REVENUE SECRETARIAT

NOTIFICATION

No: RD 40 LGP 2018, Bengaluru, dated: 04/10/2018

The draft of the following rules further to amend the Karnataka Land Revenue Rules, 1966, was published as required by sub-section(1) of section 197 of Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) in Notification No. RD 40 LGP 2018 dated:20//07/2018 published in part-IVA of the Karnataka Gazette dated:20/07/2018 inviting objections or suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in the official Gazette.

Whereas the said Gazette was made available to the public on 20/07/2018. And whereas two objections were received, within the period specified above and are disposed off after giving opportunity of hearing.

Now, therefore, in exercise of the powers conferred by sub Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) the Government of Karnataka hereby makes the following rules to amend the Karnataka Land Revenue Rules, 1966, namely:

1. Title and Commencement.- These rules may be called the Karnataka Land Revenue(Third Amendment) Rules, 2018.

2. Insertion of new rule 108-CCC.- After rule108CC of the Karnataka Land Revenue Rules,1966, (hereinafter referred to as the said rules) the following shall be inserted, namely:

"108-CCC. Procedure under Section 94-A.- (1) For the purposeof sub-section (4) of section 94-A of the Act, any person who is in unauthorized occupation of the Government Land may make an application to the Tahsildar of the concerned Taluk along with a fee of rupees one hundred.

Form-50 and Form-53 shall not be eligible for applying in Form -57

(2) After receipt of application in Form-57, the concerned Tahasildar shall cause the particulars of the application to be entered in a register kept in his office, which shall be in Form-58 in the order of seniority of date of receipt of application.

(3) Tahsildar shall thereafter get the application scrutinized and send with all related documents to the officer authorized by him for further

verification. On receipt of application and document from the Tahsildar, the Officer authorized by him shall make spot inspection, examine the documentary and circumstantial evidence, determine the eligibility or otherwise, record his findings and send a report to the Tahsildar, who is the Secretary to the Committee, within three months from the date of receipt of the documents. On receipt of the report from the officer, authorized with his findings, the Tahsildar shall make suitable recommendation to the Committee or Additional Committee as the case may be within one month from the receipt of the report.

(4) The Committee or the Additional Committee shall after verifying the particulars submitted by the applicant and recommendations of the Tahsildar, after holding such enquiry as deemed necessary determine the extent of land to which the applicant is entitled for grant and the amount required to be paid by him for the grant of land and publish a notice which shall be in

Form-59 in the Chavadi of the village in which the land is situated and also in the Office of the Gram Panchayat inviting objections from the interested persons for the proposed grant within such time as may be specified in the notice which shall not be less than fifteen days from the date of the notice.

(5) After expiry of the period specified in the notice, the Committee or the Additional Committee shall, after considering the objections received and after further enquiry, if necessary recommend for the grant of land unauthorizedly occupied by the applicant or to dismiss it, subject to the provisions of rule 108-I.

(6) The provisions of sub rules (3), (4) and (6) of the rule-108D shall mutatis-mutandis apply for the purpose of grant of land under sub-section (4) of section 94A of the Act.

3. Amendment of rule 108-D-. In rule 108-D of the said rules, for sub-rule (6), the following shall be substituted, namely:-

"(6) Appeal against the orders made by the Tahsildar on the recommendations of the Committee or Additional Committee shall lie to the Assistant Commissioner:

Provided that in case the Chairman of the Additional Committee was Assistant Commissioner, then appeal shall lie to the Deputy Commissioner.

4. Amendment of rule 108-F-. In rule 108-F of the said rules, after clause (v) the following shall be inserted, namely:-

"(vi) Applicant is in unauthorized occupation of land applied, for at least a continuous period of not less than three years prior to the first day of
anuary, 2005".

5. Amendment of rule 108-J-. In rule 108-J of the said rules, in sub-rule (1) after clause (i), the following shall be inserted, namely:-

"(i-a) after the non-alienation period, grantee shall obtain permission from the Government for alienation. The Government has first preference to purchase such land for its various public purposes on payment of guidance value of such land.

