

**Urban Development Secretariat**

**NOTIFICATION - I**

**No.UDD 2 Bem Ru Pra 2007, Bangalore, Dated:14-08-2007**

Whereas, a draft of the Karnataka Town and Country Planning (Regularisation of unauthorised Development or Constructions) Rules 2007, was published vide Notification No. UDD 2 Bem Ru Pra 2007 dated 17.05.07, in Part IV – A of the Karnataka Gazette, Extraordinary, dated 17.05.07, inviting objections and suggestions to the said draft from all persons likely to be affected within 30 days from the date of its publication in the Official Gazette.

Whereas, the said Gazette made available to the public on 17<sup>th</sup> May 2007.

Whereas, objections and suggestions received on the said draft, have been considered by the State Government.

Now, therefore, in exercise of the powers conferred under Section 76FF read with section 74 of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the Government of Karnataka hereby, makes the following rules, namely.-

**1. Title and commencement,-** (1) These rules may be called the Karnataka Town and Country Planning (**Regularisation of unauthorised development or constructions**) Rules 2007.

(2) They shall come into force from 15<sup>th</sup> day of September 2007 and shall apply to all unauthorised development or constructions that have come up on or after the date of approval of Master Plan and its Zoning Regulations of respective cities / towns.

**2. Definitions,-** In these rules, unless the context otherwise required,-

(a) “**Act**” means the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963);

(b) “**Appellate Authority**” means, an authority constituted to hear the appeals against the orders passed by Competent Authorities.

*For the following Corporations and Authorities, the Appellate Authority shall be constituted by the State Government.*

- (i) For Bruhath Bangalore Mahanagara Palike
- (ii) For Bangalore Development Authority
- (iii) For Bangalore-Mysore Infrastructure Corridor Area Planning Authority

*For other cities, the Appellate Authority shall be:*

- (i) For cities having Corporations (Other than Bangalore), the respective Regional Commissioner;
- (ii) For other Urban Development Authorities, Planning Authorities and Municipalities, the respective Deputy Commissioner.

**(c) “Competent Authority” means,-**

***For Bangalore:***

The Commissioner, Bruhat Bangalore Mahanagara Palike for Bangalore within its jurisdiction and beyond its jurisdiction and within the Local Planning Area of Bangalore, the Commissioner, Bangalore Development Authority;

***For other cities:***

- (i) in respect of unauthorised development of layouts or sites and buildings in violation of change of land use, the concerned Planning Authority;
  - (ii) in respect of unauthorised constructions,-
    - (a) concerned planning authority in respect of areas falling in planning area;
    - (b) concerned local authority in respect of areas falling in the limits of local authority within the local planning area;
  - (iii) in case of towns where the Act is not extended or where the Planning Authority area and the Local Authority area is the same, the respective Local Authority;
- (d) **“construction”** means any permanent structure;
- (e) **“development cost”** includes estimated cost of development of the land and construction of building and also for providing infrastructure like water supply, electricity, underground drainage, formation of roads and other civic amenities; and payment of all regulatory fees.
- (f) **“market value”** means the value as determined in accordance with the section 45B of the Karnataka Stamp Act, 1957 as prevailing on the date of promulgation of the Karnataka Town and Country Planning (Amendment) Act, 2004 (3<sup>rd</sup> February 2007).

- (g) **“Screening Committee”** means the committee constituted in these rules for the purpose of regularisation of unauthorized development and deviated or unauthorised constructions;
- (h) **“structural engineer”** means and includes a qualified Civil Engineer, who has been registered by Institute of Engineers / concerned Urban Local Body / Planning Authority.
- (i) **“unauthorised development”** means development of land for residential or other purposes in violation of the provisions of sections 14, 15 and 17 of the Karnataka Town & Country Planning Act, section 187 of the Karnataka Municipalities Act, 1964 and section 321 of the Karnataka Municipal Corporations Act 1976 as the case may be;
- (j) **“unauthorised construction”** means buildings constructed for residential or other purposes, in violation of the provisions of the Act, the Karnataka Municipalities Act, 1964 and the Karnataka Municipal Corporations Act, 1976 as the case may be;
- (k) **“Urban Areas Infrastructure Development Fund”** means the fund established for crediting all proceeds collected through regularisation by the competent authority for the purpose specified in sub-section 16 of section 76FF of the Act.

**3. Application.-** (1) Every owner who desires to get his unauthorised development or unauthorised constructions regularised shall submit an application in respect of such development or construction to the competent authority concerned in Form-I within the time limit specified in sub-section (13) of section 76FF along with a site plan of the land wherein the unauthorised construction is situated indicating the site and location of the unauthorised construction including the appurtenant land comprised therein and such other documents as may be required by the competent authority.

**Explanation:** For the purpose of these rules, the existing development means the developments which are existing and completed with basic infrastructure like water supply and electricity and the applicant shall possess the sale deed and such other evidences in respect of ownership.

(2) In case of joint ownerships, the application shall be made jointly from all the owners or their association authorised by the resolution.

(3) Any unauthorised development in respect of which no application for regularisation is received within the prescribed time limits shall be liable to the action contemplated under sections 14, 15, 17 and 76FF of the Act.

