



KARNATAKA LEGISLATIVE ASSEMBLY  
FIFTEENTH LEGISLATIVE ASSEMBLY  
SEVENTH SESSION

**THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ  
(AMENDMENT) BILL, 2020**

**(LA Bill No. 37 of 2020)**

A Bill further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) 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 Gram Swaraj and Panchayat Raj (Amendment) Act, 2020.

(2) It shall be deemed to have come into force with effect from 31st day of March 2020.

**2. Amendment of section 2.**- In section 2 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) (hereinafter referred to as the Principal Act), in clause (18), the word "leprosy" shall be omitted.

**3. Amendment of section 5.**- In section 5 of the Principal Act, in sub-section (4), in the first proviso, for the words "ten years", the words "five years", shall be substituted.

**4. Amendment of section 7.**- In section 7 of the Principal Act, in sub-section (2), for the words "on non party basis", the words "on non party basis", shall be substituted.

**5. Amendment of section 12.**- In section 12 of the Principal Act,- (i) in clause (l) the following shall be inserted at the end, namely:-

"or while holding any office of panchayat"

(ii) in the proviso, after item (d), the following shall be inserted, namely:-

"(e) the disqualification under clause (l) shall cease to operate after the expiry of six years from the date of the order."

**6. Amendment of section 43-A.**- In section 43-A of the Principal Act in sub section (1),-

(i) after the words "the Government", the words "or an Authority authorised by the Government", shall be inserted;

(ii) after clause (iii), the following shall be inserted, namely:-

"Provided that where an application is made by a member to the Grama Panchayat for leave to absent himself and Grama panchayat fails to inform the applicant of its decision on the application within a period of seven days from the date of the application, the leave applied for shall be deemed to have been granted by the Grama Panchayat."; and

(iii) after clause (v), the following shall be inserted namely:-

"(vi) if a former Adhyaksha or Upadhyaksha or member of Grama Panchayat has been accused and proved guilty for misconduct or misappropriation in an Inquiry".

**7. Amendment of section 44.-** In section 44 of the Principal Act, in sub-section (2), in clause (c) after the proviso, the following shall be inserted, namely:-

“Provided further that the duration of the offices reserved under this sub-section shall be thirty months”.

**8. Amendment of section 46.-** In section 46 of the Principal Act, in sub-section (1), for the words “five years”, the words “thirty months” shall be substituted.

**9. Amendment of section 48.-** In section 48 of the Principal Act,-

(i) in sub-section (1), the third proviso shall be omitted; and

(ii) in sub-section (4), after the word “Government” the words “or an authority authorised by the Government” shall be inserted.

**10. Amendment of section 49.-** In section 49 of the Principal Act,-

(i) in sub-section (1),-

(a) in the second proviso, for the words “thirty months” the words “fifteen months” shall be substituted;

(b) in the third proviso, for the words “within two years” the words “six months” shall be substituted; and

(ii) sub-section (2) shall be omitted.

**11. Amendment of section 58.-** In section 58 of the Principal Act, in sub-section (1A),-

(i) after clause (i), the following shall be inserted, namely:-

“(i-a) providing sanitary latrines to all new house constructed every year”; and

(ii) in clause (xiii), for the words “and owner less dogs” the words “and to conduct animal birth control measures to control the number of street dogs, ownerless dogs”. shall be substituted;

**12. Amendment of section 64.-** In section 64 of the Principal Act, in sub-section (1), after the words “any existing building” the words “or erect advertisement hoarding” shall be inserted.

**13. Amendment of section 111.-** In section 111 of the Principal Act, in sub-section (3), after the clause (f), the following shall be inserted, namely:-

“(g) to execute all lawful decision and resolutions taken by the Grama Panchayath under the Act and sign all the orders of the Grama Panchayath”

**14. Amendment of section 123.-** In section 123 of the Principal Act, in the proviso to sub-section (3), for the words “ten years” the words “five years” shall be substituted.

**15. Amendment of section 128.-** In section 128 of the Principal Act, in sub-section (1),

(i) after clause (k), clause (l) shall be inserted, namely:-

“(l) if he is found guilty, directly involved in any act of misuse or abuse of power or authority as member of the panchayat in executing any scheme, plan or project of the panchayat or of misappropriation of funds or other assets of the panchayat during the term of his membership or while holding any office of panchayat.”

(ii) in the proviso,-

(a) in item (cc), for the words “after expiry of three years”, the words “after expiry of six years” shall be substituted; and

(b) after item (d), the following clause shall be inserted, namely:-

“(e) the disqualification under clause (l) shall cease to operate after the expiry of six years from the date of the order.”

**16. Amendment of section 136.-** In section 136 of the Principal Act, in sub-section (1),-

(i) after the words "Government" the words "or the authority authorized by the Government by order in this behalf." shall be inserted;

(ii) after clause (i), the following shall be inserted, namely:-

"Provided that where an application is made by a member to the Taluk Panchayat for leave of absence to himself and Taluk Panchayat fails to inform the applicant of its decision on the application within a period of seven days from the date of the application, the leave applied for, shall be deemed to have been granted by the Taluk Panchayat".; and

(iii) after clause (v), the following shall be inserted, namely:-

"(vi) if a former Adhyaksha or Upadhyaksha or member of Taluk Panchayat has been accused and proved guilty of misconduct or misappropriation in an Inquiry."

