



**KARNATAKA LEGISLATIVE ASSEMBLY
FOURTEENTH LEGISLATIVE ASSEMBLY
FOURTH SESSION**

**THE KARNATAKA LAND REFORMS AND CERTAIN OTHER
LAW(AMENDMENT) BILL, 2014**

(L.A. Bill No. 47 of 2014)

A Bill further to amend the Karnataka Land Reforms Act, 1961 and the Karnataka Land Revenue Act, 1964.

Whereas it is expedient further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) and the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty fifth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Land Reforms and Certain Other Law (Amendment) Act, 2014.

(2) It shall come into force at once.

2. Amendment of Karnataka Act 10 of 1962.- In the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) in section 109,-

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

"(IB) in cases where the land in any area, cannot be utilized for the purpose of industrial development, educational institutions, Places of worship, a Housing Project approved by the State Government or Horticulture purpose under sub-section (1) within the prescribed time, such land shall be surrendered to the land bank of the Government, failing which the exemption shall be cancelled and same be forfeited to the Government without paying compensation."

(ii) after sub-section (2) the following proviso shall be inserted, namely:-

"Provided that, any of the Company or Organization, within a period of ten years from the date of obtaining permission under section 109, for the purpose of expansion of project or to tide over the financial crisis or for changing of land usages, submit application, which shall be considered by the High Power Committee headed by the Chief Secretary to Government subject to such conditions as deemed fit on case to case basis."

3. Amendment of Karnataka Act 12 of 1964.- In the Karnataka Land Revenue Act, 1964, (Karnataka Act 12 of 1964) in section 95, after sub-section (7), before explanation, the following shall be inserted, namely:-

"(8) The permission for diversion of agricultural land for industrial development, educational institutions, Places of worship a Housing Project approved by the State Government, or for purpose of Horticulture under this section shall be deemed to have been granted when permission for purchase of agricultural land is accorded under section 109 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) for industrial development, educational institutions, Places of worship, a Housing Project approved by the State Government, or for purpose of Horticulture as the case may be subject to the payment of fees as may be prescribed."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend section 109 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) and section 95 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) to provide that once the permission under section 109 of the Karnataka Land Reforms Act, 1961 is taken the permission under section 95 of the Karnataka Land Revenue Act, 1964 is deemed to have been taken as the procedure under the two enactments is similar but is time consuming one as separate permission has to be taken under each enactment which result in undue delay. It is considered necessary to simplify the said procedure.

Provision is also made in cases where the land in any area, cannot be utilized for the purpose of industrial development, educational institutions, places of worship, a housing project approved by the State Government or Horticulture purpose under sub-section (1) within the prescribed time such land shall be surrendered to the Land Bank of the Government, failing which the exemption shall be cancelled and same be forfeited to the Government without paying compensation. Hence, the new proviso to sub-section (2) of section 109 of Karnataka Land Reforms Act, 1961, is proposed to be inserted.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

V. SRINIVASA PRASAD

Minister for Revenue

P. OMPRAKASHA

Secretary
Karnataka Legislative Assembly

ANNEXURE**EXTRACT FROM THE KARNATAKA LAND REFORMS ACT, 1961
(KARNATAKA ACT 10 OF 1962).****X X****XX****XX****109. Certain lands to be exempt from certain provisions.-****xx****xx****xx**

(1A) Notwithstanding anything contained in sub-section (1), the State Government may in public interest and for reasons to be recorded in writing, by notification and subject to the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and such restrictions and conditions as may be specified by it, exempt any extent of land from the provisions of sections 63, 79A, 79B or 80 for any specific purpose.

Provided that the Deputy Commissioner other than the Deputy Commissioner of Bangalore Rural District and the Deputy Commissioner of Bangalore District, may subject to the restrictions and the manner specified in this sub-section exercise the power of the State Government to grant exemptions to an extent not exceeding half hectare of land.

(2) Where any condition or restriction specified in the notification under sub-section (1), has been contravened, the State Government or as the case may be, the Deputy Commissioner may after holding an enquiry as it or he deems fit, cancel the exemption granted under that sub-section and the land in respect of which such cancellation has been made, shall, as penalty be forfeited to and vest in the State Government free from all encumbrances. No amount is payable therefor.

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**EXTRACT FROM THE KARNATAKA LAND REVENUE ACT, 1964
(KARNATAKA ACT NO. 12 OF 1964)**

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**95. Uses of agricultural land and the procedure for use of
agricultural land for other purpose.— X X XX XX**

(7) When any land assessed or held for the purpose of agriculture is permitted under sub-section (2) or is diverted under the 3[provisos to the said sub-section or is deemed to have been permitted under sub-section (5) or sub-section (6a), to be used for any purpose unconnected with agriculture, the Deputy Commissioner may, subject to such rules as may be made by the State Government in this behalf, require the payment of a fine. No assessment shall be leviable on such land thereafter except under sub-section (2) of section 83

Explanation.— For the purpose of this section, “occupant” includes a mulgeni tenant or a permanent tenant

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