(4) Owner of the unauthorised development may file an application for regularisation by paying the regularisation fee calculated on self assessment subject to payment of shortfall if any, intimated by the competent authority, subject to final decision in respect of pendency of any case before Tribunal, Civil Court, High Court any other Court or any order / judgement passed by any such Court, or Tribunal in respect of such property.

**4. Manner of enquiry.-** The competent authority shall give an opportunity to the applicant of being heard and to produce documents, if any, in support of his claim. The competent authority shall, on completion of the enquiry, pass a provisional order in **Form-II**.

**5. Screening Committee for regularisation.-** (1) On receipt of the application for regularisation under rule 3 the competent authority shall forward it to the Screening Committee for scrutiny. The applications received and referred to the Screening Committee shall be entered in a register and shall be scrutinized on the basis of seniority of applications determined on first come first serve basis. The Screening Committee shall scrutinise the applications and make its recommendations to the competent authority indicating the amount to be remitted by the applicant for regularisation.

(2) The Screening Committee for scrutiny of applications shall consist of the following, namely:-

**(a) For Bruhath Bangalore Mahanagara Palike area**

|   |                  |
|---|------------------|
| Joint Commissioner, (Zonal) Bruhath Bangalore Mahanagara Palike   | Chairman         |
| Town Planner Member, Bangalore Development Authority or his nominee not below the rank of Assistant Director of Town Planning                 | Member           |
| Deputy Commissioner Bangalore Urban or his nominee, not below the rank of Special Deputy Commissioner   | Member           |
| Joint Director of Town Planning ,Bruhath Bangalore Mahanagara Palike or his nominee not below the rank of Assistant Director of Town Planning | Member           |
| Chief Engineer, Bruhath Bangalore Mahanagara Palike   | Member           |
| Zonal Deputy Commissioner, Bruhath Bangalore Mahanagara Palike  | Member Secretary |

**(b) For Planning Authority in Bangalore (Bangalore Development Authority):**

|   |                  |
|---|------------------|
| Commissioner, Bangalore Development Authority   | Chairman         |
| Joint Director of Town Planning, Bruhath Bangalore Mahanagara Palike or his nominee not below the rank of Assistant Director of Town Planning | Member           |
| Engineer Member, Bangalore Development Authority  | Member           |
| Town Planner Member, Bangalore Development Authority  | Member Secretary |

**(c) For Bangalore Mysore Infrastructure Corridor Area Planning Authority (BMICAPA):**

**(i) For area falling under Bangalore Urban District:**

|   |                  |
|---|------------------|
| Deputy Commissioner, Bangalore Urban District                   | Chairman         |
| Chief Executive Officer, Zilla Panchayat, Bangalore Urban       | Member           |
| Joint Commissioner, (Zonal) Bruhath Bangalore Mahanagara Palike | Member           |
| Member Secretary, BMICAPA                                       | Member Secretary |

**(ii) For area falling under Bangalore Rural District:**

|   |                  |
|---|------------------|
| Deputy Commissioner, Bangalore Rural District             | Chairman         |
| Chief Executive Officer, Zilla Panchayat, Bangalore Rural | Member           |
| Commissioner, City Municipal Council, Channapatna         | Member           |
| Member Secretary, BMICAPA                                 | Member Secretary |

**(iii) For area falling under Mandya District:**

|  |                  |
|--|------------------|
| Deputy Commissioner, Mandya                      | Chairman         |
| Chief Executive Officer, Zilla Panchayat, Mandya | Member           |
| Chief Officer, Maddur Town Municipal Council     | Member           |
| Member Secretary, BMICAPA                        | Member Secretary |

**(iv) For area falling under Mysore District:**

|  |                  |
|--|------------------|
| Deputy Commissioner, Mysore                      | Chairman         |
| Chief Executive Officer, Zilla Panchayat, Mysore | Member           |
| Member Secretary, BMICAPA                        | Member Secretary |

**(d) For Planning Authorities in cities having Corporations (other than Bangalore)**

|   |                  |
|---|------------------|
| Deputy Commissioner   | Chairman         |
| Commissioner, respective Urban Development Authority            | Member           |
| Commissioner, respective City Corporation or his representative | Member           |
| Town Planner Member, respective Urban Development Authority     | Member Secretary |

**(e) For Planning Authorities where Corporations do not exist, but Urban Development Authorities exist**

|   |                  |
|---|------------------|
| Commissioner, respective Urban Development Authority                  | Chairman         |
| Commissioner, respective City Municipal Council or his representative | Member           |
| Assistant Commissioner  | Member           |
| Town Planner Member, respective Urban Development Authority           | Member Secretary |

**(f) For Planning Authorities where Urban Development Authorities does not exist**

|  |                  |
|--|------------------|
| Assistant Commissioner   | Chairman         |
| Commissioner, respective City Municipal Council / Chief Officer, respective Town Municipal Council | Member           |
| Member Secretary / Assistant Director of Town Planning   | Member Secretary |

**6. Procedure and conditions of regularisation.-** (1) The Screening Committee shall meet atleast once in fifteen days. The Screening committee may also utilise the services of as many officers and staff as may be required for the scrutiny and recommendations of the applications subject to the following conditions, namely:-

**(A)** The conditions for regularisation as specified in sub-sections **(1) to (16)** of section **76FF**, sub-sections **(1) to (4)** of section **321-A** of the Karnataka Municipal Corporations Act, 1976 and sub-sections **(1) to (4)** of section **187-A** of the Karnataka Municipalities Act, 1964 shall be followed while making the recommendations.

