

**ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು**

ಚುಕ್ಕೆ ಗುರುತಿನ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ : 358  
 ಸದಸ್ಯರ ಹೆಸರು : ಶ್ರೀ ಕೆ. ಹರೀಶ್ ಕುಮಾರ್  
 (ವಿಧಾನಸಭೆಯಿಂದ ಚುನಾಯಿತರಾದವರು)  
 ಉತ್ತರಿಸುವ ದಿನಾಂಕ : 21.12.2022  
 ಉತ್ತರಿಸುವ ಸಚಿವರು : ಕಂದಾಯ ಸಚಿವರು

ಕ್ರ.ಸಂ	ಪ್ರಶ್ನೆ	ಉತ್ತರ
ಅ)	ರಾಜ್ಯದಲ್ಲಿ ಅಕ್ರಮ-ಸಕ್ರಮ ಮಂಜೂರು ಮಾಡುವುದಕ್ಕೆ ಸುಪ್ರೀಂಕೋರ್ಟ್ ದಿನಾಂಕ: 04.04.2008 ರಂದು ನೀಡಿರುವ ತಡೆಯಾಜ್ಞೆಯನ್ನು ತೆರವು ಮಾಡಲಾಗಿದೆಯೇ; ತೆರವು ಮಾಡಿದ್ದಲ್ಲಿ ಪ್ರತಿ ಒದಗಿಸುವುದು;	ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯದ ರಿಟ್ ಅರ್ಜಿ(ಸಿ) ಸಂಖ್ಯೆ: 202/1995 (ಶ್ರೀ ಟಿ.ಎನ್. ಗೋದಾವರ್ಮನ್ ತಿರುಮಲಪಾಡ್ ವಿರುದ್ಧ ಯೂನಿಯನ್ ಆಫ್ ಇಂಡಿಯಾ ಮತ್ತು ಇತರರು) ರಲ್ಲಿ ಶ್ರೀ ಜಿ.ಕೆ. ಮಹಾಬಲೇಶ್ವರ್ ಭಟ್ ಎಂಬುವವರು ದಕ್ಷಿಣ ಕನ್ನಡ ಹಾಗೂ ಉಡುಪಿ ಜಿಲ್ಲೆಗಳಲ್ಲಿ ಕಾಣೆ, ಬಾಣೆ ಮತ್ತು ಕುಮ್ಮಿ ಜಮೀನುಗಳಲ್ಲಿ ಅಕ್ರಮ-ಸಕ್ರಮ ಅರ್ಜಿಗಳನ್ನು ಅರಣ್ಯ ಸಂರಕ್ಷಣಾ ಕಾಯ್ದೆಯ ಕಲಂ 2ರಡಿ ಪೂರ್ವಾನುಮತಿ ಇಲ್ಲದೇ ಪರಿಗಣಿಸಬಾರದೆಂದು ಎಂದು I.A. NO. 2172-2174 ನ್ನು ದಾಖಲಿಸಿರುತ್ತಾರೆ. ಸದರಿ I.A. NO. 2172-2174ಕ್ಕೆ ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ದಿನಾಂಕ: 04.04.2008ರಂದು ತಡೆಯಾಜ್ಞೆ ನೀಡಿರುತ್ತದೆ. ಮುಂದುವರೆದು, ಶ್ರೀ ಜಿ.ಕೆ. ಮಹಾಬಲೇಶ್ವರ್ ಭಟ್ ರವರು ಸಲ್ಲಿಸಿದ್ದ I.A. NO. 2172-2174 ನ್ನು ಹಿಂಪಡೆಯಲು I.A.No. 3438 ಸಲ್ಲಿಸಿರುವ ಮೇರೆಗೆ ದಿನಾಂಕ: 30.04.2012 ರಂದು ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ಸದರಿ I.A. NO. 2172-2174ಗಳನ್ನು ವಿಲೇಗೊಳಿಸಿ ಆದೇಶಿಸಿರುತ್ತದೆ (ಅನುಬಂಧದಲ್ಲಿರಿಸಿದೆ)
ಆ)	ದಕ್ಷಿಣ ಕನ್ನಡ ಮತ್ತು ಉಡುಪಿ ಜಿಲ್ಲೆಯಲ್ಲಿ ವಿತರಿಸಲಾಗುತ್ತಿರುವ ತಾತ್ಕಾಲಿಕ ಹಕ್ಕು ಪತ್ರದ ಉದ್ದೇಶವೇನು ಮತ್ತು ಇದಕ್ಕೆ ಆರ್.ಟಿ.ಸಿ. ನೀಡಲಾಗುತ್ತಿದೆಯೇ; ಇಲ್ಲವಾದಲ್ಲಿ ಇದಕ್ಕೆ ಕಾರಣವೇನು ? (ತಾತ್ಕಾಲಿಕ ಹಕ್ಕು ಪತ್ರದ ತಾಲ್ಲೂಕುವಾರು, ಗ್ರಾಮವಾರು ವಿವರ ನೀಡುವುದು)	ದಕ್ಷಿಣ ಕನ್ನಡ ಮತ್ತು ಉಡುಪಿ ಜಿಲ್ಲೆಗಳಲ್ಲಿ ತಾತ್ಕಾಲಿಕ ಹಕ್ಕು ಪತ್ರವನ್ನು ವಿತರಿಸಿರುವುದಿಲ್ಲ.

