



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ-IVA	ಬೆಂಗಳೂರು, ಮಧ್ಯವಾರ, ಫೆಬ್ರವರಿ ೨೦, ೨೦೧೯ (ಪಾಲ್ಗುಣ ೧, ಶಕ ವರ್ಷ ೧೯೪೦)	ನಂ. ೧೨೮
Part-IVA	Bengaluru, Wednesday, February 20, 2019 (Palguna 1, Shaka Varsha 1940)	No. 128

URBAN DEVELOPMENT SECRETARIAT

NOTIFICATION

No. UDD 03 TTP 2015, Bengaluru, dated: 20.02.2019

The draft of the following rules further to amend the Karnataka Planning Authorities Rules, 1965 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 74 read with section 18 and 18A of the Karnataka Town and Country Planning Act, 1961, (Karnataka Act 11 of 1963), is hereby published as required by sub-section (1) of section 74 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after one month from the date of its publication in the Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft before the expiry of the period specified above will be considered by the State Government. Objections and suggestions may be addressed to the Principal Secretary to Government, Urban Development Department, 4th Floor, Vikasa Soudha, Bangalore-560001.

DRAFT RULES

Title and commencement.- (1) These rules may be called the Karnataka Planning Authorities (Amendment) Rules, 2019.

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

2. Insertion of new rule 36A.- After rule 36 of the Karnataka Planning Authorities Rules, 1965 (hereinafter referred to as said rules) the following shall be inserted, namely:-

"36A. Appeals under sub-section (6) of section 15.- Any person aggrieved by the decision of the authority under sub-section (6) of section 15 of the Act, may appeal to the Metropolitan Commissioner, Bengaluru Metropolitan Region Development Authority in case of Bengaluru Metropolitan Region and the Additional Director or Joint Director of Town and Country Planning of the respective Zonal or Divisional offices of the Department of Town and Country Planning where ever applicable."

3. Amendment of rule 37A.- In rule 37A of the said rules, for sub-rule (1) the following shall be substituted, namely:-

(1) For the purpose of sub-section (1) of section 18, the fee leviable by the Planning Authority shall be:-

(a) at the rates specified in the table below in the case of grant of permission for change in the land use or development of land namely:-

TABLE-I

Sl. No.	Local Planning Area and Population	Percentage of Market value per square meter of non agriculture land area			
		Residential	Industrial	Commercial	Others
1.	Local Planning Areas within Bangalore Metropolitan Region irrespective of population	1% subject to a minimum of Rs 50/m ²	2% subject to a minimum of Rs. 75/m ²	3% subject to a minimum of Rs. 125/m ²	1% subject to a minimum of Rs. 50/m ²
2.	Local Planning Area with a population of ten lakhs and above	1% subject to a minimum of Rs. 25 /m ²	2% subject to a minimum of Rs. 40/m ²	3% subject to a minimum of Rs. 50 /m ²	1% subject to a minimum of Rs. 25/m ²
3.	Local Planning Area with a population of one lakh and above but less than ten lakhs	1% subject to a minimum of Rs. 12.50/m ²	2% subject to a minimum of Rs. 20/m ²	3% subject to a minimum of Rs. 25 /m ²	1% subject to a minimum of Rs. 12.50/m ²
4.	Local Planning Area with a population of fifty thousand and above but less than one lakh	1% subject to a minimum of Rs. 7.50/m ²	2% subject to a minimum of Rs. 12/m ²	3% subject to a minimum of Rs. 15/m ²	1% subject to a minimum of Rs. 7.50/m ²
5.	Local Planning Area with a population of twenty thousand and above but less than fifty thousand	1% subject to a minimum of Rs. 5/m ²	2% subject to a minimum of Rs. 7.50 /m ²	3% subject to a minimum of Rs. 10/m ²	1% subject to a minimum of Rs. 5/m ²
6.	Local Planning Area with a population of less than twenty thousand	1% subject to a minimum of Rs. 2.50/m ²	2% subject to a minimum of Rs. 4/m ²	3% subject to a minimum of Rs. 5/m ²	1% subject to a minimum of Rs. 2.50/m ²

Note.-

- (i) The fee shall be collected for grant of permission for Change of land use or development of land. If fee has been collected for Change of Land use, the fee shall not be collected for development of land.
 - (ii) For the purpose of calculating fee, market value prevailing on the day of issue of fee notice will be taken into account
- (b) at the rates specified in the table below in the case of grant of permission for development involving carrying out of building on the plot namely,-

