URBAN DEVELOPMENT SECRETARIAT

NOTIFICATION

NO.UDD 27 TTP 2016, BENGALURU, DATE:24.05.2017

Whereas, a draft of the Karnataka Planning Authorities (Allotment of Civic amenity sites) Rules, 2016, was published vide, Notification No. UDD 27 TTP 2016, dated 18-11-2016, in Part -IV A of the Karnataka Gazette Extraordinary, dated 18-11-2016, 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, 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 17(2A) read with sub-section (1) and clause (ff) of sub-section(2) of 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.-

RULES

1. Title, Commencement and application.- (1) These rules may be called the Karnataka Planning Authorities (Allotment ofCivic Amenity sites) Rules, 2016.

(3)These rules shall apply to all Planning Authorities in the State, excluding the Bangalore Development Authority constituted under the Bangalore Development Authority Act, 1976 (Karnataka Act 12 of 1976) and the Urban Development Authorities constituted under the Karnataka Urban Development Authority Act, 1987 (Karnataka Act 34 of 1987).

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

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

(b)**"Authority"** means the planning Authority **defined under section 2(7) of the Act;**

(c)**"Civic Amenity"** means,-

(1) The following Civic Amenities provided by the Central or State Government Department, Statutory body and Local Authority, namely:-

(a)(i) Water supply installations including treatment plants, Storage reservoirs and intermediate pumping stations;

(ii)Drainage and sanitary installations including Septic Tanks, Soak Pits and local Sewage Treatment Plants;

(iii)Sub-stations and Transformer yards;

(iv)Garbage collection, segregation and recycling centres; and

(v)Public Toilets.

(b)(i) Health facilities and Educational institutions;

(ii)Markets, Milk booth and fair price shop;

(iii)Bus stations;

(iv)Area office or a service station of the local authority or the Karnataka Urban Water Supply and Drainage Board or the Electricity Supply Companies (ESCOMs) and other utilities providing Government Departments and Statutory Bodies providing Public Utilities;

(v)Post office and Bank;

(vi)Gymnasiums and Libraries; and

(vii)Police station and Fire Station.

(c)Central or State Government Offices, Recreation centers, Religious and Cultural activity centers; and

(d)Anganavadi Centres and Hostels run by the State Government.

(2) Convention centers built and run by the local authority;

(3) Amenity run by an Institution on non-profitable basis like Educational Institutions and Health facilities run on non-profitable nature, Religious and Cultural activity centers, Charitable or philanthropic services; and

(4) any such other amenities that the Government may by notification specify.

(d) **"Civic Amenity Site"** means a site earmarked for Civic amenity in a layout approved by the Planning Authorityunder section 17;

(e) **"Form"** means a form appended to these rules;

(f) **"Institution"** means a society or an association registered under the Karnataka Societies Registration Act 1960(Karnataka Act 17 of 1960) or the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) or a trust created wholly for any Charitable purpose which may be a educational, religious or cultural organisation.

(g) **"Lease amount"** means the rent as may be fixed by the Authority having regard to all relevant factors including themarket value of the site;

(h) **"Lessee"** means an institution or a local authority or a Statutory body or a Department of Central or StateGovernment to which a civic amenity site is allotted and which has entered into an agreement with the Authority in that

behalf;

(i) **"Local Authority"** means a City Municipal Council, Town Municipal Council, Town Panchayat or Gram panchayatconstituted under the the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) and the karnataka Grama Swaraj and Panchayath Raj Act, 1993(Karnataka Act 14 of 1993);

(j) **"Market value"** means the value determined as per the guidance value of land in accordance with section 45B ofthe Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957); and

(k)**"Section"** means a section of the Act.

(2)Words and expressions used herein but not defined shall have the same meaning respectively assigned to them in the Act.

3. Allotment of area reserved for Civic Amenities.- (1) The Authority, shall have the power to allot on lease the civicamenity site to the Central and State Government, Local Authorities, Statutory bodies and institutions as defined in these rules , which are accrued under section 17. The Authority shall not sell or otherwise dispose of any area reserved for Civic Amenities for any purpose other than those mentioned in these rules and any disposition so made shall be null and void:

Provided that where the allottee commits breach of the conditions of allotment, the Authority shall have the right to resume such site after according an opportunity of being heard to such allottee or lessee.

