

KARNATAKA PANCHAYAT RAJ (CLAIMS TO PROPERTY BY OR AGAINST GRAMA PANCHAYATS) RULES, 1994

CONTENTS

1. Title and commencement
2. Definitions
3. Notice of enquiry or order under Section 211
4. Repeal of the Karnataka Mandal Panchayats (Claims to property by or against Mandal Panchayats) Rules, 1986

KARNATAKA PANCHAYAT RAJ (CLAIMS TO PROPERTY BY OR AGAINST GRAMA PANCHAYATS) RULES, 1994

Whereas the draft of the Karnataka Panchayat Raj (Claims to property by or against Grama Panchayats) Rules, 1994 in Notification No. RDP 953 ZPS 94, dated 25-11-1994 was published in the Part IV, Section 2C(i) of Karnataka Gazette, Extraordinary, dated 25-11-1994 as required by Section 311 of Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) inviting objections and suggestions to the said draft from person likely to be affected there to within 15 days of its publication in the Official Gazette. And, whereas, the said Gazette was made available to the public on 25-11-1994. And, whereas, no objection or suggestions have been received by the State Government in respect of the said draft. Now, therefore, in exercise of the powers conferred by Section 211 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) read with Section 311 of the said Act the Government of Karnataka hereby makes the following rules, namely:

1. Title and commencement :-

- (1) These rules may be called the Karnataka Panchayat Raj (Claims to property by or against Grama Panchayats) Rules, 1994.
- (2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires,

- (1) "Act" means the Karnataka Panchayat Raj Act, 1993 (Karnataka

Act 14 of 1993);

(2) "Section" means a section of the Act.

3. Notice of enquiry or order under Section 211 :-

(1) Where any property, or any right in or over any property, is claimed by or on behalf of the Grama Panchayat or by any person as against the Grama Panchayat under S.211 of the karnataka panchayat raj act, 1993, the Grama Panchayat or the person concerned shall make an application in writing to the Assistant Commissioner, furnishing full particulars of the property and the grounds on which the claims is made, accompanied by documents on the basis of which the property or right in or over any property claimed. The applicant shall also furnish the names and addresses of all persons who, to the best of his knowledge, claim to have any interest in the property.

(2) On receipt of an application, under sub-rule (1) the Assistant Commissioner shall fix the date, time and place of enquiry and shall cause to be affixed not less than ten days before the date of such enquiry a notice in the form appended to these rules mentioning the date, time and place of such enquiry and subject matter thereof, on the notice board of the office of the Assistant Commissioner and the Grama Panchayat concerned and at any conspicuous place in the property.

(3) A copy of such notice shall be served not less than ten days before the enquiry on all persons named in the application and also on those who have claimed or believed to have claimed any property or any right in, or over, any property.

(4) A notice in writing, of an order passed under sub-section (1) of S.211 of the karnataka panchayat raj act, 1993 specifying briefly the subject matter, contents and date of such order, shall be served on the persons and in the manner specified in sub-rule (3). A copy of such notice shall also be affixed at the places specified in sub-rule (2).

4. Repeal of the Karnataka Mandal Panchayats (Claims to property by or against Mandal Panchayfts) Rules, 1986 :-

The Karnataka Mandal Panchayats (Claims to property by or against Mandal Panchayats) Rules, 1986 are hereby repealed.