URBAN DEVELOPMENT SECRETARIAT

NOTIFICATION

No. UDD 556 MyApRa 2013(1), Bangalore, Dated: 28-05-2014

Whereas the draft of the Karnataka Town and Country Planning (Regularisation of unauthorized Development or Constructions) Rules, 2013, was published as required by section 76FF read with section 74 of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) in notification No.UDD 556 MyAPRa 2013, dated 31.12.2013 in part IV-A of the Karnataka Extraordinary Gazette dated 31.12.2013 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of its publication in Official Gazette.

And Whereas objections and suggestions have been received and considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 76FF and readwith 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 and commencement.- (1) These rules may be called the Karnataka Town and Country Planning (Regularisation of unauthorised Development or Constructions) Rules, 2014. (2) They shall come into force from the date of their publication in the official Gazette.

(3) They shall apply to all unauthorised development that have come up on or after the date of approval of the first Master Plan of respective cities or towns, but before the date of 19th October, 2013.

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

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

(2)**"Appellate Authority"** means, the Appellate authorities specified below to hear the appeals against the orders passed by the Competent Authority, namely:-

(i)For Bruhath Bangalore Mahanagara Plalike;

(ii)For Bangalore Development Authority; and

(iii)For

Bangalore-Mysore Infrastructure Corridor Area Planning Authority, the MetropolitanCommissioner, Bangalore Metropolitan Region Development Authority shall be the Appellate Authority.

(a)For other cities, having Corporations (Other than Bangalore), the respective Regional Commissioner; and

(b) For other Urban Development Authorities, Planning Authorities and Municipalities, the Deputy Commissioner of the concerned district. shall be the appellate Authority;

(3)**"Architect /Engineer/Town Planner"** means and includes a qualified Architect/Civil Engineer/Town Planner, who has been registered under concerned Urban Local Body; (4)**"Competent Authority"** means, the Authority competent to scrutinise the applications for regularisation and pass necessary orders, namely:-

(i) In respect of land use violation and unauthorised development of layouts/sites, the competent authority shall be the Commissioner of the concerned Urban Development Authority or Member Secretary of the concerned Planning Authority; (ii) In respect of unauthorised development of buildings falling outside the limits of local authority but within the local planning area, the competent authority shall be the Commissioner of the concerned Urban Development Authority or Member Secretary of the concerned planning authority; and

(iii) In respect of unauthorised development of buildings falling in the limits of local authority and within the local planning area, the competent authority shall be the Commissioner/Chief Officer of the concerned local authority.

(5)**"Market value"** means the market value determined as per the guidance value of land in accordance with the section 45B of the Karnataka Stamp Act, 1957 as prevailing on the date of 19th October, 2013;

(6)**"Section"** means section of the Act;

(7)**"Structural Engineer"** means and includes a qualified Civil Engineer specialised in Structures, who has been registered under the concerned Urban Local Body;

(8)**"Unauthorised development"** means the development carried out under the following categories, namely:-

(i) **"Unapproved and violated development"** means the developmentmade without obtaining prior approval from the Competent Authority and also in violation of Master Plan and Zonal Regulations; and

(ii)**"Approved and violated development"** means the development carried out after obtaining approval from the Competent Authority but made in violation of Master Plan and Zonal Regulations.

(iii)**"Unapproved and Non-violated development"** means the developmentcarried out without obtaining prior approval from the Competent Authority but, the development carried out in accordance with Zonal regulations.

(9) **"Urban Areas Infrastructure Development Fund"** means the fund established for crediting all proceeds collected through regularisation by the Competent Authority for the purposes specified in sub-section (16) of section 76FF of the Act.

3. Types of unauthorized developments eligible to be regularised and Conditions for Regularization.- (1) Subject to section 76FF of the Act the following kinds of unauthorised developments are eligible for regularization, namely:-

(a)Land use violations in contravention to Section 14 and 14-A of the Act;

(b) Unauthorized sub-divisions in contravention to Section 17 of the Act; and

(c)Unauthorised development of buildings in contravention to Section 14 and 15 of the Act.

(2) All buildings which are completed with occupation certificate or PID Numbers or door number issued shall also be eligible for regularisation under these rules.

