



KARNATAKA LEGISLATIVE ASSEMBLY
FIFTEENTH LEGISLATIVE ASSEMBLY
SIXTH SESSION

THE KARNATAKA TOWN AND COUNTRY PLANNING (AMENDMENT) BILL, 2020
(LA Bill No. 11 of 2020)

A Bill further to amend the Karnataka Town and Country Planning Act, 1961.

Whereas it is expedient further to amend the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Town and Country Planning (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 14-A.- In the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) in section 14A after sub-section (2) the following shall be inserted, namely:-

"(3) Notwithstanding anything contained in this Act, whenever any land is procured by the Planning Authority, Local Authority, Karnataka Housing Board, Karnataka Slum Development Board, Karnataka Industrial Area Development Board, Karnataka Small Scale Industries Development Corporation or Rajiv Gandhi Rural Housing Corporation Limited for any public purpose, the land use of such land, excluding lands reserved under clauses (b), (c) and (f) of sub-section (1) of section 12 shall be deemed to be the land use for the purpose for which it has been procured.

(4) The Planning Authority shall levy such fee as may be prescribed by the Government before allowing such change of land use from the Master Plan."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) to make a deemed provision for change of land use from the master plan whenever any land is procured by the Planning Authority, Local Authority, Karnataka Housing Board, Karnataka Slum Development Board, Karnataka Industrial Area Development Board, Karnataka Small Scale Industries Development Corporation or Rajiv Gandhi Rural Housing Corporation Limited for any public purpose.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra- expenditure involved in the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2: sub section (4) of section 14-A sought to be inserted under this clause, empowers the State Government to make rules regarding levy of fee for change of land from the master plan.

The proposed delegation of legislative power is normal in Character.

B.S.YEDIYURAPPA
Chief Minister

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

**EXTRACT FROM THE KARNATAKA TOWN AND COUNTRY PLANNING ACT, 1961
(KARNATAKA ACT 11 OF 1963)**

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12. Contents of Master Plan.- (1) The Master Plan shall consist of a series of maps and documents indicating the manner in which the development and improvement of the entire planning area within the jurisdiction of the Planning Authority are to be carried out and regulated, such plan shall include proposals for the following, namely:-

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(b) a complete street pattern, indicating major and minor roads, national highways, and state highways, and traffic circulation pattern, for meeting immediate and future requirements with proposals for improvements;

(c) areas reserved for parks, playgrounds, and other recreational uses, public open spaces, public buildings and institutions and area reserved for such other purposes as may be expedient for new civic developments;

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(f) declaring certain areas, as areas of special control and development in such areas being subject to such regulations as may be made in regard to building line, height of the building, floor area ratio, architectural features and such other particulars as may be prescribed;

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14A. Change of land use from the outline development plan.-(1) At any time after the date on which the outline development plan for an area comes into operation, the Planning Authority may, with the previous approval of the State Government, allow such changes in the land use or development from the outline development plan as may be necessitated by topographical cartographical or other errors and omissions, or due to failure to fully indicate the details in the plan or changes arising out of the implementation of the proposals in outline development plan or the circumstances prevailing at any particular time, by the enforcement of the plan:

Provided that,- (a) all changes are in public interest;

(b) the changes proposed do not contravene any of the provisions of this Act or any other law governing planning, development or use of land within the local planning area; and

(c) the proposal for all such changes are published in one or more daily newspapers, having circulation in the area, inviting objections from the public within a period of not less than fifteen days from the date of publication as may be specified by the Planning Authority.

(2) The provisions of sub-section (2) and (3) of section 14 shall apply mutatis mutandis to the change in land use or development from the outline development plan.

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