

Ordinance Summary

The Karnataka Town and Country Planning (Amendment) Ordinance, 2020

- The Karnataka Town and Country Planning (Amendment) Ordinance, 2020 was promulgated on May 22, 2020. The Ordinance amends the Karnataka Town and Country Planning Act, 1961. The Act provides for the regulation of planned growth of land use and development, and the making and execution of town planning schemes in the state. The Ordinance amends the Act to allow the phased development of layouts. Key features of the Ordinance include:
 - **Phased development of a layout:** Under the Act, the planning authority could issue final layout plans for registration purposes upon receiving the certificate of completion (of all infrastructural works in the whole layout) from concerned agencies. The Ordinance permits a three-phased development of a layout. Interested developers will be required to submit a phasing plan and a provisional plan to the Planning Authority. The phasing plan must indicate the development of: (i) 40% of the layout area in the first phase, and (ii) 30% of the layout area, each, in the next two phases.
 - **Phases-wise release of building sites:** In each phase, the planning authority will release all the concerned building sites upon the completion of all infrastructure development works under that phase. The types of infrastructure development works to be completed include: (i) construction and laying of roads, pavements and storm water drains, (ii) water supply and rain water harvesting works, (iii) development of parks, playgrounds, (iv) electrical works and laying of underground cables, and (v) tree planting.
 - Before the release under the first phase, the developer will also be required to : (i) relinquish roads, parks and playgrounds, and civic amenity areas (of the entire layout area), without claiming any compensation, and (ii) register the project under the Real Estate (Regulation and Development) Act, 2016.
 - For release of building sites under each phase, the developer will be required to obtain a certificate of completion for these works. The authorities for issuance of the certificate include: (i) urban local bodies and panchayat engineering departments for road works, (ii) water supply departments and drainage boards for water supply and drainage, and (iii) electricity supply companies for electrical works.
 - **Sanction for single plot:** The Act provides that the state government will prescribe certain standards for the approval of a layout for sub dividing a plot. These include the minimum extent of land to be considered for the layout and the minimum extent of area to be earmarked for amenities including parks, open spaces, civic amenity sites, and roads. A person seeking to subdivide his plot by making a layout needs to submit the detailed plan for sanction of the planning authority. The Ordinance states that this sanction process will also apply for a person developing a single plot.
 - **Playgrounds:** Under the Act, for sanction to be accorded by the planning authority, the layout plans will need to demarcate sites, street alignments, parks, and civic amenity areas, among others. The owner will also relinquish such roads and parks to the local authority without claiming any compensation. The Ordinance states that playgrounds will also have to be relinquished.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.