

(iii) places of worship to be specified by Government by notification which are established or constructed by a recognised or a registered body for non-agricultural purpose, the extent of which shall not exceed half of a unit (2.22 acre);

(iv) a housing project, approved by the State Government the extent of which shall not exceed twenty units;

(v) the purpose of horticulture including floriculture and agro based industries the extent of which shall not exceed twenty units;

(1A) Notwithstanding anything contained in sub-section (1), the State Government may in public interest and for reasons to be recorded in writing, 4[by notification and subject to the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and such restrictions and conditions as may be specified by it, exempt any extent of land from the provisions of sections 63 or 80 for any specific purpose.

Provided that the Deputy Commissioner other than the Deputy Commissioner of Bangalore Rural District and the Deputy Commissioner of Bangalore District, may subject to the restrictions and the manner specified in this sub-section exercise the power of the State Government to grant exemptions to an extent not exceeding half hectare of land.

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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 therefor.

Provided that, any company or organization after obtaining permission under subsection (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.

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**124. Enquiries and proceedings.**— All enquiries and proceedings before the Deputy Commissioner, the Tribunal the Assistant Commissioner or the Tahsildar or the Karnataka Appellate Tribunal shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code.

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**125. Offences and penalties.**-(1) Whoever contravenes any provision of any of the sections, mentioned in the first column of the following table shall, on conviction, by a magistrate, for each such offence be punished with fine which may extend to the amount mentioned in that behalf in the second column of the said table.

**TABLE**

Section	Fine which may be imposed
1	2
Section 12	Rs. 1,000
Section 33	500
Section 41	1,000
Section 129	250

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**ANNEXURE**  
**EXTRACT FROM THE KARNATAKA LAND REVENUE ACT, 1964**  
**(Karnataka Act 12 of 1964)**

**94B. Grant of land in certain cases.**-(1) Notwithstanding anything contained in this Act, if the Deputy Commissioner or other officer 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 94A 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 within twenty two 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 94A and such Committee may on receipt of the recommendation grant the land to such person:

Provided that if an application made under section 94A 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 94A 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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**95. Uses of agricultural land and the procedure for use of agricultural land for other purpose.**- **XXX      XXX      XXX**

(2) If any occupant of a land assessed or held for the purpose of agriculture wishes to divert such land or any part thereof to any other purpose, he shall submit an affidavit along with an application to the Deputy Commissioner in the manner as may be prescribed and if the diversion is sought,-

(i) The permission of the Deputy Commissioner shall not be required for diversion of lands for non-agricultural purposes, if such lands assessed or held for the purpose of agriculture, is as per the land use as specified in the Master Plan

duly published, for the concerned land under the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963):

Provided that, the prescribed fee under sub-section (7) shall be paid to the concerned Town Planning Authority at the time of obtaining requisite permissions from the Authority along with self declaration as may be prescribed.

Provided further that, no diversion of land for non-agricultural purpose shall be required, if agricultural land up to 2.00 acres is used for establishing new industries, if such lands assessed or held for the purpose of agriculture, is as per the land use as specified in the Master Plan duly published, for the concerned land under the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) with approval of the State Government.

(ii) If any occupant of a land assessed or held for the purpose of agriculture wishes to divert such land or any part thereof to any other purpose and if such lands are falling outside the Local Planning Area for which the Master Plan has not been published, the applicant shall submit an affidavit along with an application to the Deputy Commissioner in such manner as may be prescribed.

The concerned authorities shall furnish their opinion within fifteen days from the date of receipt of the application. The Deputy Commissioner shall issue the approval for diversion for use as per the application, subject to the opinion furnished by the concerned authorities and subject to payment of the fee as prescribed under sub-section (7):

Provided that, if opinion is not furnished within the said period of fifteen days, it shall be deemed that the concerned authorities have no objection to the said diversion of land for use as per the application.

Provided further that, in case the Deputy Commissioner fails to give his decision and issues the order under this sub-section within thirty days from the date of receipt of the application, the approval of the diversion for use shall be deemed to have been granted by the Deputy Commissioner and the same shall be certified and issued in such manner as may be prescribed subject to payment of fee as prescribed under sub-section (7).

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

**TABLE**

<b>Sl.No</b>	<b>Offence</b>	<b>Punishment</b>
(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 regularization before	Imprisonment for one year and fine of rupees five thousand.

	the Committee constituted under sections 94A, 94B and 94C of the Act.	
(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 104 regularization before the Committee constituted under sections 94A, 94B and 94C of the Act:	Imprisonment for three years and fine of rupees ten thousand.
(5)	Sells any agricultural land for nonagricultural 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 regularized 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	Imprisonment for three years and fine of rupees ten thousand.

	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 regularized by the government by formulating a special scheme in this behalf.	
(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

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