount payable according to the said sub-sections shall not exceed rupees two lakhs.][1]

1. Section 47 substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**48. Constitution of Tribunals.**—(1) The State Government shall, by notification, constitute for each Taluk a Tribunal for purposes of this Act consisting of the following members, namely:—

(i) the Assistant Commissioner of the Revenue sub-division having jurisdiction over the Taluk or an Assistant Commissioner specially appointed for the purpose by the State Government.

(ii) four others nominated by the State Government of whom at least one shall be [2][x x x][2] a person belonging to the Scheduled Castes or Scheduled Tribes, [2][x x x][2].

[3][Provided that if in its opinion it is necessary so to do, the State Government may constitute additional Tribunals for any taluk and the Deputy Commissioner may, subject to any general or special orders of the State Government, distribute the work among the Tribunals in any taluk.][3]

1. Sections 48, 48A and 48B substituted by Act 1 of 1974 w.e.f. 1.3.1974.

2. Omitted by Act 18 of 1976 w.e.f. 11.9.1975.

3. Inserted by Act 18 of 1976 w.e.f. 11.9.1975.

(2) The Assistant Commissioner shall be the Chairman of the Tribunal.

(3) The State Government may from time to time likewise re-constitute the Tribunal. [1][Any proceedings pending before the Tribunal shall be continued by the reconstituted Tribunal as if the same were instituted before it.

Explanation.—For the purpose of this sub-section ‗reconstitution' shall include removal of a member from or nomination of a new member to the Tribunal.][1]

1. Inserted by Act 23 of 1977 w.e.f. 1.3.1974.

(4) The quorum to constitute the meeting of the Tribunal and procedure to be followed by it shall be such as may be prescribed.

(5) No act or proceeding of the Tribunal shall be deemed to be invalid by reason only of the existence of any vacancy among its members or any defect in the constitution or re-constitution thereof.

(6) The non-official members of the Tribunal shall be entitled to such travelling and other allowances as may be prescribed.

(7) The Tahsildar [1][or any officer specially appointed for the purpose by the State Government][1] shall be the Secretary of the Tribunal.

1. Inserted by Act 18 of 1976 w.e.f. 11.9.1975.

[1][(8) x x x][1]

1. Omitted by Act 1 of 1991 w.e.f. 5.2.1991.

48A. Enquiry by the Tribunal, etc.—(1) Every person entitled to be registered as an occupant under section 45 may make an application to the Tribunal in this behalf. Every such application shall, save as provided in this Act, be made [1][before the expiry of a period of six months from the date of the commencement of section 1 of the Karnataka Land Reforms (Amendment) Act, 1978][1], [2][x x x][2]

1. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.
2. Omitted by Act 1 of 1979 w.e.f 1.3.1974.

(2) On receipt of the application, the Tribunal shall publish or cause to be published a public notice in the village in which the land is situated calling upon the landlord and all other persons having an interest in the land to appear before it on the date specified in the notice. The Tribunal shall also issue individual notices to the persons mentioned in the application and also to such others as may appear to it to be interested in the land.

(3) The form of the application, the form of the notices, the manner of publishing or serving the notices and all other matters connected therewith shall be such as may be prescribed. [1][The Tribunal may for valid and sufficient reasons permit the tenant to amend the application.][1]

1. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

(4) Where no objection is filed, the Tribunal may, after such verification as it considers necessary, by order either grant or reject the application.

(5) Where an objection is filed disputing the validity of the applicant‘s claim or setting up a rival claim, the Tribunal shall, after enquiry, determine, by order, the person entitled to be registered as occupant and pass orders accordingly.

[1][(5A) Where there is no objection in respect of any part of the claim, the Tribunal may at once pass orders granting the application as regards that part and proceed separately in respect of the other part objected to.][1]

1. Inserted by Act 23 of 1977 w.e.f. 1.3.1974.

(6) [1][The order of the Tribunal under this section shall be final and the Tribunal shall]1 send a copy of every order passed by it to the Tahsildar and the parties concerned.

[2][Provided that the Tribunal may, on the application of any of the parties, for reasons to be recorded in writing, correct any clerical or arithmetical mistakes in any order passed by it.][2]

[3][Provided further that the Tribunal may on its own or on the application of any of the parties, for reasons to be recorded in writing correct the extent of land in any order passed by it after causing actual measurement and after giving an opportunity of being heard to the concern-parties.][3]

1. Substituted by Act 18 of 1890 w.e.f. 8.10.1990
2. Inserted by Act 3 of 1982 w.e.f. 1.3.1974.
3. Inserted by Act 31 of 1995 w.e.f. 20.10.1995.

(7) The person to be registered as an occupant shall pay to the State Government as premium an amount equal to fifteen times the net annual income referred to in sub-section (2) of section 47 in the case of A Class, B Class and C Class lands referred to in part A of Schedule 1 and twenty times such income in the case of D Class land referred to in the said Part A, plus the amount, if any, payable under sub-section (3) of that section:

Provided that the premium payable by a permanent tenant shall be six times the difference between the rent and the land revenue of the land.

(8) Where no application is made within the time allowed under sub-section (1), the right of any person to be registered as an occupant shall have no effect.

1. Sections 48, 48A and 48B substituted by Act 1 of 1974 w.e.f. 1.3.1974.

48B. Tahsildar to determine the amount payable.—(1) The Tahsildar shall, on receipt of the orders passed under sub-section (4) or sub-section (5) of section 48A [1][and where no application is filed within the period provided in sub-section (1) of section 48A, on receipt of the application by the landlord][1], proceed to determine the amount payable under section 47 and prepare a statement showing the apportionment of the amount so determined among the persons entitled to it in accordance with the value of their respective interest in the land.

Such statement shall contain the following particulars, namely:—

(*a*) the particulars of the lands in respect of which the amount is to be paid;

(*b*) the names of the land-owner, landlord and intermediaries, if any, and other persons interested in the

land and the amount payable to each of them;
(*c*) such other particulars as may be prescribed.

1. Inserted by Act 23 of 1977 w.e.f. 1.3.1974.

(2) Notwithstanding anything contained in sub-section (1), where there is no agreement among the persons entitled for the amount regarding the right to or apportionment of the amount, the Tahsildar shall refer the question to the Court. On receipt of such reference the Court shall after giving notice to the parties concerned, try the question referred to it and record findings thereon and send the same to the Tahsildar. The Tahsildar shall then prepare the statement referred to in sub-section (1) in accordance with the said findings.][1] 1. Sections 48, 48A and 48B substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**48C. Interim Orders.**—(1) The Tribunal may, when it considers it just and proper and subject to such terms and conditions as it may impose, issue interlocutory orders in the nature of temporary injunction or appointment of Receiver concerning [2][the dwelling house in respect of which an application is made under section 38 or][2] the land in respect of which an application is made under section 48A.

2. Inserted by Act 3 of 1982 w.e.f. 1.1.1979.

(2) The Tribunal may at any time revoke or modify the order issued by it under sub-section (1).

[3][(3) Subject to the provisions of sub-section (2), the order of the Tribunal shall be final.][3]][1] 1. Inserted by Act 27 of 1976 w.e.f. 16.12.1975.
3. Inserted by Act 18 of 1990 w.e.f. 8.10.1990.

49. Sub-tenants of tenants to be registered as occupants.—Where a tenant has lawfully sub-let the land held by him, such sub-tenant of the land, shall, to the exclusion of the tenant, to the extent and subject to the conditions specified in sections 45 and 46 be entitled to be registered as occupant [1][x x x][1]of the land of which he was a sub-tenant before the date of vesting.

1. Omitted by Act 14 of 1965 w.e.f. 29.7.1965.

50. Determination of encumbrances and payment of [1][the amount][1].-(1) [1][The Tahsildar while determining the amount under section 48B][1] shall determine any mortgage or other encumbrance lawfully subsisting on the land on the date of vesting, and the amount due under the mortgage or the encumbrance in respect of such land shall [2][save as provided in section 106][2] be a charge on the [1][amount][1] payable in respect of such land to the person who has created the mortgage or encumbrance.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Inserted by Act 3 of 1982 w.e.f. 1.1.1979.

(2) (*a*) If the total amount payable in respect of encumbrances is less than the amount [1][x x x][1] payable in respect of such land it shall be deducted from such amount and the balance paid to the land-owner, landlord the intermediaries, if any, and other persons interested, [2][towards the amount][2].

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(*b*) If the total amount payable in respect of the encumbrances is more than the [1][amount payable][1] in respect of the land, the [1][amount payable][1] shall be distributed among the holders of encumbrances in the order of priority. If any person has a right to receive maintenance or alimony from the profits of the land, deductions shall also be made for such payment out of the [1][amount payable][1].

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(3) If any question of law is involved regarding the validity of the encumbrance, the claim of the holder of the encumbrance or regarding the amount due in respect of the encumbrance or if there is no agreement regarding any encumbrance between the landlord and the holder of the encumbrance, then notwithstanding anything contained in section 132, the Tahsildar shall refer the question for decision to the Court. On receipt of such reference the Court shall after giving notice to the parties concerned, try the question referred to it as expeditiously as possible and record findings thereon and send the same to the Tahsildar.
The Tahsildar shall then give the decision in accordance with the said findings.][1] 1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

(4) Notwithstanding anything contained in any law, any advance paid by the tenant to the landlord for the lease or purchase of the land held by him on lease from the landlord shall be deemed to be a charge on the land, and the debt shall be discharged in the same manner as an encumbrance on such land under this section.

51. Mode of payment [1][**of the amount**][1]**.**—[2][(1)][23][Save as provided in section 106][3], the [1][amount][1] payable to any person under section 47 shall, subject to the provisions of section 50,—

(*a*) be paid in cash in a lumpsum if the amount payable does not exceed [4][two thousand rupees][4]; and

(*b*) if the amount payable exceeds [4][two thousand rupees][4] the amount up to [4][two thousand rupees][4] shall be paid in cash and the balance shall be paid in [5][non-transferable and non-negotiable][5] bonds carrying interest at the rate of [6][five and a half per cent][6] per annum and of guaranteed face value maturing within a specified period not exceeding twenty years:

Provided that the amount payable under the bonds under this clause may be paid in such number of instalments not exceeding twenty as may be prescribed.

[7][Provided further that the amount payable shall, subject to such rules as may be prescribed, be paid,-

(i) in the case of a minor, [8][a person who has attained the age of sixtyfive years][8] a woman who has never been married, a small holder, a person subject to the prescribed physical or mental disability and subject to clause (ii), a widow,—

(a) in a lumpsum where the amount payable does not exceed fifty thousand rupees,; and

(b) where the amount payable exceeds fifty thousand rupees, the first fifty thousand rupees in a lumpsum and the balance in non-transferable and non-negotiable bonds carrying interest at the rate of five and half per cent per annum and of guaranteed face value maturing within a specified period not exceeding twenty years;

(ii) in the case of a widow, if she so elects in writing, in the form of annuity during her life time, a sum determined in such manner as may be prescribed; which shall not be less than the net annual income referred to in sub-section (2) of section 72.

***Explanation*:—**For the purpose of this clause widow, minor and a person subject to physical or mental disability include, a woman who is a widow, a person who is a minor, a person subject to physical or mental disability respectively at the time when the amount payable is determined:

Provided also that in relation to a small holder the second proviso shall have effect as if it was in force on and from the First day of March, 1974.][7]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Re-numbered by Act 35 of 1985 w.e.f. 27.9.1985.
3. Inserted by Act 3 of 1982 w.e.f. 1.1.1979.
4. Substituted by Act 14 of 1965 w.e.f. 29.7.1965.
5. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.
6. Substituted by Act 18 of 1976 w.e.f. 11.9.1975.
7. Substituted by Act 3 of 1982 w.e.f. 1.1.1979.
8. Inserted by Act 1 of 1991 w.e.f. 5.2.1991.

[1][(2) Notwithstanding anything in sub-section (1), on or after 1st March 1984, the balance and interest thereon payable in accordance with clause (*b*) of sub-section (1) of the second proviso to the said sub-section shall, in lieu of the bonds specified therein, be paid in the following manner, namely:—

(*a*) the interest accrued at the rate of five and a half per cent per annum till 1st March, 1984 remaining unpaid shall be paid in five consecutive annual, as far as may be, equal instalments commencing from 1st March, 1984 in National Savings Certificates;

(*b*) the whole or, as the case may be, part of the balance specified in sub-section (1), payable before 1st March, 1984 remaining unpaid shall be paid in five consecutive annual, as far as may be, equal instalments commencing from the said date in National Savings Certificates; and

(*c*) the whole or, as the case may be, part of the said balance payable on or after 1st March, 1984 shall be paid in ten consecutive annual, as far as may be equal instalments commencing from the said date in National Savings Certificates:

Provided that along with each of the instalments referred to in items (*b*) and (*c*), the interest thereon from 1st March, 1984 at the rate of five and a half per cent per annum upto the date of payment thereof shall also be paid in National Savings Certificates.][1]

1. Inserted by Act 35 of 1985 w.e.f. 27.9.1985.

52. Payment of compensation to be full discharge.—The payment of [1][the amount][1] or the value of encumbrance, maintenance or alimony to the land-owner, landlord, or intermediary or other persons entitled thereto in the manner prescribed by or under this Act shall be a full discharge of the liability for

payment of compensation and no further claims for payment of [1][the amount][1] shall lie against the State Government or any other person.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

53. Payment of premium by tenant.—[1][(1) The amount of premium in respect of the land of which a tenant or sub-tenant entitled to be registered as occupant under section 45 shall be payable to the State Government by the tenant or sub-tenant,—

[2][(i) where the amount payable does not exceed two thousand rupees, in a lumpsum; (ii) in other cases,—

(a) either in lumpsum; or

(b) where the amount is paid by him out of his own funds, in annual instalments of such number not exceeding twenty as he may intimate, with interest at five and half per cent per annum, from the date of the order under sub-section (4) or sub-section (5) of section 48A and where the money is advanced by the State Land Development Bank or a credit agency, in annual instalments of such number not exceeding the number permitted as maximum for the recovery of term loan granted by such bank or agency without interest there on.][2] Provided that where payment is in instalments, two thousand rupees shall be paid as the first instalment and the balance in equated annual instalments.

[3][Provided further that where the extent of the land in respect of which a person is registered as an occupant together with other land, if any, held by him, does not exceed ten acres of _D' Class land, or an extent equivalent thereto, comprising of one or more classes of other land specified in Part A of Schedule-I, determined in accordance with the formula specified in Part B of Schedule-I, [4][he shall be exempted from paying the premium and instalments thereof which fall due on or after the commencement of Karnataka Land Reforms (Second Amendment) Act, 1990 or having fallen due before the said date has remained un-paid.][4]][3]

(1-A) Every tenant who is registered as an occupant shall be entitled to get assistance from the State Land Development Bank or from a Credit Agency as defined in the Karnataka Agricultural Credit Operations and Miscellaneous Provisions Act, 1974 (Karnataka Act 2 of 1975) for the payment of the premium in accordance with such rules as may be prescribed: [5][x x x][5]][1]

1. Sub-section (1) & (1A) substituted by Act 12 of 1977 w.e.f. 1.3.1974.
2. Substituted by Act 3 of 1982 w.e.f. 25.11.1980.
3. Inserted by Act 19 of 1986 w.e.f. 6.12.1985.
4. Substituted by Act 1 of 1991 w.e.f. 5.2.1991.
5. Omitted by Act 3 of 1982 w.e.f. 25.11.1980.

[1][(1B) Notwithstanding anything contained in the Karnataka Co-operative Societies Act, 1959, the amount advanced to the tenants by the State Land Development Bank under rules made under sub-section (1A) may be recovered by the State Government in the same manner as arrears of land revenue and paid to said Bank.

(1C) The amount advanced to a tenant by the credit agency may be recovered in the same manner as is provided in the Karnataka Agricultural Credit Operations and

Miscellaneous Provisions Act, 1974 for recovery of any financial assistance given by it to a person for agricultural purposes.][1]

1. Sub-sections (1B) & (1C) inserted by Act 18 of 1976 w.e.f. 11.9.1975.

(2) In addition to the premium payable, the tenant shall also be liable to pay the land revenue due on that land.

[1][**53A. Establishment of a separate fund.**—(1) There shall be constituted for the State of Karnataka a fund called the Karnataka Religious and Charitable Institutions Annuity Fund.

(2) The fund specified in sub-section (1) shall consist of,—

(a) the amount of premium collected from the tenants or sub-tenants of land belonging to the institutions referred to in section 106;

(b) the interest earned on the amounts in the said fund;

(c) such amount transferred from the consolidated fund of the State as may be necessary to make up the deficit, if any, where the amounts referred to in the above clauses are insufficient to pay the annuities to such institutions.