**(B) Conditions for regularisation of plot in an unauthorised sub-divided land / layout:-**

(i) While recommending the fee for regularization, the Screening Committee shall be guided by the rates specified in **Annexure I** of these rules.

(ii) No unauthorised layout which do not have access to public road or do not have alignment of roads shall be regularized.

(iii) No unauthorised development or layout shall be regularised if the applicant refused to handover the land required for alignment of roads and land required for widening of roads as per the Zoning Regulations, building line and building byelaws by relinquishment deed.

(iv) Only individual plot shall be considered for regularization which are registered before the date of commencement of the Karnataka Town and Country Planning and Certain Other Laws (Amendment) Act, 2004.

**(C) Conditions for regularisation of buildings with land use violations:-**

The fees to be collected for regularization of buildings with land use violations shall be five times the fees prescribed under section 18 of the Act. Change of land use violation shall be examined with reference to the master plan as in force on the date of promulgation of the Karnataka Town and Country Planning and certain Other Laws (Amendment) Act, 2004. (i.e. 3<sup>rd</sup> February 2007)

**(D) Conditions for regularisation of setback violations:-**

The setback violations may be regularized on payment of fees determined in accordance with **Annexure II (a) and (b)**. Setback violations against the approved plan but within the provisions of Zoning Regulations, Building Byelaws may be regularized on payment of difference of prescribed fee under section 18 of the Act.

**(E) Conditions for regularisation of floor area violations:**

- (i) The floor area violations may be regularized on payment of amount specified in **Annexure – III (a) and (b)** for excess built-up area constructed.
- (ii) Floor area ratio violations against the approved plans but within the provisions of Zoning Regulations or building byelaws may be regularized on obtaining revised building plan and on payment of difference of prescribed fee under section 18 of the Act.

**(F)** Building constructed in non-converted agriculture land may be regularized on payment of amount assessed in the manner specified in **Annexure IV**.

**(G)** Building constructed without approved plan in approved layouts as per the Zoning regulations or building byelaws may be regularized on payment of amount specified in **Annexure V**.

(2) The fees for regularisation so assessed and levied for the developments under section 76 FF of the Act shall be over and above the regular fees or charges normally leviable if such fees have not been collected, as the case may be, by the Competent Authority.

(3) On the recommendations of the Screening Committee, the Competent Authority after holding such enquiry as specified in **Rule 4**, after examining the application, after satisfying itself regarding the entitlement shall, intimate the applicant to remit such amount within such time limit but not later than ninety days, as may be specified therein, or reject the application, as the case may be.

(4) On remittance of the amount for regularization by the applicant, the competent authority shall regularize the unauthorized development or unauthorized construction to such extent as are admissible. The competent authority shall issue a Regularization Certificate in **Form- III**.

(5) In case the application for regularization is rejected, the fees remitted by the applicant, if any, on his self assessment shall be refunded to the applicant without interest within **sixty days**.

**7. Utilisation of fund.-** (1) The competent authority shall keep the amount collected for regularization separately in the fund called 'the Urban Areas Infrastructure Development Fund'. The fund shall be utilised for the purposes specified in section 76FF of the Act.

(2) Out of the fund collected, 50% shall be utilised for the development of parks and open spaces including lands to be acquired under section 69(1) of the Act. The remaining 50% shall be utilised for provision of infrastructure, civic amenities, lighting, drinking water, drainage system and for any other infrastructure.

(3) No amount from the fund shall be spent without the approval of the Competent Authority.

(4) The annual report regarding the receipts and expenditures of the fund shall be sent to the Government.

(5) The progress report in **Form-IV** shall be submitted to Government periodically.

**8. Scrutiny Fee.-** Scrutiny fee shall be collected by the Competent Authorities at the rate of Rs. 1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter of total floor area of buildings.

By order and in the name of the Governor of Karnataka

C.T. NARAYANA SWAMY

Under Secretary to Government,

Urban Development Department

## ANNEXURE – I

### Fees for regularisation of violations relating to formation of sites

*(Applicable both for converted and non-converted lands)*

| Sl.No. | Site area<br>(sq. m) | Fee per sq.m.<br>(in Rupees)              |                               |             |
|--------|----------------------|---|-------------------------------|-------------|
|        |                      | Bangalore<br>Urban and<br>Rural districts | Other<br>Corporation<br>Areas | Other Areas |
| 1.     | Upto 60              | 200.00                                    | 150.00                        | 100.00      |
| 2.     | > 60 - 120           | 400.00                                    | 200.00                        | 125.00      |
| 3.     | Above 120            | 600.00                                    | 250.00                        | 150.00      |

#### **Note for Annexure – I:**

1. The fee specified above is in addition to the fee to be collected by the Planning Authority under Section 18 of the Act.
2. In case of agricultural lands, conversion fine to be levied under Section 95 of Karnataka Land Revenue Act, 1964 shall also be collected by the competent authority under this Act and paid to the State Government to the respective head of account.

