
MYSORE (RELIGIOUS AND CHARITABLE) INAMS ABOLITION RULES, 1956

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MYSORE (RELIGIOUS AND CHARITABLE) INAMS ABOLITION RULES, 1956

In exercise of the powers conferred by Section 34 of the Mysore (Religious and Charitable) Inams Abolition Act, 1955 (Mysore Act XVIII of 1955), the Government of Karnataka hereby makes the following rules, the draft of the rules having been published in the Karnataka Gazette, dated 2nd August, 1956, as required by sub-section (1) of the said section.

1. . :-

These rules may be called the Mysore (Religious and Charitable) Inams Abolition Rules, 1956.

2. . :-

In these rules.

(a) "Act means the Mysore (Religious and Charitable) Inams Abolition Act, 1955;

(b) "Section" means a Section of the Act.

2A. . :-

¹ Wherever a Special Deputy Commissioner for Abolition of Inams has been appointed for the purposes of the Act, all applications and proceedings under the Act shall be decided by him and not by the Deputy Commissioner of the District.]

1. Rule 2-A inserted by Notification No. RD 34IMA 59, dated 27-11-1959.

3. . :-

Immediately after the publication of the notification under sub-section (4) of Section 1 in respect of any inam village or minor inam in an unalienated village, the Deputy Commissioner shall prepare and maintain a register showing in respect of such inam village or minor inam the arrears or revenue as jodi, quit-rent and cesses as specified in clause (e) of sub-section (1) of Section 3.

4. . :-

The Deputy Commissioner or an officer of Government not below the rank of an 3[Amildar] authorised by order of the Deputy Commissioner may remove any obstruction that may be offered and take possession of an inam on behalf of the Government under clause (g) of sub-section (1) of Section 3.

5. . :-

(1) For the purpose of the proviso to clause (g) of sub-section (1) of Section 3, the ¹ [Amildar] of the Taluk in which the inam concerned is situ

(2) Any person aggrieved by a decision under sub-rule (1) may, within 30 days from the date of the decision, appeal to the Assistant Commissioner of the Revenue Sub-Division.

1. Now Tahsildar

6. . :-

For purposes of the provisions to sub-section (3) of Sections 7 and 8, the following shall be the prescribed authorities.-

(1) If the lease is for a term not exceeding 10 years the Deputy Commissioner of the District;

(2) If the lease exceeds 10 years, but does not exceed 20 years, the Commissioner for Charitable Endowments in Karnataka

(3) If the alienation is of any kind other than that specified in items (1) and (2), the Government.

7. . :-

(1) For the purposes of deciding claims under Section 9, a kadim tenant, a permanent tenant, the holder of a minor inam or an inamdar claiming to be registered as an occupant under Sections 4, 5, 7 or 8 as the case may be or any person who claims to be continued as tenant under Section 6 shall within 6 months from the date of vesting apply to the Deputy Commissioner or any officer authorised by him under sub-section (1) of Section 30 of the Act:

¹[Provided that application after the expiry of the said period of six months shall be made to the State Government which may, if the applicant satisfies it that he had sufficient cause for not making the application within the said period direct the admission of such application by the Deputy Commissioner or the Officer authorised by him under sub-section (1) of Section 30 of the Act:

Provided further the State Government shall not consider any application received after the 28th day of February, 1970.]

²[(1-A) Every such application shall be in writing and signed and verified by the applicant. Such application may be made in person or by Advocate or Pleader or authorised agent or sent by registered post.]

(2) Every such application shall be restricted to a single inam.

(3) Where the application is made by any person other than the Inamdar, the Inamdar shall be made a respondent to the application.

³ [(3-A) Where the application is made by inamdar or any person claiming through him, such officer as the Government may by order from time to time specify, shall be made a respondent to the application.]

(4) Every application shall contain the following particulars namely.-

(a) Name of the inam village or minor inam

(b) Name of the applicant;

(c) Whether he is the inamdar or not;

(d) If he is not the inamdar, the nature of the interest possessed by him in the inam, along with the detailed particulars in support of his claim.

(5) The notice of the date on which an enquiry will be held in respect of the application shall be served on the parties to the application and shall be published by affixture on the notice board of the office of the Deputy Commissioner or any officer authorised by him under sub-section (1) of Section 30 of the Act. Service of the notice shall be effected by giving or tendering the notice to the person concerned or if it cannot be so effected by sending the notice to him by registered post.

(6) The Deputy Commissioner or any officer authorised by him under sub-section (1) of Section 30 of the Act, shall hold an enquiry at the inam village or the village in which the inam is situated and in the case of an enquiry held by an officer authorised by the Deputy Commissioner under the said section, such officer shall make a report to the Deputy Commissioner within 7 months from the date of vesting or within one month from the date of application.

