ನಗರ ಜಿಲ್ಲಾ ಗ್ರಾಮಾಂತರ ಯೋಜನಾ ನಿರ್ದೇಶಕರ ಕಛೇರಿ
ಸಂಖ್ಯೆ 8029
ದಿನಾಂಕ 3/3/2020
ಬೆಂಗಳೂರು

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part – IVA	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೨೬, ಫೆಬ್ರವರಿ, ೨೦೨೦ (ಫಾಲ್ಗುಣ ೭, ಶಕವರ್ಷ ೧೯೪೧) Bengaluru, TUESDAY, 26, FEBRUARY, 2020 (Phalguna 7, ShakaVarsha 1941)	ನಂ. ೬೨ No. 62

GOVERNMENT OF KARNATAKA

No: UDD 3 TTP 2015

Karnataka Government Secretariat,
Vikasa Soudha,
Bangaluru, Date 25-02-2020

NOTIFICATION

Whereas the draft of the Karnataka Planning Authorities (Amendment) Rules, 2019 was published as required by sub-section (1) of section 74 read with section 18 and 18-A of the Karnataka Town and Country Planning Act, 1961, (Karnataka Act 11 of 1963), vide Notification No. UDD 03 TTP 2015, dated 20.02.2019 in Part IV-A of the Karnataka Gazette dated 20.02.2019 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 the public on 20.02.2019.

And whereas, the objections and suggestions received are considered by the State Government;

Now, therefore, in exercise of the powers conferred under section 74 read with section 18 and 18-A of the Karnataka Town and Country Planning Act, 1961, (Karnataka Act 11 of 1963), the Government of Karnataka hereby makes the following Rules, namely;

RULES

1. 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 and sub-section (6) of section 17.**- Any person aggrieved by the decision of the Authority under sub-section (6) of section 15 and sub-section (6) of section 17 of the Act, may appeal to the Metropolitan Commissioner, Bengaluru Metropolitan Region Development Authority in case of Bengaluru Metropolitan Region and the Regional Commissioner of concerned division (with technical support from Additional Director/ Joint Director of the concerned Zonal/ Divisional office of the Directorate of Town & Country Planning) for areas other than BMRDA region.

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3. Amendment of Rule 37-A.- In Rule 37-A 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 case of grant of permission for change in the land use under section 14A of the Act or development of land under section 17 of the Act namely,.-

TABLE-I

Sl. No.	Local Planning Area and Population	Percentage of Market value per Square meter of non agricultural land.			
		Residential	Industrial	Commercial	Others
1.	Local Planning Areas within Bangalore Metropolitan Region irrespective of population	0.5% subject to a minimum of Rs.25/m²	1% subject to a minimum of Rs. 37.5/m²	1.5% subject to a minimum of Rs.62.5/m²	0.5% subject to a minimum of Rs.25/m²
2.	*Local Planning Area with* a population of ten lakh and above	0.5% subject to a minimum of Rs.12.50 /m²	1% subject to a minimum of Rs.20/m²	1.5% subject to a minimum of Rs.25 /m²	0.5% subject to a minimum of Rs.12.50/m²
3.	Local Planning Area with a population of one lakh and above but less than ten lakh	0.5% subject to a minimum of Rs.6.25/m²	1% subject to a minimum of Rs.10/m²	1.5% subject to a minimum of Rs.12.50 /m²	0.5% subject to a minimum of Rs.6.25/m²
4.	Local Planning Area with a population of fifty thousand and above but less than one lakh	0.5% subject to a minimum of Rs.4.00/m²	1% subject to a minimum of Rs.6.00/m²	1.5% subject to a minimum of Rs.7.50/m²	0.5% subject to a minimum of Rs. 4.00/m²
5.	Local Planning Area with a population of twenty thousand and above but less than fifty thousand	0.5% subject to a minimum of Rs. 2.50/m²	1% subject to a minimum of Rs.4.00/m²	1.5% subject to a minimum of Rs.5.00/m²	0.5% subject to a minimum of Rs.2.50/m²
6.	Local Planning Area with a population of less than twenty thousand	0.5% subject to a minimum of Rs. 1.25/m²	1% subject to a minimum of Rs. 2.00/m²	1.50% subject to a minimum of Rs.2.50 /m²	0.5% subject to a minimum of Rs.1.25/m²

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) "Market value" means the value determined as per the guidance value of land in accordance with section 45B of the Karnataka Stamp Act, 1957.

(iii) For the purpose of calculating fee, market value prevailing on the day of issue of fee notice shall be taken into account.

(iv) In case of Bangalore Mysore Infrastructure Corridor Area Planning Authority.

a) for area falling within Bangalore and Bangalore Metropolitan region, fee shall be levied as in Sl. No.1 of the above table.

b) for area falling beyond Bangalore Metropolitan region, fee shall be levied as in Sl. No. 2 of the above table.

(B) at the rates specified in the table below in the case of grant of permission for development under section 15 of the Act involving carrying out of building on the plot namely.-

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TABLE-II

Sl. No.	Local Planning Area and Population	Fee per Square meter of the sanctioned floor area inclusive of all the floors in the building(s) (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 lakh 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 lakh	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 and 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).

(3) In case of Bangalore Mysore Infrastructure Corridor Area Planning Authority.

a. for area falling within Bangalore and Bangalore Metropolitan region, fee shall be levied as in Sl. No.1 of the above table.

b. for area falling beyond Bangalore Metropolitan region, fee shall be levied as in Sl. No. 2 of the above table.

