

KARNATAKA MUNICIPALITIES (COMPOUNDING OF OFFENCES) RULES, 1966

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SCHEDULE 1 :- SCHEDULE

KARNATAKA MUNICIPALITIES (COMPOUNDING OF OFFENCES) RULES, 1966

In exercise of the powers conferred by Section 323, read with Section 277, of the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964), the Government of Karnataka hereby makes the Karnataka Municipalities (Compounding of Offences) Rules, 1966, the draft of the same having been published as required by sub-section (1) of Section 323 of the said Act in Notification No. PLM 3 MLR 66, dated 10th May, 1966 published as GSR 948 in Part IV, Section 2-C(i) of the Karnataka Gazette, dated 12th May, 1966, namely.

1. Title :-

These rules may be called the Karnataka Municipalities (Compounding of Offences) Rules, 1966.

2. Definitions :-

In these rules, unless the context otherwise requires.

- (i) "Act" means the Karnataka Municipalities Act, 1964;
- (ii) "Form" means a form appended to these rules;
- (iii) "Schedule" means a schedule appended to these rules;
- (iv) "Section" means a section of the Act.

3. Compoundable offences :-

Save as otherwise provided in the Act or rules, the offences punishable under the sections, rules and bye-laws, specified in columns (2) and (3) of the schedule, may be compounded by the persons specified in column (4) of the schedule.

4. Abetment of offence :-

When an offence is compoundable under these rules, the abetment of such offence or an attempt to commit such offence (when such attempt is itself an offence) may be compounded in like manner.

5. Compounding of offence :-

(1) No offence shall be compoundable which is committed by failure to comply with a notice, order or requisition issued by or on behalf of the Municipal Council or the Municipal Commissioner or Chief Officer unless and until the same has been complied with so far as the compliance is possible and unless the work is carried out in accordance with the direction of the Competent Authority and the costs incurred including fees paid to Counsel have been recovered from the offender;

(2) The decision by the authority empowered to compound the offence shall be final.

6. Proceedings in respect of compromise :-

Before compromising with any person, the competent authority shall satisfy itself by enquiry that there is reasonable ground to believe that the alleged offence has been committed; the person accused of the offence shall be given a reasonable opportunity of being heard, unless such hearing is rendered impossible by unavoidable circumstances; the enquiry shall as far as possible be conducted in the presence of the person accused of the offence.

7. Receipt to be granted :-

(1) In respect of every compromise entered into, a receipt shall be granted acknowledging the amount received;

(2) The Municipal Council shall maintain a book of receipt forms serially numbered with appropriate counterfoils.

8. Register of compromises :-

The particulars of every compromise shall be entered in a register in the form appended to these rules, column (6) of which shall be totalled at the end of every week.

9. Amount to be credited to Municipal fund :-

The amount received in respect of every compromise shall be credited to the municipal funds.

SCHEDULE 1

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