

## **KARNATAKA ACQUISITION OF LAND FOR GRANT OF HOUSE SITES RULES, 1973**

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## **KARNATAKA ACQUISITION OF LAND FOR GRANT OF HOUSE SITES RULES, 1973**

In exercise of the powers conferred by sub-section (1) of Section 7 of the Karnataka Acquisition of Land for Grant of House Sites Act, 1972 (Karnataka Act No. 18 of 1973,) the Government of Karnataka hereby makes the following rules, namely:

### **1. Title and Commencement :-**

(1) These rules may be called the Karnataka Acquisition of Land for Grant of House Sites Rules, 1973.

(2) They shall come into force at once.

### **2. Definitions :-**

(1) In these rules, unless the context otherwise requires,

(a) "Act" means the Karnataka Acquisition of Land for Grant of House Sites Act, 1972 (Karnataka Act No. 18 of 1973);

(b) "Form" means a form appended to these rules;

(c) "Section" means a section of the Act;

(2) Words and expressions used but not defined in these rules shall have the same meanings respectively assigned to them in the Act.

### **3. Initiation of Acquisition Proceedings :-**

**1** [(1) Whenever any land is needed for the public purpose of granting house sites to the weaker sections of the people who are houseless, the Commissioner of the Corporation, or the Commissioner or the Chief Officer of a Municipality in respect of any area within the limits of a City or a Municipality as the case may be or the Block Development Officer in respect of rural areas, shall make a report to the Assistant Commissioner of the sub-division furnishing the details regarding the situation of the land (that is, the city or town, village, taluk and district), site number or plot number or survey number, approximate extent, assessment, approximate value, names of the Khatedars, Anubhavadars or occupiers, plan or sketch and encumbrance if any subsisting on such land.]

(2) On receipt of a report from [the Commissioner or the Block Development Officer or the Chief Officer as the case may be] the Assistant Commissioner shall submit directly proposals to the State Government, along with the draft of the Notification in Form 'A' to be issued under Section 3(1).

1. Sub-rule (1) substituted by GSR 267, dated 8-9-1980, w.e.f. 10-9-1980

### **4. Issue of Notice :-**

Immediately after the publication of the Notification under subsection (1) of Section 3 the Assistant Commissioner shall cause a Notice in Form 'B' to be given to the owner or occupier of the land and all such persons known or believed to be interested therein to show cause within thirty days from the date of service of the notice why the land should not be acquired. The notice shall be published at convenient places in the locality where the land proposed for acquisition is situated and copies thereof affixed <sup>1</sup> [in the notice boards of the concerned,

(i) Office of the Corporation;

(ii) Office of the Municipality;

(iii) Office of the Assistant Commissioner;

(iv) Taluk office;

(v) Block Development Office; and

(vi) Office of the Village Panchayat or Chavadi;

in the jurisdiction of which the land is situated.]

1. Substituted for the words "in the offices of the Assistant Commissioner, Tahsilda of the Taluk, the Chief Officer of the Municipality, Block Development Officer c the Block, and the Village Chavadi, if any, of the village in which the land i situated" by GSR 267, dated 8-9-1980, w.e.f. 10-9-1980

### **5. Statement of Objections :-**

The Statement of objections (that is, reply to the show cause notice) shall, inter alia mention how the objector is interested in the land and also set out the grounds of objection.

### **6. Hearing of Objections :-**

(1) If a statement of objections is filed after the dates specified in the notice under sub-section (2) of Section 3 or by a person who is not interested in the land, it shall be summarily rejected.

(2) If any objection is received from a person interested in the land on or before the date specified in the notice under sub-section (2) of Section 3, the Assistant Commissioner shall fix a date for hearing the objections and give notice thereof to the objectors. Copies of the objections may also be sent to [the Commissioner or the Block Development Officer], 2[or the Chief Officer, as the case may be] who may submit a Statement by way of answer to the objections.

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3) On the date fixed for enquiry or on any other date to which the enquiry may be adjourned by him, the Assistant Commissioner shall hear the objector or his Advocate 3[x x x x x] and record any evidence that may be produced in support of the objections.4[5[The Commissioner or the Block Development Officer] or the Chief Officer or their representative may also take part in the enquiry.]

### **7. Pleaders to appear :-**

Agents other than the Advocates or pleaders shall not be allowed to appear on behalf of persons interested in any enquiry under Rule 6.

### **8. Assistant Commissioner to Report to Government :-**

On completion of the enquiry, the Assistant Commissioner [shall consider the objections, [and the statements filed under sub-rule (2) of Rule 6] and the evidence recorded and] shall as expeditiously as possible submit his report and recommendations as to each

objection, whether admissible or inadmissible, for the orders of the State Government under sub-section (3) of Section 3.

**9. Consideration of Objections and Issue of Final Notification :-**

On consideration of the objections and the report of the Assistant Commissioner, if the State Government decides,

(a) that the land should be acquired for the purposes specified in the Notification issued under sub-section (1) of Section 3, it shall, by Notification, make a declaration in Form 'C' under sub-section (4) of Section 3;

(b) that the land should not be acquired, it shall publish a notification cancelling the notification issued under sub-section (1) of Section 3

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**10. Other Forms :-**

The Notice under sub-section (6) of Section 3 shall be in Form 'D'