

- (5) The plinth level of the building shall be at least 45 centimeter higher than the level of the road.
- (6) All the walls and flooring shall be provided with damp courses in marshy and damp sites.
- (7) Only cement mortar shall be used for the foundations and basement of all structures wherever the site is marshy or in the damp area.
- (8) The building bye-laws of the local authority shall be compiled with.
- (9) No garages or outhouses shall be constructed in the front of the houses adjoining or near the road.
- (10) No material of a perishable or combustible nature shall be used in the construction of the building.
- (11) The Commissioner of the Second party shall have the power of fixing the type of frontage and the compound wall in front to be adopted on any particular street and shall have power of fixing the direction of frontage for the corner site at the junction of two roads.
- (12) No pits shall be dug on the site for earth, for building purposes.

SCHEDULE

Site No. formed by the Urban Development Authority in Block in the Extension.

Site bounded on

East by:

West by:

North by:

South by:

East and West:

North to South:

In token thereof the First party has affixed his signature to this agreement on the day of 20.... in the presence of the witnesses who have affixed their signature to this agreement.

Witnesses:

1. "

1st THE

KARNATAKA

URBAN DEVELOPMENT AUTHORITIES (ALLOTMENT OF SITES *IN LIEU OF* COMPENSATION FOR THE LAND ACQUIRED) RULES, 2009

(As amended by by Notification No. UDD 08 TTP 2014, dated 11-2-2015)

Whereas, the draft of the Karnataka Urban Development Authorities (Allotment of Sites *in lieu of* compensation for the Land Acquired) Rules, 2009 was published as required by sub-section (2) of Section 55 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), in Notification No. UDD 44 BEMRUPRA 2009, dated 26th February, 2009, in Part IV-A of the Karnataka Gazette, Extraordinary, dated 26-2-2009, inviting objections/suggestions from persons likely to be affected thereby within 30 days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 26-2-2009.

And whereas, objections and suggestions received on the said draft have been considered.

Now, therefore, in exercise of the powers conferred by Sections 35 and 36 read with Section 71 of the Karnataka Urban Development Authorities Act, 1987 (Karnataka Act 34 of 1987), Section 55 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) and Section 21 of the Mysore General Clauses Act, 1899 (Mysore Act III of 1899), the Government of Karnataka hereby makes the following rules, namely.—

1. Title and commencement.—(1) These rules may be called the **Karnataka Urban Development Authorities (Allotment of Sites *in lieu of* Compensation for the Land Acquired) Rules, 2009.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires.—

- (a) "**Act**" means the Karnataka Urban Development Authorities Act, 1987 (Karnataka Act 34 of 1987);
- (b) "**Form**" means form appended to these rules;
- (c) "**Owner of the land**" means the person who is having the title over the land on the date of entering into an agreement for acquisition under the Act by the Authority;
- (d) "**Compensation**" means the value of land either in cash or in the form of sites or land.

1. Published in the Karnataka Gazette, Extraordinary No. 631, dated 1-8-2009, vide Notification No. UDD 44 BEMRUPRA 2009, dated 30-7-2009

3. Allotment of sites.—¹[x x x x] Without prejudice to the provisions contained in the Karnataka Urban Development Authorities (Allotment of Sites) Rules, 1991, with a view to speed up land acquisition process free from litigation, the Authority may purchase or acquire any land under Section 35 or 36 and make allotment of sites *in lieu of* compensation determined in accordance with the provisions of the ²[Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013)] or by mutual consent of the owner of the land subject to the following terms and conditions, namely.—