4. Unauthorised development not eligible for regularization.- (1) No unauthorised developments shall be regularised in the following cases, if it is made,–

(a) On land abutting to storm water drains, tank bed areas, river course or beds and canals or below the high tension electric line including the land or building which is falling in the buffer zones of drains, nala, river course etc. as specified in the respective Zonal Regulations;

(b) In areas where land uses have been reserved for park, open spaces and play grounds and public or semi public activities in the respective Master Plans and developments have been made in contravention of the same.

(c) on lands earmarked for parks or Civic Amenity in approved layouts;

(d) in basement or usage in contravention of bye law/Zoning regulations;

(e) in Violation of parking spaces in contravention of Approved Building Plan; and (f) In agricultural zone of approved Master Plan or Green Belt area declared under the Karnataka Land Revenue Act, 1964.

Provided that only uses that are permitted under permissible uses and under special circumstances in agricultural zone of respective Master Plan may be regularized. Buildings constructed in such uses in accordance with the norms prescribed for buildings in Agricultural Zone of respective zoning Regulations may be considered for regularising such buildings violations.

(2) Where No Objection Certificate (NOC) or Clearance Certificate from the Department of Fire and Emergency Services for any building is prescribed in the Zonal Regulations (applicable at the time of approval) fire protections measures as prescribed in the Zoning Regulations shall be provided and a certificate to that effect from the concerned authority shall be produced.

(3) No unauthorised development shall be regularised unless the owner hands over the portion of the plot required for alignment of roads or widening of roads as per the approved Master Plan, by relinquishment deed.

5. Regularisation of change of Land use.- Regularisation ofDevelopment of buildings with Land use violations shall be subject to the following conditions, namely,-

(i) Land use violation shall be examined with reference to the Master Plan as in force at the time of regularisation.

(ii) Change of Land use shall not be permitted in lands reserved for parks and open spaces, roads, agricultural purpose, unless such exemption or specific provision is made in the Master Plan or Zoning Regulations.

6. Conditions for regularisation of unauthorised sub-division of land/plot.- Regulation of unauthorized sub-division of land/plot shall be subject to following condition, namely:-

(1) Only individual plot shall be considered, for regularisation which is registered before the date of 19th October, 2013 .

(2) No unauthorised subdivision or layout which does not have access to public road shall be regularised.

7. Conditions for regularisation of setback violations.- (1) The Setback violations against the approved plan but within the provisions of Zoning Regulations or Building Byelaws or Transfer of Development Rights (TDR) rules may be regularised on payment of difference of prescribed fee under section 18 of the Act.

(2) Setback violations shall be calculated based on the percentage deviations made on each side against approved plan or as prescribed in the Zonal Regulations.

(3) The setback violations shall be calculated except open Chajja or Balcony. Buildings constructed by violating the road widening line (mentioned as building line in certain Zoning Regulations) shall not be considered for regularisation, unless the portion of the building projected beyond the road widening line is demolished.

8. Conditions for regularisation of floor area violations.- (1) The floor area of the excess built up area constructed against the approved plan /permissible TDR shall be considered separately for calculating the percentage of violations. Any areas exempted from Floor Area Ratio (hereinafter referred to as FAR) in the approved plan, such areas shall not be taken in to consideration for deriving percentage of violation.

(2) FAR violations against the approved plans but within the provisions of Zoning Regulations or building byelaws may be regularised (on furnishing as built plan and) on payment of difference of prescribed fee under section 18 of the Act subject to limitations specified in section 76FF.

9. Persons eligible to apply for regularization.- The applicant shall be the owner (jointly or severally) or an authorised representative of the owners or the association of owners.

10. Wide publicity for receiving applications.- (1) Wide publicity of the contents of these rules shall be given to the public informing details about the verification and implementation procedures involved.

(2) The Competent Authority shall set up adequate number of receiving centres at various locations within its jurisdiction to receive application pertaining to the scheme. The competent authority may also make necessary arrangements for filing online application for regularisation by self declaration.

(3) To ensure effective implementation of the scheme the Competent Authority mayconduct orientation training for officers and staff to be assigned with the work of scrutiny of application. The Competent Authority may also conduct orientation training for consulting Architects/Engineers **11. Application for Regularisation.-** (1) The application in

Form –I for regularisation under these rules shall be filed by a person who is entitled to it to the competent Authority concerned within one year from the date of notification made by Government calling for application along with the calculated fee on self assessment subject to payment of shortfall if any intimated by the competent Authority and document specified below.