(2) The authority, may, amalgamate two or more adjoining Civic Amenity sites in to one and sub-divide a Civic Amenity site into as many, based on the requirements strictly adhering to the space standards specified in the Zonal Regulations of the Interim Master plan/Master Plan approved under the Act.

4. Obtaining the Requirement of Civic Amenity Site for allotment in the Local Planning Area.- (1) The Authority shallseek the requirement list of Central or State Government Departments, Local Authorities and Statutory bodies providing public service delivery and the list of requirements received for allotment of Land or Civic Amenity site wherein the allotment is not done from the respective Deputy Commissioner of the District, annually.

(2)The Authority shall seek and ascertain the requirement of Civic Amenity sites from the Central or State Government Departments, Local Authority and Statutory bodies in the list provided by the Deputy Commissioner under sub-rule (1) and also from the other Central and State Government Departments, Local Authority and other Statutory bodies in the Local Planning Area, annually and their requirements for the subsequent five years.

(3) Assessment of requirements,-

(a) Whenever the authority seeks the requirements, under sub rule (2), the Central or State Government departments, Local Authority and Statutory bodies shall assess the need of the Civic Amenity sites, in case of utilities for the purposes specified under item

(a) and (b) of sub-clause (1) of clause (c) of sub-rule (1) of rule 2, considering the present and future requirements for a horizon period of fifteen years to thirty years for which it is mandated and intends to provide in the locality and shall comply with the service level bench marks as specified by the Government from time to time;

(b) Methodology for the assessment of requirements for the purposes specified under item (a) and (b) of sub-clause (1) of clause (c) of sub-rule (1) of rule 2, shall be as specified by the Government or the Department concerned from time to time:

Provided that in clause (a) above until the Government or the concerned Department specifies the methodology for such assessment, the competent officer of the concerned department shall not issue an endorsement saying that the department does not require any Civic Amenity site.

(c)Once the methodology is specified and made available to the Central or State Government Department, Local Authority and the Statutory Body, by the Government or the Department concerned, the requirements for the Civic Amenity site, sought by the authority, shall be forwarded with such necessary details as specified in these rules; and

(d) If the Central or State Government Department, Local Authority and the Statutory Body do not forward its requirements under sub-rule (2) and clause (c) of sub-rule (3), the Authority, shall send a request in this regard to the Deputy Commissioner of the District to ascertain such requirements of the agency concerned and decision of the Deputy Commissioner in this regard shall be final.

***(*4) Publication of Civic amenity sites of the Authority.-**

The list of the Civic Amenity sites available for allotment shall be uploaded on the website of the Authority periodically

5. Offer of Civic Amenity site for allotment to Central or State Government Department, Local Authority and Statutory Body.- (1) The Authority, may, offer the Civic Amenity sites, on priority, following the sequence for the purposes as defined underclause(C) of sub rule (1) of rule 2.

(2) The Planning Authority shall offer and allot Civic amenity sites, for the purposes as defined under clause(C) of sub rule (1) of rule 2, to the Central and State Government, Local Authorities and Statutory bodies established under the Central or State Government as under.

(a) The Authority, out of the Civic amenity sites available in the Planning Area, shall reserve such number of sites for the purpose of providing Civic Amenity referred to in item (a) of sub-clause (1) of clause (C) of sub rule (1) of rule 2:

Provided that the Authority has to ensure that sufficient Civic Amenity sites are made available for the purposes referred to in item (a) of sub-clause (1) of clause (c) of sub-rule (1) of rule 2 and the requirements obtained under rule 4 are met with;

(b) after fulfilling the requirements for the purposes referred to in item (a) of sub-clause (1) of clause (c) of sub-rule (1) of rule 2 as mentioned in clause (a) above, the Authority having regard to the particular type of Civic Amenity purposes, required to be provided in any locality under item (b) of sub-clause (1) of clause (c) of sub-rule (1) of rule 2, offer such remaining Civic Amenity sites to the Central or State Government Department, Local Authority and Statutory body; and