(7) The Deputy Commissioner either on his own enquiry or on receipt of a report from any officer authorised by him under sub-section (1) of Section 30 of the Act, shall examine the nature and history of the lands in question, and decide in respect of which lands the claims of the applicants should be allowed.

1. Provisos substituted for the proviso by GSR 419, dated 22-11-1969, w.e.f. 4-12-1969.

2. Sub-rule (1-A) inserted by GSR 419, dated 22-] 1-1969, w.e.f. 4-12-1969.

3. Sub-rule (3-A) inserted by GSR 47, dated 8-1-1974, w.e.f. 13-2-1975.

7A. . :-

1 The period within which an application shall be made under sub-clause (i) of clause (a) of sub-section (2) of Section 9 shall be six months from the date of coming into force of the Karnataka (Religious and Charitable) Inams Abolition (Amendment) Rules, 1970.]

1. Rule 7-A inserted by GSR 113, dated 21-3-1970, w.e.f. 16-4-1970.

7B. . :-

1 The Deputy Commissioner shall furnish to such officer as the Government may by order from time to time specify, a copy of the data on which he proposes to determine the basic annual sum payable in respect of an inam. Before determining the basic annual sum payable the Deputy Commissioner shall give to the said officer, a reasonable opportunity of making representation in regard thereto in writing or orally.]

1. Rule 7-B inserted by GSR 47, dated 8-1-1974, w.e.f. 13-2-1975.

8. . :-

(1) The Deputy Commissioner shall prepare a statement of the basic annual sum in respect of each inam showing the amount of basic annual sum payable. The amount payable should be in figures and words, in his own handwriting and he shall affix his signature against each entry.

(2) Where the particulars necessary to compute the average net annual income under clause (ii) of sub-section (1) of Section 17 are not available for the full period of 5 years, the average net annual income derived by the inamdar during such lesser period immediately preceding the date of vest-

9. . :-

In determining the amount of compensation payable under the Act, fraction of a rupee less than eight annas shall be disregarded and fractions of a rupee equal to or exceeding eight annas shall be regarded as one rupee.

10. . :-

The sum payable under sub-section (1) of Section 19 shall be paid as follows.-

(1) Where the amount payable does not exceed one thousand rupees, it shall be paid in a lumpsum in the month of June every year.

(2) Where the amount payable exceeds one thousand rupees, it shall be paid in two equal instalments, the first in the month of June and the second in the month of December every year.

11. . :-

An application for interim compensation shall contain the following particulars.-The name, extent and situation of the inams, jodi or quit-rent fixed and the names of the inamdars.

11A. . :-

1 An application for payment of interim compensation shall be presented to the Deputy Commissioner, who shall make the payment of interim compensation after determining the amount under Section 20 of the Act.]

1. Rule 11-A inserted by Notification No. RD25 IMA 59, dated 6-10-1959.

12. . :-

An application under sub-section (2) of Section 21 for a copy of the data, on the basis of which the Deputy Commissioner proposes to determine the basic annual sum shall be made by the inamdar or other person interested, within two months from the date notified by the Deputy Commissioner in this behalf.

13. . :-

(1) After the assessment roll of the basic annual sum has been drawn up, the Deputy Commissioner shall cause a notice to be published in the Karnataka Gazette.

(2) Copies of the notice shall be affixed on the notice board of the office of the Deputy Commissioner of the District, Sub-Division Office, Taluk Office, in the Village Chavadi and at a public place in the village in which the inam is situated.

(3) A copy of the notice along with a certified extract of the draft assessment roll of the basic annual sum shall be served on the inamdar in the manner specified in the Code of Civil Procedure, 1908 (Central Act V of 1908).

14. . :-

(1) For purposes of determination of rent under Section 27, the Assistant Commissioner in charge of the Revenue Sub-Division shall be the prescribed authority.

(2) For purposes of Section 29, the 1[Board of Revenue] shall be the prescribed authority.

14A. **Extent of land in respect of which a person may be registered as an occupant :-**

1

(1) The extent of land for the purpose of Section 27-A shall not exceed two hectares of garden land or wet land possessing facilities for assured irrigation or four hectares of dry land or rain-fed wet land.

(2) If a person owns more than one class of land, the extent owned by him, for the purpose of this rule shall be determined by converting the extent of different classes of land according to the following formula, namely.- One hectare of garden land or one hectare of wet land possessing facilities for assured irrigation-two hectares of rain-fed wet land or dry land.]

1. Rule 14-A inserted by GSR 234, dated 1-8-1975, w.e.f. 14-8-1975.

15. . :-

The fee payable on any application, petition or memorandum or appeal under the Act or these rules shall be as follows.-