(2) Details related to regularisation of land use violation, unauthorised sub division of plot/ layout and unauthorised development of buildings shall be entered in the respective portions of the application form.

(3) Every applicant who desires to get his unauthorised development regularised shall submit the application along with copies of the following documents, namely:-

(i) Title Document;

(ii) RTC/Khatha;

(iii) Subject to sub-rule (6) of rule 16, NA Conversion order with sketch (exempted in case of development made in non-converted lands);

(iv) Survey sketch from Revenue department/Sketch of Urban property ownership record;

(v) Site plan showing details of the surroundings (with survey nos.), details of abutting roads, buildings therein, services provided (power supply & water supply with respective bills, Under Ground Drainage (UGD) connection);

(vi) Key plan or Location plan;

(vii)Photograph of development (minimum of 4 nos. from different sides showing all external details of development); and

(viii)Approved layout or Building plan (whichever applicable).

Note: If approved layout or building plan is not made available by the applicant, the concerned authority shall scrutinize the Layout or building plans based on the applicable Zonal Regulation at the time of obtaining the approval (based on the date of license number or door number produced by the applicant) if license number or door number is not produced by the applicant the development shall be treated as unauthorised development and the regularisation fees shall be levied accordingly.

(ix) Site Plan or Building plan showing the details of unauthorised developments authenticated by Architect or Engineer (if this document is not ready at the time of application, the same can be submitted later, but before the scrutiny.

(4) While making application under sub-rule (1) the applicant shall pay Scrutiny fee and Regular fee payable along with regularisation fee calculated on self assessment subject to payment of shortfall, if any, intimated by the Competent Authority, subject to final decision in respect of pendency of any case before Tribunal, Civil Court, High Court any other Court or any order or judgments passed by any such Court, or Tribunal in respect of such property.

(5) The owners of all "Un-authorised development" made during the period eligible for regularisation shall mandatorily apply for regularisation under these rules.

12. Violation after submission of application.– During verification if it is found that the applicant has undertaken further additions or extensions to the existing building, then such applications shall be rejected, duly forfeiting the entire regularisation amount and necessary legal action may be initiated against the owner of the building.

13. Procedure for regularisation.- Applications shall be scrutinised in the following procedure, namely:-

(1)On receipt of application for regularisation, the Competent Authority shall scrutinise the application on first-in first-out (FIFO) basis.

(2) The Competent Authorities may also utilise the services of as many officers and staff including Technical personnel, namely, Architect or Engineers or Town Planners to take up scrutiny and inspection as may be required for the scrutiny.

(3) In case of joint ownership of the development, the Competent Authority may issue notice to the owners, if any, who have not joined the application for regularisation, informing the status of the application.

(4) While scrutinising the application, the Competent Authority may issue notice to the applicant for any incomplete details provided or for any clarifications required. If the applicant is the owner of a single or few premises in the building having multiple premises, the competent authority may issue notice to the owners or association of owners, if required for any details.

14. Sequences of scrutinising the application.- (1) The Competent Authority shall scrutinise the application for different types of violated or unauthorised development, in the following sequences, namely:-

(a)Land use violation;

(b)Unauthorised sub division of plot or layout (converted and non converted); and

(c)Unauthorised development of building.

Provided that if land use violation is not eligible to be regularised as per these rules, the development under clause (b) and (c) for that property shall not be scrutinised or regularised. Similarly if the development under clause (b) is not eligible to be regularised as per these rules, the development under clause (c) for that property shall not be scrutinised or regularised.

(2) Application related to land use violation and unauthorised sub division of land (within municipal limits) only, shall be forwarded to the concerned Urban Development Authority or Planning Authority for clearance. The Urban Development Authority or Planning Authority after collecting statutory fee as prescribed in the Act from the applicant in addition to the fee prescribed under these rules, shall forward the opinion or clearance to the Competent Authority. The Competent Authority after receiving the clearance from Urban Development Authority or Planning Authority shall process and dispose off the buildings violations accordingly.

