

KARNATAKA REGULARISATION OF UNAUTHORISED CONSTRUCTIONS IN URBAN AREAS RULES, 1994

CONTENTS

1. Title and commencement
2. Definitions
3. Application for regularisation
4. Manner of enquiry
5. Amount to be paid for regularisation
6. Maximum extent land which may be granted
7. Powers of the Competent Authority
8. The Quorum for meeting of the Screening Committee

SCHEDULE 1 :- SCHEDULE

SCHEDULE 1 :- SCHEDULE

KARNATAKA REGULARISATION OF UNAUTHORISED CONSTRUCTIONS IN URBAN AREAS RULES, 1994

Whereas the draft of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Rules, 1994 which the Government of Karnataka proposed to make in exercise of the powers conferred by Section 9 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 (Karnataka Act 29 of 1991) in Notification No. HUD 454 MNJ 90(p), dated 19th March, 1994 was published in Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated 21st March, 1994 inviting objections and suggestions from the persons likely to be affected thereby within a period of one month from the date of publication of the draft in the Official Gazette. And, whereas, the said Gazette was made available to the public on 21st March, 1994. And, whereas, the objections and suggestions received have been considered by the State Government. Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 (Karnataka Act 29 of 1991) the Government of Karnataka hereby makes the following rules, namely.

1. Title and commencement :-

(1) These rules may be called the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Rules, 1994.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires.-

(a) "Act" means, the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 ;

(b) "Economically Weaker Section" means any person whose total annual income including that of any member of his family does not exceed rupees 12,600;

(c) "Schedule" means a Schedule appended to these rules.

3. Application for regularisation :-

Application under Section 3 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 shall be in Form I appended to these rules and addressed to the ¹[Competent Authority] and shall be accompanied by a site plan of the land wherein the unauthorised construction is situated indicating the site and location of the unauthorised construction including the appurtenant land comprised therein and such other documents as may be required by the ² [Competent Authority.]

1. Substituted for the words "Member- Secretary of the Screening Committee" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.

2. Substituted for the words "Screening Committee" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.

4. Manner of enquiry :-

The ¹[Competent Authority] shall give to every person who has made an application under Section 3 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 , an opportunity of being heard and to produce documents, if any, in support of his claim. The ²[Competent Authority] shall, on completion of the enquiry, pass a provisional order under ³ [sub-section (2)] of Section 6 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 , and communicate the same to the applicant.

1. Substituted for the words "Screening Committee" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.

2. Substituted for the words "Screening Committee" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.
3. Substituted for the words, figures and brackets "sub-section (4)" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.

5. Amount to be paid for regularisation :-

The person in whose favour a provisional order for regularisation of unauthorised construction is made under ¹[sub-section (2)] of Section 6 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 shall pay the amount specified in Schedule I, and where such construction is situated on the land belonging to the State Government he shall within two months from the date of the order of grant of land get the sale deed executed at his cost. On execution of the sale deed, the ²[Competent Authority] shall issue an order regularising construction.

1. Substituted for the words, figures and brackets "sub-section (4)" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.
2. Substituted for the words "Screening Committee" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.

6. Maximum extent land which may be granted :-

The maximum extent of land which may be granted under Section 7 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 shall be as specified in Schedule II.

7. Powers of the Competent Authority :-

The ¹[Competent Authority] shall while exercising the powers under ²[sub-section (2)] of Section 6 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 are.-

- (a) Power to obtain such report from such offices and authorities in respect of unauthorised constructions sought to be regularised, as it may deem necessary;
- (b) Power to measure or caused to be measured the unauthorised constructions and the land appurtenant thereof;
- (c) the same power as are vested in the Civil Court under the Code of Civil Procedure, 1908 while trying a suit in respect of.-
 - (i) summoning and enforcing attendance of any person and examine himself on oath;
 - (ii) requisitioning any public records or copy thereof from any

office.

1. Substituted for the words "Screening Committee" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.
2. Substituted for the words, figures and brackets "sub-section (4)" by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.

8. The Quorum for meeting of the Screening Committee :-

1 x x x x x.]

1. Rule 8 omitted by GSR 140, dated 31-10-1995, w.e.f. 9-11-1995.

SCHEDULE 1

SCHEDULE

SCHEDULE II		
SI. No.	Built up area in sq. meters	Maximum extent of the unauthorised construction including appurtenant land that could be regularised /granted.
1.	Less than 500	Twice the built up area
2.	250 or more	500 sq. meters

SCHEDULE 1

SCHEDULE