(3) The amount specified in clause (a) of sub-section (2), shall first be credited to the Consolidated Fund of the State. Such amount and the (c) of sub-section (2), shall thereafter,

under appropriation duly made by law in this behalf, be entered in and transferred to the said fund. The amount at credit in the said fund may be invested in such manner as the State Government may direct.

(4) The annuities payable to the said institutions shall be paid from out of the said fund.][1] 1. Inserted by Act 3 of 1982 w.e.f. 1.1.1979.

54. Premium recoverable as arrears of land revenue.—(1) If a tenant or sub-tenant fails to make payment of any instalment in accordance with the provisions of the foregoing sections [1][x x x][1], the amount of such instalment shall also be recoverable as an arrear of land revenue.

1. Omitted by Act 12 of 1977 w.e.f. 1.3.1974.

(2) The amount recovered under sub-section (1) shall be deposited with the [1][Tahsildar][1]. 1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**55. Issue of certificate of registration.**—[2][(1)][23][On receipt of the final orders passed under sub-section (4) or sub-section (5) of section 48A, subject to such rules as may be prescribed,]3 the Tahsildar shall issue a certificate that the tenant has been registered as an occupant. The certificate shall be conclusive evidence of such registration.][1]

[4][Proviso x x x][4]

1. Substituted by Act 12 of 1977 w.e.f. 1.3.1974.
2. Re-numbered by Act 1 of 1979 w.e.f. 1.1.1979.
3. Substituted by Act 3 of 1982 w.e.f. 25.11.1980.
4. Omitted by Act 3 of 1982 w.e.f. 25.11.1980.

[1][(2) The Tahsildar shall forward a copy of the certificate issued under sub-section (1) to the concerned Sub-Registrar who shall, notwithstanding anything contained in the Registration Act, 1908 (Central Act 16 of 1908) or any other law, register the same.][1] 1. Inserted by Act 1 of 1979 w.e.f. 1.1.1979.

[1][**56.** x x x][1]

1. Omitted by Act 12 of 1977 w.e.f. 1.3.1974.

57. Provisions applicable to minors, persons under disability, etc.—(1) Notwithstanding anything contained in the preceding sections of this Chapter, where the tenant is a minor or a person subject to any mental or physical disability or [1][a soldier in service in the Armed Forces of the Union or a seaman][1], [2][x x x][2] the right of the tenant under section 45 may be exercised,—

(i) by the minor within one year from the date on which he attains majority;

(ii) by a person subject to physical or mental disability within one year from the date on which such disability ceases to exist;

[1][(iii) by a soldier within one year from the date on which he is released from the Armed Forces or is sent to the Reserve;

(iv) by a seaman, within one year from the date on which he ceases to be a seaman.][1]

1. Substituted by Act 14 of 1965 w.e.f. 29.7.1965.
2. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) The provisions of the preceding sections of this Chapter shall thereupon, *mutatis mutandis,* be applicable to such land vesting in the State Government.

[1][**58. Vesting in the State Government of land leased contrary to the Act.**—(1) Where it appears to the Tahsildar that any person has leased land contrary to the provisions of this Act, he shall issue a notice to such person to show cause within fifteen days from the date of service of the notice why the land leased should not be forfeited to the State Government as penalty for contravention of the Act.

(2) If the Tahsildar on considering the reply or other cause shown is satisfied that there has been such a lease he may, by order, declare that the right, title and interest of such person in the land shall be forfeited to the State Government as penalty. Thereupon the land shall vest in the State Government and the Tahsildar may take possession thereof by summarily evicting any person occupying it. [1][No amount shall be payable in respect of such land.][1]

1. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

(3) Such land shall be disposed of in accordance with the provisions of section 77.][1] 1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**59.** x x x][1]

1. Omitted by Act 12 of 1977 w.e.f. 1.3.1974.

60. Failure to cultivate personally.—Notwithstanding anything contained in any law, if at any time after the tenant has been registered as occupant [1][x x x][1], under any of the foregoing provisions, such tenant [2][fails to cultivate the land personally for three consecutive years][2], he shall, unless the [2][Tahsildar][2] condones such failure for sufficient reasons, be evicted and the land shall be disposed of in accordance with the provisions of section 77.

1. Omitted by Act 14 of 1965 w.e.f. 29.7.1965.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

61. Restriction on transfer of land of which tenant has become occupant.—(1) Notwithstanding anything contained in any law, no land of which the occupancy [1][x x x][1] has been granted to any person under this Chapter [2][x x x][2] shall, within [3][fifteen years][3][4][from the date of the final order passed by the Tribunal under sub-section (4) or sub-section (5) or sub-section (5A) of section 48A][4] be transferred by sale, gift, exchange, mortgage, lease or assignment; but the land may be partitioned among members of the holder's joint family, [5][x x x][5].

1. Omitted by Act 14 of 1965 w.e.f. 29.7.1965.
2. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.
3. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.
4. Substituted by Act 34 of 1998 w.e.f. 15.2.1999 by notification Text of notification is at the end of this Act.
5. Omitted by Act 31 of 1995 w.e.f. 20.10.1995.

[1][(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for the occupant registered as such or his successor-in-title to take a loan and mortgage or create a charge on his interest in the land in favour of the State Government, [2][a financial institution, a co-operative land development bank, a co-operative society][2] or a company as defined in section 3 of the Companies Act, 1956 in which not less than fifty one per cent of the paid-up share capital is held by the State Government or a Corporation owned or controlled by the Central Government or the State Government or both for development of land or improvement of agricultural practices; [3][or for raising educational loan to prosecute the higher studies of the children of such person][3] and without prejudice to any other remedy provided by any law, in the event of his making default in payment of such loan in accordance with the terms and conditions on which such loan was granted, it shall be lawful to cause his interest in the land to be attached and sold and the proceeds to be utilised in the payment of such loan.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 1 of 1979 w.e.f. 1.3.1979.
3. Inserted by Act 35 of 2010 w.e.f.29.07.2010.

[1]**[Explanation.-** For the purpose of this sub-section, ―Higher studies‖ means the further studies after Pre-university Examination or 12th Standard Examination conducted by CBSE or ICSE or any Diploma courses.][1]

1. Inserted by Act 35 of 2010 w.e.f.29.07.2010.

(3) Any transfer or partition of land in contravention of sub-section (1) shall be invalid [1][and such land shall vest in the State Government free from all encumbrances and shall be disposed in accordance with the [2][provisions of section 77.][2]][1]

1. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.
2. Substituted by Act 31 of 1995 w.e.f. 20.10.1995.

62. Surrender of land to State Government.—If the person who has been registered as occupant [1][x x x][1] under this Chapter or his successor-in-title intends, within six years from the date of such registration [1][x x x][1], giving up personal cultivation of the land, he shall surrender the land to the State Government, and on such surrender the State Government shall pay an amount equal to the premium paid and the depreciated value of improvements, if any, effected after the date of registration [1][x x x][1], to the person surrendering and the other persons interested in the land. The surrendered land shall then be at the disposal of the State Government and the [2][Tribunal][2] may thereafter dispose of it as surplus land vesting in the State Government.

1. Omitted by Act 14 of 1965 w.e.f. 29.7.1965.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

CHAPTER IV

CEILING ON LAND HOLDINGS

[1]**[63. Ceiling on land.**—(1) No person who is not a member of a family or who has no family and no family shall, except as otherwise provided in this Act, be entitled to hold, whether as land owner, landlord

or tenant or as a mortgagee with possession or otherwise or partly in one capacity and partly in another, land in excess of the ceiling area.

(2) The ceiling area for a person who is not a member of a family or who has no family or for a family shall be ten units:

Provided that in the case of a family consisting of more than five members the ceiling area shall be ten units plus an additional extent of two units for every member in excess of five, so however that the ceiling area shall not exceed twenty units in the aggregate.

[1][(2A) The ceiling area for a person who is tenant under clause (*b*) of sub-section (2) of section 5 shall be forty units.][1]

1. Inserted by Act 31 of 1995 w.e.f. 20.10.1995.

(3) In the case of a family the ceiling area shall be applied to the aggregate of the lands held by all the members of the family, including the ‗stridhana' land.

(4) In calculating the extent of land held by a person who is not a member of a family but is a member of a joint family and also in calculating, the extent of land held by a member of a family who is also a member of a joint family, the share of such member in the lands held by a joint family shall be taken into account and aggregated with the lands, if any, held by him separately and for this purpose such share shall be deemed to be the extent of land which would be allotted to such person had there been a partition of the lands held by the joint family.

(5) In respect of lands owned or held under a private trust,—

(*a*) where the trust is revocable by the author of the trust, such lands shall be deemed to be held by such author or his successor in interest; and

(*b*) in other cases, such lands shall be deemed to be held by the beneficiaries of the trust in proportion to their respective interests in such trust or the income derived therefrom.

Explanation.—Where a trust is partly private and partly public this sub-section shall apply only to lands covered by that part of the assets of the trust which is relatable to the private trust.

(6) In calculating the extent of land held by a person who is not a member of a family or who has no family or by a member of a family, the share of such person or member in the lands held by a co-operative farm shall be taken into account.

(7) (*a*) No educational, religious or charitable institution or society or trust, of a public nature, capable of holding property, formed for an educational, religious or charitable purpose shall hold land except where the income from the land is appropriated solely for the institution or the society or the trust concerned. Where the land is so held by such institution, society or trust, the ceiling area shall be twenty units.

(*b*) If any question arises whether the income from the land is solely appropriated for the institution, society or trust, it shall be decided by the prescribed authority. The decision of the prescribed authority shall be final. Where the prescribed authority decides that the income is not so appropriated, the land held by the institution, society or trust shall be deemed to be surplus land and the provisions of sections 66 to 76 shall, so far as may be, apply to the surrender to and vesting in the State Government of such land. The provisions of this sub-section shall have effect notwithstanding anything in this Act.

(8) (*a*) No sugar factory shall hold land except solely for purpose of research or seed farm or both. Where land is held by a sugar factory for such purpose the ceiling area shall be fifty units.

(*b*) If any question arises whether any land held by a sugar factory is solely used for the purpose of research or seed farm or both, the decision of the prescribed authority shall be final and the land not held for the said purpose shall be deemed to be surplus land and the provisions of sections 66 to 76 shall, so far as may be, apply to the surrender to and vesting in the State Government of such land. The provisions of this sub-section shall have effect notwithstanding anything contained in this Act.

(9) In the case of any person holding land cultivated by plantation crops, the ceiling area in respect of other land held by him shall be determined taking into consideration, the agricultural land referred to in item (ii) of the Explanation to section 104.

(10) Notwithstanding anything in the preceeding sub-section, if any person has,—

(i) after the 18th November 1961 and before the 24th January 1971 transferred any land the extent of which if added to the other land retained by him could have been

deemed to be surplus land before the date of commencement of the Amendment Act; or

(ii) after the 24th January 1971 transferred any land,

otherwise than by partition or by donation to the [2][Karnataka Boodan Yagna Board][2] established under the [2][Karnataka][2] Bhoodan Yagna Act, 1963 ([2][Karnataka Act][2] 34 of 1963) or by sale to the tenant of such land in conformity with any law for the time being in force, then in calculating the ceiling area which that person is entitled to hold, the area so transferred shall be taken into account and the land exceeding the ceiling area so calculated shall be deemed to be in excess of the ceiling area notwithstanding that the land remaining with him may not in fact be in excess of the ceiling area.

If by reason of such transfer the person's holding is less than the area so calculated to be in excess of the ceiling area, then all his lands shall be deemed to be surplus land and the provisions of sections 66 to 76 shall, as far as may be, apply to the surrender to and vesting in the State Government of such excess land.

Explanation.—For purposes of this sub-section the land shall be deemed to have been transferred if it has been transferred by act of parties (whether by sale, gift, mortgage with possession, exchange, lease or any other kind of disposition made inter vivos.)][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

64. Future acquisition of land.—Where on account of transfer, gift, purchase, exchange, mortgage with possession, lease, surrender or any other kind of transfer *inter vivos* or by bequest or inheritance, partition or otherwise, [1][any land is acquired or comes into possession of any person or family after the date of commencement of the Amendment Act and in consequence thereof the total extent of land held by such person or family exceeds the ceiling area permitted under section 63][1], the excess land shall be deemed to be surplus land, and the provisions of sections 66 to 76 shall, as far as may be, apply to the surrender to, and vesting in, the State Government, of such excess land:

[1][**Explanation.**—In this section ―bequest‖ includes,—

(i) gift made in contemplation of death; and

(ii) gift to take effect after the happening of any event.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

65. Surplus land to be surrendered to State Government.—The land which is in excess of the ceiling laid down in section 63 or 64 (hereinafter referred to as ―surplus land‖) shall be surrendered to the State Government.

[1][**65A. Certain lands deemed to be in excess of ceiling area.**—Where as a result of irrigation from a source constructed by the State Government, any land held by a person or if he has family, together with any member of his family or a family is converted into any other class of land and thereby the lands held by such person or family exceed the ceiling area, the land so in excess shall be deemed to be surplus land and accordingly the provisions of sections 66 to 76 shall, so far as may be, apply to the surrender to and vesting in the State Government of such excess land.

Explanation.—For purposes of this section, the land shall be deemed to have been converted from the date of completion of the irrigation work notified under section 3 of the [2][Karnataka][2] Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 ([2][Karnataka Act 28 of 1957).][2]][1]

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

66. Filing of declaration of holding.—[1][(1) [2][(*a*) Every person who on the date of commencement of the Amendment Act holds,—

(i) ten acres or more of lands having facilities for irrigation from a source of water belonging to the State Government; or

(ii) twenty acres or more of lands on which paddy crop can be grown with the help of rain water; or

(iii) forty acres or more of lands classified as dry but not having any irrigation facilities from a source of water belonging to the State Government,

shall on or before the 31st day of Decem

(*b*) every person who acquires land in excess of the extent specified in clause (*a*) in any manner referred to in section 64; and

(*c*) every person whose land is deemed to be in excess of the ceiling area under section 65A,

shall, within the prescribed period, furnish a declaration to the Tahsildar within whose jurisdiction the holding of such person or the greater part thereof is situated containing the following particulars, namely:—

(i) particulars of all the lands;

(ii) particulars of the members of the family; and

(iii) such other particulars as may be prescribed.

2[(1A) Where a person holds different categories of land mentioned in clause (*a*) of sub-section (1), the total extent of lands held by such person shall, for purposes of this section, be determined by converting all categories of land into any one category in accordance with the following formula, namely:—

One acre of land referred to in category (i)=two acres of land referred to in category (ii)=four acres of land referred to in category (iii).]2]1

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 26 of 1974 w.e.f. 1.3.1974.

(2) Without prejudice to the provisions of sub-section (1), the 1[Tahsildar]1 shall have power to issue notice requiring any person who 1[he has]1 reason to believe, holds land, or resides within 1[his jurisdiction]1, to furnish 1[to him]1 a declaration of all lands held by him within such period as may be specified in the notice (not being less than thirty days from the date of service of the notice), and it shall be the duty of such person to furnish the declaration.

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.

(3) Every declaration furnished under sub-section (1) or sub-section (2), shall be in the prescribed form; and the person furnishing the declaration shall be entitled to obtain a receipt therefor.

1[(4) Notwithstanding anything contained in sub-section (1), every person who had held on or after 18th November 1961 and before the commencement of the Amendment Act,— (*a*) ten acres or more of lands having facilities for irrigation from a source of water belonging to the State Government; or

(*b*) twenty acres or more of lands on which paddy crop can be grown with the help of rain water; or

(*c*) forty acres or more of lands other than those specified in clauses (*a*) and (*b*),

shall in respect of the land so held by him also furnish a declaration within one hundred and eighty days from the eleventh day of September 1975 to the Tahsildar within whose jurisdiction the holding of such person or a greater part thereof is or was situated containing the following particulars, namely:—

(i) particulars of the land;

(ii) particulars of the members of his family;

(iii) particulars of lands transferred or disposed of in any manner prior to 24th January 1971 and subsequent to that date;

(iv) particulars of the persons to whom lands if any, have been transferred or disposed of;

(v) such other particulars as may be prescribed.