(c) after fulfilling the requirements for the purposes referred to in item (b) of sub-clause (1) of clause (c) of sub-rule (1) of rule 2 as mentioned in the clause (b) above, the Authority having regard to the

particular type of Civic Amenity purposes, required to be provided in any locality under item (c) and (d) of sub-clause (1) of clause (c) of sub rule (1) of rule 2, offer such remaining Civic Amenity sites to the Central or State Government Department, Local Authority and Statutory body, as the case may be and subsequently for the purpose under sub-clause (2) of clause (c) of sub-rule (1) of rule 2 to the Local Authority only.

(3) The terms and conditions for allomentof Civic Amenity site and the payment and renewal of the lease amount to the Authority shall be as specified under rule 14 and 15.

6. Offer of Civic Amenity site for Allotment to Institutions.- (1) After the exhaustion of the requirements and fulfilling thedemand of Civic Amenity sites for the purposes under sub-clause (1) and (2) of clause (c) of sub-rule (1) of rule 2, the Authority may, having regard to the particular type of Civic Amenity purposes under sub-clause (3) of clause (c) of sub rule (1) of rule 2 required to be provided in any layout, offer such remaining Civic Amenity sites for the purposes of allotment on lease basis to an Institution as specified in these rules

Provided that the authority shall offer such Civic Amenity sites to an institution not exceeding ten percent of the total Civic Amenity sites available within the Local Planning Area.

Provided further that the authority shall while offering the remaining Civic Amenity sites reserve and allot eighteen percent of such sites for being allotted to an institution established exclusively for the benefit of persons belonging to the Scheduled Castes and where majority of members of the institution belong to Scheduled Castes and three percent of such sites to an institution established exclusively for the benefit of persons belonging to the Scheduled Tribes and where majority of members of the institution consists of persons belonging to Scheduled Tribes and two percent of such sites to an institution established for benefit of physically and mentally disabled and if at the time of making allotment sufficient number of such institutions are not available and do not apply for, the remaining sites so reserved may be allotted to other institutions.

(2) The terms and conditions for allotment of Civic Amenity site and for the payment and renewal of the lease amount to the Authority shall be as specified in rule 14 and 15.

7. Disposal of sites reserved.- (1) The sites offered under rule 5 and 6 shall be allotted to the categories specified thereinon lease basis by the Authority for the purposes of providing Civic Amenity, subject to such terms and conditions as may be specified in rule 14 and such other conditions as may be specified by the Authority.

(2)The Authority reserves the right to change the designated usage of the Civic amenity site in the layout as per the requirement and the situation arising at the time of allotment.

(8)Registration.- (1) Every institution applying for Civic Amenity site shall register itself with the authority on payment ofregistration fee specified in the table below or at the rates revised and notified by the Government from time to time.

TABLE

Sl. No	Dimension of Civic Amenity Site in Sq.Mtr.	Fee in Rupees
1.	1000 and below	2,000/-
2.	Above 1000 but below 2000	4,000/-
3.	2000 and above but below 4000	8,000/-

4.	4000 and above	15,000/-

Form-I.

(3)The Central or State Government Department, Local Authority and Statutory bodies established under the Central or State Government are exempted from the payment of Registration fee for the allotment made under these rules.

(4)Institution which desires for more than one civic amenity site, shall register separately for each desired civic amenity site.

(5)The Registration once made shall be valid for subsequent allotment unless the institution withdraws the registration.

(6)The registration fee paid shall not be refundable or adjustable if a civic amenity site is allotted to an institution.

(7)Twenty five percent of the registration fee shall be forfeited towards service charges and rest of the amount shall be refunded to unsuccessful applicants at the time of withdrawal of registration.

9. Application.- (1) Due publicity shall be given in respect of Civic Amenity sites so offered on lease to the Institutions,specifying their location, number, dimension, purpose, lease amount and last date for submission of application and such other particulars as the Authority may consider necessary, by affixing a notice on the notice board of the office of the authority and also by publishing in not less than two daily newspapers in English and Kannada having wide circulation in the Local Planning Area.

