

GOVERNMENT OF KARNATAKA

NO: RD 50 LGP 92

Karnataka Government Secretariat,
M.S. Building,
Bangalore, dated 14th July 1992.

CIRCULAR

Sub: Regularisation of Unauthorised Cultivation under Section 94A of the Karnataka Land Revenue Act - Further clarifications-regarding.

The Deputy Commissioner, Kolar has raised certain questions on the subject of Regularisation of Unauthorised Cultivation under Section 94A of the Karnataka Land Revenue Act and the Rules made thereunder. The questions raised and the clarifications thereon are as follows which may be noted by all the Revenue Officers:-

(a) Whether lands utilised for growing Eucalyptus and Mango trees can be regularised and so what is the land price?

Since Eucalyptus and Mango trees are categorised as Reserved trees, such lands cannot be regularised because raising Eucalyptus and Mango trees does not come under agricultural activity.

(b) If the applicant gives one Sy.No. but actually he is cultivating a different Sy.No. then can his case be considered for regularisation? Further, if the applicant is actually cultivating Government Sy.No. but has applied for a private Sy.No. can such cases be considered for regularisation?

Since this is synonymous to change of spot, it is permissible.

(c) If the applicant has given only one Sy.No. in his application but actually he is cultivating in 2 Sy.Nos., Can such cases be regularised?

Such cases can be considered for regularisation provided the ceiling fixed i.e. 2 hectares of land including his own holding, is not exceeded.

(d) If the Taluk Level Committee passes a resolution of grant in favour of ineligible persons, what further action can be taken?

In such cases the Tahsildar being the Member-Secretary of the Committee should oppose such a move by the Committee as he is responsible for proper guidance of the Rules. However, the Assistant Commissioner of the Sub-Division concerned can take action to cancel the grant under Rule 108K if such a grant is contrary to the Rules.

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(e) Whether Government lands falling within the Municipal limits of TMCs can be regularised?

Such lands can be regularised since there is a provision under Section 94A of the Karnataka Land Revenue Act which prohibits regularisation of unauthorised cultivation only in respect of lands situated within a distance of 18 kms. from the limits of the Bangalore City, 10 Kms from the limits of the Cities of Belgaum, Gulbarga, Hubli-Dharwad, Mangalore and Mysore and 5 kms from the limits of all other City Municipalities.

(f) Whether the Committee can review and revise its own resolution in deserving cases?

The Committee is not empowered to do so. Once it passes a resolution it becomes final and it cannot revise it or review it.

N. Chowdappa
(N. CHOWDAPPA)

Deputy Secretary to Government,
Revenue Department.

To

All Deputy Commissioners.
All Assistant Commissioners.
All Tahsildars.



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27.7.92

K. S. Srinivas
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