**17. Amendment of section 138.-** In section 138 of the Principal Act,-

(i) in sub-section (2), after clause (a), the following shall be inserted, namely:-

"Provided that, the duration of the offices reserved under this sub-section shall be thirty months"; and

(ii) in sub-section (3), for the words "five years" the words "thirty months" shall be substituted.

**18. Amendment of section 140.-** In section 140 of the Principal Act,-

(i) in sub-section (3),-

(a) in the first proviso, for the words "Thirty months" the words "fifteen months" shall be substituted;

(b) in the second proviso, for the words "two years" the words "six months" shall be substituted; and

(ii) in sub-section (4), after the words "Government" the words "or an authority authorized by the Government in this behalf" shall be inserted.

**19. Amendment of section 141.-** In section 141 of the Principal Act, for sub-section (6), the following shall be substituted, namely:-

"(6) the Deputy Commissioner shall preside over the meeting in which no confidence motion against Adhyaksha or Upadhyaksha is being considered by the Taluk Panchayat."

**20. Amendment of section 160.-** In section 160 of the Principal Act, in the proviso, item (ii) shall be omitted.

**21. Amendment of section 162.-** In section 162 of the Principal Act, in sub-section (3), in the proviso, for the words "ten years" the words "five years" shall be substituted.

**22. Amendment of section 167.-** In section 167 of the Principal Act, in sub section (1),-

(i) after clause (k), the following clause (l) shall be inserted, namely:-

"(l) if he is found guilty, directly involved in any act of misuse or abuse of power or authority as member of the panchayat in executing any scheme, plan or project of the panchayat or of misappropriation of funds or other assets of the panchayat during the term of his membership or while holding any office of panchayat."

(ii) in the proviso,-

(a) in item (cc), for the words “three years” the words “six years” shall be substituted.

(b) after item (d), the following shall be inserted, namely:-

“(e) the disqualification under clause (l) shall cease to operate after the expiry of six years from the date of the order.”

**23. Amendment of section 175.-** In section 175 of the principal Act, in sub-section (1),-

(i) after the word “Government” the words “or an authority authorized by the Government in this behalf” shall be inserted;

(ii) after the clause (iii), the following shall be inserted, namely:-

“Provided that where an application is made by a member to the Zilla Panchayat for leave of absence to himself and Zilla Panchayat fails to inform the applicant of its decision on the application within a period of seven days from the date of the application, the leave applied for shall be deemed to have been granted by the Zilla Panchayat”.

(iii) after clause (v), the following shall be inserted, namely:-

“(vi) if a former Adhyaksha or Upadhyaksha or member of Zilla Panchayat has been accused and proved guilty for misconduct or misappropriation in an enquiry.”

**24. Amendment of section 177.-**In section 177 of the principal Act,-

(i) in sub-section(2), in clause (c), after the proviso the following shall be inserted, namely:-

“Provided further that the duration of the offices reserved under this sub-section shall be for thirty months”; and

(ii) in sub-section(3), for the words “five years” the words “thirty months” shall be substituted.

**25. Amendment of section 179.-** In section 179 of the principal Act, in sub-section (3),-

(i) in the beginning the words “Subject to such rules as may be prescribed” shall be inserted;

(ii) in the first proviso, for the words “thirty months” the words “fifteen months” shall be substituted; and

(iii) in the second proviso ,for the words “two years” the words “six months” shall be substituted.

**26. Amendment of section 180.-** In section 180 of the principal Act, for sub-section (6), the following shall be substituted, namely:-

“(6) The Regional Commissioner or any other equivalent officer authorized by the Government shall preside over the meeting in which no confidence motion against to Adhyaksha or upadhyaksha is being considered.”

**27. Amendment of section 196.-** In section 196 of the principal Act, in sub-section (1), in the proviso, the words, brackets and figures “for a period of three year from the date of commencement of the Karnataka Panchayat Raj (Amendment) Act, 1998” shall be omitted.

**28. Amendment of section 197.-** In section 197 of the principal Act, in the proviso to sub-section (3), for the words “fifteen days” the words “thirty days” shall be substituted.

**29. Amendment of section 237.-** In section 237 of the principal Act, in sub-section (1), after the words “on behalf of Gram panchayat” the following shall be inserted, namely:-

“other than law full resolutions and decisions taken by the authorities specified in section 64, 70, 113 and 269 of this Act.”

**30. Amendment of section 308AA.-** In section 308AA of the principal Act,-

(i) in the heading and in section for the words “the schedule of elections” occurring in two places, the words “schedule of elections” shall be substituted; and

(ii) for the words “announced” the words “published” shall be substituted.

**31. Amendment of section 308 AB.-** In section 308AB of the principal Act, in sub-section (1),-

(i) in clause (a), for the words, “the third day” the words “the fourth working day” shall be substituted; and

(ii) in clause (d), for the words “not earlier than” the words “not earlier than” shall be substituted.

**32. Amendment of section 308 AC.-** In section 308AC of the principal Act, in sub section (1),-

(i) in clause (b), for the word “each” the words “hyper sensitive” shall be substituted; and

(ii) in clause (c),-

(a) for the words “the entire period during which code of conduct of election is in force” the words “during the period of forty eight hours before closing the polling of election” shall be substituted; and

(b) for the words “the code of conduct is in force” the words of “forty eight hours before closing the polling of election” shall be substituted.