Form No. II for allotment of a civic amenity site, along with **the payment of lease amount fixed under Rule-13 by the Authority**.

(3)The applications shall be submitted in person or sent by registered post so as to reach the office of the Chief Executive Officer of the Authority, before the last date
and time fixed for the receipt of such applications. The applications received after the due date and time fixed, which are defective and incorrect are liable to be rejected.

10. Eligibility.- (1) The authority may allot civic amenity site on lease only to an institution as defined under clause (f) of sub-rule (1) of rule 2 which are registered under rule ***8***.

(2) Preference shall be given to those institutions which have been registered under the relevant Acts two or more years prior to the date of application.

(3) Civic amenity site shall not be allotted to any institution unless the Authority is convinced that the institution has capacity to provide the type of civic amenity for providing which the site is offered.

11. Principles of selection of Institutions for leasing out Civic Amenity Sites.- The Authority shall consider the case ofeach institution on its merits and shall have special regard to the following principles in making the selection, namely:-

(a)the period of existence of the institution within the state and its registration under relevant Acts;

(b)the objectives and activities of the institution and public cause served by it since its establishment;

(c)the financial position of the institution;

(d) the benefit likely to accrue to the general public of the locality by allotment of the civic amenity site to such institutions;

(e)the bonafide and genuineness of the institution as made out in the annual reports, audit report etc;

(f)the present location of the Institution;

(g)the need of the civic amenity site by the institution for providing the civic amenity in the locality; and

(h)institution shall not claim any exemption in the lease amount as specified under rule 13. An affidavit in this regard shall be filed along with the application by the institution.

12. Procedure for Allotment in case of similar requirements.- (1)Where the requests are more than one within theircategory for allotment of a civic amenity site, from among the Government Departments, Local Authority, Statutory Bodies or Institutions as defined in clause (f) of sub rule (1) of rule 2, as the case may be, that fulfill all criteria for allotment, as specified in these rules, the Authority or any Officer of the Authority authorized in this behalf, shall allot by drawal of lots among the same category of applicants in the presence of all the applicants. The manner of drawal of lots shall be as decided by the Authority.

(2) The Chief executive officer of the Authority shall make arrangements for drawal of lots among all the eligible applicants within the same category of applicants.

Notice of not less than seven days specifying the date, time and venue of the drawal of lots shall be given to all the applicants fulfilling the criteria for the allotment.

13. Lease amount of the Site.- (1) The lease amount of the site to be allotted on lease basis shall be fixed by the authority,provided the value of the Civic Amenity site per Sq. Mtr. shall be fixed at not less than the Market value per Sq. Mtr. of the residential site in the layout.

(2) The lease amount may be paid in five annual instalments during the lease period by **Central or StateGovernment Department, Local Authority or Statutory bodies** subject to collection of interest at the rate of the prime lending rate of State Bank of India with the prior approval of the Authority.

(3)The lease amount of a Civic Amenity site notified while inviting applications may be altered by the Authority and the institutions may accept the site at the altered rate or decline allotment.

(4) Allotment may be made at fifty percent of the lease amount fixed by the Authority in the following cases only, namely:-

(a) Institutions established for the welfare of physically handicapped and

mentally retarded, Scheduled Caste and Scheduled Tribes;

(b) Educational institution run in only Kannada medium approved by the

Government; and

(c) The Central or State Government departments, Local authority and

Statutory body providing amenities for the purposes listed under item (a)

of sub clause (1) of clause (C) of sub-rule (1) of rule 2.

14. Conditions of allotment of Civic Amenity Sites.-

A. For Central/State Government, Local Authority, Statutory bodies.-

(1) The lease amount may be paid in five (5) annual installments during the lease period, subject to collection of interest at the rate of the prime lending rate of State Bank of India (SBI) with the prior approval of the Authority.

(2) The Central/State Government, Local Authority, Statutory body to which the civic amenity sites are allotted herein after referred to as "Allottee" shall within a period of ninety days from the date of receipt of notice of allotment pay to the authority either the balance lease amount in one lumpsum or pay the first annual installment of the lease amount.