(3) Application related to regularisation of unauthorised developments beyond municipal limits and within the Urban Development Authority or Planning Authority limits shall be processed in accordance with these rules and the Competent Authority shall take necessary steps to process and dispose them either in consultation with Local Authority or otherwise.

(4) The Competent Authority shall give an opportunity to the applicant of being heard and to produce documents, if any, in support of his claims, in the event of any discrepancy between the claims made by the applicant and the scrutiny report. The Competent Authority shall on completion of the enquiry, pass a provisional order in

Form-II.

(5) After scrutinising the application, the Competent Authority shall prepare a scrutiny report in the prescribed forms for different types of unauthorised developments made (including fees payable if such developments are eligible for regularisation).

(6) The Competent Authority shall intimate the applicant for payment of shortfall in regularisation fees (for different types of unauthorised developments) and other fees or charges, if any within such time limit, but not later than ninety days, as may be specified therein, or reject the application as the case may be.

(7) Interest shall be levied on the shortfall of regularisation fees and other fees or charges paid. Interest shall be calculated from the last date eligible for filling application up to the date of payment.

(8) The applicant after remitting the amount as per the provisional order made under sub-rule (4) shall inform the competent Authority regarding the remittance or compliance.

form IV for rejecting the application for regularisation stating the reason for rejection.

(10) In case, the application for regularisation is rejected, the fees remitted by the applicant, if any, on his self assessment shall be refunded (excluding scrutiny fee) to the applicant without interest within sixty days.

(11) On remittance of the shortfall in regularisation fees by the applicant, along with interest, if applicable, the Competent Authority shall issue Regularisation Certificate in

Form- III for the different types of unauthorised developments.

15. Appeal.- (1) Any applicant aggrieved by the order passed by the Competent Authority under sub-rule (9), of rule 14 may prefer an appeal to the Appellate Authority.

(2) All appeals shall be disposed off, as for as possible, within three months from the date of receipt.

16. Regularisation Fees.- (1) The regularisation fees specified in these rules shall be in addition to the regular fees or charges normally levied and collected by the Competent Authority.

(2) The regularisation fees for the land use violation shall be five times the fees prescribed under Section 18 of the Act and rule 37-A of the Karnataka Planning Authority Rules, 1965.

(3) Fees prescribed for regularisation of unauthorised developments of layouts or sites (applicable for both converted and non-converted lands). The fees payable shall be as follows:-

Sl. No.	Site area (sq. m)	Prescribed amount per sq.m. in (Rupees)		
		Bangalore Urban and Rural districts	Other Corporation Areas	Other Areas
1.	Upto 60	40.00	30.00	20.00
2.	< 60 - 120	160.00	80.00	50.00
3.	Above 120	600.00	250.00	150.00

4) The fee specified above is in addition to the fee to be collected by the Planning Authority under Section 18 of the Act. In addition to the above fee three percent (3%) for the sital area measuring up to 60 sqm., five percent (5%) for the sital area measuring 60 to 120 sqm. and fifteen percent (15%) for the sital area measuring above 120 sqm.as per Market value of land shall be collected in case Parks and Open Spaces and Civic Amenities are not provided.

(5) In case of agricultural lands, regularisation shall be considered after conversion under Section 95 of the Karnataka Land Revenue Act, 1964.

17. Fees prescribed for regularisation of unauthorised development of buildings.- (1)Fees prescribed for Setback violations for residential buildings shall be as follows:-

Sl. No.	Percentage of violation	Regularisation fee per square metre of total violated area in accordance with percentage of market value of land (%)
1	up to 25%	6
2	>25% Upto 50%	8

(2)Fees prescribed for Setback violations for non- residential buildings shall be as follows:-

Sl. No.	Percentage of violation	Regularisation fee per square metre of total violated area in accordance with percentage of market value of land (%)
1	up to 12.50%	20
2	>12.50% Upto 25%	35

(3) Fees prescribed for FAR violations for residential buildings shall be as follows:-

Sl No.	Percentage of violation	Regularisation fee for total violated area in accordance with percentage of market value of land (%)
1	up to 25%	6
2	>25% Upto 50%	8

(4) Fees prescribed for FAR violations for non- residential buildings shall be as follows:-

Sl. No	Percentage of violation	Regularisation fee for total violated area in accordance with percentage of market value of land (%)
1	up to 12.50%	20
2	>12.50% Upto 25%	35

Note: In case of Setback and FAR violation against the approved plan but within the provisions of Zonal Regulations, the regularisation fee shall be the difference of prescribed fees under Section 18 of the Act.

