

# Annexure - I

ಆವಕೂಲಿ - I

## STATEMENT SHOWING DETAILS OF GOVERNMENT LANDS, ENCROACHMENT DETAILS AND REMOVAL OF ENCROACHMENTS

(All figures in Acres)

Sl. No.	Name of the District	Geographical Area	Revenue land (Gomal etc.)	Forest Land	Other Department land	Total Government land	Encroachment of Revenue land	Encroachment in Forest land	Encroachment in other Department	Total Encroachment	Encroachment Removed (Revenue land)
1	2	3	4	5	6	7	8	9	10	11	12
<b>BANGALORE DIVISION</b>											
1	Bangalore Urban	5,37,003	1,22,918	33,874		1,56,792	25,994				9,033
2	Bangalore Rural	5,66,912	89,370	41,227		1,30,597	35,342	14,518			3,394
3	Ramanagara	8,79,103	1,80,125	2,53,711		4,33,836	26,752				405
4	Chikkaballapura	9,99,117	2,63,858	1,21,374		3,85,232	37,457				438
5	Tumkur	26,29,945	5,43,062	2,24,935		7,67,997	25,275				661
6	Kolar	9,26,166	2,03,819	84,408		2,88,227	25,058				268
7	Shimoga	20,94,026	10,61,864	9,58,019		20,19,883	71,316	40,178			407
8	Davanagere	14,76,065	2,00,104	1,84,874		3,84,978	22,087				2,163
9	Chitradurga	19,03,634	5,15,998	1,91,924		7,07,922	32,427				5,379
<b>TOTAL</b>							<b>31,81,118</b>	<b>20,94,346</b>		<b>52,75,464</b>	<b>22,150</b>
<b>MYSORE DIVISION</b>											
10	Mysore	16,70,664	1,66,145	97,413		2,63,558	65,383	1,510			900
11	Hassan	16,36,627	1,72,333	1,29,136		3,01,469	92,773	3,319			
12	Mandya	12,30,663	1,44,274	1,57,448		3,01,722	36,586				396
13	Chickmagalur	17,83,525	4,89,195	4,54,073		9,43,268	1,06,249	35,946			
14	D.K. (Mangalore)	11,78,558	3,64,843	2,78,768		6,43,611	7,506	6,504			75
15	Kodagu	10,14,614	1,42,416	3,44,186		4,86,602	16,308	6,448			
16	Chamarajanagar	14,07,655	1,69,225	5,75,121		7,44,346	34,707	2,305			335
17	Udupi	8,80,422	2,49,207	3,89,682		6,38,889	87,840				91
<b>TOTAL</b>							<b>18,97,638</b>	<b>24,25,827</b>		<b>43,23,465</b>	<b>1,799</b>
<b>BELGAUM DIVISION</b>											
18	Belgaum	33,20,624	98,958	4,76,181		5,75,139	10,812	5,451			708
19	Dharwad	10,55,503	57,577	88,557		1,46,134	2,148	7,042			289
20	Bijapur	26,02,073	27,579	4,255		31,834	12,055				499
21	U.K. (Karwar)	25,30,957	6,892	20,49,951		20,56,843	3,263	28,373			7
22	Bagalkote	16,27,426	18,869	1,95,379		2,14,248	340				127

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[All figures in Acres]

Sl. No.	Name of the District	Geographical Area	Revenue land (Gomal etc.)	Forest Land	Other Department land	Total Government land	Encroachment of Revenue land	Encroachment in Forest land	Encroachment in other Department	Total Encroachment	Encroachment Removed (Revenue land)
1	2	3	4	5	6	7	8	9	10	11	12
23	Gadag	11,50,316	94,746	80,182		1,74,928	8,142				
24	Haveri	11,98,335	47,121	1,31,113		1,78,234	13,075				4,734
	TOTAL	1,34,85,234	3,51,742	30,25,620		33,77,362	49,835	40,866			6,364
GULBARGA DIVISION											
25	Gulbarga	39,77,214	77,908	1,50,048		2,27,956	33,737	12,940			490
26	Yadgir		1,03,981			1,03,981	4,341				782
27	Bellary	20,08,594	5,55,020	3,14,851		8,69,871	65,408	1,262			15,210
28	Raichur	20,64,532	86,476	85,135		1,71,611	3,379				
29	Bidar	13,38,160	31,675	1,07,356		1,39,031	11,695				
30	Koppal	13,64,663	1,10,360	49,447		1,59,807	6,326				514
	TOTAL	1,07,53,163	9,65,420	7,06,837		16,72,257	1,24,886	14,202	101		16,996
31	Universities								10		
32	Agriculture University								10		
33	Education								29		
34	Agriculture Department								424		
35	Horticulture								16,989		
36	Animal Husbandry								4		
37	Health								29		
38	KHDB								12		
39	Shum Clearance Board										
	GRAND TOTAL	4,70,53,096	63,95,918	82,52,629		1,46,48,547	9,23,781	1,65,796	17,610	11,07,187	47,309

## Annexure - 2

### ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ನಡವಳಿಕೆಗಳು

ವಿಷಯ: ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ ರಚಿಸುವ ಬಗ್ಗೆ.

ಪ್ರಸ್ತಾವನೆ

ಬೆಂಗಳೂರು ನಗರ ಮತ್ತು ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಸರ್ಕಾರಿ ಜಮೀನು ಒತ್ತುವರಿ ಬಗ್ಗೆ ಸಮಗ್ರ ತನಿಖೆ ನಡೆಸಿ ಶ್ರೀ ಎ.ಟಿ. ರಾಮಸ್ವಾಮಿ ರವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ರಚನೆಯಾಗಿದ್ದ ಜಂಟಿ ಸದನ ಸಮಿತಿಯು ಸರ್ಕಾರಿ ಜಮೀನು ಒತ್ತುವರಿ ಬಗ್ಗೆ ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಿ ವರದಿಯನ್ನು ನೀಡಿರುತ್ತದೆ. ಈ ಬಗ್ಗೆ ಇತ್ತೀಚಿನ ವಿಧಾನ ಮಂಡಲದ ಅಧಿವೇಶನದಲ್ಲಿ ಚರ್ಚೆಗೆ ಬಂದಿದ್ದು, ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಯವರು ದಿ:27.07.2009 ಮತ್ತು 28.07.2009ರಂದು ವಿಧಾನ ಮಂಡಲದ ಉಭಯ ಸದನಗಳಲ್ಲಿ ಸದರಿ ಜಂಟಿ ಸದನ ಸಮಿತಿಯು ನೀಡಿರುವ ವರದಿಯನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸುವ ಬಗ್ಗೆ ಶ್ರೀ ವಿ. ಬಾಲಸುಬ್ರಹ್ಮಣ್ಯನ್, ಭಾ.ಆ.ಸೇ. (ನಿವೃತ್ತ) ಇವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಪಡೆ ರಚಿಸಲು ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಲಾಗುವುದೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ.

ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಕಂದಾಯ ಇಲಾಖೆಗೆ ಸೇರಿದ 33,877 ಎಕರೆ ಹಾಗೂ ಇತರ 14 ಇಲಾಖೆಗಳು ಮತ್ತು ಶಾಸನಾತ್ಮಕ ಸಂಸ್ಥೆಗಳು ಮತ್ತು ಮಂಡಳಿಗಳಿಗೆ ಸೇರಿದ 7426.03 ಎಕರೆ ಸೇರಿದಂತೆ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ 41,303.03 ಎಕರೆ ಜಮೀನು ಒತ್ತುವರಿಯಾಗಿರುವುದನ್ನು ತೆರವುಗೊಳಿಸುವ ಮತ್ತು ಸಂರಕ್ಷಿಸುವ ಅಗತ್ಯವಿರುತ್ತದೆ. ಅದೇ ರೀತಿ ರಾಜ್ಯಾದ್ಯಂತ ಸರ್ಕಾರಿ ಇಲಾಖೆಗಳ ಮತ್ತು ಇತರ ಶಾಸನಾತ್ಮಕ ಸಂಸ್ಥೆಗಳು ಮತ್ತು ಮಂಡಳಿಗಳಿಗೆ ಸೇರಿದ ಜಮೀನಿನ ಒತ್ತುವರಿಯನ್ನು ಸಹ ಗುರುತಿಸಿ ತೆರವುಗೊಳಿಸಿ ಸಂರಕ್ಷಿಸುವ ಅಗತ್ಯವಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಯವರು ಸದನದಲ್ಲಿ ನೀಡಿರುವ ಹೇಳಿಕೆಯಂತೆ ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಪಡೆ ರಚಿಸಲು ಸರ್ಕಾರವು ಪರಿಶೀಲಿಸಿದೆ. ಅದರಂತೆ ಈ ಆದೇಶ.

ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: ಆರ್‌ಡಿ 556 ಎಲ್‌ಜಿಬಿ:2009,

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.09.2009.

ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ ಮತ್ತು ಭವಿಷ್ಯದಲ್ಲಿ ರಾಜ್ಯಾದ್ಯಂತ ಇರುವ ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಸಮೀಕ್ಷೆ, ಒತ್ತುವರಿ ತೆರವುಗೊಳಿಸುವಿಕೆ ಮತ್ತು ಸಂರಕ್ಷಿಸುವುದು ಇತ್ಯಾದಿ ಕಾರ್ಯಗಳ ಅನುಷ್ಠಾನಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಅಗತ್ಯ ನಿರ್ದೇಶನಗಳನ್ನು ನೀಡಲು ಮತ್ತು ಸರ್ಕಾರಿ ಜಮೀನಿನ ಸಂರಕ್ಷಣೆಯ ಮೇಲ್ವಿಚಾರಣೆ ಮತ್ತು ಉಸ್ತುವಾರಿಗಾಗಿ ಈ ಕೆಳಕಂಡ ಸದಸ್ಯರನ್ನು ಒಳಗೊಂಡ ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಪಡೆಯನ್ನು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರುವಂತೆ ರಚಿಸಲಾಗಿದೆ.

1. ಶ್ರೀ ವಿ. ಬಾಲಸುಬ್ರಹ್ಮಣ್ಯನ್, ಭಾ.ಆ.ಸೇ (ನಿವೃತ್ತ)
2. ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ
3. ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಕಂದಾಯ ಇಲಾಖೆ
4. ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ
5. ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಹಣಕಾಸು ಇಲಾಖೆ

- ಅಧ್ಯಕ್ಷರು
- ಸದಸ್ಯರು
- ಸದಸ್ಯರು
- ಸದಸ್ಯರು
- ಸದಸ್ಯರು

5. ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ - ಸದಸ್ಯರು
7. ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಇ-ಆಡಳಿತ ಇಲಾಖೆ - ಸದಸ್ಯರು
8. ಆಯುಕ್ತರು, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ - ಸದಸ್ಯರು
9. ಆಯುಕ್ತರು, ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ - ಸದಸ್ಯರು
10. ಆಯುಕ್ತರು, ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪ್ರದೇಶಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ - ಸದಸ್ಯರು
11. ಆಯುಕ್ತರು, ಭೂ ಮಾಪನ ಮತ್ತು ಭೂ ದಾಖಲೆಗಳ ಇಲಾಖೆ - ಸದಸ್ಯರು
12. ಆಯುಕ್ತರು, ನೋಂದಣಿ ಮತ್ತು ಮುದ್ರಾಂಕ ಇಲಾಖೆ - ಸದಸ್ಯರು
13. ಎ.ಡಿ.ಜಿ.ಪಿ. (ಕಾನೂನು ಮತ್ತು ಸುವ್ಯವಸ್ಥೆ) ಡಿ.ಜಿ.ಪಿ ಕಛೇರಿ, ಬೆಂಗಳೂರು - ಸದಸ್ಯರು
14. ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರು, ಬೆಂಗಳೂರು ವಿಭಾಗ, ಬೆಂಗಳೂರು - ಸದಸ್ಯರು
15. ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು, ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ - ಸದಸ್ಯರು
16. ಶ್ರೀ ಎಂ.ಆರ್.ಹೆಗಡೆ (ನಿವೃತ್ತ ಕಾನೂನು ಇಲಾಖಾ ಕಾರ್ಯದರ್ಶಿ) - ಕಾನೂನು ಸಲಹೆಗಾರರು
17. ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು, ಕರ್ನಾಟಕ ಸಾರ್ವಜನಿಕ ಜಮೀನುಗಳ ನಿಗಮ ನಿಯಮಿತ - ಸದಸ್ಯ ಕಾರ್ಯದರ್ಶಿ.

ಕಾರ್ಯಪದ್ಧತಿಯ ನಿರ್ವಹಿಸಬೇಕಾದ ಪ್ರಮುಖ ಕಾರ್ಯಗಳು ಈ ಕೆಳಕಂಡಂತಿವೆ:

1) ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಭೂ ಕಬಳಿಕೆ ಮತ್ತು ಅವ್ಯವಹಾರದ ಬಗ್ಗೆ ಜಂಟಿ ಸದನ ಸಮಿತಿ ಸಂಗ್ರಹಿಸಿದ ಮಾಹಿತಿಯನ್ವಯ ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಒತ್ತುವರಿ ತೆರವುಗೊಳಿಸಲು ಕಂದಾಯ ಇಲಾಖೆಗೆ, ಇತರೆ ಸರ್ಕಾರಿ ಇಲಾಖೆಗಳಿಗೆ ಮತ್ತು ಶಾಸನಬದ್ಧ ಸಂಸ್ಥೆಗಳು ಮತ್ತು ಮಂಡಳಿಗಳಿಗೆ ಅಗತ್ಯ ನಿರ್ದೇಶನ ನೀಡುವುದು ಹಾಗೂ ಈ ಕಾರ್ಯದಲ್ಲಿ ಸರ್ಕಾರದೊಂದಿಗೆ ಸಮನ್ವಯ ಕಾರ್ಯ ನಿರ್ವಹಿಸುವುದು.

2) ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಸರ್ಕಾರಿ ಭೂ ಕಬಳಿಕೆ ಗುರುತಿಸಿದ ಮಾದರಿಯಲ್ಲಿಯೇ ರಾಜ್ಯದ ಇತರೆ ಜಿಲ್ಲೆಗಳಲ್ಲಿ ಕಂದಾಯ, ಇತರೆ ಸರ್ಕಾರಿ ಇಲಾಖೆಗಳ ಮತ್ತು ಶಾಸನಬದ್ಧ ಸಂಸ್ಥೆಗಳು / ಮಂಡಳಿಗಳ ಜಮೀನುಗಳ ಒತ್ತುವರಿಯನ್ನು ಗುರುತಿಸುವ, ತೆರವುಗೊಳಿಸುವ ಮತ್ತು ಸಂರಕ್ಷಿಸುವ ಬಗ್ಗೆ ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಸರ್ಕಾರ ಹಾಗೂ ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖೆಗಳೊಂದಿಗೆ ಸಮನ್ವಯ ಕಾರ್ಯ ನಿರ್ವಹಿಸುವುದು.

3) ಭೂ ಕಬಳಿಕೆ ತೆರವುಗೊಳಿಸುವ ಪ್ರಕ್ರಿಯೆಯಲ್ಲಿ ಉಂಟಾಗಬಹುದಾದ ನ್ಯಾಯಾಲಯ ಪ್ರಕರಣಗಳು ಮತ್ತು ಕಾನೂನು ವಿಷಯಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸರ್ಕಾರಿ ವಕೀಲರು ಮತ್ತು ವಿಶೇಷ ಸರ್ಕಾರಿ ವಕೀಲರುಗಳನ್ನು ನೇಮಿಸಿಕೊಳ್ಳುವ ಬಗ್ಗೆ ಇಲಾಖೆಗಳಿಗೆ ನಿರ್ದೇಶನ ನೀಡುವುದು ಮತ್ತು ಈ ಪ್ರಕ್ರಿಯೆ ಕಾರ್ಯಗತವಾಗಲು ಸರ್ಕಾರದ ಆದೇಶಗಳನ್ನು ಪಡೆದುಕೊಳ್ಳಲು ಸಮನ್ವಯ ಸಾಧಿಸುವುದು.



4) ಭೂ ಕಬಳಿಕೆಯಿಂದ ಮುಕ್ತಗೊಳಿಸಿದ ಸರ್ಕಾರಿ ಮತ್ತು ಇತರ ಶಾಸನಬದ್ಧ ಸಂಸ್ಥೆಗಳ ಮತ್ತು ಮಂಡಳಿಗಳ ಜಮೀನುಗಳ ಬಳಕೆ ಬಗ್ಗೆ ಹಾಗೂ ಅವಶ್ಯಕತೆ ಇರುವ ಸರ್ಕಾರಿ ಇಲಾಖೆ, ಶಾಸನಬದ್ಧ ಸಂಸ್ಥೆ / ಮಂಡಳಿಗಳಿಗೆ, ಜಮೀನು ಮಂಜೂರಾತಿ ನೀಡುವ ಬಗ್ಗೆ ಸಲಹೆ ನೀಡುವುದು.

5) ಭೂ ಕಬಳಿಕೆ ಹೂಡಿದ ಮೊಕದ್ದಮೆಗಳ ಬಗ್ಗೆ ಮತ್ತು ವಿವಿಧ ನ್ಯಾಯಾಲಯಗಳಲ್ಲಿ ನಡೆದಿರುವ ಪ್ರಕರಣಗಳ ಬಗ್ಗೆ ಕಾಲ ಕಾಲಕ್ಕೆ ಪರಾಮರ್ಶೆ ಮಾಡುವುದು.

6) ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಭೂ ಕಬಳಿಕೆಯಲ್ಲಿ ಶಾಮೀಲಾದ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳು, ನೌಕರರು ಹಾಗೂ ಸಾರ್ವಜನಿಕರ ವಿರುದ್ಧ ಕ್ರಿಮಿನಲ್ ಮೊಕದ್ದಮೆಗಳನ್ನು ಹೂಡುವ ಬಗ್ಗೆ ಸೂಚನೆ ನೀಡುವುದು ಮತ್ತು ಈ ಸಂಬಂಧದಲ್ಲಿ ಪರಾಮರ್ಶೆ ಸಭೆ ನಡೆಸುವುದು.

7) ಭವಿಷ್ಯದಲ್ಲಿ ಭೂ ಕಬಳಿಕೆ ತಡೆಯುವ ಬಗ್ಗೆ ಕೈಗೊಳ್ಳಬೇಕಾದ ಕಾನೂನು ಮತ್ತು ಇತರ ಕ್ರಮಗಳ ಬಗ್ಗೆ ಇಲಾಖೆಗಳಿಗೆ ನಿರ್ದೇಶನ ನೀಡುವುದು ಮತ್ತು ಸರ್ಕಾರದೊಂದಿಗೆ ಸಮನ್ವಯ ಸಾಧಿಸುವುದು.

8) ಕರ್ನಾಟಕ ಭೂ ಕಬಳಿಕೆ (ನಿಷೇಧ) ಕಾಯ್ದೆ, 2007ನ್ನು ಕಾರ್ಯರೂಪಕ್ಕೆ ತರುವ ಬಗ್ಗೆ ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳುವುದು.

9) ನೋಂದಣಿ ಇಲಾಖೆಯಲ್ಲಿ ದಾಖಲೆಗಳ ನೋಂದಣಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ "Torrens System of registration of title" ಪದ್ಧತಿಯನ್ನು ಕಾರ್ಯರೂಪಕ್ಕೆ ತರುವುದು.

10) ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆಯಲ್ಲಿ ಮತ್ತು ಇತರ ಜಿಲ್ಲೆಗಳಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಕೆಲ ಬಗ್ಗೆ ಬೃಹತ್ ಯೋಜನೆ ಸಿದ್ಧಗೊಳಿಸುವುದು.

11) ಈಗಾಗಲೇ ಅಸ್ತಿತ್ವದಲ್ಲಿರುವ ಸಾರ್ವಜನಿಕ ಜಮೀನುಗಳ ನಿಗಮದ ಕಾರ್ಯನಿರ್ವಹಣೆಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಸಲಹೆ ಸೂಚನೆಗಳನ್ನು ನೀಡುವುದು.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

(ಇ. ಈಶ್ವರ ನಾಯಕ)

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಕಂದಾಯ ಇಲಾಖೆ (ಭೂ.ಮಂ).

ವರಿಗೆ

ಸಂಕಲನಕಾರರು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಬೆಂಗಳೂರು ಇವರಿಗೆ ಸದರಿ ಆದೇಶವನ್ನು ವಿಶೇಷ ರಾಜ್ಯ ತ್ರದ ಮುಂದಿನ ಸಂಚಿಕೆಯಲ್ಲಿ ಪ್ರಕಟಿಸಲು.

*Annexure - 3*  
TASKFORCE COMPLAINTS REPORT AS ON 14-JUNE-2011

Sl. No.	District Name	No. of Complaints Sent	Replies Received	Replies Accepted	Interim Reply	Balance
1	Belgaum	22	15	12	3	10
2	Bagalkot	18	9	6	3	12
3	Bijapur	27	14	12	2	15
4	Gadag	4	3	2	1	2
5	Dharwad	28	21	11	10	17
6	UttarKannada	10	5	1	4	9
7	Haveri	25	9	9	0	16
		<b>134</b>	<b>76</b>	<b>53</b>	<b>23</b>	<b>81</b>
8	Gulbarga	67	27	22	5	45
9	Bidar	35	14	13	1	22
10	Raichur	33	5	5	0	28
11	Koppal	3	1	1	0	2
12	Bellary	9	3	3	0	6
13	Yadgiri	8	4	3	1	5
		<b>155</b>	<b>54</b>	<b>47</b>	<b>7</b>	<b>108</b>
14	Udupi	38	10	10	0	28
15	Chikamagalur	61	16	12	4	49
16	Mandya	127	42	39	3	88
17	Hasan	24	3	3	0	21
18	DakshinaKannada	57	21	21	0	36
19	Kodagu	18	7	7	0	11
20	Mysore	63	47	39	8	24
21	ChamarajNagar	14	9	9	0	5
		<b>402</b>	<b>155</b>	<b>140</b>	<b>15</b>	<b>262</b>
22	Chitradurga	5	2	1	1	4
23	Davangere	21	8	7	1	14
24	Shivamoga	36	9	6	3	30
25	Tumkur	120	49	38	11	82
26	Kolar	54	17	15	2	39
27	BangloreRural	91	24	15	9	76
28	Chikkaballapura	19	5	4	1	15
29	Ramanagar	46	12	11	1	35
		<b>392</b>	<b>126</b>	<b>97</b>	<b>29</b>	<b>295</b>
30	Bangalore Urban	<b>514</b>	<b>172</b>	<b>61</b>	<b>111</b>	<b>453</b>
	<b>Total</b>	<b>1597</b>	<b>583</b>	<b>398</b>	<b>185</b>	<b>1199</b>

## TASKFORCE COMPLAINTS REPORT AS ON 14-JUNE-2011

Sl. No.	District Name	No. of Complaints Sent	Replies Received	Replies Accepted	Interim Reply	Balance
1	Commissioner, Survey & Settlement,	1	1	1	0	0
2	Tahsildar, Bangalore East Taluk	110	52	11	41	99
3	Tahsildar, Bangalore North Taluk	56	19	8	11	48
4	Tahsildar, Bangalore North Additional Taluk	72	22	10	12	62
5	Tahsildar, Bangalore South Taluk	88	33	13	20	75
6	Tahsildar, Anekal Taluk	62	29	6	23	56
7	Deputy Commissioner, Bangalore Urban	26	0	0	0	26
8	Commissioner Bangalore Development Authority	18	6	5	1	13
9	Commissioner, Bruhath Bangalore Mahanagara Palike	75	10	7	3	68
10	Commssioner, Endowment Commissioner Office	1	0	0	0	1
11	Deputy Director of Land Records	1	0	0	0	1
12	Spl. Deputy Commissioner Bangalore Urban	1	0	0	0	1
13	Executive Officer, Taluk Panchayat, South Taluk, Bangalore Urban District	1	0	0	0	1
14	ADLR, City Survey & Settlement.	1	0	0	0	1
15	Assistant Commissioner, Bangalore North Taluk	1	0	0	0	1
	<b>Total</b>	<b>514</b>	<b>172</b>	<b>61</b>	<b>111</b>	<b>453</b>

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*Annexure - 4*  
**ATTENDANCE OF TASK FORCE MEMBERS**

Sr. No	Name of the Member	1 <sup>st</sup> meeting	2 <sup>nd</sup> meeting	3 <sup>rd</sup> meeting	4 <sup>th</sup> meeting	5 <sup>th</sup> meeting	6 <sup>th</sup> meeting	7 <sup>th</sup> meeting	8 <sup>th</sup> meeting
	Date	29.09.09	17.11.09	08.01.10	26.03.10	01.07.10	29.09.10	23.12.10	25.04.11
11.	Additional Chief Secretary, Vidhana Soudha	No	No	No	No	No	No	No	No
12.	Commissioner, Bangalore Metropolitan Regional Development Authority	No - (R) DC	No (R)	Yes	No (R) DC	Yes	No (R) DC	No	yes
13.	Principal Secretary, Urban Development Department, Vikasa Soudha	Yes	No (R) DS	No	No (R) US	No		No (R) US	Yes
14.	Principal Secretary to Government, Finance Dept, Vidhan Soudha	Yes	No	No	No (R) DS	No (R) DS	No (R) DS	No (R) DS	No
15.	Principal Secretary to Government, Forest, Ecology & Environment Dept, M.S. Building	No	Yes	No	No (R) Sec	No (R) DS	No (R) Sec	Yes	Yes
16.	Principal Secretary to Government, E-governance Dept, M.S. Building	No (R) Addl. Sec	Yes	No	Yes	No	No (R) Addl. Sec	No	No (R) Addl. Sec
17.	Secretary to Government, Revenue Dept, M.S. Building	Yes	No (R) Sec	Yes	No (R) DS	No (R) DS	Yes	No (R) Sec	Yes
18.	Commissioner, BDA	No (R)	Yes	Yes	No (R)	No (R)	Yes	No (R)	No (R) Sec
19.	Commissioner, Survey & Settlement, K.R. Circle	Yes	Yes	Yes	No (R) DDLR	No (R) JD	No (R)	No (R) JD	Yes
20.	Commissioner, BBMP	Yes	Yes	No	No (R) Addl. Comm	No	No	No (R) DC	No (R) DC
21.	Additional Director General of Police, (Law & Order), O/o DGP, 1 <sup>st</sup> Floor, No: 2, Nrupathunga Road	Yes	Yes	Yes	No	No	No	No	Yes
22.	Inspector General of Stamps & Registration, No: 720, Shimsha Bhavan 46 <sup>th</sup> Cross, 8 <sup>th</sup> Block, Jayanagar	No (R)	Yes	No	Yes	No (R)	No	No (R)	No

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	lake Development Authority, # 49, 2 <sup>nd</sup> Floor, Parisara Bhavan, Church Street	No	Yes	Yes	Yes	Yes			
4	Sri M.R. Hegde, Legal Advisor, Task Force for Protection of Government Land	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
5	Managing Director, Karnataka Public Lands Corporation & Ex-officio Secretary to Government, Revenue Department & Member Secretary, Task Force for Protection of Government Lands.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
16	Regional Commissioner, Bangalore Division	Yes	No (R)ARC	Yes	Yes	Yes	Yes	Yes	Yes
17	Regional Commissioner, Mysore Division	-	-	-	-	-	Yes	No	No
18	Regional Commissioner, Belagum Division	-	-	-	-	(R) DC, Belagum	Yes	No (R) ARC	Yes
19	Regional Commissioner, Gulbarga Division	-	-	-	-	-	No (R) ARC	No	No

## ANNEXURE - 5

### *Details of Divisional and District Level Meeting*

#### I) Divisional Level Meetings :~

01.	Bangalore	13.01.2010
02.	Mysore	22.01.2010
03.	Belagaum	29.01.2010 & 22.02.2010
04.	Gulbaraga	04.02.2010

#### II) District Level Meetings:~

01.	Bangalore Urban	
02.	Bangalore Rural	16.08.2010, 20.09.2010 & 20.10.2010
03.	Mandya	04.08.2010
04.	Ramanagara	04.08.2010
05.	Chickmagalur	16.07.2010
06.	Tumkur	06.12.2010
07.	Chikkaballapura	08.12.2010
08.	Kolar	08.12.2010
09.	Madikere	15.09.2010
10.	Yadgiri	20.08.2010
11.	Gulbarga	20.08.2010 & 30.10.2010
12.	Bidar	19.08.2010
13.	Raichur	29.10.2010
14.	Uttara Kannada	26.02.2011

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ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆಯು ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಸ್ಥಳ ಪರಿಶೀಲನೆ  
ಮಾಡಿರುವ ವಿವರ.

ಕ್ರ.ಸಂ.	ಸಭೆಯ ದಿನಾಂಕ	ಸಭೆಯಲ್ಲಿ ಚರ್ಚಿಸಿದ ವಿಷಯ
1	23-11-2009	ಬೈರಸಂದ್ರ ಸ.ನಂ. 112ರ ಕೆರೆ ಒತ್ತುವರಿ ಬಗ್ಗೆ ಸ್ಥಳ ತನಿಖೆ ಮತ್ತು ಕಛೇರಿಯಲ್ಲಿ ಸಭೆ.
2	01-12-2009	ದೇವನಹಳ್ಳಿ ತಾಲ್ಲೂಕು, ದೇವನಹಳ್ಳಿ ಹೋಬಳಿಯ ಅಮಾನಿ ಕೆರೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ.
3	04-12-2009	ಬೆಂಗಳೂರು ದಕ್ಷಿಣ ತಾಲ್ಲೂಕು, ಚಿಕ್ಕಕಲ್ಲಸಂದ್ರ, ಇಟ್ಟಿಮಡು ಕೆರೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ ಮತ್ತು ಸಭೆ.
4	16-12-2009	ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬೈರಸಂದ್ರ ಸ.ನಂ. 112ರ ಕೆರೆ ಒತ್ತುವರಿ ಸ್ಥಳ ಪರಿಶೀಲನೆ.
5	21-01-2010	ಶ್ರೀನಿವಾಸಪುರ ತಾಲ್ಲೂಕಿನ ಅರಣ್ಯ ಇಲಾಖೆ ಜಮೀನು ಒತ್ತುವರಿ ಆದ ಬಗ್ಗೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ.
6	24-02-2010	ದೇವನಹಳ್ಳಿ ಹೋಬಳಿ, ಕನ್ನಮಂಗಲ ಗ್ರಾಮದ ತೋಟಗಾರಿಕೆ ಇಲಾಖೆಯ ಜಮೀನಿನ ಒತ್ತುವರಿ ಬಗ್ಗೆ ಪರಿಶೀಲನೆ
7	30-06-2010	ಆನೇಕಲ್ ತಾಲ್ಲೂಕು, ಜಿಗಣಿ ಹೋಬಳಿ, ಭೂತಾನಹಳ್ಳಿ ಸ.ನಂ.64 & 67ರ ಜಮೀನುಗಳ ಸ್ಥಳ ಪರಿಶೀಲನೆ.
8	06-07-2010	ಪಟ್ಟಂದೂರು ಅಗ್ರಹಾರ ಗ್ರಾಮದ (1) ಸ.ನಂ.141 & 142 (2) ಸ.ನಂ.85ರ ಕೆರೆ, (3) 54ರ ಕೆರೆ (4) ದೇವರಬೀಸನಹಳ್ಳಿ ಸ.ನಂ.18ರ ಕೆರೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ.
9	08-07-2010	ಭೂತಾನಹಳ್ಳಿ ಸ್ಥಳ ಪರಿಶೀಲನೆ.
10	15-07-2010	ಎನ್.ಆರ್.ಪುರ ಮತ್ತು ಕೊಪ್ಪ ತಾಲ್ಲೂಕುಗಳಲ್ಲಿ ಅರಣ್ಯ ಪ್ರದೇಶವನ್ನು ಒತ್ತುವರಿ ಮಾಡಿರುವ ಬಗ್ಗೆ ಪರಿಶೀಲನೆ
11	21-07-2010	ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಚಿನ್ನಪ್ಪನಹಳ್ಳಿ ಮತ್ತು ರಾಮಗೊಂಡನಹಳ್ಳಿ ಒತ್ತುವರಿ ಬಗ್ಗೆ ಸ್ಥಳ ತನಿಖೆ ಮತ್ತು ಸಭೆ.
12	06-08-2010	ಜಾಲಾ ಹೋಬಳಿ, ಸಾತನೂರು ಸ.ನಂ.54ರ ಸ್ಥಳ ತನಿಖೆ.
13	20-08-2010	ಶಿಕ್ಷಣ ಇಲಾಖೆ ರವರು ಸರ್ಕಾರಿ ಜಮೀನನ್ನು ಒತ್ತುವರಿ ಮಾಡಿರುವ ಬಗ್ಗೆ ಗುಲ್ಬರ್ಗಾದಲ್ಲಿ ಸ್ಥಳ ಪರಿಶೀಲನೆ.
14	15-09-2010	ಮಡಿಕೇರಿ ಟೌನ್‌ನಿನ ಸರ್ಕಾರಿ ಜಮೀನಿನ ಒತ್ತುವರಿ ಬಗ್ಗೆ ಪರಿಶೀಲನೆ
15	20-10-2010	ಅರೇಹಳ್ಳಿ ಮತ್ತು ಗುಡ್ಡದಹಳ್ಳಿ ಗ್ರಾಮಗಳ ಒತ್ತುವರಿ ಜಮೀನಿನ ಪರಿಶೀಲನೆ.
16	08-12-2010	ಸೊನ್ನೇನಹಳ್ಳಿ, ಕೊಟ್ಟಿಗೆತಿಮ್ಮನಹಳ್ಳಿ ಗ್ರಾಮಗಳ ಸರ್ಕಾರಿ ಜಮೀನಿನ ಪರಿಶೀಲನೆ
17	17-01-2011	ಆನೇಕಲ್ ತಾಲ್ಲೂಕು, ಜಿಗಣಿ ಹೋಬಳಿ, ಹುಲಿಮಂಗಲ ಸರ್ವೆ ನಂ. 154, 155, 156ರ ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಒತ್ತುವರಿ ಬಗ್ಗೆ ಸ್ಥಳ ತನಿಖೆ.
18	19-01-2011	ಆನೇಕಲ್ ತಾಲ್ಲೂಕು, ಬಿಲ್ವಾರದಹಳ್ಳಿ ಗ್ರಾಮದ ಸ.ನಂ. 6,7,31, ಕನ್ನನಾಯಕನಹಳ್ಳಿ ಅಗ್ರಹಾರ ಗ್ರಾಮದ ಸ.ನಂ.16, 17ರ ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಒತ್ತುವರಿ ಬಗ್ಗೆ ಸ್ಥಳ ತನಿಖೆ ಮಾಡಿದೆ.
19	08-04-2011	ಆನೇಕಲ್ ತಾಲ್ಲೂಕು ತಮ್ಮನಾಯಕನಹಳ್ಳಿ ಗ್ರಾಮದ ಸ.ನಂ.23 ಮತ್ತು ಹುಲಿಮಂಗಲ ಗ್ರಾಮದ ಸ.ನಂ.155, 156 & 157ರ ಸರ್ಕಾರಿ ಜಮೀನುಗಳ ಒತ್ತುವರಿ ಬಗ್ಗೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ.



✓<sup>1</sup> [32-A. Prohibition of unauthorised occupation of land.—(1) Any person who unauthorisedly enters upon and uses or occupies any land belonging to the Board to the use or occupation of which he is not entitled or has ceased to be entitled, shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees.

(2) Any person who having unauthorisedly occupied, whether before or after the commencement of the Karnataka Municipal Corporations and certain other Laws (Amendment) Act, 1984 any land belonging to the Board to the use or occupation of which he is not entitled or has ceased to be entitled, fails to vacate such land in pursuance of an order under sub-section (1) of Section 5 of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974), shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees and with a further fine which may extend to fifty rupees per acre of land or part thereof for every day on which the occupation continues after the date of the first conviction for such offence.

(3) Whoever intentionally aids or abets the commission by any other person of an offence punishable under sub-section (1) or sub-section (2) shall, on conviction be punishable with the same punishment provided for such offence under the said sub-sections.]

✓<sup>2</sup> [33-A. Prohibition of unauthorised occupation of land.—(1) Any person who unauthorisedly enters upon and uses or occupies any land belonging to the authority to the use or occupation of which he is not entitled or has ceased to be entitled, shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees.

(2) Any person who having unauthorisedly occupied whether before or after the commencement of the Karnataka Municipal Corporations and certain Other Laws (Amendment) Act, 1984, any land belonging to the authority to the use or occupation of which he is not entitled or has ceased to be entitled, fails to vacate such land in pursuance of an order under sub-section (1) of Section 5 of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974) shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees and with a further fine which may extend to fifty rupees per acre of land or land or part thereof for every day on which the occupation continues after the date of the first conviction for such offence.

(3) Whoever intentionally aids or abets the commission by any other person of an offence punishable under sub-section (1) or sub-section (2) shall, on conviction, be punishable with the same punishment provided for such offence under the said sub-sections.]

1. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
2. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
3. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
4. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
5. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
6. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
7. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
8. Section 33-A inserted by Act No. 34 of 1984, w.e.f. 26-6-1984.

✓ "slum-grabber" means a person, who illegally takes possession of any land (whether belonging to Government, local authority or any other person) or enters into, or creates illegal tenancies or leave and licence agreements or any other agreement in respect of such lands ; or who constructs unauthorised structures thereon for sale or hire, or gives such lands to any person on rental or leave and licence basis for construction or use and occupation, of unauthorised structures or who knowingly gives financial aid to any person for taking illegal possession of such lands, or for construction of unauthorised structures thereon, or who collects or attempts to collect from any occupier of such lands, rent, compensation or other charges by criminal intimidation, or who evicts or attempts to evict any such occupier by force without resorting to the lawful procedure; or who abets in any manner the doing of any of the above mentioned things ;

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✓ 3. Power to make orders detaining certain persons.- (1) The State Government may, if satisfied with respect to any bootlegger or drug-offender or gambler or goonda or immoral traffic offender or slum-grabber that with a view to prevent him from acting in any manner prejudicial to the maintenance of public order, it is necessary so to do, make an order directing that such persons be detained.

(2) If, having regard to the circumstances prevailing or likely to prevail in any area within the local limits of the jurisdiction of a District Magistrate or a Commissioner of Police, the State Government is satisfied that it is necessary so to do, it may, by order in writing, direct that during such period as may be specified in the order, such District Magistrate or Commissioner of Police may also, if satisfied as provided in sub-section (1), exercise the powers conferred by the sub-section :

Provided that the period specified in the order made by the State Government under this sub-section shall not, in the first instance, exceed three months, but the State Government may, if satisfied as aforesaid that it is necessary so to do, amend such order to extend such period from time to time by any period not exceeding three months at any one time.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government together with the grounds on which the order has been made and such other particulars as, in his opinion, have a bearing on the matter and no such order shall remain in force for more than twelve days after the making thereof, unless, in the meantime, it has been approved by the State Government.

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74. Prohibition of unauthorised occupation of land.—(1) Any person who unauthorisedly enters upon and uses or occupies any land belonging to the authority to the use or occupation of which he is not entitled or has ceased to be entitled, shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees.

(2) Any person who having unauthorisedly occupied whether before or after the commencement of this Act, any land belonging to the authority to the use or occupation of which he is not entitled, or has ceased to be entitled, fails to vacate such land in pursuance of an order under sub-section (1) of Section 5 of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974) shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees and with a further fine which may extend to fifty rupees per acre of land or part thereof for every day on which the occupation continues after the date of the first conviction for such offence.

(3) Whoever intentionally aids or abets the commission by any other person of an offence punishable under sub-section (1), or sub-section (2) shall, on conviction, be punished with the same punishment provided for such offence under the said sub-sections.

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Panchayat Raj

[1993: KAR. ACT 14

72. Obstructions and encroachments upon public streets and open sites.—(1) Whoever not duly authorised in this behalf, within the limits of a panchayat area,

- (a) shall have built or set up, or shall build or set up, any wall, fence, rail, post, stall, verandah, platform, plinth, step or any projecting structure or other encroachment or obstruction; or
- (b) shall deposit or cause to be placed or deposited any box, bale, package, or merchandise or any other thing in any public street or place or in or over or upon any open drain, gutter, sewer or aqueduct in such street or places,

shall on conviction, be punished with fine which may extend to one hundred rupees and with further fine which may extend to five rupees for every day on which such projection encroachment, obstruction or deposit continues after the date of first conviction for such offence.

(2) The Grama Panchayat shall have power to remove any such obstruction or encroachment, and shall have the like power to remove any unauthorised obstruction or encroachment of the like nature in any open site not being private property, whether such site is vested in the Grama Panchayat or not. The expenses of such removal shall be paid by the person who has caused the said obstruction or encroachment and shall be recoverable as if it were a tax imposed under section 199.

(3) Whoever, not being duly authorised in that behalf, removes earth, sand other than sand used for domestic purposes by residents of the panchayat area or other materials from, or makes any encroachment in or upon any open site which is not private property shall, on conviction, be punished with fine which may extend to two hundred rupees, and,—

(i) in the case of an encroachment, with further fine which may extend to two rupees for every day on which the encroachment continues after the date of first conviction;

(ii) in the case of removal of earth, sand or other material, twice the value of such earth, sand or other material shall also be recoverable as a fine.

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## *Karnataka Municipal Corporations Act-1976*

✓[436-A. Prohibition of unauthorised occupation of land.—(1) Any person who unauthorisedly enters upon and uses or occupies any land belonging to a Corporation to the use or occupation of which he is not entitled or has ceased to be entitled, shall, on conviction, be punished with Imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees.

(2) Any person who, having unauthorisedly occupied whether before or after the commencement of the Karnataka Municipal Corporations and Certain Other Laws (Amendment) Act, 1984, any land belonging to a Corporation to the use or occupation of which he is not entitled or has ceased to be entitled, fails to vacate such land in pursuance of an

order under sub-section (1) of Section 5 of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974), shall, on conviction, be punished with Imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees and with a further fine which may extend to fifty rupees per acre of land or part thereof for every day on which the occupation continues after the date of the first conviction for such offence.

(3) Whoever intentionally aids or abets the commission by any other person of an offence punishable under sub-section (1) or sub-section (2) shall, on conviction, be punishable with the same punishment provided for such offence under the said sub-sections.]

- 
1. Section 434 omitted by Act No. 35 of 1994 and shall be deemed to have come into force w.e.f. 1-6-1994.
  2. Section 436-A inserted by Act No. 34 of 1984, w.e.f. 26-6-1984.

A KJ PUBLICATION

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Public Premises (Eviction of *unauthorised* occupants) Act

1974: KAR. ACT 32]

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✓ 5. Eviction of unauthorised occupants.-(1) If, after considering the cause, if any, shown by any person in pursuance of a notice under section 4 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the competent officer is satisfied that the public premises are in unauthorised occupation, the competent officer may on a date to be fixed for the purpose, make an order of eviction, for reasons to be recorded therein, directing that the public premises shall be vacated by all persons who may be in occupation thereof or any part thereof, and cause a copy of the order to be affixed on the outer door or some other conspicuous part of the public premises.

(2) If any person refuses or fails to comply with the order of eviction within forty-five days from the date of affixture of the order under sub-section (1), the competent officer or any, other officer duly authorised by the competent officer in this behalf may evict that person from, and take possession of, the public premises and may, for that purpose, use such force as may be necessary.

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**PRACTICE AND PROCEDURE**

**Procedure.**—Non-cognizable, warrant, bailable, non-compoundable, triable by Magistrate of the first class.

**Proof.**—The points requiring proof are—

- (1) that accused prepared a false document ;
- (2) he did it with intention to wrongful gain to someone.