(3) If the lease amount or the annual installment is not paid by the allottee within the period of ninety days, further extension of time not exceeding sixty days may be given and the allotee shall pay in addition, interest at the rate of the prime lending rate of State Bank of India (SBI) for the extended period. If the lease amount or the installment is not paid within such extended period the allotment shall stand cancelled.

(4)**The annual installment shall be paid as per Rule 13 and the terms and conditions of the lease agreement executed under sub-rule (2) of Rule 14.C**

B . Institutions.-

(1) On receipt of the application for allotment of Civic amenity site under Rule **9 (2)** and on following due procedure specified in these rules ,after the decision is made to allot the Civic amenity site by the Authority , the lease amount of the unsuccessful applicants shall be refunded within **three** days of such decision of allotment.

C. General conditions.-

(1) Allotment of Civic Amenity sites under these rules shall be on conditional lease basis for a period not exceeding thirty years.

(2) After the payment of the lease amount as specified in these rules ,and the decision to allot the site is made by the Authority, the Authority shall call upon the allottee to execute a lease agreement with such **Terms and Conditions as specified in**

Form III and after the execution of such agreement by it and the authority, the same shall be registered by the allottee. If the agreement is not executed and registered within forty five days after the Authority has called upon the allottee to execute such agreement, the registration fee paid **as the case may be** shall be forfeited and the allotment of the site shall stand cancelled. The amount paid by the allottee towards the lease amount shall be refunded after deducting such expenditure as might have been incurred by the Authority.

(3)As soon as may be possible, but not later than thirty days, after registered agreement is submitted to the Authority, the possession of the site shall be handed over to the lessee.

(4)The lease period commences from the date of registration of lease agreement.

(5) The lessee shall complete the construction of the building within a period of 3 years from the date of registration of the lease agreement or such extended period provided the total period does not exceed 10 years, as the authority may in any specified case by written order permit. If the building is not constructed within the said period, the allotment may, after giving reasonable notice to the lessee, be cancelled, the agreement revoked and the lessee evicted from the site by the authority and after forfeiting twenty five percent (25%) of the lease amount paid by the lessee, the authority shall refund the balance to the lessee.

(6)The lessee shall obtain the approval for the construction of the building on a Civic Amenity site from the Authority, prior to obtaining licence from the Local Authority concerned.

(7)With effect from the date of taking possession of the site, the lessee shall be liable to pay any tax, fee and cess payable in respect of the civic amenity site and any building erected thereon to the Local authority concerned.

(8)The lessee shall not become the owner, of, or derive any title to, the site allotted during the period of lease.

(9)The lessee shall not sub-divide or sub-lease or alienate, or create any charge on, the civic amenity site.

(10)The lessee shall exclusively use the site for providing the civic amenity for purpose which it is allotted.

(11)The lessee shall comply with the terms and conditions of the agreement executed and other rules, regulations, bye-laws of the Authority, City Municipal Council or the Town Municipal Council or Town Panchayat **or any local authority** as the case may be, for the time being in force.

15.Renewal of Lease Agreement.- (1) The lease may be renewed in favour of the lessee for a further period of thirty yearsby re-fixing the lease amount in accordance under rule 13 and as specified in these rules:

Provided that in case of renewal of lease, where in, the lessee has violated any of the conditions specified in these rules at any point of time during the preceding lease period, such a lease shall not be renewed and the lessee shall be evicted from the site by the authority and the Civic amenity site shall be resumed and vest with the Authority.

(2) If the lease is not renewed, or has been determined or terminated before the expiry of the lease, the site allotted along with the buildings thereon shall, after the expiry of the lease or as the case may be, after the termination or determination of the lease vest with the authority free of cost and free from all encumbrance and the authority shall have right to enter the premises and take possession thereon.

16. Maintenance of Register.- Every Authority shall maintain a register of Civic Amenity Sites. The register shall containnumber of Civic Amenity sites, location, purpose for which leased and period of lease, the details of the Civic Amenity Site leased out to the Central or State Government Departments, Statutory bodies and institutions, the extent Civic Amenity site leased, lease amount and such other particulars. The register shall be in

Form IV. The information about the civic amenity sites and the allotment details and balance of sites available with the Authority, shall be published annually in the website of the Authority.

