

THE KARNATAKA GOVERNMENT PARKS (PRESERVATION) ACT, 1975)

ARRANGEMENT OF SECTIONS.

[Statement of Objects and Reasons](#)

Sections :

1. [Short title and commencement.](#)
2. [Definitions.](#)
3. [Application of the Act.](#)
4. [Preservation of Parks.](#)
5. [Omitted.](#)

STATEMENTS OF OBJECTS AND REASONS

I

Act 23 of 1975.- With a view to preserve and maintain certain Government Parks in the State of Karnataka as horticultural gardens and to improve their utility as such parks it is proposed to prohibit alienation of any portion of land or building with such parks.

Hence this Bill.

(Published in the Karnataka Gazette Part IV-2A (Extraordinary) No. 473 dated 17.5.1973 at page 4.)

II

Amending Act 24 of 1976 - According to section 4 of the Karnataka Government Parks (Preservation) Act, 1975 no building shall be erected within the parks . Government consider that it is necessary to relax this conditions to enable the taking up of important construction work of "Veera Soudha" in Lalbagh. This proposal does not involve any financial commitment on the part of Government of Karnataka.

Since both the Houses of State Legislature were not in Session an ordinance to the effect was promulgated by the Governor of Karnataka on 9th January 1975.

This Bill seeks to replace the said ordinance.

(Published in the Karnataka Gazette Part IV-2A (Extraordinary) No. 627 dated 31.1.1976. at page 3.)

III

Amending Act 30 of 1982.- To enable the construction of 'Veera Soudha' a memorial for freedom fighter, in the lalbagh gardens section 5 was added in 1976 to the Karnataka Government Parks (Preservation) Act, 1975. IN view of several representations from the public opposing the said proposal it is now proposed to omit the said section 5 and to have the Veera Soudha somewhere else.

Hence the Bill.

(Obtained from L.A. Bill No. 22 of 1982 file No. LAW 82 LGN 80.)

IV

Amending Act 42 of 2003.

Central Jail located in the heart of Bangalore City has been shifted to Parappana Agrahara and a decision has been taken by the State Government to earmark the land and the building of the Central Jail for development and preservation as a park in order to preserve lung space in the heart of the city.

Therefore, it is considered necessary to amend the definition of "park" appearing in section 2 of the Karnataka Government Parks (Preservation) Act, 1975 to empower the State Government to notify the Central Jail premises as park for the purpose of the said Act.

Hence the Bill.

[L.A. Bill No. 13 of 2003]

[Entry 14 of List-II of Seventh Schedule to the Constitution of India]

* * * *

KARNATAKA ACT NO. 23 OF 1975

First published in the Karnataka Gazette on the Twenty-second day of May 1975)

THE KARNATAKA GOVERNMENT PARKS (PRESERVATION) ACT, 1975)

(Received the assent of the Governor on the Ninth day of May, 1975)

(As amended by Karnataka Act 24 of 1976, 30 of 1982 and 42 of 2003)

An Act to make provision to ensure the preservation of certain Government parks in the State of Karnataka.

WHEREAS it is expedient in public interest to preserve certain parks vested in the State Government in the State of Karnataka.

BE it enacted by the Karnataka State Legislature in the Twenty-sixth Year of the Republic of India as follows :-

1. Short title and commencement.- (1) This Act may be called the Karnataka Government Parks (Preservation) Act, 1975.

(2) It shall come into force at once.

2. Definitions.- In this Act unless the context other-wise requires "Park" includes a garden ¹[or any land with or without building earmarked by the State Government for development and preservation as parks.]¹

1. Inserted by Act 42 of 2003 w.e.f. 6.9.2003

3. Application of the Act.- (1) This Act shall apply to all lands and buildings within the limits of such parks belonging to the State Government as the State Government may, from time to time, by notification in the official Gazette, specify.

(2) The notification referred to in sub-section (1) shall specify as nearly as possible, the situation and limits of such parks.

4. Preservation of parks.- (1) It shall be the duty of the State Government to preserve and maintain as horticultural gardens the parks to which this Act is applicable and take such action as may be necessary to improve the utility of such parks as such gardens.

(2) No land or building within the parks to which this Act is applicable shall be alienated by way of sale, lease, gift, exchange, mortgage or otherwise or no licence for the use of any such land or building shall be granted and any alienation made or licence granted in contravention of this section shall be **null and void**:

Provided that the restriction under this sub-section to lease shall not apply in the case of buildings existing on the date of coming force of this Act.

¹[5. x x x]¹

1. Inserted by Act 24 of 1976 and Omitted by Act 30 of 1982 w.e.f. 9.1.1976

* * * *