

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 11:	11ನೇ ಖಂಡವು, ಈ ಅಧಿನಿಯಮ ಉದ್ದೇಶಗಳನ್ನು ಈಡೇರಿಸುವುದಕ್ಕಾಗಿ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ;
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ಪ್ರಸ್ತಾವಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದಾಗಿದೆ.

ಎಸ್. ಮಧು ಬಂಗಾರಪ್ಪ
ಶಾಲಾ ಶಿಕ್ಷಣ ಮತ್ತು ಸಾಕ್ಷಾರತಾ ಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ
ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ



KARNATAKA LEGISLATIVE ASSEMBLY
SIXTEENTH LEGISLATIVE ASSEMBLY
NINTH SESSION
(Adjourned Meetings)

**THE KARNATAKA GOVERNMENT EDUCATIONAL INSTITUTION'S LANDS
(PROTECTION AND REGULARISATION) BILL, 2026**
(LA Bill No. 09 of 2026)

A Bill to provide protection and regularisation of the land vested and used by Government Educational Institutions in favour of the State Government.

Whereas it is expedient to provide protection and regularisation of the land vested and used by Government Educational Institutions in favour of the State Government and for the matters connected therewith or incidental there to;

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

1. Short title and commencement.- (1) This Act may be called the Karnataka Government Educational Institution's Lands (Protection and Regularisation) Act, 2026.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.- In this Act, unless the context otherwise requires,

- (a) "Authority" means the Department of School Education or Department of School Education (Pre-University) or anybody designated by the State Government for the purposes of this Act.
- (b) "Government Educational Institution" includes approved schools as defined under section 2(3) of the Karnataka Education Act, 1983 and Government Pre-University College as defined under sub-rule (5) of rule 2 The Karnataka Department of School Education (Pre-University) (Academic, Registration, Administration and Grant-in-aid etc.) Rules, 2024; and
- (c) "Prescribed" means prescribed by rules made under this Act.

3. Vesting of Land Used by Government Educational Institutions.- (1) Notwithstanding anything contained in any law for the time being in force, if a Government educational institution has functioned continuously on any immovable property for at least twelve years, the land shall be deemed to be vested in favour of the State Government or the appropriate Authority, free from all encumbrances, claims or reversionary interests.

(2) Such vesting shall not be affected by,-

- (a) the absence of a registered document of transfer;
- (b) the death of the donor, whether testate or intestate; and
- (c) non-compliance with the provisions of the Transfer of Property Act, 1882 (Central Act 04 of 1882) or the Indian Succession Act, 1925. (Central Act 39 of 1925).

4. Bar on Legal Claims and Proceedings. (1) No suit, application, appeal or proceeding shall lie in any court or tribunal against the State or any Authority regarding any right, title or interest claimed by a person in vested land, where the occupation by the Government educational institution has continued for more than twelve years.

(2) Any suit pending on the date of commencement of this Act, relating to the title or possession of such Government educational institution lands, shall cease immediately unless compensation has already been awarded under an acquisition proceeding.

(3) Notwithstanding anything in sub-sections (1) and (2), any person who,-

- (a) holds a registered title document for the land in question, and
- (b) can prove by documentary evidence that the land was never voluntarily given for Government educational institution use, may file a claim before the Grievance Redressal Authority within thirty days from the date of commencement of this Act.

(4) If the claim is upheld, the Grievance Redressal Authority may recommend appropriate remedial action including land substitution or a. partial exemption from vesting, as prescribed by the State Government.

5. Presumption of Public Purpose Use.- (1) If the land has been used continuously for educational purposes with the knowledge of the community and without objection for more than twelve years, such use shall be presumed to be a valid and irrevocable public dedication.

(2) The absence of documentary proof shall not negate the presumption of public purpose use.

6. Estoppel and laches.- A person shall not be entitled to assert a claim over Government educational institution land if he or his predecessor-in-title knowingly acquiesced to the use of the land for Government educational institution purposes and failed to object within a reasonable time.

7. Land register and vesting certificate.- (1) The State Government, through the Estate Officer designated under Section 8, shall maintain a register of lands deemed to be vested under this Act.

(2) No vesting certificate shall be issued unless:

- (a) a public notice has been published in atleast two newspapers in vide circulation in the local language at the panchayat and taluk offices;
- (b) objections have been invited and addressed within a period of sixty days; and
- (c) a summary hearing is held for objectors before the Grievance, Redressal Authority under section 9.

(3) The appropriate Authority shall issue a Vesting Certificate for each property, which shall serve as conclusive evidence of title for all purposes.

8. Appointment and Powers of Estate Officer.- (1) The Block Education Officer (BEO) and the Deputy Director of Pre-University Education (DDPU) shall be deemed to be the Estate Officer for the purposes of this Act in respect of all Government educational institution lands within his jurisdiction.

(2) The Estate Officer shall be responsible for,-

- (a) maintaining accurate and up-to-date land records of all Government educational institution properties;
- (b) monitoring encroachments, misuse or alienation of such lands;
- (c) coordinating with the Rural Development and Panchayat Raj Department, Urban Development Department, Revenue Department and other related authorities, including but not limited to the Forest Department, the Wakf Board and departments responsible for lands governed by special laws such as the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Central Act 02 of 2007) or religious institution lands, for the purpose of demarcation, protection or recovery of Government educational institution land; and

(d) Assisting the Authority in the preparation and verification of Vesting Certificates.