**Charge.**—"I (name and office of Magistrate, etc.) hereby charge you (name of the accused) as follows :

That on or about.....at.....forged a certain document, namely.....with intent to cause damage or injury to A for to support any claim or title or to cause any person to part with property or to enter into express or implied contract or with intent to commit fraud or that fraud may be committed, strike out the unnecessary matters) and that you thereby committed an offence punishable under Section 465 of IPC and within the cognizance of this court.

And I hereby direct that you be tried by this Court on the said charge."

**COMMENTS**

**Forgery.**—Mere fact that the accused was found to be in possession of forged document that would not *(ipso facto)* show in the

1. Ins. by the Information Technology Act, 2000 [Act No. 21 of 2000], Sch. I cl. 9(b), (w.e.f. 17.10.2000).

**SEC. 466] OF OFFENCES RELATING TO DOCUMENTS AND TO PROPERTY MARKS**

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absence of other material that he knew or had reason to believe that they were forged documents.—*Santosh Kumar Padhy v. State of Orissa*, (1991)3 Crimes 568 (Ori).

Agreement executed by and between parties *simpliciter* cannot be said to a forged document.—*A.K. Khoshla v. T.S. Venkatesan*, 1992 Cri LJ 1448 (Cal).

**Quashing of proceedings.**—In matter of allegations for manufacturing false documents to be presented before Court, a joint complaint is filed against all three accused without specifically mentioning offences against each one of them, legally other two *accused* no offence is made are liable to be freed ; proceedings against them are liable to be quashed.—*C.R. Alimchandani v. I.K. Shah*, 1999 Cr.L.J. 2416 (Bom).

**466. Forgery of record of Court or of public register, etc.**—"(Whoever forges a document or an electronic record, purporting to be a record or proceeding of or in a Court of Justice, or a register of birth, baptism, marriage or burial, or a register kept by a public servant as such, or a certificate or document purporting to be made by a public servant in his official capacity, or an authority to institute or defend a suit, or to take any proceedings therein, or to confess judgment, or a power-of-attorney, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**[Explanation.**—For the purposes of this section, "register" includes any list, data or record of any entries maintained in the electronic form as defined in clause (r) of sub-section (1) of Section 2 of the Information Technology Act, 2000.]

**PRACTICE AND PROCEDURE**

**Procedure.**—Non-cognizable, warrant, non-bailable, non-compoundable, triable by Magistrate of the first class.

**Proof.**—The points requiring proof are—

- (1) that the accused forged the document ;
- (2) that the document forged is one of the kinds specified in this section.

**Charge.**—"I (name and office of Magistrate, etc.) hereby charge you (name of the accused) as follows :

That on or about.....at.....you forged the document (specify the document) which purports to be a record of.....in a Court of Justice and that you have committed an offence punishable under Section 466, IPC and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge."

1. Subs. by the Information Technology Act, 2000 [Act No. 21 of 2000] Sch. I, cl. 10(a), (w.e.f. 17.10.2000) for the words "Whoever forges a document".
2. Ins. by the Information Technology Act, 2000 [Act No. 21 of 2000] Sch. I, cl. 9(b), (w.e.f. 17.10.2000).

**468. Forgery for purpose of cheating.**—Whoever commits forgery, intending that the '[document or electronic record forged]' shall be used for the purpose of cheating, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**PRACTICE AND PROCEDURE**

**Procedure.**—Cognizable, warrant, non-bailable, non-compoundable, triable by Magistrate of the first class.

**Proof.**—The points requiring proof are—

- (1) that, the document is a forged;
- (2) that the accused forged the document;
- (3) that he did as above intending that the forged document would be used for the purpose of cheating.

**Charge.**—'I (name and office of Magistrate, etc.) hereby charge you (name of the accused) as follows:

That on or about.....at.....you forged a certain document to wit.....intending that it shall be used for cheating and that you thereby committed an offence punishable under Section 468 of IPC and within the cognizance of this court.

And I hereby direct that you be tried by this Court on the said charge."

**469. Forgery for purpose of harming reputation.**—Whoever, commits forgery, '[intending that the document or electronic record forged] shall harm the reputation of any party, or knowing that it is likely to be used for that purpose, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

**PRACTICE AND PROCEDURE**

**Procedure.**—Cognizable, warrant, bailable, non-compoundable, triable by Magistrate of the first class.

1. Subs. by the Information Technology Act, 2000 (Act No. 21 of 2000) Sch. I cl. 11, (w.e.f. 17.10.2000), for the words "document forged".
2. Subs. by the Information Technology Act, 2000 (Act No. 21 of 2000) Sch. I cl. 12, (w.e.f. 17.10.2000) for the word "intending that the document forged".

*Forest (Conservation) Act - 1980*  
KARNATAKA LOCAL LAWS - VOL. 11

S. 3(ii)

✓ **2. Restriction on the de-reservation of Forests or use of forest land for non-forest purpose.**—Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing—

- (i) that any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;
- (ii) that any forest land or any portion thereof may be used for any non-forest purpose;
- <sup>1</sup>[(iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government;
- (iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for re-afforestation.]

<sup>2</sup>[Explanation.—For the purpose of this section "non-forest purpose" means the breaking up or clearing of any forest land or portion thereof for.—

- (a) the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants;
- (b) any purpose other than re-afforestation,

but does not include any work relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, water holes, trench marks, boundary marks, pipelines or other like purposes.]

**3. Constitution of Advisory Committee.**—The Central Government may constitute a committee consisting of such number of persons as it may deem fit to advise that Government with regard to.—

- (i) the grant of approval under Section 2; and
- (ii) any other matter connected with the conservation of forests which may be referred to it by the Central Government.



<sup>1</sup>[3-A. Penalty for contravention of the provisions of the Act.—Whoever contravenes or abets the contravention of any of the provisions of Section 2, shall be punishable with simple imprisonment for a period which may extend to fifteen days.]

3-B. Offences by authorities and Government Departments.—(1) Where any offence under this Act has been committed.—

- (a) by any department of Government, the head of the department; or
- (b) by any authority, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority;

shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.]

S. 139]

## Criminal Procedure Code

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### B.—Public nuisances

133. Conditional order for removal of nuisance.—(1) Whenever a District Magistrate or a Sub-divisional Magistrate or any other Executive Magistrate especially empowered in this behalf by the State Government, on receiving the report of a police officer or other information and on taking such evidence (if any) as he thinks fit, considers—
- (a) that any unlawful obstruction or nuisance should be removed from any public place or from any way, river or channel which is or may be lawfully used by the public; or
  - (b) that the conduct of any trade or occupation, or the keeping of any goods or merchandise, is injurious to the health or physical comfort of the community, and that in consequence such trade or occupation should be prohibited or regulated, or such goods or merchandise should be removed or the keeping thereof regulated; or
  - (c) that the construction of any building, or the disposal of any substance, as is likely to occasion conflagration or explosion, should be prevented or stopped; or
  - (d) that any building, tent or structure, for any tree is in such a condition that it is likely to fall and thereby cause injury to persons living on carrying on business in the neighbourhood or passing by, and that in consequence the removal, repair or support of such building, tent or structure, or the removal or support of such tree, is necessary; or
  - (e) that any tank, well or excavation adjacent to any such way or public place should be fenced in such manner as to prevent danger arising to the public; or
  - (f) that any dangerous animal should be destroyed, confined or otherwise disposed of.

such Magistrate may make a conditional order requiring the person causing such obstruction or nuisance, or carrying on such trade or occupation, or keeping any such goods or merchandise, or owning, possessing or controlling such building, tent, structure, substance, tank, well or excavation, or owning or possessing such animal or tree, within a time to be fixed in the order—

- (i) to remove such obstruction or nuisance ; or
- (ii) to desist from carrying on, or to remove or regulate in such manner as may be directed, such trade or occupation, or to remove such goods or merchandise, or to regulate the keeping thereof in such manner as may be directed ; or
- (iii) to prevent or stop the construction of such building, or to alter the disposal of such substance ; or
- (iv) to remove, repair or support such building, tent or structure, or to remove or support such trees ; or
- (v) to fence such tank, well or excavation ; or
- (vi) to destroy, confine or dispose of such dangerous animal in the manner provided in the said order,

or, if he objects so to do, to appear before himself or some other Executive Magistrate subordinate to him at a time and place to be fixed by the order, and show cause, in the manner hereinafter provided, why the order should not be made absolute.

(2) No order duly made by a Magistrate under this section shall be called in question in any Civil Court.

*Explanation.*—A "public place" includes also property belonging to the State, camping grounds and grounds left unoccupied for sanitary or recreative purposes.

#### COMMENTS

**Public nuisance—Removal of—Order.**—Where a complaint was filed against a Leather Factory causing nuisance then a final order under Section 133 of Code can be passed by Magistrate only on the basis of conditional order.—*Vallikadan Assanar v. P. K. Moldeen Kutty*, 1999 Cri LJ 4228 (Ker).

**Public nuisance—Removal of—Validity.**—The Magistrate has not violated the procedure prescribed under Cr.P.C., by passing conditional order under Section 133 and after hearing parties and on perusing records passed a final order under Section 138 directing the petitioner to desist from carrying on trade which is injurious to public health.—*S.P. Vishwanathan v. Sub-Divisional Magistrate and Sub-Collector, Coimbatore*, 1999 Cri LJ 4285 (Mad).

**192. Fabricating false evidence.**—Whoever causes any circumstance to exist or *makes any false entry in any book or record, or electronic record or makes any document or electronic record containing a false statement*, intending that such circumstance, false entry or false statement may appear in evidence in a judicial proceeding, or in a proceeding taken by law before a public servant as such, or before an arbitrator, and that such circumstance, false entry or false statement, so appearing in evidence may cause any person who in such proceeding is to form an opinion upon the evidence, to entertain an erroneous opinion touching any point material to the result of such proceeding, is said, "to fabricate false evidence".

#### Illustrations

- (a) A puts jewels into a box belonging to Z, with the intention that they may be found in that box, and that this circumstance may cause Z to be convicted of theft. A has fabricated false evidence.

1. Subs. by Information Technology Act, 2000 (Act No. 21 of 2000), Sch. I, cl. 8, (w.e.f. 17.10.2000), for the words "makes any false entry in any book or record, or makes any document containing a false statement".

#### OF FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE

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- (b) A makes a false entry in his shop-book for the purpose of using it as corroborative evidence in a Court of Justice. A has fabricated false evidence.
- (c) A, with the intention of causing Z to be convicted of a criminal conspiracy, writes a letter in imitation of Z's handwriting, purporting to be addressed to an accomplice in such criminal conspiracy, and puts the letter in a place which he knows that the officers of the police are likely to search. A has fabricated false evidence.

#### PRACTICE AND PROCEDURE

**Ingredients.**—The following are the ingredients of the offence defined in this section :—

1. (a) causing any circumstance to exist ; or.
- (b) making any false entry in a book or record or electronic record ; or
- (c) making a document or electronic record containing a false statement.
2. Such circumstance, false entry or false statement must have been intended to appear in evidence in—
  - (i) a judicial proceeding ; or,
  - (ii) a proceeding taken by law before a public servant or an arbitrator.
3. Such circumstance, so appearing in evidence might cause any person, who in such proceeding, is to form an opinion upon the evidence, to entertain an erroneous opinion.
4. Such opinion must touch any of material point.

**193. Punishment for false evidence.**—Whoever intentionally gives false evidence in any stage of a judicial proceedings, or fabricates false evidence for the purpose of being used in any stage of a judicial proceeding, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine ;

and whoever intentionally gives or fabricates false evidence in any other case, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

**Explanation 1.**—A trial before a Court-martial is a judicial proceeding.

**Explanation 2.**—An investigation directed by law preliminary to a proceeding before a Court of Justice, is a stage of judicial proceeding, though that investigation may not take place before a Court of Justice.

#### Illustration

A, in an enquiry before a Magistrate for the purpose of ascertaining whether Z ought to be committed for trial, makes on oath a statement which he knows to be false. As this enquiry is a stage of a judicial proceeding, A has given false evidence.

Cr. M. A.—15

**Explanation 3.**—An investigation directed by a Court of Justice according to law, and conducted under the authority of a Court of Justice, is a stage of a judicial proceeding, though that investigation may not take place before a Court of Justice.

#### Illustration

A, in an enquiry before an officer deputed by a Court of Justice to ascertain on the spot the boundaries of land, makes on oath a statement which he knows to be false. As this enquiry is a stage of judicial proceeding, A has given false evidence.

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✓<sup>8</sup>[33-A. Prohibition of unauthorised occupation of land.—(1) Any person who unauthorisedly enters upon and uses or occupies any land belonging to the authority to the use or occupation of which he is not entitled or has ceased to be entitled, shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees.

(2) Any person who having unauthorisedly occupied whether before or after the commencement of the Karnataka Municipal Corporations and certain Other Laws (Amendment) Act, 1984, any land belonging to the authority to the use or occupation of which he is not entitled or has ceased to be entitled, fails to vacate such land in pursuance of an order under sub-section (1) of Section 5 of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974) shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees and with a further fine which may extend to fifty rupees per acre of land or land or part thereof for every day on which the occupation continues after the date of the first conviction for such offence.

(3) Whoever intentionally aids or abets the commission by any other person of an offence punishable under sub-section (1) or sub-section (2) shall, on conviction, be punishable with the same punishment provided for such offence under the said sub-sections.]

1. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
2. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
3. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
4. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
5. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
6. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
7. Substituted for the word "Chairman" by Act No. 18 of 1981 and shall be deemed to have come into force w.e.f. 30-12-1980.
8. Section 33-A inserted by Act No. 34 of 1984, w.e.f. 26-6-1984.

#### A KLJ PUBLICATION

✓<sup>1</sup>[32-A. Prohibition of unauthorised occupation of land.—(1) Any person who unauthorisedly enters upon and uses or occupies any land belonging to the Board to the use or occupation of which he is not entitled or has ceased to be entitled, shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees.

(2) Any person who having unauthorisedly occupied, whether before or after the commencement of the Karnataka Municipal Corporations and certain other Laws (Amendment) Act, 1984 any land belonging to the Board to the use or occupation of which he is not entitled or has ceased to be entitled, fails to vacate such land in pursuance of an order under sub-section (1) of Section 5 of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974), shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees and with a further fine which may extend to fifty rupees per acre of land or part thereof for every day on which the occupation continues after the date of the first conviction for such offence.

(3) Whoever intentionally aids or abets the commission by any other person of an offence punishable under sub-section (1) or sub-section (2) shall, on conviction be punishable with the same punishment provided for such offence under the said sub-sections.]

[64. x x x]

1. Omitted by Act 1 of 1981 w.e.f. 23.2.1981.

[64A. Penalty for unauthorisedly taking possession of land constituted as reserved forest, <sup>2</sup>[district forest, village forest, protected forest and any other land under the control of the Forest Department]<sup>2</sup>.—(1) Any person unauthorisedly occupying any land in reserved forest, <sup>2</sup>[district forest, village forest, protected forest and any other land under the control of the Forest Department]<sup>2</sup> may, without prejudice to

any other action that may be taken against him under any other provision of this Act or any other law for the time being in force, be summarily evicted, by a Forest Officer not below the rank of an Assistant Conservator of Forests and any crop including trees raised in the land and any building or other construction erected thereon shall, if not removed by him within such time as the Forest Officer may fix, be liable to forfeiture:

Provided that before evicting a person under this sub-section he shall be given a reasonable opportunity of being heard.

(2) Any property forfeited under sub-section (1) shall be disposed of in such manner as the Forest Officer may direct and the cost of removal of any crop, building or other work and of all works necessary to restore the land to its original condition shall be recoverable from the person evicted in the manner provided in section 109.

(3) Any person aggrieved by an order of the Forest Officer under sub-section (1) may, within such period and in such manner as may be prescribed, appeal against such order to the State Government or to such officer as may be authorised by the State Government in this behalf and the order of the Forest Officer shall, subject to the decision in such appeal, be final.]'

1. Inserted by Act 23 of 1974 w.e.f. 16.9.1974.

2. Inserted by Act 12 of 1990 w.e.f. 11.5.1990.

✓ 54. Encroachment upon lands and buildings.- Where the Assistant Commissioner has reason to believe that any person has encroached upon

any land or building which is appertenant to or adjoins any sacred tank, well, spring or water course belonging to a notified institution or a declared institution whether situated within or outside the precincts thereof or any space within or outside the prakaras, mantaps, court yards or corridors of the institution, the Assistant Commissioner may cause to be served upon the encroacher a notice specifying the particulars of encroachment and calling upon him to show cause before a date to be specified in the notice why an order requiring him to remove the encroachment should not be made. A copy of the notice shall also be sent to the Chairman, Manager or such other person interested in the institution and after considering the objections, if any, of the encroacher and the Chairman, Manager or such other person, the Assistant Commissioner may, if he decides that there has been an encroachment, by order, require the encroacher to remove the encroachment and deliver possession of the land or building encroached upon, to the Chairman, Manager or such other person interested in the institution before the date to be specified in the order.

(2) Where before the date specified in the order under sub-section (1), the encroacher has not removed the encroachment and has not vacated the land, building or place, the Assistant Commissioner shall take steps to resume and restore such land, building or place to the institution in accordance with the provisions of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974.

54. Removal of encroachment from wakf property.—(1) Whenever the Chief Executive Officer considers whether on receiving any complaint or on his own motion that there has been an encroachment on any land, building, space or other property which is wakf property and, which has been registered as such under this Act, he shall cause to be served upon the encroacher a notice specifying the particulars of the encroachment and calling upon him to show cause before a date to be specified in such notice, as to why an order requiring him to remove the encroachment before the date so specified should not be made and shall also send a copy of such notice to the concerned mutawalli.

(2) The notice referred to in sub-section (1) shall be served in such manner as may be prescribed.

(3) If, after considering the objections, received during the period specified in the notice, and after conducting an inquiry in such manner as may be prescribed, the Chief Executive Officer is satisfied that the property in question is wakf property and that there has been an encroachment on any such wakf property, he may, by an order, require the encroacher to remove such encroachment and deliver possession of the land, building, space or other property encroached upon to the mutawalli of the wakf.

(4) Nothing contained in sub-section (3) shall prevent any person aggrieved by the order made by the Chief Executive Officer under that sub-section from instituting a suit in a Tribunal to establish that he has right, title or interest in the land, building, space or other property :

Provided that no such suit shall be instituted by a person who has been let into possession of the land, building, space or other property as a lessee, licensee or mortgagee by the mutawalli of the wakf or by any other person authorised by him in this behalf.

55. Enforcement of orders made under Section 54.—Where the person, ordered under sub-section (3) of Section 54 to remove any encroachment, omits or fails to remove such encroachment, within the time specified in the order or, as the case may be, fails to vacate the land, building, space or other property to which the order relates, within the time aforesaid, the Chief Executive Officer may apply to the Sub-Divisional Magistrate within the local limits of whose jurisdiction the land, building, space or other property is situated for evicting the encroacher, and, thereupon, such Magistrate shall make an order directing the encroacher to remove the encroachment, or, as the case may be, vacate the land, building, space or other property and to deliver possession thereof to the concerned mutawalli and in default of compliance with the order, remove the encroachment or, as the case may be, evict the

encroacher from the land, building, space or other property and may, for this purpose, take such police assistance as may be necessary.

# Karnataka Land Revenue Act - 1964

✓ 94. Penalties for unauthorised occupation of land.—(1) Any person who shall unauthorisedly enter upon the occupation of any land set apart for any special purpose or any unoccupied land which has not been alienated and any person, who uses or occupies any such land to the use or occupation of which he is not entitled or has ceased to be entitled, shall pay twice such amount of assessment for every year of his unauthorised occupation, as would be leviable in the same village on the

his unauthorised occupation, to a fine not exceeding five hundred rupees per acre, if such occupation has been for the purposes of cultivation, and not exceeding one thousand rupees per acre, if such occupation has been for any non-agricultural purpose.

<sup>1</sup>[(2) The Deputy Commissioner, in determining the amount of assessment and the fine under sub-section (1), shall count occupation for a portion of a year as whole year.]

(3) Notwithstanding anything contained in the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1961 (Karnataka Act 3 of 1962), the person unauthorisedly occupying any such land shall also be summarily evicted by the Deputy Commissioner and any crop including trees, raised in the land shall be liable to forfeiture, and any building or other construction erected thereon shall also, if not removed by him after such written notice as the Deputy Commissioner may deem reasonable, be liable to forfeiture or to summary removal.

(4) Forfeitures under this section shall be adjudged by the Deputy Commissioner and any property so forfeited shall be disposed of, as the Deputy Commissioner may direct and the cost of the removal of any encroachment under this section shall be recoverable as an arrear of land revenue.

<sup>2</sup>[94-A. 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 taluk a committee consisting of such number of members <sup>3</sup>[not exceeding five] of whom one shall be a member of Legislative Assembly, for the purpose of grant land under sub-section (4).

(2) The Tahsildar of the concerned taluk shall be the Secretary of the Committee.

<sup>4</sup>[(2-A) 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

1. Sub-section (2) substituted by Act No. 33 of 1994 and shall be deemed to have come into force w.e.f. 6-7-1994.

2. Section 94-A inserted by Act No. 2 of 1991. with effect from 20-3-1991



jurisdictions of the Committee and the additional Committee and transfer the pending applications to the respective Committee.]

(3) The <sup>1</sup>[Committee or additional Committee] shall follow such procedure as may be prescribed.

(4) Nothing in Section 94 shall prevent the committee constituted under sub-section (1), <sup>2</sup>[or additional Committee constituted under sub-section (2-A)] 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 <del>25</del> Kms.
2.	The Cities of Belgaum, Gulbarga, Hubli-Dharwad, Mangalore and Mysore respectively under the provisions of Karnataka Municipal Corporation Act, 1976.	10 <del>18</del> Kms.
3.	All City Municipalities <sup>1</sup> [having more than fifty thousand population and constituted] under the Karnataka Municipalities Act, 1964.	5 Kms.

1. Substituted for the word "Committee" by Act No. 33 of 1994 and shall be deemed to have come into force w.e.f. 6-7-1994.

<sup>1</sup>[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), <sup>2</sup>[sub-section (2-A)] shall be such as may be prescribed.

(6) Notwithstanding anything contained in the preceding sub-section.—

<sup>3</sup>[(a) The Tahsildar concerned shall issue the order of grant of land, on the recommendations of the Committee or additional Committee, as the case may be, if any and issue the saguvali chit. The amount payable, if any, shall be paid in three equal instalments of which the first one shall be paid before the expiry of a period of thirty days from the date of communication of the order of grant and the remaining two within such period as may be prescribed; and]

<sup>4</sup>[(b) x x x x x;]

(c) the trees, if any, standing on the land granted and the granite in such land shall continue to belong to the Government, which may at its discretion be disposed off by it, in such manner as it may deem fit.]

<sup>5</sup>[94-B. Grant of land in certain cases.—(1) Notwithstanding anything contained in this Act, if the Deputy Commissioner or other Officer

1. Third proviso inserted by Act No. 33 of 1994 and shall come into force w.e.f. 6-7-1994.
2. Inserted by Act No. 33 of 1994 and shall be deemed to have come into force w.e.f. 6-7-1994.
3. Clause (a) substituted by Act No. 33 of 1994 and shall be deemed to have come into force w.e.f. 8-7-1994.
4. Clause (b) omitted by Act No. 33 of 1994 and shall be deemed to have come into force w.e.f. 6-7-1994.

authorised by the State Government in this behalf is satisfied after holding such enquiry as he deems fit, that a person.—

- (i) has, prior to the fourteenth day of April, 1990, un-authorisedly occupied any land including land referred to in sub-section (2) of Section 79 from which he is liable to be evicted under Section 94; and
- (ii) being eligible to grant of such land under Section 94-A has failed to apply for such grant under sub-section (4) of the said section within the period specified therein: and

Provided that nothing in this clause shall apply to a person who has become eligible for grant of land by virtue of the Karnataka Land Revenue (Amendment) Act, 1997;

- (iii) has continued to be in actual possession of such land on the date of commencement of the Karnataka Land Revenue (Amendment) Act, 1997.

he may <sup>1</sup>{<sup>2</sup>[within eight years] from the date of commencement of the Karnataka Land Revenue (Amendment) Act, 2000] and subject to such rules, as may be prescribed make recommendations to the Committee or the Additional Committee, as the case may be, constituted under Section 94-A and such committee may on receipt of the recommendation grant the land to such person:

Provided that if an application made under Section 94-A by any other person for grant of the same land is pending consideration under that section the committee, or the Additional Committee, as the case may be, shall consider the claim of such other person before granting the land under this sub-section:

Provided further that where prior approval of the Central Government under Section 2 of the Forest Conservation Act, 1980 (Central Act 69 of 1980) is required for grant of any land under this section, such grant shall not be made without such prior approval.

(2) The provisions of the first proviso, Second Proviso, including the table and the explanation in sub-section (4) and of sub-sections (5) and (6) of Section 94-A shall apply *mutatis mutandis* in respect of the grant of land made under sub-section (1).

(3) Nothing in this section shall apply to forest land except any land referred to in sub-section (2) of Section 79 which is classified as forest land.]

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**<sup>1</sup>[CHAPTER XIV-A  
OFFENCES AND PENALTIES**

192-A. Offences and Penalties.—Notwithstanding anything contained in the Act or the rules made thereunder whoever commits any of the offence specified in the column (2) of the table below, shall on conviction by a Judicial Magistrate of the First Class for each of such offence be punishable with the sentence indicated in the column (3) thereof.—

**TABLE**

Sl. No.	Offence	Punishment
(1)	(2)	(3)
(1)	Unlawfully enters or occupies on any Government land with the intention of holding that Government land:  Provided that it shall not apply to cases of Jamma, Bane lands in Coorg District or encroached Government lands regularised or pending for regularisation before the Committee constituted under Sections 94-A, 94-B and 94-C of the Act	Imprisonment for one year and fine of rupees five thousand
(2)	Cheats and thereby dishonestly creates documents for the purpose of selling, mortgaging or transferring by gift or otherwise of any Government land	Imprisonment for three years and fine of rupees ten thousand
(3)	Creates a forged document regarding Government lands with an intention to use it for that purpose or to grab such land	Imprisonment for three years and fine of rupees five thousand
(4)	Being a Revenue Officer entrusted with the responsibility of reporting unlawful occupation of Government land or initiating action to remove such unauthorised occupiers fails to report or take action to remove such unlawful occupants:  Provided that it shall not apply to cases of Jamma, Bane lands in Coorg District or encroached Government lands regularised or pending for regularisation before the Committee constituted under Sections 94-A, 94-B	Imprisonment for three years and fine of rupees ten thousand

(5)	Sells any agricultural land for non-agricultural purposes without getting such land converted or without obtaining prior approval of the Competent Authority:  Provided that it shall not apply to cases which are regularised by the Government by formulating a special scheme in this behalf	Imprisonment for three years and fine of rupees ten thousand
(6)	Creates a forged document, regarding conversion of agricultural land for non-agricultural use or authorising the holder of agricultural land to use for non-agricultural purpose	Imprisonment for one year and fine of rupees five thousand
(7)	Being a public servant entrusted with the responsibility of maintaining records or entrusted with the responsibility of reporting unlawful conversion to the Competent Authority fails to report to the Competent Authority or to initiate action against unlawful conversion of revenue lands for non-agricultural purposes:  Provided that it shall not apply to cases which are regularised by the Government by formulating a special scheme in this behalf	Imprisonment for three years and fine of rupees ten thousand
(8)	Contravenes any lawful order passed under this Act	With fine which may extend to five thousand rupees for the first offence and five times the fine for the second and subsequent offences

**192-B. Abetment of offences.**—Whoever abets any offence punishable by or under this Act or attempts to commit any such offence shall be

**192-C. Punishment under other laws not barred.**—Nothing in this Act shall prevent any person from being prosecuted and punished under any other law for the time being in force for any Act or omission made punishable by or under this Act:

Provided that no person shall be so prosecuted and punished for the same offence more than once.

**192-D. Complicity of offences.**—Offences under this Chapter, shall be

## Karnataka Land Grant Rules, 1969

10. Restriction on disposal of land in certain cases.—(1) No land with more than fifty reserved trees in a hectare shall be disposed of for cultivation except under the orders of the Deputy Commissioner.

<sup>2</sup>(2) No land.—

(i) within the municipal limits of the City of Bangalore and in any village situated within a radius of sixteen kilometres from the municipal limits of the City of Bangalore:

<sup>3</sup>[Provided that the Deputy Commissioner may, if satisfied that any such land is not required for a public purpose grant such land for agricultural purposes;] or

(ii) within the municipal limits of cities of Mysore, Davangere, Mangalore, Hubli-Dharwar, <sup>4</sup>[Belgaum], Kolar Gold Fields area and

1. Sub-rule (3) inserted by GSR 300, dated 1-9-1972, w.e.f. 7-9-1972.

2. Sub-rule (2) substituted by GSR 992 dated 2-11-1970 — w.e.f. 10-11-1970.

Bagalkote Town in any village situated within a radius of seven kilometres from the municipal limits of the said places; or

(iii) within the municipal limits of District Headquarters and towns of Gadag-Betegeri and Dandeli and in any village situated within a radius of five kilometres from the municipal or town limits of the said places; or

(iv) within the municipal limits of Taluk Headquarters and towns connected by railway and in any village situated within a radius of three kilometres from the municipal or town limits of the said places; or

(v) within the limits of other municipalities, other Taluk Headquarters and Town Panchayats and in any village situated within a radius of one and a half kilometre from the said places, shall be granted under these rules for the purpose of agriculture.

Explanation.—For the purpose of this sub-rule, if the headquarters, gramathana or chavadi of a village is within the radius specified in this sub-rule, the whole of such village shall be deemed to be within the radius specified in this sub-rule;

(vi) One mile from the municipal limits of other Taluk Headquarters, towns and other Municipal and Panchayat town;

shall be granted under these rules for the purpose of agriculture.]

(3) Notwithstanding anything contained in <sup>1</sup>[clause (iii) of sub-rule (1) of Rule 7 and Rule] 18, lands within the radius specified in sub-rule (2) shall not be granted for non-agricultural purposes without the previous approval of the State Government:

<sup>2</sup>[Provided that such approval shall not be necessary for grant of building sites within the radius specified in clauses (iii), (iv) and (v) of sub-rule (2) excluding the municipal limits of District Headquarters:]

<sup>3</sup>[Provided that such approval shall not be necessary for grant of building sites within the radius specified in clauses (iii), (iv) and (v) of sub-rule (2) excluding the Municipal limits of District Head Quarters.]

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<sup>3</sup>[CHAPTER XIII-A

## REGULARISATION OF UNAUTHORISED OCCUPATION OF LAND

108-B. Definitions.—For the purpose of this Chapter, unless the context otherwise requires.—

<sup>4</sup>[(a) "Additional Committee" means the Additional Committee constituted in accordance with sub-section (2-A) of Section 94-A;]

<sup>5</sup>[(aa)] "Committee" means committee constituted under Section 94-A;

(b) "To cultivate personally" shall have the same meaning as assigned under the Karnataka Land Reforms Act, 1961.

✓ 108-C. Application for Grant of Land.—(1) Any person who is in unauthorised occupation of any land may make an application in writing to the Tahsildar of the Taluk in Form 53 along with a fee of Rupees Two payable by affixing a Court Fee Stamp.

(2) Immediately on receipt of application under sub-rule (1), the Tahsildar shall cause the particulars of the application to be entered in a register which shall be in Form 53 kept in his office. He shall, thereafter, place the application before the Committee <sup>6</sup>[or the Additional Committee] after such scrutiny as may be necessary.

✓ <sup>7</sup>[108-CC. Procedure under Section 94-B.—(1) For the purpose of Section 94 to the Tahsildar of the concerned Taluk shall on receipt of an application or by issuing a public notice in Form No. 53 and by sending individual notice to the occupants in Form No. 54 identify the unauthorised occupants.

(2) He shall thereafter prepare a list of persons eligible for grant in accordance with the provisions of Section 94-B in Form No. 55 and enter the details in a register, kept in Form No. 56 and shall within a period of three months from the date of issues of public notice send all related

1. Sub-rule (3) omitted by GSR 210, dated 30-12-1991 and shall be and shall be deemed to have been omitted w.e.f. 1-10-1990.
2. Rule 108-A inserted by GSR 183, dated 20-5-1969, w.e.f. 21-5-1969.
3. Chapter XIII-A and Rules 108-B to 108-N inserted by GSR 70, dated 9-4-1991.
4. Clause (a) inserted by GSR 158, dated 20-9-1994, w.e.f. 27-9-1994.
5. Clause (a) renumbered as clause (aa) thereof by GSR 158, dated 20-9-1994, w.e.f. 27-9-1994.

documents to the Deputy Commissioner or other officer authorised under Section 94-B.

✓ (3) The Deputy Commissioner or other Officer authorised under Section 94-B shall on receipt of the documents from the Tahsildar make spot inspection, examine the documentary and circumstantial evidence, determine the eligibility or otherwise and make the recommendation to the committee within three months from the date of receipt of the document from the Tahsildar.

(4) Provisions of sub-rules (3), (4) and (5) of Rule 10 shall *mutatis mutandis* apply for the purpose of grant of land under Section 94-B.]



(c) the Tahsildar of the concerned taluk.

(2) The quorum of the Additional Committee shall be two, of which one shall be the Tahsildar.]

108-F. Eligibility for Grant.—No person shall be eligible for grant of land under this Chapter, unless.—

(i) he has attained the age of eighteen years; and

<sup>1</sup>[(ii) x x x x x.]

(iii) he is a permanent resident within the limits of the Taluk in which the land is situated or in the adjacent Taluk; and

(iv) he is a *bona fide* agriculturist cultivating the land personally and is not prohibited from holding or acquiring land under the provisions of Karnataka Land Reforms Act, 1961; and

(v) he is in authorised occupation of land for at least a continuous period of not less than three years prior to the Fourteenth day of April, 1990:

Provided that in the case of persons belonging to scheduled Castes and Scheduled Tribes, such period shall be not less than one year.

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✓ 3. Power to make orders detaining certain persons.- (1) The State Government may, if satisfied with respect to any bootlegger or drug-offender or gambler or goonda or immoral traffic offender or slum-grabber that with a view to prevent him from acting in any manner prejudicial to the maintenance of public order, it is necessary so to do, make an order directing that such persons be detained.

(2) If, having regard to the circumstances prevailing or likely to prevail in any area within the local limits of the jurisdiction of a District Magistrate or a Commissioner of Police, the State Government is satisfied that it is necessary so to do, it may, by order in writing, direct that during such period as may be specified in the order, such District Magistrate or Commissioner of Police may also, if satisfied as provided in sub-section (1), exercise the powers conferred by the sub-section :

Provided that the period specified in the order made by the State Government under this sub-section shall not, in the first instance, exceed three months, but the State Government may, if satisfied as aforesaid that it is necessary so to do, amend such order to extend such period from time to time by any period not exceeding three months at any one time.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government together with the grounds on which the order has been made and such other particulars as, in his opinion, have a bearing on the matter and no such order shall remain in force for more than twelve days after the making thereof, unless, in the meantime, it has been approved by the State Government.

✓ 436-A. Prohibition of unauthorised occupation of land.—(1) Any person who unauthorisedly enters upon and uses or occupies any land belonging to a Corporation to the use or occupation of which he is not entitled or has ceased to be entitled, shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees.

(2) Any person who, having unauthorisedly occupied whether before or after the commencement of the Karnataka Municipal Corporations and Certain Other Laws (Amendment) Act, 1984, any land belonging to a Corporation to the use or occupation of which he is not entitled or has ceased to be entitled, fails to vacate such land in pursuance of an

order under sub-section (1) of Section 5 of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974), shall, on conviction, be punished with imprisonment for a term which may extend to three years and with fine which may extend to five thousand rupees and with a further fine which may extend to fifty rupees per acre of land or part thereof for every day on which the occupation continues after the date of the first conviction for such offence.

(3) Whoever intentionally aids or abets the commission by any other person of an offence punishable under sub-section (1) or sub-section (2) shall, on conviction, be punishable with the same punishment provided for such offence under the said sub-sections.]

1. Section 434 omitted by Act No. 35 of 1994 and shall be deemed to have come into force w.e.f. 1-6-1994

2. Section 436-A inserted by Act No. 34 of 1984, w.e.f. 26-6-1984.

✓ 3. Power to make orders detaining certain persons.- (1) The State Government may, if satisfied with respect to any bootlegger or drug-offender or gambler or goonda or immoral traffic offender or slum-grabber that with a view to prevent him from acting in any manner prejudicial to the maintenance of public order, it is necessary so to do, make an order directing that such persons be detained.

(2) If, having regard to the circumstances prevailing or likely to prevail in any area within the local limits of the jurisdiction of a District Magistrate or a Commissioner of Police, the State Government is satisfied that it is necessary so to do, it may, by order in writing, direct that during such period as may be specified in the order, such District Magistrate or Commissioner of Police may also, if satisfied as provided in sub-section (1), exercise the powers conferred by the sub-section :

Provided that the period specified in the order made by the State Government under this sub-section shall not, in the first instance, exceed three months, but the State Government may, if satisfied as aforesaid that it is necessary so to do, amend such order to extend such period from time to time by any period not exceeding three months at any one time.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government together with the grounds on which the order has been made and such other particulars as, in his opinion, have a bearing on the matter and no such order shall remain in force for more than twelve days after the making thereof, unless, in the meantime, it has been approved by the State Government.

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REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1132 /2011 @ SLP(C) No.3109/2011  
(Arising out of Special Leave Petition.(Civil) CC No. 19869 of 2010)

**Jagpal Singh & Ors.**

**Appellant (s)**

**-versus-**

**State of Punjab & Ors.**

**Respondent (s)**

**JUDGMENT**

**Markandey Katju, J.**

1. Leave granted.
2. Heard learned counsel for the appellants.
3. Since time immemorial there have been common lands inhering in the village communities in India, variously called gram sabha land, gram panchayat land, (in many North Indian States), shamlat deh (in Punjab etc.),

depending on the nature of user. These public utility lands in the villages were for centuries used for the common benefit of the villagers of the village such as ponds for various purposes e.g. for their cattle to drink and bathe, for storing their harvested grain, as grazing ground for the cattle, threshing floor, maidan for playing by children, carnivals, circuses, ramlila, cart stands, water bodies, passages, cremation ground or graveyards, etc. These lands stood vested through local laws in the State, which handed over their management to Gram Sabhas/Gram Panchayats. They were generally treated as inalienable in order that their status as community land be preserved. There were no doubt some exceptions to this rule which permitted the Gram Sabha/Gram Panchayat to lease out some of this land to landless labourers and members of the scheduled castes/tribes, but this was only to be done in exceptional cases.

4. The protection of commons rights of the villagers were so zealously protected that some legislation expressly mentioned that even the vesting of the property with the State did not mean that the common rights of villagers were lost by such vesting. Thus, in Chigurupati Venkata Subbayya vs.

Paladuge Anjappa, 1972(1) SCC 521 (529) this Court observed :

“It is true that the suit lands in view of Section 3 of the Estates Abolition Act did vest in the Government. That by itself does not mean that the rights of the community over it were taken away. Our attention has not been invited to any provision of law under which the rights of the community over those lands can be said to have been taken away. The rights of the community over the suit lands were not created by the landholder. Hence those rights cannot be said to have been abrogated by Section 3© of the Estates Abolition Act.”

5. What we have witnessed since Independence, however, is that in large parts of the country this common village land has been grabbed by unscrupulous persons using muscle power, money power or political clout, and in many States now there is not an inch of such land left for the common use of the people of the village, though it may exist on paper. People with power and pelf operating in villages all over India systematically encroached upon communal lands and put them to uses totally inconsistent with its original character, for personal aggrandizement at the cost of the village community. This was done with active connivance of the State authorities and local powerful vested interests and goondas. This appeal is a glaring example of this lamentable state of affairs.

This appeal has been filed against the impugned judgment of the Division Bench of the Punjab and Haryana High Court dated 21.5.2010. By that judgment the Division Bench upheld the judgment of the learned Single Judge of the High Court dated 10.2.2010.

7. It is undisputed that the appellants herein are neither the owner nor the tenants of the land in question which is recorded as a pond situated in village Rohar Jagir, Tehsil and District Patiala. They are in fact trespassers and unauthorized occupants of the land relating Khewat Khatuni No. 115/310, Khasra No. 369 (84-4) in the said village. They appear to have filled in the village pond and made constructions thereon.

8. The Gram Panchayat, Rohar Jagir filed an application under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 to evict the appellants herein who had unauthorizedly occupied the aforesaid land. In its petition the Gram Panchayat, Rohar Jagir alleged that the land in question belongs to the Gram Panchayat, Rohar as is clear from the revenue records. However, the respondents (appellants herein) forcibly occupied the said land and started making constructions thereon illegally. An application was consequently moved before the Deputy Commissioner informing him about the illegal acts of the respondents (appellants herein) and stating that the

aforesaid land is recorded in the revenue records as Gair Mumkin Toba i.e. a village pond. The villagers have been using the same, since drain water of the village falls into the pond, and it is used by the cattle of the village for drinking and bathing. Since the respondents (appellants herein) illegally occupied the said land an FIR was filed against them but to no avail. It was alleged that the respondents (appellants herein) have illegally raised constructions on the said land, and the lower officials of the department and even the Gram Panchayat colluded with them.

9. Instead of ordering the eviction of these unauthorized occupants, the Collector, Patiala surprisingly held that it would not be in the public interest to dispossess them, and instead directed the Gram Panchayat, Rohar to recover the cost of the land as per the Collector's rates from the respondents (appellants herein). Thus, the Collector colluded in regularizing this illegality on the ground that the respondents (appellants herein) have spent huge money on constructing houses on the said land.

10. Some persons then appealed to the learned Commissioner against the said order of the Collector dated 13.9.2005 and this appeal was allowed on 12.12.2007. The Learned Commissioner held that it was clear that the Gram Panchayat was colluding with these respondents (appellants herein), and it



were issued to the Gram Panchayat to transfer the property to these persons, nor filed an appeal against the Collector's order.

11. The learned Commissioner held that the village pond has been used for the common purpose of the villagers and cannot be allowed to be encroached upon by any private respondents, whether Jagirdars or anybody else. Photographs submitted before the learned Commissioner showed that recent attempts had been made to encroach into the village pond by filling it up with earth and making new constructions thereon. The matter had gone to the officials for removal of these illegal constructions, but no action was taken for reasons best known to the authorities at that time. The learned Commissioner was of the view that regularizing such kind of illegal encroachment is not in the interest of the Gram Panchayat. The learned Commissioner held that Khasra No. 369 (84-4) is a part of the village pond, and the respondents (appellants herein) illegally constructed their houses at the site without any jurisdiction and without even any resolution of the Gram Panchayat.

12. Against the order of the learned Commissioner a Writ Petition was filed before the learned Single Judge of the High Court which was dismissed

by the judgment dated 10.2.2010, and the judgment of the Division Bench of the High Court has been affirmed in appeal by the Division Bench of the High Court. Hence this appeal.

13. We find no merit in this appeal. The appellants herein were trespassers who illegally encroached on to the Gram Panchayat land by using muscle power/money power and in collusion with the officials and even with the Gram Panchayat. We are of the opinion that such kind of blatant illegalities must not be condoned. Even if the appellants have built houses on the land in question they must be ordered to remove their constructions, and possession of the land in question must be handed back to the Gram Panchayat. Regularizing such illegalities must not be permitted because it is Gram Sabha land which must be kept for the common use of villagers of the village. The letter dated 26.9.2007 of the Government of Punjab permitting regularization of possession of these unauthorized occupants is not valid. We are of the opinion that such letters are wholly illegal and without jurisdiction. In our opinion such illegalities cannot be regularized. We cannot allow the common interest of the villagers to suffer merely because the unauthorized occupation has subsisted for many years.