(5) Fees prescribed for buildings constructed in non-converted agricultural lands (In additions to the amount prescribed) shall be as follows:-

Sl. No	Type of Use	Regularisation fee per square metre of total built-up area in accordance with percentage of market value of building (%)
1	Residential	2.0
2	Non-residential	4.0

Note: If the setback and FAR are violated, for violated portions, prescribed fees shall be paid as mentioned in sub-rules (1), (2), (3) and (4).

(6) Fees prescribed for building/portion of building constructed without the building plan approval but developed as per the Zoning Regulations.

SI. No	Type of use	Regularisation fee per square metre of total built-up area in accordance with percentage of market value of building (%)
1	Residential	2.0
2	Non -residential	4.0

Note: If the setback and FAR are violated, for violated portions, prescribed fees shall be paid as mentioned in sub-rules (1), (2), (3) and (4).

18. Scrutiny Fee.- (1) Scrutiny fee shall be collected by the Competent Authority at the rate of Rupee one per square meter of total plot area in case of plot in an unauthorised layout and Rupees two per square meter of total floor area of buildings.

(2) The scrutiny fee shall be made available to the competent authority for the respective unauthorised development applied for regularisation.

19. Deduction of betterment fee etc., from the total amount to be paid for regularization.- The payment of betterment levy, betterment fee, improvement charges, development charges, if any, paid under the Karnataka Municipal Corporations Act, 1976, the Karnataka Municipalities Act, 1964, the Karnataka Town and Country Planning Act, 1961, the Bangalore Development Authority Act, 1976 and the Karnataka Panchayat Raj Act, 1993 shall be deducted from the total amount to be paid for regularisation.

20. Utilisation of Urban Areas Infrastructure Development Fund.– (1) The Competent Authority shall keep the amount collected for regularisation in a separate account called the Urban Areas Infrastructure Development Fund. The fund shall be utilised for the purposes specified in section 76FF of the Act.

(2) Out of the fund collected Fifty percent shall be utilised for development of parks and open spaces including lands to be acquired under sub-section (2) of section 69 of the Act. The remaining Fifty percent shall be utilised for provision of infrastructure, civic amenities, lighting, drinking water, drainage system, fire safety and for any other infrastructure.

(3) No amount from the fund shall be spent without the approval of the Regional Commissioner.

(4) The annual report regarding the receipts and expenditures of the fund shall be sent to the Government.

(5) The progress report shall be audited and submitted to Government periodically.

21. Action to be taken in case of unauthorised development which are not regularised.-Action contemplated under sections 15 and 17 of the Act, shall be taken in the following cases, namely:-

(a)Unauthorised development for which no application for regularisation is received within the prescribed time limit (including unauthorised developments for which occupation certificate/door nos. are issued)

(b)Unauthorised developments which are not eligible to be regularised under these rules.

(c)Unauthorised developments for which regularisation fees has not been paid within the stipulated time limit prescribed in these rules. (after receiving intimation from the Competent Authority).

22. Repeal and Savings.- (1) The Karnataka Town and Country Planning (Regularisation of unauthorized Developments) Rules, 2007 shall be repealed.

(2) Notwithstanding such repeal applications filled under the repealed rules shall be processed under these rules as if they were file before competent Authority under these rules.

By order and in the Name of the Governor of Karnataka

T. M. VASUDEVA RAO
Under Secretary to Government
Urban Development Department

FORM-I

(See Rule 11)

APPLICATION FOR REGULARISATION OF UN-AUTHORISED DEVELOPMENT (Under Section 76-FF of the Karnataka Town and Country Planning Act, Section 321-A of Karnataka Municipal Corporations Act and Section 187-A of Karnataka Municipalities Act)

Name of the applicant with address & telephone number for correspondence

……..

To

……

……

……

Affix photograph of the applicant

…….. …..

……..

PART - I

REGULARISATION OF PLOT IN AN UN-AUTHORISED SUB-DIVIDED LAND / LAYOUT

..... Rule No…….