(3) The Estate Officer may, by written communication, request the Tahsildar to,-

(a) conduct land surveys and demarcation;

(b) update revenue records to reflect statutory vesting; and

(c) initiate eviction or protection measures under the relevant land laws.

(4) The Estate Officer shall make all relevant records available for inspection by the School Education and, Literacy Department Revenue Department, Rural Development and Panchayat Raj Department, Urban Development Department and other related authorities, including but not limited to the Forest Department, the Wakf Board and departments responsible for lands governed by special laws such as the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Central Act 02 of 2007) or religious institution lands, as may be prescribed.

9. Grievance Redressal Authority.- (1) The Revenue Court constituted under the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) shall be the Grievance Redressal Authority for the purposes of this Act.

(2) Any person aggrieved by a Vesting Certificate or its denial, may file a representation before the Grievance Redressal Authority within a period of 30 days from the date of such order.

(3) The Grievance Redressal Authority shall dispose of the matter within a period of 60 days, with reasoned orders.

10. Appeals to the Tribunal.- (1) Any person aggrieved by the decision of the Grievance Redressal Authority may appeal to the Karnataka Appellate Tribunal, constituted under the Karnataka Appellate Tribunal Act, 1976 (Karnataka Act 10 of 1976).

(2) The appeal must be filed within a period of 30 days from the date of receipt of the order of the Grievance Redressal Authority.

11. Powers to make rules.- (1) The State Government, may, by notification, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for,-

(a) procedure for identifying and surveying lands used by Government educational institution;

(b) maintenance of land registers;

(c) formats for Vesting Certificates and public notices, as prescribed by rules made under this Act; and

(d) all matters expressly required or allowed by this Act to be prescribed or in respect of which this Act makes no provision or makes insufficient

provision and a provision is, in the opinion of the State Government, necessary for the proper implementation of this Act.

(3) Any rule made under this Act may be made with retrospective effect and when such a rule is made, the reasons for making the rule shall be specified in a statement to be laid before both Houses of the State Legislature and subject to any modification made under sub-section (4), every rule made under this Act shall have effect as if it is enacted in the Act.

(4) Every rule made under this Act shall be laid as soon as may be before each House of the State Legislature while it is in Session for a total period of thirty days, which may be comprised in one Session or in two or more successive Sessions and if, before the expiry of the Session in which it is so laid or the Session immediately following both Houses agree in making any modification in the rule or decide that any rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

12. Protection of Action Taken in Good Faith.- No suit, prosecution or other legal proceeding shall lie against the Government or any officer or authority for anything which is in good faith done or intended to be done under this Act.

13. Overriding Effect.- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

14. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may be necessary or expedient for removing the difficulty:

Provided that, no order under this section shall be made after expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after its so made, be laid before both the Houses of the State Legislature.

STATEMENT OF OBJECTS AND REASONS

1. In many parts of Karnataka, Government educational institutions have been established and functioning on lands donated by individuals, families or community bodies, often without formal documentation or registered transfer. These donations, made in good faith, enabled the State to develop vital educational infrastructure that has served generations of children. Despite decades of undisputed public use, recent claims by successors or legal heirs, based on technical gaps in documentation, have led to litigation which has stalled construction and uncertainty over land status.

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2. Presently, there exists no dedicated legislation to protect such lands or validate informal gifts made for public education. Existing legal frameworks do not adequately address long-standing, open and settled use of land for Government educational institutions. This has left thousands of institutions vulnerable to disruption and placed State infrastructure and public investments at legal risk.
 3. The Karnataka Government Educational Institution Lands (Protection and Regularisation) Bill, 2026 seeks to address this challenge by,-
 - (a) providing for deemed vesting of lands where a Government educational institution has functioned continuously and without objection for not less than twelve years;
 - (b) barring stale claims or legal proceedings against such lands beyond a twelve-year period of undisputed use;
 - (c) recognising long-standing public use of lands given without formal documentation for educational purposes;
 - (d) empowering the State to issue Vesting Certificates, maintain an official land register alongside establish a grievance redressal and appellate mechanism;
 - (e) co-ordinating with relevant departments, including those administering forest, wakf, tribal and religious institution lands, to ensure lawful regularisation and protection of Government educational institution lands.
 4. The proposed legislation does not extinguish valid rights unfairly but provides procedural safeguards, including a limited window for raising genuine claims and a forum for appeal. It aims to balance individual property rights with long-standing public interest, uphold the fundamental right to education and secure legal certainty for Government educational infrastructure.
 5. The Bill seeks to achieve the above objects.

Hence, the Bill.

FINANCIAL MEMORANDUM

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause-11	Clause 11 empowers the State Government to make rules to carrying out the purposes of this Act.
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The proposed delegation of legislative power is normal in character.

S. MADHU BANGARAPPA
Minister for School Education
and Literacy

M.K. VISHALAKSHI
Secretary
Karnataka Legislative Assembly