**33. Amendment of section 308B.-** In section 308B of the principal Act, for the figures and letter “308A” the figures and letters “308 AD” shall be substituted.

**34. Amendment of section 309D.-** In section 309D of the principal Act, in sub-section (1), in the Table,-

(i) after clause (i), the following entry shall be inserted, namely:-

i-a	the member of the Legislative council registered as voter in that Taluk.	Vice chairman
-----	--	---------------

(ii) in clause (ii), (iii) and (iv) for the words “Co chairman, Co-chairperson and Vice chairperson” the word “Member” shall respectively be substituted.

**35. Amendment of section 310.-** In section 310 of the principal Act, in sub – section (2), for clause (e), the following shall be substituted, namely:-

“(e) such number of person not less than four fifth of the total number of members of committees as may be specified by the Government elected in the prescribed manner from amongst the members of the Zilla Panchayats, Taluk Panchayats, Town Panchayats and Councilors of the Municipal corporations and Municipal councils in the district in proportion to the ratio between population of the rural areas and urban areas in the District”.

**36. Amendment of schedule IV.-** In the schedule IV of the Principal Act,-

- (i) under the heading 'A Tax on building' in item (ii), for the entries in column (3), the following shall be substituted, namely:-

“

- |      |                        |   |              |
|------|------------------------|---|--------------|
| “(a) | Small Scale Industry   | - | 0.40 percent |
| “(b) | Medium Scale Industry  | - | 0.50 percent |
| “(c) | Large Scale Industries | - | 0.60 percent |
- on the capital value of the property

- (ii) after the entries relating to “B.Vacant land measuring” the following shall be inserted, namely:-

- |    |     |  |   |              |                                      |
|----|-----|--|---|--------------|--------------------------------------|
| “C | (1) | Run way area of an Airport   | - | 0.10 percent | on the Capital value of the property |
|    | (b) | In case of vacant Land in Airport or Industrial area where plantations are grown | - | No tax       | ”                                    |

**37. Repeal and savings.-** (1) The Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2020 (Karnataka Ordinance No. 2 of 2020), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

**STATEMENT OF OBJECTS AND REASONS**

It is considered necessary to amend the Karnataka Grama Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to provide for,-

- (a) reduction of the term of office of Adhyaksha and Upadhyaksha of Gram Panchayat, Taluk Panchayat and Zilla Panchayat to thirty months;
- (b) motion of no confidence against Adhyaksha or Upadhyaksha not earlier than fifteen months;
- (c) the Deputy Commissioner to preside while no confidence motion is considered in Taluk Panchayat and the Regional Commissioner to preside while no confidence is considered in Zilla Panchayat;
- (d) certain election reforms are also provided;
- (e) closing of liquor shops during forty-eight hours before closing the polling of election of Panchayats;
- (f) rationalisation of property tax in respect of Industries and vacant land; and
- (g) certain consequential amendments connected therewith or incidental thereto.

As the matter was urgent and the Karnataka Legislative Assembly and the Karnataka Legislative Council were not in session, the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2020 (Karnataka ordinance No. 2 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence the Bill.

**EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1)  
OF RULE 80 OF THE RULES OF PROCEDURE AND CONDUCT  
OF BUSINESS IN THE KARNATAKA LEGISLATIVE ASSEMBLY.**

It is considered necessary to amend the Karnataka Grama Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to provide for,-

- (a) reduction of the term of office of Adhyaksha and Upadhyaksha of Gram Panchayat, Taluk Panchayat and Zilla Panchayat to thirty months;
- (b) motion of no confidence against Adhyaksha or Upadhyaksha not earlier than fifteen months;
- (c) the Deputy Commissioner to preside while no confidence motion is considered in Taluk Panchayat and the Regional Commissioner to preside while no confidence is considered in Zilla Panchayat;
- (d) certain election reforms are also provided;
- (e) closing of liquor shops during forty-eight hours before closing the polling of election of Panchayats;
- (f) rationalisation of property tax in respect of Industries and vacant land; and
- (g) certain consequential amendments connected therewith or incidental thereto.

As the matter was urgent and both the Houses of the State Legislature were not in session, the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2020 (Karnataka ordinance No. 2 of 2020) was promulgated to achieve the above object.



**FINANCIAL MEMORANDUM**

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

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

**Clause 25:** Sub-section (3) of section 179 sought to be inserted by sub-clause (i), empowers the State Government to make rules regarding the procedure of deemed vacation of office of Adhyaksha and Upadhyaksha of Zilla Panchayat when a resolution expressing want of confidence in him is passed.

The proposed delegation of Legislative power is normal in character.