(5) The provisions of sub-sections (1A), (2) and (3) shall *mutatis mutandis* apply to the declarations to be furnished under sub-section (4).]1

1. Sub-section (4) and (5) inserted by Act 18 of 1976 w.e.f. 11.9.1975.

1[***Explanation.***- x x x]1

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

1[**66A. Penalty for failure to furnish declaration.**—(1) Where a person required by section 66 to furnish a declaration,—

(*a*) fails without reasonable cause so to do within the time specified in that section, or

(*b*) furnishes a declaration which he knows or has reason to believe it to be false, the Tahsildar shall issue a notice to such person asking him to show cause within fifteen days of the service thereof why a penalty which may extend to five hundred rupees may not be imposed on him. Where no reply is filed or where a reply is filed the Tahsildar is satisfied that the person has without reasonable cause failed to

furnish the declaration within time or has submitted the declaration knowing or having reason to believe it to be false, he may, by order, impose the said penalty and require such person to furnish a true and correct statement complete in all particulars, within a period of one month from the date of service of the order.

(2) If such person fails to comply with the order within the time granted, the right, title and interest of such person in the land held to the extent in excess of the ceiling area shall, by way of penalty, be forfeited to the State Government and shall thereupon vest in the State Government.][1]

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

67. Surrender of land in certain cases.—[1][(1) (*a*) Save as provided in section 66A, on receipt of the declaration under section 66 the Tahsildar shall,—

(i) verify the particulars contained therein as regards the survey number and the extent of the land;

(ii) determine to which class, A, B, C or D, the land belongs; and

(iii) place the declaration and the connected records before the Tribunal.

[2][(aa) Where a portion of the holding declared before a Tahsildar is situated within the jurisdiction of another Tahsildar, the former shall send a copy of the declaration to the latter, who shall make the verification and determination specified in item (i) and (ii) of clause (a) in respect of such portion and send the copy of the declaration and the connected records to the former Tahsildar, who shall place them before the Tribunal.][2]

(*b*) Thereupon and after such enquiry as may be prescribed, the Tribunal shall determine the extent of the holding and the area by which such extent exceeds the ceiling area.

(*c*) Where the total extent of the holding so determined by the Tribunal is equal to or less than the ceiling area, the person concerned shall be entitled to retain his entire holding; but where the total extent is more than the ceiling area, such person shall be liable to surrender such extent of land as will, after such surrender, bring the total extent of land retained by him to the extent of the ceiling area.

(*d*) The order of the Tribunal shall be final and shall be communicated to the person concerned and also the Tahsildar.][1]

[3][(1A) Where the land held by a family consist of _stridhana' land which may be surrendered, the extent of _stridhana' land to be surrendered shall in no case be more than the proportion which the extent of _stridhana' land bears to the extent of other land held by the family.

(1B) Where a person holds lands cultivated by him personally as well as lands cultivated by a tenant, the surrender of surpluas land by him shall with reference to the land cultivated by a tenant, be subject to the provision of Chapter III.][3]

1. Substituted by Act 44 of 1976 w.e.f. 2.6.1976.

2. Inserted by Act 3 of 1982 w.e.f. 25.11.1980.

3. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) The [1][Tribunal][1] shall serve on every person who is liable to surrender land under sub-section (1), a notice specifying therein the extent of land which he should surrender, and requiring him to file a statement in such manner and within such period as may be prescribed specifying therein the land which he proposes to surrender.

1. Substituted by Act 44 of 1976 w.e.f. 2.6.1976.

[1][(3) If the person concerned files such declaration within the prescribed period, the [2][Tribunal][2] may subject to the provision of sub-section (3A) pass an order approving the surrender and the said land shall thereupon be deemed to have been surrendered by such person.

(3A) If the land proposed to be surrendered is not suitable on the ground of inaccessibility or any other ground that may be prescribed, the [2][Tribunal][2] may pass an order rejecting it and call upon the person concerned to file a fresh statement specifying therein other suitable land. On the filing of such statement the [2][Tribunal][2] shall pass an order approving such surrender and the said land shall thereupon be deemed to have been surrendered by such person. If such person fails to file a fresh statement, the [2][Tribunal][2] may 3[itself]3 select the land which shall be surrendered by such person and pass an order to that effect and thereupon the said land shall be deemed to have been surrendered by such person.][1]

1. Sub-section 3 and 3A substituted by Act 1 of 1974 w.e.f. 1.3.1974.

2. Substituted by Act 44 of 1976 w.e.f. 2.6.1976.

3. Inserted by Act 23 of 1977 w.e.f. 1.3.1974.

(4) If the person concerned does not file such statement within the prescribed period, the [1][Tribunal][1] may [2][itself][2] select the land which shall be surrendered by the person concerned, and pass an order to that effect; and thereupon the said land shall be deemed to have been surrendered by such person.

1. Substituted by Act 44 of 1976 w.e.f. 2.6.1976.
2. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.

(5) An order under sub-section [1][(3), (3A) or (4)][1] relating to surrender of land shall be passed in respect of land which, as far as practicable, forms a survey number, or a recognised part of survey number of a sub-division of a survey number.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**67A. Payment for use and occupation of land.**—(1) Every person possessing land in excess of the ceiling area, as determined under this Chapter, shall pay to the State

Government for the period he was in possession or such extent of land from the date of the order determining the excess, such compensation for the use and occupation of such land as the Tribunal may determine in the prescribed manner.

(2) Any sum payable under sub-section (1) may be recovered as arrears of land revenue.][1]

1. Inserted by Act 23 of 1977 w.e.f. 1.3.1974.

68. Vesting of land surrendered by owner.—Where the land surrendered under section 67 is by an owner (other than a limited owner), the State Government may take over such land 1[on the service of the order under section 67][1] and such land shall thereupon vest in the State Government free from all encumbrances.

1. Substituted by Act 44 of 1976 w.e.f. 2.6.1976.

69. Vesting of land surrendered by limited owner.—(1) Where the land surrendered under section 67 is by a limited owner, it shall vest in the presumptive reversioner.

(2) Where as a result of the vesting of any land under sub-section (1), the total land held by the reversioner exceeds the ceiling limit specified in section 63 or 64, such reversioner shall, within a period of ninety days of such vesting furnish a declaration of his holding in the prescribed form to the [1][Tahsildar within whose jurisdiction][1] his holding or any part thereof is situated, and all the relevant provisions of this Act shall thereupon apply as if it were a declaration filed by him under section 66.

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.

(3) The reversioner in whom any land vests under sub-section (1) shall be liable to pay the limited owner an annual sum equivalent to four and a half per cent of the amount payable to the owner under [1][x x x][1] section 72 in respect of the land vesting in him under sub-section (1) until such time as the limited owner would have continued in possession of the land but for the surrender of the land by him.

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

70. Reversion and vesting of land surrendered by usufructuary mortgagee.—(1) Where the land surrendered under section 67 is by an usufructuary mortgagee, the possession of the land shall (without prejudice to the rights of the tenant, if any, in occupation of the land) revert to the mortgagor [2][[1][xxx][1]][2] in every case where, and to the extent to which the mortgagor himself is not liable to surrender the said land in accordance with the provisions of section 67.

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.
2. The words, figures and letters —not being a person disentitled to hold lands under section 79A‖ Omitted by Act 56 of 2020 w.e.f.01.03.1974.

(2) The mortgagor to whom possession of the land reverts under sub-section (1) shall be liable to pay the mortgage money due to the usufructuary mortgagee in respect of that land and the said land shall be the security for such payment.

(3) In cases where possession of the land surrendered by an usufructuary mortgagee does not revert to the mortgagor [1][for the reason that the mortgagor is himself liable under section 67 to surrender the land held by him][1], the State Government may take over such land on the publication of the notification under section 73 and such land thereupon shall vest in the State Government free from all encumbrances.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

71. Vesting of land surrendered by tenant.—(1) Where the land surrendered under section 67 is by a tenant, [1][of a soldier or a seaman][1] the possession of the land shall revert

to the owner in every case where, and to the extent to which the owner himself is not liable to surrender such land in accordance with the provisions of section 67.

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) The owner to whom possession of the land reverts under sub-section (1) shall be liable to pay the tenant compensation equal to one year's net income of such land.

(3) In cases where possession of the land surrendered by a tenant does not revert to the owner under sub-section (1), the State Government may take over the land on the publication of the notification under section 73 and the land shall thereupon vest in the State Government free from all encumbrances.

1[**72. Amount payable for lands surrendered to and vesting in the State Government.**—(1) Save as otherwise provided in this Act, the amount payable in respect of land to be taken over by the State Government under sections 68, 70, 71, 3[xxx]3 shall be determined with reference to the net annual income derivable from the land in accordance with the following scale, namely:—

(i) for the first sum of rupees five thousand or any portion thereof of the net annual income from the land, fifteen times such sum or portion;

(ii) for the next sum of rupees five thousand or any portion thereof of the net annual income from the land, twelve times such sum or portion;

(iii) for the balance of the net annual income from the land, ten times such balance: Provided that where the land taken over by the State Government is D Class land referred to in Part A of Schedule I, an amount equal to twenty times the net annual income thereof shall be payable.

(2) For the purpose of sub-section (1), the net annual income from the land shall be deemed to be the amount payable as annual rent in respect of the land as specified in section 8. But where in a land assessed as wet land or dry land, the owner has raised fruit bearing trees, the net annual income of such land for purposes of sub-section (1) shall be determined on the basis of assessment for garden land which could have been levied having regard to the nature of the fruit bearing trees.

(3) The amount under sub-section (1) shall be payable as follows:—

(*a*) to the tenant, if any, in possession of the land, an amount equal to one year's net annual income;

(*b*) to the owner, the balance.

(4) Where there are wells or other structures of a permanent nature on the land, constructed by the owner then, the value thereof calculated in the prescribed manner shall also be payable.

(5) Notwithstanding anything in sub-sections (1) and (4), the aggregate amount payable according to the said sub-sections shall not exceed rupees two lakhs.

2[(6) x x x]2]1

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

2. Omitted by Act 1 of 1979 w.e.f. 1.3.1974.

3. The figures, letters and Word —79A and 79B‖ omitted by Act 56 of 2020 w.e.f.01.03.1974.

73. Claims for 1[**the amount**]1 **and payment of** 1[**the amount**]1**.**—2[(1) As soon as may be after the service of the order made under section 67, the Tahsildar shall publish a notification containing the particulars of the lands vested in the State Government.

(1A) After the publication of the notification under sub-section (1), the Tahsildar shall determine the amount payable in respect of the land which has vested in the State Government.]2

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

2. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.

(2) The provisions of sections 1[48B]1 and 50 shall *mutatis mutandis* be applicable for determining the persons entitled to 1[the amount]1 and the apportionment of 1[the amount]1. 1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

1[(3) The amount payable under sub-section (1) shall be paid in 2[non-transferable and non-negotiable]2 bonds carrying interest at the rate of five and a half per cent per annum and of guaranteed face value maturing within a specified period not exceeding twenty years: Provided that the amount payable under the bonds issued under this sub-section may be paid in such number of instalments not exceeding twenty as may be prescribed.]1

1. Substituted by Act 18 of 1976 w.e.f. 11.9.1975.

2. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.

[1][(4) Notwithstanding anything in sub-section (3), on or after 1st March 1984, the balance and interest thereon payable in accordance with the said sub-section shall, in lieu of the bonds specified therein, be paid in the following manner, namely:—

(*a*) The interest accrued at the rate of five and a half per cent per annum till 1st March, 1984 remaining unpaid shall be paid in five consecutive annual, as far as may be, equal instalments commencing from 1st March, 1984 in National Savings Certificates;

(*b*) the whole or, as the case may be, part of the balance specified in sub-section (1), payable before 1st March, 1984 remaining unpaid shall be paid in five consecutive annual, as far as may be, equal instalments commencing from the said date in National Savings Certificates.

(*c*) the whole or, as the case may be, part of the said balance payable on or after 1st March, 1984 shall be paid in ten consecutive annual, as far as may be, equal instalments commencing from the said date in National Savings Certificates:

Provided that along with each of the instalments referred to in items (*b*) and (*c*), the interest thereon from 1st March, 1984 at the rate of five and a half per cent per annum upto the date of payment thereof shall also be paid in National Savings Certificates.]1

1. Inserted by Act 35 of 1985 w.e.f. 27.9.1985.

74. Prohibition of alienation of holding.—[1][On and from the date of commencement of the Amendment Act]1, no person owning land in excess of the ceiling limit specified in section 63 or 64 shall alienate his holding or any part thereof by way of sale, gift, exchange or otherwise until he has furnished a declaration under section 66 and the extent of land, if any, to be surrendered in respect of that holding has been determined [2][x x x]2 and an order has been passed [2][x x x]2 under section 67, and any alienation made in contravention of this section shall be null and void.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 3 of 1982 w.e.f. 1.3.1974.

75. Excess land not to be surrendered in certain cases.—Where a person either by himself or, if he has a family, or is a member of a joint family, together with any other member of the family, or joint family, holds land not exceeding the ceiling limit referred to in section 63 or 64, but subsequently the land held exceeds the ceiling limit, due to any change in the classification of the land consequent upon any improvements effected in the land by such person or of the family or due to a decrease in the number of members of the family, then, notwithstanding anything contained in this Chapter, such person shall not be required to surrender any part of the land on the ground that it is excess land.

76. Taking possession of land vested in State Government.—Where under the provisions of this Chapter any land vests in the State Government, the [1][Tahsildar]1 may, after removing any obstruction that may be offered, forthwith take possession of the land.

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.

[1][**77. Disposal of surplus land.**—[2][(1) Surplus land vesting in the State Government under this Act, land directed to be disposed of under sub-section (3) of section 45, section 58, section 60, land vesting in the State Government under section 79A, section 79B or under any other provision of [3][this Act, may,]3 subject to reservation of [4][seventy-five]4 per cent thereof for grant to persons belonging to the Scheduled Castes and the Scheduled Tribes and subject to such restrictions and conditions as may be prescribed in this behalf, [3][be granted by the Deputy Commissioner or any other officer authorised by the State Government in this behalf]3 to the following persons to the extent and in the manner as may be prescribed:

(i) Dispossessed tenants who are not registered as occupants;

(ii) Displaced tenants having no land;

(iii) Landless agricultural labourers;

[5][(iv) landless persons or other persons residing in villages in the same Panchayat area whose gross annual income does not exceed rupees twenty thousand and ex-military personnel whose gross annual income does not exceed rupees twenty-two thousand;]5 (v) Released bonded labourers;

[6][(vi) x x x]6

Explanation.—(1) —Dispossessed tenant‖ means a person who not being member of the family of the owner was cultivating lands personally and was dispossessed between 10th September 1957 and 24th January 1971 and who is not registered as an occupant under the provisions of this Act.

Explanation.—(2) —Displaced tenant‖ means a person who has been deprived of agricultural land on which he was a tenant, on account of,—

(i) acquisition of such land under the Land Acquisition Act; or

(ii) resumption of such land by a soldier or a seaman for personal cultivation.][2]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
3. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
4. Substituted by Act 9 of 1992 w.e.f. 21.4.1992.
5. Substituted by Act 1 of 1991 w.e.f. 5.2.1991 and further substituted by Act 34 of 2003 w.e.f. 1.11.2003 by notification Text of notification is at the end of the Act.
6. Omitted by Act 34 of 2003 w.e.f. 1.11.2003 by notification Text of notification is at the end of the Act.

[1][(2) The lands reserved for persons belonging to the Scheduled Castes and Scheduled Tribes shall be granted in accordance with such rules as may be prescribed.][1]

1. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.

[1][(2A) Notwithstanding anything in any law, no land granted under this section shall be transferred by the grantee or his legal representatives for a period of fifteen years from the date of the grant except by way of mortgage in favour of a financial institution and for the purposes specified in sub-section (2) of section 61.

(2B) The Deputy Commissioner or the authorised officer shall forward a copy of the order granting land under this section to the concerned Sub-Registrar who shall, notwithstanding anything in the Registration Act, 1908 (Central Act 16 of 1908) or any other law, register the same.][1]

1. Sub-section (2A) and (2B) inserted by Act 1 of 1979 w.e.f. 1.1.1979.

(3) Notwithstanding anything contained in sub-section (1), the State Government may, if it considers that any land vesting in it is required for any public purpose, reserve such land for such purpose.][1]

[1][**77A. Grant of land in certain cases.**—(1) Notwithstanding anything contained in this Act, if the Deputy Commissioner, or the [2][or any other officer authorised by the State Government in this behalf][2] is satisfied after holding such enquiry as he deems fit, that a person,-

(i) was, immediately before the first day of March, 1974 in actual possession and cultivation of any land not exceeding one unit, which has vested in the State Government under section 44; and

(ii) being entitled to be registered as an occupant of such land under section 45 or 49 has failed to apply for registration of occupancy rights in respect of such land under sub-section (1) of section 48A within the period specified therein; and

(iii) has continued to be in actual possession and cultivation of such land on the date of commencement of the Karnataka Land Reforms (Amendment) Act, 1997,

-he may [3][x x x][3] grant the land to such person subject to such restrictions and conditions and in the manner, as may be prescribed.

