

KARNATAKA ACT NO. 36 OF 2003
THE KARNATAKA IRRIGATION (AMENDMENT) ACT, 2003
Arrangement of Sections

Sections:

1. Short title and commencement
2. Insertion of new section 27A
3. Repeal and Savings

STATEMENT OF OBJECTS AND REASONS

Krishna Bhagya Jala Nigam Limited and the Government of Karnataka have made an investment of Rs. 4143 crores for the construction of Almatti and Narayanpur Dams, Main Canals, Distributories and Rs. 780 crores for the construction of field Irrigation Channels in private lands. This considerable investment is made to provide irrigation facilities to the lands owned by farmers of this State in order to improve their economic condition through productive agricultural practice.

In order to ensure that the benefits of Irrigation accrue to the original landholder by preventing sale or lease, to a limited extent, of the land by him in favour of any other person, it is proposed to restrict partially, the transfer of such land for a limited period.

As the matter was urgent and the Karnataka Legislative Council was not in session, the Karnataka Irrigation (Amendment) Ordinance, 2003 was promulgated.

This Bill seeks to replace the said Ordinance.

Hence the Bill.

[L.C. Bill No. 3 of 2003]

[Entry 17 of List-II of the Seventh Schedule to the Constitution of India]

KARNATAKA ACT NO. 36 OF 2003

*(First published in the Karnataka Gazette Extra-ordinary on the
Twenty Sixth day of August, 2003)*

THE KARNATAKA IRRIGATION (AMENDMENT) ACT, 2003

*(Received the assent of the Governor on the Twenty fifth day
of August, 2003)*

An Act further to amend the Karnataka Irrigation Act, 1965.

Whereas it is expedient further to amend the Karnataka Irrigation Act, 1965 (Karnataka Act 16 of 1965) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the fifty-fourth year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Irrigation (Amendment) Act, 2003.

(2) It shall be deemed to have come into force with effect from the sixth day of June, 2003.

2. Insertion of new section 27A.- After section 27 of the Karnataka Irrigation Act, 1965 (Karnataka Act 16 of 1965) (hereinafter referred to as the principal Act), the following shall be inserted, namely:-

“27A. Restriction on alienation of certain lands.- (1) Notwithstanding anything contained in any other law for the time being in force, after commencement of construction of any irrigation work to irrigate any land, from any irrigation project, being a major or medium irrigation project, no owner of such land shall, for such period not exceeding ten years and from a date to be specified in this behalf, by a notification by the Chief Engineer in charge of the irrigation work, transfer the

land specified in the notification by way of sale, mortgage, lease, gift, exchange or otherwise without prior permission of the Irrigation Officer.

(2) The Irrigation Officer may give permission under sub-section (1) having regard to the guidelines issued by the State Government from time to time.”

3. Repeal and Savings.- (1) The Karnataka Irrigation (Amendment) Ordinance, 2003 (Karnataka Ordinance 2 of 2003) is hereby repealed;

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

By order and in the name of the
Governor of Karnataka,

M.R. HEGDE
Secretary to Government,
Department of Parliamentary
Affairs and Legislation.