- (a) If the owner of the land agrees for sale or consents for acquisition of his lands free from.—
 - (i) all encumbrances;
 - (ii) any unauthorised constructions after withdrawal of the objections, if any, filed before the authority or Court for acquisition of such land;
- (b) If the owner of the land agrees to receive compensation in the form of residential sites proportionately accounting for not less than 35 per cent and not more than ³[50] per cent of the land reserved for residential purpose in the layout. The percentage shall be determined by the concerned Authority depending on capital cost and the market value of the land;
- (c) If compensation is more than the amount of the value of a dimension of a site allotted, the excess amount payable over and above the value of site dimension shall be paid in cash;
- (d) The procedure and the method specified in the ⁴[Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013)] and the rules made there under shall *mutatis mutandis* apply for determination of market value of the land;
- (e) The allotment of sites shall be made through lottery in the same layout where the lands were acquired for the purpose of layout formation;
- (f) If one or more persons holds ownership of the lands, they shall have the proportionate right jointly over the sites allotted under these rules;
- (g) The allottees shall have the right in turn to sell the allotted sites to others;
- (h) No corner or commercial site shall be allotted to the owner *in lieu of* compensation, and the dimension of the sites shall not be more than 15 x 24 mtrs.;

1. The words "Notwithstanding anything contained in the Karnataka Land Acquisition Rules, 1965 and" omitted by Notification No. UDD 08 TTP 2014, dated 11-2-2015, w.e.f. 11-2-2015
2. Substituted for the words "Land Acquisition Act, 1894" by Notification No. UDD 08 TTP 2014, dated 11-2-2015, w.e.f. 11-2-2015
3. Substituted for the figures "40" by Notification No. UDD 08 TTP 2014, dated 11-2-2015, w.e.f. 11-2-2015
4. Substituted for the words "Land Acquisition Act, 1894" by Notification No. UDD 08 TTP 2014, dated 11-2-2015, w.e.f. 11-2-2015

- (i) The allottee shall use the site for residential purpose only. For any change in the land use, the allottee shall take the permission of the authority in advance as specified under the Karnataka Town and Country Planning Act, 1961;
- (j) The allotment of share shall start from the biggest site and go down to 9 x 12 mtrs. size of sites depending on the share of the landowners which means allotment shall be made in the order of 15 x 24 mtrs., 12 x 18 mtrs. and 9 x 12 mtrs. sites;
- (k) If share of landowner is large, then his share shall be distributed equally to all the size of sites except 6 x 9 mtrs. in equal proportion;
- (l) If the landowner's share, after getting various sites is a fraction which is less than 108 sq. mtrs. (9 x 12 mtrs.) then the landowner shall be given two options, namely.—

- (i) either for payment of money by the Authority equal to his share or remaining shares at the rate as determined by the authority;

OR

- (ii) for payment of an amount equal to the extent which shall make him eligible for allotment of 9 x 12 mtrs. size site at the rate as determined by the authority.
- (m) On the request of the landowner, the authority may sell the sites allotted to the landowner on behalf of him through public auction, subject to payment of realisation charges of 2 per cent of the value of site to the authority.

4. Issue of possession certificate.—(1) The Commissioner, on the application of the owner of land in Form I shall issue the entitlement of site. On acceptance of site entitlement allotted to him and after payment of remaining amount by cash, the Commissioner shall issue the Possession Certificate subject to such guidelines issued by the Government if any, on such terms and conditions as are specified in Rule 3 and in Form II.

(2) The allottee shall use the site for residential purpose only. For any change in the land use, the allottee shall take the permission of the authority as specified under the Karnataka Town and Country Planning Act, 1961.

(3) For transfer/sale of these sites by the owner, permission of the Authority is not required.

5. Sharing pattern.—The allottees shall have the option for exchange of sites among such allottees themselves through Authority.

FORM I

[See Rule 4(1)]

Application Form for allotment of Site under the Karnataka Urban Development Authorities (Allotment of Sites *in lieu of* Compensation for the Land Acquired) Rules, 2009

1. Name of the applicant (in block letters):

2. Father's name/Husband's name:
3. Date of Birth:
4. Address of the Applicant:
5. Names and address of all the persons interested in the land :
6. Particulars of the land voluntarily surrendered :
 - (a) Survey Number:
 - (b) Location
 - (c) Extent
7. Particulars of title of the applicant to the land (copy of the deed shall be enclosed) :
8. Encumbrances, if any, on the land:

Place:

Date:

Signature of the applicant/s.

