



KARNATAKA LEGISLATIVE ASSEMBLY
FIFTEENTH LEGISLATIVE ASSEMBLY
SIXTH SESSION

THE KARNATAKA LAND REFORMS (AMENDMENT) BILL, 2020

(LA Bill No. 15 of 2020)

A Bill further to amend the Karnataka Land Reforms Act, 1961.

Whereas it is expedient to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), for the purposes hereinafter appearing;

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

1. Short title and commencement.-(1) This Act may be called the Karnataka Land Reforms (Amendment) Act, 2020.

(2) It shall be deemed to have come into force with effect from 20th November 2019.

2. Amendment of section 109.- In the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), (hereinafter referred to as principal Act) in section 109,-

(1) in sub-section(1), for clause (i), the following shall be substituted, namely:-

"(i) industrial development, the extent of which shall not exceed forty units;

Explanation.-Industrial development" includes mining of minor minerals, whether specified or non-specified and stone crushing activity under the Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 8 of 2012)

Provided that in respect of Industrial development, such Land to such extent approved by the Government with approval of the State High level clearance committee or the State level single window clearance committee constituted under the Karnataka Industries (facilitation) Act, 2002 (Karnataka Act 45 of 2003) shall be deemed to have exempted by the Government from the provisions of section 63, 79A, 79B or 80."

(2) In sub-section (2), for the proviso, the following shall be substituted, namely:-

“Provided that, any company or organization after obtaining permission under sub-section (1), purchases the land and if such company or organization after utilizing the land for not less than seven years for the purpose of purchase, does not continue to use the land due to various reasons which are beyond its control, after seven years so permitted under rules from the date of such purchase, may on an application be permitted, by the Government, for sale of the land for the same purpose.”

3. Repeal and savings.-(1)The Karnataka Land Reforms (Amendment) Ordinance, 2019(Karnataka Ordinance 3 of 2019) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) to provide for,-

(i) deemed exemption to purchase Land for Industrial purpose to the extent approved by the State High Level Clearance Committee or the State Level Single Window Clearance Committee under the Karnataka Industrial (Facilitation) Act, 2002.

(ii) permission for sale of the lands exempted under section 109 after utilizing such land for the period of seven years for the purpose for which it was permitted to tide over the financial crisis to other company or organization for the same purpose to which it was permitted earlier.

As the matter was urgent and both houses of the Karnataka state legislature were not in a session, the Karnataka Land Reforms (Amendment) Ordinance 2019 (Karnataka Ordinance 3 of 2019) was promulgated on 20.11.2019

This Bill seeks to replace the said Ordinance.

Hence the Bill.

FINANCIAL MEMORANDUM

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

R. ASHOKA
Minister for Revenue

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

Explanatory Statement as required by sub-rule (1) of rule 80 of the Rules of procedure and conduct of Business in the Karnataka Legislative Assembly.

It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), to provide for,-

(i) deemed exemption to purchase Land for Industrial purpose to the extent approved by the State High Level Clearance Committee or the State Level Single Window Clearance Committee under the Karnataka Industrial (Facilitation) Act, 2002.

(ii) permission for sale of the lands exempted under section 109 after utilizing such land for the period of seven years for the purpose for which it was permitted to tide over the financial crisis to other company or organization for the same purpose to which it was permitted earlier.

Since the matter was urgent and the Karnataka Legislative Assembly and the Karnataka Legislative Council were not in session, the Karnataka Land Reforms (Amendment) Ordinance, 2019 (Karnataka ordinance 3 of 2019) was promulgated to achieve the above object.

ANNEXURE**XX****XX****XX**

109. Certain lands to be exempt from certain provisions.—(1) Subject to such rules as may be prescribed and the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the State Government may, by notification, exempt, any land in any area from the provisions of sections 63, 79A, 79B or 80 to be used for,—

(i) industrial development, the extent of which shall not exceed forty units

Explanation.- "Industrial development" includes mining of minor minerals, whether specified or non-specified and stone crushing activity 1962: KAR. ACT 10] Land Reforms 115 under the Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 8 of 2012)

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(2) Where any condition or restriction specified in the notification under sub-section (1), has been contravened, the State Government or as the case may be, the Deputy Commissioner may after holding an enquiry as it or he deems fit, cancel the exemption granted under that sub-section and the land in respect of which such cancellation has been made, shall, as penalty be forfeited to and vest in the State Government free from all encumbrances. No amount is payable therefore.

Provided that, any of the Company or Organization, after a period of seven years from the date of obtaining permission under section 109, for the purpose of expansion of project or to tide over the financial crisis or for changing of land usages, submit application, which shall be considered by the High Power Committee headed by the Chief Secretary to Government subject to such conditions as deemed fit on case to case basis.

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