## ANNEXURE – II

### (a) Fees prescribed for Setback Violations for Residential use

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 25%               | 10   |
| 2      | >25% upto 50%           | 25   |

### (b) Fees prescribed for Setback Violations for non-residential use.

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 12.50%            | 25   |
| 2      | >12.50% upto 25%        | 40   |

#### Note for Annexure II:

- 1) Setback violations shall be calculated based on the total area of setbacks violated and the total area of setbacks prescribed on all sides.

$$\text{i.e, \% of setback violation} = \frac{\text{Total area of setbacks violated in all the sides}}{\text{Total area of setbacks on all the sides prescribed}} \times 100$$

- 2) Buildings constructed by
- 3) violating the building line shall not be considered for regularisation.

### ANNEXURE – III

**(a) Fees prescribed for FAR Violations for Residential use.**

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 25%               | 10   |
| 2      | >25% upto 50%           | 25   |

**(b) Fees prescribed for FAR Violations for non-residential uses**

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 12.50%            | 25   |
| 2      | >12.50% upto 25%        | 40   |

### ANNEXURE – IV

**Fees prescribed for buildings constructed in non-converted agriculture lands.**

*(In addition to the amount prescribed in Annexure I)*

| Sl.No. | Type of Use     | Regularisation fee per square metre of total built-up area in accordance with percentage of market value |
|--------|-----------------|--|
| 1      | Residential     | 2.00   |
| 2      | Non-residential | 4.00   |

**Note for Annexure IV**

If the setback and FAR are violated, for violated portions prescribed amount as in Annexure II and III shall be levied.

### ANNEXURE - V

**Fees prescribed for buildings constructed without the building plan approval in approved layouts / developed areas and as per the Zoning Regulations / Building Byelaws**

| Sl.No. | Type of Use     | Regularisation fee per square metre of total built-up area in accordance with percentage of market value |
|--------|-----------------|--|
| 1      | Residential     | 2.00   |
| 2      | Non-residential | 4.00   |

**Note for Annexure V:**

If the setback and FAR are violated, for violated portions prescribed amount as in Annexure II and III shall be levied.

### ANNEXURE - VI

Details of unauthorised sub-division / layout as on .....

| Sl.No | Village | Survey Number / Assessment Number | Converted or Non-converted | Abutting road width in metre | Details of public road / street connecting the layout (Yes / No) | Remarks |
|-------|---------|-----------------------------------|----------------------------|------------------------------|--|---------|
|       |         |                                   |                            |                              |  |         |
|       |         |                                   |                            |                              |  |         |
|       |         |                                   |                            |                              |  |         |
|       |         |                                   |                            |                              |  |         |
|       |         |                                   |                            |                              |  |         |

**APPLICATION FOR REGULARISATION OF UN-AUTHORISED DEVELOPMENT**

(Under Section 76-FF of the Karnataka Town and Country Planning Act, Section 321-A of Karnataka Municipal Corporations Act and Section 187-A of Karnataka Municipalities Act)

Name of the applicant with address for correspondence

.....  
.....  
.....

To

.....  
.....  
.....

**PART - I**

**REGULARISATION OF PLOT IN AN UN-AUTHORISED SUB-DIVIDED LAND / LAYOUT**

Sir / Madam,

I hereby apply for regularization of site in unapproved layout (name).....Sy.No.....of.....village, plot no..... measuring....., bearing door number / assessment number.....

- 1. Property Boundaries : East -----  
: West -----  
: North -----  
: South -----

2. Road width in front of the plot and its accessibility to nearest public road (in metres)----

3. List of Enclosures:

- (a) Sketch Of the plot / site with details of abutting road
- (b) Copy of the ownership document
- (c) Copy of the approved layout plan if existing
- (d) D.D. favouring competent Authority towards scrutiny fee :

: Amount:.....  
: D.D. No..... Date.....  
: Bank:.....

*Note: Scrutiny fee shall be collected at the rate of Rs. 1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter of total floor area of buildings.*

(e) D.D. favouring competent Authority towards regularisation fee

: Amount:.....

: D.D. No.....Date.....

: Bank.....

## **PART - II**

### **REGULARISATION OF BUILDINGS WITH LAND USE VIOLATIONS:**

Sir / Madam,

I hereby apply for regularization of buildings with land use violations in layout (name).....Sy.No.....of.....village, plot No.....measuring....., bearing door number / assessment number.....

1. Property Boundaries : East -----  
: West -----  
: North -----  
: South -----
2. Road width in front of the plot and its accessibility to nearest public road (in metres)----  
----
3. Designated land use as per Master Plan------(Residential / Commercial / Industrial / Others)
4. Actual usage of land /building: -----(Residential / Commercial / Industrial / Others)
5. Photograph of land / building

6. D.D. favouring competent Authority towards publication charges:

:Amount:

: D.D. No.-----Date-----

: Bank:

7. D.D. favouring competent Authority towards scrutiny fee

: Amount:

: D.D. No.-----Date-----

: Bank:

*Note: Scrutiny fee shall be collected at the rate of Rs. 1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter of total floor area of buildings.*

8. D.D. favouring competent Authority towards regularisation fee

: Amount:

: D.D. No.-----Date-----

: Bank:

### PART - III

#### REGULARISATION OF UNLAWFUL BUILDINGS

Sir / Madam,

I hereby apply for regularization of unlawful buildings in layout (name).....  
.....Sy.No.....  
of.....village, plotNo.....measuring....., bearing  
door number / assessment number.....