**K. S. ESHWARAPPA**  
Minister for Rural Development  
and Panchayat Raj

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

## ANNEXURE

## Extract from the Karnataka Gram Swaraj and Panchayat Raj Act, 1993

(Karnataka Act 14 of 1993)

XX

XX

XX

**2. Definitions.**- In this Act, unless the context otherwise requires,-

XX

XX

XX

**(18) "infectious disease"** means cerebro-spinal fever, chicken pox, cholera, diphtheria, enteric fever, epidemic influenza, leprosy, measles, plague, rabies, scarlet fever, small-pox, tuberculosis, typhus, yaws or any other disease which the Government may notify in this behalf either generally throughout the State or in such part or parts thereof as may be specified in the notification;

XX

XX

XX

**5. Constitution of GramaPanchayat.- (1)** XX

XX

XX

**(4)** Not less than fifty percent of the seats reserved in each category, for persons belonging to the Scheduled Castes, Scheduled Tribes and Backward classes and of the non-reserved seats in the Grama Panchayat shall, subject to the general or special order of the State Election Commission, be reserved by the Deputy Commissioner for women subject to an overall limit of one half rounding of to the next number:

Provided that the seats reserved under sub-sections (2), (3) and (4) shall be allotted by rotation, to different constituencies in the Panchayat area and such rotation shall be continued for a period of ten years

XX

XX

XX

**7. Method of voting and procedure for election.**-(1) Every voter shall have as many votes as there are members to be elected for the constituency. No voter shall give more than one vote to any one candidate.

(2) Subject to the provisions of this Act, elections to the Grama Panchayat shall be held by ballot on non-party basis in accordance with such rules as may be prescribed.

XX

XX

XX

**12. Disqualification for members.**-- A person shall be disqualified for being chosen and for being a member of a Grama Panchayat,-

XX

XX

XX

(1) if he is found guilty, directly involved in any act of misuse or abuse of power or authority as member of the panchayat in executing any scheme, plan or project of the panchayat or of misappropriation of funds or other assets of the panchayat during the term of his membership.

Provided that,-

(a) the disqualification in clause (c) will cease to operate after the expiry of the period during which a person is ordered to furnish security;

(b) the disqualification in clauses (b), (d), or (e) will cease to operate after the expiry of six years from the date of such sentence or dismissal, or disenrollment or earlier by an order of the Government;

(c) the disqualification in clause (f) will cease to operate after the expiry of six years from the date of such removal;

(d) a person shall not be deemed to have incurred disqualification under clause (h) by reason of his,-

(i) ) having a share in any joint stock company or a share or interest in any association registered under the Karnataka Societies Registration Act, 1960(Karnataka Act 17 of 1960) or

in any co-operative society, which shall contract with or be employed by or on behalf of the Grama Panchayat; or

(ii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Grama Panchayat is inserted; or

(iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the Grama Panchayat.

XX

XX

XX

**43A. Removal of members.**— (1) The Government if it thinks fit, on the recommendation of the Gram Panchayat, or otherwise, may remove any member after giving him an opportunity of being heard and after such enquiry as it deems necessary, —

(i) if he has been guilty of misconduct in the discharge of duties or of any disgraceful conduct;

(ii) become incapable of performing duties as a member, or persistently remiss in performing duties; (a) on being medically unfit to hold the post as may be certified by the district surgeon; (b) as a result of insolvency or of unsound mind,

(iii) has failed to attend four consecutive meetings of the panchayat, and in the case of an Adhyaksha or Upadhyaksha, failed to convene two consecutive meetings which were either due or were necessary;

(iv) if the member, by coercion or fraud entice any voter or member of Gram Panchayat or Taluk Panchayat or Zilla Panchayatas as the case may be to trade the post of member or Adhyaksha or Upadhyaksha of Gram Panchayat or Taluk Panchayat or Zilla Panchayat, as the case may be, during election for a consideration.

(v) in the execution of any work of the panchayat, contractual or otherwise found involved directly with any person who is a nearest relative in the family or otherwise associated in any transaction related to such work as a partner, employee or a member on the Committee of such organisation, or otherwise.

Explanation: For the purpose of this section, nearest relative in the family

XX

XX

XX

**44. Election of Adhyaksha and Upadhyaksha.**—XX

XX

XX

XX

XX

(2) Subject to the general or special order of the State Election Commission, the Deputy Commissioner shall reserve,—

XX

XX

XX

(c) not less than fifty percent of the total number of offices of Adhyaksha and Upadhyaksha of Grama Panchayats in the State from each of the categories which are reserved for persons belonging to the Scheduled Castes, Scheduled Tribe and Backward Classes and of those which are non-reserved, for women Subject to an overall limit of one half of the total number rounding of to the next number;

Provided that the offices reserved under this sub-section shall be allotted by rotation to different Grama Panchayats.

XX

XX

XX

**46. Term of office and conditions of service of Adhyaksha and Upadhyaksha.**—(1) The term of office of every Adhyaksha and every Upadhyaksha of the Grama Panchayat shall, save as otherwise provided in this Act, be five years from the date of his election or till he ceases to be a member Grama Panchayat, whichever is earlier.

XX

XX

XX

**48. Resignation or removal of Adhyaksha and Upadhyaksha.**— (1) The Adhyaksha of the Grama Panchayat may resign his office by writing under his hand addressed to the Assistant Commissioner and the Upadhyaksha of the Grama Panchayat may resign his office by writing under his hand addressed to the Adhyaksha and in absence of the Adhyaksha to the Assistant Commissioner.

Provided that Adhyaksha or Upadhyaksha of a Gram Panchayat shall,—

(i) on the grounds of proven physical or mental incapacity certified by a competent authority approved by the State Election Commission; or;

(ii) on the grounds of securing employment in central Government or State Government or public undertakings; -resign his office or membership, or be liable for removal.