In M.L. Builders & Co. vs. State of Orissa, 2004 (8) SCC 733, the Supreme Court ordered restoration of a park after demolition of a shopping complex constructed at the cost of over Rs.100 crores. In Friends Colony Development Committee vs. State of Orissa, 2004 (8) SCC 733 this Court held that even where the law permits compounding of unsanctioned constructions, such compounding should only be by way of an exception. In our opinion this decision will apply with even greater force in cases of encroachment of village common land. Ordinarily, compounding in such cases should only be allowed where the land has been leased to landless labourers or members of Scheduled Castes/Scheduled Tribes, or the land is actually being used for a public purpose of the village e.g. running a school for the villagers, or a dispensary for them.

15. In many states Government orders have been issued by the State Government permitting allotment of Gram Sabha land to private persons and commercial enterprises on payment of some money. In our opinion all such Government orders are illegal, and should be ignored.

16. The present is a case of land recorded as a village pond. This Court in Hinch Lal Tiwari vs. Kamala Devi, AIR 2001 SC 3215 (followed by the Madras High Court in L. Krishnan vs. State of Tamil Nadu, 2005(4)

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this purpose the Chief Secretaries of all State Governments/Union Territories in India are directed to do the needful, taking the help of other senior officers of the Governments. The said scheme should provide for the speedy eviction of such illegal occupant, after giving him a show cause notice and a brief hearing. Long duration of such illegal occupation or huge expenditure in making constructions thereon or political connections must not be treated as a justification for condoning this illegal act or for regularizing the illegal possession. Regularization should only be permitted in exceptional cases e.g. where lease has been granted under some Government notification to landless labourers or members of Scheduled Castes/Scheduled Tribes, or where there is already a school, dispensary or other public utility on the land.

23. Let a copy of this order be sent to all Chief Secretaries of all States and Union Territories in India who will ensure strict and prompt compliance of this order and submit compliance reports to this Court from time to time.

24. Although we have dismissed this appeal, it shall be listed before this Court from time to time (on dates fixed by us), so that we can monitor implementation of our directions herein. List again before us on 3.5.2011 on which date all Chief Secretaries in India will submit their reports.

.....J.  
[Markandey Katju]

.....J.  
[Gyan Sudha Mishra]

New Delhi;  
January 28, 2011

(41)

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 22<sup>ND</sup> DAY OF MARCH. 2010

PRESENT

THE HON'BLE MR.JUSTICE V.GOPALA GOWDA

AND

THE HON'BLE MR.JUSTICE B.S.PATIL

W.P.No.31200/2009 (GM-RES-PIL)

C/W

W.P.No.30663/2009 (GM-RES),

W.P.No.30767/2009 (GM-RES),

W.P.No.22747/2009 (GM-RES-PIL)

In W.P.No.31200/2009

BETWEEN:

1. M.K.Balakrishnan,  
S/o A.Gevindan,  
Aged about 56 years,  
R/o 18-A, Tilak Bridge  
Railway Colony,  
New Delhi - 110 001.
2. Gautam K.John,  
S/o Philip K.John,  
Aged about 30 years,  
R/o 4-D, Belvedere Court,  
Spencer Road, Frazer Town,  
Bangalore - 560 005.
3. Ashwin Kumar Koneti,  
S/o K.Parthasarathy,  
Aged about 30 years,  
R/o E503, Ranka Corner Apts,  
Cambridge Layout,  
Bangalore - 560 008.

... PETITIONERS

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(By Sri Aditya Sondhi, Adv.)

**AND:**

1. Government of Karnataka,  
Represented by its Principal  
Secretary, Department of Revenue,  
M.S.Building, Dr.Ambedkar Road,  
Bangalore - 560 001.
2. Water Resources Department,  
Government of Karnataka,  
Represented by its Secretary,  
Vikasa Soudha,  
Dr.B.R.Ambedkar Road,  
Bangalore - 560 001.
3. Bangalore Turf Club Ltd.,  
(A Company registered under  
the provisions of Companies  
Act, 1956) having its registered  
office at No.52, Race Course Road,  
Bangalore - 560 001.  
Represented by its Secretary,  
Sri S.Nirmal Prasad.

... **RESPONDENTS**

(Amended vide Court Order dated 09.03.2010)

(By Sri Ashok Haranahalli, Advocate General for  
Sri R.G.Kolle, AGA for R-1 & 2;  
Sri C.S.Vaidyanathan, Senior Counsel for  
M/s.Just Law, Advs. for R-3)

**In W.P.No.30663/2009**

**BETWEEN:**

Bangalore Turf Club Ltd.,  
A company incorporated under  
the provisions of the Companies  
Act, 1956, having its registered  
office at No.52, Race Course Road,

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Bangalore - 560 001.  
Represented herein by its Secretary,  
Sri S.Nirmal Prasad.

... PETITIONER

(By Sri C.S.Vaidyanathan, Senior Counsel for  
M/s.Just Law, Advs.)

**AND:**

1. State of Karnataka,  
Represented by the Chief Secretary,  
Vidhana Soudha,  
Bangalore - 560 001.

2. The Executive Engineer,  
Public Works Department,  
Government of Karnataka,  
Bangalore - 560 001.

... RESPONDENTS

(By Sri Ashok Narayanaiah, Advocate General for  
Sri R.G.Kolle, AGA)

In W.P.No.30767/2009

**BETWEEN:**

Bangalore Turf Club Staff Association,  
A registered Association,  
C/o Bangalore Turf Club Limited,  
No.52, Race Course Road,  
Bangalore - 560 001,  
Rep. by its General Secretary,  
Sri M.A.Ramachandra Murthy.

... PETITIONER

(By Sri K. Kasturi, Senior Counsel for  
Sri Srinivas & Badri Associates, Advs.)

**AND:**

1. The State of Karnataka,  
Rep. by the Chief Secretary,

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Vidhana Soudha,  
Bangalore - 560 001.

2. Bangalore Turf Club Limited,  
No.52, Race Course Road,  
Bangalore - 560 001.  
Rep. by its Secretary,  
Sri S.Nirmal Prasad.

**RESPONDENTS**

(By Sri Ashok Haranahalli, Advocate General for  
Sri R.G.Kolle, AGA for R-1;  
Sri C.S.Valdyanathan, Senior Counsel for  
M/e.Just Law, Advs. for R-2)

**In W.P.No.22747/2009**

**BETWEEN:**

People for Animals,  
A Trust formed and registered  
under the provisions of Indian  
Trust Act, having its registered  
Office at Sy. No.67, Uttarahalli  
Road, Kengeri, Bangalore - 560 060,  
Represented by the Manager.  
Resources.

... **PETITIONER**

(By Sri Prabhuling K.Navadagi, Adv.)

**AND:**

1. The State of Karnataka,  
Through the Principal Secretary,  
Public Works Department,  
Karnataka Government Secretariat,  
3<sup>rd</sup> Floor, Vikasa Soudha,  
M.S.Building, Dr.Ambedkar Road,  
Bangalore - 560 001.
2. The Horse Race Owners Association,  
Bangalore Turf Club Ltd.,  
Race Course Road,

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Bangalore - 560 001,  
Through its Secretary.

3. The Bangalore Turf Club,  
Race Course Road,  
Bangalore - 560 001,  
Through its Secretary.

... **RESPONDENTS**

- \*(By Sri Ashok Haranahalli, Advocate General for  
Sri R.G.Kolle, AGA for R-1;  
Sri Shivashankar, Adv. for R-2;  
Sri C.S.Vaidyanathan, Senior Counsel for  
M/s.Just Law, Advs. for R-3)

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W.P.No.31200/2009 is filed under Articles 226 & 227 of the Constitution of India praying to quash the Government Order dated 27.07.2009 vide Annexure-H as illegal and ultra-vires the Constitution.

W.P.No.30663/2009 is filed under Articles 226 & 227 of the Constitution of India praying to declare that the grant via Government Order dated 07.05.1915 vide Annexure-F is an absolute grant covered by Government Grants Act, 1895 and all consequences shall flow therefrom.

W.P.No.30767/2009 is filed under Articles 226 & 227 of the Constitution of India praying to direct R1 and their servants and constituents to continue to make available to 42 all licenses, services, facilities, concessions, etc., as done hitherto and being done at present and not take any coercive or indirect steps to make the user of the land for Bangalore Race Club futile or defeat the conduct the racing at Bangalore Race Club premises unless and until alternate land is provided for and infrastructure suitable to racing is put in place in such alternative land.

W.P.No.22747/2009 is filed under Articles 226 & 227 of the Constitution of India praying to direct the respondent No.1 - State to take such steps as are necessary including providing an alternative and suitable facility for the horses which would be

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shifted from the third respondent - club on account of their eviction.

These writ petitions having been heard and reserved for orders on 10.03.2010, coming on for '**Pronouncement of Order**', this day, **B.S.Patil J.**, made the following:-

**ORDER**

1. The grievance made by the petitioners in these writ petitions are in relation to the Bangalore Turf Club property and an alternative land granted in favour of the Club and seeking relief of protection of horses. Therefore, they are clubbed, heard together and are disposed of by this common order by consent of the learned Counsel for the parties.

2. Petitioner - Bangalore Turf Club in W.P.No.30663/2009 is a company registered under the provisions of the Companies Act, 1956. It is running a race club in the properties originally bearing Sy. Nos.40 to 45, 46 & 47 of Mallenahalli and now bearing Municipal Nos.52, 52A and 51B of Division No.44, Race Course Road, Bangalore. In this writ petition, petitioner-Club is challenging the action of the State Government in trying to evict it from the premises and is seeking various reliefs including a writ in the nature of declaration to declare that the grant made vide Government Order dated 07.05.1915 Annexure-F is an absolute grant covered by the Government Grants Act, 1895

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to look up for an alternate location for the race course, it cannot be said that the Club gets a right to claim allotment of alternate lands as of right and until then it cannot be asked to vacate. Such a contention is neither justifiable nor tenable on the basis of the facts and circumstances of the case. Hence, we hold that the petitioner-Club cannot as a matter of right seek allotment of alternate lands for racing and other allied activities. Accordingly, point nos.4 & 5 are also answered against the petitioner.

36. **Point No.6:** This leads us to the only question left as to whether the decision taken by the Government to lease an extent of 85 acres of tank bed area for racing activities of the turf club is against the public interest. The Doddajala Amanikere tank covers almost an extent of 159-07 acres located in Bangalore District. It is urged in the public interest writ petition that the water collected there meets the irrigation requirements of villages Chikkajala, Doddajala, Marnayakanahalli and Meenukunte. It is necessary to refer to a public interest writ petition in W.P.No.31343/1995, which is filed seeking protection of lakes and tanks in Bangalore with directions not to transfer them in any way to private parties.

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The public spirited individuals in the public interest writ petition now filed have pointed out that this Court has passed an interim order on 22.08.1995 in the said writ petition directing the Government of Karnataka and the Conservators of Forests not to make any grant or allotment of tank bed lands situated within the Bangalore Metropolitan area, pending further orders. Reference is also made by the petitioners to a public interest litigation pending before the Apex Court in W.P.230/2001 filed by the present petitioner. Petitioners have expressed serious concern pointing at a media report that the Government had expressed its view that it intended to utilize the prime land in the heart of Bangalore on which the Bangalore Turf Club is located for the purpose of building a 100 to 200 storied commercial complex and it was for this purpose that the Bangalore Turf Club was sought to be shifted to tank land area on the outskirts of Bangalore. They have produced a copy of the news report in this regard dated 01.04.2009 published in the Times of India at Annexure-B. It is also pointed out that the Under Secretary, Water Resources Department, has submitted a Note entitled 'shifting of the Bangalore Turf Club', wherein it is stated that the said tank meets the irrigation requirements of the agricultural activities in the four villages and with the

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impounding of water in the said tank it augments the rise in the water table of the surrounding borewells in the agricultural lands. It is also pointed out therein that the inflow of water from the upper tracts has been clogged which has resulted in the complete stoppage of inflow into the tanks for the last three to four years and as such the tank had not been filled to its full capacity. If only the water is impounded to its full capacity in the tank then the water catchment of the tank bed will be 159-07 acres. He has made a reference to the pending public interest writ petition in W.P.No.21343/1995 and the interim order passed therein on 22.08.1995 stating that no tanks or tank beds situated in the Bangalore Metropolitan jurisdiction be granted to any other purpose. Reference is also made to the issue tabled by an MEC before the Legislative Council pertaining to the conservation of tanks vide Rule 360 (a) on 25.06.2008 and the unanimous decision accepted by the Legislative Council prohibiting the assignment of tanks or tank beds to private persons or agencies. A copy of this report of the Under Secretary, Water Resources Department dated 05.06.2009 is produced at Annexure D along with the writ petition.

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37. It is well established principle of law that the State Government acts as a trustee of the lakes, tanks, ponds, forests and other natural features. The Apex Court in the case **M.C.MEHTA VS. UNION OF INDIA & OTHERS - 1997(3) SCC 715** and **INTELLECTUALS FORUM, TIRUPATHI VS. STATE OF ANDHRAPRADESH - 2006(3) SCC 549** and as also in the case of **SUSETHA VS. STATE OF TAMIL NADU & ORS. - 2006(3) SCC 543** has laid down the principle that the State holds such natural features in public trust and there can be no transfer of such lands held in such trust to private parties. The report of the Under Secretary, Water Resources Department of Government of Karnataka produced at Annexure-D supports the grievance expressed by the public interest litigants stating that but for clogging of the inflow of water from the upper tracts the entire catchment of the tank bed would be 159-07 acres. It is the duty of the State Government to ensure that the water tank in question is utilised at its full potentiality. The need of the hour is to give priority to such natural features. Article 51-A of the Constitution makes it a fundamental duty of every citizen to protect and improve the natural environment including forests, lakes, rivers and wild life. Thus, the preservation of lakes, tanks and other water bodies is a primary obligation

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particularly in the present context where water scarcity is posing a serious threat for the teeming population in and around Bangalore. It cannot also be forgotten that the tank acts as a source for the under water table feeding several borewells on which the farmers in nearby villages depend for irrigation of their lands and for drinking water. In such circumstances, no justification whatsoever can be found for the State Government to take a decision to lease the tank area in favour of the Bangalore Turf Club for racing and other activities. In the case of **DELHI WATER SUPPLY AND SEWAGE DISPOSAL UNDERTAKING VS. STATE OF HARYANA - 1996(2) SCC 572** at paragraph-1, the Apex Court noting the importance of water as a precious gift of nature had this to say,

*'water is a gift of nature, human hand cannot be permitted to convert this bounty into a curse, an oppression. The primary use to which water is put to being drinking it would be mocking nature to force the people who live on the bank of the river to remain thirsty.....'.*

38. Again in the case of **CHAMELI SINGH VS. STATE OF U.P. - 1996(2) SCC 549**, the Apex Court in paragraph-8 has observed as under:

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"..... right to live guaranteed in any civilized society implies the right to food, water, decent environment, education, medical care and shelter. These are basic human rights known to the civilized society. All civil, political, social and cultural rights enshrined in the universal declaration of human rights and convention or under the Constitution of India cannot be exercised without these basic needs."

39. We have examined carefully the impugned order Annexure-H passed by the State Government on 27.07.2009 keeping in mind the above principles. It is clear from the order that the Government has not applied its mind to the importance of maintaining the water body in the instant case. A careful perusal of the preamble to the impugned Government Order makes it clear that none of the relevant factors are borne in mind in coming to a conclusion that an extent of 85 acres of the tank bed area could be granted in favour of the Bangalore Turf Club on lease basis for a period of 30 years subject to certain conditions. It is not in dispute that the area of 85 acres is a tank area. The only factor that is kept in mind by the State Government seems to be that in the tank in question as per the report of the Deputy Commissioner, Urban District, Bangalore, dated 05.02.2009, water was spread in 48 acres of land of



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Sy.No.1 of Doddajala and 8.10 acres of land in Sy.No.15 of Doddajala. The Deputy Commissioner has also stated that an extent of 95.32 acres of land in Sy.Nos.1, 8, 11, 15 and 22 found to be non-water logged tank area and in this background the State Government has taken a decision that 85 acres of non-water spread tank area in Sy.No.1 of Doddajala Amanikere, Sy.No.15 of Doddajala, Sy.No.22 of Chikkajala of Bangalore North Taluk could be leased in favour of the Bangalore Turf Club for a period of 30 years. It is painful to observe that such decision to meddle with the water body is taken without giving any serious thought to the fundamental obligation of the State and its instrumentalities to preserve and protect water bodies. It is high-time to drive home the imperative need on the part of the forces in power and authority to bestow serious thought in right earnest on such issues and make a scientific assessment of the situation before taking any such decision to meddle with such precious gifts of nature. Therefore, we have no hesitation to hold that the impugned order passed by the State Government produced at Annexure-H in W.P.No.31200/2009 (PIL) is illegal and opposed to the public trust doctrine enunciated by the Apex Court. Point No.6 is answered accordingly.

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life of the residents further miserable. As rightly pointed out by the petitioners, the need of the hour is to preserve and protect the environment and to ensure that a healthy environment providing fresh air for the residents is ensured. In fact, responding to this cry of the public voiced through the public interest litigants, the learned Advocate General has submitted that any use of this vast extent of land situated in the heart of Bangalore City will be consistent with the requirement of maintaining the lung space and if need be conditions can be imposed for obtaining prior permission of this Court for making use of the property for public purpose without violating the environmental requirements and the need to preserve the lung space. We appreciate the stand taken by the learned Advocate General.

41. A significant portion of the earth's population will soon recognise, if they haven't already done so, that humanity is now faced with a stark choice: evolve or die. A wide spread flowering of human consciousness in the matter of love for environment and zeal to preserve and protect the same has to still happen because we have not yet felt the imperative need of the same. A new belief system has to now arise. The change has to go

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deeper than the content of the mind deeper than our thoughts. This awareness of the significance of the need to preserve and protect the environment, particularly in places where the same is polluted to an extent of bringing to peril the very peaceful and healthy living, has to be total. It is said by a well known author Sri Eckhart Tholle in his book 'A New Earth' that 'if the structures of the human mind remained unchanged, we will always end up recreating fundamentally the same work, the same evil, the same disfunction'. Therefore, a collective human consciousness where we are intrinsically connected to the love for our environment, the greenery, the other great gifts of nature, such as trees, plants and water bodies, is the need. If such consciousness is evolved, it is bound to bring about climatically, environmentally and healthy atmosphere in the city.

42. We are compelled and constrained to observe that in the light of the large scale removal of trees on either side of the roads in the vicinity of the race course and in view of the fact that in the entire area we are hardly able to find any trees in the place which earlier appeared like a real garden city with flowing branches of trees providing shade, fresh air and soothing

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natural environment, that it is the duty of each one of us, more so, the State Government and its instrumentalities to compensate this inevitable interference with the nature. This can be balanced, atleast to a small extent by planting different types of flowering trees in this area and preserving the same as lung space which will beautify the place and provide atleast to a certain extent the much needed protection of the environment of the city. In our view, this has to be taken as an opportunity by the State Government to create a green paradise in Bangalore City on par with what was done in the past, centuries back in the form of establishing Lalbagh and Cubbon Park. Such contribution by the State will be remembered by the generations to come as a great gift to the residents of Bangalore. It will act as an exemplary model for others in the Country to emulate and make their own rich contributions in the field of preservation, protection and promotion of the environment in cities. Therefore, we are inclined to issue a direction to the State Government to develop this area into a mini social forest with rich greenery and desist from putting up any construction in any portion of this area.

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43. In so far as the writ petitions filed by the Turf Club Staff Association and the People for Animals Trust, we do not find any legal substance in their contentions. In the light of our findings recorded on the points raised, the reliefs sought by them cannot be granted.

44. In the result and for the foregoing reasons, we pass the following:

**ORDER**

- i) W.P.No.30663/2009 filed by the Bangalore Turf Club and W.P.No.30767/2009 filed by the Bangalore Turf Club Staff Association and W.P.No.22747/2009 filed by People for Animals Trust are dismissed.
- ii) The Bangalore Turf Club, petitioner in W.P.No.30663/2009 is granted six months time to vacate and deliver vacant possession of the premises where the present race course is run on condition that it shall pay Rs.5,00,000/- (rupees five lakhs) per month from the date of expiry of the lease period till the date of delivery as directed to the State Government.
- iii) The petitioner-Turf Club shall vacate and hand over the premises to the State Government on or before 22<sup>nd</sup> September 2010. It shall not carry on any construction or other activities which are prejudicial to the interest of maintaining the ecology and environment in the area.



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The State Government is directed to ensure that the area is used by the Turf Club for the permitted activities during this period of six months in accordance with law.

- iv) W.P.No.31200/2009 filed in public interest is allowed. The Government Order dated 27.07.2009 produced at Annexure-H is quashed.
- v) The State Government is directed to take all measures to preserve, protect and develop the Doddajala Amanikere Tank by removing all obstructions and clogs for smooth water flow leading to the tank.
- vi) The State Government is further directed to develop the entire area where the present race course is run into a mini social forest/a theme park consisting of variety of trees and beautiful flowering plants and maintain the same as lung space to compensate for the loss of trees in the city in the drive to widen the road and so as to make it a model for protection, preservation and promotion of the environment and the lung space in the city.
- vii) Parties to bear their respective costs.

Sd/-  
JUDGE

Sd/-  
JUDGE

KK/PKS

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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 07TH DAY OF APRIL 2011

PRESENT

THE HON'BLE CHIEF JUSTICE  
AND  
THE HON'BLE MR. JUSTICE A S BOPANNA

WRIT PETITION NO 817 / 2008 (GM-RES-PIL)  
c/w 13690/09, 31343/1995, 18030/05, 1841/06  
and 6036/06

Petitioners

- 1 ENVIRONMENT SUPPORT GROUP  
REP. BY DR ROBERT JOHN CHANDRAN TRUSTEE  
S/O LATE MR JOHN CHANDRAN  
AGED ABOUT 39 YRS  
105 EAST END B MAIN ROAD  
JAYANAGAR 9TH BLOCK EAST  
BANGALORE 69
- 2 MR LEO SALDANHA  
S/O S J SALDANHA  
AGED ABOUT 39 YRS  
1 PEARL GARDENS  
VAJARAHALLI KANAKAPURA ROAD  
BANGALORE 62

& others.

By Sri S SIDDAPPA & S SUNIL DUTYADAV  
Vs

Respondents

- 1 STATE OF KARNATAKA  
REP. BY ITS CHIEF SECRETARY  
VIDHANA SOUDHA  
BANGALORE 1

& Others.

Whereas, Writ Petitions filed by the above named petitioners under Article 226 of the Constitution of India, have been registered by this court.

After hearing, the Court made the following:-

ORDER  
=====

XEROX COPY OF THE ENTIRE ORDER DATED 07-04-2011 IS  
ENCLOSED HERewith SEPERATELY.



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4570  
11/4/11

DATED THE 07TH DAY OF APRIL 2011

PRESENT

THE HON'BLE CHIEF JUSTICE  
AND  
THE HON'BLE MR. JUSTICE A. S. BOPANNA

WRIT PETITION NO 817 / 2008 (GM-RES-PIL)  
c/w 13690/09, 31343/1995, 18030/05, 1841/06  
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After hearing, the Court made the following:-

O R D E R  
=====

XEROX COPY OF THE ENTIRE ORDER DATED 07-04-2011 IS  
ENCLOSED HEREWITH SEPERATELY. 161



- ii) Identification of unauthorised construction within the area of the lakes/tanks and the removal thereof, in accordance with law.
- iii) Removal of silt, as also, weed for the rejuvenation of some of the lakes, and also, laying of embankments for enclosing the lakes wherever necessary.
- iv) Stoppage of flow of sewer into lakes/tanks.

Since the members of the committee constituted by this Court would be involved, even in their official capacity, to carry out the objective indicated hereinabove, we are satisfied, to request the committee yet again, to supervise the execution of the tasks depicted hereinabove under their watchful control. The aforesaid tasks shall be completed as expeditiously as possible, and shall be monitored by the committee. The committee shall be at liberty to seek, through the Principal Government Advocate, further/additional directions, if and when called for.

Action initiated by the respondents in compliance of the aforesaid directions, may directly or indirectly affect the rights of third parties. In such an eventuality,

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this Court by filing applications in this case for obtaining appropriate orders. This would avoid multiplicity of proceedings.

List again on 07.07.2011.

- Sd/-*
- a) The date on which the application was made ..... 16/4/11
  - b) The date on which charges and addl. charges, if any, are called for.....
  - c) The date on which the charges and addl. charges, if any, are deposited.....
  - d) The date on which the copy is ready ..... 16/4/11
  - e) The date of notifying that the copy is ready or delivery .....
  - f) The date on which copy is delivered to a application ..... 11/4



TRUE COPY  
Section Officer  
High Court of Karnataka  
Bangalore - 560 001

*7/4/11*

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Ms Hegde<sup>5</sup> 10

IN THE SUPREME COURT OF INDIA

Writ Petition (Civil) No. 230 of 2001

Decided On: 26.03.2009

Appellants: M.K. Balakrishnan and Ors.

Vs.

Respondent: Union of India (UOI) and Ors.

Hon'ble Judges:

Markandey Katju and B. Sudershan Reddy, JJ.

Counsels:

For Appellant/Petitioner/Plaintiff: Gopal Sankaranarayanan, Radhakrishna Kumar,  
Parmanand Pandey and Naresh Kumar, Advs

For Respondents/Defendant: Manish Singhvi,

Subject: Civil

Catch Words

Mentioned IN

Acts/Rules/Orders:

Constitution of India - Articles 21 and 32

Cases Referred:

State of Orissa v. Government of India and Anr. MANU/SC/0144/2009; Delhi  
Water Supply & Sewage Disposal Undertaking and Anr. v. State of Haryana and Ors.  
MANU/SC/0780/1996; Chameli Singh and Ors. v. State of U.P. and Ors.  
MANU/SC/0286/1996; Hinch Lal Tiwari v. Kamala Devi MANU/SC/0410/2001;

Authorities Referred:

The Framing of India's Constitution, Vol. II, edited by B. Shiva Rao

Disposition:

Petition allowed

Citing Reference:

State of Orissa v. Government of India and Anr.  
Discussed

Delhi Water Supply & Sewage Disposal Undertaking and Anr. v.  
State of Haryana and Ors. MANU/SC/0780/1996

Mentioned

Chameli Singh and Ors. v. State of U.P. and Ors. MANU/SC/0286/1996 Mentioned

Hinch Lal Tiwari v. Kamala Devi MANU/SC/0410/2001  
Discussed

## ORDER

1. Heard learned Counsel for the parties.

2. Pursuant to this Court's order dated 26<sup>th</sup> February, 2009, the Chief Secretaries, State of Haryana and Uttar Pradesh are personally present in the Court. Their personal presence is dispensed with unless directed in future.

3. The present Writ Petition under Article 32 of the Constitution of India relates to

conservation of wet lands which in our opinion would include ponds, tanks, canals, creeks, water channels, reservoirs, rivers, streams and lakes. Although, the writ petition as framed related to protection of wetlands in the country for preservation of the environment and maintaining the ecology, we have suo motu expanded its scope as mentioned below.

4. There is acute shortage of water in our country and one of the main reasons for that is that

most of the water conservation bodies in our country such as ponds, tanks, small lakes etc. have been filled up in recent times by some greedy persons and such persons have constructed buildings, shops etc. on the same.

5. Our ancestors were wise people who realised that because of droughts or some other reasons there may be shortage of water in future and hence they made the provision of a pond near every village, tanks in or near temples, etc.... The whole idea behind this was that whenever there is a shortage of water due to drought etc., people may not suffer and they may use the water available in ponds, tanks etc. Unfortunately, people have forgotten the wisdom of our ancestors and that is why some greedy people for their personal interest and to make money have filled up most of these ponds, tanks etc. and have constructed buildings thereon with the result that in most parts of India, there is a terrible water shortage and people are suffering terribly, particularly, in the summer season both in rural and urban areas. When water is not available, people come to the streets and there are chakka jams (road blocks), riots etc. to awaken the government authorities to take some measures to make available the necessity of life to the general public called water.

6. In many cities, in many colonies, people get water for half an hour in a day and sometimes not even that e.g. in Delhi, Tamil Nadu, Rajasthan, U.P., Northeast etc. In large parts of rural areas there is a shortage of water for irrigation and drinking purpose. Rivers in India are drying up, ground water is being rapidly depleted and canals are polluted. The Yamuna in Delhi looks like a black drain. Several perennial rivers like the Ganga and Bahamputra are rapidly becoming seasonal. Rivers are dying or declining, and aquifers are getting over-pumped. Industries, hotels, etc. are pumping out groundwater at an alarming rate, causing sharp decline in the groundwater levels. Farmers are having a hard time finding ground water

for their crops e.g. in Punjab. In many places there are serpentine queues of exhausted housewives waiting for hours to fill their buckets of water. In this connection, John Briscoe has authored a detailed World Bank report, in which he has mentioned that despite this alarming situation there is widespread complacency on the part of the authorities in India.

7. This Court in *State of Orissa v. Government of India and Anr.*

MANU/SC/0144/2009 JT 2009 (2) SC 233, in which one of us [Hon'ble Mr. Justice Markandey Katju] was a member, while agreeing fully with the reasoning and directions of the other Hon'ble Judge on the Bench Hon'ble Altamas Kabir, J., has recommended to the Central Government to immediately constitute a body of eminent scientists in the field who should be requested to do scientific research in this area on a war footing to find out scientific ways and means of solving the water shortage problem in the country. It was also recommended that the said body shall be given all the financial, technical and administrative help by the Central and State Governments for this purpose. The help and advice of foreign scientific experts and/or Indian scientists settled abroad who are specialized in this field may also be taken, since the solution to the problem will not only help India but also foreign countries which are facing the same problem, some of which may already have progressed significantly in this area. The present known methods e.g. distillation or reverse osmosis are very expensive. We have to find out cheaper methods and this is possible only by scientific research on a war footing. The said body of scientists was requested to, inter alia, perform the following tasks:

- (i) to find out an inexpensive method or methods of converting saline water into fresh water.
- (ii) to find out an inexpensive and practical method of utilizing the water, which is in the form of ice, in the Himalayas.
- (iii) to find out a viable method of utilizing rain water.
- (iv) to utilize the flood water by harnessing the rivers so that the excess water in the floods, may instead of causing damage, be utilized for the people who are short of water, or be stored in reservoirs for use when there is drought.

8. In the said decision the Court also observed:

42. It is indeed sad that a country like India which solved the problem of town planning 6000 years ago in the Indus Valley Civilization and which discovered the decimal system in Mathematics and Plastic Surgery in Medicine in ancient times, and is largely managing Silicon Valley in U.S.A. today has been unable to solve the problem of water shortage till now. In my opinion there is no dearth of eminent scientists in the field who can solve this problem, but they have not been organized and brought together and not been requested by the Central and State Governments to solve this problem, nor given the facilities for this.

43. In my opinion the right to get water is a part of right to life guaranteed by Article 21 of the Constitution. In this connection, it has been observed in *Delhi Water Supply & Sewage Disposal Undertaking and Anr. v. State of Haryana and Ors.* MANU/SC/0780/1996 : 1996CriLJ1887 ;

Water is a gift of nature. Human hand cannot be permitted to convert this bounty into a curse, an oppression. The primary use to which water is put being drinking, it would be mocking nature to force the people who live on the bank of a river to remain thirsty....

44. Similarly in Chameli Singh and Ors. v. State of U.P. and Ors. MANU/SC/0286/1996 : AIR1996SC1051 this Court observed:

...Right to live guaranteed in any civilized society implies the right to food, water, decent environment, education, medical care and shelter. These are basic human rights known to any civilized society. All civil, political, social and cultural rights enshrined in the Universal Declaration of Human Rights and Convention or under the Constitution of India cannot be exercised without these basic human rights....

9. In Hinch Lal Tiwari v. Kamala Devi MANU/SC/0410/2001 : AIR2001SC3215, this Court observed (vide paragraphs 13 and 14):

13. It is important to note that material resources of the community like forests, tanks, ponds, hillock, mountain etc. are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enable people to enjoy a quality life which is essence of the guaranteed right under Article 21 of the Constitution. The Government, including revenue authorities, i.e. respondents 11 to 13, having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of public at large. Such vigil is the best protection against knavish attempts to seek allotment in non-abadi sites.

14. For the aforementioned reasons, we set aside the order of the High Court, restore the order of the Additional Collector dated February 25, 1999 confirmed by the Commissioner on

March 12, 1999. Consequently, respondents 1 to 10 shall vacate the land, which was allotted to them, within six months from today. they will, however, be permitted to take

away the material of the houses which they have constructed on the said land. If

respondents 1 to 10 do not vacate the land within the said period the official respondents i.e. respondents 11 to 13 shall demolish the construction and get possession of

the said land in accordance with law. The State including respondents 11 to 13 shall restore the pond, develop and maintain the same as a recreational spot which will undoubtedly be in the best interest of the villagers. Further it will also help in maintaining ecological balance and protecting environment in regard to which this Court has repeatedly expressed its concern. Such measures must begun at the grass-root level if they were to become the nation's pride.

10. Let notice be issued to the Secretary, Ministry of Science and Technology, Union of India which will file its counter affidavit within four weeks stating what measures are being taken to solve the water shortage problem in the country and for implementing the recommendation

of Hon'ble Markandey Katju, J. in the aforesaid decision in State of Orissa v. Government of India and Anr. MANU/SC/0144/2009 : JT 2009 (2) SC 233.

11. The application for impleadment is allowed. Let notice issue to the newly added States.

12. List this matter on 28<sup>th</sup> April, 2009.

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AIR 1997  
SC 215 :  
1997 Tax  
LR 34

Jappa's case (1996 AIR SCW 4384 (supra). In that view of the matter, we, do not think the High Court should have ignored the effect of the same.

10. For the aforesaid reasons, we allow these appeals, set aside the order made by the High Court restore that of the appropriate Authority in the proceedings arising under Chapter XX-C of the Act. No costs.

Appeals allowed.

### AIR 2001 SUPREME COURT 3215

(From : Allahabad)

SYED SHAH MOHAMMED QUADRI AND  
S. N. PHUKAN, JJ.

Civil Appeal No.4787 of 2001 (arising out of S.L.P. (C) No. 13695 of 2000), D/- 25-7-2001.

Hinch Lal Tiwari, Appellant v. Kamala Devi and others, Respondents.

**U. P. Zamindari Abolition and Land Reforms Act (1 of 1951), S. 122C(1) — U. P. Zamindari Abolition and Land Reforms Rules (1952), R. 115-P — Allotment of sites — Challenge as to — Ground that allotted land forms part of pond (Talab) — Concurrent finding that a pond existed in area and the area covered by it varies in rainy season — In such facts no part of it could have been allotted to anybody for construction of house building or any allied purposes — Allottees directed to vacate sites.**

C. M. W. P. No. 26572 of 1999, D/-16-8-2000 (All), Reversed.

(Paras 12 and 14)

Ranjit Kumar Sr. Advocate, Pramod Swarup, B. M. Sharma, H. L. Srivastava, C. M. Patel and T. N. Singh, Advocates with him, for Appellants; Dinesh Dwivedi, Sr. Advocate, Kalendra Misra, R. C. Verma, Ashok Sharma, D. K. Garg, Advocates with him, for Respondents.

**JUDGMENT :—** Leave is granted.

2. This appeal is from the judgment and order of the High Court of Judicature at Allahabad allowing in part Civil Misc. Writ Petition No.26572 of 1999, filed by respondents 1 to 10, on August 16, 2000.

3. The dispute relates to plot No. 774-

HS/HS/S100328/2001/VNP/CSL/17655/2001

KA measuring 15 biswas situated in village Ugapur, Taluka Asnao, District Sant Ravidas Nagar (U.P.) (hereinafter referred to as pond). It appears that proceeding was initiated by Lekhpal of the village to allot plots of land to an extent of 15 biswas of the pond area on August 11, 1988. The S.D.O. allotted 250 sq. yards to each of respondents 1 to 10 who are said to belong to one family. Seventeen persons of that village objected to the said allotment under Rule 115-P of the U. P. Zamindari Abolition and Land Reforms Rules (for short, 'the Rules'). The Additional Collector called for a report from the Tehsildar on their objections but the matter seems to have rested there as the objectors withdrew their objections. At that stage the appellant filed an application praying the Additional Collector to cancel the allotment of land in favour of respondents 1 to 10. On February 25, 1999 the Additional Collector cancelled the allotment in question made in their favour. They carried the matter unsuccessfully in revision before the Commissioner who by order dated March 12, 1999 dismissed the revision. Challenging the correctness of the order of the Divisional Commissioner the said respondents filed Writ Petition No.26572 of 1999 in the High Court of Judicature at Allahabad. By the impugned order the High Court partly allowed the Writ Petition by confirming the allotment in respect of 10 biswas and cancelling in respect of 5 biswas, which led to filing of this appeal.

4. Mr. Ranjit Kumar, the learned senior counsel for the appellant vehemently contends that the power of allotment of the land is available in respect of abadi site and not in respect of a pond which is a public utility and meant for public use; that no part of it could have been allotted in favour of any person, much less in favour of respondents 1 to 10 who do not fall in the specified categories of the beneficiaries under the Rules. He invited our attention to Section 122C(1) which specifies the classes of land which can be earmarked for the provisions of abadi sites and pointed out that pond (Talab) area is not among them.

5. Mr. Dwivedi, the learned senior counsel appearing for the official respondents argued that having regard to the provisions of the Act and the Rules, it is difficult to support the allotment of the pond land in favour of respondents 1 to 10 and that the

order of cancellation of allotment is justified and valid. Mr. Garg the learned counsel appearing for respondents 1 to 10 submits that Lekpal forwarded proposals for allotment of house sites in the land which ceased to be pond, to the Additional Collector who allotted the plots in their favour, therefore, it must be assumed that the land was treated as abadi site in respect of which allotment of house site would be permissible.

6. The short question that arises for our consideration is whether the allotted land forms part of pond (Talab) and if so, can it be allotted under Section 122C(1) of the Act?

7. It would be useful to refer to the provisions of U. P. Zamindari Abolition and Land Reforms Act, 1950 (referred to in this judgment as, 'the Act'). Under Section 4 of the Act all estates shall vest in the State from the specified date. Section 117 of the Act deals with vesting of certain lands in Gaon Sabha. Clause (vi) of the said Section which is relevant for our purpose reads thus : "117. Vesting of certain lands, etc. in Gaon Sabhas and other local authorities- (1) At any time after the publication of the notification referred to in Section 4, the State Government may, by general or special order to be published in the manner prescribed, declared that as from a date to be specified in this behalf, all or any of the following things, namely-

(i) to (v) \*\*\* \*\*

(vi) tanks, ponds, private ferries, water channels, pathways and abadi sites.-

which had vested in the State under this Act shall vest in a Gaon Sabha or any other local authority established for the whole or part of the village in which the said things are situate, or partly in one such local authority (including a Gaon Sabha) and partly in another.

Provided that it shall be lawful for the State Government to make the declaration aforesaid subject to such exceptions and conditions as may be specified in such order."

8. A perusal of the provision extracted above makes it clear that tanks, ponds, private ferries, water channels, pathways and abadi sites which had vested in the State under Section 4 of the Act shall vest in the gaon sabha or any other local authority established for the whole or any part of the village in which the said things are situate,

or partly in one such local authority and partly in another, from the date specified in the Notification issued by the Government in this behalf. Section 122C authorises the Assistant Collector, in charge of the Sub-division to earmark the classes of land noted hereunder either on his own motion or on the resolution of the Land Management Committee, for the members of the Scheduled Castes and the Scheduled Tribes and agricultural labourers and village artisans. It would be apt to refer to clause (a) of sub-section (1) of Section 122C which reads as follows :

" 122C. Allotment of land for housing site for members of Scheduled Castes, agricultural labourers etc.-

(1) The Assistant Collector in charge of the sub-division of his own motion or on the resolution of the Land Management Committee, may earmark any of the following classes of land for the provision of abadi sites for the members of the Scheduled Castes and the Scheduled Tribes and agricultural labourers and village artisans -

(a) lands referred to in clause (i) of sub-section (1) of Section 117 and vested in the Gaon Sabha under that section."

And the said clause (i) runs as follows:

"Land, whether cultivable or otherwise, except lands for the time being comprised in any holding or grove."

9. The term "land" is defined in Section 3, sub-section (14) to mean land held or occupied for purposes connected with agriculture, horticulture or animal husbandry which includes pisciculture and poultry farming. The definition excludes land dealt with in Sections 109, 143, 144 and Chapter 7. We may note that we are not concerned with the excepted categories. From a combined reading of the provisions aforementioned it is plain that the subject-matter of allotment of house sites, is lands referred to in clause (i) of sub-section (1) and not tanks, ponds private ferries, water channels, pathways referred to in clause (vi) of sub-section (1) of Section 117 of the Act. It appears to us that due to inappropriate drafting the expression "and abadi sites" is wrongly placed in clause

10. It would not be out of place to notice here that Section 122C enumerates the categories of persons who are entitled to allotment of land and they are; (1) scheduled

castes; (2) scheduled tribes; (3) agricultural labourers and (4) village artisans. For disposal of this case it is unnecessary to go into the question whether in a case of allotable land, the said respondents answer the description of the beneficiaries specified in sub-section (3) of Section 122C of the Act.

11. Reverting to the first part of the question, from the report of the Tehsildar dated April 18, 1990 which is termed as the first report, it is clear that in the said survey number 774- KA there is a pond (Talab). The same is the substance of the report of the S.D.O. dated April 20, 1990. Two more reports were called for by the orders of the High Court. They are dated September 12, 1999 and April 3, 2000. We do not find any substantial difference between these reports and the reports prepared by the Tehsildar and the S.D.O. We may also mention here that in Khasra Khatauni for the years 1387 to 1392 fasli (corresponding to years 1980 to 1985) and 1393 to 1398 fasli (1986-92) the description of the said survey number is given as pond. Consistent with those entries the Additional Collector found it to be pond (Talab) and cancelled the allotment of plots in favour of the said respondents. The Commissioner rightly confirmed the order of the Additional Collector. In writ petition, the High Court, in the impugned order, noted:

"From the report of the Sub-Divisional Officer dated 3-4-2000 it is clear that the land had a character of the pond but due to passage of time its most of the part became levelled. But some of the portion had still the character of the pond and during the rainy season it is covered by water. The area which is covered by water or may be covered by water in the rainy season could not be allotted as abadi site to any person."

12. On this finding, in our view, the High Court ought to have confirmed the order of the Commissioner. However, it proceeded to hold that considering the said report the area of 10 biswas could only be allotted and the remaining five biswas of land which has still the character of pond, could not be allotted. In our view, it is difficult to sustain the impugned order of the High Court. There is concurrent finding that a pond exists and the area covered by it varies in rainy season. In such a case no part of it could have been allotted to anybody for construction of house building or any allied purposes.

2001 S.C. (Suppl.)/202

13. It is important to note that material resources of the community like forests, tanks, ponds, hillock, mountain etc. are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enable people to enjoy a quality life which is essence of the guaranteed right under Article 21 of the Constitution. The Government, including revenue authorities, i.e. respondents 11 to 13, having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of public at large. Such vigil is the best protection against knavish attempts to seek allotment in non-abadi sites.

14. For the aforementioned reasons, we set aside the order of the High Court, restore the order of the Additional Collector dated February 25, 1999 confirmed by the Commissioner on March 12, 1999. Consequently, respondents 1 to 10 shall vacate the land, which was allotted to them, within six months from today. They will, however, be permitted to take away the material of the houses which they have constructed on the said land. If respondents 1 to 10 do not vacate the land within the said period the official respondents i.e. respondents 11 to 13 shall demolish the construction and get possession of the said land in accordance with law. The State including respondents 11 to 13 shall restore the pond, develop and maintain the same as a recreational spot which will undoubtedly be in the best interest of the villagers. Further it will also help in maintaining ecological balance and protecting environment in regard to which this Court has repeatedly expressed its concern. Such measures must begun at the grass-root level if they were to become the nation's pride.