Sir / Madam,

I hereby apply for regularization of site in unapproved layout (name) ……...……Sy.No…….……of…… Village…….Hobli……. Taluk…….. District…….. plot no…….. measuring……, bearing Khata number / assessment number……..

1.Property Boundaries : East ----------
: West ----------
: North ----------

(xii) Copy of the approved layout plan if available or copy of unauthorised layout showing the location of the site

(xiii) NOC from KSPCB in case the land is in 'RED' category.

(xiv) D.D. favouring competent Authority towards scrutiny fee:
: Amount in Rs…… : D.D. No…… Date……..

Bank:……

Note: Scrutiny fee shall be collected at the rate of Rs.1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter of total floor area of buildings.

(xv) D.D. favouring competent Authority towards regularisation fee

: Amount:……
: D.D. No…….Date…….
: Bank…….

(xvi) D.D favouring competent Authority towards an amount equal to 15% of sital area as per market value of land if parks/open spaces/civic amenities are not provided.

:
Amount:……
……
: D.D.
No…….Date…….
: Bank…….

(xvii)D.D favouring competent Authority towards regular fees to be levied for sanctioned under KTCP Act

: Amount:……
: D.D. No…….Date…….
: Bank…….

Signature of Applicant

PART - II

REGULARISATION OF BUILDINGS WITH LAND USE VIOLATIONS: Rule No 5

Sir / Madam,

I hereby apply for regularization of buildings with land use violations in ……layout (name)……..……..…Sy.No…….……of……. Village…….Hobli…….Taluk……..District……..plot no…… measuring……., bearing khata number / assessment number…….

1.Property Boundaries : East ---------- : West ---------- : North --- ---------- : South ---------- 2.Existing Road width in front of the plot…….metres.

3.Accessibility to nearest ……..... public road (Name of the road)

4.Designated land use as per Master Plan----------(Residential / Commercial / Industrial / Others)

5.Actual usage of land /building: ----------(Residential / Commercial / Industrial / Others)

6.Photograph of land / building :

Affix photograph of the land / building

7.D.D. favouring competent Authority towards regular fees for change of land use under KTCP Act. :Amount:……

: D.D. No.----------Date------ : Bank:……..

8.D.D. favouring competent Authority towards scrutiny fee

: Amount:……

: D.D. No.----------Date------ : Bank:……..

Note: Scrutiny fee shall be collected at the rate of Rs. 1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter of total floor area of buildings.

9.D.D. favouring competent Authority towards regularisation fee five times the fees prescribed under section 18 of the KTCP Act and Rule 37 (A) KPA Rules .

:

Amount:……

……

: D.D. No.----------Date----------

-

:

Bank:……

……

Signature of the Applicant

PART – III

REGULARISATION OF UNAPPROVED AND NON-VIOLATED DEVELOPMENT /UNAPPROVED AND VIOLATED DEVELOPMENT / APPROVED AND VIOLATED DEVELOPMENT Sir / Madam,

I hereby apply for regularization of unapproved development and non residential development / un approved and violated development / approved and violated development in layout (name) .....……..……..……Sy.No…….……. of…….village, plotNo……measuring……, bearing door number / assessment number…….. I belong to SC / ST / General:

1.Property Boundaries : East ----------

: West ----------

: North ----------

: South ----------

2.Existing Road width in front of the plot in metres ----------

3.Accessibility to nearest …….... public road (Name of the road)

4.Existing building details with as built plan: (Refer instructions)

Sl. No	Parameters	As per Existing Building	As per Zoning Regularisations
1	Setback – Front (in meters)		
	– Rear		
	– Left		
	– Right		
2	FAR		
3	Coverage		
4	Height of the building		
5	Number of floors		
6.	Total floor area of all floors		
7.	No. of Parking provided		

5. I enclose herewith the following documents:

(i) Certified sketch of the plot / site with building along with details of abutting road.

(ii) Certified sketch of actual built up area showing the violation of setback and the number of floors.

(iii) Copy of ownership documents

(iv) NOC from KSPCB in case the land is in 'RED' zone.

(v) Copy of NOC from KPTCL for clearance from high tension lines if applicable. Copy of

(vi) certificate from Karnataka Fire Department in case of high-rise buildings.

(vii) Copy of structural engineer's certificate in case the building is more than two floors high.