ಸಂಖ್ಯೆ: ಆರ್.ಡಿ.305 ಎಲ್‌ಜಿಬಿ 2022

(ಆರ್. ಅಶೋಕ)

ಕಂದಾಯ ಸಚಿವರು

6ನವಂಬರ್

103

Phone: 26881634  
FAX: 26889030

GOVERNMENT OF KARNATAKA  
OFFICE OF THE RESIDENT COMMISSIONER

LEGAL CELL,  
Karnataka Bhavan,  
10 Kautilya Marg,  
NEW DELHI 110 021.

Ref: US/LC/RD 57 LGA 2011/2012-13.

DATED: 18.05.2012.

To

The Government Advocate,  
Office of the Advocate General,  
High Court Buildings,  
BANGALORE 560 001.

Sir,

Sub: IA NOS. 2172-74 IN WP NO. 202/1995 FILED BY SHRI  
G.K.MAHABALESHWARA BHAT IN THE MATTER OF T.N.GODAVARMAN  
TIRUMALPAD AND OTHERS.

Ref: Govt Order No RD 57 LGA 2011 DATED 02.2.2012.

32226

26/5/12

With reference to the above, I am to inform you that the above matter was listed for hearing before Hon'ble Mr. Justice K.S.Radhakrishnan and Mr. Justice C.K.Prasad on 30.4.2012. After hearing the counsel for the parties, the Court allowed the petition for withdrawal (IA NO. 3438/2012). Hence the IA has been disposed as withdrawn. The petitioner has contended that the State Government has taken steps for amendment of the Karnataka Land Revenue Rules and also for the protection of the Kumki rights in Dakshina Kannada and Udupi Districts. A copy of the order dated 30.04.2012 is sent herewith.

Yours faithfully,

*Sumalatha*

U/c. UNDER SECRETARY TO GOVERNMENT.  
LEGAL CELL.

Copy to:

1. The Principal Secretary to Government, Law Department, Room No.34 Vidhana Soudha, Bangalore 1.
2. The Head of Legal Cell, Revenue Department ROOM No. 628 M.S.Buildings, II Phase, Bangalore.1.
3. Shri K.A.Dayanandh, Additional Deputy Commissioner, Revenue Department, Mangalore 575 001.
4. The Under Secretary to Government, Revenue Department (Land Grants-2) M.S.Buildings, Bangalore.1.

*Sumalatha*

UNDER SECRETARY TO GOVERNMENT.

109-2

2/6/12

very urgent  
29/5/12  
B/S

Duo  
62



From: LEGAL CELL KARNATAKA [legalcellkardelhi@gmail.com]  
Sent: Friday, May 18, 2012 2:58 PM  
To: advgen2009; ismailmohammad9; secy-law; prs-rev; dcmnglr@gmail.com  
Subject: Sub: IA NO. 2172-74 IN WP NO.202/1995 FILED BY SHRI MAHABALESHWAR BHAT IN THE SUPREME COURT.  
Attachments: ORDER IN BHAT.doc

KIND ATTENTION:

1. SHRI K.A.DAYANANDH, ADDITIONAL DEPUTY COMMISISONER, REVENUE DEPARTMENT, MANGALORE, KARNATAKA.
2. THE UNDER SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT

Sub: IA NOS. 2172-74 IN WP NO. 202/1995 FILED BY SHRI G.K.MAHABALESHWARA BHAT IN THE MATTER OF T.N.GODAVARMAN TIRUMALPAD AND OTHERS.

Ref: Govt Order No RD 57 LGA 2011 DATED 02.2.2012.  
Under Secretary, Revenue Department (Land Grants-2) file No. RD 57 LGA 2011.

