

ಸಂಖ್ಯೆ: 60ಇ 196 ಭೂದಾಸ 2007

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,  
ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 18.11.2008

ಇವರಿಂದ:

ಸರ್ಕಾರದ ಪಧಾನ ಕಾರ್ಯದರ್ಶಿ,  
ಕಂದಾಯ ಇಲಾಖೆ,  
ಬಹುಮಹಡಿ ಕಟ್ಟಡ,  
ಬೆಂಗಳೂರು.

ಇವರಿಗೆ:

ಆಯುಕ್ತರು,  
ಭೂಮಾಪನ ಇಲಾಖೆ,  
ಬೆಂಗಳೂರು.  
ಮಾನ್ಯರೆ,

ವಿಷಯ:

ಸಾರ್ವಜನಿಕರಿಗೆ ವಿತರಿಸುವ ಗ್ರಾ.ಪಂ. ಸಂಕಲನಗಳನ್ನು  
ಪ್ರಾಟಿಫನಲಿ ಮುದ್ರಿಸಿ ಸಕಲು ನೀಡಿ ಅದಕ್ಕೆ ಸೂಕ್ತ  
user charge ನಿಗದಿಪಡಿಸುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ:

ನಿಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ: ಸದಾನಿ.ಸ.11/08-09 ದಿನಾಂಕ  
18.7.2008.

\* \* \*

19/11  
874  
ಸರ್ಕಾರದ ಬೆಂಗಳೂರು ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖಿತ ನಿಮ್ಮ ಪತ್ರದ ಕಡೆಗೆ ತಮ್ಮ  
ಗಮನ ಸೆಳೆಯುತ್ತಾ ಸದರಿ ಪ್ರಸ್ತಾವನೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸಾರ್ವಜನಿಕರಿಗೆ ವಿತರಿಸುವ ಪ್ರತಿ  
ನಕಾಶೆಗೂ ನಕಾಶೆ ಶುಲ್ಕದೊಂದಿಗೆ ತಲಾ ರೂ 100.00 ಪ್ರತ್ಯೇಕವಾಗಿ ಪಾವತಿಸಿಕೊಳ್ಳಲು  
ಹಾಗೂ ಸಿ.ಡಿ. ಮಾಧ್ಯಮದಲ್ಲಿ soft copy ಸಕಲು ವಿತರಿಸುವಾಗಲೂ ಪ್ರತಿ, ನಕಾಶೆಗೂ  
ನಕಾಶೆ ಶುಲ್ಕದೊಂದಿಗೆ ತಲಾ ರೂ.100.00 ಪ್ರತ್ಯೇಕವಾಗಿ ಪಾವತಿಸಿಕೊಳ್ಳಲು, ಇವು  
charges ಹೆಚ್ಚಿಸಲು ಸರ್ಕಾರದ ಅನುಮತಿ ನೀಡಿದೆ ಎಂದು ತಿಳಿಸಲು ಹಾಗೂ ಸದರಿ  
ಹಣವು ರಾಜ್ಯದ consolidated fundಗೆ ಜಮಾವಾಗತಕ್ಕದ್ದು ಎಂದು ತಿಳಿಸಲು  
ನಿರ್ದೇಶಿತನಾಗಿದ್ದೇನೆ.