(viii) Copy of the resolution made by all the owners or their association (For apartments and group

(ix) housing)

(x) Calculation sheets of setback and FAR violations.

Copy of the sanctioned plan.

6.Photograph of building

Affix photograph of building

7.Certificate from a structural engineer for the buildings (above ground plus one floor) 8.D.D favouring competent Authority towards regularisation fee

: Amount:……..

: D.D. No……Date…...

: Bank,……

9.D.D. favouring competent Authority towards scrutiny fee

: Amount:……

: D.D. No.,……. Date…….

: Bank,……

Note: Scrutiny fee shall be collected at the rate of Rs. 1.00 per square meter of total plot area in case of plot in an unauthorised layout and Rs.2.00 per square meter of total floor area of buildings.

10.D.D favouring competent Authority towards regular fees for sanctioned of plan as per Karnataka Town and Country Planning Act, 1961, Karnataka Municipal Corporations Act, 1976, Karnataka Municipalities Act, 1964

: Amount:……

: D.D. No…….Date…….

: Bank…….

Signature of the Applicant

PART-IV

ACKNOWLEDGEMENT

Received application for regularization of unauthorized sub-division/lay out/buildings with land use violations / anauthorised buildings from the …… name ……. In plot number ……S.no…….Villages……Hobli …….. village……Taluk…….. measuring ……..bearing door no. / assessment no……

a.Application no. and date….

b.D.D. No.and date for scrutiny fee

c.D.D. No. and date for Regularisation Fee
d.D.D. No. and date for Regular fee
e.Any other fee

Authorised Signatory

FORM-II

[See Rule 14(4)]

Name of the Applicant,----------
Application No & Date,.----------

PROVISIONAL ORDER

It is hereby inform that the unauthorised sub-divied land or layout / building with land use violation / unlawful building situated in layout ----------(Name), Sy.no.------- of ----------village, plot No.---------- measuring ,----------bearing door number / assesment number ---------is being considered for regularised under the provisions of Section 76FF of the Karnataka Town and Country Planning Act 1961 / Section 321-A of the Karnataka Municipal Act 1976 / the Karnataka Municipalities Act, 1964

Therefore, you are hereby required to pay a sum of rupees…… towards regularisation on or before ninety days from the date of receipt of this order.

Date: Seal of the Institution Place:

Note: Strike out whichever is not applicable (Competent Authority)

FORM-III

[See Rule 14(11)] Name of the Applicant,----------

Application No & Date,.----------

REGULARISATION CERTIFICATE

It is certified that the unauthorised sub-divied land or layout / building with land use violation / unlawful building situated in layout ----------(Name), Sy.no.------- of ----------village, plot No.----------measuring ,----------bearing door number / assesment number ---------is hereby regularised under the provissiona of Section 76FF of the Karnataka Town and Country Planning Act 1961 / Section 321-A of the Karnataka Municipal Act 1976 / the Karnataka Municipalities Act, 1964

Date: Seal of the Institution

Place:

Note: Strike out whichever is not applicable (Competent Authority) To

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FORM – IV

[See Rule 14(9)]

Rejection of Regularisation

Name of the Applicant:

_____ Application No. and

Date., _____

REJECTION OF APPLICATION FOR REGULARIZATION OF UNAUTHORISED DEVELOPMENT

On the scrutiny of your application as submitted for regularization, It is hereby brought to your notice, your application for regularization is rejected due to the following reasons.

1.Violation exceeding the permissible percentage prescribed as per Act and Rule. 2.As per reasons mentioned in the Rule No. 4.

3.Application not complete in all respects.

4.Violation after submission of application.

5.Fee not paid.

6.Other reasons.

a)…….

b)…….

Date: Seal of the Institution

Place : (Competent Authority)

To:

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INSTRUCTIONS TO APPLICANT

GENERAL

1.Application for regularisation of unauthorized developments consists Part-I, Part-II and Part-III.

i. Part-I pertains to regularisation of plot in an un-authorised sub-divided land / layout. ii. Part-II pertains to regularisation of land use violations.

iii. Part-III pertains to regularisation of unlawful buildings.

iv. Submit the completed application form with the documents required within one year from the date of notification made by the government calling for applications.

v. Pay the regularisation fee and scrutiny fee separately through Demand Drafts or Bankers Cheques from any Bank drawn in favour of the respective Urban Development Authority / Planning Authority / Urban Local Body.

vi. Scrutiny fee shall be collected by the Competent Authority at the rate of Rs.1.00 per square meter of total plot area in case of plot in an unauthorized layout and Rs.2.00 per square meter for total floor area of buildings.

vii. Enter details of fees paid in the application form and have them confirmed while receiving the acknowledgement.

viii. The acknowledgment is issued with the seal of the office receiving the application.

ix. In case the application for regularization is rejected, either because of inadequate or incorrect information or for other reasons, the scrutiny fees remitted will not be refunded.