1. Inserted by Act 23 of 1998 w.e.f. 1.11.1998 by notification Text of notification is at the end of the Act.
2. Substituted by Act 34 of 1998 w.e.f. 15.2.1999.
3. Deemed to have been omitted w.e.f. 15.02.1999 by Act 22 of 2001 by notification Text of notification is at the end of the Act.

(2) The provisions of sub-sections (2A) and (2B) of section 77 and the provisions of section 78 shall apply *mutatis mutandis* in respect of the grant of land made under sub-section (1).][1]

[1][Provided that the land so granted together with the land already held by such person shall not exceed 2 hectares of D class of land or its equivalent thereto.][1]

1. Inserted by Act 34 of 1998 w.e.f. 15.2.1999.

78. Purchase price of surplus land.—(1) On the grant of land [1][x x x][1] under section 77, the grantee shall have the option to deposit with the [2][Tribunal][2] the purchase price of the land so granted either in a lumpsum or in such annual instalments not exceeding twenty as the [3][Tahsildar may determine, the first instalment becoming payable within such time as may be prescribed][3].

1. Omitted by Act 1 of 1979 w.e.f. 1.1.1979.
2. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
3. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(2) The purchase price shall, in the case of,—

(i) A Class, B Class and C Class lands referred to in Part A of Schedule I be an amount equal to fifteen times, and

(ii) D Class land referred to in Part A of the said Schedule be an amount equal to twenty times

the net annual income referred to in sub-section (2) of section 72 plus the amount, if any, payable under sub-section (4) of that section.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(3) Where the purchase price is payable in instalments, the amount outstanding after payment of each instalment shall bear interest at the rate of [1][five and a half per cent][1] per annum [2][if the purchase price is paid by the grantee out of his own funds and no interest where the money for payment of the purchase price is advanced by the State Land Development Bank or a credit agency][2].

1. Substituted by Act 18 of 1976 w.e.f. 11.9.1975.
2. Inserted by Act 3 of 1982 w.e.f. 1.3.1974.

(4) All amounts due from the grantees shall be a first charge on the land granted and shall be recoverable as land revenue due on that land.

[1][(5) Every grantee, who is granted surplus land shall be entitled to obtain assistance from the State Land Development Bank or from a credit agency as defined in the Karnataka Agricultural Credit operations and Miscellaneous Provisions Act, 1974 (Karnataka Act 2 of 1975) for the payment of the purchase price in accordance with such rules as may be prescribed.

(6) Notwithstanding anything contained in the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) the amount advanced to the grantee by the State Land Development Bank under sub-section (5) may be recovered by the State Government in the same manner as an arrear of land revenue and credited to the said Bank.

(7) The amount advanced to a grantee by the credit agency shall be deemed to be financial assistance within the meaning of the Karnataka Agricultural Credit Operations and Miscellaneous Provisions Act, 1974 (Karnataka Act 2 of 1975) for the purpose of recovery of dues under section 12 of the said Act and the provisions thereof shall, *mutatis mutandis,* apply in respect of the amount so advanced.][1]

1. Sub-sections (5) (6) & (7) inserted by Act 3 of 1982 w.e.f. 1.3.1974.

79. Management of surplus lands.—The [1][Tahsildar][1] shall, subject to such rules as may be prescribed in this behalf, manage the surplus lands referred to in section 77, until they are disposed of under the said section, by making arrangements for the cultivation and protection by lease or otherwise.

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.

CHAPTER V

RESTRICTIONS ON [1][HOLDING OR][1]TRANSFER OF AGRICULTURAL LANDS [1]

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][79A.xxx][1]

1. Section 79A Omitted by Act 56 of 2020 w.e.f. 01.03.1974. The previous text read as follows.-

"[1]**[79A. Acquisition of land by certain persons prohibited.**—(1) On and from the commencement of the [2][the Karnataka [3][Land Reforms (Amendment) Act, 2015][2]][3], no person who or a family or a joint family which has an assured annual income of not less than rupees [3][2][twenty five lakhs][2][3] from sources other than agricultural lands shall be entitled to acquire any land whether as land owner, landlord, tenant or mortgagee with possession or otherwise or partly in one capacity and partly in another.

1. Section 79A, 79B and 79C inserted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 31 of 1995 w.e.f. 20.10.1995.
3. Substituted by Act 33 of 2015 w.e.f 13.08.2015.

(2) For purposes of sub-section (1)—

(i) the aggregate income of all the members of a family or a joint family from sources other than agricultural land shall be deemed to be income of the family or joint family, as the case may be, from such sources;

(ii) a person or a family or a joint family shall be deemed to have an assured annual income of not less than [2][[1][rupees twenty five lakhs][1]][2] from sources other than agricultural land on any day if such

person or family or joint family had an average annual income of not less than [2][[1][rupees twenty five lakhs][1]][2] from such sources during a period of five consecutive years precedin

Explanation.—A person who or a family or a joint family which has been assessed to income tax under the Income Tax Act, 1961 (Central Act 43 of 1961) on an yearly total income of not less than 2[1[rupees twenty five lakhs]1]2 for five consecutive years shall be deemed to have an average annual income of not less than 2[1[rupees twenty five lakhs]1]2 from sources other than agricultural lands.

1. Substituted by Act 31 of 1995 w.e.f. 20.10.1995.
2. Substituted by Act 33 of 2015 w.e.f 13.08.2015.

(3) Every acquisition of land otherwise than by way of inheritance or bequest in contravention of this section shall be *null* and *void*.

(4) Where a person acquires land in contravention of sub-section (1) or acquires it by bequest or inheritence he shall, within ninety days from the date of acquisition, furnish to the Tahsildar having jurisdiction over the Taluk where the land acquired or the greater part of it is situated a declaration containing the following particulars, namely:—

(i) particulars of all lands;

(ii) the average annual income of himself or the family; (iii) such other particulars as may be prescribed.

(5) The Tahsildar shall, on receipt of the declaration under sub-section (4) and after such enquiry as may be prescribed send a statement containing the prescribed particulars relating to such land to the Deputy Commissioner who shall, by notification, declare that with effect from such date as may be specified in the notification, such land shall stand transferred to and vest in the State Government without further assurance free from all encumbrances. From the date specified in such notification the Deputy Commissioner may take possession of such land in such manner as may be prescribed.

(6) For the land vesting in the State Government under sub-section (5), where the acquisition of the land was by bequest or inheritance, an amount as specified in section 72 shall be paid and where the acquisition was otherwise than by bequest or inheritance, 1[no amount]1 shall be paid.

1. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.1 **1[79B. xxx]1.**

1. Section 79B omitted by Act 56 of 2020 w.e.f. 01.03.1974. The previous text read as follows.-

"[79B. Prohibition of holding agricultural land by certain persons.—(1) With effect on and from the date of commencement of the Amendment Act, except as otherwise provided in this Act,— (*a*) no person other than a person cultivating land personally shall be entitled to hold land; and

(*b*) it shall not be lawful for,-

(i) an educational, religious or charitable institution or society or trust, other than an institution or society or trust referred to in sub-section (7) of section 63, capable of holding property; (ii) a company;

(iii) an association or other body of individuals not being a joint family, whether incorporated or not; or

(iv) a co-operative society other than a co-operative farm, to hold any land.

(2) Every such institution, society, trust, company, association, body or co-operative society,—

(*a*) which holds lands on the date of commencement of the Amendment Act and which is disentitled to hold lands under sub-section (1), shall, within ninety days from the said date, furnish to the Tahsildar within whose jurisdiction the greater part of such land is situated a declaration containing the particulars of such land and such other particulars as may prescribed; and

(*b*) which acquires such land after the said date shall also furnish a similar declaration within the prescribed period.

(3) The Tahsildar shall, on receipt of the declaration under sub-section (2) and after such enquiry as may be prescribed, send a statement containing the prescribed particulars relating to such land to the Deputy Commissioner who shall, by notification, declare that such land shall vest in the State Government free from all encumbrances and take possession thereof in the prescribed manner.

(4) In respect of the land vesting in the State Government under this section an amount as specified in section 72 shall be paid.

***Explanation*.**—For purposes of this section it shall be presumed that a land is held by an institution, trust, company, association or body where it is held by an individual on its behalf.]‖

1[79C.xxx]1

1. Section 79C omitted by Act 56 of 2020 w.e.f. 01.03.1974 the previous text read as follows.-

—[79C. Penalty for failure to furnish declaration.—(1) Where a person fails to furnish the declaration under section 79A or section 79B or furnishes a declaration knowing or having reason to believe it to be false, the Tahsildar shall issue a notice in the prescribed form to such person to show cause within fifteen days from the date of service thereof why the penalty specified in the notice, which may extend to five hundred rupees, may not be imposed upon such person.

(2) If the Tahsildar on considering the reply, if any, filed is satisfied that the person had failed to furnish the declaration without reasonable cause or had filed it, knowing or having reason to believe it to be false, he may, by order, impose the penalty and also require such person to furnish within a period of one month from the date of the order a true and correct declaration complete in all particulars.

(3) If the person fails to comply with such order, his right, title and interest in the land concerned shall, as penalty, be forfeited to and vest in the State Government.]—

 Section 79A, 79B and 79C inserted by Act 1 of 1974 w.e.f. 1.3.1974.

80. 5[Restrictions on transfer of certain lands]5.—1[(1)]1 (*a*) No sale (including sales in execution of a decree of a civil court or for recovery of arrears of land revenue or for sums recoverable as arrears of land revenue), gift or exchange or lease of any land or interest therein, or

6[(*b*) xxx]6 shall be 2[lawful]2 in favour of a person,-7[(i) in case of A-class irrigated land, who does not use for agriculture purpose, or;]7

(ii) 8[who holds as a owner]8 or tenant or partly as owner and partly as tenant land which exceeds the limits specified in section 63 or 64; or

9[4[3[(iii), xxx

(iv) xxx and

proviso xxx]3]4]9

1. Re-numbered by Act 1 of 1974 w.e.f. 1.3.1974.

2. Substituted by Act 3 of 1982 w.e.f. 25.11.1980.

3. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

4. Substituted by Act 33 of 2015 w.e.f 13.08.2015.

5. Substituted for the words —Transfer to non-agriculturists barred‖ by Act 56 of 2020 w.e.f. 13.07.2020 6. Omitted by Act 56 of 2020 w.e.f 13.07.2020. The previous text read as follows.-

—(b) no mortgage of any land or interest therein, in which the possession of the mortgaged property is delivered to the mortgagee,‖ 7. Substituted for the words —who is not an agriculturist‖ by Act 56 of 2020 w.e.f. 13.07.2020

8. Substituted for the words —who being an agriculturist holds as owner‖ by Act 56 of 2020 w.e.f. 13.07.2020 9. Omitted by Act 56 of 2020 w.e.f 13.07.2020. The previous text read as follows.-

—3[(iii) who is not an agricultural labourer; or

(iv) who is disentitled under section 79A or section 79B to acquire or hold any land:]3

Provided that the 4[the Deputy Commissioner]4 having jurisdiction over the area or any officer not below the rank of an 4[the Deputy Commissioner]4 authorised by the State Government in this behalf in respect of any area may grant permission for such sale, gift, or exchange, 3[to enable a person other than a person disentitled to acquire or hold land under section 79A or section 79B]3 who bona fide intend taking up agriculture to acquire land on such conditions as may be prescribed in addition to the following conditions, namely:—

(i) that the transferee takes up agriculture within one year from the date of acquisition of land, and

(ii) that if the transferee gives up agriculture within five years, the land shall vest in the State Government subject to payment to him of an amount equal to eight times the s been

purchased, the price paid for the land, if such price is less than eight times the net annual income of the land.][1][(2) Nothing in sub-section (1) shall apply to lands granted under section 77.][1] 1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**80-A. Restriction on lands granted to the Scheduled Castes or Scheduled Tribes.-** No conditions laid down in this Act shall be relaxed in respect of lands granted to persons belonging to the Scheduled Castes and Scheduled Tribes, during the period of prohibition under the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 (Karnataka Act 2 of 1979).][1]

1. Inserted by Act 56 of 2020 w.e.f. 13.07.2020

[7][[1][**81. Restriction on Sale or Mortgage of Agriculture Land.**][7]—(1) Nothing in [8][XXX][8] section 80 shall apply to,—

(*a*) the sale, gift or mortgage of any land or interest therein in favour of the Government: [2][the Karnataka State Road Transport Corporation constituted under the Road Transport Corporation Act, 1950 (Central Act LXIV of 1950), the Karnataka Power Transmission Corporation Limited constituted under the Companies Act, 1956][2][3][the Karnataka Housing Board constituted under the Karnataka Housing Board Act, 1962 (Karnataka Act 10 of 1963), the Industrial Areas Development Board constituted under the Karnataka Industrial Areas Development Act, 1966 (Karnataka Act, 18 of 1966), the Karnataka Slum Clearance Board established under the Karnataka Slum Areas (Improvement and Clearance) Act, 1973, (Karnataka Act 33 of 1974) the Bangalore Development Authority constituted under the Bangalore Development Authority Act, 1976 (Karnataka Act 12 of 1976), a Nagarabhivruddhi Pradhikara constituted under the Karnataka Nagarabhivruddhi Pradhikaragala Adhiniyama, 1987 (Karnataka Act 34 of 1987).][3]

(*b*) the mortgage of any land or interest therein in favour of,—

(i) a co-operative society;

[4][(ii) a financial institution;][4]

[5][(iii) x x x

(iv) x x x

(v) x x x][5]

(vi) any company as defined in section 3 of the Companies Act, 1956 (Central Act 1 of 1956) in which not less than fifty-one per cent of the paid up share capital is held by the State Government [6][or the Central Government or both][6];

(vii) any corporation, not being a company as defined in section 3 of the Companies Act, 1956 (Central Act 1 of 1956) established or constituted by the State Government [6][or the Central Government or both][6];

(viii) the Coffee Board constituted under the Coffee Act, 1942 (Central Act 7 of 1942), as security for any loan or other facility given by such society, bank, company, corporation or Board for agricultural purposes.

Explanation.—In this clause _agricultural purposes' include making land fit for cultivation, cultivation of land, improvement of land, development of sources of irrigation, raising and harvesting of crops, horticulture, forestry, planting and farming, cattle breeding, animal husbandry, dairy farming, seed farming, pisciculture, apiculture, sericulture, piggery, poultry farming and such other activities as are generally carried on by agriculturists, dairy farmers, cattle breeders, poultry farmers and other categories of persons engaged in similar activities including marketing of agricultural products, their storage and transport and the acquisition of implements and machinery, in connection with any such activity;

(*c*) the sale of any land or interest therein referred to in clause (*b*) in enforcement of the said security;

(*d*) the sale of any land in favour of a sugar factory for purposes of research of seed farm or sale in favour of the Coffee Board constituted under the Coffee Act, 1942 (Central Act 7 of 1942).

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Inserted by Act 20 of 2003 w.e.f. 23.4.2003.
3. Inserted by Act 31 of 1991 w.e.f. 1.1.1988.
4. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.
5. Omitted by Act 1 of 1979 w.e.f. 1.3.1974.
6. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.
7. Substituted for the words —Sections 79A, 79B and 80 not to apply in certain cases‖by Act 56 of 2020 w.e.f. 13.07.2020
8. Omitted by Act 56 of 2020 w.e.f. 13.07.2020. The previous text was : —section 79A or section 79B or‖

(2) The institutions referred to in clause (*b*) of sub-section (1) acquiring land or interest therein shall dispose of the same by sale, within the prescribed period:

Provided that pending such sale the land may be leased for a period not exceeding one year at a time and the lease shall stand determined when the land is sold or on the expiry of one year, whichever is earlier and notwithstanding anything to the contrary in this Act or in any other law for the time being in force the lessee shall not be entitled to any right other than as such lessee in the land.

[1][(2-A) No mortgage of agriculture land shall be made in favour of any person, other than the institutions specified in clause (a) and (b) of sub section (1).][1]

1. Inserted by Act 56 of 2020 w.e.f. 13.07.2020.

(3) Any sale by the institution under this section shall be subject to the other provisions of this Act.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**81A. Declaration to be made before the registering authority in certain cases.**—(1) No document relating to any transfer of land either by sale, gift, exchange, lease, [2][mortgage with possession][2] surrender, agreement, settlement, or otherwise, shall be registered unless a declaration in writing is made in duplicate in such form as may be prescribed and filed by the transferee before the registering authority under the Indian Registration Act, 1908 (Central Act XVI of 1908), as to the total extent of [3][land held by him as also his assured annual income.][3]

1. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.
2. Substituted by Act 38 of 1966 w.e.f. 29.7.1965.
3. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(2) The registering authority referred to in sub-section (1) shall forward within such time and in such manner as may be prescribed, one copy of the declaration referred to in sub-section (1), to the prescribed officer, within whose jurisdiction the land which is the subject matter of the transfer or the major part thereof is situated.