15. The appeal is accordingly allowed. There shall be no order as to costs.

Appeal allowed.

76. Taking possession of land vested in State Government.—Where under the provisions of this Chapter any land vests in the State Government, the [Tahsildar] may after removing any obstruction that may be offered, forth with take possession of the land.

## Karnataka Town & Country Planning Act. 1961

✓ 17. Sanction for sub-division of plot or lay-out of private street.—(1) Every person who intends to sub-divide his plot or make or lay-out a private street on or after the date of the publication of the declaration of intention to prepare the <sup>1</sup>[Master Plan] under sub-section (1) of Section 10, shall submit the lay-out plan together with the prescribed particulars to the Planning Authority for sanction.

(2) The Planning Authority may, within the prescribed period, sanction such plan either without modification or subject to such modifications and conditions as it considers expedient or may refuse to give sanction, if the Planning Authority is of opinion that such division or laying out is not in any way consistent with the proposals of the <sup>2</sup>[Master Plan].

(3) No compensation shall be payable for the refusal or the insertion, imposition or modification or conditions in the grant of sanction.

(4) If any person does any work in contravention of sub-section (1) or in contravention of the modifications and conditions of the sanction granted under sub-section (2) or despite refusal for the sanction under the said sub-section (2), the Planning Authority may direct such person by notice in writing to stop any work in progress and after making an inquiry in the prescribed manner, remove or pull down any work or restore the land to its original condition.

(5) Any expenses incurred by the Planning Authority under sub-section (4) shall be a sum due to the Planning Authority under this Act from the person in default.

<sup>3</sup>[(6) Any person aggrieved by the decision of the Planning Authority under sub-section (2) or sub-section (4) may, within thirty days from the date of such decision, appeal to such authority as may be prescribed.

(7) The prescribed authority may after giving a reasonable opportunity of being heard to the appellant and the Planning Authority, pass such order, as it deems fit, as far as may be, within four months from the date of receipt of the appeal.]

Annexure - 8

ಮುಖ್ಯ ಮಂತ್ರಿಗಳ ಕಾರ್ಯದರ್ಶಿ  
SECRETARY TO CHIEF MINISTER



ಮುಖ್ಯ ಮಂತ್ರಿಗಳ ಕಾರ್ಯದರ್ಶಿ  
ಮುಖ್ಯ ಮಂತ್ರಿಗಳ ಕಾರ್ಯದರ್ಶಿ - 560 001  
CHIEF MINISTER'S SECRETARIAT  
VIDHANA SOUDHA, BANGALORE - 560 001

ಮಾಹಿತಿ : No /SCM/2594/2010

ದಿನಾಂಕ / DATED 04.08.2010

: ಬಿ.ಸಿ.ಸಿ. :

ಜಿಲ್ಲಾ ಮಟ್ಟದ ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆಯಲ್ಲಿ ಜಿಲ್ಲಾ ಮಟ್ಟದ  
ಹೊರಡಿಸಿರುವ ಆದೇಶವನ್ನು ರದ್ದು ಪಡಿಸುವಂತೆ ಕೋರಿ ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆಯ  
ರೈತರು ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಯವರಿಗೆ ಸಲ್ಲಿಸಿರುವ ಮನವಿಯ ಮೇಲೆ ಮಾನ್ಯ  
ಮುಖ್ಯಮಂತ್ರಿಯವರ ಈ ಕೆಳಕಂಡಂತೆ ಆದೇಶಿಸಿರುತ್ತಾರೆ.

ಅರ್ಜಿದಾರರ ಮನವಿಯನ್ನು ಪರಿಗಣಿಸಲು ಆದೇಶಿಸಿದೆ ಹಾಗೂ ಸರ್ಕಾರದ  
ಮಟ್ಟದಲ್ಲಿ ಅಂತಿಮ ತೀರ್ಮಾನ ತೆಗೆದುಕೊಳ್ಳುವವರೆಗೆ ಯಾವುದೇ  
precipitative action ತೆಗೆದುಕೊಳ್ಳದಿರುವಂತೆ ಆದೇಶಿಸಿದೆ.

4 11 AUG 2010

ಈ ವಿಷಯದ ಬಗ್ಗೆ ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಯವರ ಆದೇಶದಂತೆ ಸೂಕ್ತ  
ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ ಕೋರಲು ನಿರ್ದೇಶಿತವಾಗಿದ್ದೇನೆ. ಅರ್ಜಿದಾರರ ಮನವಿಯನ್ನು  
ಪರಿಗಣಿಸಿ ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ.

(ಬಿ.ಎಸ್.ಎನ್. ಪ್ರಸಾದ್)

ಮುಖ್ಯಮಂತ್ರಿಯವರ ಕಾರ್ಯದರ್ಶಿ

ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು,  
ಕಂದಾಯ ಇಲಾಖೆ.

ಪ್ರತಿ:

1. ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು: ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ಚಿಕ್ಕಮಗಳೂರು ಇವರಿಗೆ ಮುಂದಿನ  
ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದೆ.
2. ಸರ್ಕಾರದ ಮುಖ್ಯ ಸಚೇತಕರ, ಆಪ್ತಕಾರ್ಯದರ್ಶಿ, ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ,  
ಇವರಿಗೆ

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Annexure - 8

"ಸುವರ್ಣ ಕರ್ನಾಟಕ"

ಮುಖ್ಯ ಮಂತ್ರಿಯವರ ಕಾರ್ಯದರ್ಶಿ  
SECRETARY TO CHIEF MINISTER



ಮುಖ್ಯ ಮಂತ್ರಿಯವರ ಸಚಿವಾಲಯ  
ವಿಧಾನ ಸೌಧ, ಬೆಂಗಳೂರು-೫೬೦ ೦೦೧.  
CHIEF MINISTER'S SECRETARIAT  
VIDHANA SOUDHA, BANGALORE-560 001.

ಕ್ರಮಾಂಕ/No.: PSCM/3495/2010

ದಿನಾಂಕ/DATED: 19.11.2010

ಟಿಪ್ಪಣಿ

ಶ್ರೀ ವೈ.ಎನ್.ರುದ್ರೇಶ್ ಗೌಡ, ಮಾನ್ಯ ಶಾಸಕರು, ಬೇಲೂರು ಮತಕ್ಷೇತ್ರ, ಹಾಸನ ಜಿಲ್ಲೆ ಇವರು, ಹಾಸನ ಜಿಲ್ಲೆಯ ರೈತರ ಒತ್ತುವರಿ ಜಮೀನುಗಳನ್ನು ಹಿಂಪಡೆಯಲು ಹೊರಡಿಸಿರುವ ಆದೇಶವನ್ನು ಎದ್ದುಪಡಿಸುವಂತೆ ಕೋರಿ ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಯವರಿಗೆ ಸಲ್ಲಿಸಿರುವ ದಿನಾಂಕ: 19.11.2010ರ ಸ್ವಯಂವೇದ್ಯದ ಮನವಿಪತ್ರವನ್ನು ಅಡಕಗಳ ಸಹಿತ ಇವರೊಂದಿಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ. ಈಗಾಗಲೇ ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆಯ ರೈತರ ಇದೇ ರೀತಿಯ ಮನವಿಯ ಮೇಲೆ ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಯವರು ಕೆಳಕಂಡಂತೆ ಆದೇಶಿಸಿದ್ದಾರೆ:

"ಅರ್ಜಿದಾರರ ಮನವಿಯನ್ನು ಪರಿಗಣಿಸಲು ಆದೇಶಿಸಿದೆ ಹಾಗೂ ಸರ್ಕಾರದ ಮಟ್ಟದಲ್ಲಿ ಅಂತಿಮ ತೀರ್ಮಾನ ತೆಗೆದುಕೊಳ್ಳುವವರೆಗೆ ಯಾವುದೇ precipitative action ತೆಗೆದುಕೊಳ್ಳದಿರುವಂತೆ ಆದೇಶಿಸಿದೆ."

ಹಾಸನ ಜಿಲ್ಲೆಯ ರೈತರ ಮನವಿ ಬಗ್ಗೆ ಕೂಡ ಮೇಲ್ಕಂಡ ಆದೇಶದಂತೆ ಕ್ರಮ ವಹಿಸಲು ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಯವರ ಆದೇಶಿಸಿದ್ದು, ಅದರಂತೆ ಕೂಡಲೇ ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ ಕೋರಲು ನಿರ್ದೇಶಿತವಾಗಿದ್ದೇನೆ.

ಸಹಿ:-

(ಐ.ಎಸ್.ಎನ್.ಪ್ರಸಾದ್)

ಮುಖ್ಯಮಂತ್ರಿಯವರ ಕಾರ್ಯದರ್ಶಿ-1

ಗೆ:

ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ,  
ಕಂದಾಯ ಇಲಾಖೆ.

ಪ್ರತಿ:-

1. ಜಿಲ್ಲಾಧಿಕಾರಿ, ಹಾಸನ ಜಿಲ್ಲೆ, ಹಾಸನ - ಇವರಿಗೆ ಮಾಹಿತಿ ಹಾಗೂ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದೆ.
2. ಶ್ರೀ ವೈ.ಎನ್.ರುದ್ರೇಶ್ ಗೌಡ, ಮಾನ್ಯ ಶಾಸಕರು, ಬೇಲೂರು ಮತಕ್ಷೇತ್ರ, ಹಾಸನ ಜಿಲ್ಲೆ - ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಕಳುಹಿಸಿದೆ.

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(ಐ.ಎಸ್.ಎನ್.ಪ್ರಸಾದ್)

ಮುಖ್ಯಮಂತ್ರಿಯವರ ಕಾರ್ಯದರ್ಶಿ-1



ವಿ. ಬಾಲಸುಬ್ರಮಣ್ಯನ್  
ನವ್ಯತರ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ  
ಮತ್ತು ಅಧ್ಯಕ್ಷರು, ಸರ್ಕಾರಿ ಜಮೀನು  
ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ



(O) : 080-22133558  
(R) : 080-25465034  
080-25467943  
(M) : 9845970092

V. BALASUBRAMANIAN, IAS (Retd.,)  
Former Additional Chief Secretary  
and Chairman,  
Task Force for Protection of Govt. Lands

**CONFIDENTIAL**

2ನೇ ಮಹಡಿ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ ಕಟ್ಟಡ  
ಸಿಟಿ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಆವರಣ ಹತ್ತಿರ  
ಕೆ.ಜಿ. ರಸ್ತೆ, ಬೆಂಗಳೂರು - 560 009  
2nd Floor, Deputy Commissioner Office Building  
Near City Civil Court Complex  
K.G. Road, Bangalore - 560 009  
31<sup>st</sup> January, 2011

D.O. No.: CTF/8/2010-11

ದಿನಾಂಕ / Date .....  
E-Mail : [vbalu41@gmail.com](mailto:vbalu41@gmail.com)

Dear Hon'ble Mr. Justice Majage,

**Subject : Complaint of Shri S. Krishnaswamy, registered as  
Compt/Uplok/MYS/272/2010 in the Office of the Hon'ble  
Upalokayukta, Bangalore.**

1) Kindly refer to your D.O. letter No.Compt/Uplok/MYS/272/2010/DRE-3, dated 20<sup>th</sup> December, 2010 and my letter of acknowledgment No.CTF/8/2010-11, dated 22<sup>nd</sup> December, 2010, concerning the above subject. The Hon'ble Upalokayukta had requested me to enquire into the subject matter and submit a report as early as possible.

2) To enquire into the matter, a team of nine persons headed by Shri G.N. Nayak, IAS (Retired), Special Officer, Karnataka Public Lands Corporation Limited (who was formerly the Deputy Commissioner and District Magistrate, Bangalore Urban District and who is now assisting the Task Force for Protection of Government Lands) had made a preliminary examination of the records on 6<sup>th</sup> January, 2011. Later, the team proceeded to Holenarasipura and examined the records in the Taluk Office, in detail, on 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> January, 2011. A detailed Report prepared by the team headed by Shri G.N. Nayak is enclosed herewith in both English and Kannada versions.

3) It is noticed that many material and major irregularities have been committed by the Taluk-level Committee for Regularization of Unauthorized Occupation of Government Lands, the Secretary of which is the concerned

Tahsildar of Holenarasipura Taluk, Hassan District, whose presence is always necessary and mandatory to complete quorum. During the year 2005, following were the members of this Committee :

- |     |  |                 |
|-----|--|-----------------|
| (1) | Shri H.D. Revanna,<br>Former Minister for Public Works and<br>Electricity, Govt.of Karnataka, Bangalore. | Chairman        |
| (2) | Shri P.N. Mallesh<br>S/o. P. Nanjappa, Helenarasipura  | Member          |
| (3) | Smt. Vijayalakshmi,<br>W/o. Ningaraju, Helenarasipura  | Member          |
| (4) | Shri Ravindra<br>S/o. Devaiah, Helenarasipura  | Member          |
| (5) | The Tahsildar<br>Holenarasipura Taluk  | Member-Secetary |

4) The highlights of the Report are as follows :

(a) According to the rules, whenever an application for regularization is given in Form No.53, it should be registered in the concerned Register. After registering, the Tahsildar will have to examine the eligibility of the applicant with reference to his age, not being a minor, whether he is of sound mind, whether the application is otherwise legally permissible, etc., and send it to the Deputy Commissioner with his report. After receiving the report of the Tahsildar, the Deputy Commissioner concerned has to inspect the land applied for regularization and if he is satisfied that the application is valid, he has to send it to the Tahsildar, who as Secretary of the Committee, will place it before the Committee with the recommendation of the Deputy Commissioner. *[Paragraph-3 of Report]*

(b) It is noticed that in 290 cases, while there are applications bundled and sent, they have not been entered into the Register at all. But, even though there are no entries in the Register, the Regularization Committee



has passed resolutions on five different dates (as mentioned in the report) during 2005. *[Paragraph-5 of Report]*

(c) During the meeting of Regularization Committee on 6-10-2005, while the Committee has purportedly passed resolutions, there is no signature of the Tahsildar for having attended the meeting. Under the rules, the quorum of two will not be complete unless the Tahsildar as Secretary of the Committee is necessarily present in the meeting. However, inspite of his absence which makes the Committee proceedings null and void, in all the 116 cases the regularization has been done. *[Paragraph-5(1) of Report]*

(d) In one case pertaining to Survey No.10/2 of Hangarahosur Village, an area of 14 acres 30 guntas reserved for Government Seed Farm in 1961, was regularized in favour of four persons, even though applications were not entered in the prescribed Register. *[Paragraph-6(I) of Report]*

(e) In another case, Government land in Survey Nos.16, 18 and 113 of Singapura Village, which is a Government land reserved for allotment to land losers in Hemavathi Irrigation Project, has been regularized in favour of four persons, even though some of their names are not found in the Applications Register. *[Paragraph-6(III), 6(IV) of Report]*

(f) It is also seen that in some of the proceedings, the Tahsildar has inserted his remarks with signature, even though he has not attended the meetings, which is clear from the difference in handwriting. *[Paragraph-5(2) of Report]*

(g) It is also seen from the original Resolutions Book that there are over-writings and insertions. *[Paragraph-5(3) of Report]*

5) In conclusion, I recommend that the Tahsildar, Shri Kadaiah (retired on 31-12-2007), Shri Lingaraju (Surveyor now working in Hassan District), Smt. Sunitha (First Division Assistant in the Taluk Office, Holenarasipura) and Shri Altaf Hussain (Revenue Inspector - retired) should be proceeded against under the relevant Sections of the Indian Penal Code for Breach of Trust, Fraud, Creation of False Records, etc., namely :

- (i) Sec.464 : Making a false document;
- (ii) Sec.466 : Forgery of record of Court of public register;
- (iii) Sec.468 : Forgery for purpose of cheating;
- (iv) Sec.471 : Using as genuine a forged document;
- (v) Sec.474 : Having possession of document described in Section 466 or 467, knowing it to be forged and intending to use it as genuine;
- (vi) Sec.477A: Falsification of accounts.

With kind regards,

Yours sincerely,

  
31.1.11

(V. Balasubramanian)

Hon'ble Mr. Justice S.B.Majage,  
Upalokayukta, State of Karnataka,  
Multi-Storeyed Building,  
Dr. Ambedkar Veedhi,  
BANGALORE - 560 001

Encls. : as above



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Page 4 of 4

[Original letter along with its enclosures have been hand-delivered to the office of the Hon'ble Mr. Justice S.B.Majage, Bangalore, on 21/01/2011, under the supervision of the undersigned.]

ಹಾಸನ ಜಿಲ್ಲೆ ಹೊಳೆನರಸೀಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಅನಧಿಕೃತ  
ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವಲ್ಲಿ ಅವ್ಯವಹಾರ  
ಆಗಿರುವುದಾಗಿ ಶ್ರೀ ಎನ್.ಕೃಷ್ಣಸ್ವಾಮಿ, ಹೊಳೆನರಸೀಪುರ  
ಇವರು ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ನೀಡಿದ ದೂರಿನ  
ವಿಚಾರಣಾ ವರದಿ

ವಿಷಯ ಸೂಚಿ

ಕ್ರ.ಸಂ.		ಪುಟಗಳ ಸಂಖ್ಯೆ
01.	ಸಮೀಕ್ಷಾ ವರದಿ	1 ರಿಂದ 8
02.	ದಿನಾಂಕ: 13.01.2005ರಂದು ನಡೆದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಮಂಜೂರು ಮಾಡಿದ ಫಲಾನುಭವಿಗಳ ವಿವರ	9 ರಿಂದ 12
03.	ದಿನಾಂಕ: 05.04.2005ರಂದು ನಡೆದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಮಂಜೂರು ಮಾಡಿದ ಫಲಾನುಭವಿಗಳ ವಿವರ	13 ರಿಂದ 20
04.	ದಿನಾಂಕ: 15.04.2005ರಂದು ನಡೆದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಮಂಜೂರು ಮಾಡಿದ ಫಲಾನುಭವಿಗಳ ವಿವರ	21 ರಿಂದ 24
05.	ದಿನಾಂಕ: 10.06.2005ರಂದು ನಡೆದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಮಂಜೂರು ಮಾಡಿದ ಫಲಾನುಭವಿಗಳ ವಿವರ	25 ರಿಂದ 30
06.	ದಿನಾಂಕ: 06.10.2005ರಂದು ನಡೆದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಮಂಜೂರು ಮಾಡಿದ ಫಲಾನುಭವಿಗಳ ವಿವರ	31 ರಿಂದ 37
07.	ಡಿಸೆಂಬರ್ 2007ರಲ್ಲಿ ಕಿಮ್ಮತ್ತು ಪಾವತಿ ಆಗಿರುವ ವಿವರ	38 ರಿಂದ 47
08.	ಡಿಸೆಂಬರ್ 2007ರಲ್ಲಿ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುವ ವಿವರ	49
09.	ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ರಚನೆ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ದಿನಾಂಕ: 19.02.2004	51
10.	ತಾಲ್ಲೂಕು ಖಜಾನೆಯ ಡಿಸೆಂಬರ್ 2007ರ ಟ್ರೆಜರಿ ಷೆಡ್ಯೂಲ್	52 ರಿಂದ 63

ಹಾಸನ ಜಿಲ್ಲೆ ಹೊಳೆನರಸೀಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವಲ್ಲಿ ಅವ್ಯವಹಾರ ಆಗಿರುವುದಾಗಿ ಶ್ರೀ ಎನ್.ಕೃಷ್ಣಸ್ವಾಮಿ ರಾಘವೇಂದ್ರಸ್ವಾಮಿ-ಮಠ ರಸ್ತೆ, ಹೊಳೆನರಸೀಪುರ ಇವರು ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ನೀಡಿದ ದೂರಿನ ವಿಚಾರಣಾ ವರದಿ.

ಹಾಸನ ಜಿಲ್ಲೆ, ಹೊಳೆನರಸೀಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಸರ್ಕಾರಿ ಜಮೀನು ಅನಧಿಕೃತ ಒತ್ತುವರಿ ಆಗಿರುವುದನ್ನು ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವಲ್ಲಿ ಅಕ್ರಮವಾಗಿರುವುದಾಗಿ ಶ್ರೀ ಎನ್.ಕೃಷ್ಣಸ್ವಾಮಿ, ಹೊಳೆನರಸೀಪುರ ಇವರು ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ದೂರು ನೀಡಿದ್ದು, ಸದರಿ ದೂರನ್ನು Comp/ Uplok/ MYS/272/2010 ಎಂದು ದಾಖಲಿಸಿಕೊಂಡಿರುತ್ತಾರೆ. ಈ ಬಗ್ಗೆ ವಿಚಾರಣೆ ನಡೆಸಿ ವರದಿ ಸಲ್ಲಿಸಲು ಅಧ್ಯಕ್ಷರು, ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ, ಬೆಂಗಳೂರು ಇವರಿಗೆ ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರು ಅವರ ಪತ್ರ ದಿನಾಂಕ:20/12/2010 ರಂದು ಕಳುಹಿಸಿರುತ್ತಾರೆ. ದೂರಿನಲ್ಲಿಯ ಪ್ರಮುಖ ಅಂಶಗಳು ಈ ಕೆಳಕಂಡಂತಿವೆ.

- 1) ದಿನಾಂಕ: 30/12/2007ರಂದು ಒಂದೇ ದಿನ 232 ಜನರು ಸಾಗುವಳಿ ಚೀಟಿಗಾಗಿ ಕಿಮ್ಮತ್ತು ಕಟ್ಟಿರುತ್ತಾರೆ.
- 2) ಡಿಸೆಂಬರ್ 2007 ತಿಂಗಳಿನಲ್ಲಿ ಒಟ್ಟು 385 ಜನರಿಗೆ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುತ್ತಾರೆ.
- 3) ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ನಮೂನೆ-50 ಅಥವಾ ನಮೂನೆ-53ರಲ್ಲಿ ಅರ್ಜಿ ಕೊಟ್ಟವರಿಗೆ ಜಮೀನು ಮಂಜೂರು ಮಾಡದೇ ಅರ್ಜಿ ಸಲ್ಲಿಸದೇ ಇರುವವರಿಗೆ ಅಕ್ರಮವಾಗಿ ಕಡತ ತಯಾರಿಸಿ ಜಮೀನು ಮಂಜೂರಾತಿ ಚೀಟಿ ನೀಡಿರುತ್ತಾರೆ.

ಶ್ರೀ ಎನ್. ಕೃಷ್ಣಸ್ವಾಮಿಯವರು ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ಸಲ್ಲಿಸಿದ ಅಫಿಡವಿಟ್‌ನಲ್ಲಿ ಈ ಕೆಳಗೆ ನಮೂದಿಸಿದ ಅಂಶಗಳ ಬಗ್ಗೆ ದೂರಿರುತ್ತಾರೆ.

1. ಹಂಗರಹೂಸೂರು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ: 10/2ರಲ್ಲಿ ಶ್ರೀಮತಿ ಸ್ವರ್ಣಾಂಬ ಕೋಂ ಮಹೇಶ್, ಶ್ರೀಮತಿ ನಿರ್ಮಲ ಕೋಂ ಕಿಟ್ಟಸ್ವಾಮಿ ಮತ್ತು ಶ್ರೀಮತಿ ಸಂಧ್ಯಾ ಕೋಂ ವಿಜಯರಾಘವ್ ಇವರು ಅರ್ಜಿ ನೀಡಿದ್ದರೂ ಅವರ ಅರ್ಜಿಯನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಳ್ಳದೇ ಶ್ರೀಮತಿ ಪದ್ಮಾ ಕೋಂ ಸೋಮಶೇಖರ್, ಶ್ರೀಮತಿ ಗಾಯತ್ರಿ ಕೋಂ ನಿಂಗರಾಜು ಮತ್ತು ಶ್ರೀಮತಿ ನಂದಿನಿ ಕೋಂ ಕೃಷ್ಣಕುಮಾರ್ ಇವರಿಗೆ ಜಮೀನು ಮಂಜೂರು ಮಾಡಿರುತ್ತಾರೆ. ಈ ಆದೇಶವನ್ನು ರದ್ದುಪಡಿಸಲು ಉಪವಿಭಾಗಾಧಿಕಾರಿಗಳು ಹಾಸನ ಇವರು ಆದೇಶ ಮಾಡಿದ್ದರೂ ಅವರ ಆದೇಶವನ್ನು ಜಾರಿಗೊಳಿಸಿರುವುದಿಲ್ಲ.
2. ಶ್ರೀಯುತ ಕಾಡಯ್ಯ ಹಿಂದಿನ ತಹಸೀಲ್ದಾರ್ ಹೊಳೆನರಸೀಪುರ ಇವರು ದಿ:31/12/2007ರಂದು ನಿವೃತ್ತರಾಗಿದ್ದಾಗ್ಯೂ ನಿವೃತ್ತಿ ನಂತರ ಹಿಂದಿನ ದಿನಾಂಕ ನಮೂದಿಸಿ ಸಹಿ ಮಾಡಿ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುತ್ತಾರೆ.
3. ಹೇಮಾವತಿ ನೀರಾವರಿ ಯೋಜನೆಯಡಿ ನಿರಾಶ್ರಿತರಾದವರ ಪುನರ್ವಸತಿಗೆ ಮೀಸಲಿಟ್ಟ ಜಮೀನನ್ನು ಸಕ್ರಮಗೊಳಿಸಲು ಅವಕಾಶವಿಲ್ಲದಿದ್ದಾಗ್ಯೂ ಅದನ್ನು ಸಕ್ರಮಗೊಳಿಸಿ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುತ್ತಾರೆ.
4. ಕಡತ ನಿರ್ವಹಣೆಯಲ್ಲಿ ಲೋಪದೋಷಗಳು ಅಂದರೆ ಕಛೇರಿ ಟಿಪ್ಪಣಿಗೆ ಯಾವುದೇ ಸಹಿ ಮತ್ತು ದಿನಾಂಕ ಇಲ್ಲದಿರುವುದು, ಮಂಜೂರಾತಿ ಆದೇಶ, ಅಧಿಕೃತ ಜ್ಞಾಪನಕ್ಕೆ ದಿನಾಂಕ ಮತ್ತು ಕಛೇರಿ ಕಡತ ಸಂಖ್ಯೆ ಇಲ್ಲದಿರುವುದು ರಾಜಸ್ವ ನಿರೀಕ್ಷಕರ ವರದಿಗೆ ನಂಬರ್ ಮತ್ತು ದಿನಾಂಕ ಇಲ್ಲದೇ ಇದಿರುವುದು ಇತ್ಯಾದಿ ಲೋಪಗಳಿರುವ ಬಗ್ಗೆ ಅಫಿಡವಿಟ್‌ನಲ್ಲಿ ನಮೂದಿಸಿರುತ್ತಾರೆ.

## 2) ಸಮೀಕ್ಷೆ ತಂಡ :-

ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರು ನೀಡಿದ ನಿರ್ದೇಶನದ ಪ್ರಕಾರ ವಿಚಾರಣೆ ಮಾಡಲು ಕಡತಗಳ ಪರಿಶೀಲನೆಗೆ ಸಿಬ್ಬಂದಿಗಳನ್ನು ಕಳುಹಿಸಲು ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರು ಮೈಸೂರು ವಿಭಾಗ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಹಾಸನ ಹಾಗೂ ಉಪವಿಭಾಗಾಧಿಕಾರಿಗಳು ಹಾಸನ ಇವರಿಗೆ, ಅಧ್ಯಕ್ಷರು ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ ಇವರು ಸೂಚನೆ ನೀಡಿದ್ದು, ಆ ಪ್ರಕಾರ ಕಡತಗಳ ಪರಿಶೀಲನೆಗೆ ಈ ಕೆಳಗೆ ನಮೂದಿಸಿದ ಅಧಿಕಾರಿಗಳ ಮತ್ತು ಸಿಬ್ಬಂದಿಗಳ ತಂಡವನ್ನು ರಚಿಸಲಾಗಿರುತ್ತದೆ.

- 1) ಶ್ರೀ ಜಿ.ಎನ್.ನಾಯ್ಕ ಭೂ.ತ.ಸ. (ನಿರ್ದೇಶಕ), ವಿ.ವಿ.ಪ್ರಾಧಿಕಾರಿಗಳ ಕಛೇರಿ, ಬೆಂಗಳೂರು.
- 2) ಶ್ರೀ ಬೀರಲಿಂಗೇಗೌಡ ತಹಸೀಲ್ದಾರ್, ಜಾರಿದಳ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ, ಬೆಂಗಳೂರು.
- 3) ಶ್ರೀ ಲಕ್ಷ್ಮೀನಾರಾಯಣ ಕೆ.ಆ.ಸೇ ತಹಸೀಲ್ದಾರ್, ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.
- 4) ಶ್ರೀಮತಿ ಎಂ.ಎಂ.ದೇವಮ್ಮ ಶಿರಸ್ತೇದಾರ್, ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.
- 5) ಶ್ರೀ ನಾಗರಾಜು ಪ್ರ.ದ.ಸ, ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.
- 6) ಶ್ರೀ ಹೆಚ್.ಜಿ. ವೇಣುಗೋಪಾಲ್ ದ್ವಿ.ದ.ಸ, ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.
- 7) ಶ್ರೀ ಹೆಚ್.ಎಸ್.ಸತೀಶ್ ಬಾಬು ಕೆ.ಎ.ಎಸ್.ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ ಸಹಾಯಕರು, ಹಾಸನ.
- 8) ಶ್ರೀ ಎನ್.ವಿ.ನಟೇಶ್ ಶಿರಸ್ತೇದಾರ್, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ, ಹಾಸನ.
- 9) ಶ್ರೀ ಸೋಮಶೇಖರ್ ವ್ಯವಸ್ಥಾಪಕರು ಉಪವಿಭಾಗಾಧಿಕಾರಿಗಳ ಕಛೇರಿ, ಹಾಸನ.

### 3) ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣದಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ವಿಧಾನ :-

ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಅಧಿನಿಯಮ 1964ರ ಕಲಂ 94 ಎ ಪ್ರಕಾರ 14/04/1990ಕ್ಕಿಂತ ಕನಿಷ್ಠ ಮೂರು ವರ್ಷಗಳ ಹಿಂದಿನಿಂದ (ಪ.ಜಾ/ಪ.ಪಂ ಅರ್ಜಿದಾರರು ಕನಿಷ್ಠ ಒಂದು ವರ್ಷ ಹಿಂದಿನಿಂದ) ಸರ್ಕಾರಿ ಜಮೀನನ್ನು ನಿರಂತರವಾಗಿ ಅನಧಿಕೃತವಾಗಿ ಸಾಗುವಳಿ ಮಾಡುತ್ತಿದ್ದಲ್ಲಿ ಸಕ್ರಮಗೊಳಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿದ್ದು, ಸಕ್ರಮಗೊಳಿಸಲು ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಲು ದಿನಾಂಕ: 19/09/1991 ಕೊನೆಯ ದಿನಾಂಕವಾಗಿರುತ್ತದೆ. ನಂತರ ಕಲಂ 94ಬಿ ಪ್ರಕಾರ ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಅವಧಿ ವಿಸ್ತರಿಸಿ ನಮೂನೆ-53ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ದಿನಾಂಕ: 30/04/1999ರವರೆಗೆ ಅರ್ಜಿ ಕೊನೆಯ ದಿನಾಂಕವಾಗಿರುತ್ತದೆ. ನಿಗದಿಪಡಿಸಿದ ಕೊನೆಯ ದಿನಾಂಕದ ನಂತರ ಕಲಂ 94ಬಿ ಪ್ರಕಾರ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಳ್ಳಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ.

ಕರ್ನಾಟಕ ಭೂಕಂದಾಯ ಅಧಿನಿಯಮ 94 ಬಿ ಪ್ರಕಾರ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳ ಪರಿಶೀಲನಾ ಕ್ರಮವನ್ನು ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ನಿಯಮಾವಳಿ 1966 ರ ನಿಯಮ 108 ಸಿಸಿ ಯಲ್ಲಿ ವಿವರಿಸಲಾಗಿದೆ. ಈ ನಿಯಮದ ಪ್ರಕಾರ ತಹಸೀಲ್ದಾರರು ಅರ್ಜಿ ಸ್ವೀಕರಿಸಿದ ಕೂಡಲೇ ಅನಧಿಕೃತ ಸಾಗುವಳಿದಾರನಿಗೆ ನೋಟೀಸನ್ನು ಕೊಡತಕ್ಕದ್ದು ಮತ್ತು ಸಾರ್ವಜನಿಕ ನೋಟೀಸನ್ನು ಕೊಡತಕ್ಕದ್ದು. ಅರ್ಹ ಫಲಾನುಭವಿಗಳ ಯಾದಿಯನ್ನು ಸಿದ್ಧಪಡಿಸಿ ರಿಜಿಸ್ಟ್ರಿನಲ್ಲಿ ದಾಖಲಿಸಿ ಸಂಬಂಧಿಸಿದ ಕಾಗದ ಪತ್ರಗಳನ್ನೆಲ್ಲವನ್ನು ನೋಟೀಸ್ ನೀಡಿದ ಮೂರು ತಿಂಗಳೊಳಗಾಗಿ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ ಅಥವಾ ನಿರ್ದಿಷ್ಟಾಧಿಕಾರಿಗಳಿಗೆ ಕಳುಹಿಸತಕ್ಕದ್ದು. ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಅಥವಾ ನಿರ್ದಿಷ್ಟಾಧಿಕಾರಿ ಫಲಾನುಭವಿಗಳ ಅರ್ಹತೆ ಕುರಿತು ಕಾಗದ ಪತ್ರಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಮೂರು ತಿಂಗಳಲ್ಲಿ ಸಮಿತಿಯೆದುರು ಮಂಡಿಸಲು ಶಿಫಾರಸ್ಸು ಮಾಡತಕ್ಕದ್ದು ಎಂದಿರುತ್ತದೆ.

ನಿಯಮ 108 ಡಿ ಪ್ರಕಾರ ಸಮಿತಿ, ಅರ್ಜಿದಾರನಿಂದ ಒದಗಿಸಲ್ಪಟ್ಟ ವಿವರಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಅರ್ಜಿದಾರನು ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ಭೂಮಿಯ ಮಂಜೂರಾತಿ ಪಡೆಯಲು ಹಕ್ಕುದಾರನಾಗಿರುತ್ತಾನೆ ಮತ್ತು ಅವನು ಸಂದಾಯ ಮಾಡಬೇಕಾದ ಮೊಬಲಗು ಎಷ್ಟು ಅಂತ ನಿರ್ಣಯಿಸಿ ಗ್ರಾಮ ಬಾವಡಿ ಮತ್ತು ಮಂಡಲ ಪಂಚಾಯಿತಿ ಕಛೇರಿಗಳಲ್ಲಿ ಪ್ರಚುರ ಪಡಿಸಿ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಆಹ್ವಾನಿಸಿ ನೋಟೀಸನ್ನು ಪ್ರಕಟಿಸತಕ್ಕದ್ದಾಗಿರುತ್ತದೆ. ನಿರ್ದಿಷ್ಟ ಅವಧಿಯಲ್ಲಿ ಬಂದಂತಹ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಮತ್ತು ಅವಶ್ಯಕವಿದ್ದಲ್ಲಿ ಇನ್ನಷ್ಟು ವಿಚಾರಣೆ ನಡೆಸಿ ಆ ನಂತರ ಜಮೀನು ಮಂಜೂರಾತಿ ಮಾಡುವ ಬಗ್ಗೆ ಕಮಿಟಿ ಶಿಫಾರಸ್ಸು ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ.

ಆದರೆ ಈ ಯಾವುದೇ ನಿಯಮಾವಳಿಗಳನ್ನು ಪರಿಶೀಲಿಸಿದ ಬಗ್ಗೆ ಕಡತದಲ್ಲಿ ಕಂಡುಬರುವುದಿಲ್ಲ. ತಪಾಸಣೆಗೆ ಹಾಜರುಪಡಿಸಿದ ಕಡತಗಳ ಪರಿಶೀಲನೆಯಿಂದ ಈ ಕೆಳಗಿನ ಅಂಶಗಳು ಕಂಡುಬಂದಿರುತ್ತವೆ.

1. ಅರ್ಜಿಗಳು ಸ್ವೀಕೃತವಾದ ನಂತರ ದಾಖಲೆಗಳನ್ನು ಹಾಜರುಪಡಿಸಲು ನೋಟೀಸು ನೀಡಿರುವುದಿಲ್ಲ. ಸಾರ್ವಜನಿಕ ಪ್ರಕಟಣೆ ಹೊರಡಿಸಿರುವುದಿಲ್ಲ.
2. ಸಕ್ರಮ ಪಡೆಯಲು ಅರ್ಜಿದಾರರು ಅರ್ಹತೆ ಹೊಂದಿರುವವರೇ ಎಂಬುದರ ಬಗ್ಗೆ ಪರಿಶೀಲನೆ ಮಾಡಿರುವುದಿಲ್ಲ.
3. ಅರ್ಹ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿ ತಯಾರಿಸಿ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ ಕಳುಹಿಸಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ನಿಯಮ 108 ಸಿಸಿ ಅನುಸರಿಸದೇ ಇರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ.

### 4) ರಿಜಿಸ್ಟ್ರರುಗಳ ಮತ್ತು ಕಡತಗಳ ಪರಿಶೀಲನೆ :-

ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ಬಂದಂತಹ ಅರ್ಜಿಗಳನ್ನು ಗ್ರಾಮವಾರು ವಿಂಗಡಿಸಿ ನಿಗದಿತ ನಮೂನೆ, ರಿಜಿಸ್ಟ್ರಿನಲ್ಲಿ ನಮೂದಿಸಬೇಕಾಗಿರುತ್ತದೆ. ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ನಿಗದಿ ಪಡಿಸಿದ ದಿನಾಂಕದ ನಂತರ ಬಂದಂತಹ ಅರ್ಜಿಗಳನ್ನು ಪರಿಗಣಿಸಲು ಅವಕಾಶವಿಲ್ಲದಿರುವುದರಿಂದ ಕೊನೆಯ ನಮೂದಿನ ನಂತರ ಕೆಂಪು ಮಸಿಯಲ್ಲಿ ಗೆರೆ ಎಳೆದು

ಬಂದಂತಹ ಅರ್ಜಿಗಳ ಫೋಷ್ವಾರೆ ನಮೂದಿಸಬೇಕಾಗಿರುವುದು ಅತ್ಯಾವಶ್ಯವಿರುತ್ತದೆ. ಹೊಳೆನರಸೀಪುರ ತಾಲ್ಲೂಕಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತಹ ಮೂರು ಹೋಬಳಿಗಳಿಗೆ ಪ್ರತ್ಯೇಕ ರಿಜಿಸ್ಟ್ರಾರ್‌ಗಳನ್ನು ನಿರ್ವಹಿಸಲಾಗಿದೆ. ಆದರೆ ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಬಂದ ಅರ್ಜಿಯನ್ನು ದಾಖಲಿಸಿ ಗೆರೆ ಎಳೆದು ನಂತರ ಫೋಷ್ವಾರೆ ಹಾಕಿರುವುದಿಲ್ಲ ಮತ್ತು ತಹಸೀಲ್ದಾರರಿಂದ ದೃಢೀಕರಿಸಲ್ಪಟ್ಟಿರುವುದಿಲ್ಲ. ಇದರಿಂದಾಗಿ ಅವಧಿ ಮುಗಿದ ನಂತರ ಸಹಾ ಅನಧಿಕೃತವಾಗಿ ರಿಜಿಸ್ಟ್ರರಿನಲ್ಲಿ ನಮೂದಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಿಕೊಟ್ಟಂತಾಗಿದೆ.

ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ಬಂದ ಅರ್ಜಿಗಳು ಸಮಿತಿಯಲ್ಲಿ ತೀರ್ಮಾನಗೊಂಡ ನಂತರ ಅರ್ಜಿಯನ್ನು ಪುರಸ್ಕರಿಸಲಾಯಿತೇ ಅಥವಾ ತಿರಸ್ಕರಿಸಲಾಯಿತೇ ಎನ್ನುವ ಬಗ್ಗೆ ಮತ್ತು ಸಮಿತಿ ತೀರ್ಮಾನದ ದಿನಾಂಕವನ್ನು ರಿಜಿಸ್ಟ್ರರಿನಲ್ಲಿ ನಮೂದಿಸಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಎಷ್ಟು ಅರ್ಜಿಗಳು ತೀರ್ಮಾನವಾಗಿವೆ ಮತ್ತು ಎಷ್ಟು ಅರ್ಜಿಗಳು ತೀರ್ಮಾನಕ್ಕೆ ಬಾಕಿ ಇವೆ ಎಂಬ ಅಂಶವನ್ನು ರಿಜಿಸ್ಟ್ರರಿನ ದಾಖಲೆ ಮೂಲಕ ತಿಳಿದುಕೊಳ್ಳಲು ಸಾಧ್ಯವಾಗಿರುವುದಿಲ್ಲ.

ಅರ್ಜಿದಾರರಿಂದ ಬಂದಂತಹ ಅರ್ಜಿಗಳ ಬಗ್ಗೆ ಸ್ಥಾನಿಕ ವಿಚಾರಣೆ ನಡೆಸಿ ಕಚ್ಚಾ ನಕ್ಷೆ ತಯಾರಿಸಿ ಗ್ರಾಮ ಮಹಜರಿನೊಂದಿಗೆ ಕಂದಾಯ ನಿರೀಕ್ಷಕರು ವರದಿ ಕಳುಹಿಸಬೇಕಾಗಿರುತ್ತದೆ ಮತ್ತು ಪ್ರತಿಯೊಂದು ಅರ್ಜಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಪ್ರತ್ಯೇಕ ಕಡತಗಳನ್ನು ನಿರ್ವಹಿಸುವ ಅವಶ್ಯಕತೆ ಇದೆ. ಆದರೆ ಪ್ರತಿಯೊಂದು ಅರ್ಜಿಗಳ ಪ್ರತ್ಯೇಕ ಕಡತಗಳನ್ನು ತಯಾರಿಸಿರುವುದಿಲ್ಲ ಮತ್ತು ಸಮಿತಿಯ ನಿರ್ಣಯಗಳ ಪ್ರತಿಯನ್ನು ಸಹಾ ಕಡತದಲ್ಲಿ ಇಟ್ಟಿರುವುದಿಲ್ಲ ಮತ್ತು ಕಿಮ್ಮತ್ತು ಪಾವತಿಸಿದ ಬಗ್ಗೆಯಾಗಲೀ, ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿದ ಬಗ್ಗೆಯಾಗಲೀ, ಮಾಹಿತಿ ಲಭ್ಯವಾಗಿರುವುದಿಲ್ಲ. ಇದರಿಂದಾಗಿ ಪ್ರತಿಯೊಂದು ಅರ್ಜಿಯ ಬಗ್ಗೆ ನಿಯಮಾನುಸಾರ ಕ್ರಮಜರುಗಿಸಲಾಗಿದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ನಿರ್ದಿಷ್ಟವಾಗಿ ತಿಳಿದುಕೊಳ್ಳಲು ಸಾಧ್ಯವಾಗಿರುವುದಿಲ್ಲ.

##### 5) ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಯ ನಡವಳಿ ವಹಿ :-

ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ನಮೂನೆ-53 ರಲ್ಲಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳ ಪರಿಶೀಲನೆಗಾಗಿ ದಿನಾಂಕ: 13/01/2005, 05/04/2005, 15/04/2005, 10/06/2005 ಮತ್ತು 06/10/2005ರಂದು ಸಮಿತಿ ಸಭೆಗಳು ನಡೆದಿರುತ್ತವೆ.

