

Certain Inams Abolition Act, 1977

Section 4 - Abolition, Vesting of Inams and the Consequences Thereof

(1) Not with-standing anything contained in any contract, grant or other instrument or in any decree or order of court or in any other law for the time being in force, with effect from and on the appointed date, the inam tenure of all inams and minor inams to which this Act applies under section 2 shall stand abolished.

(2) Save as otherwise expressly provided in this Act with effect from and on the appointed date, the following consequences shall ensue, namely:-

(a) the provisions of the Act relating to inams of alienated holding shall be deemed to have been repealed in their application to inam or alienated holding and the provisions of the Act and all other enactments applicable to unalienated villages or lands shall apply to the said inams or alienated holding;

(b) all rights, title and interest vesting in the inamdar including those in all communal lands, cultivated lands, uncultivated lands, whether assessed or not, waste lands, pasture lands, forests, mines and minerals, quarries, rivers and streams, tanks and irrigation works, fisheries, and ferries shall cease and be vested absolutely in the State Government, free from all encumbrances;

(c) the inamdar shall cease to have any interest in the inam other than interests expressly saved by or under the provisions of this Act;

(d) all land revenue including the cesses and royalties accruing in respect of lands comprised in such inam villages or minor inams on or after the date of vesting shall be paid to the State Government and not to the inamdar and any payment made in contravention of this clause shall not be valid;

(e) all arrears of land revenue, whether as jodi or quit rent and cesses remaining lawfully due on the date of vesting in respect of any such inam village or minor inam shall, after such date continue to be recovered from the inamdar 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 and cesses from the amount payable to such inamdar under this Act;

(f) no such inam 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 or any other order for attachment passed before such date in respect of such inam village or minor inam shall cease to be in force;

(g) the State Government may, after removing any obstruction that may be offered, forthwith take possession of the inam and all accounts, registers, pattas, muchalikas, maps, plans and other documents relating to the inam which the State Government may require for the administration thereof;

(h) the inamdar whose rights have vested in the State Government under clause (b) shall be entitled only to such amount from the State Government as provided in this Act;

(i) the relationship of a superior holder and inferior holder shall, as between the inamdar and the holder of a minor inam, be extinguished;

(j) the tenants in the inam and persons holding under them and holders of minor inams shall, as against the State Government, be entitled only to such rights and privileges and be subject to such conditions as are provided for by or under the Karnataka Land Reforms Act, 1961 and any other rights and privileges which may have accrued to them in the inam before the date of vesting against the inamdar shall cease and determine and shall not be enforceable against the State Government or such inamdar.

(3) Nothing contained in sub-section (1) or sub-section (2) shall operate as a bar to the recovery by the inamdar of any sum which becomes due to him before the date of vesting by virtue of his rights as inamdar and any such sum may be recovered by him by any process of law which, but for this Act, would be available to him.