(C) Utilization of the fee collected under sub rule (1) (A) and (B) of Rule 37-A:-

(i) The fee collected under sub rule (1) (A) of Rule 37-A shall be deposited in separate head of account of the Planning Authorities and shall be utilized by the Planning Authorities as under.

(a) One third of such fee collected shall be utilized for acquisition of land reserved for parks and open spaces and roads in the approved master plans.

(b) One third of such fee shall be utilized for general office administration, capacity building, office site purchase, building construction, master plan preparation and revision including studies and surveys, studies and surveys related to taking up any schemes, and may be utilized for (a) above.

(c) One third of the fee collected shall be utilized for Town Planning Schemes and any other schemes of the Authority.

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(ii) The Planning Authority shall maintain the amount collected and the expenditure incurred under (a) (b) and (c) of sub rule (C) above and submit account statement in accordance with Rule 21 of the Karnataka Planning Authority Rules, 1965.

(iii) The fee collected under sub rule (1) (B) of Rule 37-A shall be deposited in separate head of account of the Local Authorities and shall be utilized by the Local Authorities in accordance with the provisions of Karnataka Municipal Corporation Act, 1976 or Karnataka Municipalities Act, 1964, as applicable.

(1A) Additional fee to be levied under section 18(1-A) for rejuvenation of lakes or tanks.-

(1) Under section 18(1-A) of the Act the additional fee to be levied by the planning authorities or local authorities, as case may be, for granting permission for development of building or land 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 square meter 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/-

(2) The fee collected under sub rule (1A) of Rule 37-A shall be deposited in a separate head of account of the Planning Authority or the Local Authority, as the case may be, and shall be utilized for the purpose of development and rejuvenation of existing water bodies and formation of water bodies (tanks), rejuvenation of extinct kalyanis and public wells within the Local Planning Area by the Planning Authorities.

(3) The fee collected under sub rule (1A) of Rule 37-A by the Local Authority shall be transferred to the Planning Authority after retaining 5% of such fee collected as service charges.

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.
(iii) In case where fee has not been levied under the provision of section 18(1-A) while according permission under section 17, fee at the rate prescribed above shall be levied while according permission under section 15 for the building site/plot area in such approved layouts.

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

"37-C. Levy and Collection of and surcharge.- (1) The Planning Authority or the Local Authority as the case may be shall levy development cess / surcharge of 0.2 % of the Market value of the plot or land for each of the

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sub- clauses (i) and (ii) and 0.1% of the Market value of plot or land for sub-clause (iii) and 0.5% for sub-clause (iv) of sub-section (1) of section 18-A of the Act, while granting permission for development of land or building.

2) The cess and surcharge collected under sub-clause (i) (ii), (iii) and (iv) of sub section (1) of Section 18-A for carrying out any water supply scheme; for the purpose of formation of ring roads; for the purpose of improving the slums; for mass rapid transport system respectively shall be deposited in a separate public account of the Government of Karnataka, separately for each Planning authority in the State.

3) The cess and surcharge collected by the Planning Authority/ Local Authority under sub clause (i), (iii) and (iv) of sub section (1) of Section 18-A deposited in the public account as above shall be transferred to the concerned Authority/ Agency. 5% of the cess & surcharges so collected by the Planning Authority / Local Authority under sub-clauses (i), (iii) and (iv) of sub section (1) of section 18-A shall be remitted to the account of the Planning Authority/ Local Authority as service charge before transferring it to the respective agencies.

4) The surcharge collected by Planning Authority under sub- clause (ii) of sub section (1) of section 18-A and deposited to the public account shall be transferred to the Planning Authority and utilized by the Planning Authority for formation of Ring road. If surcharge under sub-clause (ii) of section 18-A has been collected by the Local Authority and deposited to the public account, it shall be transferred to the Planning Authority after remitting 5% as service charge to the account of the Local Body.

NOTE.-

(i) The cess and surcharges shall be collected for Development of land or building. If cess and surcharges has been collected for Development of land, the cess and surcharges shall not be collected for development of building.

(ii) Cess / Surcharge for sub-clause (iv) shall be collected in only such Planning Authorities wherein Mass Rapid Transport System has been taken up for implementation.

(iii) "Market value" means the value determined as per the guidance value of land in accordance with section 45B of the Karnataka Stamp Act, 1957.
The value shall be determined in accordance to the rates prescribed for the applicable land use published under the Karnataka Stamp Act, 1957.

(iv) For the purpose of calculating cess and surcharges, market value prevailing on the day of issue of fee notice shall be taken into account.

37D. Appeals under sub-section (1-A) of section 18 and 18-A.- Any person aggrieved by the levy of fee or cess / surcharge under sub-section (1-A) of section 18 and 18-A of the Act, may appeal within ninety days from the date of receipt of notice under sub-rule (2) of rule 37-A **to the appellate authority shown in the table below.**

TABLE-IV

Sl. No.	Appellate authority	Jurisdiction
1.	Metropolitan Commissioner, Bengaluru Metropolitan Region Development Authority	Development Authorities and Planning Authorities within Bengaluru Metropolitan Region
2	Regional Commissioner of concerned division.	Urban Development Authorities, Planning Authorities and Municipal Planning Authorities of concerned division.

By Order and in the name of the
Governor of Karnataka,

(C S Shivakumaraswamy)
Under Secretary to Government,
Urban Development Department.

ಮುದ್ರಕರು ಹಾಗೂ ಪ್ರಕಾಶಕರು:- ಸಂಕಲನಾಧಿಕಾರಿಗಳು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಸರ್ಕಾರಿ ಕೇಂದ್ರ ಮುದ್ರಣಾಲಯ, ಬೆಂಗಳೂರು

SUNIL GARDE

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