



KARNATAKA LEGISLATIVE ASSEMBLY
FOURTEENTH LEGISLATIVE ASSEMBLY
SIXTEENTH SESSION

THE KARNATAKA LAND REVENUE (AMENDMENT) BILL, 2018
(L.A. Bill No. 58 of 2018)

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

Whereas, it is expedient further to amend 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 ninth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Land Revenue (Amendment) Act, 2018.

(2) It shall come into force at once.

2. Amendment of section 94-A.- In section 94A of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), (hereinafter referred to as the Principal Act), in sub-section (4),-

(i) for the words and figures "fourteenth day of April, 1990", the words and figures "first day of January, 2000" shall be substituted;

(ii) for the words, brackets and figures "the Karnataka Land Revenue (Amendment) Act, 1990", the words, brackets and figures "the Karnataka Land Revenue (Amendment) Act, 2018" shall be substituted; and

(iii) in the second proviso for the table and the entries relating thereto, the following shall be substituted, namely:-

"TABLE

Sl. No.	Places	Distances
1	2	3
1.	Bruhat Bengaluru Mahangarpalike under the Karnataka Municipal Corporations Act, 1976	18 kms
2.	The Cities of Belagavi, Kalaburagi, Hubballi – Dharawada, Mangaluru and Mysuru respectively under provisions of the Karnataka Municipal Corporations Act, 1976; And Other Municipal Corporations under the provisions of the Karnataka Municipal Corporations Act, 1976	10 kms
3.	All City Municipal Councils (CMCs) under the provisions of the Karnataka Municipalities Act, 1964	5 kms
4.	All Town Municipal Councils (TMCs) and Town Panchayats under the provisions of the Karnataka Municipalities Act, 1964.	3 kms

"

Provided that no such land shall be regularized under this section if such land,-

- (a) lies in the line of natural drains or course of river valley;
- (b) belongs to any local authority or a statutory or non-statutory body of the State Government or Central Government;
- (c) coming in the way of existing or proposed roads, inner or outer ring roads, national highways, by pass over ring roads including those proposed for widening and railway lines, tramways, mass rapid transit system projects, communications and other civil facilities or public utilities;
- (d) is reserved for parks, playgrounds, open places or for providing any civic amenities;
- (e) is abutting to neighbouring property, storm water drain, tank bed areas; or

(f) is falling within the Land proposed for acquisition or is required for any proposed project of the state Government or any local authority, statutory or non-statutory body of the State Government.

3. Amendment of section 95.- In section 95 of the Principal Act, for the first proviso to sub-section (2), the following shall be substituted, namely:-

"Provided that in case of any agricultural land assessed or held for the purpose of agriculture, falling within the Local Planning Area for which the Master Plan has been duly published under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and such land and such diversion is in accordance with the purpose of land use specified in such Master plan. The permission therefore shall be deemed to have been granted subject to payment of fine prescribed under sub-section (7)."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary further to amend sections 94-A and 95 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) to facilitate,-

- (a) extension of cut-off date for regularization of unauthorized occupation of certain lands;
- (b) extension of time to apply for such regularization; and
- (c) deemed permission in respect of lands falling within the Local Planning Area for the purpose for which the land use is specified in the Master Plan published under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963).

Hence the Bill,

FINANCIAL MEMORANDUM

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

KAGODU THIMMAPPA

Minister for Revenue

S. Murthy

Secretary (I/c)

Karnataka Legislative Assembly

ANNEXURE**EXTRACT FROM THE KARNATAKA LAND REVENUE ACT, 1964****(Karnataka Act 12 of 1964)****XXX****XXX****XXX**

94A. Regularisation of certain cases of unauthorised occupation by constituting committee etc.- (1) Subject to such rules as may be prescribed, the State Government shall, by notification, constitute for each constituency of the Legislative Assembly a committee consisting of such number of members not exceeding five of whom one shall be a member of Legislative Assembly for the purpose of grant of land under sub-section (4).

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(2A) The State Government may, if it is of the opinion that it is necessary, constitute one or more additional committees for a taluk for the purpose of grant of land under sub-section (4) consisting of such number not exceeding five, as may be prescribed and the State Government shall nominate from among the members one of them as the Chairman and another as the Secretary of the committee. When an additional committee is constituted, the Deputy Commissioner shall determine the jurisdictions of the committee and the additional committee and transfer the pending applications to the respective committee.