ಈ ಸಭೆಗಳ ನಡವಳಿಕೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ ನಮೂನೆ-53ರ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರರಿನಲ್ಲಿ ನಮೂದಿಸದಿರುವ ಬಹಳಷ್ಟು ಜನರಿಗೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುವುದು ಕಂಡು ಬರುತ್ತದೆ. ಮಾಹಿತಿ ಈ ಕೆಳಗಿನಂತಿರುತ್ತದೆ.

ಕ್ರ.ಸಂ	ಸಭೆ ನಡವಳಿ ದಿನಾಂಕ	ನಮೂನೆ-53 ರ ದಾಖಲಾತಿ ವಹಿಯಲ್ಲಿ	
		ದಾಖಲೆ ಇರುವ ಸಂಖ್ಯೆ	ದಾಖಲು ಇಲ್ಲದಿರುವ ಸಂಖ್ಯೆ
01.	13/01/2005	15	63
02.	05/04/2005	97	58
03.	15/04/2005	60	13
04.	10/06/2005	70	80
05.	06/10/2005	40	76
	ಒಟ್ಟು	242	290

ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಬಂದಿರುವ ಎಲ್ಲಾ ಅರ್ಜಿಗಳನ್ನು ರಿಜಿಸ್ಟ್ರರಿನಲ್ಲಿ ದಾಖಲಿಸುವುದು ಕಡ್ಡಾಯವಾಗಿರುತ್ತದೆ. ಆದರೆ ಈ ರಿಜಿಸ್ಟ್ರರಿನಲ್ಲಿ ದಾಖಲಾಗದಿರುವ ಫಲಾನುಭವಿಗಳಿಗೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುವುದು ನಿಯಮಬಾಹಿರವಾಗಿರುತ್ತದೆ. ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸದಿರುವ ಮತ್ತು ಅರ್ಜಿಗಳೇ ಇಲ್ಲದಿರುವ ಪ್ರಕರಣಗಳನ್ನು ಸಮಿತಿ ಮುಂದೆ ಮಂಡಿಸಿರುವುದು ಕಾನೂನು ಬಾಹಿರವಾಗಿರುತ್ತದೆ. ಇಂತಹ ಮಂಜೂರಾತಿಗಳನ್ನು ರದ್ದುಪಡಿಸುವ ಅವಶ್ಯಕತೆ ಇರುತ್ತದೆ.

ಸಮಿತಿ ಸಭೆ ನಡವಳಿಯಲ್ಲಿ ತಿದ್ದುಪಡಿ / ಸೇರ್ಪಡೆ ಮಾಡಿರುವ ಬಹಳಷ್ಟು ಪ್ರಕರಣಗಳು ಕಂಡುಬಂದಿರುತ್ತವೆ. ಅರ್ಜಿಗಳನ್ನು ಸರಿಯಾಗಿ ದಾಖಲಿಸಿಕೊಳ್ಳದಿರುವುದು, ಅಸಮರ್ಪಕ ಕಡತ ನಿರ್ವಹಣೆ, ಸಮರ್ಪಕ ಮೇಲ್ವಿಚಾರಣೆ ಇಲ್ಲದಿರುವುದು ಇಂತಹ ನ್ಯೂನತೆಗಳಿಗೆ ಕಾರಣವಾಗಿರುತ್ತದೆ.

1) ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ನಡವಳಿ ದಿನಾಂಕ: 06/10/2005  
ಮಾಡಿರುವುದಿಲ್ಲ. ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ನಿಯಮಾವಳಿ 1966ರ ನಿಯಮ 108 ಇ ಉಪ ನಿಯಮ ಪ್ರಕಾರ ಸಮಿತಿಯ ಕೋರಂ 2 ಇರತಕ್ಕದ್ದಾಗಿದ್ದು ಅವರಲ್ಲಿ ಒಬ್ಬನು ತಹಸೀಲ್ದಾರಾಗಿರತಕ್ಕದ್ದು. ಆದರೆ ಸದರಿ ತೀರ್ಮಾನಕ್ಕೆ ತಹಸೀಲ್ದಾರ್ ಸಹಿ ಇಲ್ಲದೇ ಇರುವುದರಿಂದ ಕೋರಂ ಇಲ್ಲ ಎಂದು ಪರಿಗಣಿಸಬೇಕಾಗಿರುವುದರಿಂದ ಸದರಿ ದಿನದಂದು ತೆಗೆದುಕೊಳ್ಳಲಾದ ತೀರ್ಮಾನಗಳು ಅನುರ್ಜಿತವಾಗಿರುತ್ತದೆ.

2) ದಿನಾಂಕ: 06.10.2005ರಂದು ನಡೆದ ಸಭೆಯ ನಡವಳಿಕೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ ಬಾಗಿವಾಳು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 95ಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ "ನಮೂನೆ-53 ರ ಅರ್ಜಿ ಇಲ್ಲದ ಕಾರಣ ವಿಲೇಗೊಳಿಸಲಾಗಿದೆ". ಬೀರನಹಳ್ಳಿ ಸರ್ವೆ ನಂ 21 "ನಮೂನೆ-53 ಇಲ್ಲದ ಕಾರಣ ವಿಲೇಗೊಳಿಸಲಾಗಿದೆ". ವಳಂಬಿಗೆ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ: 8 "ಹೆಚ್.ಆರ್.ಪಿ.ಗೆ ಕಾಯ್ದಿರಿಸಿರುವುದರಿಂದ ವಜಾಗೊಳಿಸಿ ಆದೇಶಿಸಿದೆ". ಕೋಟಗನಹೊಸೂರು ಸರ್ವೆ ನಂ: 4 "ಅಧಿಕೃತ ದಾಖಲೆಗಳು ಮತ್ತು ವಿಶಿಷ್ಟ ಕಡತ ತಯಾರಿಲ್ಲದ ಕಾರಣ ವಿಲೇಗೊಳಿಸಿದೆ". ಹರಳಹಳ್ಳಿ ಸರ್ವೆ ನಂ: 51 "ನಮೂನೆ-53 ಲಭ್ಯವಿಲ್ಲದ ಕಾರಣ ವಿಲೇಗೊಳಿಸಿದೆ". ಶಿಗರನಹಳ್ಳಿ ಸರ್ವೆ ನಂ. 45, 46, 53ರಲ್ಲಿ "ನಮೂನೆ-53ರ ಅರ್ಜಿ ಲಭ್ಯವಿಲ್ಲದ ಕಾರಣ ವಿಲೇಗೊಳಿಸಿದೆ" ಎಂದು ತಹಸೀಲ್ದಾರ್ ಪ್ರತ್ಯೇಕವಾಗಿ ಷರಾ ಬರೆದಿರುತ್ತಾರೆ. ಇದರಿಂದಾಗಿ ಸಮಿತಿಯ ಕೆಲವು ತೀರ್ಮಾನಗಳಿಗೆ ತಹಸೀಲ್ದಾರ್ ರವರು ಒಪ್ಪಿಗೆ ನೀಡದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.

3) ದಿನಾಂಕ: 06/10/2005 ರ ನಡವಳಿ ದಿನಾಂಕ ತಿದ್ದಿ ಬರೆದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.

#### 6) ಕಡತಗಳ ಪರಿಶೀಲನೆ :-

I. ಹಂಗರಹೊಸೂರು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 10/2 :- ಹಂಗರಹೊಸೂರು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 10/2 ಇದರ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ 14 ಎಕರೆ 30 ಗುಂಟೆ ಇದ್ದು ಅದರಲ್ಲಿ 30 ಗುಂಟೆ ಖರಾಬು ಇರುತ್ತದೆ. ಆರ್.ಟಿ.ಸಿ ಮತ್ತು ಆಕಾರ್‌ಬಂದ್‌ನಲ್ಲಿ ಸರ್ಕಾರಿ ಸೀಡ್ ಫಾರಂ ಅಂತ ದಾಖಲಾಗಿರುತ್ತದೆ. ಸದರಿ ಜಮೀನಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ನಮೂನೆ-53ರಲ್ಲಿ ಶ್ರೀಮತಿ ಸಂಧ್ಯಾ ಕೋಂ ವಿಜಯರಾಘವ್ 4-00 ಎಕರೆಗೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಈ ಅರ್ಜಿ ನಿಗದಿತ ರಿಜಿಸ್ಟ್ರಿನಲ್ಲಿ ದಾಖಲಾಗಿರುತ್ತದೆ. ಆದರೆ ಇವರ ಅರ್ಜಿಯನ್ನು ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಪರಿಗಣಿಸಿರುವುದಿಲ್ಲ. ಆದರೆ ದಿನಾಂಕ: 06/10/2005ರಂದು ನಡೆದ ಅಕ್ರಮ ಸಕ್ರಮ ಸಮಿತಿಯ ಸಭೆಯಲ್ಲಿ ಶ್ರೀಮತಿ ಪದ್ಮಾ ಕೋಂ ಸೋಮಶೇಖರ್ 3 ಎಕರೆ 20 ಗುಂಟೆ, ಶ್ರೀಮತಿ ಗಾಯತ್ರಿ ಕೋಂ ನಿಂಗರಾಜು 3-00 ಎಕರೆ, ಶ್ರೀಮತಿ ನಂದಿನಿ ಕೋಂ ಕೃಷ್ಣ 4-00 ಎಕರೆ, ಕುಮಾರ ಬಿನ್ ಬೋರೇಗೌಡ 3 ಎಕರೆ 20 ಗುಂಟೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಈ ಕೆಳಗಿನ ನ್ಯೂನತೆಗಳು ಕಂಡುಬಂದಿರುತ್ತದೆ.

- ಹಂಗರಹೊಸೂರು ಸರ್ವೆ ನಂ 10/2 ಇದು ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ ಎಲ್.ಎ.ಆರ್ 75/60 ದಿನಾಂಕ: 09/06/1961ರಲ್ಲಿ ಸರ್ಕಾರಿ ಸೀಡ್ ಫಾರಂಗೆ ಮಂಜೂರಾಗಿರುವುದು ಹಿಸ್ಸಾ ಮೋಜಣಿ ಹಕ್ಕುದಾಖಲಾತಿ ಪಹಿ ನಮೂನೆ-5ರಲ್ಲಿ ದಾಖಲಾತಿಯಿಂದ ಕಂಡುಬರುತ್ತದೆ. ಪಹಣಿ ಪತ್ರಿಕೆಯ ಕಾಲಂ 09 ಮತ್ತು 12(2)ರಲ್ಲಿ ಮೈಸೂರು ಸರ್ಕಾರಕ್ಕೆ ಸೀಡ್ ಫಾರಂಗಾಗಿ ಅಂತ ನಮೂದು ಆಗಿರುತ್ತದೆ. ಇದು ಸರ್ಕಾರಿ ಸೀಡ್ ಫಾರ್ಮಿಗೆ ಮಂಜೂರಾದ ಜಮೀನಾಗಿರುವುದರಿಂದ ಇದನ್ನು ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ.
- ಶ್ರೀಮತಿ ಸಂಧ್ಯಾ ಕೋಂ ವಿಜಯರಾಘವ್ ಇವರು ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಯ ಮೇರೆ ಯಾವುದೇ ಕ್ರಮ ಕೈಗೊಂಡಿರುವುದಿಲ್ಲ. ಆದರೆ ನಮೂನೆ-53 ಅರ್ಜಿ ಸಲ್ಲಿಸದೇ ಇರುವ, ಮೇಲೆ ನಮೂದಿಸಿದ ನಾಲ್ಕು ಜನರಿಗೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನಿಸಿರುವುದು ನಿಯಮ ಬಾಹಿರವಾಗಿರುತ್ತದೆ.
- ಸಕ್ರಮಿಕರಣ ಸಮಿತಿಯ ಸದಸ್ಯ ಕಾರ್ಯದರ್ಶಿಗಳಾದ ತಹಸೀಲ್ದಾರ್‌ರವರು ಸಭಾ ನಡವಳಿಗೆ ಸಹಿ ಹಾಕಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಕರ್ನಾಟಕ ಭೂಕಂದಾಯ ನಿಯಮಾವಳಿಯ ನಿಯಮ 108 ಇ (3)ರಂತೆ ಕೋರಂ ಇಲ್ಲ ಅಂತ ಪರಿಗಣಿಸಬೇಕಾಗಿರುತ್ತದೆ.



iv. ಕಡತ ನಿರ್ವಹಣೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಕಛೇರಿ ಟಿಪ್ಪಣಿಯನ್ನು ವಿಷಯ ನಿರ್ವಾಹಕರು ಬರೆದು ನೇರವಾಗಿ ತಹಶೀಲ್ದಾರರಿಗೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಕಡತ ಮಂಡಿಸಿದ ಬಗ್ಗೆ ವಿಷಯ ನಿರ್ವಾಹಕರು ಮತ್ತು ಅನುಮೋದಿಸಿದ ಬಗ್ಗೆ ತಹಶೀಲ್ದಾರ್‌ವರು ದಿನಾಂಕ ನಮೂದಿಸಿರುವುದಿಲ್ಲ.

II. ಸಿಂಗಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 43:- ಸಿಂಗಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 43 ಇದರ ಒಟ್ಟು ಕ್ಷೇತ್ರ 6 ಎಕರೆ 25 ಗುಂಟೆ ಅದರಲ್ಲಿ 0-33 ಗುಂಟೆ ಖರಾಬು ಇದ್ದು ಸದರಿ ಜಮೀನು ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ಶ್ರೀ ಕಾಳಯ್ಯ ಬಿನ್ ಅಮಾಸಯ್ಯ ಇವರು ಮಾತ್ರ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದು, ಅವರ ಅರ್ಜಿ ನಿಗದಿತ ರಿಜಿಸ್ಟರಿನಲ್ಲಿ ದಾಖಲಾಗಿರುತ್ತದೆ. ದಿನಾಂಕ:05/04/2005 ರಂದು ನಡೆದ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಶ್ರೀ ತಿಮ್ಮೇಗೌಡ ಬಿನ್ ಕಾಳೇಗೌಡ ಇವರಿಗೆ 2 ಎಕರೆ 20 ಗುಂಟೆ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ (2 ಎಕರೆ 20 ಗುಂಟೆಯನ್ನು ತಿದ್ದಿ ಬರೆದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ). ನಂತರ ದಿನಾಂಕ: 06/10/2005ರ ಸಮಿತಿ ನಡವಳಿಯಲ್ಲಿ ಶ್ರೀ ರವಿನಂದನಸ್ವಾಮಿ ಇವರಿಗೆ 1-00 ಎಕರೆ, ಶ್ರೀ ಕಾಳಯ್ಯ ಬಿನ್ ಅಮಾಸಯ್ಯ ಇವರಿಗೆ 4-00 ಎಕರೆ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಈ ಕೆಳಗಿನ ನ್ಯೂನತೆಗಳು ಕಂಡುಬರುತ್ತದೆ.

i. ಜಮೀನಿನ ಒಟ್ಟು ಕ್ಷೇತ್ರ 6 ಎಕರೆ 25 ಗುಂಟೆ ಖರಾಬು 0-33 ಗುಂಟೆ ಜಾತ 5 ಎಕರೆ 32 ಗುಂಟೆ ಇರುತ್ತದೆ. ಆದರೆ ಖರಾಬು ಸೇರಿ 7 ಎಕರೆ 20 ಗುಂಟೆ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ. ಅಂದರೆ ಒಟ್ಟು ಜಮೀನು ಕ್ಷೇತ್ರಕ್ಕಿಂತ 35 ಗುಂಟೆ ಜಮೀನು ಹೆಚ್ಚಿಗೆ ಮಂಜೂರಾತಿಯಾಗಿರುತ್ತದೆ. ಇದನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ದಾಖಲೆ ಪರಿಶೀಲಿಸದೇ ಸರ್ವೆ ನಕ್ಷೆ ತಯಾರಿಸದೇ ಮಂಜೂರಾತಿ ಮಾಡಲು ಕ್ರಮಕೈಗೊಂಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.

ii. ಶ್ರೀ ತಿಮ್ಮೇಗೌಡ ಬಿನ್ ಕಾಳೇಗೌಡ, ಶ್ರೀ ರವಿನಂದನಸ್ವಾಮಿ ಇವರು ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ಅರ್ಜಿ ಸಲ್ಲಿಸದಿದ್ದಾಗ್ಯೂ ಸಮಿತಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನಿಸಿರುವುದು ಕಾನೂನು ಬಾಹಿರವಾಗಿರುತ್ತದೆ.

III. ಸಿಂಗಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 113 :- ಸಿಂಗಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 113ರ ಒಟ್ಟು ಕ್ಷೇತ್ರ 22-00 ಎಕರೆ ಹೇಮಾವತಿ ಜಲಾಶಯ ಯೋಜನೆಯ ಮುಳುಗಡೆ ಸಂತ್ರಸ್ತರ ಪುನರ್ವಸತಿ ಉದ್ದೇಶಕ್ಕೆ ಕಾಯ್ದಿರಿಸಿದ ಪ್ರದೇಶವಾಗಿದ್ದು ಹಾಸನ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಆದೇಶ ಎಲ್.ಎನ್.ಡಿ(1)30/2007-08 ದಿನಾಂಕ: 14/08/2007ರ ಪ್ರಕಾರ ಡಿರಿಜರ್ವ್ ಆಗಿರುತ್ತದೆ. ಸದರಿ ಜಮೀನು ನಿರ್ದಿಷ್ಟ ಉದ್ದೇಶಕ್ಕೆ ಕಾಯ್ದಿರಿಸಿದ ಪ್ರದೇಶವಾಗಿರುವುದರಿಂದ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ಸದರಿ ಜಮೀನು ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ನಮೂನೆ-53ರಲ್ಲಿ ಶ್ರೀ ಪುಟ್ಟನಾಯಕ್ ಬಿನ್ ಕಾಳನಾಯಕ್ ಇವರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದರು. ಆದರೆ, ಅವರ ಅರ್ಜಿಯ ಬಗ್ಗೆ ಯಾವುದೇ ತೀರ್ಮಾನವಾಗಿರುವುದಿಲ್ಲ. ದಿನಾಂಕ: 05/04/2005ರಂದು ನಡೆದ ಸಭಾ ನಡವಳಿಯಲ್ಲಿ ಶ್ರೀ ರಾಜೇಗೌಡ ಬಿನ್ ಮುದ್ದೇಗೌಡ ರವರ ಹೆಸರಿಗೆ 2 ಎಕರೆ 20 ಗುಂಟೆ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನಿಸಲಾಗಿರುತ್ತದೆ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಗಮನಿಸಬೇಕಾದ ಅಂಶಗಳೆಂದರೆ;

i. ಸದರಿ ಜಮೀನು ನಿರಾಶ್ರಿತರ ಪುನರ್ವಸತಿಗೆ ಮೀಸಲಿಟ್ಟ ಪ್ರದೇಶವಾಗಿರುವುದರಿಂದ ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ.

ii. ಶ್ರೀ ರಾಜೇಗೌಡ ಬಿನ್ ಮುದ್ದೇಗೌಡ ಇವರು ನಮೂನೆ-53 ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವ ಬಗ್ಗೆ ರಿಜಿಸ್ಟರಿನಲ್ಲಿ ದಾಖಲಾಗಿರುವುದಿಲ್ಲ. ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿ ಇಲ್ಲದಿದ್ದಾಗ್ಯೂ ಜಮೀನು ಮಂಜೂರು ಮಾಡಿರುವುದು ನಿಯಮ ಬಾಹಿರವಾಗಿರುತ್ತದೆ.

IV. ಸಿಂಗಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 16 ಮತ್ತು 18 :- ಸಿಂಗಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 16 ರ ವಿಸ್ತೀರ್ಣ 7-00 ಎಕರೆ ಮತ್ತು ಸರ್ವೆ ನಂ 18 ರ ವಿಸ್ತೀರ್ಣ 9 ಎಕರೆ 12 ಗುಂಟೆ ಈ ಜಮೀನುಗಳು ಹೇಮಾವತಿ ಜಲಾಶಯ ಯೋಜನೆಯ ನಿರಾಶ್ರಿತರ ಪುನರ್ವಸತಿಗೆ ಮೀಸಲಿಟ್ಟ ಜಮೀನಾಗಿರುತ್ತದೆ. ಸರ್ವೆ ನಂ 18ರಲ್ಲಿ 1-00 ಎಕರೆ ಸಕ್ರಮೀಕರಣ ಕೋರಿ ಶ್ರೀಮತಿ ತಂಗಮ್ಮ ಕೋಂ ರಂಗೇಗೌಡ ರವರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ದಿನಾಂಕ:05/04/2005 ರಂದು ನಡೆದ ಸಭೆ ನಡವಳಿಯಲ್ಲಿ ಶ್ರೀಮತಿ ತಂಗಮ್ಮ ಕೋಂ ರಂಗೇಗೌಡ ರವರಿಗೆ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿದೆ.ಸದರಿ ತೀರ್ಮಾನದಲ್ಲಿ ಸರ್ವೆ ನಂ 16ಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಶ್ರೀ ಕಪನಿಗೌಡ ಬಿನ್ ಮಾಯಣ್ಣಗೌಡ 2-00 ಎಕರೆ, ಶ್ರೀಮತಿ ಬಿ.ಜಿ.ರಾಜಮ್ಮ ಕೋಂ ಬಿ.ಆರ್ ಗಣೇಶ ಇವರಿಗೆ

3-00 ಎಕರೆ ಮೊದಲು ಮೂಲದ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದು, 11/04/2001ರಲ್ಲಿ ಸರ್ಕಾರದಿಂದ 247 ಎಕರೆ 03 ಗುಂಟೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಅನುಮೋದನೆ ನೀಡಲಾಗಿದೆ. ಈ ಪ್ರಕಾರದಲ್ಲಿ ಗಮನಿಸಬೇಕಾದ ಅಂಶಗಳೆಂದರೆ;

- i. ಸಿಂಗಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 16 ಮತ್ತು 18 ಇವು ಹೇಮಾವತಿ ಜಲಾಶಯ ಯೋಜನೆಯ ನಿರಾಶ್ರಿತರ ಮನವರ್ಸತಿಗೆ ಮೀಸಲಿಟ್ಟ ಜಮೀನಾಗಿರುವುದರಿಂದ ಸಕ್ರಮಗೊಳಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ.
- ii. ಶ್ರೀ ಕಪನೀಗೌಡ ಬಿನ್ ಮಾಯಣ್ಣಗೌಡ, ಶ್ರೀಮತಿ ಬಿ.ಜೆ.ರಾಜಮ್ಮ ಕೋಂ ಬಿ.ಆರ್ ಗಣೇಶ ಇವರು ನಮೂನೆ-53ರಲ್ಲಿ ನಿಗದಿತ ಸಮಯದಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದ ಬಗ್ಗೆ ರಿಜಿಸ್ಟ್ರಿನಲ್ಲಿ ದಾಖಲಾಗಿರುವುದಿಲ್ಲ ಮತ್ತು ಈ ಎರಡು ಹೆಸರುಗಳು ನಂತರ ನಡವಳಿಯಲ್ಲಿ ಸೇರ್ಪಡೆ ಮಾಡಿದಂತೆ ಕಂಡುಬರುತ್ತದೆ ಹಾಗೂ ಶ್ರೀಮತಿ ರಾಜಮ್ಮ ಇವರು ತಾಲ್ಲೂಕು ಕಛೇರಿಯಲ್ಲಿ ಗ್ರಾಮಸಹಾಯಕರಾಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಶ್ರೀ ಬಿ.ಆರ್.ಗಣೇಶ ಇವರ ಪತ್ನಿ ಎಂದು ತಿಳಿದು ಬಂದಿರುತ್ತದೆ.

V. ಸುಣ್ಣಕಲ್ಲುಹೊಸೂರು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 8 ಮತ್ತು 12 :- ಸರ್ವೆ ನಂ: 8ರ ಮೂಲ ಆಕಾರಬಂದ್ ಪ್ರಕಾರ 247 ಎಕರೆ 03 ಗುಂಟೆ ವಿಸ್ತೀರ್ಣವಿದ್ದು, ಅದರಲ್ಲಿ 29 ಎಕರೆ 18 ಗುಂಟೆ ಈ ಹಿಂದೆಯೇ ವಿಲೆವಾರಿಯಾಗಿ ದುರಸ್ತಿಯಾಗಿರುತ್ತದೆ. ಪಹಣಿ ಪ್ರಕಾರ ಈಗಿನ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ 217 ಎಕರೆ 35 ಗುಂಟೆ ಇರುತ್ತದೆ. ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ದಿನಾಂಕ: 11/04/2001ರಲ್ಲಿ 200-00 ಎಕರೆ ಮೀಸಲು ಆರಣ್ಯ ಎಂದು ಘೋಷಿಸಲ್ಪಟ್ಟಿರುತ್ತದೆ. ಬಾಕಿ ಉಳಿದಿರುವ ವಿಸ್ತೀರ್ಣ 17 ಎಕರೆ 35 ಗುಂಟೆ. ದಿನಾಂಕ: 13/01/2005 ರಂದು ಹತ್ತು ಜನರಿಗೆ 35 ಎಕರೆ 36 ಗುಂಟೆ ಸಕ್ರಮಗೊಳಿಸಲು ಸಮಿತಿ ತೀರ್ಮಾನಿಸಿರುತ್ತದೆ. ಅಂದರೆ ಲಭ್ಯವಿರುವ ಜಮೀನು 17 ಎಕರೆ 35 ಗುಂಟೆ ಇದ್ದಾಗ್ಯೂ ಹೆಚ್ಚುವರಿಯಾಗಿ 18 ಎಕರೆ 01 ಗುಂಟೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನಿಸಲಾಗಿದೆ.

ಸರ್ವೆ ನಂ 12ರಲ್ಲಿ ಮೂಲ ವಿಸ್ತೀರ್ಣ 52 ಎಕರೆ 14 ಗುಂಟೆ ನಂತರ ಅದರಲ್ಲಿ 3 ಎಕರೆ 21 ಗುಂಟೆ ಜಮೀನು ವಿಲೆಯಾಗಿ 48 ಎಕರೆ 33 ಗುಂಟೆ ಉಳಿದಿರುತ್ತದೆ. ನಂತರ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ 11/04/2001ರಂತೆ 40 ಎಕರೆ ಮೀಸಲು ಆರಣ್ಯ ಎಂದು ಘೋಷಿಸಲ್ಪಟ್ಟಿರುತ್ತದೆ. ಬಾಕಿ 8 ಎಕರೆ 33 ಗುಂಟೆ ಉಳಿದಿರುತ್ತದೆ. ದಿನಾಂಕ: 13/01/2005ರ ಸಭೆ ನಡವಳಿಯಲ್ಲಿ ಒಟ್ಟು 18 ಜನರಿಗೆ 27 ಎಕರೆ 4 ಗುಂಟೆ ಜಮೀನು ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಗಮನಿಸಬೇಕಾದ ಅಂಶಗಳೆಂದರೆ;

- i. ಸರ್ವೆ ನಂ 8ರಲ್ಲಿ ಆರಣ್ಯ ಜಮೀನು ಹೊರತು ಪಡಿಸಿ ಕೇವಲ 17 ಎಕರೆ 35 ಗುಂಟೆ ಜಮೀನು ಮಾತ್ರ ಲಭ್ಯವಿದ್ದಾಗ್ಯೂ 35-36 ಗುಂಟೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನಿಸಿರುವುದು ಮತ್ತು ಸರ್ವೆ ನಂ. 12ರಲ್ಲಿ 8 ಎಕರೆ 33 ಗುಂಟೆ ಉಳಿದಿದ್ದಾಗ್ಯೂ 18 ಜನರಿಗೆ 27-14 ಗುಂಟೆ ಮಂಜೂರು ಮಾಡಿರುವುದು ನಿಯಮ ಬಾಹಿರವಾಗಿರುತ್ತದೆ.
- ii. ನಮೂನೆ-53 ರಿಜಿಸ್ಟ್ರಿನಲ್ಲಿ ಮೇಲೆ ನಮೂದಿಸಿದ 10+18 ಜನರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದ ಬಗ್ಗೆ ನಮೂದು ಆಗಿರುವುದಿಲ್ಲ.

VI. ಮಂಗಳಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 12 :- ಮಂಗಳಾಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 12ರಲ್ಲಿ ಶ್ರೀಮತಿ ಶಿವಮ್ಮ ಕೋಂ ಮಾದಯ್ಯ ಇವರಿಗೆ 22 ಗುಂಟೆ ಜಮೀನು ಸಕ್ರಮಗೊಳಿಸಲು ದಿನಾಂಕ: 06/10/2005ರ ಸಭೆಯಲ್ಲಿ ತೀರ್ಮಾನವಾಗಿದೆ. ಸದರಿಯವರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಬಗ್ಗೆ ನಮೂನೆ-53ರ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರಿನಲ್ಲಿ ದಾಖಲಾಗಿರುವುದಿಲ್ಲ. ಆದರೆ ಸಂಬಂಧಪಟ್ಟ ಕಡತದಲ್ಲಿ ಅರ್ಜಿಯನ್ನು ಸೇರಿಸಿಕೊಂಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಈ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಕಡತವನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ ಸದರಿ ಜಮೀನು ಇನಾಂ ಜಮೀನಾಗಿರುವುದಾಗಿಯೂ ಮತ್ತು ಕಚೇರಿ ಟಿಪ್ಪಣಿಯಲ್ಲಿ ಆಶ್ರಯ ನಿವೇಶನಕ್ಕಾಗಿ ಕಾಯ್ದಿರಿಸಲಾಗಿದೆಯೇ ಹಾಗೂ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಕರಣಗಳು ಇದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ಮಾಹಿತಿ ಒದಗಿಸಲು ತಹಸೀಲ್ದಾರ್ ದಿನಾಂಕ:07/10/2003 ರಂದು ಷರಾ ಬರೆದಿರುತ್ತಾರೆ.ಆದರೆ ಈ ಮಾಹಿತಿಗಳನ್ನು ಒದಗಿಸದೇ ದಿನಾಂಕ:06/10/2005ರ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಮಂಡಿಸಿ 22 ಗುಂಟೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ.ಅರ್ಜಿದಾರರು ದಿನಾಂಕ: 31/12/2007 ರಂದು ಕಿಮ್ಮತ್ತು ಪಾವತಿಮಾಡಲಾಗಿದ್ದು ಅದೇ ದಿನ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.ಈ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಪೂರ್ಣವಿವರವನ್ನು ಪರಿಶೀಲಿಸದೇ ಆತುರವಾಗಿ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.

**7) ಸಾಗುವಳಿ ಚೀಟಿ ವಿತರಣಾ ವಹಿ :-**

ಹೊಳೆನರಸೀಪುರ ತಾಲ್ಲೂಕು ಕಛೇರಿಯಲ್ಲಿ ಸಾಗುವಳಿ ಚೀಟಿ ವಿತರಣಾ ವಹಿಯನ್ನು 2 ಸಂಪುಟಗಳಲ್ಲಿ ದಾಖಲಿಸಿಕೊಳ್ಳಲಾಗಿರುತ್ತದೆ. 1ನೇ ಸಂಪುಟದಲ್ಲಿ ದಿನಾಂಕ: 26/11/1992 ರಿಂದ 22/12/1999ರವರೆಗೆ ನಿರ್ವಹಿಸಲಾಗಿದ್ದು ಇದರಲ್ಲಿ ಒಟ್ಟು 2789 ಸಾಗುವಳಿ ಚೀಟಿಗಳನ್ನು ವಿತರಿಸಿರುವುದನ್ನು ದಾಖಲಿಸಲಾಗಿದೆ. 2ನೇ ಸಂಪುಟದಲ್ಲಿ ದಿನಾಂಕ: 20/12/1999 ರಿಂದ ನಿರ್ವಹಿಸಲಾಗಿದ್ದು ಕೊನೆಯ ನಮೂದು 28/12/2007ರಲ್ಲಿ ನಮೂದು ಮಾಡಲಾಗಿದೆ. ಒಟ್ಟು 1048 ಸಾಗುವಳಿ ಚೀಟಿಗಳನ್ನು ವಿತರಿಸಿರುವ ಬಗ್ಗೆ ದಾಖಲಿಸಲಾಗಿದೆ. ಈ ರಿಜಿಸ್ಟರಿನಲ್ಲಿ ಕೆಳಕಂಡ ನ್ಯೂನತೆಗಳು ಕಂಡುಬರುತ್ತದೆ.

2ನೇ ಸಂಪುಟದ ಕ್ರಮಾಂಕ 838 ರಿಂದ 938 ರವರೆಗೆ ನೀಡಿರುವ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿದ ಬಗ್ಗೆ ತಹಸೀಲ್ದಾರರಿಂದ ದೃಢೀಕೃತಗೊಂಡಿರುವುದಿಲ್ಲ. ಕ್ರಮಸಂಖ್ಯೆ 866,902 ರಿಂದ 910 ರವರೆಗಿನ ಸಾಗುವಳಿ ಚೀಟಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಕಿಮ್ಮತ್ತು ಕಟ್ಟಿದ ಬಗ್ಗೆ ಬ್ಯಾಂಕ್ ಚಲನ್ ದಾಖಲಿಸಿರುವುದಿಲ್ಲ.

**8) ಅರ್ಜಿದಾರನ ದೂರಿನ ಪರಿಶೀಲನೆ :-**

- ದೂರು ಅರ್ಜಿದಾರರಾದ ಶ್ರೀ ಎನ್. ಕೃಷ್ಣಸ್ವಾಮಿರವರು ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ನೀಡಿದ ದೂರಿನಲ್ಲಿ ದಿನಾಂಕ: 30/12/2007ರಂದು 232 ಸಾಗುವಳಿ ಚೀಟಿ ಕಿಮ್ಮತ್ತು ಪಾವತಿಸಿರುವುದಾಗಿ ದೂರಿರುತ್ತಾರೆ. ಈ ಬಗ್ಗೆ ತಾಲ್ಲೂಕು ಕಛೇರಿಯಲ್ಲಿ ಟ್ರೇಜರಿ ಷೆಡ್ಯೂಲ್ ಲಭ್ಯವಿಲ್ಲದಿರುವುದರಿಂದ ತಾಲ್ಲೂಕು ಖಜಾನೆಯಿಂದ ಡಿಸೆಂಬರ್ 2007 ತಿಂಗಳ ಷೆಡ್ಯೂಲ್ ಪ್ರತಿಯನ್ನು ಪಡೆದುಕೊಂಡು ಪರಿಶೀಲಿಸಲಾಯಿತು. ಕಂದಾಯ ಇಲಾಖೆಯ ಲೆಕ್ಕಶೀರ್ಷಿಕೆ 0029-00-101-00-1ರಲ್ಲಿ ದಿನಾಂಕ: 30/12/2007ರಂದು ಯಾವುದೇ ಹಣ ಖಜಾನೆಗೆ ಜಮಾ ಆಗಿರುವುದಿಲ್ಲ. ದಿನಾಂಕ: 31/12/2007ರಂದು 271 ಜನರು ಹಣ ಪಾವತಿಮಾಡಿರುತ್ತಾರೆ. ಲೆಕ್ಕಶೀರ್ಷಿಕೆ 0029-00-101-00-1ರಲ್ಲಿ ಜಮೀನು ಮಂಜೂರಿ ಕಿಮ್ಮತ್ತುಭೂಕಂದಾಯ ಟಿ.ಟಿ.ದಂಡ, ನಕಲು ಫೀ ಇತ್ಯಾದಿಗಳನ್ನು ಜಮಾ ಮಾಡಬಹುದಾಗಿರುತ್ತದೆ. ಜಮಾ ಆಗಿರುವ ಪಾವತಿಯಾಗಿರುವ 271 ಪ್ರಕರಣಗಳಲ್ಲಿ ಎಷ್ಟು ಪ್ರಕರಣಗಳು ಸಾಗುವಳಿ ಚೀಟಿ ಕಿಮ್ಮತ್ತಿಗೆ ಸಂಬಂಧಪಟ್ಟಿದ್ದಾಗಿದೆ ಎಂದು ತಿಳಿದುಕೊಳ್ಳಬೇಕಾದಲ್ಲಿ ಮೂಲ ಓಚರ್ ಪರಿಶೀಲಿಸುವ ಅವಶ್ಯಕತೆಯಿದೆ. ಆದರೆ ತಾಲ್ಲೂಕು ಕಛೇರಿ ಮೂಲ ಓಚರ್‌ಗಳು ಲಭ್ಯವಿಲ್ಲವೆಂದು ತಿಳಿಸಿರುವುದರಿಂದ ಇದನ್ನು ಪರಿಶೀಲಿಸಲು ಸಾಧ್ಯವಾಗಿರುವುದಿಲ್ಲ. ತಾಲ್ಲೂಕು ಖಜಾನೆ ಷೆಡ್ಯೂಲ್ ಪರಿಶೀಲಿಸಿದಾಗ ದಿನಾಂಕ: 31/12/2007 ರಂದು ಒಂದೇ ದಿನ 271 ಜನರು ಹಣ ಜಮಾ ಮಾಡಿರುವುದು ನಿಜವಾಗಿರುತ್ತದೆ.
- ಡಿಸೆಂಬರ್ 2007ರ ತಿಂಗಳಿನಲ್ಲಿ 385 ಜನರಿಗೆ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುವುದಾಗಿ ಅರ್ಜಿದಾರರು ದೂರಿರುತ್ತಾರೆ. ದಿನಾಂಕ: 01/12/2007 ರಿಂದ 31/12/2007ರ ವರೆಗೆ ಮುಖ್ಯ ಲೆಕ್ಕಶೀರ್ಷಿಕೆ 0029ರಲ್ಲಿ ಒಟ್ಟು 385 ಜಮೆ ನಮೂದಾಗಿರುತ್ತದೆ. ಆದರೆ ಇವೆಲ್ಲವೂ ಕಿಮ್ಮತ್ತು (upset price) ಪಾವತಿಗೆ ಸಂಬಂಧಪಟ್ಟಿರುವುದಿಲ್ಲ. ಉದಾಹರಣೆಗಾಗಿ

ಕ್ರ.ಸಂ	ಓಚರ್ ಸಂಖ್ಯೆ	ಪಾವತಿದಾರರ ಹೆಸರು	ಮೊಬಲಗು (ರೂ.ಗಳಲ್ಲಿ)
01	1	ತಹಸೀಲ್ದಾರ್ ಹೊಳೆನರಸೀಪುರ	105/-
02	10	ತಹಸೀಲ್ದಾರ್ ಹೊಳೆನರಸೀಪುರ	1048/-
03	12	ತಹಸೀಲ್ದಾರ್ ಹೊಳೆನರಸೀಪುರ	2521/-
04	11	ತಹಸೀಲ್ದಾರ್ ಹೊಳೆನರಸೀಪುರ	255/-
05	18	ತಹಸೀಲ್ದಾರ್ ಹೊಳೆನರಸೀಪುರ	243/-
06	83	ವಿ.ಎ.ಡಿ.ಜಿ.ಬಿ. ಹಳ್ಳಿ	244/-
07	77	ವಿ.ಎ.ಮಾವನೂರು	154/-

ಡಿಸೆಂಬರ್ 2007ರ ತಿಂಗಳಿನಲ್ಲಿ ಇಂತಹ 48 ಜಮೆಗಳಿರುತ್ತವೆ. ಇದಲ್ಲದೇ ಪೋಡಿ ಫೀ ಸಹಾ ಲೆಕ್ಕಶೀರ್ಷಿಕೆ 0029-00-101-00-1ರಲ್ಲಿ ಜಮಾ ಆಗಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ಡಿಸೆಂಬರ್ ತಿಂಗಳಿನಲ್ಲಿ ಪಾವತಿಮಾಡಿದ ಎಲ್ಲಾ ಪ್ರಕರಣಗಳಲ್ಲಿ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡುವ ಸಲುವಾಗಿಯೇ ಹಣ ಜಮೆ ಮಾಡಿದ್ದಾರೆ ಎಂದು ಪರಿಗಣಿಸಲಾಗುವುದಿಲ್ಲ.

ಪ್ರತಿ ತಿಂಗಳು ಲೆಕ್ಕಶೀರ್ಷಿಕೆ 0029ರಲ್ಲಿ ಜಮೆಯಾದ ಬಗ್ಗೆ ಷೆಡ್ಯೂಲ್ ಮತ್ತು ಓಚರ್‌ಗಳನ್ನು ತಾಲ್ಲೂಕು ಖಜಾನೆಯಿಂದ ತಾಲ್ಲೂಕು ಕಛೇರಿಗೆ ಕಳುಹಿಸಲಾಗುತ್ತದೆ. ಈ ಓಚರ್‌ಗಳನ್ನು ಪರಿಶೀಲಿಸಿದರೆ ಮಾತ್ರ ಅವು ಯಾವ ಸರ್ವೆ

ಸಂಬಂಧಪಟ್ಟವು ಎಂದು ತಿಳಿದುಕೊಳ್ಳಬಹುದಾಗಿದೆ. ಲಭ್ಯವಿಲ್ಲವೆಂದು ತಿಳಿಸಿದ್ದು ಪರಿಶೀಲನೆಗೆ ಹಾಜರಪಡಿಸಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ನಿಖರವಾಗಿ ಯಾವ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಕಿಮ್ಮತ್ತು ಪಾವತಿ ಮಾಡಿರುತ್ತಾರೆಯೆಂದು ತಿಳಿದುಕೊಳ್ಳಲಾಗಿರುವುದಿಲ್ಲ.

ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡುವ ಪೂರ್ವದಲ್ಲಿ ಸಾಗುವಳಿ ಚೀಟಿ ವಿತರಣಾ ವಹಿಯಲ್ಲಿ ದಾಖಲಿಸಬೇಕಾಗಿರುತ್ತದೆ. ಹೊಳೆನರಸೀಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ನಿರ್ವಹಿಸಿರುವ ಸಾಗುವಳಿ ಚೀಟಿ ರಿಜಿಸ್ಟರ್ ಪರಿಶೀಲಿಸಲಾಗಿ ಕೊನೆಯ ಸಾಗುವಳಿ ಚೀಟಿಯನ್ನು ದಿನಾಂಕ: 28.12.2007ರಂದು ನೀಡಿರುವ ಬಗ್ಗೆ ದಾಖಲೆಯಿದೆ. ಅದರ ನಂತರ ಸಾಗುವಳಿ ಚೀಟಿ ವಿತರಣೆ ಮಾಡಿರುವುದನ್ನು ಸಾಗುವಳಿ ಚೀಟಿ ವಿತರಣಾ ವಹಿಯಲ್ಲಿ ದಾಖಲಿಸಿರುವುದಿಲ್ಲ ಮತ್ತು ಪ್ರತ್ಯೇಕ ಕಡತ ನಿರ್ವಹಿಸಿದ್ದಲ್ಲಿ ಸದರಿ ಮಾಹಿತಿಯನ್ನು ಕೂಡ ಒದಗಿಸಿಲ್ಲ. ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿದ ಬಗ್ಗೆ ಕಛೇರಿಯಲ್ಲಿ ಲಭ್ಯವಿರುವ ಕಡತ ಪರಿಶೀಲಿಸಲಾಗಿ ಡಿಸೆಂಬರ್ ತಿಂಗಳಿನಲ್ಲಿ ಕಿಮ್ಮತ್ತು ಪಾವತಿ ಮಾಡಿದ 12 ಜನರಿಗೆ ಸಾಗುವಳಿ ಚೀಟಿ ವಿತರಿಸಿರುತ್ತಾರೆ.