ಮೇಲ್ಕಂಡ ವೆಚ್ಚ ಬಾಬಿಗೆ ಆಯವ್ಯಯದಲ್ಲಿ ಅನುದಾನ ಹೆಚ್ಚಿಸಲಾಗುವುದು, ಸದರಿ  
ಹೆಚ್ಚುವರಿಯು ಆದಾಯ ಸಂಗ್ರಹಣೆಯ ಮೇಲೆ ಆಧಾರಿತವಾಗಿರುತ್ತದೆಂದು ತಿಳಿಸುತ್ತಾ 2008-  
09ನೇ ಸಾಲಿನ ಅಂತಿಮ ತ್ರೈಮಾಸಿಕ ಹಾಗೂ 2009-10ನೇ ಸಾಲಿನ ಆರ್ಥಿಕ ವರ್ಷದಲ್ಲಿ  
ಸಂಗ್ರಹವಾಗಬಹುದಾದ ಹಣದ ಹಾಗೂ ಬರಬಹುದಾದ ವೆಚ್ಚ ಅಂದಾಜು ಪಟ್ಟಿ ಸೂಚಿಸಿ  
ಕಳುಹಿಸಿಕೊಡುವಂತೆ ಆರ್ಥಿಕ ಇಲಾಖೆಯು ಕೋರಿರುವುದರಿಂದ ಅದರಂತೆ ಪ್ರಸ್ತಾವನೆ  
ಸಿದ್ಧಪಡಿಸಿ ಕಳುಹಿಸಿಕೊಡುವಂತೆ ನಿಮ್ಮನ್ನು ಕೋರಲು ಸಹ ನಿರ್ದೇಶಿತನಾಗಿದ್ದೇನೆ.

ಈ ಅನುಮತಿಯನ್ನು ಆರ್ಥಿಕ ಇಲಾಖೆಯ ಅ.ಟಿ.ಸಂಖ್ಯೆ: ಎಫ್‌ಡಿ 1013 ವೆಚ್ಚ  
7/2008 ದಿನಾಂಕ 24.10.2008ರಲ್ಲಿ ನೀಡಿರುವ ಸಹಮತಿಯ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ.

ತಮ್ಮ ಸಂಬಂಧಿಯ,

(ಎಸ್.ಬಿ.ಸಸಾಲಟ್ಟಿ) 18/11/08

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,  
ಕಂದಾಯ ಇಲಾಖೆ (ಭೂಮಾಪನ).

18/11/08

(Translated Copy)

Government of Karnataka

No.Km.I 196 bhudasa 2007

Government of Karnataka Secretariat

MS Building, Bengaluru,

dated 18.11.2008

From:

Principal Secretary to Government

Revenue Department

MS Building, Bengaluru

To:

Commissioner, Revenue (SSLR)

Sir,

Sub: Fixing of user fee for issuing copy of Village Maps printed on  
Plotter.

Ref: Letter no. nadani.pa.11/03-09 dated 18.07.2008

As per the above subject and referring to your letter, would like to draw your attention for the proposal pertaining to user fee of INR 100 to be charged from the citizens for CD copy and INR 100 separately for hard copy of village map. I am directed to inform you that the fees charged to be deposited under consolidated funds.

Funding of the above expenditure will be increased in the budget, noting that the surplus will be based on the revenue collection. I am also directed to request you to prepare and send the proposal accordingly as the Finance Department has requested to prepare and send the estimated list of the money that can be collected and the expenditure that can be incurred in the last quarter of the year 2008-09 and the financial year 2009-10.

This permission has been given on the approval given in the letter No . A.TA F.D 1013 dated: 24.10.2008 of Finance Department.

Your Sincerely,

(SD/-)

(S.B Sasalatti)

Under secretary to the Government  
Revenue Department (SSLR)

<sup>1</sup>[107. Levy of fine for conversion of agricultural land for non-agricultural use.—The amount of fine which may be levied under sub-section (7) of Section 95 shall be at the rates specified in the table below, namely.—