Provided further that the Assistant Commissioner shall enquire into the cause of resignation and satisfy that resignation has not been submitted under threat, coercion, undue influence and allurements and is submitted voluntarily;

Provided also that the Deputy Commissioner shall enquire after receipt of a complaint that resignation is submitted under threat, coercion, undue influence and allurements and is not submitted voluntarily, shall not accept such resignation

XX

XX

XX

(4) Every Adhyaksha and Upadhyaksha of Grama Panchayat shall, after an opportunity is afforded for hearing him, and if necessary after obtaining a report from the Taluk Panchayat and considering the same be removable from his office as Adhyaksha or Upadhyaksha by the Government for being persistently remiss or guilty of misconduct in the discharge of his duties and an Adhyaksha or Upadhyaksha so removed who does not cease to be a member under sub-section (2) shall not be eligible for re-election as Adhyaksha or Upadhyaksha during the remaining term of office as member of such Grama Panchayat.

XX

XX

XX

**49. Motion of no-confidence against Adhyaksha or Upadhyaksha of Grama Panchayat.-** (1) Every Adhyaksha or Upadhyaksha of Grama Panchayat shall forthwith be deemed to have vacated his office if a resolution expressing want of confidence in him is passed by a majority of not less than two thirds of the total number of members of the Grama Panchayat at a meeting specially convened for the purpose in accordance with the procedure as may be prescribed:

Provided that no such resolution shall be moved unless notice of the resolution is signed by not less than one-half of the total number of members and at least ten days notice has been given of the intention to move the resolution:

Provided further that no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved within the first thirty months from the date of his election:

Provided also that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negatived by a Grama Panchayat a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, within two years from the date of the decision of the Grama Panchayat.

(2) Notwithstanding anything contained in sub-section (1), no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved except on specific allegation of misuse or abuse of power or authority in executing any scheme, action plan or direction of Government or project of the panchayat or of misappropriating funds or other assets of the panchayat during the term of his membership or otherwise indulging in corruption or misconduct in the course of exercising his functions

XX

XX

XX

**58. Functions of Grama Panchayat.-**(1) The Grama Panchayat shall perform the functions specified in Schedule I:

Provided that where the State Government or Central Government provide funds for the performance of any function specified in Schedule I, the Grama Panchayat shall perform such function in accordance with the guidelines or norms laid down for performing such function.

(1A) Notwithstanding anything contained in sub-section (1) and Schedule I, it shall be obligatory on the part of a Grama Panchayat in so far as the Grama Panchayat fund at its disposal will allow, to make reasonable provision within the panchayat area in regard to the following matters, namely:-

- (i) providing sanitary latrines to not less than ten per cent of the households every year and achieve full coverage as early as possible;
- (ii) constructing adequate number of community latrines for the use of men and women and maintaining them;
- (iii) maintaining water supply works either on its own or by annual contract by generating adequate resources;
- (iv) revising and collecting taxes, rates and fees periodically which are leviable under the Act;
- (v) ensuring universal enrollment of children in primary school;
- (vi) achieving universal immunisation of children;
- (vii) ensuring prompt registration and reporting of births and deaths;
- (viii) providing sanitation and proper drainage;
- (ix) construction, repair and maintenance of public streets;

- (x) removing encroachments on public streets or public places;
- (xi) providing adequate number of street lights and paying electricity charges regularly;
- (xii) filling-up insanitary depressions and reclaiming unhealthy localities;
- (xiii) destruction of rabid and ownerless dogs;

XX

XX

XX

**64. Regulation of the erection of buildings.-** (1) Subject to such rules as may be prescribed, no person shall erect any building or alter or add to any existing building or set up mobile towers atop or alongside or in any vacant space within the premises or reconstruct any building without the written permission of the Grama Panchayat. The permission may be granted on payment of such fees as may be specified by bye-laws.

XX

XX

XX

**111. Panchayat Development Officer and other officers.-**

XX

XX

XX

(3) Without prejudice to the generality of the provisions under subsection (2), the Panchayat Development Officer shall perform the following functions, namely:-

XX

XX

XX

(f) disburse Grama Panchayat fund and plan fund to the officers concerned and furnish utilization certificate in the manner prescribed

XX

XX

XX

**123. Reservation of Seats.-**

XX

XX

XX

(3) Not less than fifty percent of the seats reserved for each category of persons belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes and those of the non-reserved seats in a Taluk Panchayat shall be reserved by the State Election Commission for women subject to an overall limit of one half rounding of to the next number:

Provided that the seats reserved under sub-sections (1), (2), and (3) shall be allotted by rotation to different constituencies in the Taluk 1 and such rotation shall be continued for a period of ten years

XX

XX

XX

**128. Disqualification for members.--** (1) A person shall be disqualified for being chosen and for being member of a Taluk Panchayat,-

(a) if he is so disqualified by or under any law for the time being in force for the purposes of the elections to the State Legislature:

Provided that no person shall be disqualified on the ground that he is less than twenty five years, if he has attained the age of twenty-one years;

XX

XX

XX

(k) if he is employed as paid legal practitioner on behalf of the Taluk Panchayat or accepts an employment as legal practitioner against the Taluk Panchayat:

Provided that,-

(a) the disqualification in clause (d) will cease to operate after the expiry of the period during which a person is ordered to furnish security;

(b) the disqualification in clauses (c), (e), or (f) will cease to operate after the expiry of five years from the date of such sentence, dismissal or disenrollment or removal; (c) the disqualification in clause (g) will cease after the expiry of five years from the date of such removal;

(cc) the disqualification under clause (j-1) will cease to operate after the expiry of three years from date of order by the State Election Commission under section 308C.

