

**Mysore (Religious And Charitable) Inams Abolition
(Karnataka Amendment) Act, 1984**

18 of 1985

[07 June 1985]

CONTENTS

1. Short Title And Commencement
2. Insertion Of New Sections 16, 17 And 18
3. Amendment Of Section 19
4. Insertion Of New Section 21
5. Amendment Of Section 28
6. Amendment Of Section 29
7. Amendment Of Section 30
8. Savings

**Mysore (Religious And Charitable) Inams Abolition
(Karnataka Amendment) Act, 1984**

18 of 1985

[07 June 1985]

An Act further to amend the Mysore (Religious and Charitable) Inams Abolition Act, 1955. WHEREAS it is expedient further to amend the Mysore (Religious and Charitable) Inams Abolition Act, 1955 (Mysore Act 18 of 1955) for the purposes hereinafter appearing; BE it enacted by the Karnataka State Legislature in the Thirty-fifth year of the Republic of India as follows :-

1. Short Title And Commencement :-

- (1) This Act may be called the Mysore (Religious and Charitable) Inams Abolition (Karnataka Amendment) Act, 1984.
- (2) This section and section 8 shall come into force at once and the remaining provisions shall be deemed to have come into force on the first day of May, 1979.

2. Insertion Of New Sections 16, 17 And 18 :-

After section 15 of the Mysore (Religious and Charitable) Inams

Abolition Act, 1955 (Mysore Act 18 of 1955) (hereinafter referred to as the principal Act), the following sections shall be inserted, namely:-

"16. Basic annual sum.-

A sum called "the basic annual sum" shall first be determined in respect of the inam.

17. Component parts of basic annual sum of an inam.-

(1) The basic annual sum of an inam shall be the aggregate of the sums specified below, less the deductions specified in section 18, namely:-

(i) the whole of the average net annual income derived by the inamdar during a period of five years immediately preceeding the date of vesting from lands in respect of which any person is entitled to be registered under sections 4, 5 and 7.

(ii) the whole of the average net annual income derived by the inamdar during a period of five years immediately preceeding the date of vesting from lands other than lands in respect of which any person is entitled to be registered under sections 4, 5, 7 and 8:

Provided that,-

(a) the income from sandalwood or any other reserved forest produce shall not be included in the annual income from forests unless the right thereto was expressly conferred on the inamdar by a competent authority;

(b) the income from royalty on minerals or from mining leases shall not be included in the annual income unless the right to such minerals or mines was expressly conferred on the inamdar by a competent authority and such right was recognised under section 38 of the Land Revenue Code;

(c) the income from ferries shall not be included in the annual income unless the right to such ferries was expressly granted to the inamdar by a competent authority.

(2) Where the particulars necessary to compute the average net annual income under clause (ii) of sub-section (1) are not available or appear in material respects to be incorrect, the computation may be made in such manner as may be prescribed.

(3) The provisions of sub-section (1) shall in their application to a minor inam be subject to the modification that in clause (i) and clause (ii) the reference to section 7 and section 8 respectively, shall be omitted.

18. Jodi etc., to be deducted.-

From the aggregate of the sum referred to in clauses (i) and (ii) of sub-section (1) of section 17, ascertained as aforesaid, there shall

be deducted,-

- (a) the whole of the Jodi, quit-rent or other amount, if any, or a like nature, payable annually by the inamdar;
- (b) the annual remuneration payable to village officers at the scales prescribed by the Government by or under the Mysore Village Officers Act, 1906 where such officers were employed by the inamdar;
- (c) the average annual cost of maintenance of irrigation works incurred by the inamdar during the period of five years immediately preceeding the date of vesting;
- (d) the average annual cost of management of the inam incurred by the inamdar during the period of five years immediately preceeding the date of vesting".

3. Amendment Of Section 19 :-

In section 19 of the principal Act, in sub-section (1) for the words "an amount equal to the amount that would have been payable to a religious or charitable institution under clause (iii) of the second proviso to section 51 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) as if the inamdar were a land holder and his rights in the inam lands had become extinguished and vested in the State Government under section 44 of the said Act," the words, "the basic annual sum as a tasdik allowance" shall be substituted.

4. Insertion Of New Section 21 :-

After section 20 of the Principal Act, the following new section shall be inserted, namely:-

"21. Deputy Commissioner to determine basic annual sum.-

(1) The Deputy Commissioner shall determine in accordance with the foregoing provisions the basic annual sum in respect of the inam.

(2) Any inamdar or other person interested may within such time as may be prescribed or such further time as the Deputy Commissioner may in his discretion allow, apply in writing to the Deputy Commissioner, for a copy of the data on the basis of which he proposed to determine the basic annual sum.

(3) On the receipt of such application, the Deputy Commissioner shall furnish the data aforesaid to the applicant and he shall also, before passing any order under sub-section (1), give the applicant, reasonable opportunity of making his representation in regard

thereto in writing.

(4) A copy of every order passed under sub-section (1) shall be communicated to every inamdar concerned, and also to every applicant under sub-section (2)."

5. Amendment Of Section 28 :-

In section 28 of the principal Act, in sub-section (2), for the words "amount" the words "tasdik allowance" shall be substituted.

6. Amendment Of Section 29 :-

In section 29 of the principal Act,-

(i) in the heading, for the words and figures "or 26" the figures and words, "21 or 26 and reference to the prescribed authority", shall be substituted;

(ii) in sub-section (1), after the figures "10" the figures "21" shall be inserted;

(iii) after sub-section (1), the following sub-section shall be inserted, namely:-

"(2) If any question arises whether any building or land falls within the scope of sub-section (2) of section 7 or sub-section (2) of section 8 or section 11 it shall be referred to the prescribed authority whose decision shall be final".

7. Amendment Of Section 30 :-

In section 30 of the principal Act, sub-sections (2) and (3) thereof shall be renumbered as sub-sections (3) and (4) and before the sub-sections as so renumbered the following sub-section and proviso shall be inserted, namely:-

"(2) The Deputy Commissioner may, by general or special order authorise any officer not below the rank of a Tahasildar subordinate to him to hold enquiries on his behalf, under this Act :

Provided that the Deputy commissioner may in respect of any enquiry held by any such officer, direct such officer to hold a fresh or further enquiry or himself hold a fresh or further enquiry if in his opinion a fresh or futher enquiry is necessary."

8. Savings :-

(1) All applications under section 21 of the principal Act and all appeals from orders under the said section, pending immediately before the commencement of the Karnataka Inams Abolition Laws

(Amendment) Act, 1979 (Karnataka Act 26 of 1979) (hereinafter referred to as the said Act) and which had abated on the commencement of the said Act shall stand revived and shall be disposed of under the provisions of the principal Act, as if they had remained pending till the commencement of section 1 of this Act.

(2) Appeals allowed by law against any decision of the Deputy Commissioner under section 21, which consequent to the enactment of the Karnataka Inams Abolition Laws (Amendment) Act, 1979 (Karnataka Act 26 of 1979) could not be preferred, may be so preferred before the prescribed authority,-

(a) by the State Government within six months; and

(b) by any person aggrieved by such decision within thirty days from the date of the commencement of this Act.