1. Property Boundaries : East -----

: West -----

: North -----

: South -----

2. Road width in front of the plot and its accessibility to nearest public road (in metres)\_\_\_\_\_

3. Existing building details with as built plan: *(Refer instructions)*

| Sl.No. | Parameters | As per Existing Building | As per Zoning Regularisations |
|--------|------------|--------------------------|-------------------------------|
|--------|------------|--------------------------|-------------------------------|

|   |                        |  |  |
|---|------------------------|--|--|
| 1 | Setback – Front        |  |  |
|   | – Rear                 |  |  |
|   | – Left                 |  |  |
|   | – Right                |  |  |
| 2 | FAR                    |  |  |
| 3 | Coverage               |  |  |
| 4 | Height of the building |  |  |
| 5 | Number of floors       |  |  |

4. I enclose herewith the following documents:

- i) Sanctioned plan (if available)
- ii) Ownership documents
- iii) Copy of the resolution made by all the owners or their association (For apartments and group housing)

5. Photograph of building upto ground plus one floor

6. Certificate from a structural engineer for the buildings ( above ground plus one floor)

7. D.D favouring competent Authority towards regularisation fee

: Amount:.....

: D.D. No.....Date.....

: Bank,.....

8. D.D. favouring competent Authority towards scrutiny fee

: Amount:.....

: D.D. No.,..... Date.....

: Bank,.....

*Note: Scrutiny fee shall be collected at the rate of Rs. 1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter of total floor area of buildings.*

### **DECLARATION BY THE APPLICANT**

I / we.....hereby declare that all the information and documents produced along with the application form regarding regularisation are true and correct to the best of my knowledge and belief.

I further declare that the property for which I am applying for regularisation is not a public property and I further confirm that there are no disputes / complaints / legal impediments.

I also declare that my application is not in contravention of conditions specified in sub-section 1 to 16 of Section 76FF of the Karnataka Town and Country Planning Act 1961, sub-section 1 to 4 of Section 321-A of Karnataka Municipal Corporations Act, 1976 and sub-section 1 to 4 of Section 187-A of the Karnataka Municipalities Act, 1964, as the case may be.

Place:

Date:

Signature of Owner / Applicant

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Place:

Date:

### ACKNOWLEDGEMENT

Received application for regularisation of un-authorized sub-division / layout, buildings with land use violations / unlawful buildings from .....in layout (name).....Sy.No.....of.....village, plot no.....measuring.....bearing door number / assessment number.....

1. Application No.& date:
2. D.D.No.& date( for scrutiny fee)
3. D.D.No.& date(for regularisation fee)

(Authorised Signatory)

### INSTRUCTIONS TO APPLICANT

## GENERAL

1. Application for regularisation of unauthorised developments consists Part – I, Part – II and Part-III.

- Part – I pertains to regularisation of plot in an un-authorized sub-divided land / layout
- Part – II pertains to regularisation of land use violations
- Part – III pertains to regularisation of unlawful buildings
- Submit the completed application form with the documents required within three months from the date of notification.
- Pay the regularisation fee and scrutiny fee separately through Demand Drafts or Bankers Cheques from any Bank drawn in favour of the respective Urban Development Authority / Planning Authority / Urban Local Body.
- Scrutiny fee shall be collected by the Competent Authority at the rate of Rs. 1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter for total floor area of buildings.
- Enter details of fees paid in the application form and have them confirmed while receiving the acknowledgement.
- The acknowledgment is issued with the seal of the office receiving the application.
- In case the application for regularization is rejected, either because of inadequate or incorrect information or for other reasons, the scrutiny fees remitted will not be refunded.

2. In the following cases, **the regularization will be rejected,**

**If the site is situated:**

- In the land affected by the alignments of any road or of proposed inner ring road, National High Ways, bypass road, outer ring road or mass rapid transit system (rail) projects;
- on the land belonging to the State Government or the Central Government or appurtenant to any building belonging to the State Government or the Central Government;
- on the land belonging to an other person over which the former has no title;
- on the land belonging to any Board or Corporation owned or controlled by the Central Government or the State Government;
- on the land belonging to, or vested in, any Urban Development Authority or Bangalore Development Authority;
- on the land belonging to, or vested in, a local authority;
- on the land abutting to storm water drains, tank bed areas, river course or beds and canals or below the high tension electric line;
- in land reserved for parks, playgrounds, open space or for providing civic amenities.
- Development being a special and hazardous industry or an industry categorized as “RED” by the Karnataka Pollution Control Board will be regularized only with the clearance from the Karnataka Pollution Control Board.
- Development not conforming to rules for high-tension lines and fire protection measures.
- Development covered by the Coastal Zone Regulations of the Ministry Environment and Forest, Government of India.
- Development made in basement or usage in contravention of bye law.
- Development in violation of set back norms exceeding twenty-five percent in case of non-residential buildings and fifty percent in case of residential buildings.
- Development for which violation in respect of change in land use is not regularized first.
- Unauthorized construction or development made in agricultural zone of approved Master Plan or green belt area declared under Karnataka Land Revenue Act, 1964.