FORM II
[See Rule 4(1)]
Sale Deed

This Deed of Sale made and executed at (here specify the place), on the day of month of Two thousand by the Commissioner, ... Urban Development Authority, hereinafter called the 'Authority' (which term shall mean and include his successors-in-office) of the one part and Shri/Smt. S/o. D/o. W/o. aged about years, residing at (hereinafter called the 'Owner of the land') (which terms shall mean and include his/her heirs, executors, administrators and assigns) of the other part witnesseth.

Whereas, the Authority has allotted on out-right sale to the owner of the land, the site Nos. which are fully described in the Schedule(s) below, under the Karnataka Urban Development Authorities (Allotment of Sites *in lieu* of Compensation for the Land Acquired) Rules, 2009 under Allotment Letter No.

Whereas, the owner of the land has agreed to surrender his/her land bearing Sy. No. at Village of extent to the Authority at free of cost and the Authority has acknowledged the receipt of the same.

Now, this indenture witnesses that the Authority for having received the valuable consideration of the land bearing Sy. No. at Village of extent from the owner of the land, as absolute owner, do hereby put the owner of the land in actual possession of the Scheduled sites, and conveys to the owner of the land all that part and parcel of scheduled sites, to have, to hold and to enjoy the same peacefully forever as his/her personal and absolute property, free from all encumbrances, lawful

evictions, arrears of taxes, other dues and claims whatsoever together with all liberties, privileges, easements and appurtenances whatsoever to the said property.

The Authority assures the owner of the land that he has not alienated the schedule sites described below to anyone in whatsoever manner and that the said sites are free from all encumbrances made either by the Authority or any-body claiming through him or in trust for him.

The Authority further undertakes to do or cause to be done all such acts whenever occasions demand and to more perfectly assure and confirm the sale and to indemnify the owner of the land against all actions, suits, claims, demands, losses incurred and damages sustained for and on account or any breach of the said covenants or any of them.

This sale deed is subject to the restrictions and conditions specified in Rule 3 of the Karnataka Urban Development Authorities (Allotment of Sites *in lieu* of Compensation for the Land Acquired) Rules, 2009 and the said restrictions and conditions shall be deemed to be a part of the sale deed.

SCHEDULE

(There shall be separate schedules for each allotted site)

Land bearing Site No. in Block No. situated in Extension and bounded on the.—

East by :

West by :

North by :

South by :

measuring East to West feet, North to South feet, in witness whereof the Authority has hitherto set his seal and signature at (place) the day, the month and year mentioned above.

Commissioner,

..... Urban Development Authority,

.....

Witnesses:

1.

2.

**THE
KARNATAKA
URBAN DEVELOPMENT AUTHORITIES (ALLOTMENT OF SITES IN
LIEU OF COMPENSATION FOR LAND ACQUIRED) (AMENDMENT)
RULES, 2015**

Whereas, the draft of the Karnataka Urban Development Authorities (Allotment of Sites *in lieu* of Compensation for Land Acquired) (Amendment) Rules, 2014, was published as required by Section 112 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), in Notification No. UDD 08 TTP 2014, dated 1-12-2014, in Part IV-A of Karnataka Gazette, Extraordinary, dated 1-12-2014, inviting objections and suggestions from all persons likely to be affected within thirty days from the date of its publication in the Official Gazette.

And whereas, the said Gazette was made available to public on 1-12-2014.

And whereas, no objections and suggestions have been received by the State Government.

Now, therefore, in exercise of the powers conferred by Section 71 of the Karnataka Urban Development Authorities Act, 1987 (Karnataka Act 34 of 1987), the Government of Karnataka hereby makes the following rules, namely. —

1. Title and commencement.—(1) These rules may be called the **Karnataka Urban Development Authorities (Allotment of Sites *in lieu* of Compensation for Land Acquired) (Amendment) Rules, 2015.**

(2) They shall come into force from the date of their final publication in Official Gazette.