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With reference to the above, I am to inform you that the above matter was listed for hearing before Hon'ble Mr. Justice K.S.Radhakrishnan and Mr. Justice C.K.Prasad on 30.4.2012. After hearing the counsel for the parties, the Court allowed the petition for withdrawal (IA NO. 3438/2012). Hence the IA has been disposed as withdrawn. The petitioner has contended that the State Government has taken steps for amendment of the Karnataka Land Revenue Rules and also for the protection of the Kumki rights in Dakshina Kannada and Udupi Districts. A copy of the order dated 30.04.2012 is sent herewith.

THANKS

RAJA LEGAL CELL KARNATAKA BHAVAN  
09868393997.

ITEM NO. 301 to 309 & 311 to 316 & MM1 & MM2 COURT NO. 13 SECTION  
PIL, IVB, IX, XIA, XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

301. I.A.NOS. 3302-3304 IN W.P. (C) NO. 202/1995

T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA & ORS

Respondent(s)

(FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING OT)

302. I.A.NOS. 3239-3240 IN W.P. (C) NO. 202/1995

(FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.)

303. I.A.NOS. 2870-2871 IN W.P. (C) NO. 202/1995

(FOR IMPLEADMENT AND DIRECTIONS)

304. I.A.NOS. 3133 & 3134 IN W.P. (C) NO. 202/1995

(FOR PERMISSION AND EXEMPTION FROM FILING O.T.)

305. I.A.NOS. 3051-3053 & 3423 IN W.P. (C) NO. 202/1995

(FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. AND  
PERMISSION TO FILE REJOINDER AFFIDAVIT)

306. I.A.NOS. 3435-3437 IN W.P. (C) NO. 202/1995

(FOR IMPLEADMENT AND DIRECTIONS AND EXEMPTION FROM FILING O.T.)

307. I.A.NO. 3438 IN 2172-2174 IN W.P. (C) NO. 202/1995

(FOR WITHDRAWAL OF APPLICATION NOS. 2172-2174)

308. I.A.NOS. 2, 9, 11-13, 16-20, 23, 24, 28, 29, 33-34/2005 AND  
37 IN W.P. (C) NO. 171/1996

(FOR IMPLEADMENT, IMPEADING PARTY AND DIRECTIONS AND INITIATING  
CONTEMPT PROCEEDINGS AND MODIFICATION OF COURT'S ORDER)

WITH  
CONMT. PET. (C) NOS. 290-292/1998

309. S.L.P. (C) NO. 29274/2011

(WITH OFFICE REPORT)

311. S.L.P. (C) NO. 33261/2011

(WITH PRAYER FOR INTERIM RELIEF)

312. SLP(C) NO. 20154/2011

(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)  
WITH

SLP(C) NO. 16668/2011  
(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)  
SLP(C) NO. 21460/2011  
(WITH APPLN. FOR PERMISSION TO FILE SLO AND WITH PRAYER FOR INTERIM  
RELIEF AND OFFICE REPORT)  
SLP(C) NO. 21463-21464/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 21461/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 17150-17151/2011  
(WITH APPLN. FOR DIRECTIONS AND PRAYER FOR INTERIM RLIEF AND OFFICE  
REPORT)  
SLP(C) NO. 17155-17156/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 17160/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 17313-17314/2011  
(WITH OFFICE REPORT)  
SLP(C) NO. 21467/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 21469/2011  
(WITH OFFICE REPORT)  
SLP(C) NO. 21480/2011  
(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)  
SLP(C) NO. 21468/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 21472/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 21470/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 21477/2011  
(WITH OFFICE REPORT)  
SLP(C) NO. 21478/2011  
(WITH PRAYER FOR INTERIM RLIEF AND OFFICE REPORT)  
SLP(C) NO. 31581/2011  
(WITH OFFICE REPORT)  
SLP(C) NO. 30535/2011  
(WITH OFFICE REPORT)  
SLP(C) NO. 30536/2011  
(WITH OFFICE REPORT)  
SLP(C) NO. cc. 15351/2012  
(WITH OFFICE REPORT)  
SLP(C) ...CC. 19722/2011  
(WITH APPLN. FOR PERMISSION TO FILE SLP AND OFFICE REPORT)  
SLP(C) NO. 25010/2011  
(WITH OFFICE REPORT)  
SLP(C) NO. 5176/2012  
(WITH OFFICE REPORT)  
WITH  
SLP(C) NO. 2666/2012  
(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)  
SLP(C) NO. 7619/2012  
(WITH OFFICE REPORT)  
WITH  
SLP(C) NO. 19112/2011  
(WITH APPLN. FOR PERMISSION TO PLACE ADDL. DOCUMENTS ON RECORD AND  
WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)