#### 9) ಅರ್ಜಿದಾರರ ದೂರಿನ ಸಂಕ್ಷಿಪ್ತ ವಿಶ್ಲೇಷಣೆ :-

- ಅರ್ಜಿದಾರರು ಸಲ್ಲಿಸಿದ ದೂರಿನಲ್ಲಿ ದಿನಾಂಕ: 30.12.2007ರಂದು 232 ಜನರು ಕಿಮ್ಮತ್ತು ಪಾವತಿ ಮಾಡಿರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ. ಆದರೆ, ಸದರಿ ದಿನದಂದು ಯಾವುದೇ ಹಣ ತಾಲ್ಲೂಕು ಖಜಾನೆಗೆ ಜಮಾ ಆಗಿರುವುದಿಲ್ಲ. ಆದರೆ ದಿನಾಂಕ: 31.12.2007ರಂದು 271 ಜನರು ತಾಲ್ಲೂಕು ಖಜಾನೆಗೆ ಕಿಮ್ಮತ್ತು ಪಾವತಿ ಮಾಡಿರುವುದು ಖಜಾನೆ scheduleನಿಂದ ದೃಢಪಟ್ಟಿರುತ್ತದೆ.
- ಡಿಸೆಂಬರ್, 2007ರಲ್ಲಿ 12 ಜನರಿಗೆ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುವುದು ಕಡತ ಪರಿಶೀಲನೆಯಿಂದ ಕಂಡುಬರುತ್ತದೆ. 385 ಜನರಿಗೆ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುತ್ತಾರೆ ಎಂದು ಅರ್ಜಿದಾರರು ಅವರ ದೂರಿನಲ್ಲಿ ನಮೂದಿಸಿದ್ದು, ಈ ಬಗ್ಗೆ ಕಚೇರಿ ಕಡತಗಳಲ್ಲಿ ಮಾಹಿತಿ ಲಭ್ಯವಾಗಿರುವುದಿಲ್ಲ.
- ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ನಮೂನೆ 53ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸದಿದ್ದಾಗ್ಯೂ 290 ಜನರಿಗೆ ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ದಿನಾಂಕ: 13.01.2005 ರಿಂದ 06.10.2005ರ ಅವಧಿಯಲ್ಲಿ ನಡೆದ ಅಕ್ರಮ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆ ನಡೆವಳಿಯಿಂದ ಕಂಡು ಬರುತ್ತದೆ.
- ಹಂಗರಹೊಸೂರು ಗ್ರಾಮದ ಸ.ನಂ: 10/2ಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ನಮೂನೆ 53ರಲ್ಲಿ ಶ್ರೀಮತಿ ಸಂದ್ಯಾ ಕೋಂ ವಿಜಯರಾಘವ ಅವರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದು, ಇವರ ಅರ್ಜಿಯನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡಿರುವುದಿಲ್ಲ. ಆದರೆ, ನಮೂನೆ 53ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿಲ್ಲದಿರುವ ಶ್ರೀಮತಿ ಪದ್ಮಾ, ಶ್ರೀಮತಿ ಗಾಯತ್ರಿ, ಶ್ರೀಮತಿ ನಳಿನಿ ಮತ್ತು ಶ್ರೀ ಕುಮಾರ್ ಇವರಿಗೆ ಮಂಜೂರು ಮಾಡಲು ಸಮಿತಿ ತೀರ್ಮಾನಿಸಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.
- ಶ್ರೀ ಕಾಡಯ್ಯ ಹಿಂದಿನ ತಹಶೀಲ್ದಾರ್, ಹೊಳೆನರಸೀಪುರ ಇವರ ನಿವೃತ್ತಿ ನಂತರ ಅಂದರೆ ದಿನಾಂಕ: 31.11.2005ರ ನಂತರ ಸಾಗುವಳಿ ಚೀಟಿಗೆ ಸಹಿ ಮಾಡಿದ್ದಾರೆ ಎನ್ನುವ ಬಗ್ಗೆ ಯಾವುದೇ ಮಾಹಿತಿ / ಪೂರವೆ ಲಭ್ಯವಿರುವುದಿಲ್ಲ.
- ಹೇಮಾವತಿ ನೀರಾವರಿ ಯೋಜನೆ ನಿರಾಶ್ರಿತರ ಮನರ್ ವಸತಿಗಾಗಿ ಮೀಸಲಾಗಿರುವ ಜಮೀನನ್ನು ಸಕ್ರಮಗೊಳಿಸಲು ಸಮಿತಿ ತೀರ್ಮಾನಗೊಂಡಿರುವುದು ಸಭೆಯ ನಡೆವಳಿಯಿಂದ ದೃಢಪಟ್ಟಿರುತ್ತದೆ.
- ಕಡತ ನಿರ್ವಹಣೆಯಲ್ಲಿ ಲೋಪದೋಷಗಳಾಗಿರುವುದು ದೃಢಪಟ್ಟಿರುತ್ತದೆ.

ಈ ಎಲ್ಲಾ ಅಂಶಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಅರ್ಜಿದಾರರ ದೂರಿನಲ್ಲಿ ಇರುವುದು ಕಡತ / ದಾಖಲೆಗಳ ಪರಿಶೀಲನೆಯಿಂದ ಕಂಡು ಬಂದಿರುತ್ತದೆ.

(ಜಿ.ಎನ್. ನಾಯಕ್)  
ವಿಶೇಷ ಅಧಿಕಾರಿಗಳು,

ಕರ್ನಾಟಕ ಸಾರ್ವಜನಿಕ ಜಮೀನುಗಳ ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ

ಎ. ಬಾಲಸುಬ್ರಮಣ್ಯನ್  
ನಿವೃತ್ತ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ  
ಮತ್ತು ಅಧ್ಯಕ್ಷರು, ಸರ್ಕಾರಿ ಜಮೀನು  
ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ



(O) : 080-22133558  
(R) : 080-25465034  
080-25467943  
(M) : 9845970092

2ನೇ ಮಹಡಿ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ ಕಟ್ಟಡ  
ಸಿಟಿ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಆವರಣ ಹತ್ತಿರ  
ಕೆ.ಜಿ. ರಸ್ತೆ, ಬೆಂಗಳೂರು - 560 009

2nd Floor, Deputy Commissioner Office Building  
Near City Civil Court Complex  
K.G. Road, Bangalore - 560 009

**BALASUBRAMANIAN, IAS (Retd.,)**  
Former Additional Chief Secretary  
and Chairman,  
ask Force for Protection of Govt. Lands

**CONFIDENTIAL**

D.O. No.: CTF/8/2011-12

ದಿನಾಂಕ / Date.....  
7<sup>th</sup> April, 2011

E-Mail : [ybalu41@gmail.com](mailto:ybalu41@gmail.com)

Dear Hon'ble Mr. Justice Majage,

**Subject : Complaint of Shri M.R. Ravishankar of Narasimharajapura, registered as Compt/Uplok/MYS/117/2011/DRE-3 in the Office of the Hon'ble Upalokayukta, Bangalore.**

The above complaint was referred to me by the Hon'ble Upalokayukta on 19-2-2011 along with a copy of the complaint.

This matter has been enquired into in details by a Team headed by Shri G.N. Nayak, IAS (Retd.) (former Deputy Commissioner, Bangalore Urban District), Special Officer of Karnataka Public Lands Corporation Limited, Bangalore. The other members of the Team were as follows ;

- 1) Shri Lakshminarayana, KAS, Tahsildar, Regional Commissioner's Office, Mysore.
- 2) Smt. Devamma, Sheristedar, Regional Commissioner's Office, Mysore.
- 3) Shri Subbanna, Sheristedar, Karnataka Public Lands Corporation Limited, Bangalore.
- 4) Shri Venugopal, Second Division Assistant, Regional Commissioner's Office, Mysore.
- 5) Shri Nagaraj, First Division Assistant, Regional Commissioner's Office, Mysore.

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All the papers have been verified even earlier.

complainant, who had given a complaint to the Task Force for Protection of Government Lands. After receipt of the complaint from the Hon'ble Uplokayukta, these matters have again been verified by calling the concerned Officers, viz., the Tahsildar, Narasimharajapura Taluk and the Assistant Commissioner, Tarikere Sub-Division, Chickmagalore District.

I am enclosing herewith two copies of the detailed Report dated 31-3-2011. The highlights of the Report are as follows :

- 1) In respect of 147 applications for regularization, it is found that they have been entertained after the last date for receiving the applications, viz., 19-9-1991, was over. These have been verified with reference to the Inward Registers, where such entries were not found before the last date for receiving the applications. Hence, such regularization is illegal.
- 2) In respect of 31 cases, although the applications were received from some of the persons, their names have been altered and new names have been entered. This is clear from the alterations visible against each such name. Such alterations are not only illegal, but also are fraud.
- 3) In respect of 27 cases, even though there are no entries in the Applications Received Register, yet the Committee has recommended for regularization. This is manifestly illegal.
- 4) In respect of 9 applications, the regularization has been made according to the Resolution Book on two days, viz., once on 31-8-2007 and again on 4-10-2007. This shows the casual way in which resolutions have been passed.

The public servants (including Tahsildars and non-officials) who are responsible for these illegal actions are as follows :

I) **Government Servants :**

- 1) Shri Venkataramana Hegde, Tahsildar, Narasimharajapura Taluk (8-9-2003 to 5-5-1-2005)
- 2) Shri G. Ramesh, Tahsildar, Narasimharajapura Taluk (12-10-2006 to 9-4-2008)

II) Non-Officials :

A) During 2004 :

- |    |                   |          |
|----|-------------------|----------|
| 1) | Shri Gangadhar    | Chairman |
| 2) | Smt. Susamma.     | Member   |
| 3) | Shri Giddaiah     | Member   |
| 4) | Shri Shoukath Ali | Member   |

B) During 2007 :

- |    |                         |          |
|----|-------------------------|----------|
| 1) | Shri D.N. Devaraj       | Chairman |
| 2) | Shri Nagar Puranik      | Member   |
| 3) | Shri Ramesh S/o Surappa | Member   |
| 4) | Smt. Anupama Alva       | Member   |

After 2007, there has been no Committee constituted for regularization. In addition to the above, the names of the concerned Sheristedars and First Division Assistants are also mentioned in the body of the Report on Page No,18 (Annexure-6).

It is therefore clear that the Committees for Regularization of Unauthorized Occupation of Lands consisting of the public servants and also two Tahsildars, Narasimharajapura Taluk, who are also Government Servants, are responsible for such illegal action.

With kind regards,

Yours sincerely,



(V. Balasubramanian)

Hon'ble Mr. Justice S.B.Majage,  
Upalokayukta,  
State of Karnataka,  
Multi-Storeyed building,  
Dr. Ambedkar Veedhi,  
BANGALORE – 560 001

Encls.: as above

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Despatched (Handwritten)  
on 08/04/2011  
by

ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ  
ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣದಲ್ಲಿ ಅವ್ಯವಹಾರ  
ಆಗಿರುವುದಾಗಿ ಶ್ರೀ ಎಂ.ಆರ್. ರವಿಶಂಕರ್ ಇವರು  
ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ನೀಡಿದ ದೂರಿನ  
ವಿಚಾರಣಾ ವರದಿ

31.3.2011

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**ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವಲ್ಲಿ  
ಅವ್ಯವಹಾರ ಆಗಿರುವುದಾಗಿ ಶ್ರೀ ಎಂ.ಆರ್.ರವಿಶಂಕರ್, ನರಸಿಂಹರಾಜಪುರ ಇವರು ಮಾನ್ಯ  
ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ನೀಡಿದ ದೂರಿನ ವಿಚಾರಣಾ ವರದಿ**

ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಸರ್ಕಾರಿ ಜಮೀನು ಒತ್ತುವರಿ ಸಕ್ರಮೀಕರಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಮಿತಿ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರು,- ತಹಶೀಲ್ದಾರ್ ಹಾಗೂ ಅವರ ಸಿಬ್ಬಂದಿಗಳು ರಿಜಿಸ್ಟ್ರಾರ್‌ನ್ನು ಕಾನೂನುಬಾಹಿರವಾಗಿ ತಿದ್ದಿ, ಹೆಸರು ಸೇರಿಸಿ ಇನ್ನು ಕೆಲವು ಅಕ್ರಮವೆಸಗಿರುವುದಾಗಿ ಶ್ರೀ ಎಂ.ಆರ್.ರವಿಶಂಕರ್ ಇವರು ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರವರಿಗೆ ದಿನಾಂಕ: 14.02.2011ರಂದು ದೂರು ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ದೂರಿನ ಬಗ್ಗೆ ವಿಚಾರಣೆ ಮಾಡಿ ವರದಿ ಸಲ್ಲಿಸಲು ಮಾನ್ಯ ಉಪಲೋಕಾಯುಕ್ತರವರ ಪತ್ರ ಸಂಖ್ಯೆ: Compt/ Uplok/ MYS/ 117/ 2011/ DRE-3 ದಿನಾಂಕ: 19.02.2011ರಲ್ಲಿ ಅಧ್ಯಕ್ಷರು, ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ ಇವರಿಗೆ ಕಳುಹಿಸಿರುತ್ತಾರೆ. ಶ್ರೀ ರವಿಶಂಕರ್ ಇವರು ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಯಲ್ಲಿ ಈ ಕೆಳಗಿನ ಅಂಶಗಳಿರುತ್ತವೆ.

1. ಬಗರ್‌ಹುಕ್ಕುಂ ಸಕ್ರಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ಕಾನೂನುಬಾಹಿರವಾಗಿ ತಿದ್ದಿ ತಮಗೆ ಬೇಕಾದವರ ಹೆಸರನ್ನು ಅಕ್ರಮವಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಿರುತ್ತಾರೆ.
2. 2004 ರಿಂದ 2010ರವರೆಗೆ ಕೆಲಸ ನಿರ್ವಹಿಸಿದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಮಿತಿ ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಸದಸ್ಯರು ಹಾಗೂ ಈ ಅವಧಿಯಲ್ಲಿ ಕೆಲಸ ನಿರ್ವಹಿಸಿದ ತಹಶೀಲ್ದಾರರುಗಳು ಹಾಗೂ ಸಿಬ್ಬಂದಿಗಳ ಮೇಲೆ ಕ್ರಮಕೈಗೊಳ್ಳುವುದು.

ದೂರದಾರರಾದ ಶ್ರೀ ರವಿಶಂಕರ್ ನೀಡಿದ ದೂರಿನ ಸತ್ಯಾಸತ್ಯದ ಬಗ್ಗೆ ಪರಿಶೀಲಿಸಲು ಅಕ್ರಮ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ತಾಲ್ಲೂಕು ಕಚೇರಿಯಲ್ಲಿ ನಿರ್ವಹಿಸಲಾಗಿರುವ ದಾಖಲೆ, ರಿಜಿಸ್ಟ್ರಾರ್‌ಗಳನ್ನು ಹಾಜರುಪಡಿಸಲು ಸಹಾಯಕ ಆಯುಕ್ತರು, ತರೀಕೆರೆ ಹಾಗೂ ತಹಶೀಲ್ದಾರ್, ನರಸಿಂಹರಾಜಪುರ ಇವರಿಗೆ ತಿಳಿಸಲಾಗಿತ್ತು. ಸದರಿ ಅವರು ದಿನಾಂಕ: 07.03.2011ರಂದು ದಾಖಲೆಗಳನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದು, ಅವುಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಯಿತು.

**1. ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ವಿಧಾನ:-**

ಸರ್ಕಾರಿ ಜಮೀನು ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವ ಬಗ್ಗೆ ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಅಧಿನಿಯಮ 1964 ಕಲಂ 94(ಎ) ಮತ್ತು 94(ಬಿ)ದಲ್ಲಿ ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿದೆ. ಕಲಂ 94(ಎ)ರ ಪ್ರಕಾರ ಈ ನಿಯಮಾವಳಿ ಜಾರಿಗೆ ಬಂದ ದಿನಾಂಕ ಅಂದರೆ, 14.04.1990ಕ್ಕಿಂತ ಕನಿಷ್ಠ 3 ವರ್ಷ ಹಿಂದಿನಿಂದ, ಪರಿಶಿಷ್ಟ ಜಾತಿ / ಪರಿಶಿಷ್ಟ ಪಂಗಡ ಸೇರಿದ ಅರ್ಜಿದಾರರಾಗಿದ್ದಲ್ಲಿ ಕನಿಷ್ಠ ಒಂದು ವರ್ಷ ಹಿಂದಿನಿಂದ ಸರ್ಕಾರಿ ಜಮೀನನ್ನು ನಿರಂತರವಾಗಿ ಸಾಗುವಳಿ ಮಾಡುತ್ತಿದ್ದಲ್ಲಿ, ಅಂತಹವರು ದಿನಾಂಕ: 19.09.1991ರ ದಿನಾಂಕದೊಳಗಾಗಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿತ್ತು. ತದನಂತರ, ಕಲಂ 94(ಬಿ) ಪ್ರಕಾರ ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ನಮೂನೆ 53ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ದಿನಾಂಕ: 30.04.1999ರವರೆಗೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿತ್ತು. ನಿಗದಿತ ಅವಧಿ ಮುಗಿದ ನಂತರ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಹಾಗೂ ಅಂತಹ ಅರ್ಜಿಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಳ್ಳಲು ಅವಕಾಶ ಇರುವುದಿಲ್ಲ. ಅನಧಿಕೃತ ಒತ್ತುವರಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ವಿಧಾನದ ವಿವರವನ್ನು ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ನಿಯಮಾವಳಿ 1966ರ ನಿಯಮ 108ಬಿ, 108ಸಿ ಮತ್ತು 108ಸಿಸಿರಲ್ಲಿ ವಿವರಿಸಲಾಗಿರುತ್ತದೆ.

ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವಲ್ಲಿ ವ್ಯಾಪಕ ಅವ್ಯವಹಾರ ಆಗಿದೆ ಎಂದು ಶ್ರೀ ರವಿಶಂಕರ್ ಇವರು ಈ ಕಚೇರಿಗೆ ಈ ಹಿಂದೆ ದಿನಾಂಕ: 28.01.2010ರಂದು ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದರು. ಈ ದೂರಿನಲ್ಲಿ ನಮೂದಿಸಿದ ಅಂಶಗಳ ಮೇಲೆ ವಿಚಾರಣೆ ಮಾಡಲು ಒಂದು ತಂಡವನ್ನು ರಚಿಸಲಾಗಿದ್ದು, ಸದರಿ ತಂಡ ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿಗೆ ದಿನಾಂಕ: 07 ಮತ್ತು 08 ಜುಲೈ 2010ರಂದು ಭೇಟಿ ನೀಡಿ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಕಡತಗಳನ್ನು, ರಿಜಿಸ್ಟ್ರಾರ್‌ಗಳನ್ನು ಪರಿಶೀಲನೆ ಮಾಡಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ವರದಿಯಲ್ಲಿ ನಮೂದಿಸಲಾದ ಅಂಶಗಳ ಬಗ್ಗೆ ಕ್ರಮಕೈಗೊಳ್ಳಲು ವರದಿಯ ಪ್ರತಿಯನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು, ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ಹಾಗೂ ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರು, ಮೈಸೂರು ವಿಭಾಗ, ಮೈಸೂರು ಇವರಿಗೆ ಕಳುಹಿಸಲಾಗಿರುತ್ತದೆ. ಈ ವರದಿಯಲ್ಲಿ ನಮೂದಿಸಿರುವ ಮುಖ್ಯ ಅಂಶಗಳು ಈ ಕೆಳಗಿನಂತಿವೆ.



ನಂತರ ಸರ್ಕಾರಿ ಆದೇಶ ಆರ್‌ಡಿ 70 ಎಲ್‌ಜಿಯು 2004 ದಿನಾಂಕ: 13.09.2005ರಂತೆ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿಯನ್ನು ಪುನರ್‌ರಚನೆ ಮಾಡಿದ್ದು (ಅನುಬಂಧ-I) ಸದರಿ ಸಮಿತಿಯ ಸದಸ್ಯರುಗಳು ಈ ಕೆಳಗಿನಂತಿವೆ.

1. ಶ್ರೀ ಡಿ.ಎನ್. ಜೀವರಾಜ್ - ಅಧ್ಯಕ್ಷರು
2. ಶ್ರೀ ಶೌಕತ್‌ಅಲಿ, ಮುತ್ತಿನಕೊಪ್ಪ - ಸದಸ್ಯರು
3. ಶ್ರೀಮತಿ ಗಿರಿಜಮ್ಮ - ಸದಸ್ಯರು
4. ಶ್ರೀ ಎಂ.ಪಿ ಜೋಯಿ - ಸದಸ್ಯರು
5. ತಹಶೀಲ್ದಾರ್, ನರಸಿಂಹರಾಜಪುರ - ಕಾರ್ಯದರ್ಶಿ

ನಂತರ ಸರ್ಕಾರ ಪತ್ರ ಸಂಖ್ಯೆ: ಆರ್‌ಡಿ 110 ಎಲ್‌ಜಿಬಿ 2006 ದಿನಾಂಕ: 08.02.2006ರಲ್ಲಿ ನೀಡಿದ ನಿರ್ದೇಶನದಲ್ಲಿ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸದಸ್ಯರ ರಾಜೀನಾಮೆ ಪಡೆಯಲು ತಿಳಿಸಿದ್ದರಿಂದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಮಿತಿ ಸಭೆ ನಡೆಸುವುದನ್ನು ಸ್ಥಗಿತಗೊಳಿಸಲಾಗಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ಮೇಲಿನಂತೆ ರಚನೆಯಾದ ಸಮಿತಿ ಯಾವುದೇ ಸಭೆಯನ್ನು ನಡೆಸಿರುವುದಿಲ್ಲ.

ನಂತರ, ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಆರ್‌ಡಿ 67 ಎಲ್‌ಜಿಯು 2006 ದಿನಾಂಕ: 01.09.2006ರಂತೆ ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿನ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿಯನ್ನು ಪುನರ್ ರಚಿಸಿ ಆದೇಶ ಹೊರಡಿಸಿದ್ದು (ಅನುಬಂಧ-II) ಸದಸ್ಯರ ವಿವರ ಈ ಕೆಳಗಿನಂತಿದೆ:-

1. ಶ್ರೀ ಡಿ.ಎನ್. ಜೀವರಾಜ್ - ಅಧ್ಯಕ್ಷರು
2. ಶ್ರೀ ನಾಗರಾಜ್ ಮರಾಣಿಕ್ - ಸದಸ್ಯರು
3. ಶ್ರೀ ರಮೇಶ್ ಬಿನ್ ಸೂರಪ್ಪ - ಸದಸ್ಯರು
4. ಶ್ರೀ ಅನುಪಮಾ ಆಳ್ವ - ಸದಸ್ಯರು
5. ತಹಶೀಲ್ದಾರ್, ನರಸಿಂಹರಾಜಪುರ - ಕಾರ್ಯದರ್ಶಿ

ಸದರಿ ಸಮಿತಿ ಪ್ರಥಮ ಬಾರಿಗೆ ದಿನಾಂಕ: 31.07.2007ರಂದು ಸಭೆ ನಡೆಸಿದ್ದು, ಯಾವುದೇ ತೀರ್ಮಾನವನ್ನು ಕೈಗೊಂಡಿರುವುದಿಲ್ಲ. ನಂತರ ದಿನಾಂಕ: 13.08.2007 ಮತ್ತು 04.10.2007ರಂದು ಸಭೆಗಳನ್ನು ನಡೆಸಿರುತ್ತದೆ. ಈ ಸಭೆಗಳಲ್ಲಿ ತೀರ್ಮಾನವಾದ ಅರ್ಜಿಗಳ ವಿವರ ಈ ಕೆಳಗಿನಂತಿರುತ್ತದೆ.

ಸಭೆಯ ದಿನಾಂಕ	ಒಟ್ಟು ತೀರ್ಮಾನವಾದ ಪ್ರಕರಣಗಳ ಸಂಖ್ಯೆ	ಸ್ವೀಕರಿಸಿದ ಪ್ರಕರಣಗಳ ಸಂಖ್ಯೆ	ಮಂಜೂರಾದ ಪ್ರಕರಣಗಳ ಸಂಖ್ಯೆ	ತಿರಸ್ಕೃತ ಪ್ರಕರಣಗಳ ಸಂಖ್ಯೆ	ಮುಂದೂಡಿದ ಪ್ರಕರಣಗಳ ಸಂಖ್ಯೆ
13.08.2007	135	-	130	-	5
04.10.2007	265	-	254	1	10

ದಿನಾಂಕ: 13.08.2007 ಮತ್ತು 04.10.2007ರಂದು ನಡೆದ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿಯ ನಡವಳಿಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ ಅರ್ಜಿ ಸ್ವೀಕೃತಿ ದಾಖಲೆ ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ನಮೂದಾಗದೆ ಇರುವ 27 ಜನರಿಗೆ ಜಮೀನು ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನ ಕೈಗೊಂಡಿರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ. ವಿವರವನ್ನು ಅನುಬಂಧ-IIIರಲ್ಲಿ ಒದಗಿಸಿದೆ.

ಮೇಲಿನ ಅಂಶವನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಈ ಕೆಳಗಿನ ನ್ಯೂನತೆಗಳು ಕಂಡು ಬಂದಿರುತ್ತದೆ.

1. ಅವಧಿ ಮುಗಿದ ನಂತರ ಬಂದ ನಮೂನೆ 50 ಅಥವಾ 53ರ ಅರ್ಜಿಗಳನ್ನು ಸ್ವೀಕರಿಸಲು ಅವಕಾಶ ಇರುವುದಿಲ್ಲ. ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಬಂದ ಅರ್ಜಿಗಳನ್ನು ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ದಾಖಲಿಸಲಾಗಿರುತ್ತವೆ. ಸದರಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ದಾಖಲಾದ ಅರ್ಜಿಗಳನ್ನು ಮಾತ್ರ ಸಕ್ರಮೀಕರಣಗೊಳಿಸಿ ಪರಿಗಣಿಸಲು ಅವಕಾಶ ಇರುತ್ತದೆ. ಆದರೆ, ಅನುಬಂಧ-IIIರಲ್ಲಿ ನಮೂದಿಸಲಾದ 27 ಅರ್ಜಿಗಳು ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ದಾಖಲಾಗದೆ ಇರುವುದರಿಂದ ನಿಗದಿತ ಅವಧಿ ಮುಗಿದ ನಂತರ ಸ್ವೀಕರಿಸಲಾಗಿದೆ ಎಂದು ಪರಿಗಣಿಸಬೇಕಾಗುತ್ತದೆ. ಇಂತಹ ಅರ್ಜಿಗಳನ್ನು ವಿಚಾರಣೆಗೆ ತೆಗೆದುಕೊಂಡು ಸಕ್ರಮೀಕರಣಗೊಳಿಸುವುದು ನಿಯಮ ಬಾಹಿರವಾಗಿರುತ್ತದೆ.

ಜಮೀನು ಸಕ್ರಮೀಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನ ಕೈಗೊಂಡಿರುವುದು ಕಂಡು ಬರುತ್ತದೆ. ವಿವರವನ್ನು ಅನುಬಂಧ-IVರಲ್ಲಿ ಒದಗಿಸಲಾಗಿದೆ. ಈ ಅಂಶವನ್ನು ಗಮನಿಸಿದಾಗ ತಹಶೀಲ್ದಾರ್ ಕಚೇರಿಯಲ್ಲಿ ಪ್ರಕರಣಗಳನ್ನು ಸರಿಯಾಗಿ ಗಮನಿಸದೆ ಸಮಿತಿಯ ಮುಂದೆ ಇಟ್ಟಿರುವುದು ದೃಢಪಟ್ಟಿರುತ್ತದೆ.

ದೂರುದಾರರಾದ ಶ್ರೀ ರವಿಶಂಕರ್ ಇವರು ಸಲ್ಲಿಸಿದ ದೂರಿನಲ್ಲಿ ಅನಧಿಕೃತವಾಗಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ಹೆಸರುಗಳನ್ನು ದಾಖಲಿಸಲಾಗಿದೆ ಎಂದು ದೂರಿರುತ್ತಾರೆ. ನಮೂನೆ 50ಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ನಿರ್ವಹಿಸಲಾದ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ 147 ಅರ್ಜಿದಾರರ ಹೆಸರನ್ನು ಅವಧಿ ಮುಗಿದ ನಂತರ ದಾಖಲಿಸಿಕೊಂಡಿರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ. ಇದೇ ರೀತಿ 37 ಪ್ರಕರಣಗಳಲ್ಲಿ ತಿದ್ದಿ ಬರೆದಿರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ. ತಿದ್ದಿರುವುದು ಯಾವ ಅವಧಿಯಲ್ಲಿ ಎಂದು ಕಂಡು ಹಿಡಿಯಲು ಸಾಧ್ಯವಾಗಿರುವುದಿಲ್ಲ.

ಅವಧಿ ಮುಗಿದ ನಂತರ ಸೇರ್ಪಡೆ ಆಗಿರುವುದಾಗಿ ಕಂಡು ಬಂದಿರುವ 147 ಅರ್ಜಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಬರಗ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮ ಸಮಿತಿಯ ಸಭೆಯಲ್ಲಿ ಯಾವ ದಿನಾಂಕದಂದು ಮಂಡಿಸಲಾಯಿತು ಎನ್ನುವ ಬಗ್ಗೆ ನಡವಳಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ 1993 ರಿಂದ 2007ರ ವರೆಗಿನ ಅವಧಿಯಲ್ಲಿ ಬೇರೆ ಬೇರೆ ದಿನಾಂಕದಂದು ನಡೆದ ಸಭೆಯಲ್ಲಿ ತೀರ್ಮಾನ ಆಗಿರುವುದು ಕಂಡು ಬಂದಿದೆ, ವಿವರ ಈ ಕೆಳಗಿನಂತಿರುತ್ತದೆ.

**ಅವಧಿ ಮುಗಿದ ನಂತರ ಸೇರ್ಪಡೆ ಎಂದು ಭಾವಿಸಲಾಗಿರುವ 147 ಅರ್ಜಿಗಳ ಮೇಲೆ ಸಮಿತಿ ತೆಗೆದುಕೊಂಡ ನಿರ್ಣಯ ಅಂಕಿಅಂಶ**

ಕ್ರ.ಸಂ.	ಅಧ್ಯಕ್ಷರ ಹೆಸರು	ಅವಧಿ	ವಿಲೇವಾರಿ ಮಾಡಿ ಅರ್ಜಿಗಳ ಸಂಖ್ಯೆ		ನಡವಳಿ ಇಲ್ಲದೆ ಮುಂದೂಡಿದ ಪ್ರಕರಣಗಳು
			ಮಂಜೂರು	ತಿರಸ್ಕೃತ	
01.	ಶ್ರೀ ಯು.ಕೆ. ಶಾಮಣ್ಣ	1993-94	6	10	6
02.	ಶ್ರೀ ಹೆಚ್.ಜಿ. ಗೋವಿಂದೇಗೌಡ್	1996-97	18	1	13
03.	ಶ್ರೀ ಕೆಂಚಪ್ಪ ಉಪವಿಭಾಗಾಧಿಕಾರಿಗಳು	1996	15	8	-
04.	ಶ್ರೀ ಎಲ್.ಟಿ. ಜಗದೀಶ್	1998-99	6	16	12
05.	ಶ್ರೀ ಕೆ.ಎಂ. ಗಂಗಾಧರ	1999-2001	9	-	3
06.	ಶ್ರೀ ಡಿ.ಎನ್. ಜೇವರಾಜ	2007	13	-	-
07.	ಶ್ರೀ ರಾಮು, ಉಪವಿಭಾಗಾಧಿಕಾರಿಗಳು	1999	-	2	9
ಸಮಿತಿ ಮುಂದೆ ಮಂಡಿಸದಿರುವ ಒಟ್ಟು ಪ್ರಕರಣಗಳು			67	37	43

ವಿವರವನ್ನು ಅನುಬಂಧ Vರಲ್ಲಿ ನಮೂದಿಸಿದೆ

**3. 2004ರಿಂದ 2007ರ ವರೆಗೆ ಕೆಲಸ ನಿರ್ವಹಿಸಿರುವ ತಹಶೀಲ್ದಾರ್ ಮತ್ತು ಬರಗ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ವಿಷಯ ನಿರ್ವಹಿಸಿದ ಸಿಬ್ಬಂದಿಗಳ ವಿವರ :-**

2004 ರಿಂದ 2010ರ ವರೆಗಿನ ಅವಧಿಯಲ್ಲಿ 6 ಜನ ತಹಶೀಲ್ದಾರರಾಗಿ ಕೆಲಸ ನಿರ್ವಹಿಸಿರುತ್ತಾರೆ. ಆದರೆ ಶ್ರೀ ವೆಂಕಟೇಶ್‌ರಮಣ ಹೆಗಡೆ (08.09.2003 ರಿಂದ 05.05.2005) ಹಾಗೂ ಶ್ರೀ ಜಿ. ರಮೇಶ (12.10.2006 ರಿಂದ 09.04.2008) ಇವರು ಕೆಲಸ ನಿರ್ವಹಿಸಿದ ಅವಧಿಯಲ್ಲಿ ಮಾತ್ರ ಬರಗ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಗಳು ನಡೆದಿದ್ದು, ಉಳಿದ ತಹಶೀಲ್ದಾರರ ಅವಧಿಯಲ್ಲಿ ಸಭೆಗಳು ನಡೆದಿರುವುದಿಲ್ಲ. 2004 ರಿಂದ 2010ರ ವರೆಗೆ ಕೆಲಸ ನಿರ್ವಹಿಸಿರುವ ತಹಶೀಲ್ದಾರ್ ಮತ್ತು ಸಿಬ್ಬಂದಿಗಳ ವಿವರವನ್ನು ಅನುಬಂಧ-VIರಲ್ಲಿ ಒದಗಿಸಿದೆ.

**4. ಬರಗ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣದಲ್ಲಿ ಕಂಡು ಬಂದ ನ್ಯೂನತೆಗಳು :-**

**1. ಅವಧಿ ಮುಗಿದ ನಂತರ ಅರ್ಜಿಗಳನ್ನು ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ದಾಖಲಿಸಿರುವುದು**

ಅನಧಿಕೃತ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಬಯಸಿ ನಮೂನೆ 50ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಕೊನೆಯ ದಿನಾಂಕ: 19.09.1991. ಸಕ್ರಮೀಕರಣ ಬಯಸಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳನ್ನು ನಿಗದಿತ ನಮೂನೆ 51ರಲ್ಲಿ ದಾಖಲಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಎರಡು ಪ್ರತ್ಯೇಕ ರಿಜಿಸ್ಟ್ರಾರ್‌ಗಳನ್ನು (ಹೋಬಳಿವಾರು) ನಿರ್ವಹಿಸಲಾಗಿದೆ.

ಈ ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ಅವಧಿ ಮುಗಿದ ನಂತರ 147 ಅರ್ಜಿಗಳನ್ನು ದಾಖಲಿಸಿರುವುದು ಕೈ ಬರವಣಿಗೆ ವ್ಯತ್ಯಾಸದಿಂದ ಕಂಡು ಬರುತ್ತದೆ. ಆದರೆ ಇದನ್ನು ಯಾವ ಅವಧಿಯಲ್ಲಿ ಸೇರ್ಪಡೆ ಮಾಡಲಾಯಿತು ಎನ್ನುವ ಬಗ್ಗೆ ಹೇಳುವುದು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಈ ಅರ್ಜಿಗಳನ್ನು ಬಗರ್‌ಹುಕ್ಕುಂ ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಮುಂದೆ ತೀರ್ಮಾನಕ್ಕಾಗಿ ಮಂಡಿಸಿದ ಅವಧಿಯನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ 1993 ರಿಂದ 2007ರ ವರೆಗಿನ ಅವಧಿಯಲ್ಲಿ ಸೇರ್ಪಡೆ ಆಗಿರುವುದು ಕಂಡು ಬಂದಿದೆ.

## 2. ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ದಾಖಲಿಲ್ಲದ ಅರ್ಜಿಗಳನ್ನು ಪುರಸ್ಕರಿಸಿ ಸಕ್ರಮಗೊಳಿಸಿರುವುದು

2004 ರಿಂದ 2007ರವರೆಗೆ 5 ಸಲ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಕ್ರಮ ಸಮಿತಿ ಸಭೆ ನಡೆಸಿದ್ದು, ದಿನಾಂಕ: 13.08.2007 ಮತ್ತು ದಿನಾಂಕ: 04.10.2007ರಂದು ನಡೆದ ಸಭೆಗಳಲ್ಲಿ, ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ದಾಖಲಾಗದ 27 ಅರ್ಜಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳಲಾಗಿರುವುದು ಕಂಡು ಬರುತ್ತದೆ.

ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮ ಕೋರಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳನ್ನು ಪರಿಶೀಲಿಸಿ, ಅರ್ಜಿಯನ್ನು ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಸ್ವೀಕರಿಸಲಾಗಿದೆಯೇ ಅರ್ಜಿದಾರರು ಸದರಿ ಜಮೀನನ್ನು ಎಂದಿನಿಂದ ಸಾಗುವಳಿ ಮಾಡುತ್ತಿದ್ದಾರೆ, ಅವರು ಹೊಂದಿರುವ ಜಮೀನಿನ ವಿವರ ಮತ್ತು ಮಂಜೂರಾತಿ ಪಡೆಯಲು ಅರ್ಹತೆ ಹೊಂದಿರುವರೆ ಇತ್ಯಾದಿಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಸಮಿತಿಯ ಮುಂದೆ ಮಂಡಿಸುವುದು ತಹಶೀಲ್ದಾರ್ ಮತ್ತು ಅವರ ಸಿಬ್ಬಂದಿಗಳ ಕರ್ತವ್ಯವಾಗಿರುತ್ತದೆ. ಅವರ ಕರ್ತವ್ಯ ಲೋಪದಿಂದಾಗಿ ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸದಿದ್ದರೂ ಸಕ್ರಮೀಕರಣ ಮಾಡುವಂತಾಗಿದೆ.

## 3. ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ ಅನಧಿಕೃತವಾಗಿ ತಿದ್ದುಪಡಿ ಮಾಡಿರುವುದು

ನಮೂನೆ 50ರಲ್ಲಿ ಅರ್ಜಿ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ 31 ದಾಖಲಾತಿಗಳನ್ನು ತಿದ್ದಿರುವುದು ಕಂಡು ಬಂದಿದೆ. ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ಗಳನ್ನು ಸಂಬಂಧಪಟ್ಟ ವಿಷಯ ನಿರ್ವಹಕರ ಸ್ವಾಧೀನದಲ್ಲಿರುವುದರಿಂದ ಯಾವುದೇ ಅನಧಿಕೃತ ತಿದ್ದುಪಡಿ ಮತ್ತು ಸೇರ್ಪಡೆಗೆ ಅವರ ಹೊಣೆಗಾರರಾಗುತ್ತಾರೆ.

## 4. ಒಂದೇ ಅರ್ಜಿಗೆ ಸಂಬಂಧಿಸಿದ ಕಡತವನ್ನು ಎರಡು ಬಾರಿ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಕ್ರಮ ಸಮಿತಿ ಮುಂದೆ ಮಂಡಿಸಿರುವ ಬಗ್ಗೆ

ದಿನಾಂಕ: 13.08.2007ರಂದು ಮತ್ತು 04.10.2007ರಂದು ನಡೆದ ಸಮಿತಿ ಸಭೆಯ ನಡವಳಿಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ 9 ಕಡತಗಳನ್ನು ಈ ಎರಡೂ ಸಭೆಗಳಲ್ಲಿ ಸಕ್ರಮಗೊಳಿಸಲು ಸಮಿತಿ ಅನುಮೋದನೆ ನೀಡಿರುವುದು ಕಂಡು ಬಂದಿದೆ. ತಹಶೀಲ್ದಾರ್ ಕಚೇರಿಯ ಕರ್ತವ್ಯ ಲೋಪಗಳ ಇದಕ್ಕೆ ಕಾರಣವಾಗಿರುತ್ತವೆ.

ಈ ಮೇಲಿನ ಎಲ್ಲಾ ನ್ಯೂನತೆಗಳನ್ನು ಗಮನಿಸಿದಾಗ ದೂರು ಅರ್ಜಿದಾರರಾದ ಶ್ರೀ ರವಿಶಂಕರ್ ಇವರು ಅವರ ದೂರು ಅರ್ಜಿಯಲ್ಲಿ ನಮೂದಿಸಿದಂತೆ, ನಮೂನೆ-50ರ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ನಲ್ಲಿ 147 ಹೆಸರುಗಳನ್ನು ಅನಧಿಕೃತವಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಿರುವುದು ಮತ್ತು 31 ಪ್ರಕರಣಗಳಲ್ಲಿ ತಿದ್ದಿರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ. ಇಂತಹ ನ್ಯೂನತೆಗೆ ತಹಶೀಲ್ದಾರ್ ಕಚೇರಿಯ ಅಧಿಕಾರಿ / ಸಿಬ್ಬಂದಿಗಳ ಹೊಣೆಗಾರರಾಗಿರುತ್ತಾರೆ.

ತಹಶೀಲ್ದಾರರು ಬಗರ್‌ಹುಕ್ಕುಂ ಸಮಿತಿಯ ಕಾರ್ಯದರ್ಶಿ ಆಗಿರುವುದರಿಂದ ಮತ್ತು ಕೋರಂ ಆಗಲು ತಹಶೀಲ್ದಾರರ ಹಾಜರಾತಿ ಕಡ್ಡಾಯವಾಗಿರುವುದರಿಂದ ಸಕ್ರಮೀಕರಣ ಪ್ರಕರಣಗಳ ಪರಿಶೀಲನೆಯಲ್ಲಿ ಅವರ ಪಾತ್ರ ಮುಖ್ಯವಾದುದು. ಆದ್ದರಿಂದ ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸದಿದ್ದರೂ ಬಗರ್‌ಹುಕ್ಕುಂ ಸಾಗುವಳಿ ಸಕ್ರಮೀಕರಣ ಆಗಿರುವುದಕ್ಕೆ ಮತ್ತೆ ಇತರ ಲೋಪದೋಷಗಳಿಗೆ ಅವರೇ ಹೆಚ್ಚಿನ ಹೊಣೆಗಾರರಾಗಿರುತ್ತಾರೆ.



(ಜಿ.ಎನ್. ನಾಯಕ್)

ವಿಶೇಷ ಅಧಿಕಾರಿಗಳು,

ಕರ್ನಾಟಕ ಸಾರ್ವಜನಿಕ ಜಮೀನುಗಳ ನಿಗಮ

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ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ನರಸಿಂಹರಾಜಪುರ  
ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಸರ್ಕಾರಿ ಮತ್ತು ಅರಣ್ಯ ಜಮೀನಿನ  
ಒತ್ತುವರಿ ಹಾಗೂ ಅನಧಿಕೃತ ಒತ್ತುವರಿ  
ಸಕ್ರಮಗೊಳಿಸುವಲ್ಲಿ ಅಕ್ರಮವಾಗಿರುವುದಾಗಿ ಬಂದ  
ದೂರು ಅರ್ಜಿಯ ವಿಚಾರಣಾ ವರದಿ.

ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಸರ್ಕಾರಿ ಮತ್ತು ಅರಣ್ಯ  
ಜಮೀನಿನ ಒತ್ತುವರಿ ಹಾಗೂ ಅನಧಿಕೃತ ಒತ್ತುವರಿ ಸಕ್ರಮಗೊಳಿಸುವಲ್ಲಿ  
ಅಕ್ರಮವಾಗಿರುವುದಾಗಿ ಬಂದ ದೂರು ಅರ್ಜಿಯ ಬಗ್ಗೆ ವಿಚಾರಣೆ ವರದಿ.

ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆ, ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕು ಕಂದಾಯ ಭೂಮಿ, ಗೋಮಾಳ, ಮೈಸೂರು ಅರಣ್ಯ, ಕಿರು ಅರಣ್ಯ ಪ್ರದೇಶ ಅಕ್ರಮವಾಗಿ ಒತ್ತುವರಿ ಆಗಿರುವುದಾಗಿಯೂ ಅಕ್ರಮ ಸಾಗುವಳಿ ಸಕ್ರಮ ಮಾಡುವ ಕುರಿತು, ನಮೂನೆ-೫೦ ಮತ್ತು ೫೩ ರಲ್ಲಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿ ದಾಖಲಾತಿ ವಹಿಯಲ್ಲಿ ಅಕ್ರಮವಾಗಿ ತಿದ್ದುಪಡಿ ಮಾಡಲಾಗಿದೆ ಎಂದೂ ಮತ್ತು ಹಕ್ಕು ಪತ್ರವನ್ನು ವಿತರಿಸಲಾಗುತ್ತದೆ ಎಂದು ದೂರು ಅರ್ಜಿ ಬಂದಿದ್ದು, ಈ ಅರ್ಜಿಯಲ್ಲಿ ನಮೂದಿಸಿದ ದೂರುಗಳ ಬಗ್ಗೆ ವಿಚಾರಣೆ ಮಾಡಿ ವರದಿ ನೀಡಲು, ಸರ್ಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆಯ ಅಧ್ಯಕ್ಷರು ನೀಡಿದ ನಿರ್ದೇಶನದ ಪ್ರಕಾರ ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕು ಅನಧಿಕೃತ ಒತ್ತುವರಿ ಸಕ್ರಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲು ಈ ಕೆಳಗೆ ನಮೂದಿಸಿದ ಅಧಿಕಾರಿಗಳ ಹಾಗೂ ಸಿಬ್ಬಂದಿಗಳ ತಂಡ ರಚಿಸಲಾಗಿರುತ್ತದೆ,

೧. ಶ್ರೀ. ಜಿ.ಎನ್ ನಾಯಕ್, ಐ.ಎ.ಎಸ್ (ನಿವೃತ್ತ)  
ವಿಶೇಷ ಅಧಿಕಾರಿಗಳು, ಕ.ಸಾ.ಜ.ನಿ.  
ಬೆಂಗಳೂರು.
೨. ಶ್ರೀ ಲಕ್ಷ್ಮೀನಾರಾಯಣ, ಕ.ಅ.ಸೇ, ತಹಸೀಲ್ದಾರ್  
ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.
೩. ಶ್ರೀಮತಿ ದೇವಮ್ಮ, ಶಿರಸ್ತೇದಾರ್  
ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.
೪. ಸುಬ್ಬಣ್ಣ, ಶಿರಸ್ತೇದಾರ್, ಕ.ಸಾ.ಜ.ನಿ.  
ಬೆಂಗಳೂರು.
೫. ವೇಣುಗೋಪಾಲ್, ಡಿ.ದ.ಸ  
ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.
೬. ನಾಗರಾಜ್, ಪ್ರ.ದ.ಸ  
ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರ ಕಛೇರಿ, ಮೈಸೂರು.

ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿನ ಸರ್ಕಾರಿ ಜಮೀನು ಸಕ್ರಮೀಕರಣಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಈ ಕೆಳಗಿನ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಯಿತು.

೧. ನಮೂನೆ-೫೦ ರಲ್ಲಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟರ್ - ಕಸಬಾ ಮತ್ತು ಬಾಳೆಹೊನ್ನೂರು ಹೋಬಳಿ.
೨. ನಮೂನೆ -೫೩ ರಲ್ಲಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟರ್, ಕಸಬಾ ಮತ್ತು ಬಾಳೆಹೊನ್ನೂರು ಹೋಬಳಿ.
೩. ಸಕ್ರಮೀಕರಣ ಸಮಿತಿ ಸಭೆಯ ನಡವಳಿ ವಹಿ (ರಿಜಿಸ್ಟರ್).
೪. ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿದ ರಿಜಿಸ್ಟರ್.
೫. ಅಕ್ರಮ ಸಾಗುವಳಿ ಸಕ್ರಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಕೆಲವು ಕಡತಗಳು.

ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಅಧಿನಿಯಮ ೧೯೬೪ ಕಾಲಂ ೯೪ಎ ಪ್ರಕಾರ ದಿನಾಂಕ. ೧೪.೦೪.೧೯೯೦ಕ್ಕಿಂತ ಮೂರು ವರ್ಷ ಮೊದಲು (ಪ.ಜಾ / ಪ.ಪಂ ಅರ್ಜಿದಾರರಿಗೆ ಒಂದು ವರ್ಷ ಮೊದಲು) ಸರ್ಕಾರಿ ಜಮೀನನ್ನು ಅನಧಿಕೃತವಾಗಿ ಸಾಗುವಳಿ ಮಾಡುತ್ತಿದ್ದಲ್ಲಿ ಸಕ್ರಮಗೊಳಿಸಲು ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿದ್ದು, ಈ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಲು ದಿನಾಂಕ:೧೯.೦೯.೧೯೯೦ ಕೊನೆ ದಿನಾಂಕವಾಗಿರುತ್ತದೆ. ಈ ದಿನಾಂಕದ ನಂತರ ಬಂದ ಅರ್ಜಿಗಳನ್ನು ಸ್ವೀಕರಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ನಿಗದಿತ ಅವಧಿಯೊಳಗೆ ಬಂದಂತಹ ಅರ್ಜಿಗಳನ್ನು ನಮೂನೆ-೫೦ರ ವಹಿಯಲ್ಲಿ ದಾಖಲಿಸಬೇಕು

ಮತ್ತು ಪ್ರತಿ ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟು ದಾಖಲಾತಿ ಅರ್ಜಿಗಳನ್ನು ದಾಖಲಿಸಲು ಸಲಹೆ ನೀಡಲಾಗಿದೆ. ಅರ್ಜಿಗಳು ಪರಿಶಿಷ್ಟ ಜಾತಿ, ಪರಿಶಿಷ್ಟ ಪಂಗಡಕ್ಕೆ ಸೇರಿದ ಅರ್ಜಿದಾರರಿಂದ ಬಂದಂತಹ ಅರ್ಜಿಗಳನ್ನು ನಮೂದಿಸಿ ತಹಸೀಲ್ದಾರ್ ದೃಢೀಕರಿಸಿ ಸಹಿ ಮಾಡತಕ್ಕದ್ದು. ಈ ರೀತಿ ಮಾಡುವುದರಿಂದ ಅವಧಿ ಮೀರಿ ಬಂದ ಅರ್ಜಿಗಳನ್ನು ನಮೂನೆಯಲ್ಲಿ ಸೇರ್ಪಡೆ ಮಾಡಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ.

ನರಸಿಂಹರಾಜಪುರ ತಾಲ್ಲೂಕಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಕಸಬಾ ಹೋಬಳಿ ಮತ್ತು ಬಾಳೆಹೊನ್ನೂರು ಹೋಬಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ನಮೂನೆ - ೫೦ ರಲ್ಲಿ ಬಂದ ಅರ್ಜಿಗಳಿಗೆ ಪ್ರತ್ಯೇಕ ಹೋಬಳಿವಾರು ರಿಜಿಸ್ಟರ್‌ಗಳನ್ನು ಇಡಲಾಗಿದೆ. ಆದರೆ, ಯಾವುದೇ ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ನಿಗದಿ ಪಡಿಸಿದ ದಿನಾಂಕ ಮುಗಿದ ನಂತರ ತಹಸೀಲ್ದಾರ್ ದೃಢೀಕರಣ ಮಾಡಿರುವುದಿಲ್ಲ ಇದರಿಂದಾಗಿ ಅವಧಿ ಮುಗಿದ ನಂತರ ಬಂದಂತಹ ಅರ್ಜಿಗಳನ್ನು ದಾಖಲಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಿದಂತಾಗಿರುತ್ತದೆ.

ನಮೂನೆ-೫೦ರ ಅರ್ಜಿಗಳ ನಮೂನೆ-೫೦ರ ದಾಖಲಾತಿ ವಹಿ ಪರಿಶೀಲಿಸಲಾಗಿ ಒಟ್ಟು ೬೨೦೨ ಅರ್ಜಿಗಳು ದಾಖಲಾಗಿದ್ದು ಇದರಲ್ಲಿ ೪೨೪ ಅರ್ಜಿಗಳು ಸಕ್ರಮಿಕರಣಗೊಂಡಿದ್ದು ೩೬೭೦ ಅರ್ಜಿಗಳು ತಿರಸ್ಕೃತಗೊಂಡಿರುತ್ತದೆ ಮತ್ತು ೧೭೦೩ ಅರ್ಜಿಗಳು ಬಾಕಿ ಇರುವುದಾಗಿ ಕಂಡುಬರುತ್ತದೆ. ಆದರೆ, ತಹಸೀಲ್ದಾರ್‌ರವರು ಮೇಲಾಧಿಕಾರಿಗಳಿಗೆ ಕಳುಹಿಸಿದ ಮಾಸಿಕ ವರದಿಯಲ್ಲಿ ಕೇವಲ ೧೭ ಅರ್ಜಿಗಳು ಬಾಕಿ ಇರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ ಸದರಿ ರಿಜಿಸ್ಟರ್‌ನಲ್ಲಿ ತೀರ್ಮಾನವಾದ ಎಲ್ಲಾ ಫಲಕರಣಗಳ ಮಾಹಿತಿಯನ್ನು ನಮೂದಿಸದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಆದ್ದರಿಂದ, ಸಕ್ರಮಿಕರಣ ಸಮಿತಿಯ ನಡವಳಿ ವಹಿಯನ್ನು ಇನ್ನೊಮ್ಮೆ ಪರಿಶೀಲಿಸಿ ನಮೂನೆ-೫೦ರ ವಹಿಯಲ್ಲಿ ನಿಖರವಾದ ಮತ್ತು ಸರಿಯಾದ ಮಾಹಿತಿಯನ್ನು ನಮೂದಿಸುವ ಅವಶ್ಯಕತೆ ಇರುತ್ತದೆ.

ನಮೂನೆ-೫೦ರ ದಾಖಲಾತಿ ವಹಿಯಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಅಂತಿಮ ದಿನಾಂಕ: ೧೯.೦೯.೧೯೯೦ ಮುಕ್ತಾಯ ಆದ ನಂತರ ತಹಸೀಲ್ದಾರ್‌ರವರು ದೃಢೀಕರಣ ಮಾಡದೇ ಇರುವುದರಿಂದ ಕೆಲವು ಗ್ರಾಮಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಅವಧಿ ಮುಗಿದ ನಂತರ ಹೆಸರುಗಳನ್ನು ಸೇರ್ಪಡೆ ಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಆದ್ದರಿಂದ ಇದನ್ನು ದೃಢೀಕರಿಸುವ ಬಗ್ಗೆ ತಾಲ್ಲೂಕು ಕಛೇರಿಯ ಇನ್‌ವಾರ್ಡ್ ರಿಜಿಸ್ಟರ್‌ನ್ನು ಪರಿಶೀಲನೆ ನಮಯದಲ್ಲಿ ಒದಗಿಸಲು ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. (ನಂತರ ತಂದು ತೋರಿಸಿರುತ್ತಾರೆ) ರಿಜಿಸ್ಟರ್‌ನಲ್ಲಿಯ ಬರವಣಿಗೆಯಲ್ಲಿ ಆಗಿರುವ ವ್ಯತ್ಯಾಸ, ಬಳಸಿರುವ ಶಾಹಿ (ಇಂಕ್) ವ್ಯತ್ಯಾಸ ಇವುಗಳಿಂದಾಗಿ ಕೆಲವು ನಮೂದುಗಳು ನಂತರ ಸೇರ್ಪಡೆ ಆಗಿರುವುದಾಗಿ ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತದೆ. ೧೭ ಗ್ರಾಮಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಹೊಸದಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಇದರ ಮಾಹಿತಿಯನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಅನುಬಂಧದಲ್ಲಿ ಲಗತ್ತಿಸಿದೆ.

ನಮೂನೆ-೫೦ರ ದಾಖಲಾತಿಗಳ ರಿಜಿಸ್ಟರ್‌ಗಳಲ್ಲಿ ಕೆಲವು ನಮೂದುಗಳನ್ನು (ಜಟಿಣಡಿಧಿ) ತಿದ್ದುಪಡಿಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಇಂತಹ ತಿದ್ದುಪಡಿಗಳಿಗೆ ತಹಸೀಲ್ದಾರರಿಂದ ದೃಢೀಕರಣವಾಗಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಇವುಗಳನ್ನು ಅನಧಿಕೃತ ತಿದ್ದುಪಡಿ ಎಂದು ಪರಿಗಣಿಸಬೇಕಾಗುತ್ತದೆ. ಅನಧಿಕೃತ ತಿದ್ದುಪಡಿ ವಿವರಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಅನುಬಂಧದಲ್ಲಿ ಒದಗಿಸಿದೆ.

ಅನಧಿಕೃತ ಒತ್ತುವರಿ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಅವಧಿ ವಿಸ್ತರಿಸಿ ನಮೂನೆ-೫೩ ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಸರ್ಕಾರ ಅವಕಾಶ ಒದಗಿಸಿಕೊಟ್ಟಿದ್ದು ಈ ಅರ್ಜಿಗಳನ್ನು ಸಲ್ಲಿಸಲು ದಿನಾಂಕ: ೩೦.೦೪.೧೯೯೯ ಕೊನೆ ದಿನಾಂಕವಿರುತ್ತದೆ. ಈ ಅರ್ಜಿಗಳಿಗೆ ಕಸಬಾ ಮತ್ತು ಬಾಳೆಹೊನ್ನೂರು ಹೋಬಳಿಗಳಿಗೆ ಪ್ರತ್ಯೇಕವಾಗಿ ರಿಜಿಸ್ಟರ್‌ಗಳನ್ನು ಇಡಲಾಗಿದೆ ಮತ್ತು ಪ್ರತಿ ಗ್ರಾಮದ ಅರ್ಜಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕೊನೆ ದಿನಾಂಕದವರೆಗೆ ಬಂದ ಅರ್ಜಿಗಳನ್ನು ದಾಖಲಿಸಿ ತಹಸೀಲ್ದಾರ್ ದೃಢೀಕರಣ ಮಾಡಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ ಅವಧಿ ಮುಗಿದ ನಂತರ ಬಂದ ಅರ್ಜಿಗಳನ್ನು ದಾಖಲಿಸಲು ಅವಕಾಶ ಇರುವುದಿಲ್ಲ. ಕಸಬಾ ಮತ್ತು ಬಾಳೆಹೊನ್ನೂರು ಹೋಬಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ನಿರ್ವಹಿಸಲಾದ ರಿಜಿಸ್ಟರ್‌ಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ ಕೆಲವು



ಸಂದರ್ಭಗಳಲ್ಲಿ ಮಧ್ಯದಲ್ಲಿ ಹೊಸದಾಗಿ ಹೆಸರುಗಳನ್ನು ಸೇರ್ಪಡೆಮಾಡಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಇವುಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಅನುಬಂಧದಲ್ಲಿ ಲಗತ್ತಿಸಲಾಗಿದೆ.

೧). ಕಡತಗಳ ಪರಿಶೀಲನೆ: ಈಚೆಗೆ ಗ್ರಾಮದ ಸರ್ವೆ ನಂಬರ್ ೭೪ರಲ್ಲಿ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ ೧೦೮-೩೭ ಎಕರೆ, ಖರಾಬ್ ೦೯-೩೦ ಎಕರೆ ನಿವೃತ್ತ ೯೯-೦೭ ಎಕರೆ ಇರುತ್ತದೆ. ಇದರಲ್ಲಿ ೪೦-೧೫ ಎಕರೆ ಗೋಮಾಳ ಜಮೀನು ಮತ್ತು ೫೮-೩೨ ಅರಣ್ಯ ಜಮೀನಾಗಿರುತ್ತದೆ. ಗೋಮಾಳದ ಜಮೀನಿನಲ್ಲಿ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಆದೇಶ ಸಂಖ್ಯೆ ಎಂ.ಎಲ್.ಎನ್.ಡಿ (೨) ಸಿ.ಆರ್ ೩೮೯/೨೦೦೧ ದಿನಾಂಕ: ೧೩.೦೫.೨೦೦೧ ಆಶ್ರಯ ನಿವೇಶನದ ಹಂಚಿಕೆಗೆ ಮೂರು ಎಕರೆ ಜಮೀನನ್ನು ಮಂಜೂರು ಮಾಡಿರುತ್ತಾರೆ. ಆದರೆ, ಸದರಿ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ವ್ಯಾಜ್ಯಗಳು ಇರುವುದರಿಂದ ನಿವೇಶನ ಹಂಚಿಕೆ ಆಗಿರುವುದಿಲ್ಲ ಎಂದು ತಹಸೀಲ್ದಾರ್ ತಿಳಿಸಿರುತ್ತಾರೆ. ಸರ್ವೆ ನಂಬರ್ ೭೪ ಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಹೆಚ್.ಎಂ ಮಧುಕರ ಬಿನ್ ಮಂಜಪ್ಪ ಮನು ಬಿನ್ ಮಂಜಪ್ಪ ಮಮತ ಬಿನ್ ಮಂಜಪ್ಪ ಇವರಿಗೆ ತಲಾ ೩-೩೮ ಎಕರೆಯಂತೆ ೧೧-೩೪ ಎಕರೆ ಸಕ್ರಮಿಕರಣ ಸಮೀತಿ ಸಕ್ರಮಮಾಡಲು ದಿನಾಂಕ: ೪.೧೦.೨೦೦೭ರ ಸಭೆಯಲ್ಲಿ ತೀರ್ಮಾನಿಸಲಾಗಿರುತ್ತದೆ. ಈ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತಹ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾದಾಗ ಮೇಲೆ ನಮೂದಿಸಿದ ಅರ್ಜಿದಾರರ ಹೆಸರುಗಳು ನಮೂನೆ-೫೦ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರಾರ್ ಕೊನೆಯಲ್ಲಿ ಅನುಕ್ರಮ ನಂಬರ್ ೯೨,೯೩,೯೪ ಎಂದು ದಾಖಲಿಸಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ರಿಜಿಸ್ಟ್ರಾರ್ ನಮೂದುಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಈ ನಮೂದುಗಳ ಬರವಣಿಗೆ ಮತ್ತು ಶಾಹಿಯಲ್ಲಿ ವ್ಯತ್ಯಾಸವಿದ್ದು ನಂತರ ಸೇರ್ಪಡೆ ಮಾಡಿರಬಹುದಾಗಿ ಕಂಡುಬರುತ್ತದೆ. ಸದರಿ ಅರ್ಜಿದಾರರ ತಾಯಿ ರುಕ್ಮಿಣಿ ಕೋಂ ಮಂಜಪ್ಪ ಇವರ ಹೆಸರಿನಲ್ಲಿ ೯-೨೯ ಎಕರೆ ಜಮೀನು ಇರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಮೇಲಿನ ಎಲ್ಲ ಅಂಶಗಳನ್ನು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳದೇ ಸಕ್ರಮಿಕರಣ ಸಮೀತಿ ಒಂದೇ ಕುಟುಂಬದ ಮೂರು ಜನರಿಗೆ ೧೧-೩೪ ಎಕರೆ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನ ಕೈಗೊಂಡಿರುತ್ತದೆ.ಈ ಜಮೀನಿನಲ್ಲಿ ಮಾಲ್ಕಿ (ಗಿಡಗಳು) ಇರುವುದರಿಂದ ಸಕ್ರಮಿಕರಣಗೊಳಿಸುವ ಬಗ್ಗೆ ಅಭಿಪ್ರಾಯ ಕೋರಿ ಅರಣ್ಯ ಇಲಾಖೆಗೆ ಪತ್ರ ಬರೆದಿರುವುದರಿಂದ ಮತ್ತು ಇನ್ನೂ ಅಭಿಪ್ರಾಯ ಬರದೇ ಇರುವುದರಿಂದ ಸಾಗುವಳಿ ಟೀಟಿಯನ್ನು ನೀಡಿರುವುದಿಲ್ಲ.

೨). ಹೊನ್ನೇಕೊಡಿಗೆ ಗ್ರಾಮ:- ಅರ್ಜಿದಾರರಾದ ಶ್ರೀ ಕೆ.ಎಂ ತಮ್ಮೇಗೌಡ ಬಿನ್ ಮಂಜಪ್ಪಗೌಡ, ಕೆ.ಟಿ ಮಂಜಪ್ಪಗೌಡ ಬಿನ್ ತಮ್ಮೇಗೌಡ ಮತ್ತು ಶ್ರೀ ಕೆ.ಟಿ.ಸತೀಶ್ ಬಿನ್ ಕೆ.ಎಂ.ತಮ್ಮೇಗೌಡ ಇವರು ಅನುಕ್ರಮವಾಗಿ ಸರ್ವೆ ನಂಬರ್ ೧೦,೦೯, ಮತ್ತು ೧೦ರಲ್ಲಿ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ದಿನಾಂಕ: ೩೦.೧೦.೨೦೦೮ ರಂದು ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಮತ್ತು ಈ ಅರ್ಜಿಯಲ್ಲಿ ಈ ಹಿಂದೆಯೇ ನಮೂನೆ-೫೦ ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ. ಈ ಅರ್ಜಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ನಮೂನೆ-೫೦ರ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟ್ರಾರ್‌ನು ಪರಿಶೀಲಿಸಲಾಗಿ ಹೊನ್ನೇಕೊಡಿಗೆ ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ನಮೂದುಗಳಲ್ಲಿ (ಜಟೀಣಡಿಧಿ) ಕೊನೆಯ ಮೂರು ನಮೂದುಗಳು ಅಂದರೆ ಅನುಕ್ರಮ ನಂಬರ್ ೫೪, ೫೫, ೫೬ ರಲ್ಲಿ ಈ ಅರ್ಜಿದಾರರ ಹೆಸರನ್ನು ದಾಖಲಿಸಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಇದರಲ್ಲಿ ಕೂಡ ಬರವಣಿಗೆ ವ್ಯತ್ಯಾಸ, ಶಾಹಿ ವ್ಯತ್ಯಾಸವಿದ್ದು ನಂತರ ಸೇರ್ಪಡೆಯಾಗಿರುವ ನಮೂದು ಆಗಿರುತ್ತದೆ ಎಂದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತದೆ. ದಿನಾಂಕ: ೩೦.೧೦.೨೦೦೮ ರಂದು ಸಲ್ಲಿಸಿದ ಅರ್ಜಿ ಆಧಾರದ ಮೇಲೆ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕಡತ ತಯಾರಿಸಲು ತಹಸೀಲ್ದಾರ್‌ರವರು ಕಂದಾಯ ನಿರೀಕ್ಷಕರಿಗೆ ಕಳುಹಿಸಿದ್ದು, ಕಂದಾಯ ನಿರೀಕ್ಷಕರು ಕಡತ ತಯಾರಿಸಿ ತಾಲ್ಲೂಕು ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಆದರೆ ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ರಚನೆ ಆಗದೇ ಇರುವುದರಿಂದ ಇದರ ಮೇಲೆ ಯಾವುದೇ ಕ್ರಮ ಆಗಿರುವುದಿಲ್ಲ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಸಹ ಒಂದೇ ಕುಟುಂಬದ ಮೂರು ಜನರಿಗೆ ೩.೩೭ ಎಕರೆ ಸಕ್ರಮಿಕರಣ ಮಾಡಲು ಪ್ರಸ್ತಾವನೆ ತಯಾರಿಸಲಾಗಿದೆ

೩). ಕಣಿವೆ ಗ್ರಾಮ :- ಕಣಿವೆ ಗ್ರಾಮದ ಸರ್ವೆ ನಂಬರ್ ೭೯ ರಲ್ಲಿ ೪-೨೦ ಎಕರೆ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಶ್ರೀ ಕೆ.ಎಂ.ನಾಗರಾಜ್ ಇವರು ಮತ್ತು ೪-೨೦ ಎಕರೆ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಶ್ರೀ ಕಾಂತ್‌ರಾಜ್ ಇವರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಸದರಿಯವರ ತಾಯಿ ಕಮಲಮ್ಮ ಇವರು ೫-೨೯ ಎಕರೆ ತರಿ ಜಮೀನನ್ನು ಹೊಂದಿರುತ್ತಾರೆ. ಅರ್ಜಿದಾರರು ಸಲ್ಲಿಸಿರುವ ಪ್ರಮಾಣ ಪತ್ರದಲ್ಲಿ ಪ್ರತಿಯೊಬ್ಬರ ಪಾಲಿಗೆ ೧-೨೦ ಎಕರೆ ತರೀ ಜಮೀನು ಬಂದಿರುತ್ತದೆ ಎಂದು

ನಮೂದಗೊಂಡಿತ್ತು. ಈ ವಿಷಯ ಸಂಪನ್ಮೂಲ ಇಲಾಖೆಯಿಂದ ತಿಳಿದು ಬಂದಿದೆ.

ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ನಿರ್ಣಯಮಾಡಿರುತ್ತಾರೆ. ಆದರೆ, ಅರ್ಜಿದಾರರು ಈಗಾಗಲೇ ೧-೨೦ ತರೀ ಜಮೀನು ಹೊಂದಿರುವುದರಿಂದ ಅದನ್ನು ಬಿಟ್ಟು ೧-೩೮ ಎಕರೆ ಖುಷ್ಕಿ ಜಮೀನು ಸಕ್ರಮಿಕರಣ ಪಡೆಯಬಹುದಾಗಿದೆ. ಆದರೆ ಇದನ್ನು ಗಮನಿಸದೇ ೩-೦೮ ಎಕರೆ ಜಮೀನು ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಕ್ರಮ ಕೈಗೊಂಡಿರುವುದು ನಿಯಮ ಬಾಹಿರವಾಗಿರುತ್ತದೆ. ಆದ್ದರಿಂದ, ಈ ಪ್ರಕರಣವನ್ನು ಪುನಃ ಪರಿಶೀಲಿಸುವ ಅವಶ್ಯಕತೆ ಇರುತ್ತದೆ.

**೪). ಮೇಗರಮಕ್ಕಿ ಗ್ರಾಮ :-** ಮೇಗರಮಕ್ಕಿ ಗ್ರಾಮದ ಸರ್ವೆ ನಂಬರ್ ೩೫ರಲ್ಲಿ ೫-೦೦ ಎಕರೆ ಸಕ್ರಮಗೊಳಿಸುವ ಬಗ್ಗೆ ಶ್ರೀ ಕೆ.ಪಿ ಸುಂದರೇಶ್ ಬಿನ್ ಕೆ.ಪಿ ಕೆಂಚೇಗೌಡ ಇವರು ಕೋರಿರುತ್ತಾರೆ. ಸರ್ವೆ ನಂಬರ್ ೩೫ರ ವಿಸ್ತೀರ್ಣ ೩೬-೩೬ ಎಕರೆ ಹುಲ್ಲುಬನ್ನಿ ಎಂದು ವರ್ಗೀಕರಿಸಲಾಗಿದೆ. ಈ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಕಡತ ಮತ್ತು ರಿಜಿಸ್ಟರ್ ನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ ಕೆ.ಪಿ.ಸುಂದರೇಶ್ ಇವರ ದಿನಾಂಕ: ೦೫.೦೯.೨೦೦೭ ರಂದು ಅರ್ಜಿ ಸಲ್ಲಿಸಿ ತಾನು ಈ ಹಿಂದೆ ಫಾರಂ ನಂಬರ್ ೫೦ ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವುದಾಗಿಯೂ ಅದು ಗೈರು ವಿಲೇ ಆಗಿರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ. ನಮೂನೆ-೫೦ಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ದಾಖಲಾತಿ ರಿಜಿಸ್ಟರ್ ಪರಿಶೀಲಿಸುವುದಾಗಿ ಮೇಗರಮಕ್ಕಿ ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ರಿಜಿಸ್ಟರ್‌ನ ಕೊನೆಯಲ್ಲಿ ಅನಧಿಕೃತವಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಿರುವುದು ಬರವಣಿಗೆ ವ್ಯತ್ಯಾಸದಿಂದ ಮತ್ತು ಶಾಹಿ ವ್ಯತ್ಯಾಸದಿಂದ ಕಂಡುಬರುತ್ತದೆ. ಈ ಅರ್ಜಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ದಿನಾಂಕ: ೪.೧೦.೨೦೦೭ ರಂದು ನಡೆದ ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ೪-೩೫ ಎಕರೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ.

**೫). ಮೇಗರಮಕ್ಕಿ ಗ್ರಾಮ :-** ಮೇಗರಮಕ್ಕಿ ಗ್ರಾಮದ ಸರ್ವೆ ನಂಬರ್ ೪೭ ರಲ್ಲಿ ೪-೩೦ ಎಕರೆ ಶ್ರೀಮತಿ ಗೌರಮ್ಮ ಇವರ ಹೆಸರಿಗೆ ಸಕ್ರಮಗೊಳಿಸಲು ಕಡತ ತಯಾರಿಸಲಾಗಿರುತ್ತದೆ. ಸರ್ವೆ ನಂಬರ್ ೪೭ರ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ ೫೨೬-೩೩ ಎಕರೆ ಇದ್ದು ಅದರಲ್ಲಿ ಹುಲ್ಲುಬನ್ನಿ ೪೨-೨೩ ಎಕರೆ ಕಿರು ಅರಣ್ಯ ೪೮೪ ಎಕರೆ ಎಂದಿರುತ್ತದೆ. ಶ್ರೀಮತಿ ಗೌರಮ್ಮ ಇವರ ಹೆಸರನ್ನು ನಮೂನೆ -೫೦ ರ ರಿಜಿಸ್ಟರ್‌ನ ಕೊನೆಯ ಸಂಖ್ಯೆ ೮೦ ರಲ್ಲಿ ಹೊಂದಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಿರುವುದು ರಿಜಿಸ್ಟರ್ ಪರಿಶೀಲನೆಯಿಂದ ಕಂಡುಬರುತ್ತದೆ. ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ದಿನಾಂಕ: ೦೫.೧೦.೨೦೦೭ ರಂದು ನಡೆದ ಸಭೆಯಲ್ಲಿ ೪-೩೦ ಎಕರೆ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನಿಸಿರುತ್ತದೆ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಖಾಯಂ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡುವ ಬಗ್ಗೆ ಅರಣ್ಯ ಇಲಾಖೆಯ ಅಭಿಪ್ರಾಯವನ್ನು ಕೋರಲಾಗಿರುತ್ತದೆ ಅವರ ಅಭಿಪ್ರಾಯ ಬಂದಿರುವುದಿಲ್ಲವಾದ್ದರಿಂದ ಸಾಗುವಳಿ ಚೀಟಿಯನ್ನು ನೀಡಲಾಗಿರುವುದಿಲ್ಲ.

**೬). ಶಿಂಸೆ ಗ್ರಾಮ :-** ಶಿಂಸೆ ಗ್ರಾಮದ ಸರ್ವೆ ನಂಬರ್ ೧೧/ಬಿ೧ ವಿಸ್ತೀರ್ಣ ೯-೧೧ ಎಕರೆ ಗೋಮಾಳದ ಜಮೀನಿನಲ್ಲಿ ಪಿ.ಜೆ.ಜೇಮ್ಸ್ ಬಿನ್ ಪಿ.ವಿ ಜೋಸೆಫ್ ಇವರು ಅನಧಿಕೃತ ಒತ್ತುವರಿ ಮಾಡಿರುವುದನ್ನು ಸಕ್ರಮಗೊಳಿಸಲು ಕಡತ ತಯಾರಿಸಲಾಗಿದೆ. ದಿನಾಂಕ: ೨೬.೦೭.೨೦೦೭ ರಂದು ಶ್ರೀ ಪಿ.ಜೆ.ಜೇಮ್ಸ್ ಇವರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿ ನಮೂನೆ-೫೩ ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವುದಾಗಿಯೂ ಮತ್ತು ೧೦೩ರಲ್ಲಿ ದಾಖಲಾಗಿರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ. ಶಿಂಸೆ ಗ್ರಾಮದ ನಮೂನೆ - ೫೩ ರ ರಿಜಿಸ್ಟರ್‌ನ ಪರಿಶೀಲಿಸಲಾಗಿ ಶ್ರೀ ಜೇಮ್ಸ್‌ರವರ ಹೆಸರನ್ನು ಕೊನೆಯಲ್ಲಿ ಸೇರ್ಪಡೆ ಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ದಿನಾಂಕ: ೦೫.೧೦.೨೦೦೭ ರಂದು ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ತೀರ್ಮಾನದಲ್ಲಿ ೪-೩೦ ಎಕರೆ ಸಕ್ರಮಿಕರಣ ಮಾಡಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ. ನದರಿ ಅರ್ಜಿದಾರರು ಈಗ ಅವರಿಗೆ ೩೫ ವರ್ಷವೆಂದು ನಮೂದಿಸಿರುವುದರಿಂದ ನಿಗದಿತ ದಿನಾಂಕ: ೧೯.೦೯.೧೯೯೧ ರಲ್ಲಿ ೧೮ ವರ್ಷ ಆಗಿರುತ್ತದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ಸಂಶಯವಿರುವುದರಿಂದ ಶಾಲಾ ದಾಖಲಾತಿಗಳನ್ನು ತರಿಸಲು ತಹಸೀಲ್ದಾರ್‌ರವರು ನಿರ್ದೇಶನ ನೀಡಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುವುದಿಲ್ಲ.

**೭). ಹಿಳುವಳ್ಳಿ ಗ್ರಾಮ :-** ಹಿಳುವಳ್ಳಿ ಗ್ರಾಮದ ಸರ್ವೆ ನಂಬರ್ ೭೬ ರಲ್ಲಿ ೪-೩೮ ಎಕರೆ ಜಮೀನನ್ನು ಶ್ರೀ ಬಿ.ಎ.ಶ್ರೀನಿವಾಸ್ ಬಿನ್ ಅಣ್ಣೇಗೌಡ ಇವರಿಗೆ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ಕಡತ ತಯಾರಿಸಲಾಗಿದೆ. ಶ್ರೀ ಬಿ.ಎ.ಶ್ರೀನಿವಾಸ್‌ರವರು ದಿನಾಂಕ: ೩೦.೧೦.೧೯೯೮ ರಂದು ನಮೂನೆ -೫೩ ರನ್ನು ನೀಡಿರುವುದಾಗಿ ಕಂಡುಬರುತ್ತದೆ ಮತ್ತು

ನಮೂನೆ-೫ ರಿಜಿಸ್ಟರ್‌ನಲ್ಲಿ ಅನುಕ್ರಮ ನಂಬರ್ ೧೧೪೪ ರಲ್ಲಿ ದಾಖಲಾಗಿರುವುದಾಗಿ ನಮೂದಿಸಲಾಗಿದೆ. ಅದರ ಸದರಿ ರಿಜಿಸ್ಟರ್‌ನ ಪರಿಶೀಲಿಸಲಾಗಿ ೧೧೪೪ ರಲ್ಲಿ ತಿದ್ದುಪಡಿಮಾಡಿ ಶ್ರೀ ಬಿ.ಎ ಶ್ರೀನಿವಾಸ್ ಇವರ ಹೆಸರನ್ನು ದಾಖಲಿಸಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಇದಲ್ಲದೇ ನಮೂನೆ - ೫ ರ ರಿಜಿಸ್ಟರ್‌ನ ಕೊನೆಯಲ್ಲಿ ಸಹ ಶ್ರೀ ಬಿ.ಎ.ಶ್ರೀನಿವಾಸ್‌ರವರ ಹೆಸರನ್ನು ಬರೆದಿರುವುದು ಬರವಣಿಗೆ ವ್ಯತ್ಯಾಸ ಮತ್ತು ಶಾಹಿ ವ್ಯತ್ಯಾಸದಿಂದ ಕಂಡುಬರುತ್ತದೆ. ಇವುಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಶ್ರೀ ಬಿ.ಎ.ಶ್ರೀನಿವಾಸ್ ಇವರು ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸದಿದ್ದಾಗ್ಯೂ ಅಕ್ರಮವಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ದಿನಾಂಕ: ೦೫.೧೦.೨೦೦೭ ರಂದು ನಡೆಸಿದ ಸಭೆಯಲ್ಲಿ ಶ್ರೀನಿವಾಸ್ ರವರಿಗೆ ೪-೩೮ ಎಕರೆ ಜಮೀನು ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನಿಸಿದ್ದು ಈ ಬಗ್ಗೆ ಹಣ ಪಾವತಿಸಲು ತಹಸೀಲ್ದಾರ್‌ರವರ ಕಛೇರಿಯಿಂದ ೧.೧೨.೨೦೦೭ ರಂದು ಪತ್ರ ನೀಡಲಾಗಿದೆ. ಇನ್ನೂ ಖಾಯಂ ಸಾಗುವಳಿ ಚೀಟಿ ನೀಡಿರುವುದಿಲ್ಲ.

೮) ಬಾಳೆಕೊಪ್ಪ:- ಬಾಳೆಕೊಪ್ಪ ಗ್ರಾಮದ ಸ.ನಂ: ೧೮ರಲ್ಲಿ ೦೧ ಎಕರೆ ೨೪ ಗುಂಟೆ, ಸ.ನಂ: ೧೯ರಲ್ಲಿ ೨ ಎಕರೆ ೧೬ ಗುಂಟೆ ಒಟ್ಟು ೦೪ ಎಕರೆ ಜಮೀನನ್ನು ಶ್ರೀಮತಿ ಸಿದ್ದಮ್ಮ ಕೋಂ ಬಿ.ಎಸ್. ವಾಸುದೇವಗೌಡ ಇವರಿಗೆ ಮಂಜೂರು ಮಾಡಲು ಅರ್ಜಿದಾರರು ದಿನಾಂಕ: ೦೨.೦೮.೨೦೦೩ರಂದು ಸಲ್ಲಿಸಿದ್ದ ಅರ್ಜಿಯ ಮೇಲೆ ಪ್ರಕರಣವನ್ನು ತಯಾರಿಸಲಾಗಿರುತ್ತದೆ. ಆದರೆ, ನಮೂನೆ ೫೦ ಅಥವಾ ೫೩ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದ ಬಗ್ಗೆ ರಿಜಿಸ್ಟರ್‌ನಲ್ಲಿ ದಾಖಲಾಗಿರುವುದಿಲ್ಲ. ನಿಗದಿತ ನಮೂನೆಯಲ್ಲಿ ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸದಿದ್ದಾಗ್ಯೂ ಸಕ್ರಮಗೊಳಿಸಲು ಪ್ರಕರಣ ತಯಾರಿಸಲಾಗಿದೆ ಮತ್ತು ದಿನಾಂಕ: ೨೩.೦೩.೨೦೦೪ರಂದು ನಡೆದ ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಸಕ್ರಮಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ. ಈ ಜಮೀನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಆದೇಶ ದಿನಾಂಕ: ೦೫.೦೬.೨೦೦೨ರಂತೆ ಅರಣ್ಯ ಮೀಸಲು ಎಂದು ದಾಖಲಾಗಿರುವುದರಿಂದ ಷರತ್ತುಬಿಡಿಸಿ ಮಂಜೂರಾತಿ ನೀಡಿರುತ್ತಾರೆ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಅರ್ಜಿದಾರರು ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸದಿದ್ದಾಗ್ಯೂ ಸಕ್ರಮಗೊಳಿಸಲು ಕ್ರಮಕೈಗೊಂಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.

### ಮೇಲೆ ನಮೂದಿಸಿದ ಅಂಶಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಈ ಕೆಳಗಿನಂತೆ ಕ್ರಮಕೈಗೊಳ್ಳುವ ಅವಶ್ಯಕತೆ ಕಂಡು ಬರುತ್ತದೆ

೧. ಅನಧಿಕೃತವಾಗಿ ಸಾಗುವಳಿ ಸಕ್ರಮ ಕೋರಿ ನಮೂನೆ ೫೦ರಲ್ಲಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಗಳನ್ನು ನಮೂನೆ ೫೦ರ ರಿಜಿಸ್ಟರ್‌ನಲ್ಲಿ ದಾಖಲಿಸಿದ್ದು, ಬರವಣಿಗೆಯಲ್ಲಿ ಆಗಿರುವ ವ್ಯತ್ಯಾಸ ಗಮನಿಸಿದಾಗ ೧೪೭ ನಮೂದುಗಳ (entries) ಅವಧಿ ಮುಗಿದ ನಂತರ ದಾಖಲಿಸಿದಂತೆ ಕಂಡುಬರುತ್ತದೆ. (ಅನುಬಂಧ - 3)
- ಈ ಅರ್ಜಿಗಳು ನಿಗದಿತ ಅವಧಿಯಲ್ಲಿ ಸಲ್ಲಿಸಲ್ಪಟ್ಟಿತ್ತೇ ಇಲ್ಲವೆ ಎನ್ನುವುದನ್ನು ಆವಕ ವಹಿ (inward register) ತಾಳೆ ನೋಡಿ ದೃಢೀಕರಿಸಿಕೊಳ್ಳಬಹುದಾಗಿದೆ. Inward registerನಲ್ಲಿ ದಾಖಲಾಗದಿದ್ದಲ್ಲಿ ಅವುಗಳನ್ನು ಅಕ್ರಮ ದಾಖಲೆ ಎಂದು ಪರಿಗಣಿಸತಕ್ಕದ್ದು.
೨. ಒಟ್ಟು ೩೧ ಪ್ರಕರಣಗಳ (ಅನುಬಂಧ - 4) ರಿಜಿಸ್ಟರ್‌ನಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಆದ್ದರಿಂದ, ಆವಕ ರಿಜಿಸ್ಟರ್ (inward register) ಪರಿಶೀಲಿಸಿ ತಾಳೆ ನೋಡಿದಲ್ಲಿ ಅನಧಿಕೃತ ತಿದ್ದುಪಡಿ ಎಂದು ಕಂಡುಬಂದಲ್ಲಿ ಮತ್ತು ಪ್ರಕರಣದಲ್ಲಿ ಸಕ್ರಮಿಕರಣಗೊಳಿಸಲು ತೀರ್ಮಾನವಾಗಿದ್ದಲ್ಲಿ ಅವುಗಳನ್ನು ರದ್ದುಪಡಿಸುವ ಬಗ್ಗೆ ನಿಯಮಾನುಸಾರ ಕ್ರಮಕೈಗೊಳ್ಳುವುದು.
೩. ಅಕ್ರಮ ಸಾಗುವಳಿ ಸಕ್ರಮಗೊಳಿಸಲು ಸಲ್ಲಿಸಿರುವ ಅರ್ಜಿಗಳು ಅರಣ್ಯ ಜಮೀನಿಗೆ ಸಂಬಂಧಿಸಿದೆಯೇ ಎನ್ನುವುದನ್ನು ಪರಿಶೀಲಿಸಿ ಅರಣ್ಯ ಜಮೀನು ಆಗಿದ್ದಲ್ಲಿ ಅವುಗಳನ್ನು ಸಕ್ರಮಗೊಳಿಸಲು ಅವಕಾಶ ಇಲ್ಲದಿರುವ ಅಂಶಗಳನ್ನು ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ಗಮನಕ್ಕೆ ತಂದು ಪ್ರಕರಣಗಳನ್ನು ಸಮಿತಿ ಮುಂದೆ ಇಡಲು ಕ್ರಮಕೈಗೊಳ್ಳುವುದು.