- Buildings located in areas of special control / other protect areas, where it violates the regulations prescribed for such areas.
3. Regularisation of violation in respect of change of land use shall be made as far as may be in accordance with section 14A of the Karnataka Town and Country Planning Act, 1961.
  4. Development in respect of any building having more than two floors will be regularized if a certificate from Structural Engineer is produced regarding the structural stability of such building;
  5. In case of a owner of the building who has made unauthorized construction in violation of the norms of zonal regulation and do not apply for regularization within the prescribed time, the supply of water and electricity to the building shall be liable to be disconnected with prior notice.

#### **PART – I**

- Application related to regularisation of plot in unauthorised sub-divided land / layout shall be submitted to the concerned Planning Authority.
- Application related to regularisation of plot in an unauthorised sub-divided land / layout shall be submitted to the concerned Local Authority for the towns where the Karnataka Town and Country Planning Act is not extended.
- Fee for regularisation of plot in an unauthorised sub-divided land/layout is to be calculated on the basis of the following table (Annexure- I of Rules).

#### **Fees prescribed for regularisation of violations relating to formation of sites.**

*(Applicable both for converted and non-converted lands)*

| Sl.No. | Site area<br>(sq. m) | Prescribed amount per square metre<br>(in Rupees) |                               |             |
|--------|----------------------|---|-------------------------------|-------------|
|        |                      | Bangalore<br>Urban and<br>Rural districts         | Other<br>Corporation<br>Areas | Other Areas |
| 1.     | Upto 60              | 200.00  | 150.00                        | 100.00      |
| 2.     | > 60 - 120           | 400.00  | 200.00                        | 125.00      |

|    |           |        |        |        |
|----|-----------|--------|--------|--------|
| 3. | Above 120 | 600.00 | 250.00 | 150.00 |
|----|-----------|--------|--------|--------|

**PART – II**

- Application related to regularisation of buildings with land use violations shall be submitted to the concerned Planning Authority.
- Fee for regularisation of buildings with land use violations is to be calculated on the basis of the following table.

**Fees prescribed for regularisation of buildings with land use violations**

| Sl.No. | Particulars  | Regularisation fee per square metre of land<br>(in Rupees) |                 |
|--------|--|--|-----------------|
|        |  | Residential  | Non-residential |
| 1      | A city or town with a population of ten lakhs and above                                    | 100.00   | 375.00          |
| 2      | A city or town with a population of one lakh and above but less than ten lakhs             | 20.00  | 60.00           |
| 3      | A city or town with a population of fifty thousand and above but less than one lakh        | 15.00  | 30.00           |
| 4      | A city or town with a population of twenty thousand and above but less than fifty thousand | 7.50   | 20.00           |
| 5      | A city or town with a population of less than twenty thousand                              | 3.00   | 10.00           |

### PART – III

- Applications related to regularisation of unlawful buildings shall be submitted to the concerned Local Authority within its jurisdiction.
- Applications related to regularisation of unlawful buildings outside the Local Authority limits but within the Local Planning Area shall be submitted to the concerned Planning Authority.
- For the towns where the Karnataka Town & Country Planning Act is not extended, applications related to regularisation of unlawful buildings shall be submitted to the concerned Local Authority.
- In case of apartments and Group Housing, the application form from individual owners will not be admitted. For such developments, the application shall be made jointly from all the owners or their association.
- Fee for regularisation of unlawful buildings is to be calculated on the basis of the following table.

#### Fees prescribed for Setback Violations for Residential use

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 25%               | 10   |
| 2      | >25% upto 50%           | 25   |

#### Fees prescribed for Setback Violations for non-residential use.

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 12.50%            | 25   |
| 2      | >12.50% upto 25%        | 40   |

**Fees prescribed for FAR Violations for Residential use.**

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 25%               | 10   |
| 2      | >25% upto 50%           | 25   |

**Fees prescribed for FAR Violations for non-residential uses**

| Sl.No. | Percentage of violation | Regularisation fee per square metre of total violated area in accordance with percentage of market value |
|--------|-------------------------|--|
| 1      | up to 12.50%            | 25   |
| 2      | >12.50% upto 25%        | 40   |

**Fees prescribed for buildings constructed in non-converted agriculture lands.**

*(In addition to the amount prescribed in Annexure I)*

| Sl.No. | Type of Use     | Regularisation fee per square metre of total built-up area in accordance with percentage of market value |
|--------|-----------------|--|
| 1      | Residential     | 2.00   |
| 2      | Non-residential | 4.00   |

**Fees prescribed for buildings constructed without the building plan approval in approved layouts / developed areas and as per the Zoning Regulations / Building Byelaws**

| Sl.No. | Type of Use     | Regularisation fee per square metre of total built-up area in accordance with percentage of market value |
|--------|-----------------|--|
| 1      | Residential     | 2.00   |
| 2      | Non-residential | 4.00   |

**FORM –II**

(Rule 4)

Name of the Applicant,.....

