

KARNATAKA ACT NO. 43 OF 2017

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THE KARNATAKA LAND REFORMS (AMENDMENT) ACT, 2016

(Received the assent of President on the 20th day of October, 2017)

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-seventh 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, 2016.

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

2. Insertion of new section 38A.- In the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), after section 38, the following shall be inserted, namely:-

"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 jurisdiction of that village, on the date of commencement of the Karnataka Land Reforms (Amendment) Act, 2016, which is notified as such by the Deputy Commissioner, specifying the survey numbers and boundaries in the prescribed manner, such dwelling house or houses along with 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 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 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."

By Order and in the name of
the Governor of Karnataka,

K. Dwarkanath Babu
28/10/17

(K.DWARAKANATH BABU)

Secretary to Government
Department of Parliamentary Affairs



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