2. Amendment to Rule 3.—In Rule 3 of the Karnataka Urban Development Authorities (Allotment of Sites *in lieu* of Compensation for the Land Acquired) Rules, 2009. —

- (i) The words and figures "Notwithstanding anything contained in the Karnataka Land Acquisition Rules, 1965 and" shall be *omitted*;
- (ii) For the words and figures "Land Acquisition Act, 1894" occurring in two places, the words, figures and brackets "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013)" shall be respectively *substituted*; and
- (iii) In clause (b), for the figures "40", the figures "50" shall be *substituted*.

1. Published in the Karnataka Gazette, Extraordinary No. 169, dated 11-2-2015, vide Notification No. UDD 08 TTP 2014, dated 11-2-2015

**ಕರ್ನಾಟಕ
ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ (ನಿವೇಶನಗಳ ಹಂಚಿಕೆ)
ನಿಯಮಗಳು, 1991**

ವಿಷಯಾನುಕ್ರಮಣಿಕೆ

ನಿಯಮಗಳು	ಪುಟಸಂಖ್ಯೆ
1. ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.	127
2. ಪರಿಭಾಷೆಗಳು	127
(ಎ) ಅಧಿನಿಯಮ	127
(ಬಿ) ಹಂಚಿಕೆ ಪಡೆದವನು	127
(ಸಿ) ಇತರ ಹಿಂದುಳಿದ ವರ್ಗಗಳು	127
(ಡಿ) ಆರ್ಥಿಕವಾಗಿ ಹಿಂದುಳಿದ ದುರ್ಬಲ ವರ್ಗ	127
(ಇ) ಕುಟುಂಬ	128
(ಎಫ್) ಪ್ರಪತ್ನಿ	128
(ಜಿ) ವರಮಾನ	128
(ಎಚ್) ಅಂಗವಿಕಲ ವ್ಯಕ್ತಿ	128
(ಐ) ಅನುಸೂಚಿತ ಜಾತಿಗಳು ಮತ್ತು ಅನುಸೂಚಿತ ಬುಡಕಟ್ಟುಗಳು	128
(ಜೆ) ಬಿಡಿ ನಿವೇಶನ	128
(ಕೆ) ಅನುಸೂಚಿ	128
(ಎಲ್) ಇತರ ಪದಗಳು ಮತ್ತು ಅಭಿವ್ಯಕ್ತಿಗಳು	128
3. ಹಂಚಿಕೆಗಾಗಿ ನಿವೇಶನ ನೀಡುವಿಕೆ	128
4. ನಿವೇಶನಗಳನ್ನು ಕಾಯ್ದಿರಿಸುವುದು	129
5. ಆರ್ಥಿಕವಾಗಿ ಹಿಂದುಳಿದ ವರ್ಗಕ್ಕೆ ನಿವೇಶನಗಳನ್ನು ಕಾಯ್ದಿರಿಸುವುದು	129
6. ಬಿಡಿ ನಿವೇಶನಗಳ ಹಂಚಿಕೆ	129
7. ಸಂಸ್ಥೆಗಳಿಗೆ ನಿವೇಶನಗಳನ್ನು ಹಂಚುವುದು.	129
8. Allottee to be lessee	130
9. ನೋಂದಣಿ	130
10. ಅರ್ಜಿ	130
11. ಖಾತರಿ ಠೇವಣಿ	131
12. ಹಂಚಿಕೆಗಾಗಿ ಅನರ್ಹತೆ	131
13. ನಿವೇಶನಗಳ ಹಂಚಿಕೆಗಾಗಿ ಅರ್ಜಿದಾರರ ಆಯ್ಕೆ ನೀತಿಗಳು	131
14. ಸಮಿತಿ	133
15. ಅರ್ಜಿದಾರರ ಆಯ್ಕೆ	133