(3) On receipt of the copy of the declaration under sub-section (2), the prescribed officer may obtain such information as may be necessary and take such action as he deems fit in accordance with the provisions of this Act, and in accordance with such rules as may be made in this behalf.][1]

1. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.

82. Reporting of illegal transactions.—Every village officer and every officer of the Revenue, Registration and Land Records Departments shall report to the [1][x x x][1] prescribed authority, [2][x x x][2], every transaction in respect of any land in contravention of any of the provisions of this Act, [3][as they stood before and as they stand after the date of commencement of the Amendment Act][3] which comes to the notice of such officer.

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.
3. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

83. Inquiry regarding illegal transactions.—The prescribed authority shall, after a summary inquiry, determine whether the transaction reported to it under section 82 or coming to its notice in any other manner is in contravention of [1][or is unlawful or invalid under][1] the provisions of this Act, [2][as they stood before or as they stand after the date of commencement of the Amendment Act][2] and make a declaration accordingly. Any transaction so declared to be in contravention of [1][or is unlawful or invalid under][1] any of the provisions of this Act, [2][as they stood before or as they stand after the date of commencement of the Amendment Act][2] shall be null and void. [2][The land in respect of which such transaction has taken place shall, as penalty, be forfeited to and vest in the State Government [3][free from all encumbrances][3]. No amount is payable therefor][2]

1. Inserted by Act 3 of 1982 w.e.f. 25.11.1980.
2. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.
3. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

CHAPTER VI

PROVISIONS FOR CULTIVATION OF UNCULTIVATED LANDS

84. Uncultivated land may be required to be cultivated.—Where the Assistant Commissioner having jurisdiction over any area in which any land is situated is satisfied that any land within such area has remained uncultivated for a period of not less than two consecutive years without sufficient cause, he 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.

85. Power of Assistant Commissioner to lease out uncultivated land.—If the land is not cultivated within one year from the date of service of the notice under section 84, the Assistant Commissioner may, after making such inquiry as may be prescribed, lease out the whole or part of such uncultivated land to any suitable lessee for a period not exceeding five years on the condition that the lessee shall pay such reasonable rent as the Assistant Commissioner may fix or on such other terms as can be secured.

86. Cancellation of the lease.—Where the person to whom a lease has been granted under section 85, does any act referred to in sub-section (1) of section 22, the Assistant Commissioner may cancel the lease and grant a fresh lease to any other person on such terms and conditions as he thinks fit and the person whose lease is cancelled under this section shall forfeit all rights under his lease and shall also be liable to pay such sum by way of damages as may be determined by the Assistant Commissioner in each case. The sum so determined as damages shall be recoverable as arrears of land revenue.

87. Execution of lease, liability of land-owners, etc.—(1) Every lease granted under this Chapter shall be executed by the Assistant Commissioner on behalf of the land-owner or other person entitled to be in possession of the land, and the lessee shall be liable to pay the rent specified in the lease to the person on whose behalf the lease was executed at the time and in the manner provided for in the lease.

(2) The land-owner or other person on whose behalf the land is leased out by the Assistant Commissioner shall, in respect of the services rendered by the State Government under this Chapter, be liable to pay to the State Government a sum equal to four times the land revenue payable on the land, and the said sum shall be recoverable as an arrear of land revenue.

(3) Subject to the provisions of sections 8 and 86, every lease executed by the Assistant Commissioner under this Chapter shall be valid and take effect according to its terms.

88. Delivery of possession after the period of lease.—After the expiry of the period of the lease granted under this Chapter, the Assistant Commissioner shall take over possession of the land and deliver possession thereof to the person entitled to such possession.

CHAPTER VII

CO-OPERATIVE FARMS

89. Formation of a Co-operative Farm.—Any ten or more persons of a village or two or more contiguous villages holding between them, either as land-owners or tenants, rights in and possession over fifty acres or more in such village or contiguous villages and desiring to start a Co-operative Farm comprising the land so held and possessed by them may apply in writing in the prescribed form to the [1][Registrar of Co-operative Societies in Karnataka]1 (hereinafter referred to as the Registrar) for the registration thereof.

Explanation.—More than one Co-operative Farm may be registered in any village under this Chapter.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

90. Application for registration.—An application for the registration of a Co-operative Farm shall be accompanied by extracts from the record of rights or other records showing the total area with the survey numbers of all the fields held by each of the applicants in the village or contiguous villages and shall contain such other particulars as may be prescribed.

91. Registration of Co-operative Farm.—(1) After making such enquiry as may be prescribed, the Registrar shall, unless he is satisfied that it is not in the best interests of all concerned to do so, register the Co-operative Farm under the [1][Karnataka]1 Co-operative Societies Act, 1959, and grant a certificate of registration.

(2) The Registrar shall cause a copy of the certificate to be forwarded to the Deputy Commissioner for such action as may be prescribed.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

92. Members' land transferred to the farm.—(1) When a Co-operative Farm has been registered as provided in section 91, the possession of all lands in the village or contiguous villages held by a member, in respect of which the Co-operative Farm is registered shall, for so long as the registration of the Co-

operative Farm is not cancelled, stand transferred to the Co-operative Farm, which shall thereupon hold such land and may use it for agricultural purposes.

(2) If any person is admitted as a member of a Co-operative Farm after its registration, the possession of the lands held by and in the possession of such member in respect of which he becomes a member, shall stand transferred to the Co-operative Farm.

(3) No member of a Co-operative Farm shall withdraw his membership unless he satisfies such conditions as may be prescribed.

(4) On the withdrawal of membership of a Co-operative Farm by any person, the possession of the lands in respect of which he had become a member shall, subject to such restrictions and conditions as may be prescribed, be transferred by the Co-operative Farm to such person.

93. Consequences of registration.—When a certificate of registration in respect of any Co-operative Farm has been granted as provided in section 91, the provisions of the [1][Karnataka][1] Co-operative Societies Act, 1959, and the rules made thereunder shall, so far as they are not inconsistent with the provisions of this Act or of the rules made thereunder, be applicable thereto.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

94. Bye-laws of the Farm.—Every application under section 90 shall be accompanied by a copy of the proposed bye-laws of the Co-operative Farm and such bye-laws shall be deemed to be the bye-laws required to be filed under the provisions of the [1][Karnataka][1] Co-operative Societies Act, 1959.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

95. Amendment of the bye-laws by the Registrar.—The Registrar may, at any time on an application made by a majority of the members of a Co-operative Farm, or on his own motion after giving notice to the Farm in such manner as may be prescribed, and after giving an opportunity to the Farm to be heard amend the bye-laws.

96. Land contributed to the Farm to continue to vest in the land-owner thereof.—Nothing in this Chapter shall be deemed to cause the right of ownership of a land-owner in the land contributed by or on his behalf to a Co-operative Farm to cease to vest in him.

97. Rights, privileges, etc., of members.—Every member of a Co-operative Farm shall be entitled to such rights and privileges, be subject to such obligations and liabilities, and be bound to discharge such duties as may be prescribed.

98. Contribution by a member.—Subject to such exceptions as may be prescribed, every member shall be bound to contribute to the Co-operative Farm to the extent and in the manner prescribed,—

(i) funds,

(ii) personal labour,

(iii) agricultural implements, agricultural stock, and such other articles as may be prescribed.

99. Liability of the Farm to land revenue and other dues.—A Co-operative Farm shall, as from the date on which it is constituted, or the date on which a new member is admitted, be liable for the payment of all the land revenue, cesses, water rate, betterment contribution and local rates, payable by the land-owner in respect of the land, the possession of which is transferred to it under section 92.

100. Admission of new members.—Any person, who is a resident of the village or contiguous villages in which a Co-operative Farm is situate may be admitted as a member thereof upon such terms and conditions as may be prescribed.

101. Heirs deemed to be members of the Farm.—When a member whose land is held by a Co-operative Farm dies, his heirs shall be deemed to have become members of the Co-operative Farm.

102. Concessions and facilities for the Co-operative Farm.—(1) A Co-operative Farm shall be entitled to such concessions and facilities as may be prescribed.

(2) Without prejudice to the generality of the foregoing provision, the prescribed concessions and facilities may include,—

(*a*) reduction of land revenue;

(*b*) reduction of or exemption from agricultural income tax;

(*c*) free technical advice from experts employed by the Government;

(*d*) financial aid and grant of subsidies and loans with or without interest; and

(*e*) priority in irrigation from State irrigation works.

(3) For purposes of this section, Co-operative Farm shall be deemed to include a co-operative society registered before the appointed day under the law relating to registration of co-operative societies, as a co-operative farming society.

CHAPTER VIII

EXEMPTIONS

[1][**103.** x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**104. Plantations.**-[2][The provisions of section 38][2] section 63 other than sub-section (9) thereof, sections 64, [3][xxx][3] and 80, shall not apply to plantations.

Explanation.—In this section ‗Plantation' means land used by a person principally for the cultivation of plantation crop and includes,—

(i) any land used by such person for any purpose ancillary to the cultivation of such crop or for preparation of the same for the market; and

(ii) agricultural land interspersed within the boundaries of the area cultivated with such crop by such person.

not exceeding such extent as may be determined by the prescribed authority as necessary for the protection and efficient management of such cultivation.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 1 of 1979 w.e.f. 1.3.1974.
3. The figures and letters ―79A, 79B‖ omitted by Act 56 of 2020 w.e.f. 01.03.1974.

[1][**105.** x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][**106. Amount payable to religious institutions etc.**—(1) In respect of the amount payable to a religious, charitable or other institution capable of holding property the provisions of sections 47, 50 and 51 shall have effect subject to the modifications specified in sub section (2).

(2) In respect of lands held by such institution and vesting in the State Government under the provisions of this Act the amount payable shall be an annuity to be paid so long as the institution exists, of a sum equal to the net annual income referred to in sub-section (2) of section 72. Towards the annuity so payable, the State Government shall issue a non-transferable and non-negotiable annuity bond.

(3) Where the land in respect of which the annuity payable under sub-section (2) is subject to encumbrances,-

(*a*) if the value of the encumbrance is less than the amount of the annuity the holder of the encumbrance shall be paid in full from out of the amount of annuity and the balance shall be paid to the institution;

(*b*) if the value of the encumbrance is more than the amount of the annuity, five per cent of such value shall be paid from out of such amount till the value of the encumbrance is fully paid and the balance shall be paid to the institution;

(*c*) if there are more encumbrances than one, the amount under clauses (*a*) and (*b*) shall be distributed according to priority.][1]

1. Inserted by Act 3 of 1982 w.e.f. 1.1.1979.

[1][**107. Act not to apply to certain lands.**—(1) Subject to the provisions of section 110, nothing in this Act, except section 8, shall apply to lands,—

(i) belonging to Government;

[2][(ii) x x x][2]

(iii) belonging to or held on lease or from a local authority, an Agricultural Produce Marketing Committee constituted under the [3][Karnataka][3] Agricultural Produce Marketing

Regulation Act, 1966 ([3][Karnataka Act][3] 27 of 1966), a University established by law in India, [4][a research institution owned or controlled by the State Government or the Central Government or both][4][5][an Agricultural Research Institution recognised by the State Government or the Central Government][5] the [3][Karnataka][3] Bhoodhan Yagna Board established under the [3][Karnataka]3 Bhoodhan Yagna Act, 1963 ([3][Karnataka Act][3] 34 of 1963);

(iv) given as a gallantry award;

6[(iv*a*) granted by the State Government to a Research Institution affiliated to a university established by law in India.]6

(v) used for such stud farms as are in existence on the 24th day of January 1971 and approved by the State Government 6[,subject to such rules as may be prescribed]6;

(vi) used for the cultivation of linaloe;

(vii) held by the Coffee Board constituted under the Coffee Act, 1942 (Central Act 7 of 1942) for purposes of research, development or propoganda:

4[(viii) held by any corporation owned or controlled by the State Government or the Central Government or both;]4

Provided that in the case of lands belonging to or held on lease from the 3[Karnataka Bhoodhan Yagna Board,]3 the exemption under this section shall not be applicable if such lands were in the possession of tenants on the date of donation to the said Board.

4[Provided further that, notwithstanding anything contained in this sub-section, the extent of land leased to a local authority, a committee, a University, an institution, or a Board, referred to in clause (iii) shall count for the purpose of determining the surplus land to be surrendered by the owner thereof.]4

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 1 of 1979 w.e.f. 1.3.1974.
3. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.
4. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.
5. Inserted by Act 1 of 1991 w.e.f. 5.2.1991.
6. Inserted by Act 3 of 1982 w.e.f. 1.3.1974.

(2) Notwithstanding anything in sub-section (1), no person shall, after the date of commencement of the Amendment Act acquire in any manner for the cultivation of linaloe, land of an extent which together with the land cultivated by linaloe, if any, already held by him exceeds ten units.

(3) In respect of every acquisition contrary, to sub-section (2), the provisions of sections 66 to 76 shall *mutatis mutandis* apply.]1

108. Lands taken under management of Court of Wards, etc.—Subject to the provisions of section 110, nothing in the provisions of this Act except section 8 shall apply to lands taken under the management of the Court of Wards or of a Government officer appointed in his official capacity as a guardian under the Guardians and Wards Act, 1890, or to the lands taken under management temporarily by the civil, revenue or criminal courts by themselves or through the receivers appointed by them during the period of such management:

Provided that,—

(*a*) in the case of a tenancy subsisting on the date of taking over the management, 1[the provisions of section 44 shall apply and the land shall vest in the Government]1;

(*b*) in the case of a tenancy created during the period of management, when the land is released from such management, the tenant shall be dispossessed and the possession of the land shall be delivered to the person lawfully entitled to such possession;

(*c*) with effect from the date on which such land is released from such management, all the provisions of this Act shall apply to such land 2[x x x]2.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

1[**109. Certain lands to be exempt from certain provisions.**— 2[(1) Subject to such rules as may be prescribed and the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the State Government may, by notification, exempt, any land in any area from the provisions of sections 63, 10[xxx]10 or 80 to be used for,— 9[(i) industrial development, the extent of which shall not exceed forty units;

Explanation.- Industrial development‖ includes mining of minor minerals, whether specified or non-specified and stone crushing activity under the Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 8 of 2012)

Provided that in respect of Industrial development,such Land to such extent approved by the Government with approval of the State High level clearance committee or the State level single window clearance committee constituted under t ilitation) Act, 2002 (Karnataka Act 45

of 2003) shall be deemed to haveexempted by the Government from the provisions of section 63, [10][xxx][10] or 80.][9] (ii) educational institutions recognised by the State or Central Government to be used for non-agricultural purpose the extent of which shall not exceed [8][eight units][8];

(iii) places of worship to be specified by Government by notification which are established or constructed by a recognised or registered body for non-agricultural purpose, the extent of which shall not exceed [8][two units][8];

(iv) a housing project, approved by the State Government the extent of which shall not exceed [8][twenty units][8];

(v) the purpose of horticulture including floriculture and agro based industries the extent of which shall not exceed [8][forty units][8]:

[3][Provided that the Deputy Commissioner may also exercise the powers of the State Government under this sub-section, subject to the restrictions and in the manner specified therein, in respect of the land to be used for,-

(i) industrial development, the extent of which shall not exceed [8][twenty units][8];

(ii) educational institutions recognised by the State or Central Government to be used for non-agricultural purpose the extent of which shall not exceed [8][four units][8];

(iii) places of worship to be specified by Government by notification which are established or constructed by a recognised or a registered body for non-agricultural purpose, the extent of which shall not exceed [8][half of a unit (2.22 acre)][8];

(iv) a housing project, approved by the State Government the extent of which shall not exceed [8][twenty units][8];

(v) the purpose of horticulture including floriculture and agro based industries the extent of which shall not exceed [8][twenty units][8];

(1A) Notwithstanding anything contained in sub-section (1), the State Government may in public interest and for reasons to be recorded in writing, [4][by notification and subject to the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and such restrictions and conditions as may be specified by it, exempt any extent of land from the provisions of sections 63, [10][XXX][10] or 80][4] for any specific purpose.][2]

[5][Provided that [6][the Deputy Commissioner other than the Deputy Commissioner of Bangalore Rural District and the Deputy Commissioner of Bangalore District, may][6] subject to the restrictions and the manner specified in this sub-section exercise the power of the State Government to grant exemptions to an extent not exceeding [11][four hectare][11]of land.] [5]

1. Substituted by Act 9 of 1992 w.e.f. 21.4.1992.
2. Substituted by Act 31 of 1995 w.e.f. 20.10.1995 by notification. Text of the notification is at the end of the Act.
3. Inserted by Act 20 of 2003 w.e.f. 23.4.2003.
4. Substituted by Act 8 of 1996 w.e.f. 20.10.1995.
5. Inserted by Act 18 of 2004 w.e.f. 10.3.2004.
6. Substituted by Act 7 of 2005 w.e.f. 19.03. 2005.
7. Inserted by Act 02 of 2015 w.e.f. 08.01.2015.
8. Substituted by Act 33 of 2015 w.e.f 13.08.2015.
9. Deemed to have been substituted by Act 09 of 2020 w.e.f.20-11-2019
10. The figures and letters —79A, 79B‖ omitted by Act 56 of 2020 w.e.f. 01.03.1974.
11. Substituted by Act 56 of 2025 w.e.f. 10.09.2025.