6. Insertion of new Forms-. After Form-56 of the said rules, the following shall be inserted, namely:-

"**FORM-57**

[See sub-rule(1) and (2) of rule 108-CCC]

Application for Grant of land unauthorisedly occupied

1.	Name of applicant	
2.	Age of applicant	
3.	Father's/Husband's Name	
4.	Address of the applicant	
5.	Aadhaar No.	
6.	Occupation	
7.	Is the applicant: (a)a member of the SC/ST (b) landless (c) insufficient holder/ marginal farmer	
8.	Gross Annual income of the applicant	

9.	Particulars of the land under unauthorised occupation by the applicant Dry; Wet; Garden; Plantation.	Village / Hobli/ Taluk/ District/ Sy.No. Ext/ Use of land
10.	10. Particulars of the land under unauthorised occupation by the applicant and applied for regularisation Dry; Wet; Garden; Plantation.	Village / Hobli/ Taluk/ District/ Sy.No. Ext/ Use of land
11.	11. Since how long the land is under	
	unauthorised occupation	
12.	Particulars of the land already owned by the applicant inside/ outside the State	Village / Hobli/ Taluk/ District/ State/ Sy.No. Ext/ Use of land
13.	13. The total holding of land by applicant	
14.	14. Particulars of TT Fine paid, if any, (Enclose a copy of the receipt acknowledging payment made)	
15.	Whether there is a separate access to the encroached land	
16.	Whether the situation of the encroached land is such that it can be enjoyed independently.	
17.	Particulars of land previously granted to the applicant or any member of his family Dry; Wet; Garden; Plantation.	Village / Hobli/ Taluk/ District/ Sy.No. Ext/ Use of land
18.	18. Particulars of land sold which was previously granted to the applicant or any member of his family.	

19.	Whether any other member of the family of the applicant has encroached upon the Government land and applied for its regularization in Form 50 or in Form 53 and if so, the details thereof Dry; Wet; Garden; Plantation.	Village / Hobli/ Taluk/ District/ Sy.No. Ext/ Use of land
20.	Whether the applicant or any member of his family has previously applied for land and if so the particulars of the endorsement if any, received thereon.	

Certified that the particulars furnished above are true and correct to the best of my knowledge.

Place:

Date Signature of the applicant.

ACKNOWLEDGEMENT

Registration No. Dated:

Received an application from Shri/Smt……..... for regularisation of unauthorised occupation of land in Sy. No……..

…… of Village ……. of Taluk……

Receiving Assistant in the
Office with Seal

FORM-58

[See sub-rule(2) of rule 108-CCC]

Register of applications for regularization of unauthorized occupation of land of the

Taluk/Districts

1. Serial No. Year

2. Date of receipt of Application.

3. Name of the applicant and his address.

4. Particulars of land applied for:

(i) Village;

(ii) Survey No.;

(iii) Description/Dry/Wet/Garden/Plantation; (iv) Extent;

(v) Assessment.

5. Date of transmission to Revenue Inspector or Village Officer for report. 6. Date of spot inspection by the Tahsildar / Committee.

7. Date of receipt of report.

8. Estimated value and other particulars of malki.

9. Date of submission of the report to the sanctioning authority whether necessary.

10. Date of passing final orders and nature of such orders.

11. Date of communication of the provisional sanctioning order.

12. Date of payment of first installment.

13. Date of issue of provisional Saguvali Chit.

14. Date of payment of second installment.

15. Date of payment of third installment. 16. Date of issue of permanent Saguvali chit. 17. Remarks.

FORM-59

[See sub-rule(4) of rule 108-CCC]

NOTICE

It is hereby brought to the notice of all that where as Shri/Smt…...

…….……of……Village and Hobli…….……..Taluk, has applied for the grant of land specified in the schedule below which is stated to be in his unauthorized occupation from ……..……..(here specify the date). It is proposed to grant …….....(here specify the extent of land proposed to be granted) out of the…….. out of the …….(here specify the total extent of land under unauthorized occupation) of land on payment of Rs……. (here specify the amount to be paid).

Any person having objection to the proposed grant may send his objections to the undersigned, in writing, so as to reach him on or before ……(here specify the date).

SCHEDULE

Place:

Date Tahsildar

Certified that the above notice was published by affixing it in …… (name of Chavadi of the Village) and in …… (name of the Panchayat Officer) on ……..(date to be specified).

Village Accountant Revenue Inspector.

Note: Signature of atleast two literate residents of the village should be obtained."

By Order and in the name of the Governor of Karnataka

S.L.MAHANTHE GOWDA

Under Secretary to Government,

Revenue Department (Land Grants-1).