

## Certain Inams Abolition Act, 1977

### Chapter 4 - Determination of Amount Payable in Respect of Personal Inams

---

(1) The amount payable in respect of a personal inam shall be determined in accordance with the provisions of this Chapter.

(2) The amount shall be determined for the inam as a whole and not separately for each of the interests therein.

---

#### Section 14 - Amount payable

---

(1) The amount payable in respect of an inam other than a religious or charitable inam vesting in the State Government under this Act shall be the aggregate of the following, namely :-

(i) a sum equal to ten times the net annual income from the lands held by the tenants entitled to be registered under section 5 of this Act;

(ii) the value, as determined by the Forest Department of such of the sandalwood trees on the said land as are actually existing on the appointed day and registered in accordance with the rules made under the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964) ; and

(iii) in respect of the income from minor forest produce (other than sandalwood) an amount equal to three times the average net annual income from minor produce derived by the inamdar in the previous three years :

Provided that where the particulars necessary to compute the average net annual income are not available for the full period, or where the particulars available appear in material respects to be incorrect, the computation may be made in such manner as may be prescribed.

(2) For purposes of sub-section (1), the net annual income shall be deemed to be,-

(i) in respect of lands held by a permanent tenant, the land revenue of such lands less the proportionate land revenue, jodi, quit rent or peshkush paid by the inamdar to the State Government, as determined in the prescribed manner ;

(ii) in respect of lands held by other tenants, ten times the land revenue of such lands less the proportionate land revenue, jodi, quit rent or peshkush paid by the inamdar to the State Government, determined in the prescribed manner.

---

#### Section 15 - Payment of amount

---

(1) The amount shall be due as from the appointed date and shall carry interest at the rate of two and three-fourths per cent per annum from the appointed date to the date of payment.

(2) The amount payable under this Act, may, in accordance with the rules made in this behalf, be paid in one or more of the following modes, namely:-

(i) in cash, in full or in annual installments not exceeding ten ;

(ii) in bonds, either negotiable or non negotiable, carrying interest at the rate specified in sub-section (1) and of guaranteed face value maturing within a specified period not exceeding ten years :

Provided that the amount payable under the bonds issued under this clause may be repaid in such number of installments not exceeding ten as may be prescribed.

---

#### Section 16 - Interim payment

---

(1) Where the amount is not paid to an inamdar within a period of six months from the date of vesting, the State Government shall, subject to such restrictions and conditions as to security, repayment or otherwise, as may be prescribed, direct the payment to each such inamdar of interim amount which shall be equal to one-fifth of the estimated amount payable.

(2) Interest at the rate specified in sub-section (1) of section 15 on the estimated amount payable or on the balance of the estimated amount payable after deducting the interim payment under sub-section (1) may be paid every year until the amount payable is determined under section 17 ,-

(a) if there are no persons interested in the amount other than such inamdar, to such inamdar ;

(b) if there are persons other than the inamdar, interested in the amount who have made claims under section 18, to such person or persons and in such proportions as all the persons interested in the amount may by agreement in writing specify.

(3) The interim amount payable under sub-section (1), and the interest payable under sub-section (2) may be paid in the prescribed manner.

---

#### Section 17 - Deputy Commissioner to determine total amount payable

---

(1) The Deputy Commissioner shall, after giving the applicant a reasonable opportunity to make his representation in regard thereto in writing or orally, determine in accordance with such of the foregoing provisions as may be applicable, to the inam, the total amount payable in respect of the inam:

Provided that no such determination shall be made by the Deputy Commissioner without the previous approval of the State Government or such officer as the State Government may appoint in this behalf.

(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 proposes to determine the total amount payable.

(3) On receipt of such application, the Deputy Commissioner shall furnish the data aforesaid to the applicant.

(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).

---

### **Section 18 - Notices to persons interested in amount**

---

(1) As soon as may be after the appointed date the Deputy Commissioner shall,-

(a) publish copies of the notification under sub-section (3) of section 1, at a convenient place in and in the vicinity of the inam ;

(b) cause public notice to be given at a convenient place in or near the inam, requiring that claims of all persons interested in the amount or in any portion thereof, including the inamdar, the members of his family claiming any such portion whether by way of a share or by way of maintenance or otherwise, and creditors whose debts are secured by the mortgage of or as a charge on the inam or any part thereof, other than lands and buildings which vest in the inamdar under section 5 or section 7, shall be made to him, together with nature and particulars of such claims, in person or by agent at a time and place therein mentioned, such time not being earlier than sixty days from the date of publication of the notice. Such notice shall also be published in the official Gazette.

(2) Every claim against the amount payable which is not made to the Deputy Commissioner within the time aforesaid shall cease to be enforceable, except in cases where the Deputy Commissioner, for sufficient cause permits a claim to be made beyond the period aforesaid.

---

### **Section 19 - Apportionment of amount by the Deputy Commissioner**

---

The Deputy Commissioner shall, after giving notice to all persons who claim under section 18 and to any others whom he considers to be interested, make enquiry into the validity of the claims received, by him and determine the persons who, in his opinion, are entitled to the amount and the amount to which each of them is entitled.

---

### **Section 20 - Procedure for apportionment of amount**

---

(1) As a preliminary to such determination, the Deputy Commissioner shall apportion the amount among the inamdar and any other persons whose rights or interests in the inam have passed to and vested in the State Government under clause (b) of sub-section (2) of section 4 including persons who are entitled to be maintained from the inam and its income, as far as possible, in accordance with the value of their respective interests in the inam.

(2) The value of the interests shall be ascertained in such manner as may be prescribed.

---

### **Section 21 - Claims of creditors**

---

(1) After the amount has been apportioned among the persons referred to in section 20 or where it is more convenient to do so pending the apportionment, the Deputy Commissioner shall take into consideration the application of the secured creditors referred to in section 19 and decide the amount to which each such creditor is entitled and the person or persons out of whose share or shares of the amount such amount should be paid :

Provided that any amount due to the State Government either as land revenue or otherwise shall first be deducted from the amount payable.

(2) The amount payable by the State Government to secured creditors on account of holding any mortgage or charge, notwithstanding anything contained in any law for the time being in force, shall not exceed the amount payable in respect of the inam or portion thereof.

---

### **Section 22 - Devolution of interest in amount**

---

Where it is alleged that the interest of any person entitled to receive payment of any portion of the amount has devolved on any other person or persons whether by act of parties or by operation of law, the Deputy Commissioner shall, after giving the parties an opportunity of being heard, determine whether there has been any devolution of the interest and if so, on whom it has devolved.

---

---

---