

**REVENUE SECRETARIAT  
NOTIFICATION**

**No. RD 13 LGP 2016(P-1), Bengaluru, Dated: 20.07.2017**

The draft of the Karnataka Land Grabbing Prohibition Rules, 2017 which the Government of Karnataka, proposes to make in exercise of the powers conferred by sub-section (1) of section 18 of the Karnataka Land Grabbing Prohibition Act, 2011 (Karnataka Act 38 of 2014) was published as required by sub-section (1) of section 18 of the said Act in Notification No. RD 13 LGP 2016(P) dated: 23-02-2017 in Part IV-A of the Karnataka Gazette dated:25-02-2017 for the information of all persons likely to be affected and notice was given that said draft will be taken into consideration after the expiry of fifteen days from the date of its publication in the official Gazette.

Whereas the said Gazette was made available to the public on 25-02-2017.

And whereas objections and suggestions received have been examined by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 18 of the Karnataka Land Grabbing Prohibition Act, 2011 (Karnataka Act 38 of 2014) the Government of Karnataka hereby makes the following rules, namely:-

**RULES**

**1. TITLE AND COMMENCEMENT.-** (1) These rules may be called the Karnataka Land Grabbing Prohibitions Special Court (Conditions of Service of Chairman and Members) Rules 2017.

(2) These rules shall deemed to have come into force from the date on which the Chairman and Members have assumed the charge of the office of the Karnataka Land Grabbing Prohibition Special Court

**2. DEFINITIONS.-** (1) In the rules unless the context otherwise requires the following, namely:-

- a) **'Act'** means the Karnataka Land Grabbing prohibition Act 2011 (Karnataka Act 38 of 2014);
- b) **'Chairman'** means the Chairman of the Karnataka Land Grabbing Prohibition Special Court;

- c) **'Members'** means the Chairman of the Karnataka Land Grabbing Prohibition Special Court;
- d) **'Section'** means the Section of the Act;
- e) **'Service'** means the service rendered by the Chairman, Judicial Members and Revenue Members on duty; and
- f) **'Vacation'** means any period excluding the during which the Chairman, Judicial Members and Revenue Members is absent on leave.

(2) Other words and expressions used in these rules and not defined, but defined in the Act shall have the same meaning respectively assigned to them in the Act .

**3. Pay.-** (1) The Chairperson, if he is a serving Judge shall be paid a salary and other admissible allowances equal to the salary and allowances of a sitting Judge of the High Court. If he is a retired Judge, he shall be paid a salary and other admissible allowances equal to the salary and allowances of a Judge of a High Court.

(2) A member who is a serving Judicial Member (District Judge), he shall be paid salary drawn in the cadre of District Judge immediately before his appointment as such. In case of retired District Judge appointed as such, he shall be paid a pay of Rs. 1,50,000/- (One lakh fifty thousand Rupees only) per month after deduction of pension he is drawing out of the said pay.

(3) In respect of a serving Revenue Member who is an All India Service officer, he shall be paid the salary drawn in the post held by him immediately before his appointment as member. In case a retired officer is appointed as Revenue Member, he shall be paid a pay of 1,50,000/- (One lakh fifty thousand Rupees only) per month after deduction of pension he is drawing out of the said pay.

Provided that if the chairperson or a Member, at the time of his appointment, is in receipt of or being eligible to receive any pension had elected to draw or receive the pension (other than disability or invalid pension) in respect of previous service as a Judge of a High Court or District Judge or an All India Service officer in the service under the State, as the case may be, his salaries in respect of the service as the

Chairperson or a Member of the Court as the case may be shall be reduced by the amount of that Pension and Pension equivalent of Gratuity. The Dearness allowances admissible on the Pension shall be kept in abeyance during the period he hold the post of Chairperson or Member as the case may be. He shall be entitled to Dearness allowance, HRA and CCA admissible from time to time as per rules on the pay admissible as above.

**4. LEAVE.-** (1) The chairman and Members shall be entitled to leave as follows:-

- (a) Casual leave of fifteen day and two Restricted Holidays in a calendar year;
- (b) Earned Leaves at the rate of thirty days for every completed calendar year of service;
- (c) Half pay leave at the rate twenty days for every completed calendar year of service; and
- (d) Extra ordinary Leave up to a maximum of one hundred eighty days in one term of office.

(2) On expiry of their terms of office, they shall be entitled to receive cash equivalent of leave salary in respect of earned leave to their credit subject to the condition that the maximum leave encashed from his term of office or at the time of retirement from previous service or taken together shall not in any case exceed three hundred days. The Chairman and Members shall also be entitled to receive the Dearness Allowance as admissible on the leave salary:

Provided that he shall not be entitled for the House Rent Allowance, City Compensatory allowance or any other allowances on such leave salary.

(3) If the Chairman and Member is unable to enjoy the full vacation on account of his occupation with the Special Court, he shall be entitled to add the un-enjoyed period of vacation to the leave account.

**Explanation:** For the purpose of this sub rule, 'vocation' means vacation of thirty days in each calendar year observed by the Special Court.

**5. LEAVE SANCTIONING AUTHORITY.-** (1) The Chairman shall intimate to the Government regarding his leave.

(2) The Chairman shall be the authority to sanction leave to the Members of Special Court.

**6. LEAVE TRAVEL CONCESSION.-** The Chairman and Members of the Special Court shall be entitled to the leave travel concession as admissible to the Judge of officers respective class serving under the State Government.

**7. TRAVELLING ALLOWANCE AND DAILY ALLOWANCE.-** The Chairman and Members of the Special Court are entitled for TA and DA while on tour (including the journey undertaken to join the Special court or on expiry of his term with the Court to proceed to his home town) and entitled to charges for transportation of personal effects and other similar things and daily allowance as admissible to the Judges or officers of respective class serving under the State Government.

**8. SUBSCRIPTION TO GENERAL PROVIDENT FUND.-** The Chairman and Members of the special Court shall be entitled to subscribe to the General Provident Fund.

**9. MEDICAL REIMBURSEMENT.-** (1) If a sitting or retired Judge of the High Court is appointment as Chairman of the Special Court, the reimbursement as applicable to the Serving Judges of the High Court of Karnataka subject to relaxation of the conditions stipulated vide G.O.No: DPAR 18 SHC 2011 (p) dated 25.6.2011 modified from time to time.

(2) If a serving or retired Judge of the District and Sessions Court is appointed as Judicial Member of the Special Court, the reimbursement as applicable to the serving or retired judicial officers as admissible under the Karnataka Judicial Officer (Medical Attendance) Rule 2009.

(3) If a serving or retired All India Service officer is appointed as a Revenue Member, the reimbursement as applicable as per All India Officers (Medical Attendance) Rules to such officer.

**10. OFFICIAL CAR AND TELEPHONE FACILITY.-** The Chairman and Members of the Special Court shall be entitled to Official car and telephone facilities.

**11. ADDITIONAL PERQUISITES.-** During the term of the office as the Chairman and other Members of the Special court, the Chairman and Members shall be entitled to the following perquisites; namely:-

- a) Sumptuary allowance;
- b) Free water and Electricity;
- c) Home orderly allowances;
- d) Gardener allowance; and
- e) Five News papers and Journals.

as applicable to Chairman and Members of the Karnataka Administrative Tribunal.

**12. MISCELLANEOUS.-** If any doubt arises about the interpretation of any of these provisions, the matter shall be referred to the Government of Karnataka.

By Order and in the name of the Government of  
Karnataka

**S.L MAHANTHE GOWDA**

Under Secretary to Government,  
Revenue Department (Land Grants-1)