Application No & Date,.....

**PROVISIONAL ORDER**

It is certified that the unauthorised sub-divided land or layout / building with land use violation / unlawful building situated in layout .....(Name), Sy.No..... of.....village, plot No.....measuring ..... bearing door number / assessment number..... is hereby regularised under the provisions of Section 76FF of the Karnataka Town and Country Planning Act 1961 / Section 321-A of the Karnataka Municipal Corporations Act, 1976 / the Karnataka Municipalities Act, 1964.

Date:

Seal of the Institution

Place:

*Note: Strike out whichever is not applicable*

(Competent Authority)

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To

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.....  
.....

**FORM – III**

[(Rule 6(4))]

Name of the Applicant .....

Application No. & Date .....

**REGULARISATION CERTIFICATE**

It is certified that the following unauthorised development situated in layout .....(Name), Sy. No. ....of ..... Village, Plot No..... measuring .....(sq. m) bearing door No. / assessment No. .... is hereby regularised under the provisions of Section 76FF of the Karnataka Town and Country Planning Act 1961 / Section 321-A of the Karnataka Municipal Corporations Act 1976 / Section 187-A of the Karnataka Municipalities Act 1964.

1. Unauthorised sub-divided land / layout measuring .....sq m.
2. Buildings measuring .....sq m with land use violation from .....use to ..... use.
3. Unlawful building
  - (a) With Setback violation of .....sq m.
  - (b) With Floor area violation of ..... sq m.
  - (c) Constructed in non converted agricultural land measuring .....sq m.
  - (d) Constructed without approved plan measuring .....sq m.

Date:

Seal of the Institution

Place:

Competent Authority

*Note: Strike out whichever is not applicable*

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To

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.....  
.....

**FORM – IV**  
[Rule 7(5)]

**PROGRESS REPORT**

To  
Secretary,  
Urban Development Department  
Government of Karnataka.

| 1 | No. of cases Received    | sub division land / layout | land use violation | Building Violation |                      |   |  |       |
|---|--------------------------|----------------------------|--------------------|--------------------|----------------------|---|--|-------|
|   |                          |                            |                    | Setback violation  | Floor area violation | Building constructed in non converted agricultural land | Building constructed without approved plan | Total |
|   |                          |                            |                    |                    |                      |   |  |       |
| 2 | No. of cases Regularised | sub division land / layout | land use violation | Building Violation |                      |   |  |       |
|   |                          |                            |                    | Setback violation  | Floor area violation | Building constructed in non converted agricultural land | Building constructed without approved plan | Total |
|   |                          |                            |                    |                    |                      |   |  |       |
| 3 | Fee collected            | sub division land / layout | land use violation | Building Violation |                      |   |  |       |
|   |                          |                            |                    | Setback violation  | Floor area violation | Building constructed in non converted agricultural land | Building constructed without approved plan | Total |
|   |                          |                            |                    |                    |                      |   |  |       |

Competent Authori

## NOTIFICATION - II

Whereas, a draft of the Karnataka Municipal Corporations (**Regularisation of unauthorised Development or Constructions**) Rules 2007, was published vide Notification No. UDD 2 Bem Ru Pra 2007 dated 17.05.07, in Part IV – A of the Karnataka Gazette, Extraordinary, dated 17.05.07, inviting objections and suggestions to the said draft from all persons likely to be affected within 30 days from the date of its publication in the Official Gazette.

Whereas, the said Gazette made available to the public on 17<sup>th</sup> May 2007.

Whereas, objections and suggestions received on the said draft, have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 321-A read with section 421 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), the Government of Karnataka hereby, makes the following rules, namely.-

**1. Title and Commencement.-** (1) These rules may be called the Karnataka Municipal Corporations (Regularisation of unauthorised Development or constructions) Rules, 2007.

(2) They shall come into force from 15<sup>th</sup> day of September 2007 and shall apply to all unauthorised development or constructions that have come up on or after the date of approval of Master Plan and its Zoning Regulations of respective cities.

**2. Definitions.-** (1) In these rules, unless the context otherwise requires,-

(a) “**Act**” means the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977);

(b) “**Appellate Authority**” means, an authority constituted to hear the appeals against the orders passed by Competent Authorities.

(i) For Bruhath Bangalore Mahanagara Palike, the Appellate Authority shall be constituted by the State Government.

(ii) For other cities having Corporations, the Appellate Authority shall be the respective Regional Commissioner.

(c) “**Screening Committee**” means the committee constituted in these rules for the purpose of regularisation of unauthorised constructions.

(d) “**Section**” means section of the Act.

(2) The words and expressions used and not defined in these rules shall have the same meaning assigned to them in the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) or the rules made thereunder.

**3. Application of provisions of the Karnataka Town and Country Planning (Regularisation of unauthorised Development or Constructions) Rules, 2007.-** The provisions of the Karnataka Town and Country Planning (Regularisation of unauthorised Development or Constructions) Rules, 2007 including the Annexures and Forms therein shall mutatis mutandis apply for regularisation of unauthorised development or constructions under these rules and also for the manner of utilisation of the urban areas infrastructure development fund.