1[(IB) in cases where the land in any area, cannot be utilized for the purpose of industrial development, educational institutions, Places of worship, a Housing Project approved by the State Government or Horticulture purpose under sub-section (1) within the prescribed time, such land shall be surrendered to the land bank of the Government, failing which the exemption shall be cancelled and same be forfeited to the Government without paying compensation.]1

1. Inserted by Act 27 of 2014 w.e.f. 28.08.2014 (2) Where any condition or restriction specified in the notification under sub-section (1), has been contravened, the 1[State Government or as the case may be,

the Deputy Commissioner may]1 after holding an enquiry as 1[it or he deems fit]1, cancel the exemption granted under that sub-section and the land in respect of which such cancellation has been made, shall, as penalty be forfeited to and vest in the State Government free from all encumbrances. No amount is payable therefor.]1 1. Substituted by Act 20 of 2003 w.e.f. 23.4.2003 2[1[Provided that, any company or organization after obtaining permission under sub-section (1), purchases the land and if such company or organization after utilizing the land for not less than seven years for the purpose of purchase, does not continue to use the land due to various reasons which are beyond its control, after seven years so permitted under rules from the date of such purchase, may on an application be permitted, 3[by the High Power Committee headed by the Chief Secretary for use or sale of the land for any purpose.]3]1]2 1. Inserted by Act 27 of 2 of 2014 w.e.f. 28.08.2014 2. Deemed to have been substituted by Act 09 of 2020 w.e.f.20-11-2019 3. Substituted by Act 56 of 2025 w.e.f. 10.09.2025.

110. Certain lands to be not exempt from certain provisions.—The State Government may, by notification, direct that any land referred to in 1[sections 107 and 108]1, shall not be exempt from such of the provisions of this Act from which they have been exempted under the said sections.

1.Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

CHAPTER IX

PROCEDURE AND JURISDICTION OF 1[COURTS]1 AND APPEALS 2[111. x x x]2

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.
2. Omitted by Act 6 of 1970 w.e.f. 15.1.1970.

1[**112. Duties of Tahsildar and Tribunal.**—The duties and functions of the Tahsildar and Tribunal shall be as specified below:—

(A) Duties of Tahsildar.—

(*a*) to decide a dispute between the landlord and the tenant regarding the rent payable under sub-section (2) of section 9;

(*b*) to determine the compensation payable to a tenant under section 11;

(*c*) to declare the vesting in the State Government of the lands referred to in sub-section (6) of section 15 or section 20;

(*d*) not to order restoration of possession to the landlord on the tenant paying the arrears of rent together with the cost of proceedings under section 23;

(*e*) to determine compensation for trees payable under section 27;

(*f*) to order recovery of costs incurred on bunds and costs of proceedings under sub-section (2) of section 30;

(*g*) to grant certificate under sub-section (2) of section 37;

(*h*) to determine the reasonable price of land under sub-section (2) of section 39; (*i*) to pass orders on application for possession under sub-section (3) of section 41; (*j*) to order forfeiture of crops and payment of costs and penalty under sub-section (4) of section 41;

(*k*) to hold an inquiry and pass orders in cases relating to recovery of rent under section 42;

(*l*) to determine the amount payable under section 47 and also to prepare a statement of distribution of the amount under section 48B;

(*m*) to determine the encumbrances and arrange payment of amount under section 50; (*n*) to issue a certificate, 2[x x x]2 under section 55;

(*o*) to order forfeiture of the right, title and interest of a person in the land under sub-section (2) of section 58;

(*p*) to condone failure to cultivate personally under section 60;

(*q*) to pass order imposing penalty under section 66A;

3[(*r*) x x x]3

(*s*) to determine the compensation under section 71;

(*t*) to pass order imposing penalty and requiring a person to furnish a true and correct declaration under sub-section (2) of section 79C.

(*u*) to perform such other duties and functions as are imposed on the Tahsildar by any other provision of this Act or under any rule made thereunder.

(B) Duties of Tribunal.—

(*a*) to make necessary verification o ng local inspection)]4 and pass orders

in cases relating to registration of a tenant as occupant under section 48A;

(*b*) to decide whether a person is a tenant or not;

[5][(*bb*) to decide whether the land in respect of which an application under section 48A is made or in respect of which any question of tenancy is raised or involved, is or is not agricultural land;

(*bbb*) to decide questions referred to it under section 133;

(*bbbb*) to issue interim orders under section 48C][5];

[6][(*bbbbb*) determination of the land to be surrendered under section 67;][6]

[7][(*c*) to hold necessary enquiry (including local inspection) and pass orders in cases relating to registration of agricultural labourers as owners of dwelling houses and land appurtenant thereto under section 38;][7]

(*d*) to perform such other duties and functions as are imposed on the Tribunal under the provisions of this Act or under any rule made thereunder.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 12 of 1977 w.e.f. 1.3.1974.
3. Omitted by Act 44 of 1976 w.e.f. 2.6.1976.
4. Inserted by Act 1 of 1979 w.e.f. 1.1.1979.
5. Inserted by Act 27 of 1976 w.e.f. 16.12.1975.
6. Inserted by Act 44 of 1976 w.e.f. 2.6.1976.
7. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.

[1][**113. Application of the Code of Civil Procedure.**—[2][(1)][2] Save as otherwise expressly provided in this Act, the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908) shall be applicable in respect of all applications and proceedings under this Act before the court.][1]

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.
2. Re-numbered by Act 19 of 1986 w.e.f. 6.12.1985.

[1][(2) x x x

(3) x x x][1]

1. Omitted by Act 18 of 1990 w.e.f. 8.10.1990.

114. Commencement of proceedings.—Save as expressly provided by or under this Act, all enquiries and proceedings before the [1][Tahsildar][1] or the Deputy Commissioner shall be commenced by an application which shall contain the following particulars:—

(*a*) the full name, age, profession, address and place of residence of the applicant and the opponent;

(*b*) a short description and situation of the property of which possession is sought, or the amount of the claim, as the case may be;

(*c*) the circumstances out of which the cause of action arose;

(*d*) a list of the applicant's documents, if any, and of his witnesses, and whether such witnesses are to be summoned to attend or whether the applicant will produce them on the date of the hearing;

(*e*) such other particulars as may be prescribed.

1. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.

115. Enquiries.—(1) The [1][Court][1] shall exercise the powers, and shall as far as possible follow the procedure of a Court of Small Causes as provided in the law for the time being in force relating to the powers and procedure of such court, in making enquiries, recording of evidence and of decisions at such enquiries.

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.

(2) For the purpose of any enquiry or proceedings under this Act, [1][the Tribunal, the Deputy Commissioner][1] or other officer of the Revenue Department may exercise all or any of the powers [2][x x x][2] under [3][the [4][Karnataka][4] Land Revenue Act, 1964][3] and shall follow such procedure as may be prescribed.

1. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
2. Omitted by Act 1 of 1979 w.e.f. 1.1.1979.
3. Substituted by Act 14 of 1965 w.e.f. 29.7.1965.
4. Adapted by the Karnataka Adaptations of Laws order, 1973 w.e.f. 1.11.1973.

(3) In every enquiry in which the parties are heard before orders are passed, the orders shall be pronounced in open court after notice to the parties, and the decision of the [1][Court][1] or [2][the Tribunal, the Deputy Commissioner][2] or other officer intimated to the parties concerned by post.

1. Substituted by Act 6 of 1970 w.

2. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.

[1][**116. Execution of orders.**—(1) Any sum the payment of which has been directed by an order of the Tahsildar or other authority shall be recoverable from the persons ordered to pay as an arrear of land revenue.

(2) An order of the Tahsildar or other authority awarding possession or restoring the possession or use of any land shall be executed in the same manner as an order passed by a revenue officer under the [2][Karnataka][2] Land Revenue Act, 1964.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Adapted by the Karnataka Adaptations of Laws order, 1973 w.e.f. 1.11.1973.

[1][**116A.116B.** x x x][1]

1. Inserted by Act 19 of 1986 and omitted by Act 18 of 1990 w.e.f. 8.10.1990.

[1][**117.** x x x][1]

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.

118. Appeals.—[1][(1) x x x][1]

[2][(1A) x x x][2]

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.
2. Inserted by Act 19 of 1986 and omitted by Act 18 of 1990 w.e.f. 8.10.1990.

(2) From every order passed by the Deputy Commissioner or [1][an officer authorised under sub-section (1) of section 77, [3][or sub-section (1) of section 77A][3] the Assistant Commissioner or the prescribed authority under section 83,][1] an appeal shall lie to the [2][Karnataka Appellate Tribunal][2] and the order of the Revenue Appellate Tribunal on such appeal shall be final.

1. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
2. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
3. Inserted by Act 17 of 2005 w.e.f. 28.5.2005.

[1][(2a) x x x][1]

1. Inserted by Act 11 of 1968 and omitted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(2b) From every order passed by the Tahsildar, an appeal shall lie to the Assistant Commissioner and the order of the Assistant Commissioner on such appeal shall be final.][1]

1. Inserted by Act 6 of 1970 w.e.f. 15.1.1970.

[1][(3), (4), (5), (6) x x x][1]

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.

[1][**118A. Revision by the [2][Regional Commissioner][2].**—The [2][Regional Commissioner][2] may of his own motion or on the application of any person at any time call for and examine the record of any order passed by the Assistant Commissioner against which no appeal lies or the record of any order passed or proceeding recorded by the Tahsildar for the purposes of satisfying himself as to the legality or propriety of such order or as to the regularity of such proceeding and may pass such order with respect thereto as he thinks fit:

Provided that no such order shall be made except after giving the person affected a reasonable opportunity of being heard.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Substituted by Act 17 of 2007 w.e.f.5.1.2007.

119. Stay of execution of orders.—(1) The [1][x x x][12][x x x][2] Deputy Commissioner [3][or an officer or authority authorised under sub-section (1) of section 77 or the Assistant Commissioner or the prescribed authority under section 83,][34][or the Tahsildar][4] may at any time before the expiry of the period prescribed for appeal and pending the filing of the

appeal, direct the stay of execution of any order passed by such [1][x x x][13][officer or authority][3], as the case may be, for such period as it or he deems fit.

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.
2. Omitted by Act 18 of 1990 w.e.f. 8.10.1990.
3. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
4. Inserted by Act 6 of 1970 w.e.f. 15.1.1970.

(2) Any authority before whom a case is pending in appeal may direct the stay of execution of the order appealed from for such period as it thinks fit.

(3) The [1][x x x][1], officer or other authority directing such stay of execution of any order may impose such conditions, or order such security to be furnished, as it or he may think fit. 1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.

[1][**120.** x x x][1]

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.

121. Orders in appeal.—(1) The [1][x x x][12][x x x][23][Karnataka Appellate Tribunal][34][or the Assistant Commissioner][4] in appeal may confirm, modify or rescind the order in appeal or its execution or may pass such other order as may seem legal and just in accordance with the provisions of this Act.

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.
2. Omitted by Act 18 of 1990 w.e.f. 8.10.1990.
3. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
4. Inserted by Act 6 of 1970 w.e.f. 15.1.1970.

(2) The orders of the [1][x x x][12][x x x][23][Karnataka Appellate Tribunal][3] in appeal shall be executed in the same manner provided for the execution of orders [1][x x x][1] under section 116.

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.
2. Omitted by Act 18 of 1990 w.e.f. 8.10.1990.
3. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.

[1][**121A. Revision by the High Court.**—The High Court may at any time call for the records of any order or proceeding recorded by the Appellate Authority under this Act or any other law for the purpose of satisfying itself as to the legality of such order or as to the regularity of such proceeding and may pass such order with respect thereto as it thinks fit; Provided that no such order shall be made except after giving the person affected a reasonable opportunity of being heard.][1]

1. Inserted by Act 1 of 1974 , omitted by Act 23 of 1977 and again inserted by Act 19 of 1986 w.e.f. 6.12.1985.

122. Limitation.—Every appeal under this Act shall be filed within a period of sixty days from the date of the order of [1][x x x][1] the [2][x x x][2] Deputy Commissioner [3][or an officer authorised under sub-section (1) of section 77][3] or the Assistant Commissioner [4][or the Prescribed Authority or the Tahsildar][4] when the party or the legal practitioner appearing on his behalf is present at the time the order is pronounced, and in other cases within a period of sixty days from the date on which the order is communicated to the party by post. The provisions of sections 4, 5, 12 and 14 of the [5][Limitation Act, 1963,][5] shall be applicable to such appeal.

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.
2. Omitted by Act 18 of 1990 w.e.f. 8.10.1990.
3. Inserted by Act 1 of 1979 w.e.f. 1.1.1979.
4. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
5. Substituted by Act 14 of 1965 w.e.f. 29.7.1965.

[1][**122A. Review by the Tribunal.**—Where the Tribunal, either *suo motu* or otherwise, after such enquiry as it considers necessary is satisfied that an order under sub-section (1)

of section 67 has been obtained by fraud, mis-representation, or suppression of facts or by furnishing false, incorrect or incomplete declaration, it may, within a period of two years from the date of such order or within [2][the [3][31st day of December, 1995][3]][2], whichever is later, reopen the case and pass such order with respect thereto as it thinks fit:

Provided that no such order shall be made except after giving the person likely to be affected thereby a reasonable opportunity of being heard.][1]

1. Inserted by Act 1 of 1979 w.e.f. 1.1.1979.
2. Substituted by Act 3 of 1982 w.e.f. 1.1.1979.
3. Substituted by Act 9 of 1992 w.e.f. 1.1.1979.

123. Court-fees.—[1][(1)][1] Notwithstanding anything contained in the [2][Karnataka][2] Court-fees and Suits Valuation Act, 1958, every application or appeal made under this Act to the [3][Court][3], [4][Tahsildar][4] Assistant Commissioner, [5][Tribunal][5] Deputy Commissioner, the [3][District Court][3] or the [2][Karnataka Appellate Tribunal][2] or other authority shall bear a court-fee stamp of such value as may be prescribed.

1. Re-numbered by Act 19 of 1986 w.e.f. 6.12.1985.
2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.
3. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.
4. Inserted by Act 6 of 1970 w.e.f. 15.1.1970.
5. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(2) Notwithstanding anything contained in the Karnataka Court Fees and Suits Valuation Act, 1958 (Karnataka Act 16 of 1958), no court fee shall be payable on every appeal treated as a writ petition by the High Court under section 17 of the Karnataka Land Reforms (Amendment) Act, 1990.][1]

1. Inserted by Act 19 of 1986 and substituted by Act 18 of 1990 w.e.f. 8.10.1990.

124. Enquiries and proceedings.—All enquiries and proceedings before [1][x x x][1], the Deputy Commissioner, [2][the Tribunal][23][x x x][3] the Assistant Commissioner or [4][the Tahsildar][4] or the [5][Karnataka Appellate Tribunal][5] shall be deemed to be judicial proceedings within the meaning of [6][sections 229, 257 and 267 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023).][6]

1. Omitted by Act 6 of 1970 w.e.f. 15.1.1970.
2. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.
3. Omitted by Act 18 of 1990 w.e.f. 8.10.1990.
4. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.
5. Substituted by Act 23 of 1977 w.e.f. 1.3.1974
6. Substituted by Act 56 of 2025 w.e.f. 10.09.2025.

CHAPTER X

OFFENCES AND PENALTIES

125. Offences and penalties.— (1) Whoever contravenes any provision of any of the sections, mentioned in the first column of the following table shall, on conviction, by a magistrate, for each such offence be punished with fine which may extend to the amount mentioned in that behalf in the second column of the said table.

