



KARNATAKA LEGISLATIVE ASSEMBLY
FIFTEENTH LEGISLATIVE ASSEMBLY
SIXTH SESSION

THE KARNATAKA MUNICIPAL CORPORATIONS (AMENDMENT) BILL, 2020
(LA Bill No. 05 of 2020)

A Bill further to amend the Karnataka Municipal Corporations Act, 1976.

Whereas it is expedient further to amend the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) 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, namely:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Municipal Corporations (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 108-A.- In the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) (hereinafter referred as the Principal Act), in section 108-A, in sub-section (3), after the proviso the following shall be inserted, namely:-

"Provided further that, whoever constructs or reconstructs any building or any part of the building without obtaining permission under this Act or in contravention of any of the condition specified in such permission granted under this Act or any rule or any byelaw made there under, shall be liable to pay every year a penalty of an additional amount in respect of such floor area or deviation constructed in excess of the permitted area or in violation of the permission granted equal to the property tax leviable on such floor area or deviation of the building levied under sub-section (3), so long as it remains as unlawful construction and without prejudice to any proceedings which may be instituted against him in respect of such unlawful construction:"

3. Amendment of section 423.- In the Principal Act, in section 423, in sub-section (7), in clause (bb) for the words "such fee or" the words "such one time fee and" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977),-

(i) to control unauthorized construction of buildings in the jurisdiction of Bruhat Bengaluru MahanagaraPalike by collecting property tax and penalty equal to property tax on the Buildings constructed without permission or in violation of Building Byelaws.

(ii) to levy fees and annual track rent on the cable including optional fibre cables laid by the Bruhat Bengaluru MahanagaraPalike.

Hence, the Bill.

FINANCIAL MEMORANDUM

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

B.S.YADIYURAPPA
Chief Minister

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

ANNEXURE
EXTRACT FROM THE KARNATAKA MUNICIPAL CORPORATIONS ACT, 1976
(KARNATAKA ACT 14 OF 1977)

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108A. Levy and calculation of property tax in respect of Bruhath Bangalore MahanagaraPalike.-

(1) Notwithstanding anything contrary contained in this Act, subject to such exemptions provided under this Act and such rules as may be prescribed, the property tax of all buildings or vacant lands or both situated within the city of Bruhath Bangalore MahanagaraPalike area shall be levied every year in the following manner.

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(3) The Bruhath Bangalore MahanagaraPalike may levy and collect the property tax from every building, vacant land or both including a building constructed in violation of the provisions of building byelaw or in an unauthorized layout or in a revenue land or from a building occupied without issuance of occupancy or completion certificate except the building constructed illegally in Government land, land belonging to any local body, any statutory body or an organization owned or controlled by the Government. The property tax collected from such building shall be maintained in a separate register:

Provided that levy and collection of property tax under this sub-section from such building does not confer any right to regularise violation made, or title, ownership or legal status to such building. Such buildings shall always be liable for any action for violation of law in accordance with the provisions of this Act or any other law.

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423. Power to make bye-laws.- Subject to the provisions of this Act, the rules and regulations, the corporation may make bye-laws,-

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(7) (a) for the laying out of streets, for determining the information and plans to be submitted with applications for permission to layout street; and for regulating the level and width of public streets and the height of buildings abutting thereon;

(b) for the regulation of the use of public streets, and the closing thereof or part thereof;

(bb) for the regulation of the laying of any cable including Optical Fibre Cables and imposing the conditions thereof and levying of such fees or annual track rent on the cable including Optical Fibre Cables so laid.

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