(d) a person shall not be deemed to have incurred disqualification under clause (i) by reason of his,-

(i) having a share in any joint stock company or a share or interest in any association registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of

1960) or in any co-operative society, which shall contract with or be employed by or on behalf of the Taluk Panchayat, or

(ii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Taluk Panchayat is inserted, or

(iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the Taluk Panchayat

XX

XX

XX

**136. Removal of members.-** (1) The Government if it thinks fit, on the recommendation of the Taluk Panchayat or otherwise, may remove any member after giving him an opportunity of being heard and after such enquiry as it deems necessary, -

(i) if he has been guilty of misconduct in the discharge of duties or of any disgraceful conduct;

(ii) become incapable of performing duties as a member or persistently remiss in performing duties;-

(a) on account of medically unfit to hold the post as may be certified by the district surgeon;

(b) as a result of insolvency or of unsound mind,

(iii) has failed to attend four consecutive meetings of the panchayat and in the case of an Adhyaksha or Upadhyaksha, failed to convene two consecutive meetings which were either due or were necessary; or

(iv) if the member, by coercion or fraud entice any voter or member of Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be, to trade the post of member or Adhyaksha or Upadhyaksha of Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be during election for a consideration.

(v) in the execution of any work of the panchayat, contractual or otherwise found involved directly with any person who is a nearest relative in the family or otherwise associated in any transaction related to such work as a partner, employee or a member on the Committee of such organisation, or otherwise.

XX

XX

XX

**138. Election of Adhyaksha and Upadhyaksha and term of office.-**

XX

XX

XX

(2) There shall be reserved by the Government, in the prescribed manner,-

(a) such number of offices of Adhyaksha and Upadhyaksha of Taluk Panchayat in the State for the persons belonging to the Scheduled Castes and Scheduled Tribes and the number of such offices bearing as nearly as may be the same proportion to the total number of offices in the State as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State;

XX

XX

XX

(3) The term of office of every Adhyaksha and every Upadhyaksha of Taluk Panchayat shall, save as otherwise provided in the Act, be five years from the date of his election or till he ceases to be a Member of Taluk Panchayat, whichever is earlier

**140. Resignation or removal of Adhyaksha and Upadhyaksha.-**

XX

XX

XX

(3) Every Adhyaksha and every Upadhyaksha of the Taluk Panchayat shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed after a notice is given by one half of the elected members and passed by majority of two thirds of total elected members

Provided that no resolution expressing want of confidence in Adhyaksha or Upadhyaksha shall be moved within thirty months, from the date of his selection:

Provided further that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negatived by a Taluk Panchayat, a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, within two years

**XX                      XX                      XX**

(4) Every Adhyaksha and Upadhyaksha of the Taluk Panchayat shall, after an opportunity is afforded for hearing him, and if necessary after obtaining a report from the Zilla Panchayat and considering the same be removable from his office as Adhyaksha or Upadhyaksha by the Government for misconduct in the discharge of his duties, for being persistently remiss in the discharge of his duties and an Adhyaksha or Upadhyaksha so removed who does not cease to be a member under subsection (2) shall not be eligible for re-election as Adhyaksha or Upadhyaksha during the remaining term of office as member of such Taluk Panchayat.

**141. Meetings of Taluk Panchayat.-**

**XX                                      XX                                      XX**

(6) Notwithstanding anything contained in this Act where a meeting is convened to consider a motion expressing want of confidence,-

- (i) in the Adhyaksha, it shall be presided over by the Upadhyaksha,
- (ii) in the Upadhyaksha, it shall be presided over by the Adhyaksha,
- (iii) in both the Adhyaksha and Upadhyaksha, it shall be presided over by a member elected from amongst the elected members present at the meeting.

**XX                                      XX                                      XX**

**160. Elected members.-** The elected members of the Zilla Panchayat shall consist of not less than twenty persons elected from the Taluks in the district, the number of members to be elected from each Taluk being fixed by the Government in accordance with the scale of one member for every population between thirty five thousand and forty-five thousand or part thereof of the population :

Provided that in case of,-

- (i) Uttara Kannada and Chickmagalur district it shall be one member for every thirty thousand or part thereof of the population;
- (ii) Bangalore Urban district, it shall be one member for every twenty thousand or part thereof of the population;
- (iii) Kodagu district, it shall be one member for every eighteen thousand or part thereof of the population.

**XX                                      XX                                      XX**  
**162. Reservation of seats.-XX                                      XX                                      XX**

(3) Not less than fifty percent of the seats reserved for each category of persons belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes and those of the non-reserved seats in the Zilla Panchayat shall be reserved by the State Election Commission for women subject to an overall limit of one half rounding of to the next number :

Provided that the seats reserved under sub-sections (1), (2) and (3) shall be allotted by rotation to different constituencies in the district and such rotation shall be continued for a period of ten years:

**XX                                      XX                                      XX**

**167. Disqualification for members.-** (1) A person shall be disqualified for being chosen and for being member of a Zilla Panchayat,-

**XX                                      XX                                      XX**

(k) if he is disqualified under the Karnataka Local Authorities (Prohibition of Defection ) Act, 1987;