[2][**Table**

Section	**Penalty which may be**
Section 12	5,000
Section 33	2500
Section 41	5,000
Section 129	1,000

]2

[1][(1A) If any person who is under an obligation to furnish a declaration under sub-section (4) of section 66 refuses or fails to furnish a declaration within the period specified therefor under the said sub-section or furnishes a declaration which he knows or has reason to believe to be false or incomplete, he shall on conviction by a Magistrate be punished [2][with penalty which shall be fifty thousand rupees][2].][1]

1. Inserted by Act 18 of 1976 w.e.f. 11.9.1975.
2. Substituted by Act 56 of 2025 w.e.f. 10.09.2025.

(2) [1][Save as otherwise provided in sub-section (1A), if any person][1], who is under an obligation to furnish a declaration under [2][Chapter IV or Chapter V][2], refuses or fails to furnish the declaration within the period specified therefor by or under this Act or furnishes any declaration which he knows, or has reason to believe, to be false, or incomplete, he shall, on conviction by a magistrate, be punished with fine which may extend to five hundred rupees and with an additional fine which may extend to ten rupees for every day after the first conviction, during which the offence continues.

Explanation.—If a false, incorrect or incomplete declaration has been furnished, the offence shall be deemed to continue until a true, correct and complete declaration has been furnished.

1. Substituted by Act 18 of 1976 w.e.f. 11.9.1975.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

[1][(2A) If any person who is under an obligation to furnish any [2][return, statement or][2] information under this Act or any rule made thereunder, furnishes any [2][return, statement or][2] information which he knows or has reason to believe to be false, he shall, on conviction by a magistrate, be punished with fine which may extend to one thousand rupees.

(2B) If any person makes any declaration before the registering authority under sub-section (1) of section 81A, which he knows or has reason to believe to be false, he shall, on conviction by a magistrate, be punished with fine which may extend to one thousand rupees.

(2C) If any person contravenes any provision of this Act which is not punishable under any of the preceding sub-sections or wilfully contravenes any lawful order passed under this Act, he shall, on conviction by a magistrate, be punished with fine which may extend to five hundred rupees.

(2D) If any person, after the date of vesting in the Government of any land under any provision of this Act and before the disposal of such land under this Act, cuts or causes to be cut, trees on the land, or removes or causes to be removed any building, machinery, plant or apparatus constructed, erected or fixed on the land and used for agricultural purposes, or does or causes to be done any act likely to diminish the utility of the land, he shall, on conviction by a magistrate, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.][1]

1. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.
2. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

(3) An offence for the contravention of the provisions of section 12, sub-section (2) of section 33 or section 41 [1][or an offence punishable under sub-section (2D)][1] shall be cognizable.

1. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.

CHAPTER XI

MISCELLANEOUS

126. Application of Act to inams.—For the removal of doubts it is hereby declared that the provisions of this Act in so far as they confer any rights and impose obligations on tenants and landlords shall be applicable to tenants holding lands in inam and other alienated villages or lands [1][(including tenants referred to in section 8 of the Village Offices' Abolition Act, 1961 but subject to the provisions of the said Act)][1] and to landlords and inamdars holding lands in such villages or lands.

1. Inserted by Act 1 of 1979 w.e.f. 1.1.1979.

127. Legal assistance to poor tenants.—Subject to such rules as may be made by the State Government, legal assistance may be provided by the State Government in proceedings under this Act to tenants whose pecuniary circumstances are such that legal assistance is in the opinion of the State Government required by such tenants.

[1][**127A. Maximum amount payable under the Act.**—Where a person is entitled to the payment of an amount under section 47 and also under section 72 other than under sub-section (6) thereof, then notwithstanding anything contained in the said sections the amount payable to such person shall not in the aggregate exceed rupees two lakhs.][1]

1. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.

128. Disposal of fragments.—If as a result of vesting of any land in the Government or the grant of any land by the [1][Deputy Commissioner][1] or otherwise under the provisions of this Act, any area in excess of the maximum extent of land which a person is entitled to hold under this Act remains as a fragment, the [1][Deputy Commissioner][1] may, having regard to the efficient use thereof for agricultural purposes, and notwithstanding the provisions of section 63 or 64, permit such fragment to be held by the owner of such fragment.

1. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.

129. Persons in possession not to be dispossessed except under lawful orders.—(1) No landlord, tenant or other person lawfully in possession of land shall, save in accordance with any law for the time being in force, be dispossessed of such land by any person.

(2) If any person is dispossessed of any land in contravention of sub-section (1), such person may within two years from the date of such dispossession apply in writing to the [1][Tahsildar][1] complaining of such contravention.

(3) On receipt of an application under sub-section (2), the [1][Tahsildar][1] shall after holding an enquiry, and without prejudice to any action under section 125, pass such order on the application [1][as he deems fit][1] including a direction to the person contravening sub-section (1) for the payment of such compensation to the person dispossessed as the [1][Tahsildar][1] may determine.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

130. Summary eviction.— Any person unauthorisedly occupying or wrongfully in possession of any land,—

(*a*) the transfer or acquisition of which either by the act of parties or by the operation of law, is invalid under the provisions of this Act; or

(*b*) to the use and occupation of which he is not entitled under the provisions of this Act

and the said provisions do not provide for the manner of eviction of such person, may be summarily evicted from such land by the [1][Tahsildar][1], after such inquiry [1][as he deems fit][1] and the [1][Tahsildar][1] may make such orders as regards the disposal of such land [1][as he deems fit][1].

1. Substituted by Act 6 of 1970 w.e.f. 15.1.1970

[1][**131.** x x x][1]

1. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.

132. Bar of jurisdiction.—(1) No civil court shall have jurisdiction to settle, decide or deal with any question which is by or under this Act required to be settled, decided or dealt with by [1][x x x][1], the Deputy Commissioner, [2][an officer authorised under sub-section (1) of section 77, the Assistant Commissioner, the prescribed authority under section 83,][23][the Tribunal][34][the Tahsildar][4], the [5][Karnataka Appellate Tribunal][5] or the State Government in exercise of their powers of control.

1. Omitted by Act 18 of 1976 w.e.f. 11.9.1975.
2. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
3. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.
4. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.
5. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.

(2) No order of [1][x x x][1], the Deputy Commissioner, [2][an officer authorised under sub-section (1) of section 77, the Assistant Commissioner, the prescribed authority under section 83,][23][the Tribunal][34][the Tahsildar][4], the [5][Karnataka Appellate Tribunal][5], or the State Government made under this Act shall be questioned in any civil or criminal court.

1. Omitted by Act 18 of 1976 w.e.f. 11.9.1975.
2. Substituted by Act 1 of 1979 w.e.f. 1.1.1979.
3. Inserted by Act 1 of 1974 w.e.f. 1.3.1974.
4. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.
5. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.

[1][**133. Suits, proceedings, etc., involving questions required to be decided by the Tribunal.**—(1) Notwithstanding anything in any law for the time being in force,—

(i) no Civil or Criminal Court or officer or Authority shall, in any suit, case or proceedings concerning a land, [2][x x x][2] decide the question whether such land is or is not agricultural land and whether the person claiming to be in possession is or is not a tenant of the said land from prior to 1st March 1974;

(ii) such Court or officer or Authority shall stay such suit or proceedings in so far as such question is concerned and refer the same to the Tribunal for decision;

(iii) all interim orders issued or made by such Court, officer or Authority, whether in the nature of temporary injunction or appointment of a Receiver or otherwise, concerning the land shall stand dissolved or vacated, as the case may be;

(iv) the Tribunal shall decide the question referred to it under clause (i) and communicate its decision to such Court, officer or Authority. The decision of the Tribunal shall be final.

(2) Nothing in sub-section (1) shall preclude the Civil or Criminal Court or the officer or authority from proceeding with the suit, case or proceedings in respect of any matter other than that referred to in that sub-section.][1]

1. Substituted by Act 27 of 1976 w.e.f. 16.12.1975.
2. Omitted by Act 44 of 1976 w.e.f. 2.6.1976.

134. Control.—In all matters connected with the administration of this Act, the State Government shall have the same authority and control over [1][x x x][1] the Deputy Commissioner and [2][other officers][2] acting under this Act as it has and exercise over revenue officers in the general and revenue administration.

1. Omitted by Act 6 of 1970 w.e.f. 15.1.1970.
2. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.

135. Offences by companies.—(1) Where an offence under this Act is committed by a company, the company, as well as every person in charge of, and responsible to the company for the conduct of its business at the time of the commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section,—

(*a*) ―company‖ means a body corporate, and includes a firm or other association of individuals; and

(*b*) ―director‖ in relation to a firm, means a partner in the firm.

136. Indemnity.—No suit or other legal proceeding shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act.

137. Rules.—(1) The State Government may, after previous publication, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for the following matters:—

[1][(i) x x x][1]

[2][(ii), (iii), (iv) x x x][2]

(v) the manner of registering surrenders of tenancies in the office of the [3][Tahsildar][3] under sub-section (1) of section 25

(vi) the manner and the

form in which a receipt is to be given by the landlord under sub-section (3) of section 33;

[2][(vii) x x x][2]

(viii) the period within which the price shall be deposited with the [3][Tahsildar][3] under sub-section (3) and the form of certificate to be issued under sub-section (4) of section 39; (ix) the form of application to the [3][Tahsildar][3] under sub-section (1) of section 40; (x) the form of application to the [3][Tahsildar][3] under section 41;

(xi) the form of application to the [3][Tahsildar][3] under section 42;

(xii) the form of public notice under [3][sub-section (2) of section 48A][3];

(xiii) the number of instalments in which the amount payable under the bonds may be paid under section 51;

[2][(xiv) x x x][2]

[3][(xv) the period within which and the

form in which declaration under section 66 is to be filed;][3]

(xvi) [3][the enquiry to be made by the [4][Tribunal][4] and the period within which][3] the statement is to be filed under sub-section (3) of section 67;

(xvii) the inquiry to be made under section 85;

(xviii) the form of application to the Registrar under section 89;

(xix) the other particulars to be prescribed under section 90;

(xx) the enquiry to be made under section 91;

(xxi) the conditions to be satisfied for withdrawal from membership under sub-section (3), and the restrictions and conditions to be prescribed under sub-section (4) of section 92; (xxii) the manner of giving notice to a Co-operative Farm under section 95;

(xxiii) the rights and privileges to which a member of a Co-operative Farm is entitled, the obligations and liabilities to which he is subject and the duties he is bound to discharge under section 97;

(xxiv) the extent and manner of contributions by a member to a Co-operative Farm under section 98;

(xxv) the terms and conditions for admission of members to a Co-operative Farm under section 100;

(xxvi) the concessions and facilities to be given to a Co-operative Farm to be prescribed under section 102;

(xxvii) the court-fees to be prescribed under section 123;

(xxviii) the nature and extent of legal assistance to be given to tenants under section 127 and the conditions subject to which such assistance may be given;

[5][(xxix) the returns to be furnished by the Deputy Commissioner and other officers entrusted with powers or functions under this Act, the forms in which books, entries and accounts shall be kept by the Deputy Commissioner and such other officers;][5]

(xxx) the correction of errors and omissions in orders or decisions under this Act; (xxxi) the fees payable for the grant of certificate, the inspection of records, the grant of copies or in respect of any function performed by any authority under this Act;

(xxxii) the method of serving notices and orders under this Act;

(xxxiii) any other matter expressly required or allowed by this Act to be prescribed; (xxxiv) generally regulating the procedure to be followed and the forms to be adopted in proceedings under this Act;

(xxxv) the fines which may extend to fifty rupees to be incurred for contravention of any rule made under this Act;

(xxxvi) any other matter for which there is no provision or no sufficient provision in this Act and for which provision is, in the opinion of the State Government, necessary for giving effect to the purposes of this Act.

1. Omitted by Act 23 of 1977 w.e.f. 1.3.1974.
2. Omitted by Act 1 of 1974 w.e.f. 1.3.1974.
3. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
4. Substituted by Act 23 of 1977 w.e.f. 1.3.1974.
5. Substituted by Act 6 of 1970 w.e.f. 15.1.1970.

[1][(3) In making rules under this section, the State Government may provide that a contravention of any rule shall be punishable with fine which may extend to one hundred rupees.

(4) A rule under this Act may be made with retrospective effect and when such rule is made the reasons for making the rule shall be specified in a statement laid before both Houses of the Legislature. Subject to any modification made under section 140, every rule made under this Act shall have effect as if enacted in this Act.][1]

1. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.

138. Act to prevail over other enactments.—This Act and any rule, order or notification made or issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other enactment with respect to matters enumerated in List II and List III of the Seventh Schedule to the Constitution of India or in any instrument having effect by virtue of any such other enactment.

139. Removal of difficulties.—(1) If any doubt or difficulty arises in giving effect to the provisions of this Act, the State Government may, by notification, make such provisions as appear to it to be necessary or expedient for removing the doubt or difficulty.

(2) The provisions made by any notification under sub-section (1) shall, subject to the provisions of section 140, have effect as if enacted in this Act, and any such notification may be made so as to be retrospective to any date not earlier than the appointed day.

140. Rules and notification to be laid before the State Legislature.—Every rule made under this Act and every notification issued under sections 109, 110 and 139 shall be laid as soon as may be after it is made or issued before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and, if, before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

141. Tenure Abolition Acts.—Nothing in this Act shall affect the provisions of any of the Land Tenures Abolition Acts, specified in Schedule II to this Act, in so far as such provisions relate to the conferment of the right of an occupant or grant of a ryotwari patta in favour of any inferior holder or tenant in respect of any land held by him.

142. Repeal and savings.—(1) The enactments specified in Schedule III to this Act, and any other provision of law corresponding to the provisions of this Act, are hereby repealed: Provided that [1][save as otherwise provided in this Act][1] such repeal shall not affect,— (*a*) the previous operation of the said enactments or provisions of law or anything duly done or suffered thereunder; or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under the said enactments or provisions of law; or

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said enactments or provisions of law;

(*d*) any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed:

Provided further that any reference in any enactment or other law or in any instrument to any provision of any of the repealed enactments or provisions of law shall, unless a different intention appears, be construed as a reference to the corresponding provision of this Act.

[2][(1A) Notwithstanding anything contained in sub-section (1) or in any law in force in any area of the [3][State of Karnataka][3] at any time before the commencement of this Act, the first proviso to the said sub-section or any other provision of law shall not be applicable in so far as the said proviso or provision of law will enable any person to evict from any agricultural land any agriculturist protected from eviction from any land in his possession by the [3][Karnataka][3] Tenants (Temporary Protection from Eviction) Act, 1961, and no such agriculturist shall be liable to be evicted from such land except in accordance with the provisions of this Act.][2]

1. Omitted by Act 14 of 1965 w.e.f. 29.7.1965 and inserted by Act 38 of 1966 w.e.f. 29.7.1965.
2. Inserted by Act 14 of 1965 w.e.f. 29.7.1965.
3. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

(2) Notwithstanding anything contained in sub-section (1), for the purpose of giving effect to the first proviso to the said sub-section, the State Government may, by notification, make such provision as appears to it to be necessary or expedient for making omissions from, additions to and adaptations and modifications to the rules, notifications and orders made or issued under the said repealed enactments or provisions of law.

[1][SCHEDULE I

PART A

[*See* Section 2 (A) (35 A)]

Classification of Lands

A Class

Lands having facilities for assured irr ent canals and Government Tanks as

are [2][x x x][2] capable of supplying water for growing two crops of paddy [3][or one crop of sugarcane][3] in a year.

B Class

(i) Lands having facilities for assured irrigation from such Government Canals and Government Tanks as are [2][x x x][2] capable of supplying water for growing only one crop of paddy in a year.

(ii) Lands irrigated by such lift irrigation projects constructed and maintained by the State Government as are [2][x x x][2] capable of supplying water for growing two crops of paddy [3][or one crop of sugarcane][3] in a year.

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.
2. Omitted by Act 1 of 1979 w.e.f. 1.3.1974.
3. Inserted by Act 1 of 1979 w.e.f. 1.3.1974.

C Class

(i) Lands irrigated from any Government sources of irrigation, including lift irrigation projects constructed and maintained by Government other than those coming under A Class and B Class.

(ii) Lands on which paddy crop can be raised or areca crop is grown with the help of rain water.

(iii) Lands irrigated by lifting water from a river or Government canal or Government tank where the pumping installation or other devise for lifting water is provided and maintained by the land owner.

Note:—

(1) Lands having facilities for irrigation from a Government source where the system of water supply is suitable for growing only light irrigated crop namely, crops other than paddy and sugarcane shall come under this class.

(2) Lands growing irrigated garden crop will come under Classes _A‘, _B‘ or _C‘ as the case may be depending upon the source of irrigation and the system of water supply.

D Class

Lands classified as dry but not having any irrigation facilities from a Government source.