**4. Screening Committee for regularisation:-** (1) The Screening Committee for scrutiny of applications shall consist of the following, namely:-

**(a) For Bruhath Bangalore Mahanagara Palike:**

|   |                  |
|---|------------------|
| Joint Commissioner, (Zonal) Bruhath Bangalore Mahanagara Palike   | Chairman         |
| Town Planner Member, Bangalore Development Authority or his nominee not below the rank of Assistant Director of Town Planning                 | Member           |
| Deputy Commissioner Bangalore Urban or his nominee, not below the rank of Special Deputy Commissioner   | Member           |
| Joint Director of Town Planning ,Bruhath Bangalore Mahanagara Palike or his nominee not below the rank of Assistant Director of Town Planning | Member           |
| Chief Engineer, Bruhath Bangalore Mahanagara Palike   | Member           |
| Zonal Deputy Commissioner, Bruhath Bangalore Mahanagara Palike  | Member Secretary |

**(b) For other Corporation cities:**

|   |                  |
|---|------------------|
| Commissioner, respective City Corporation   | Chairman         |
| Commissioner, respective Urban Development Authority or his representative                          | Member           |
| Special Deputy Commissioner, Deputy Commissioner's Office   | Member           |
| Joint Director / Deputy Director / Assistant Director of Town Planning, respective City Corporation | Member Secretary |

By order and in the name of the Governor of Karnataka

C.T. NARAYANA SWAMY

Under Secretary to Government,

Urban Development Department

### **NOTIFICATION - III**

Whereas, a draft of the Karnataka Municipalities (**Regularisation of unauthorised Development or Constructions**) Rules 2007, was published vide Notification No. UDD 2 Bem Ru Pra 2007 dated 17.05.07, in Part IV – A of the Karnataka Gazette, Extraordinary, dated 17.05.07, inviting objections and suggestions to the said draft from all persons likely to be affected within 30 days from the date of its publication in the Official Gazette.

Whereas, the said Gazette made available to the public on 17<sup>th</sup> May 2007.

Whereas, objections and suggestions received on the said draft, have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 187-A read with section 323 of the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964), the Government of Karnataka hereby, makes the following rules, namely.-

**1. Title and Commencement.-** (1) These rules may be called the Karnataka Municipalities (Regularisation of unauthorised Development or constructions) Rules, 2007.

(2) They shall come into force from the 15<sup>th</sup> day of September 2007 and shall apply to all unauthorised development or constructions that have come up on or after the date of approval of Master Plan and its Zoning Regulations or Building Byelaws in force of respective cities / towns.

**2. Definitions.-** (1) In these rules, unless the context otherwise requires,-

(a) “Act” means the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964);

(b) “Appellate Authority” means an authority to hear the appeals against the orders passed by Competent Authorities. For all the City Municipal Councils, Town Municipal Councils and Town Panchayats, the Appellate Authority shall be the respective Deputy Commissioner.

(c) “Screening Committee” means the committee constituted under these rules for the purpose of regularisation of unauthorised sub-division or layout and deviated or unauthorised constructions.

(d) “Section” means section of the Act.

(2) The words and expressions used and not defined in these rules shall have the same meaning assigned to them in the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) or the rules made thereunder.

**3. Application of provisions of the Karnataka Town and Country Planning (Regularisation of unauthorised Development or Constructions) Rules, 2007.-** The provisions of the Karnataka Town and Country Planning (Regularisation of unauthorised Development or Constructions) Rules, 2007 including the Annexures and Forms therein shall mutatis mutandis apply for regularisation of unauthorised development or constructions under these rules and also for the manner of utilisation of the urban areas infrastructure development fund.

**4. Screening Committee for regularisation:-** (1) The Screening Committee for scrutiny of applications shall consist of the following, namely:-

**(a) For City Municipal Councils: (where Urban Development Authorities are constituted)**

|  |                  |
|--|------------------|
| Commissioner, respective City Municipal Council                            | Chairman         |
| Commissioner, respective Urban Development Authority or his representative | Member           |
| Assistant Commissioner,  | Member           |
| Executive Engineer / Assistant Executive Engineer / Assistant Engineer     | Member Secretary |

**(b) For City Municipal Councils / Town Municipal councils : (where Planning Authorities are constituted)**

|   |                  |
|---|------------------|
| Assistant Commissioner                            | Chairman         |
| Member Secretary, respective Planning Authority   | Member           |
| Assistant Executive Engineer / Assistant Engineer | Member Secretary |

**(c) For other cities / towns having Municipal Planning Authorities:**

|   |                  |
|---|------------------|
| Assistant Commissioner  | Chairman         |
| Commissioner, respective City Municipal Council / Chief Officer, respective Town Municipal Council / Town Panchayat | Member           |
| Assistant Director of Town Planning   | Member Secretary |

**(d) For Other towns where the Karnataka Town and Country Planning Act is not extended:**

|  |                  |
|--|------------------|
| Assistant Commissioner   | Chairman         |
| Chief Officer, respective Town Municipal Council / Chief Officer, Town Panchayat | Member           |
| Jurisdictional Assistant Director of Town Planning                               | Member Secretary |

By order and in the name of the Governor of Karnataka

C.T. NARAYANA SWAMY

Under Secretary to Government,

Urban Development Department