<sup>2</sup>TABLE

Sl. No.	Place	Area	Rate of fine in rupees per square metre	
			Residential	Non-residential includes Hotels, Resorts and Clubs etc.
1	Bangalore (Urban District)	Municipal Corporation limits and all lands within a distance of 18 Kilometres from the Corporation limits and other places	13-45	43-04
2	Bangalore (Rural District)	Lands situated within Municipal limit and also other places	10-76	32-28
3	Mysore, Mangalore, <sup>3</sup> [x x x], Belgaum, Gulbarga and Hubli -Dharawad	Municipal Corporation limits and all lands within a distance of 12 Kilometres from the Corporation limits	8-07	16-14
4	Tumkur, Kolar, Mandya, Chitradurga, Madikeri, Chickmagalore, Hassan, Bijapur, Karwar, Bidar, Bellary, Raichur, Hospet, K.G.F, Dandeli, Nippani, Ranebennur, <sup>4</sup> [Shimoga, Bhadravathi] Davanagere and Gadag — Betageri	Municipal limits and all lands within a distance of 8 Kilometres from the Municipal limits	5-38	10-76

1. Rule 107 substituted by GSR 347, dated 11/19-10-1972, w.e.f. 26-10-1972.
2. Table substituted by GSR 36, dated 29-2-1996, w.e.f. 8-3-1996.
3. The words "Shimoga, Bhadravathi" omitted by Notification No. RD 58 LGP 99, dated 9-6-2000 and shall be deemed to have come into force w.e.f. 8-3-1996
4. Inserted by Notification No. RD 58 LGP 99, dated 9-6-2000 and shall be deemed to have come into force w.e.f. 8-3-1996

Sl. No.	Place	Area	Rate of fine in rupees per square metre	
5	All other Taluk headquarters	Municipal limits and all lands within a distance of 5 Kilometres from the Municipal limits	5-38	8-07
6	Other places	....	2-18	5-38

1 square metre = 10.76 square feet.]

### CASE LAW

**Rule 107** — As amended — Applicability.

Venkataswami, J.—Where the Tribunal allowed the application of respondents for conversion of land for non-agricultural purposes by order made on 18-3-1972 and, Rule 107 relating to the rate of conversion fee stood amended on 19-10-1972, Held, the conversion fine to be levied was governed by Rule 107 as in force on 18-3-1972, the date of the order, i.e., before the amendment. — *State of Karnataka v Gopala Raju, 1976(1) Kar. L.J. Jr. 80 Sh. N. 39.*

**Rule 107** — Levy of fine for conversion of agricultural lands for non-agricultural purposes — Whether levying conversion fine at a rate higher than the rate specified in the table attached to the rule is impermissible in law and hence illegal and contrary to Rule 107?

*L. Sreenivasa Reddy, J., Held:* In view of Rule 107 of the Karnataka Land Revenue Rules, 1966 and the table of fine attached thereto, the petitioner is liable to pay conversion fine at the rate of 0.03 paise only per square foot and not more than that. Whenever the statute or the rules framed thereunder provide for levy of fine at a particular rate, it has to be levied or collected at that rate only and not in any other manner. The impugned notice — Annexure-A levying the conversion fine at a rate higher than the rate specified in the table attached to Rule 107 being impermissible in law has to be held as illegal and contrary to Rule 107. The second respondent was not justified in levying conversion fine at the rate of 0-12 paise per square foot to the land in question. — *Sharbappa v State of Karnataka and Another, 1994(2) Kar. L.J. 172.*

<sup>1</sup>[107-A. Amount for compounding diversion of agricultural lands.—The compounding amount which may be levied under sub-section (4) of Section 96 shall be at the rates specified in the table below, namely.—

<sup>2</sup>[107-AA. Levy of fine and compounding amount for conversion of Pot Kharab land belonging to landholder for non-agricultural use.—The amount of fine which may be levied under Section 97 in respect of diversion or use of "Pot Kharab" land belonging to landholder and held free of

1. Rule 107-A inserted by GSR 192, dated 31-7-1984.
2. Rule 107-AA inserted by Notification No. RD 08 LGP 2015, dated 20-7-2017, w.e.f. 20-7-2017

assessment on condition of being used for a specific non-agricultural purpose or otherwise to any other non-agricultural purpose and also the compounding amount, as the case may be, shall be twice the rates specified in the Tables under Rules 107 and 107-A respectively.]