17. Voluntary Surrender.- An allottee or a lessee may at any time after the allotment, during the lease period, surrender thecivic amenity site allotted or leased out by the Authority. On such surrender, the Authority shall refund the lease amount paid by the allottee without interest **after deducting ten percent of the lease amount** in respect of the said civic amenity site. The Authority shall not be liable to pay compensation for any kind of structure that may exist as on the date of surrender of Civic Amenity Site.

18. Review of allotment of Civic amenity site.-

(1) A copy for the information, with necessary details of any allotment of ***Civic amenity*** site made by the authority offered under ***rule*(5)*or (6)*** and**allotted under rule-7**shall be sent to the jurisdictional Additional Director or Joint Director of Zonal or Divisional officesof the Department of Town and Country Planning:

Provided that, the information so sent shall be reviewed by the designated officer as specified above and any discrepancies noticed may be intimated and necessary instructions or directions shall be issued to the Authority within thirty days of receipt of such information. The directions so issued shall be complied with by the Authority and intimated back to within sixty days, from the date of receipt of such directions.

In case of non compliance of the directions issued by the designated officer as specified above , the same shall be reported to the Secretary, Urban Development Department to initiate action on the discrepancies noticed.

19. Appeal.- An allottee or a lessee or any party aggrieved by any decision of the Authority within thirty days of such decision,may appeal to the Additional Director or Joint Director of the respective Zonal or Divisional offices of the Department of Town and Country Planning. The Appeals shall be disposed of after giving an opportunity of being heard to the applicant within ninety days of receiving such appeals.

20. Audit.- (1) The Additional Director or Joint Director of Town and Country Planning of the respective Zonal or Divisionaloffices of the Department of Town and Country Planning shall audit all transactions pertaining to allotment of Civic Amenity sites within six months of closure of every financial year.

(2) The Authority shall send the Audit reports along with compliance to the Government.

By Order and in the name of the Governor of Karnataka

NAGARAJ

Under Secretary to Government

Urban Development Department

FORM I
(see sub-rule-(2) of rule 8)
Registration

1.	1. Registration No		
2.	(a)	Name of the Institution	
	(b)	Name of the Head of the Institution:	
	(c)	Designation of the Head of the institution:	
	(d)	Name of the Authorised representative or person of contact of the Institution	
3.	Address		

4.	Registration fee details Amount paid: D.D.No: Date: Name of the Bank and the Branch	…… …… …….. ……. ……

…….

Signature of the registered person

…….

Signature of the registered person receiving the deposit Date:

FORM II

(see sub-rule-(2) of rule 9)

Application Form for Allotment of Civic Amenity Site vide, paper publication number:.....

Name of the Layout:

Purpose of Civic Amenity reserved for :

1. .	(a)	The name of the Applicant (Institution)	
	(b)	Name of the Office bearers of the Institution	
	(c)	Institution registration details and date of such registration (a copy of the certificate or registration to be enclosed by the institution)	
2	The date of the Resolution passed for seeking allotment (a copy to be enclosed)		
3	Address for communication		
4	Number of Enrolment with…….Planning Authority		
5	**Lease** Amount:		
	D.D.No.		
	Date:		
6	6 (a) Civic Amenity site number applied for :		
	(b) Purpose of Civic Amenity site:		
	(c) Location of Civic Amenity site		
7	How many times have you already applied to the authority for civic amenity site. Give details of application No with date and initial amount deposited.		
8	Details of the capacity of the institution to provide the type of Civic Amenity for which site is offered		

9	Whether your Institution is established exclusively for the benefit of Scheduled Castes or Scheduled Tribes and whether the majority of members belong to Scheduled Castes / Scheduled Tribes.	
10	The objectives and the activities of the institution and public cause served since its establishment (copy of annual report and audit report, if any to be enclosed)	
11	11 The Financial position of your institution	
12	12 Present Location of the Institution	

I/We Hereby declare that the above information is true to the best of my knowledge and nothing has been concealed. If the above information furnished by me is found to be wrong or false my application for allotment shall be rejected and the amount paid be forfeited to the Authority

