

CHAPTER VI

Land Revenue

6.1 Results of audit

Test check of records in Land Revenue Offices, conducted in audit during the year 2002-2003, disclosed under-assessments of revenue amounting to Rs.7.39 crore in 82 cases, under the following broad categories:

(Rupees in crore)

Sl. No.	Category	Number of cases	Amount
1	Non-levy/short levy of conversion fine	10	0.18
2	Non-raising/short raising of demands for water rate/penal water rate	11	4.09
3	Non-levy/short levy of maintenance cess	15	0.24
4	Other irregularities	46	2.88
	Total	82	7.39

During the course of the year 2002-2003, the Department accepted under-assessments of Rs.1.80 crore involved in 32 cases which had been pointed out in audit in earlier years and recovered Rs.1.18 lakh involved in five of them.

A few illustrative cases including certain cases noticed in earlier years which could not be included in previous Reports involving Rs.6.28 crore are given in the following Paragraphs.

6.2 Non-raising/short raising of demands for water rate

Under the Karnataka Irrigation (Levy of Water Rate) Rules 1965, in respect of each crop or revenue year, as the case may be, one officer each from Revenue and Irrigation Departments, are required to jointly inspect and prepare a statement of survey numbers of lands to which water was supplied, made available or used for irrigation and the crops raised therein. On the basis of

this statement, the Irrigation Officer prepares a demand statement of water rates payable by each landholder and sends it to the Tahsildar concerned for raising demand and making collections.

In six taluks of six districts, there was omission on the part of the Revenue Department to book and raise demand for water rate of Rs.36.06 lakh even after receipt of demand statements from the Irrigation Officers, as per details given below:

(Rupees in lakh)

Sl. No.	Taluk (District)	Year/crop season to which demand relates	Date of receipt of demand statement from Irrigation Department	Water rate demand booked		Amount of non-booking
				As per Irrigation Department	As per Tahsildar's records	
1	Bangalore (South) (Bangalore-Urban)	2000-2001	July 2001	1.84	-	1.84
		2001-2002	September 2002	1.79	-	1.79
2	Harapanahalli (Davanagere)	1998-1999	July 2002	0.45	-	0.45
		1999-2000		0.40	-	0.40
		2000-2001		1.41	-	1.41
		2001-2002		1.59	-	1.59
3	Hukkeri (Belgaum)	1998-1999	September 2000	1.68	1.00	2.51
		1999-2000		1.83		
4	Koratagere (Tumkur)	1996-1997 (Summer)	August 1997	2.56	-	2.56
		1997-1998 (Summer)	September 1998	0.65	-	0.65
5	Ron (Gadag)	1998-1999	NA	0.19	-	0.19
		1999-2000		0.36	-	0.36
		2000-2001		0.75	-	0.75
6	Shikaripura (Shimoga)	2000-2001	September 2001	21.56	-	21.56
	Total			37.06	1.00	36.06

NA – Not available

This would indicate that there was no internal control mechanism to ensure prompt raising of demands so as to ensure prompt recovery of Government dues.

These cases were pointed out to the concerned Tahsildars and Divisional Commissioner, Bangalore and referred to Government in April 2003; their replies have not been received (January 2004).

6.3 Non-raising of demands for penal water charges

Under the Karnataka Irrigation Act 1965, any person using water from an irrigation work without obtaining the required permission is liable to pay water charges at the rate to be determined by the Irrigation Officer, in addition to any penalty for such unauthorised use of water. With reference to the

demand statement received from the Irrigation Officer, demands are to be booked in the Demand, Collection and Balance Register and a copy of the demand statement furnished to the Village Accountant to serve demand notices on individual parties.

In Harihar taluk (Chitradurga district), according to the demand statements received by the Tahsildar from the Irrigation Department, penal water charges of Rs.5.24 crore for violation of cropping pattern and Rs.0.18 crore for unauthorised use of water for the years 1998-99 to 2000-2001, had been computed as due from the landholders. But the Tahsildar had not booked the amounts in his Demand, Collection and Balance Statement. Consequently, demand notices for their recovery had not been issued resulting in non-raising of demand for Rs.5.42 crore.

On this being pointed out, the Department reported in April 2003 that the demands had been accounted for in the Demand, Collection and Balance Statement. Report of recovery has not been received (January 2004).

The cases were referred to Government in May 2003; their reply has not been received (January 2004).

6.4 Short recovery of conversion fine

Under the Karnataka Land Revenue Act 1964 and the Rules framed thereunder, when any land assessed or held for the purpose of agriculture is permitted to be diverted for purposes other than agriculture, conversion fine is leviable. The rate of fine depends upon the area of the land, the place in which the land is situated and purpose for which the land is put to use.

In three^φ taluks of two districts, conversion of 251127.839 square metres of agricultural land for residential purposes in 19 cases and conversion of 87613.9 square metres of agricultural land for non-residential purposes in eight cases were permitted between 1997 and 2002. Against the conversion fine of Rs.68.28 lakh leviable, only Rs.36.89 lakh were levied by the Deputy Commissioner/Assistant Commissioner. This resulted in short levy of Rs.31.39 lakh.

^φ Anekal (Bangalore-Urban), K.R.Pura (Bangalore-Urban), Kushtagi (Koppal)

These cases were pointed out between December 2001 and January 2003 to the concerned Tahsildars and to the Divisional Commissioner, Bangalore and referred to Government in May 2003; their replies have not been received (January 2004).

6.5 Non-recovery/short recovery of premium/purchase price and interest from tenants/ grantees of land

Under the Karnataka Land Reforms Act 1961, all lands held by or in the possession of tenants of lands (i.e., agriculturists who cultivated personally the land held by them on lease from landlords) prior to March 1974 vest in the State Government. However, the Act entitled the tenants to be registered as occupants of such land. The Act also empowered authorised officers to grant surplus land vested in the State Government to specified class of persons. Such registration/grant was subject to payment of a premium/purchase price. The premium/purchase price was payable in a maximum of 20 annual instalments. The unpaid instalments carried interest at 5.5 per cent per annum and were recoverable as land revenue. There is no provision for resumption of land in cases of non-payment of premium/purchase price.

In Manvi taluk of Raichur district, it was noticed that 49 tenants registered as occupants of 987 acres and 12 guntas of land during 1975-1987 were liable to pay a premium of Rs.6 lakh against which only Rs.0.89 lakh had been recovered. Further, in Jewargi taluk of Gulbarga district, 236 grantees holding 1211 acres and 19 guntas of land during 1976-1988 were liable to pay purchase price of Rs.3.61 lakh against which only Rs.0.47 lakh had been recovered. This resulted in short realisation of Rs.18.77 lakh including interest of Rs.10.52 lakh. The amount had not been demanded by the Tahsildars from the occupants/grantees.

On this being pointed out, Government reported that suitable instructions had been issued to effect recovery of the amounts (January 2004).