೪. ನಮೂನೆ ಜಿ೦೦ ನು೦ದಣೆ ರಿಜಿಸ್ಟರ್ (ನಮೂನೆ ೪೦೦) ಕುರುಹುಗಳನ್ನು ಸುರಕ್ಷಿತವಾಗಿ ಸಂರಕ್ಷಿಸಿ ಸಕ್ರಮಿಕರಣ ಸಮಿತಿ ತೀರ್ಮಾನಿಸಿರುವ ಅಂಶಗಳನ್ನು ಸದರಿ ರಿಜಿಸ್ಟರ್‌ನಲ್ಲಿ ದಾಖಲಿಸಿ update ಮಾಡುವ ಬಗ್ಗೆ ಕ್ರಮಕೈಗೊಳ್ಳುವುದು.

ಈ ಅಂಶಗಳ ಮೇಲೆ ಕ್ರಮಕೈಗೊಳ್ಳಲು ತಹಶೀಲ್ದಾರ್ ಮತ್ತು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ ನಿರ್ದೇಶನ ನೀಡಬಹುದಾಗಿದೆ.

  
ವಿಶೇಷ ಅಧಿಕಾರಿಗಳು,

ಕರ್ನಾಟಕ ಸಾರ್ವಜನಿಕ ಜಮೀನುಗಳ ನಿಗಮ,  
ಬೆಂಗಳೂರು.

2011

Annexure - 11

ವಿ. ಬಾಲಸುಬ್ರಮಣಿಯನ್  
ನಿವೃತ್ತ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ  
ಮತ್ತು ಅಧ್ಯಕ್ಷರು, ಸರ್ಕಾರಿ ಜಮೀನು  
ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ



(O) : 080-22133558  
(R) : 080-25465034  
080-25467943  
(M) : 9845970092

V. BALASUBRAMANIAN, IAS (Retd.,)  
Former Additional Chief Secretary  
and Chairman,  
Task Force for Protection of Govt. Lands

2ನೇ ಮಹಡಿ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ ಕಟ್ಟಡ  
ಸಿಟಿ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಆವರಣ ಹತ್ತಿರ  
ಕೆ.ಜಿ. ರಸ್ತೆ, ಬೆಂಗಳೂರು - 560 009

2nd Floor, Deputy Commissioner Office Building  
Near City Civil Court Complex  
K.G. Road, Bangalore - 560 009

**CONFIDENTIAL**

5 October 2010

ದಿನಾಂಕ / Date.....

No. CTF/7/2010-11

Email: [ybalu41@gmail.com](mailto:ybalu41@gmail.com)  
Cell: 98459 70092

My dear Ranganath,

ILLEGAL "EXCHANGE" OF LAND AFTER  
CANCELLING AUCTION OF GOVT. LAND  
CAUSING LOSS TO STATE TREASURY

1) I am enclosing herewith a copy of my letter No. CTF/7/2010-11, dated 4 October, 2010, addressed to Sri. V. Madhu, IAS, Principal Secretary to government, Revenue Department, on the above subject, for your kind information.

2) Briefly, Government auctioned 643 acres of land from the year 2005 to 2009, of which 283 acres were confirmed in the name of only one person - Yousuff Shariff, who is a GPA holder for four front companies. In respect of one such auction of 12 acres 24 guntas in Bangalore (East) Taluk, 5 acres 27 guntas could not be handed over to him. However, in Doddajala village, which is only about 3 KMs from the Bangalore International Airport, Government had auctioned another 9 acres 20 guntas, in respect of which he was the highest bidder at Rs.76 lakhs per acre. However, Government did not confirm the auction on the ground that the market value was much higher. Indeed, the market value is between Rs. One crore and Rs.3 crores per acre in this area. The land in Doddajala village was fixed for re-auction on 5-9-2008, but was cancelled

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without bidding, even though there were 16 bidders. The reasons for such cancellation of the auction is not forthcoming from the file.

3) However, on Yousuff Shariff's representation, Government agreed to exchange the land in Doddajala village to the extent of 5 acres 37 guntas at the rate of Rs.60 lakhs per acre. It may be noted that even though he himself had given a bid of Rs.76 lakhs per acre for the Doddajala land, yet the Government agreed to give the land to him for Rs.60 lakhs per acre.

4) Firstly, there is no legal provision for exchange of land by Government. All the lands not granted have to be disposed of by public auction only. In this instance, the valuable land was brought to auction twice and after cancelling the auction, the same land is offered to the bidder at a lower cost than what he had himself given<sup>bid</sup>. Secondly, there is also financial loss to the Government.

5) It has been brought to my notice that such an Important matter, for which there is no legal provision and involving financial loss to the Government, was sent neither to the Law Department nor the Finance Department. This has become a precedent now and many of the bidders, in whose favour the auction was not confirmed by the Government, are now approaching for "exchange of land" for which there is no legal provision. I would also mention in this regard that this middleman, viz., Yousuff Shariff, has been creating havoc in the office of the Enforcement Cell attached to the Deputy Commissioner, Bangalore (Urban) District. During the month of November, 2009, he had created a law and order problem in the Enforcement Cell and made allegations against the then Managing Director of Karnataka Public Lands Corporation. A police case for creating disturbance in the office of the Enforcement Cell was filed on 26-11-2009, which is still pending. He also made an allegation that the Managing Director of Karnataka Public Land Corporation demanded Rs.10

Job

g/c

lakhs from him and since he refused to give the same, a false case was filed against him. I learn that the Police Department has since filed a 'B' Report in this case. He has now again made an allegation that the Special Deputy Commissioner, Enforcement Cell, has demanded Rs.5 lakhs.

6) As the land matters relating to the Bangalore (Urban) District are bringing out one scandal after another because of the high value of land, such illegal exchange of land done by the Revenue Department, without referring to the Law Department or the Finance Department, will create more such embarrassing situations to the Government.

7) I request you, therefore, to look into the matter and take necessary action and direct the Revenue Department to cancel such illegal exchange of lands causing loss to Government.

With best regards,

Yours sincerely,

VK  
5/10/60

(V. Balasubramanian)

Sri. S. V. Ranganath, IAS,  
Chief Secretary,  
Government of Karnataka,  
Vidhana Soudha,  
Bangalore - 560001

Encls.: as above

(Hand delivered  
on 5/10/2010)  
in

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✓  
g/c

5-1

ವಿ. ಬಾಲಸುಬ್ರಮಣಿಯನ್  
ನಿವೃತ್ತ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ  
ಮತ್ತು ಅಧ್ಯಕ್ಷರು, ಸರ್ಕಾರಿ ಜಮೀನು  
ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ

V. BALASUBRAMANIAN, IAS (Retd.,)  
Former Additional Chief Secretary  
and Chairman,  
Task Force for Protection of Govt. Lands



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2ನೇ ಮಹಡಿ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ ಕಟ್ಟಡ  
ಸಿಟಿ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಆವರಣ ಹತ್ತಿರ  
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CONFIDENTIAL

4 October 2010

ದಿನಾಂಕ / Date.....

No. CTF/7/2010-11

Email: [vbalu41@gmail.com](mailto:vbalu41@gmail.com)  
Cell: 98459 70092

My dear Madhu,

ILLEGAL "EXCHANGE" OF LAND AFTER  
CANCELLING AUCTION OF GOVT. LAND  
CAUSING LOSS TO STATE TREASURY

1. I am bringing to your kind notice an Instance of Government cancelling an auction of Government *Gomal* land for the reason of under-bid value but illegally ordering the sale of the same land to the same bidder for an amount less than what he himself had offered the bid. This is a manifestly illegal action by the Revenue Department which has to be set right by cancelling the "Exchange" order. I give below the relevant facts of the case.
2. In Gomal S.No.80 of Kithaganoor village of Bangalore East taluk 12A 24G of land recovered from encroachment was auctioned on 25-11-2008. The successful bidder was one Yousuff Shariff who got the entire land for Rs.494 lakhs at Rs.40 lakhs per acre. However, only 5A 37G acres could be handed over to him. For the balance area of 6A 27G of land there was some demand from the villagers for allotment of sites. Before the matter could be settled by local officers and the balance land could be handed over, he represented to Government that he cannot take possession of the balance land.
3. In another case, on 29-10-2007, in Government Gomal S.No.46 of Doddajala village in Bangalore North (Additional ) Taluk - about 3 kilometres from the Bangalore International Airport - 9A 20G was auctioned dividing it into 9 blocks. In respect of four blocks of this land (4A) Yousuff Shariff was the highest bidder at Rs.76 lakhs per acre and in respect of the remaining five blocks some other persons were the highest bidders at about Rs.77 lakhs per acre. However, the

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Government in the Revenue Department cancelled the auction on the ground that the value of the land was much higher than was offered by bidders and accordingly ordered re-auction of the land on 24-11-2007.

4. The Re-auction of this land in Doddajala village was fixed on 5-9-2008 and the auction commenced. Though there were 13 bidders including Yousuff Sheriff, yet for reasons not recorded the re-auction was cancelled.
5. On 16-9-2009, Yousuff Shariff represented to the Hon'ble Minister of Revenue Department (vide Annexe 1), that the land in Doddajala village S.No.46 (for which both the first auction and the re-auction was cancelled) may be given to him IN EXCHANGE OF THE LAND IN KITHAGANOR VILLAGE WHICH HE COULD NOT TAKE POSSESSTION OF. The Deputy Commissioner, Bangalore Urban district vide his letter No.VG(JADA)Haraju/CR 23/2007-08 dated 24-2-2010 (Annexe 2), informed Government that the land in Doddajala village is required for Drivers and Group D.
6. However, the Revenue Department forwarded his representation to the Deputy Commissioner for exchange of the land in Doddajala village vide letter No.RD 18 LGB 2010 dt. 15-2-2010 (Annexe 3). The then Managing Director of Karnataka Public Lands Corporation (KPLC) wrote to Government vide letter No.KPLC/LND/205/2009-10 dt.10-3-2010 (Annexe 4) that there is no provision for such exchange of land and Government land can be sold only by auction as Indeed re-auction had been scheduled earlier on 5-9-2008. But the Government reiterated vide letter dated 20-3-2010 that 6A 27G of the Doddajala land should be given to Yousuff Shariff in exchange, AT THE RATE OF Rs.60 LAKHS PER ACRE. The then MD of KPLC again wrote to Government vide letter dated 25-3-2010 (Annexe 5) that such exchange will involve loss to the government as the market value of the land was Rs.90 lakhs according to sale deeds and the Government-fixed value was only Rs.60 lakhs per acre. However, Government again directed vide letter No.RD 18 LGB 2010 dt. 1-4-2010 that the land should be given in exchange at Rs.60 lakhs per acre (Annexe 6).
7. Against this some persons filed a Petition and also a Public Interest Litigation in the High Court which for reasons not known were withdrawn by the petitioners and the High Court has issued orders accordingly on 14-9-2010 dismissing the petitions. Yousuff Shariff is now demanding the issue of Sale Certificate by the Deputy Commissioner.
8. The following are the glaring illegalities and improprieties in this matter:

- (i) There is no provision for "Exchange" of land in favour of the bidder. It is like "exchanging" land in say, Hosakote for a land in Palace Orchard; Lands in Doddajala village (near Bangalore International Airport) are much more valuable than land in Kithaganoor in Bangalore East Taluk; The actual market value in Doddajala village is Rs.1 crore to Rs.3 crore per acre.
- (ii) In respect of the Doddajala land Yourself Shariff was himself the bidder at Rs.76 lakhs per acre which auction the Government cancelled on the ground that the bids were lower than the market price. Yet the same land is now being ordered by government to be given to him at Rs.60 lakhs per acre. Even taking the rejected bid value of Rs.76 lakhs per acre, the minimum loss to government is Rs.106.8 lakhs [Rs.76 lakhs - 60 lakhs = Rs.16 lakhs \* 6A 27G = Rs.106.8 lakhs.] Taking into account the market rate at least Rs.1 crore per acre -there are sale deeds for Rs.90 lakhs and sale deeds are known for suppressed value - the loss to government is at least Rs.2.97 crores [Rs.1 crore - Rs.60 lakhs = Rs.40 lakhs \* 6A 27G = 297 lakhs].
- (iii) All the auctions were held on a "AS IS WHERE IS" condition and there is no obligation on government to give any land in "exchange" of some other land. This is illegal on the face of it.
- (iv) After cancelling the first auction of the Doddajala land for the reason that Rs.76 lakhs per acre is under-value and ordering re-auction which was fixed on 5-9-2008 there is no reason forthcoming on the files as to why this re-auction for which there were 14 bidders (one of whom was the same Yusuf Sheriff) which would have been a highly competitive bidding, was cancelled. After this cancellation, Yousuff Shariff approaches Revenue Department which orders giving the land to him without auction at Rs.60 lakhs per acre which is less than the amount of Rs.76 lakhs he himself offered in the earlier auction. This is an act of impropriety apart from being illegal.
9. Apart from this particular episode, there are many other disquieting aspects to the auction of government lands. The total extent of lands auctioned by Deputy Commissioner, Bangalore Urban district from 2005 to 2009 and confirmed by Government is 643 acres for Rs.540 crores. Of this, 283 acres have been confirmed in favour of Yousuff Shariff (he is General Power of Attorney holder for five other companies namely, Umrah Brothers, Afnan Developers, Hill Land Properties, MVR Securities and TopNotch Infrastructure) for an amount

Rs.280 crores. He is thus the single biggest beneficiary of the auctioned lands. Most of these auctions appear to be rigged in the sense that he is the bidder on behalf of these companies which are all participating in the auctions.

10. Even though the auctions were notified and held on the condition of "AS IS WHERE IS", (Annex 7) yet where it was noticed in other cases that some of these lands come under the Agriculture Zone of the BDA, on the representation of Yousuff Shariff (Annexe 8), the Revenue Department decided to approach the BDA for change of land use and also to REFUND THE BID AMOUNT to Yousuff Shariff and the amount so refunded to him is Rs.33 crores. More disturbingly, he has now filed Writ Petitions in the High Court claiming interest from the government on these refunded amounts. The interest so claimed by him comes to Rs.4 crores. WHEN THERE WAS AN "AS IS WHERE IS" CONDITION OF AUCTION, GOVERNMENT ACCEDING TO HIS REQUEST TO REFUND THE BID AMOUNT IS OUTSIDE LAW AND CAUSING LOSS TO GOVERNMENT.

11. **IN NONE OF THESE CASES THE FILES HAVE BEEN REFERRED BY THE REVENUE DEPARTMENT TO EITHER THE LAW DEPARTMENT OR TO THE FINANCE DEPARTMENT. THIS WILL GIVE AN IMPRESSION THAT YUSUF SHERIF HAS SOME HOLD ON REVENUE DEPARTMENT AND CAN GET ANY ORDERS ISSUED IN HIS FAVOUR.**

12. As you know, Government lands in the Jala-Doddajala area have high market value up to Rs.3 crores per acre and some of these lands are the subject of current Lok Ayukta enquiry. As the auctions and "exchange" of lands as narrated above are also involving similar irregularities directly traceable to the Revenue Department, I request you to take the following course of action: in consultation with the Law Department, Advocate General, the Finance Department and the DPAR so that a possible scandal can be avoided:

A. Cancel the Government directions to give 6A 27G of land in S.No.46 of Doddajala village, Jala Hobli, Bangalore North Addl. Taluk, Bangalore in exchange of land in S.No.80 of Kithaganur village in Bangalore East taluk;

B. Order re-auction of land in S.No.46 of Doddajala village which was stopped by the Deputy Commissioner, Bangalore Urban district on 5-9-2008 for reasons not recorded;

C. To initiate Disciplinary Proceedings against government servants and public servants in the Revenue Department for ordering illegal exchange of land without referring to the Law and Finance Departments and causing financial loss to government.

I am sorry I have "encroached" upon your valuable time !

With best regards,

V Balu

4.10.10

(V.Balasubramanian)

Shri V. Madhu, IAS,  
Principal Secretary,  
Revenue Department,  
Government of Karnataka,  
M. S. Building,  
Bangalore.

Encls.: as above

Hand delivered  
on 4/10/2010

g/c

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Annexure 12

ವಿ. ಬಾಲಸುಬ್ರಮಣ್ಯನ್  
ನವ್ಯತ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ  
ಮತ್ತು ಅಧ್ಯಕ್ಷರು, ಸರ್ಕಾರಿ ಜಮೀನು  
ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ



(O) : 080-22133558  
(R) : 080-25465034  
080-25467943  
(M) : 9845970092

V. BALASUBRAMANIAN, IAS (Retd.,)  
Former Additional Chief Secretary  
and Chairman,  
Task Force for Protection of Govt. Lands

೨ನೇ ಮಹಡಿ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ ಕಟ್ಟಡ  
ಸಿಟಿ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಆವರಣ ಹತ್ತಿರ  
ಕೆ.ಜಿ. ರಸ್ತೆ, ಬೆಂಗಳೂರು - 560 009

2nd Floor, Deputy Commissioner Office Building  
Near City Civil Court Complex  
K.G. Road, Bangalore - 560 009

TF/555/2009-10

15.12.2010

ದಿನಾಂಕ / Date.....

Dear Sri Anbu Kumar,

Sub : Encroachment of Government Land in survey  
number 107 of Eklasapur, Raichur Town.

Kindly refer to the letter dated 20.2.2010 of the Managing Director,  
Karnataka Public Lands Corporation Ltd., and also my letters dated 9.3.2010  
and 30.7.2010 addressed to you , copies of which are enclosed herewith for  
your ready reference.

While I appreciate that you have taken stringent action in removal of  
encroachments in Sindhanur Town, I find that in the above case where the  
Head Master of the Kannada Higher Primary School, KEB Colony, Raichur,  
has been persistently complaining about encroachment of school land, no  
action has been taken inspite of the Task Force letters, as well as the letters  
from the Regional Commissioner, Gulbarga. I find from the records that  
there are two orders of the Civil Courts namely, one order in  
O.S.No.32/1998 and another in O.S.No.279/2006. In the first suit  
O.S.No.32/1998 the Principal Civil Judge has clearly stated that the 10 acres  
10 guntas of land in survey number 107 of Eklasapur village in Raichur Town  
has been acquired by the Government and thus the Government is the  
owner of the land. In the other suit O.S.No.279/2006 the encroacher  
Veeralingaiah Swamy had approached Civil Court for temporary injunction  
which was not granted by the Civil Judge (Senior Division), Raichur, on the  
ground that he has not proved prima facie title or possession by him. Copies  
of the Court orders in the two original suits filed by the encroacher in which  
he has not been successful to get any orders in his favour are also enclosed  
for your ready reference.

Inspite of such clear absence of either possession or title, the District  
Administration has not taken any action to remove the encroachment as has

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18.12.10

been requested by the Head Master of the High School and the Task Force and the Regional Commissioner in above letters. I find that the only point to be checked is whether there is any encroachment within the 10 acres 10 guntas of land already acquired by the Government as has been pointed out by the District Court. If there is any encroachment within 10 acres 10 guntas of land, such encroachments should be removed and action should be taken against the encroacher u/s 192-A of the Karnataka Land Revenue Act.

The Head Master of the School has been representing that the compound wall to be constructed for which the Education Department has provided funds has not been done because of the high handedness of encroacher Veeralingaiah Swamy who has constructed commercial buildings worth crores of rupees. Also the encroacher had demolished the building compound by the School for feeding the students with Mid-Day Meals Programme. It is difficult to visualize a more handed action by an encroacher and the strange lethargy of the District Administration in keeping quiet without taking any action.

**It is extremely sad to find that inspite of such clear proof of encroachment and inability of the encroacher to get any stay order from the Civil Court, the District Administration is not only taking any action against him, but has been supporting him in his encroachment against the Government Institution. Kindly therefore note that if no action is taken by the District Administration by 31.12.2010 to remove the encroachment, I will be constrained to report this matter to the Hon'ble Lokayukta myself as the District Administration is failing in its duty. Please therefore take this matter seriously in your own interest.**

With regards,

Yours sincerely,

Sd/-

(V.Balasubramanian)

Sri B.Anbu Kumar, IAS

Deputy Commissioner, Raichur District, Raichur.

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- 3 -

Copy with compliments to :

1. Sri B.P.Chowhan, Assistant Commissioner, Raichur Sub-Division, Raichur.
2. Dr.S.S.Madhukeshwar, Tahsildar, Raichur Taluk, Raichur.
3. Sri B.R.Jayaramaraje Urs, IAS, MD, KPLC, Ex-Officio Secretary, Revenue, & Member Secretary, Task Force for Protection of Govt. Lands.
4. R-C. Ambige Division, Ambige

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*V. Balasubramanian*

(V.Balasubramanian)

ಪಾ. ರಜನೀಶ ಗೋಯಲ್ ಭಾ.ಆ.ಸೇ.  
ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರು, ಗುಲಬರ್ಗಾ, ಕರ್ನಾಟಕ



ಅ.ಸ. ಪ.ಸಂ.ಕಂ/ಪ್ರಾಆಗು/ಭೂಮಿ/42/2010-11

ದಿನಾಂಕ 19.8.2010

ಮಾನ್ಯರೇ,

ವಿಷಯ : ರಾಯಚೂರು ತಾಲ್ಲೂಕಿನ ಯಾಕ್ಕಾಸಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ.107 ರ ವಿಸ್ತೀರ್ಣ 10.ಎಕರೆ 10 ಗುಂಟೆಯಲ್ಲಿ ಆಗಿರುವ ಅನಧಿಕೃತ ಅತಿಕ್ರಮಣ ತೆರವುಗೊಳಿಸುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ : ತಮ್ಮ ಕಾರ್ಯಾಲಯದ ಪತ್ರ ಸಂಖ್ಯೆ ಟಿಎಫ್: 60 /2010-11  
ದಿನಾಂಕ 30.7.2010.

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ರಾಯಚೂರು ತಾಲ್ಲೂಕಿನ ಯಾಕ್ಕಾಸಪುರ ಗ್ರಾಮದ ಜಮೀನು ಸರ್ವೆ ನಂ.107 ರ ವಿಸ್ತೀರ್ಣ 10 ಎಕರೆ 10 ಗುಂಟೆ ಆದ ಅತಿಕ್ರಮಣ ಕುರಿತು ತೆರವುಗೊಳಿಸಲು ಕ್ರಮ ಜರುಗಿಸುವಂತೆ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ರಾಯಚೂರು ರವರಿಗೆ ಈ ಕಾರ್ಯಾಲಯದಿಂದಲೂ ಕೂಡಾ ನಿರ್ದೇಶಿಸಲಾಗಿದೆ. ಸದರಿ ಪ್ರಕರಣದಲ್ಲಿ ಸಾರ್ವಜನಿಕ ಶಿಕ್ಷಣ ಇಲಾಖೆ ರಾಯಚೂರು, ಹಾಗೂ ತಹಸೀಲ್ದಾರ್ ರಾಯಚೂರು ರವರಿಂದ ಈ ಕಾರ್ಯಾಲಯಕ್ಕೆ ಸ್ವೀಕೃತ ವರದಿಯನ್ನು ಮಾನ್ಯರ ಅವಗಾಹನೆಗಾಗಿ ಲಗತ್ತಿಸಿದೆ.

ಅಧ್ಯಕ್ಷರು ದಲಿತ ಸಂಘರ್ಷ ಸಮಿತಿ ತಾಲ್ಲೂಕು ಶಾಖೆ ಸಿಂಧನೂರು ರವರ ಮನವಿ ಪತ್ರ ದಿನಾಂಕ 14.7.2008 ರ ಮುಖಾಂತರ ಶಿಕ್ಷಣ ಇಲಾಖೆಗೆ ಸಂಬಂಧಿಸಿದ ಸರಕಾರಿ ಜಮೀನಿನಲ್ಲಿ ಖಾಸಗಿಯವರ ಅನಧಿಕೃತವಾಗಿ ಮನೆಗಳನ್ನು ಕಟ್ಟಿಗೊಂಡಿದ್ದು ಅದನ್ನು ತೆರವುಗೊಳಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕೋರಿದ್ದರು. ಅದರಂತೆ ಈ ವಿಷಯದ ಕುರಿತು ಸಾಕಷ್ಟು ಬಾರಿ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ರಾಯಚೂರು ರವರಿಗೆ ಒತ್ತುವರಿ ತೆರವುಗೊಳಿಸುವಂತೆ ಸೂಚಿಸಲಾಗಿಯು ಯಾವುದೇ ಕ್ರಮ ಜರುಗಿಸಿರುವದಿಲ್ಲವೆಂಬುದನ್ನು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರಬಯಸುತ್ತೇನೆ.

ಆದರೂ ಕೂಡಾ ಈ ಕಾರ್ಯಾಲಯದಿಂದ ಸದರಿ ಪ್ರಕರಣದಲ್ಲಿ ಒತ್ತುವರಿ ತೆರವುಗೊಳಿಸುವ ಬಗ್ಗೆ ಕೈಗೊಂಡ ಕ್ರಮದ ಕುರಿತು 03 ದಿವಸದೊಳಗಾಗಿ ಈ ಕಾರ್ಯಾಲಯಕ್ಕೆ ಅನುಪಾಲನಾ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ರಾಯಚೂರು ರವರಿಗೆ ಪುನಃ ಸೂಚಿಸಿದೆ. (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ).

ಆಹ್ವಾನಿಸಿ,

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ರಜನೀಶ

( ಡಾ|| ರಜನೀಶ ಗೋಯಲ್ )

ಶ್ರೀ ವಿ.ಬಾಲಸುಬ್ರಮಣಿಯನ್,

ಭಾ.ಆ.ಸೇ

ನಿವೃತ್ತ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಗಳು,  
ಅಧ್ಯಕ್ಷರು ಸರಕಾರಿ ಜಮೀನು ಸಂರಕ್ಷಣಾ ಕಾರ್ಯಪಡೆ,  
2ನೇ ಮಹಡಿ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಚೇರಿ ಕಟ್ಟಡ,  
ಕೆ.ಜಿ. ರಸ್ತೆ, ಬೆಂಗಳೂರು-560009..

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# All sub-registrars, most special DCs are corrupt: HC

TIMES NEWS NETWORK

Bangalore: In a scathing observation on Wednesday, Justice D V Shylendra Kumar of the Karnataka High Court voiced the widely held view: We have taken judicial note of the fact that all land-acquisition officers and sub-registrars are corrupt. Barring a few exceptions, all special DCs in Bangalore are corrupt to the core. This is the public perception now. These people are conveniently protected."

His comments came during a directive to the BDA commissioner to file an affidavit next week undertaking that the authority would not demolish any structure without following the process of law.

"An act of demolition by a public authority is a sign of great. It is not contemplated in our Constitution at all. Demolition of houses at night without giving any notice is not the rule of law. It is a grave situation. It is a thing but an excess on the part of BDA. Even for hanging a murderer, a procedure has to be followed."



What was the urgency for this demolition? You have even surpassed Mohammed Ghazni (Who attacked India 17 times)... How will you repair that now? You are a public authority, you cannot take the law into your hands.

Justice Shylendra Kumar

ing a murderer, a procedure has to be followed."

► BDA chief summoned, P 4

## Special DCs are incorrigible: HC

TIMES NEWS NETWORK

1.6.11

Bangalore: The high court on Tuesday took the special deputy commissioners to task for passing orders without following legal procedures. Terming them incorrigible, Justice D V Shylendra Kumar said: "Whichever senior KAS officer occupies this post, he immediately becomes the most arbitrary and statutory functionary. It is obvious that they are not keen on passing orders in accordance with law, but for other considerations and for other reasons."

"Special DCs have acquired a reputation as corrupt revenue officials. This perception is well spread and this court having come across such atrocious orders had even urged the state government to abolish this post and entrust the responsibility with regular DCs, who are officers from IAS cadre," Justice Shylendra Kumar has observed in his order.

The judge will take up on Wednesday all the issues where the action of Special DCs have been challenged.

## What is it so special about special DCs, asks court

TIMES NEWS NETWORK

Bangalore: The Karnataka high court has asked the revenue secretary to file an affidavit by June 8 on what action the state proposes to take

for abolishing the post of special DCs and make alternative arrangements.

Justice D V Shylendra Kumar gave this directive after revenue secretary Prabhakar appeared before the court and promised commensurate action against erring officials.

He said: "What is so special about these special DCs? Are they so important for the government? Why can't you change the name or abolish the post itself? You post any person to this post, he will act in the same erratic and whimsical manner. There are complaints about them being corrupt. How can they dispossess any person under section 136(3) of the land revenue act when it's only a provision where they only can remove the entries? Those in ad- vantage position and having deep pockets and those who have been in the revenue department for a long time and have this power in their hands. What is your responsibility?"

B Thursday, June 2, 2011 +

PM reviews nuclear safety mechanism, P7



## HC dressing down for DCs

BANGALORE, DHNS: The High Court of Karnataka on Wednesday hit out at the offices of deputy commissioners in the State, terming them "places to create false documents."

During the hearing of a petition challenging the orders of special deputy commissioner, Bangalore North, Justice D V Shylendra Kumar said: "DC offices say something and do something. If anyone gives you money, you will create documents on your own and then you will say the original documents are the original documents." "Nanapana president, Aachanna nagar"

in Bangalore North taluk had questioned the attachment of his property following the orders of the special DC.

The Court also took the Revenue secretary to task saying that no action had been initiated in spite of rise in such incidents across the State. The secretary was summoned for the hearing. "If one officer is caught, you suspend him for three months and later reinstate him," the Court said.

The State government was directed to initiate the court's action against erring officers within two weeks.

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Gollahalli - Anekal Taluk



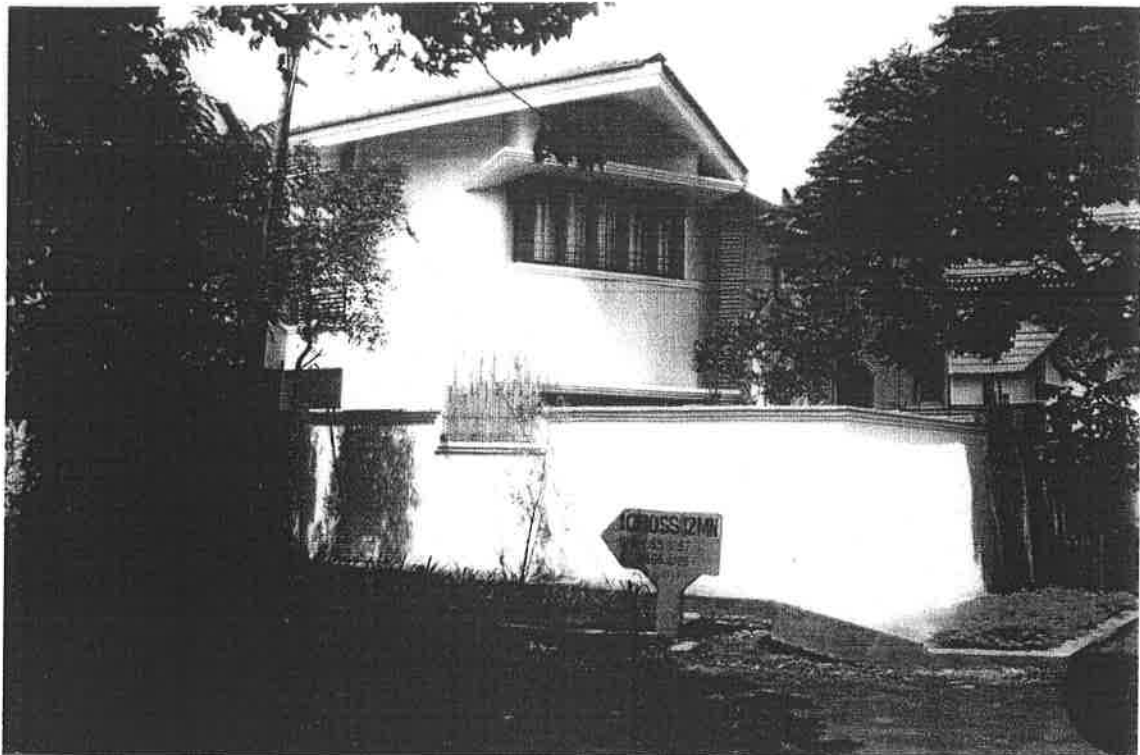
Present Gollahalli Tank in Anekal Taluk after encroachment

Laughing Waters - Bangalore East



Original layout and buildup on part of Govt. land in  
Laughing Waters - Bangalore East Taluk

Laughing Waters - Bangalore East



Posh Buildings in the illegal layout partly on Government land in Ramagondanahalli, Bangalore East Taluk

Prestige Golfshire - Devanahalli



Luxury Buildings coming up in Devanahalli Taluk on part of Govt. land (4-26 Acres) and water bodies

Hulimavu - Bangalore South



Encroachment Islamiya College on Govt. land in Bannerghatta Road, Bangalore South Taluk

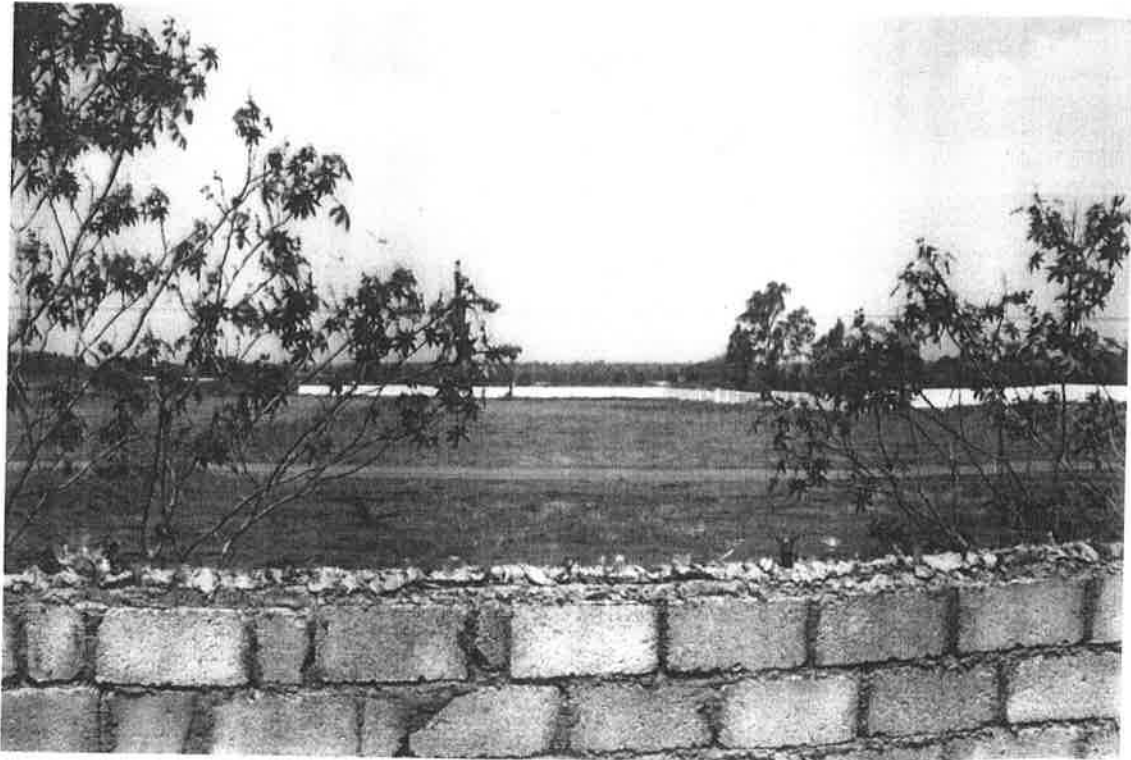
Bilekahalli - Bangalore South



Encroachment of Govt. land and buildup on Bannerghatta Road, Bangalore South Taluk



Kannamangala - Devanahalli



Part of Horticulture Farm encroached by Builders in Devanahalli Taluk

Sundar Residency - Bangalore East



6 Acres of encroachment in Byrasandra Village

Kingfisher - Devanahalli



Removal of Encroachment on lake bed in Devanahalli Kere

Joy Ice Cream - Bangalore East



Illegal sale of government land by Joy Ice Cream to Prestige Properties Ltd  
in Pattandur Agrahara, Bangalore East Taluk

Janagalkunte - Srinivaspur Taluk



Visit of Task Force to Encroachment of 60 Acres Forest  
Srinivaspur Taluk, Kolar District

Gollahalli - Anekal Taluk



Encroachment of lake by Patel Engineering Company in  
Gollahalli in Anekal Taluk

Byrasandra - Bangalore East

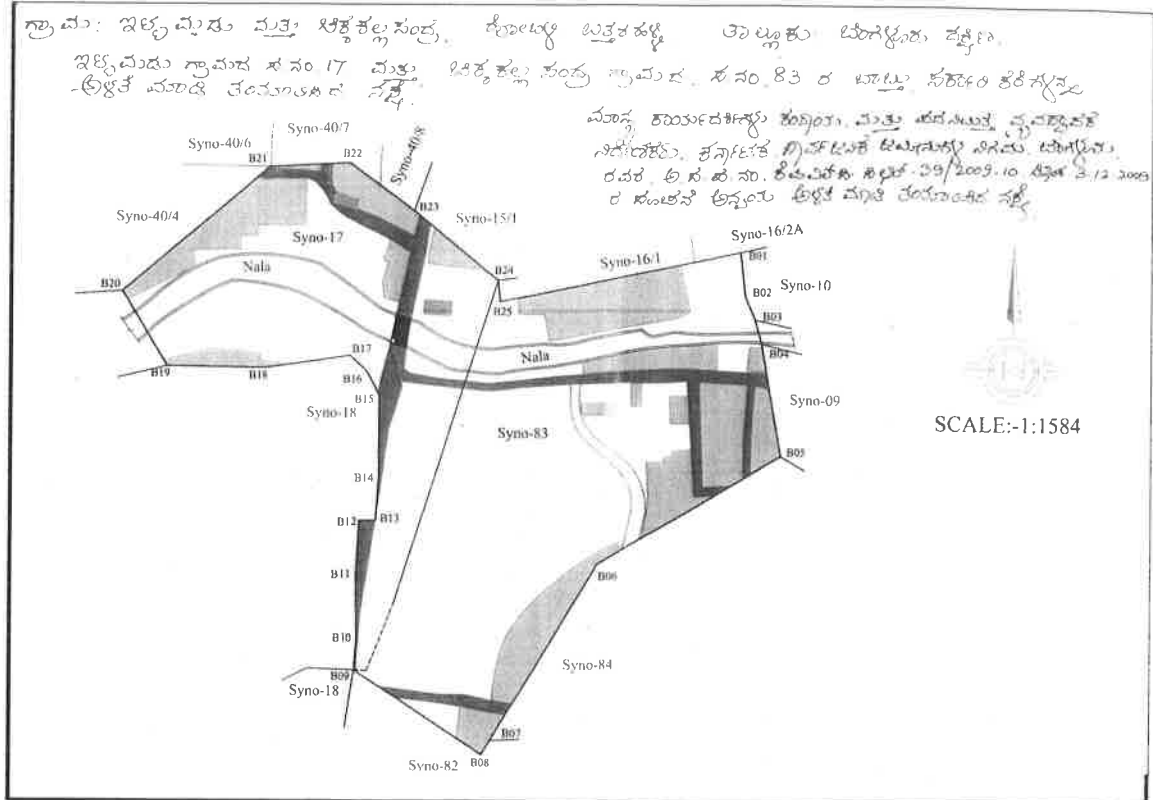


Encroachment in Byrasandra Lake





## Chikkakalasandra Survey Map- Bangalore South



## Ittamadu - Chikkakalasandra



Buildings in the Encroached Lake

4219

Byrasandra - Bangalore East

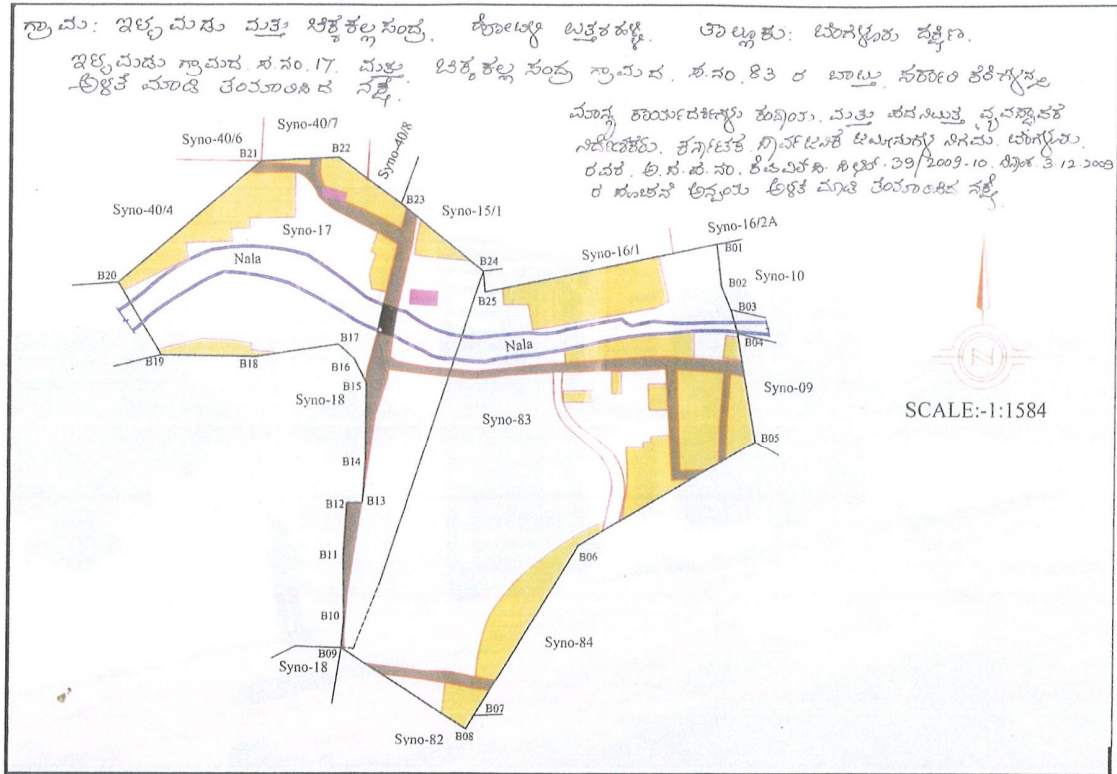


Encroachment in Byrasandra Lake





## Chikkakalasandra Survey Map- Bangalore South



## Ittamadu - Chikkakalasandra



Buildings in the Encroached Lake



Kingfisher - Devanahalli



Removal of Encroachment on lake bed in Devanahalli Kere

Joy Ice Cream - Bangalore East



Illegal sale of government land by Joy Ice Cream to Prestige Properties Ltd  
in Pattandur Agrahara, Bangalore East Taluk



Janagalkunte - Srinivaspur Taluk



Visit of Task Force to Encroachment of 60 Acres Forest  
Srinivaspur Taluk, Kolar District

Gollahalli - Anekal Taluk



Encroachment of lake by Patel Engineering Company in  
Gollahalli in Anekal Taluk



Gollahalli - Anekal Taluk



Present Gollahalli Tank in Anekal Taluk after encroachment

Laughing Waters - Bangalore East



Illegal layout and buildup on part of Govt. Land in Ramagondanahalli, Bangalore East Taluk



Laughing Waters - Bangalore East



Posh Buildings in the illegal layout partly on Government land in Ramagondanahalli, Bangalore East Taluk

Prestige Golfshire - Devanahalli



Luxury Buildings coming up in Devanahalli Taluk on part of Govt. land (4-26 Acres) and water bodies



Hulimavu - Bangalore South



Encroachment Islamiya College on Govt. land in Bannerghatta Road, Bangalore South Taluk

Bilekahalli - Bangalore South



Encroachment of Govt. land and buildup on Bannerghatta Road, Bangalore South Taluk

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Kannamangala - Devanahalli



Part of Horticulture Farm encroached by Builders in Devanahalli Taluk

Sundar Residency - Bangalore East



6 Acres of encroachment in Byrasandra Village