TABLE

Sl. No.	Place	Area	Rate in rupees per Square foot	
			Residential	Non-residential
(1)	(2)	(3)	(4)	(5)
	Bangalore	Municipal Corporation limits and all lands within a distance of 18 Kilometres from Corporation limits.	11.50	57.50
	Mysore, Hubli, Dharwar, Mangalore and Belgaum	Municipal Corporation limits and all lands within a distance of 8 Kilometres from Corporation limits.	7.00	34.50
	Gulbarga, Davanagere, Shimoga, Bhadravathi, Bellary and Bijapur.	Municipal limits and all lands within a distance of 8 Kilometres from the Municipal limits.	5.75	28.75
	Other District Head Quarters and Gadag, Dandeli, Kolar Gold Field, Hospet and Bagalkote.	Municipal limits and all lands within a distance of 5 Kilometres from the Municipal limits.	3.00	14.50
	Other places	.....	0.25	1.20

1 Sq. Mtr. = 10.76 Sq. Ft.]

[Provided that in respect of diversion made by a Government Department, Municipal Council, City Corporation, Town Municipality, Village Panchayat, Taluk Panchayats, Zilla Panchayats, charitable or educational institution for charitable or public purposes from which the Government Department, Municipal Council, City Corporation, Town Municipality, Village Panchayat, Taluk Panchayats, Zilla Panchayats, charitable or educational institution concerned does not derive any profit and the land is used for the purposes such as construction of school buildings, playgrounds, roads, hospitals, dispensaries or rest houses, the compounding fee payable shall be twenty five per cent.]

[107-B. Terms and conditions of permission in special cases.—The permission granted in special cases under Section 98 shall be subject to the terms and conditions specified below.—

- (i) The period for which the permission is granted shall not exceed the period specified in the licence, or one year, whichever is less. The said period shall not be extended;
- (ii) The land shall be utilised for the purpose for which the permission is granted and shall not be used for any other purpose;
- (iii) The land shall not be alienated during the period for which permission is granted;
- (iv) The land shall not be used in any manner other than one specified in the licence;
- (v) Any other terms and conditions which may be specified in addition to the above;
- (vi) In case of contravention of any of the aforesaid conditions or of the conditions subject to which the permission is granted or of the condition of the licence if any or of the condition specified in the agreement referred to in Section 98, the permission shall stand cancelled.]

108. Fine not to be levied in certain cases.—[(1) Notwithstanding anything contained in the foregoing rules, no fine shall be imposed for the appropriation of agricultural lands made over to or acquired under the Land Acquisition Act at the instance of a Government Department, Municipal Council, Local Board, Village Panchayat, Charitable or Educational Institution for charitable or public purposes from which the Government Department, Municipal Council, Local Board, Village Panchayat, Charitable or Educational Institution concerned does not derive any profit and the land is used for the purposes such as construction of a School Building laying out of play-ground, roads, hospitals, dispensaries or rest houses.]

<sup>2</sup>[(2) The exemption under sub-rule (1) shall also apply in cases of lands.—

- (i) made over to or acquired.—
  - (a) for village extension and for the improvement of village sanitation at the instance of the village panchayat;
  - (b) for construction of houses by the Karnataka Housing Board; <sup>3</sup>[x x x x x]
  - <sup>4</sup>[(c) for the purpose of market yards by the Agricultural Produce Market Committees constituted under the Karnataka Agricultural Produce Marketing (Regulation) Act, 1966;]

1. Sub-rule (1) substituted by GSR 108, dated 16-4-1968, w.e.f. 18-4-1968.

2. Sub-rules (2) and (3) substituted for sub-rule (2) by GSR 104, dated 17-3-1970 and shall be deemed to have come into force w.e.f. 30-6-1969.

3. The word "and" omitted by GSR 311, dated 14-9-1972, w.e.f. 21-9-1972.

4. Clause (c) inserted by GSR 163, dated 29-5-1975, w.e.f. 26-6-1975.