Date: Signature of Applicant

FORM III

(see sub rule-C(2) of rule 14)

Registration

Lease Agreement

1.That this agreement of lease entered into this ……. day of …….. Two Thousand and …… Lease on the one part and the Planning Authority, represented by its Member Secretary, hereinafter called the Lessor on the other part. The terms 'Lessee' and 'Lessor' mentioned above in this agreement shall mean and include the successors in office or representatives or assigns with: witnessed as follows.-

2.That the Lessee applied for the lease of Civic amenity site to the lessor for the benefit and use of the said site for the construction of…….. for the specific purpose mentioned here under the lessor having agreed to for lease of the scheduled land to the lessee subject to the terms and conditions mentioned hereafter. That the lease property which is more fully described in the schedule to this agreement has been leased for a period of Thirty years commencing from the date of issue of the Possession Certificate.

3.That the lessee having agreed to pay the Lessor principal of the lease amount of Rs. …… (Rupees……..) Which is worked out in
accordance **with Rule 13**

4.That the lease period of thirty years prescribed in this agreement in the first instance may be renewed subject to the renewal for a period to be determined by the 'Lessor' on payment of rent to be fixed under rule 15 of the Karnataka Planning Authorities(Allotment of Civic amenity sites) Rules 2016 or for any other amount then to be fixed by the Lessor by a separate deed.

5.That the lessee shall use the schedule property only for the purpose of
construction of ……. and for providing Civic Amenity and shall not use it for any other purpose.

6.That the lessee shall not sub-divide or alienate by way of lease or otherwise or create any charge or otherwise deal with the schedule property either wholly or in part.

7.The lessee shall obtain the approval for the construction of the building on a Civic Amenity site from the Authority, prior to obtaining license from the Local Authority concerned. The lessee shall complete the construction of the building within three years from obtaining the license from the local Authority.

8.With effect from the date of taking possession of the site, the lessee shall be liable to pay any tax, fee and cess payable in respect of the civic amenity site and any building erected thereon to the Local authority concerned.

9.That the lessee shall not put up any permanent structure on the land other than the above mentioned structures specially mentioned hereunder.

10.That the lessee shall not become the owner or derive any title to the property.

11.The Civic Amenity sites shall not be mortgaged to any of the financial institution by the lessee.

12.That the lessee agrees that the lease amount fixed is tentative and is subject to enhancement and agrees to pay the enhanced lease amount in case the compensation for the land in which the schedule property is included is enhanced by the Court under the **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and ResettlementAct, 2013 (Central Act 30 of 2013)**

13.That the Lessee shall not violate or infringe any of the terms and conditions mentioned above and if Lessee were to violate any of the terms and conditions the Lessor is at liberty to resume the schedule property with thirty days notice to the Lessee and to re-enter the property free of all objections from the lessee or any person claiming through him and the money, if any, paid shall also be liable to be forfeited by the Lessors.

14.That in consideration of the sum of Rs. …… (Rs. ……) which the Lessor hereby acknowledge the parties to this agreement with free will and consent set their hands and seals on the day above mentioned in this schedule.

S C H E D U L E

Civic Amenity site No……in…… Layout in …… Sy.No.……Village ……Taluk …….. District …….m
x……..m bounded on the:

East by:
West by:
North by:
South by:

Witnesses:
1.

2. Signature of the Lessor

Witnesses:
1.

2. Signature of the Lessee

FORM-IV

(see rule 16)

						Allotment details										
Sl. no	**Name of the layout / locality**	**Sy. No/ CTS No**	**Date of approval**	**Civic Amenity site No.**	**Extent of CA site in Sq.m**	**Name of the Department/ Statutory bodies/ institution**	**Purpose of allotment**	**Date of resolution of the Authority**	**Date of allotment**	**Rate of Allotment in Sqm**	**Lease amount**	**Date of execution of lease**	**Date of expiry of lease**	**Date of renewal of lease**	**Revised lease Amount**	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	

By Order and in the name of the Governor of Karnataka

NAGARAJ

Under Secretary to Government

Urban Development Department