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(4) Nothing in section 94 shall prevent the committee constituted under sub-section (1) or additional committee constituted under sub-section (2A) but subject to such rules as may be prescribed, if any, to grant to the person liable to be evicted under that section, the land which he had unauthorisedly occupied prior to the fourteenth day of April, 1990 (hereinafter referred to as the said date) or any portion thereof, if he satisfies the prescribed conditions (including the extent of the land held and unauthorisedly occupied by him) and makes within a period of six months from the date of commencement of the Karnataka Land Revenue (Amendment) Act, 1990 (hereinafter referred to as the Amendment Act), an application for such grant in such form along with such fees as may be prescribed and on payment of the amount payable under sub-section (5):

Provided that the land so granted together with the land already held by such person, shall not exceed two hectares of 'D' class of land or its equivalent thereto:

Provided further that no land shall be granted in the areas lying within the limits of Cities and City Municipalities specified in column (2) of the Table below and within the distance from such limits specified in the corresponding entries in column (3) thereof:

TABLE

Sl. No.	Places	Distances
1	2	3
1.	Bangalore City under the Karnataka Municipal Corporations Act, 1976.	18 Kms.
2.	The Cities of Belgaum, Gulbarga, Hubli-Dharwad, Mangalore and Mysore respectively under the provisions of Karnataka Municipal Corporations Act, 1976.	10 Kms.
3.	All City Municipalities (having more than fifty thousand population and constituted) under the Karnataka Municipalities Act, 1964.	5 Kms.

Provided also that a person who has unauthorisedly occupied the land, falling within the distance of five kilometres from the limits of the city municipality having less than fifty thousand population, prior to the 14th day of April, 1990, shall make an application for such grant, within three months

from the date of commencement of the Karnataka Land Revenue (Amendment) Act, 1994.

Provided that nothing in this section shall apply to Forest lands, plantation lands or lands referred to in sub-section (2) of section 79.

Explanation.—For the purpose of this section, ‘D’ class of land means ‘D’ class of land or an extent equivalent thereto consisting of one or more classes of land, as specified and determined in accordance with the formula in Schedule I to the Karnataka Land Reforms Act, 1961.

(5) The amount payable for the grant of land under sub-section (1) subsection (2A) shall be such as may be prescribed.

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95. Uses of agricultural land and the procedure for use of agricultural land for other purpose.—(1) XX XX XX

(2) XX XX XX

Provided that the Deputy Commissioner shall not refuse permission for diversion of such land included in the 6 Master Plan]6 published under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), if such diversion is in accordance with the purpose of land use specified in respect of the land in such plan.

KAGODU TIMMAPPA
Minister for Revenue

Vidhana Soudha
Bengaluru, Dated: 27.02.2018

No: SAMVYASHAE 09 SHASANA 2018

To:

The Hon'ble Speaker
Karnataka Legislative Assembly,
Vidhana Soudha, Bengaluru.

Sir,

Sub: The Karnataka Land Revenue (Amendment) Bill, 2018
(L.A. Bill No. 58 of 2018)

I hereby give notice of my intention to move the following amendments to the Karnataka Land Revenue (Amendment) Bill, 2018 (L.A. Bill No. 58 of 2018), namely:-

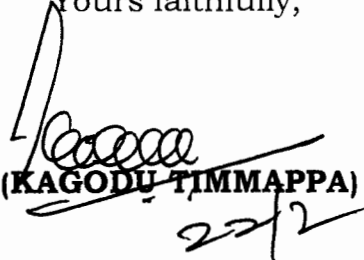
In the said Bill in clause 2,-

(1) in sub-clause (i), for the figures "2000" the figures "2005" shall be substituted.

(2) for sub-clause (ii) the following shall be substituted, namely,-

"(ii) for the words, brackets and figures "within a period of six months from the date of commencement of the Karnataka Land Revenue (Amendment) Act, 1990", the words, brackets and figures "within a period of one year from the date of commencement of the Karnataka Land Revenue (Amendment) Act, 2018" shall be substituted.

Yours faithfully,


(KAGODU TIMMAPPA)
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