WITH  
 S.L.P. (C) NO. ...CC.5161/2012  
 (WITH APPLN. FOR PERMISSION TO FILE SLP AND WITH PRAYER FOR  
 INTERIM RELIEF AND OFFICE REPORT)  
 S.L.P. (C) NO. 9305/2012  
 (WITH APPLN. FOR C/D IN FILING/REFILING SLP AND OFFICE REPORT)  
 S.L.P. (C) NO. CC 5278/2012  
 (WITH APPLN. FOR C/D IN FILING/REFILING SLP AND OFFICE REPORT)  
 WITH  
 S.L.P. (C) NO. CC 5312/2012  
 (WITH APPLN. FOR C/D IN FILING/REFILING SLP AND OFFICE REPORT)

313. W.P. (C) NO. 180/2011  
 (FOR DIRECTIONS AND PERMISSION TO FILE ADDL. DOCUMENTS AND  
 IMPLEADMENT AND OFFICE REPORT) )  
 314. PART-HEARD IA NO. 100 IN W.P. (C) NO. 337/1995  
 (FOR INTERVENTION)  
 315. PART-HEARD SLP(C) Nos. 19628-19629/2009  
 (FOR CLARIFICATION/MODIFICATION WITH AFFIDAVIT FILED BY MR. B.S.  
 BANTHIA, ADV. AND IMPLEADMENT AS PETITIONERS/RESPONDENTS AND  
 VACATION/MODIFICATION/CLARIFICATION FILED BY MR. TARUN GUPTA,  
 ADV., AND IMPLEADMENT, CLARIFICATION/MODIFICATION FILED BY Mr.  
 HARSH VARDHAN SURANA, ADVOCATE AND PRAYER FOR INTERIM RELIEF AND  
 OFFICE REPORT)

WITH  
 S.L.P. (C) NO. 21833/2009  
 (WITH OFFICE REPORT)  
 S.L.P. (C) Nos. 729-731/2011  
 (WITH APPLNS. FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED  
 JUDGMENT AND OFFICE REPORT)  
 SLP(C) ... CC 16157/2011  
 (WITH APPLNS. FOR PERMISSION TO FILE SLP AND WITH PRAYER FOR  
 INTERIM RELIEF AND OFFICE REPORT)  
 SLP(C) ... CC 18235/2011  
 (WITH APPLN. FOR C/DELAY IN FILING SLP AND OFFICE REPORT)  
 316. I.A.NOs. 3114-3116 IN W.P. (C) No. 202/1995  
 (FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.)  
 (FOR FINAL DISPOSAL)  
 MM.1 CONTMPT. PETN. 160 OF 2012  
 MM.2 I.A. NO. 1370/2005 IN I.A. 566/2000 IN W.P. (C) NO. 202/1995

Date: 30/04/2012 These Petitions/I.As were called on for  
 hearing today.

CORAM : HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN  
 HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appearing parties:

- Mr. P.S.Narasimha, Sr. Adv. (A.C.) (NP)
- Mr. Gaurav Agarwal, Adv.
- Mr. K.Parneswar, Adv.
- Mr. Haris Beeran, Adv.
- Mr. P.K. Manohar, Adv.

301. Mrs. Rani Chhabra, Adv. (NP)

UPON hearing counsel the Court made the following  
O R D E R

301. I.A.NOS. 3302-3304 IN W.P. (C) NO. 202/1995  
List after the ensuing summer vacation.
302. I.A.NOS. 3239-3240 IN W.P. (C) NO. 202/1995  
List after the ensuing summer vacation.
303. I.A.NOS. 2870-2871 IN W.P. (C) NO. 202/1995  
List after the ensuing summer vacation.
304. I.A.NOS. 3133&3134 IN W.P. (C) NO. 202/1995  
Learned counsel appearing for the State of Rajasthan  
submitting that he will file affidavit during the course of  
the day.  
List on 7.5.2012.
305. I.A.NOS. 3051-3053 & 3423 IN W.P. (C) NO. 202/1995  
List on 7.5.2012.
306. I.A.NOS. 3435-3437 IN W.P. (C) NO. 202/1995  
List after two weeks.
307. I.A.NO. 3438 IN 2172-2174 IN IN W.P. (C) NO. 202/1995  
Applications allowed.
308. I.A.NOS. 2, 9, 11-13, 16-20, 23, 24, 28, 29, 33-34/2005 AND  
37 IN IN W.P. (C) NO. 171/1996  
WITH  
CONMT. PET. (C) NOS. 290-292/1998  
Order dated 16.4.2012 is recalled.  
It is pointed out that the CEC will file its report in  
July, 2012.
309. S.L.P. (C) NO. 29274/2011

We find no ground is made out to interfere in this  
matter. The special leave petition is dismissed.