TABLE-II

For grant of permission for development involving construction of building

Sl. No.	Local Planning Area and Population	Fee per square meter of floor area of all the floors of the building floor sanctioned (In Rs)			
		Residential	Industrial	Commercial	Others
1.	Local Planning Areas within Bangalore Metropolitan Region irrespective of population	20.00	40.00	100.00	20.00
2.	Local Planning Area with a population of ten lakhs and above	15.00	30.00	45.00	15.00
3.	Local Planning Area with a population of one lakh and above but less than ten lakhs	12.00	20.00	32.00	12.00
4.	Local Planning Area with a population of fifty thousand and above but less than one lakh	08.00	16.00	20.00	08.00

5.	Local Planning Area with a population of twenty thousand and above but less than fifty thousand	04.00	08.00	16.00	04.00
6.	Local Planning Area with a population of less than twenty thousand	02.00	04.00	8.00	02.00

Note:- In the above tables,

- (1) Other purpose includes charitable, religious and philanthropic institutions of nonprofit nature such as old age homes, destitute homes and child-care centers, as the case may be. As certified by the Deputy Commissioners of Concerned Districts to be of nonprofit nature.
- (2) Educational institutions, health institutions and any other public and semi public buildings run by private individuals and institutions are to be treated as commercial uses except those specified in Note (1).

(1A) Additional fee to be levied for rejuvenation of lakes or tanks.- In the Local Planning areas having lakes or tanks the additional fee to be levied by the planning authorities for granting permission for development of building or land or sanction for sub-division of plot or layout under section 15 or 17, shall be at the rates specified in the table below, namely,-

TABLE-III

Additional fee for grant of permission for approval of layouts or for Development involving carrying out of building

Sl. No.	Local Planning Area and Population	Fee per sqm of land/plot
1.	Local Planning Areas within the Bangalore Metropolitan Region irrespective of population	Rs 25/-
2.	Local Planning Area with a population of ten lakhs and above	Rs 20/-
3.	Local Planning Area with a population of one lakh and above but less than ten lakhs	Rs 15/-
4.	Local Planning Area with a population of fifty thousand and above but less than one lakh	Rs 10/-
5.	Local Planning Area with a population of twenty thousand and above but less than fifty thousand	Rs 5/-
6.	Local Planning Area with a population of less than twenty thousand	Rs 3/-

NOTE.-

- (i) Fee shall be collected under this rule for approval under section 17 or section 15.
- (ii) In case if the approval is obtained under section 17, having paid the fees, approval under section 15 for the same place is exempted from payment of the fees. If fee is not collected under section 17, fee shall be collected while according approval under section 15 for the land or plot.

4. Insertion of rule 37C and 37D.- In the said rules after rule 37B the following shall be inserted, namely:-

37C. Cess and surcharge to be levied for development of land and building.- (1) The Authority shall levy development cess of 0.5% of the Market value of the plot or land for each of the sub-clauses (i), (ii), (iii) and 1.5% of the Market value of the plot or land for sub-clause (iv) of sub-section (1) of section 18-A of the Act, while granting permission for development of land and building

(2) The cess collected under sub-clause (i) for carrying out any water supply scheme, shall be deposited in a separate head of account of the Planning Authority and shall be transferred to the Karnataka Urban Water Supply and Drainage Board or the Bengaluru Water Supply and Sewage Board as the case may be. The concerned agency shall utilize the cess so transferred for the said purpose within the respective Local Planning Area.

(3) The cess collected under clause (ii) for the purpose of formation of ring roads, shall be deposited in a separate head of account of the Planning Authority. The Cess so collected shall be utilized for the said purpose within the respective Local Planning Area.

(4) The cess collected under clause (iii) for the purpose of improving the slums, shall be deposited in a separate head of account of the Planning Authority and shall be transferred to the Karnataka Slum Development Board. The Karnataka Slum Development Board shall utilize the cess so transferred for the said purpose within the respective Local Planning Area.

(5) The cess collected under clause (iv) for Mass rapid transport system shall be deposited in a separate head of account of the Planning Authority. The cess so collected shall be apportioned with the concerned Government agencies and utilized within the respective Local Planning Area as directed by the Government from time to time.

(6) 5 % of the cess so collected by the Planning Authority under sub-clauses (i), (ii), (iii) and (iv) of section 18-A shall be retained by the Planning Authority as service charge before transferring it to the respective agencies.

37D. Appeals under sub-section (1A) of section 18 and 18A.- Any person aggrieved by the levy of fee or cess under sub-section (1A) of section 18 and 18 A of the Act, may appeal to the District Court within ninety days from the date of receipt of notice under sub-rule (2) of rule 37-A. The decision of the court shall be final."

By Order and in the name of the Governor of Karnataka

NAGARAJ

Under Secretary to Government
Urban Development Department