Provided that,-

(a) the disqualification in clause (c) will cease to operate after the expiry of the period during which a person is ordered to furnish security;

(b) the disqualification in clause (b), (d), or (e) will cease to operate after the expiry of five years from the date of such sentence or dismissal or disenrollment or removal by an order of the Government;



(c) the disqualification in clause (f) will cease after the expiry of five years from the date of such removal;

(cc) the disqualification under clause (j-1) will cease to operate after the expiry of three years from the date of order by the State Election Commission under section 308C

XX

XX

XX

**175. Removal of members,-** (1) The Government if it thinks fit on the recommendation of zilla panchayat, may remove any member after giving him opportunity of being heard and after such enquiry as deems necessary, -

(i) if he has been guilty of misconduct in the discharge of duties or of any disgraceful conduct;

(ii) become incapable of performing duties as a member or persistently remiss in performing duties;

(a) on being medically unfit to hold the post as may be certified by the district surgeon;

(b) as a result of insolvency or of unsound mind,

(iii) has failed to attend four consecutive meetings of the panchayat and in the case of an Adhyaksha or Upadhyaksha, failed to convene two consecutive meetings which were either due or were necessary; or

(iv) if the member, by coercion or fraud entice any voter or member of Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be, to trade the post of member or Adhyaksha or Upadhyaksha Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be during election for a consideration;

(v) in the execution of any work of the panchayat, contractual or otherwise found involved directly with any person who is a nearest relative in the family or otherwise associated in any transaction Panchayat Raj related to such work as a partner, employee or a member on the Committee of such organisation, or otherwise. Explanation: For the purpose of this section, nearest relative in the family

XX

XX

XX

**177. Election of Adhyaksha, Upadhyaksha and term of office.-**

XX

XX

XX

(2) There shall be reserved by the Government, in the prescribed manner,-

XX

XX

XX

(c) not less than fifty percent]1 of the total number of offices of Adhyaksha and Upadhyaksha in the State from each categories reserved for person belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes and those which are non-reserved, for women subject to an overall limit of one half rounding of to the next number :

Provided that the offices reserved under this section shall be allotted by rotation to different Zilla Panchayats.

XX

XX

XX

(3) The term of office of every Adhyaksha and every Upadhyaksha of Zilla Panchayat shall, save as otherwise provided in the Act, be five years from the date of his election or till he ceases to be a Member of Zilla Panchayat, whichever is earlier.

XX

XX

XX

**179. Resignation or removal of Adhyaksha and Upadhyaksha.-**

XX

XX

XX

(3) Every Adhyaksha and every Upadhyaksha of Zilla Panchayat shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed after a notice is given by one half of the elected members and passed by majority of two thirds of total elected members

Provided that no resolution expressing want of confidence in an Adhyaksha or Upadhyaksha shall be made within thirty months from the date of his election:

Provided further that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negated by the Zilla Panchayat, a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, within two years from the date of the decision of the Zilla Panchayat.

**XX                      XX                      XX**

**180. Meetings of Zilla Panchayat.-**

**XX                      XX                      XX**

(6) Notwithstanding anything contained in this Act, where a meeting is convened to consider a motion expressing want of confidence,-

(i) in the Adhyaksha, it shall be presided over by the Upadhyaksha;

(ii) in the Upadhyaksha, it shall be presided over by the Adhyaksha;

(iii) in both the Adhyaksha and the Upadhyaksha, it shall be presided over by a member elected from amongst the elected members present at the meeting.

**XX                      XX                      XX**

**196. Chief Executive officer and other officers.-** (1) The Government shall appoint an officer not below the rank of the Deputy Commissioner of a district as Chief Executive Officer of the Zilla Panchayat:

Provided that if a suitable officer not below the rank of the Deputy Commissioner of a District is not available for appointment as Chief Executive Officer of the Zilla Panchayat, the Government may for a period of three years from the date of commencement of the Karnataka Panchayat Raj (Amendment) Act, 1998 appoint an officer of the Karnataka Administrative Service (Selection Grade) or an officer belonging to the Development and Local Government Branch of the Karnataka General Services holding a post in a Grade equal to that of the Karnataka Administrative Service (Selection Grade) as Chief Executive Officer of the Zilla Panchayat.

**XX                      XX                      XX**

**197. Functions, powers and duties of the Chief Executive Officer and other officers.-XX**

**XX                      XX**

(3) If the Zilla Panchayat or any of its committees or the Adhyaksha passes the resolution or order without resolving the inconsistency referred to in sub-section (2) it shall be the duty of the Chief Executive Officer, notwithstanding any other provisions in this Act, to forward forthwith to the Government under intimation to the Adhyaksha a copy of the said resolution or order along with his written note and he shall not implement such resolution or order otherwise than as decided by the Government:

Provided that if the Government does not communicate its decision within fifteen days from the date of receipt of such letter, the Chief Executive Officer shall take action to implement such resolution of the Zilla Panchayat or the committee or the order of the Adhyaksha.

**XX                      XX                      XX**

**237. Power of suspending execution of unlawful orders or resolution.-**(1) If in the opinion of the Adhyaksha of Taluk Panchayat, the execution of any order or resolution of a Grama Panchayat or any order of any authority or officer of the Grama Panchayat or the doing of anything which is about to be done, or is being done, by or on behalf of a Grama Panchayat is unjust, unlawful or improper or is causing or is likely to cause injury or annoyance to the public or to lead to a breach of peace, he may by order suspend the execution or prohibit the doing thereof.