311. S.L.P. (C) NO. 33261/2011  
List after the ensuing summer vacation.
312. SLP(C) NO. 20154/2011  
List after the disposal of IA No. 100 in WP(C) No.  
337/1995 and SLP(C)Nos. 19628-29/09 etc.
313. W.P. (C) NO. 180/2011  
List after the disposal of IA No. 100 in WP(C) No.  
337/1995 and SLP(C)Nos. 19628-29/09 etc.
314. PART-HEARD I.A NO. 100 IN W.P. (C) NO. 337 OF 1995  
List on next Monday i.e. 7th May, 2012.
315. PART-HEARD SLP(C) Nos. 19628-19629/2009 etc.

The matters are adjourned to enable the State  
of Haryana to file an additional affidavit within  
four weeks showing as to who are the concerned  
officers who are in charge and have not taken proper

action against the illegal mining going on in the area in question.

List after four weeks.

I.A.Nos. 76-77

Heard learned counsel.

Similar matters had come up for consideration before us in I.A. Nos. 70-71 & 72-73 and we had disposed of those I.As. directing appropriate authorities to take decisions on the applications for carrying on mining activities in less than five hectares of land.

Consequently, these I.As. are also disposed of giving liberty to the applicants to make appropriate applications to the M.O.E.F. within a period of one week and the M.O.E.F. will consider those applications and pass orders within a period of one month from the date of receipt of respective applications.

The I.As. are disposed of accordingly.

I.A.Nos. 80-81

Heard learned counsel for the applicant.

The applicant has approached this Court seeking modification/ clarification of this Court's order dated 16th January, 2012 and also for other reliefs. However, he has pressed on the following relief.

To direct the Rajasthan State Pollution Control Board to inspect and verify the fulfillment of the shortcomings by the applicant and its unit and to grant necessary consent for operating the unit upon being satisfied about the fulfillment of the shortcomings by the applicant.

Reference was made to the order dated 20th January, 2012 passed by the Rajasthan State Pollution Control Board rejecting the applicant's application dated 29th March, 2011 for consent.

Mr. J.L. Gupta, learned senior counsel appearing for the applicant submits that the Applicant has rectified all the defects pointed out By the Rajasthan State Pollution Control Board vide its letter dated 20th January, 2012. If that be so, let the State Pollution Control Board make proper inspection of the applicant's unit and pass appropriate orders within a period of six weeks from the date of receipt of this order in accordance with law.



We, however, make it clear that we are not expressing any opinion on the merits of the case.  
The I.As. are disposed of accordingly.

I.A.Nos. 86-89

Heard learned counsel for the applicant.

The applicant has approached this Court seeking the following relief:

To direct the Rajasthan state Pollution Control Board to inspect and verify the safety measures provided by the applicant and its unit and to grant necessary consent for operating the unit upon being satisfied about the measures taken by the applicant.

Reference has also been made to the order dated 20th January, 2012 passed by the Rajasthan State Pollution Control Board rejecting the applicant's application dated 9th April, 2011 for consent.

Mr. Rajeev Dhawan, learned senior counsel appearing for the applicant submits that the applicant has rectified all the defects as pointed out by the Rajasthan State Pollution Control Board vide its letter dated 20th January, 2012. If that be so, let the State Pollution Control Board make proper inspection of the applicant's unit and pass appropriate orders within a period of six weeks from the date of receipt of this order in accordance with law.

We, however, make it clear that we are not expressing any opinion on the merits of the case.

The I.As. are disposed of accordingly.

S.L.P. (C) Nos. 729-731 OF 2011

List on Monday, the 7th May, 2012.

316 I.A.NOs. 3114-3116 IN W.P. (C) NO. 202/1995

Liberty is granted to the State of Haryana to file their counter affidavit

MM.1 CONTMPT. PETN. 160 OF 2012

List after the ensuing summer vacation.

MM.2 I.A. NO. 1370/2005 IN I.A. 566/2000 IN W.P. (C) NO. 202/1995

List on 7.5.2012.

[SUMAN WADHWA]  
COURT MASTER

(G. SUDHAKARA RAO)  
COURT MASTER

[RENUKA SADANA]  
COURT MASTER