2.In the following cases, **the regularization will be rejected.**

If the site is situated:

i. In the land affected by the alignments of any road or of proposed inner ring road, National High ways, bypass road, outer ring road or mass rapid transit system (rail) projects;

ii. On the land belonging to the State Government or the Central Government or appurtenant to any building belonging to the State Government or the Central Government;

iii. On the land belonging to an other person over which the former has no title;

iv. On the land belonging to any Board or Corporation owned or controlled by the Central Government or the State Government;

v. On the land belonging to, or vested in, any Urban Development Authority or Bangalore Development Authority;

vi. On the land belonging to, or vested in, a local authority;

vii. On the land abutting to storm water drains, tank bed areas, river course or beds and canals or below the high tension electric line;

viii. In land reserved for parks, playground, open space or for providing civic amenities.

ix. Development being a special and hazardous industry or an industry categorized as "RED" by the Karnataka Pollution Control Board will be regularized only with the clearance from the Karnataka Pollution Control Board.

x. Development not conforming to rules for high-tension lines and fire protection measures.

xi. Development covered by the Coastal Zone Regulations of the Ministry Environment and Forest, Government of India.

xii. Development made in basement or usage in contravention of bye law.

xiii. Development in violation of set back norms exceeding twenty-five percent in cast of non-residential buildings and fifty percent in case of residential buildings.

xiv. Development for which violation in respect of change in land use is not regularized first.

xv. Unauthorized construction or development made in agricultural zone of approved Master Plan or green belt area declared under Karnataka Land Revenue Act,1964.

xvi. Buildings located in areas of special control/other protect areas, where it violates the regulations prescribed for such areas.

3.Regulation of violation in respect of change of land use shall be made as far as may be in accordance with section 14A of the Karnataka Town and Country Planning Act, 1961.

4.Development in respect of any building having more than two floors will be regularized if a certificate from Structural Engineer is produced regarding the structural stability of such building.

5.In case of owner of the building who has made unauthorized construction in violation of the norms of zonal regulation and do not apply for regularization within the prescribed time, the supply of water and electricity to the building shall be liable to be disconnected with prior notice.

i. **PART-I**

ii. Application related to regularisation of plot in unauthorised sub-divided land / layout shall be submitted to the concerned planning Authority.

iii. Application related to regularisation of plot in an unauthorised sub-divided land / layout shall be submitted to the concerned Local Authority for the towns where the Karnataka Town and Country Planning Act is not extended.

Fee for regularisaton of plot in an unauthorised sub-divided land / layout is to be calculated as per Rule 16 (3)

NOTE:

(i)The fee specified above is in addition to the fee to be collected by the Planning Authority under Section 18 of the Act and the amount collected for 15% of the sital area as per Market value of land (in lieu of Civic Amenities and Parks & Open Spaces).

(ii)In respect of sites where building licence has been issued for, the subdivided plots prior to the date of 19th October, 2013, 15% of the sital area as per Market value of land in lieu of CA and P & OS shall not be collected.

(iii)In case of agricultural Land regularisation shall be considered only after conversion under section 95 of the Land Revenue Act, 1964.

PART-II

Application related to regularisation of buildings with land use violations shall be submitted to the concerned Loca Authority within its jurisdiction.

Applications related to regularization of un-authorised buildings outside the Local Authority limits but within Local Planning Area shall be submitted to the concerned Planning Authority.

For the towns where the Karnataka Town & Country Planning Act is not extended, applications relate regularisation of un-authorised buildings shall be submitted to the concerned Local Authority.

In case of apartments and Group Housing the application form individual owners will not be admitted. For such developments, the application shall be made jointly from al owners or their association.

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