**XX                      XX                      XX**

**308AA. Schedule of elections.-** The State Election Commission shall complete the election process before the expiry of the term of the panchayat and shall announce the reservation of seats and the schedule of elections, not less than forty five days before the issue of notification of calendar of events.

**XX                      XX                      XX**

**308AB. Notification of dates for nominations etc. -** (1) As soon as the notification of election to elect a member is issued, the Returning Officer shall, by notification in the Official Gazette, notify, -

(a) the last date for making nominations which shall be the third day after the date of publication of the first mentioned notification or if that day is a public holiday, the next succeeding day which is not a public holiday;

XX

XX

XX

(d) the date or the dates on which a poll shall, if necessary, be taken or the first of which shall be a date not earlier than in the case of Gram Panchayat the fifth day, and in case of Taluk Panchayat and Zilla Panchayat the seventh day, after the last date for the withdrawal of candidature;

XX

XX

XX

**308AC. Prevention of corrupt practices during elections.**— (1) The state election commission shall with a view to prevent corrupt practices like bribe and undue influence during elections, take the following steps, namely:—

(a) the code of conduct shall be brought into force from the date of notification of election to the date of declaration of results;

(b) returning officers at the polling booths shall ensure video-graphic recording of the proceedings of the election at each polling station;

(c) all liquor shops and liquor manufacturing units within the Panchayat area where the code of conduct is in force shall be completely closed over the entire period during which code of conduct of election is in force. The owners, occupiers and the managers, as the case may be, of the liquor shops and liquor manufacturing units shall seal their units during the period the code of conduct is in force and deposit the seal and the keys with the deputy commissioner or the jurisdictional executive magistrate. Anybody found in possession of liquor or creating public nuisance after consuming liquor during the closer period of liquor shops shall be kept in preventive custody till completion of the polling date. Violations of the code conduct during the period shall be a cognizable and non-bailable offence and be punishable with fine and imprisonment under relevant law for the time being in force.

XX

XX

XX

**308B. Lodging of account with the returning officer.**— Every contesting candidate at the election to the Zilla Panchayat or Taluk Panchayat under this Act shall within thirty days from the date of election of the returned candidate or, if there are more than one returned candidate at the election and the dates of the election are different, the later of those two dates lodge with the Returning Officer appointed at an election under this Act an account of his election expenses which shall be a true copy of the account kept by him or by his election agent under section 308A.

XX

XX

XX

**309D. Taluk planning and development committee.**— (1) There shall be established in every Taluk, a Taluk planning and development committee for the purpose carrying out the integration of planning at the taluk level consisting of:—

- i. Member of Legislative Assembly representing major parts of the Taluk Chairman – Chairman
- ii. The Adhyaksha of the concerned Taluk Panchayat, Co-Chairman.
- iii. The president of the largest urban local self-Government at the headquarters of the taluk, Co-chairperson.
- iv. One Adhyaksha from a Gram Panchayat selected by lot from among the Adhyaksha of all the Gram Panchayats in the taluk Vice-chairperson.

XX

XX

XX

**310. District Planning Committee.**—XX

XX

XX

(2) The district planning committee shall consist of,–

(a) The Minister in charge of the concerned District ----- Member

(b) The Adhyaksha of the Zilla Panchayat ----- Member

(c) The presidents of the Taluk Panchayat who is the ex-officio cochairperson of Taluk Planning and Development Committee ---Member

(d) The vice-chairperson of the Taluk Planning and Development Committee (elected by Gram Panchayat of the taluk) from each Taluk in the district----- Member”

(e) Such number of person not less than four fifth of the total number of members of committees as may be specified by the Government elected in the prescribed manner from amongst the members of the Zilla Panchayats, Taluk Panchayat, Town Panchayats and councilors of the

Municipal corporation and Municipal councils in the District in proportion to the ratio between the population of the rural areas and urban areas in the District –Member

XX

XX

XX

**SCHEDULE-IV****(See Section 199)****Tax on Property****:Tax On Buildings**

<b>A</b>	<b>Tax On Buildings</b>	<b>Rate per annum</b>
	<p>(i) Residential buildings;</p> <p>(ii) Commercial buildings;</p> <p>(iii) Industries, factories, IT Parks, Hardware Park, Textile Park, Bio-Tech Park, Power plants Hydro, Thermal, Solar Plants Wind Mills &amp; Airport including connected area etc. (in the KIADB Industrial area, SEZ and other Industrial area or zones notified by the Government from time to time).</p> <p><b>B. Vacant land measuring:-</b></p> <p>a) Not More than 1000 square meter.</p> <p>b) More than 1000 sq. mtr. But not more than 4000 sq. mtr.</p> <p>c) Vacant land measuring above 4000 sq. mtrs.</p> <p>XXX</p>	<p>Not less than 0.05% but not more than 0.10% on Capital Value of the Property.</p> <p>Not less than 0.20% but not more than 0.5% on Capital Value of the Property.</p> <p>Not less than 0.4% but not more than 1 % on Capital Value of the Property.</p> <p>Not less than 0.05% but not more than 0.1% on Capital Value of the Property.</p> <p>Not less than 0.025% but not more than 0.05% on Capital Value of the Property.</p> <p>XXX</p>