Note.—Lands growing paddy or garden crops not coming under A Class, B Class or C Class shall belong to this class.

PART B

Formula for determining equivalent extent of different classes:

One acre of A class land having soil classification value above 8 annas=1.3 acres of A Class land having soil classification value below 8 annas=1.5 acres of B Class land having soil classification value above 8 annas=2.0 acres of B Class land having soil classification value below 8 annas=2.5 acres of C Class land having soil classification value above 8 annas=3.0 acres of C Class land having soil classification value below 8 annas=5.4 acres of D Class land.][1]

1. Substituted by Act 1 of 1974 w.e.f. 1.3.1974.

SCHEDULE II

(*See* section 141)

1. The Bombay Personal Inams Abolition Act, 1952 (Bombay Act No. XLI of 1953).

2. The Bombay Service Inams (Useful to Community) Abolition Act, 1953 (Bombay Act No. LXX of 1953). 3. The Bombay Merged Territories and Areas (Jagirs Abolition) Act, 1953 (Bombay Act No. XXXIX of 1954).

4. The Bombay Merged Territories Miscellaneous Alienations Abolition Act, 1955 (Bombay Act XXII of 1955).

5. The Hyderabad Abolition of Inams Act, 1955 (Hyderabad Act VIII of 1955).

6. The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948).

7. The Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 (Mysore Act 1 of 1955). 8. The Mysore (Religious and Charitable) Inams Abolition Act, 1955 (Mysore Act 18 of 1955).

[1][9. The Bombay Pargana and Kulkarni Watans (Abolition) Act, 1950 (Bombay Act No. LX of 1950).

10. The [2][Karnataka][2] Village Offices Abolition Act, 1961 ([2][Karnataka Act][2] No. 14 of 1961).][1] 1.Inserted by Act 6 of 1970 w.e.f. 15.1.1970.

2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

SCHEDULE III

(*See* section 142)

1. The Bombay Tenancy and Agricultural Lands Act, 1948 (Bombay Act No. LXVII of 1948).
2. The Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyderabad Act XXI of 1950).
3. The Mysore Tenancy Act, 1952 (Mysore Act XIII of 1952).
4. The Bombay Tenancy (Suspension of Provisions and Amendment) Act, 1957 (2[Karnataka Act]2 No. 13 of 1957).
5. The Coorg Tenants Act, 1957 (2[Karnataka Act]2 No. 14 of 1957).
6. The 2[Gulbarga, Mangalore and Kollegal Areas]2 Tenancy (Suspension of Provisions and Amendment) Act, 1957 (2[Karnataka Act]2 No. 15 of 1957).
7. The Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955).
8. The Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Madras Act XXIV of 1956).
9. The 2[Karnataka]2 Tenancy (Amendment and Continuance of Tenancies) Act, 1957 (2[Karnataka Act]2 No. 16 of 1957).
10. Hyderabad Act I of 1336 Fasli.

1[11. The 2[Karnataka]2 Tenants (Temporary Protection from Eviction) Act, 1961 (2[Karnataka Act]2 37 of 1961).]1

1. Added by Act 14 of 1965 w.e.f. 29.7.1965.
2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

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NOTIFICATION

I

Bangalore, dated 18th September, 1965. [No. RD 86 LRY 65.]

S.O. 3166.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Mysore Land Reforms Act, 1961 (Mysore Act 10 of 1962), the Government of Mysore hereby appoints 2nd October 1965 as the date on which the said Act shall come into force.

By Order and in the name of
the Governor of Karnataka,

(B.S.SRIKANTIAH)
Secretary to Government,
Revenue Department.

2850.)

II

Bangalore, dated 11th April 1969. [No. RD 24 TCO 67-II.]

S.O. 692.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966 (Mysore Act 1 of 1967), the Government of Mysore hereby appoints the 1st May 1969, as the date on which the said Act shall come into force.

By Order and in the name of
the Governor of Mysore,

(M. S. SWAMINATHAN)
Commissioner for Land Reforms
and Ex-Officio Secretary to Government.
Revenue Department.

(Published in the Karnataka Gazette (Extraordinary), Part IV-2C (ii) dated 17th April 1969, at p. 1759.)

III

Bangalore, dated 20th October, 1995. [No. RD 271 LRA 93]

In exercise of the powers conferred by sub-section (2) of Section 1 of the Karnataka Land Reforms (Amendment) Act, 1995 (Karnataka Act 31 of 1995) the Government of Karnataka hereby appoints the Twentieth day of October 1995, to be the date on which the provisions of Section 8 of the said Act shall come into force.

By Order and in the name of
the Governor of Karnataka,

(K. H. NANJEGOWDE)
Under Secretary to Government,

Revenue Department, (Scarcity Relief and Land Reforms).

IV

Bangalore dated 13th October, 1998.[RD 116 LRA 98]

In exercise of the powers conferred by sub-section (2) of Section 1 of the Karnataka Land Reforms (Amendment) Act, 1997 (Karnataka Act No. 23 of 1998), the Government of Karnataka hereby appoints the 1st day of November 1998 to be the day on which the said Act shall come into force.

By Order and in the name of the
Governor of Karnataka,

(M. N. NANDINI BAI)
Under Secretary to Government,
Revenue Department, (Land Reforms).

V

Bangalore dated the 17th February, 1999.[RD 93 LR 98]

In exercise of the powers conferred by sub-section (2) of Section 1 of the Karnataka Land Reforms (Amendment) Act, 1998 (Karnataka Act No. 34 of 1998), the Government of Karnataka hereby appoints the 15th day of February 1999 to be the day on which the said Act shall come into force.

By Order and in the name of the Governor of Karnataka,
(M. N. NANDINI BAI)
Under Secretary to Government,
Revenue Department, (Land Reforms).

(Published in Karnataka Gazatte Extra-ordinary Part-IV 2C(ii) dated:18.2.1999, as No.160)

VI

Bangalore dated the 11th December, 2001 .[RD 23 LRA 2001]

In exercise of the powers conferred by sub-section (2) of Section 1 of the Karnataka Land Reforms (Amendment) Act, 2001 (Karnataka Act No. 22 of 2001), the Government of Karnataka hereby appoints the 27th August 2001, to be the day on which the said Act shall come into force.

By Order and in the name of
the Governor of Karnataka,

(R.Narayana Murthy)
Under Secretary to Government,
Revenue Department, (Land Reforms).

VII

Bangalore dated the 30th October, 2003 .[RD 8 LRA 2001 (Part)]

In exercise of the powers conferred by sub-section (2) of Section 1 of the Karnataka Land Reforms (Amendment) Act, 2003 (Karnataka Act 34 of 2003), the Government of Karnataka hereby appoint the 1st day of November 2003, to be the date from which the provisions of the said Act shall come into force.

By Order and in the name of
the Governor of Karnataka,

(V.Radhakrishna)
Under Secretary to Government,
Revenue Department, (Land Reforms).

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KARNATAKA ACT NO. 27 OF 2014

(First Published in the Karnataka Gazette Extra-ordinary on the Twenty eighth day of August 2014)

THE KARNATAKA LAND REFORMS AND CERTAIN OTHER LAW (AMENDMENT) ACT, 2014

(Received the assent of the Governor on the Twenty fifth day of August 2014)

An Act further to amend the Karnataka Land Reforms Act, 1961 and the Karnataka Land Revenue Act, 1964.

Whereas it is expedient further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) and the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty fifth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Land Reforms and Certain Other Law (Amendment) Act, 2014.

(2) It shall come into force at once.

Section 109 is incorporated in the Principal Act.

THE KARNATAKA LAND REFORMS AND CERTAIN OTHER LAW (AMENDMENT) ACT, 2014.

(Received the assent of the Governor on the seventh day of January 2015)

An Act further to amend the Karnataka Land Reforms Act, 1961 and Karnataka Land Revenue Act, 1964.

Whereas it is expedient further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) and the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty fifth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Land Reforms and certain other law (Amendment) Act, 2014.

(2) It shall come into force at once.

Section 109 is incorporated in the Principal Act.

KARNATAKA ACT NO. 33 OF 2015

(First published in the Karnataka Gazette Extra-ordinary on the thirteenth day of August, 2015)

THE KARNATAKA LAND REFORMS (AMENDMENT) ACT, 2015

(Received the assent of the Governor on the twelfth day of August, 2015)

An Act further to amend the Karnataka Land Reforms Act, 1961.

Whereas it is expedient further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) for the purposes hereinafter appearing.

Be it enacted by the Karnataka State Legislature in the sixty sixth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Land Reforms (Amendment) Act, 2015.

(2) It shall come into force at once.

Sections 79A, 80 and 109 are Incorporated in the Principal Act.

KARNATAKA ACT NO. 43 OF 2017

(First Published in the Karnataka Gazette Extra-ordinary on the 28th day of October, 2017)

THE KARNATAKA LAND REFORMS (AMENDMENT) ACT, 2016

(Received the assent of President on the 20th day of October, 2017)

An Act further to amend t he Karnataka Land Reforms Act, 1961.

Whereas it is expedient further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) for the purposes h ereinafter appearing.

Be it enacted by the Karn ataka State Legislature in the sixty-seventh year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the K arnataka Land Reforms(Amendment) Act, 2016.

(3) It shall come into force on such date as the State Governme nt may by notification appoint.

Sections 38A is Incorporated in the Principal Act.

THE KARNATAKA LAND REFORMS (AMENDMENT) ACT, 2020

(Received the assent of Governor on the 24thday of April, 2020)

An Act further to amend the Karnataka Land Reforms Act, 1961.

Whereas it is expedient to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Land Reforms (Amendment) Act, 2020.

(2) It shall be deemed to have come into force with effect from 20th November 2019.

Section 109 is incorporated in the Principal Act.

3. Repeal and savings.-(1) The Karnataka Land Reforms (Amendment) Ordinance, 2019(Karnataka Ordinance 3 of 2019) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

By Order and in the name of
the Governor of Karnataka,
(K.DWARAKANATH BABU)
Secretary to Government
Department of Parliamentary Affairs and Legislation

KARNATAKA ACT NO. 56 OF 2020

(First Published in the Karnataka Gazette Extra-ordinary on the 30th day of December, 2020)

THE KARNATAKA LAND REFORMS (SECOND AMENDMENT)ACT, 2020 (Received the assent of the Governor on the 30th day of December, 2020)

An Act further to amend the Karnataka Land Reforms Act, 1961.

Whereas it is expedient further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Land Reforms (Second Amendment) Act, 2020.

(2) Sections 2, 3, 4, 5, 6, 10 and 11 shall be deemed to have been come into force with effect from the 1st day of March, 1974 and remaining provisions shall be deemed to have come into force with effect from the 13th day of July, 2020.

2. Amendment of section 70.- In the Principal Act, in section 70, in sub-section (1), the words, figures and letter "not being a person disentitled to hold lands under section 79A" shall be omitted.

3. Amendment of section 72.-In the Principal Act, in section 72, in sub-section (1), the figures, word and letters "79A and 79B" shall be omitted.

4. Omission of section 79A.-In the Principal Act, section 79A shall be omitted.

5. Omission of section 79B.- In the Principal Act, section 79B shall be omitted.

6. Omission of section 79C.- In the Principal Act, section 79C shall be omitted.

7. Amendment of section 80.- In the Principal Act, in section 80,-

(i) in the heading, for the words “Transfer to non-agriculturists barred” the words “Restrictions on transfer of certain lands” shall be

(ii) in sub section (1),-

(a) clause (b) shall be omitted;

(b) for sub-clause (i), the following shall be substituted, namely:-

"(i) in case of A-class irrigated land, who does not use for agriculture purpose; or";

(c) in sub-clause (ii), for the words "who being an agriculturist holds as owner" the words "who holds as a owner" shall be substituted; (d) sub-clause (iii) shall be omitted;

(e) sub-clause (iv), shall be omitted; and

(f) the proviso shall be omitted.

8. Insertion of new section 80-A.- In the Principal Act, after section 80, the following shall be inserted, namely:-

"**80-A. Restriction on lands granted to the Scheduled Castes or Scheduled Tribes.-** No conditions laid down in this Act shall be relaxed in respect of lands granted to persons belonging to the Scheduled Castes and Scheduled Tribes, during the period of prohibition under the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 (Karnataka Act 2 of 1979)."

9. Amendment of section 81.- In the Principal Act, in section 81,-

(i) for the heading, the following shall be substituted, namely:-

"81. Restriction on Sale or Mortgage of Agriculture Land"

(ii) in sub-section (1), the words, figures and letters "section 79A or section 79B or" shall be omitted.

(iii) after sub-section (2), the following shall be inserted, namely:-

"(2-A) No mortgage of agriculture land shall be made in favour of any person, other than the institutions specified in clause (a) and (b) of sub section (1).

10. Amendment of section 104.-In the Principal Act, in section 104, the figures and letters "79A, 79B" shall be omitted.

11. Amendment of section 109.-In the Principal Act, in section 109,-

(i) in sub-section (1), the figures and letters "79A, 79B" shall be omitted; and (ii) in sub-section (1A), the figures and letters "79A, 79B" shall be omitted.

12. Savings.- (1) Notwithstanding the omission of sections 79A, 79B and 79C with effect from 1st day of March, 1974, all cases finally disposed off before the promulgation of the Karnataka Land Reforms (Amendment) Ordinance, 2020 (Karnataka Ordinance 13 of 2020) shall remain unaffected by the said Ordinance.

(2) All cases pending before any Court, tribunal or other authority competent under the provisions of the Principal Act on the date of promulgation of the Karnataka Land Reforms (Amendment) Ordinance, 2020 (Karnataka Ordinance 13 of 2020) pertaining to sections 79A, 79B and 79C shall hereby stand abated.

13. Repeal and Savings.-(1) The Karnataka Land Reforms (Second Amendment) Ordinance, 2020 (Karnataka Ordinance 23 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

By Order and in the name of
the Governor of Karnataka,

(K.DWARAKANATH BABU)
Secretary to Government
Department of Parliamentary Affairs
and Legislation

KARN **2025**

THE KARNATAKA LAND REFORMS AND CERTAIN OTHER LAW (AMENDMENT)ACT, 2025

(Received the assent of the Governor on the 10th day of September, 2025)

An Act further to amend the Karnataka Land Reforms Act, 1961 and Karnataka Land Revenue Act, 1964.

Whereas it is expedient further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act No. 10 of 1962) and the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy sixth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Land Reforms and Certain Other Law (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Amendment of Karnataka Act No.10 of 1962.- In the Karnataka Land Reforms Act, 1961 (Karnataka Act No. 10 of 1962),-

(i) In section 109,-

(a) in sub-section (1A), in the proviso, for the words "half hectare" the words "four hectare" shall be substituted;

(b) in sub-section (2), in the proviso, for the words “by the Government, for sale of the land for the same purpose” the words “by the High Power Committee headed by the Chief Secretary for use or sale of the land for any purpose” shall be substituted.

(ii) In section 124, for the words and figures “sections 193, 219 and 228 of the Indian Penal Code” the words, figures and brackets “sections 229, 257 and 267 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)”, shall be substituted;

(iii) in section 125,-

(a) in sub-section (1), for the table the following shall be substituted, namely:-

“Table

Section	**Penalty which may be imposed (Rs.)**
Section 12	5,000
Section 33	2500
Section 41	5,000
Section 129	1,000

”

(b) in sub-section (1-A), for the words “imprisonment which shall be not less than six months but which may extend to one year or with fine which shall be five thousand rupees” the words “with penalty which shall be f ll be substituted.

3. Amendment of Karnataka Act No.12 of 1964.- In the Karnataka Land Revenue Act, 1964 (Karnataka Act No. 12 of 1964),-

(i) In section 94B, in sub-section (1) for the words "within twenty two years", the words "within twenty six years" shall be and shall always be deemed to have been substituted

(ii) In section 95,-

(a)in sub-section (2), in clause (ii), after the second proviso, the following shall be inserted, namely:-

"Provided also that, no diversion of land for non-agricultural purpose shall be required, if agricultural land upto 2.00 acres is used for establishing new industries".

(b) for sub-section (10), the following shall be substituted, namely:-

"(10) The conversion of land for non-agricultural purpose as required under sub-section (2) is exempted for the land parcels required for establishing Renewable Energy Projects in the state subject to payment of the prescribed fees to the concerned Authorities under sub-section (7)."

(iii) in section 192-A, in the table, for the entries in serial number 5, the following shall be substituted, namely:-

"

(5)	Sells any agricultural land for non-agricultural purposes without getting such land converted or without obtaining prior approval of the competent authority. Provided that it shall not apply to cases which are regularized by the Government by formulating a special scheme in this behalf.	The penalty of rupees one lakh**.**

"

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation