



ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ನಅಇ 1107 ಎಂಎನ್ಯು 2015

ಕರ್ನಾಟಕ ಸರ್ಕಾರ ಸಚಿವಾಲಯ,
ವಿಕಾಸಸೌಧ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29-12-2018

ಇವರಿಂದ:

ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ, ಬಿ.ಬಿ.ಎಂ.ಪಿ. ಆಯುಕ್ತರ ಆಪ್ತ ಕಾರ್ಯಾಲಯ
ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ,
ಬೆಂಗಳೂರು.

ಸಂಖ್ಯೆ ಪ.ಎಸ್.ಕರ್. (1) 10449
ದಿನಾಂಕ 11/1/19

ಇವರಿಗೆ:

1. ಆಯುಕ್ತರು, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ, ಬೆಂಗಳೂರು.
2. ಆಯುಕ್ತರು, ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ, ಬೆಂಗಳೂರು.
3. ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ, ವಿ.ವಿ.ಗೋಪುರ, ಬೆಂಗಳೂರು.
4. ಪ್ರಧಾನ ನಿರ್ದೇಶಕರು, ಕೆ.ಎಸ್.ಐ.ಡಿ.ಸಿ., ಬೆಂಗಳೂರು.
5. ಪ್ರಧಾನ ನಿರ್ದೇಶಕರು, ಕೆ.ಯು.ಐ.ಡಿ.ಎಫ್.ಸಿ., ಬೆಂಗಳೂರು.
6. ಪ್ರಧಾನ ನಿರ್ದೇಶಕರು, ಬಿ.ಎಂ.ಆರ್.ಸಿ.ಎಲ್., ಬೆಂಗಳೂರು.
7. ಆಯುಕ್ತರು, ಕರ್ನಾಟಕ ವಸತಿ ಸಂಸ್ಥೆ, ಬೆಂಗಳೂರು.
8. ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಹಣಾ ಅಧಿಕಾರಿ ಮತ್ತು ಕಾರ್ಯಕಾರಿ ಸದಸ್ಯರು, ಕೆ.ಐ.ಎ.ಡಿ.ಬಿ.,
ಖನಿಜ ಭವನ, ರೇಸ್‌ಕೋರ್ಸ್ ರಸ್ತೆ, ಬೆಂಗಳೂರು.
9. ನಿರ್ದೇಶಕರು, ನಗರ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನಾ ಇಲಾಖೆ, ಬಹುಮಹಡಿ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು.
10. ರಾಜ್ಯ ಎಲ್ಲಾ ನಗರ ಪಾಲಿಕೆ ಆಯುಕ್ತರು-ನಿರ್ದೇಶಕರು, ಪೌರಾಡಳಿತ ನಿರ್ದೇಶನಾಲಯ,
ವಿ.ವಿ.ಗೋಪುರ, ಬೆಂಗಳೂರುರವರ ಮೂಲಕ.

ಮಾನ್ಯರ,

ವಿಷಯ: Amendments to Sec 321 of KMC Act 1976 and to
Bengaluru Mahanagara Palike Building Bye-laws 2003.

ಉಲ್ಲೇಖ: ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ನಅಇ 1107 ಎಂಎನ್ಯು 2015,
ದಿನಾಂಕ: 28-12-2018.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಸರ್ಕಾರಿ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ನಅಇ 1107
ಎಂಎನ್ಯು 2015, ದಿನಾಂಕ:28-12-2018 ರಂದು ಹೊರಡಿಸಿರುವ ಉಲ್ಲೇಖಿತ ಅಧಿಸೂಚನೆಯನ್ನು
ವಿಶೇಷ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ದಿನಾಂಕ: 29-12-2018 ರಂದು ಪ್ರಕಟಿಸಿದ ಅಧಿಸೂಚನೆಯ 10
ಪ್ರತಿಗಳನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿ, ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ತಮಗೆ ಕಳುಹಿಸಿಕೊಡಲು ಹಾಗೂ ಸದರಿ
ಅಧಿಸೂಚನೆಯನ್ನು ತಮ್ಮ ಇಲಾಖಾ ವೆಬ್‌ಸೈಟ್‌ನಲ್ಲಿ ಪ್ರಕಟಿಸುವಂತೆ ಕೋರಲು ನಿರ್ದೇಶಿಸಲ್ಪಟ್ಟಿದ್ದೇನೆ.

ತಮ್ಮ ನಂಬುಗೆಯ.

(ಆಂಜನಮೂರ್ತಿ)

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆ (ಬಿಬಿಎಂಪಿ)

12/950/18-19

12/01/19

16/1/2019
ರಾಜಕೀಯ ಸಚಿವರು



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬಿಶೇಷ ರಾಜ್ಯ ಪತ್ರ

ಭಾಗ-IVA Part-IVA	ಬೆಂಗಳೂರು, ಶನಿವಾರ, ಡಿಸೆಂಬರ್ ೨೯, ೨೦೧೮ (ಪುಷ್ಯ ೮, ಶಕ ವರ್ಷ ೧೯೪೦) Bengaluru, Saturday, December 29, 2018 (Pushya 8, Shaka Varsha 1940)	ನಂ. ೧೫೪೦ No.1540
---------------------	---	---------------------

URBAN DEVELOPMENT SECRETARIAT

NOTIFICATION

No.UDD 1107 MNU 2015, Bengaluru, Date: 28-12-2018.

Whereas Draft Notification No. UDD 1107 MNU 2015, dated: 27-11-2018 was published in the Karnataka Extraordinary Gazette (Part IV A), dated: 28-11-2018 for the purpose of receiving objections or suggestions from affected persons under section 321-B of the Karnataka Municipal Corporations Act, 1976. Some representations have been received seeking extension of time by another 30 days.

In the public interest, the State Government has decided to give extension of time limit for receiving objections and suggestions from affected persons again by 30 days from the date of 28th December, 2018.

Therefore, any objections and suggestions from the affected persons with respect to the draft Notification No. UDD 1107 MNU 2015, dated: 28-11-2018 may be submitted to the Government by 27-01-2019.

By order and in the name of the Governor of Karnataka

ANJANAMURTHY

Under Secretary to Government(I/c),
Urban Development Department(BBMP)



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬಿಶೇಷ ರಾಜ್ಯ ಪತ್ರ

ಭಾಗ-IVA	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ನವೆಂಬರ್ ೨೮, ೨೦೧೮ (ಮಾರ್ಗಶಿರ ೭, ಶಕ ವರ್ಷ ೧೯೪೦)	ನಂ. ೧೪೬೮
Part-IVA	Bengaluru, Wednesday, November 28, 2018 (Margasira 7, Shaka Varsha 1940)	No. 1468

URBAN DEVELOPMENT SECRETARIAT

DRAFT NOTIFICATION

NO. UDD 1107 MNU 2015, Bengaluru, Dated : 27.11.2018

WHEREAS, Section 321-B was inserted by Act 1/2007, wherein it was directed that the jurisdictional officer who is proved to have failed to prevent unauthorized deviation or construction that have taken place in his jurisdiction shall be liable for such punishment as may be prescribed.

WHEREAS, deviations and unauthorized constructions may not complete in a day or two. It may complete or may not complete during the tenure of a particular jurisdictional officer. Right from digging of the earth till obtaining of occupancy certificate, etc., there could be number of jurisdictional officers. The punishment has been prescribed keeping in view of the contribution of default of each jurisdictional officer incharge.

Therefore, punishments for various offences under Chapter XV of the Karnataka Municipal Corporations Act, 1976 and under the Building Bye-laws, 2003 which has to be prescribed under Section 321-B of K.M.C. Act, 1976 have been listed as below, for the information of all the persons likely to be affected thereby. Notice is hereby given that the said draft will be taken into consideration and finalized after thirty days from the date of its publication in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the draft notification before the expiry of the period specified above will be taken up for consideration by the State Government and finalized. Objections or suggestions may be addressed to the Addl. Chief Secretary to Government, Urban Development Department, Room No.436, 4th Floor, Vikasa Soudha, Dr.B.R.Ambedkar Veedhi, Bengaluru-560 001.

SL No.	Violation of the Section/ Byelaw	Nature of the offence	Punishment/Penalty
01	02	03	04
01	295(5)	Piece of land used as a site for the construction of a building OR building constructed or reconstructed otherwise than in accordance with the provisions of KMC Act 1976 and of any Rules or Bye-laws made there under.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
02.	296(1)	Failure to give public notice as required u/s 296(1)	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.

SL No.	Violation of the Section/ Byelaw	Nature of the offence	Punishment/ Penalty
01	02	03	04
03.	396(2)	Receiving of objections to such declaration after a period of three months from the publication of such notice.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
04.	296(3)	Non consideration of objections received within stipulated period / and non confirmation of the declaration with or without modification.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
05.	296(4)	Failure to publish any declaration so confirmed	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
06.	296(5)	Construction or reconstruction of any building in contravention of such declaration by owner or occupier, as the case may be OR allowing such construction or reconstruction of any building in contravention of such declaration.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
07.	298(1)	Construction of external roof, pendal or wall of a building and construction or reconstruction of shed or fence of cloth, grass, leaves, mats or other inflammable materials, without permission or such retention.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
08	300	Construction or reconstruction of a building without the permission of the Commissioner.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
09	301(1) & (2)	Failure to consider and dispose of an application for permission filed u/s 299, within the stipulated time.	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
10	302(1)	Failure to considered and dispose of an application for permission filed u/s 301(1) & (2), within the stipulated time.	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
11	302(2)	Execution of the work in contravention of the provisions of the Act or any Rules or Bye-laws.	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
12	303(1)	Intentional refusal of an approval of site for the construction or reconstruction of a building or permission to construct or reconstruct a building illegally.	Simple imprisonment for a term which may extend to one year and fine upto Rs.25,000/- in default of payment of fine, SI for a period one month.
13	303(2)	Intentional refusal of a approval of site for the construction or reconstruction of a building or permission to construct or reconstruct a building illegally, without giving reasons specifically for such rejection.	Simple imprisonment for a term which may extend to one year and fine upto Rs.25,000/- in default of payment of fine, SI for a period one month.

SL No.	Violation of the Section/ Byelaw	Nature of the offence	Punishment/Penalty
01	02	03	04
14.	304	Accordinging permission for construction or for any addition to any building of public entertain- ment, in violation of Sec 304.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
15	307	Failure to inspect the building during the construction or reconstruction within the stipulated time.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
16	308(1)	Failure to issue show-cause notice as and where required to be issued.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
17	308(3)	Failure to act on the show-cause shown by the owner.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
18	309	Failure to stop the construction or reconstruction of any building if the work in progress endangers human life.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
19	310(1) & (1A)	Failure to apply in writing for completion certificate and to for permission to occupy or use the building.	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
20	310(1) & (1A)	Not permitting the Commissioner to inspect the building or of such work, inspite of application u/s 310(1)	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
21	310(2)	Occupying or according permission to occupy any building or part of the building or use or permit to be used without permission and without notice of completion.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
22	314	Construction or reconstruction of a hut without application seeking permission.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
23	315	Failure to grant or refuse to grant permission to execute the work, sought to be executed by filing application u/s 313.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
24	316(2)	Construction or reconstruction of hut in contravention of the provisions of the Act, or Rules or Bye-laws.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
25	317(1)	Intentional refusal of the permission to construct or to reconstruct of a hut illegally.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.

SL No.	Violation of the Section/ Byelaw	Nature of the offence	Punishment/Penalty
01	02	03	04
26	317(2)	Intentional refusal of the construction or reconstruction of a hut or permission to construct or reconstruct a hut illegally, without giving reasons specifically for such rejection.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
27	318	Construction or reconstruction of any hut of lapse of six months, in the absence of fresh application is being filed and fresh permission being granted.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
28	319	Failure to keep the external part of the wall in proper repair	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
29	321	Failure to take action in demolishing of a building unlawfully commenced or completed.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
30	321(1)	Failure to issue and service of a provisional order on the owner or occupier.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
31	321(2)	Failure to consider show-cause submitted by the owner or occupier	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
32	321(3)	Failure to issue and service of order of confirmation on the owner or occupier	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
33	321(4)	Failure to take action u/s 321(4)	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
34	321A(1) (2)	Illegal regularization of unlawful buildings	Simple imprisonment for a term which may extend to one year and fine upto Rs.25,000/- in default of payment of fine, SI for a period one month.
35	321A(4)	Failure to maintain separate fund	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
36	321B	Prevailing on an officer lawfully dealing an issue under Chapter - XV and under Part-II of Building Bye-laws, to do illegally by employing legal means.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.

SL No.	Violation of the Section/ Byelaw	Nature of the offence	Punishment/Penalty
01	02	03	04
37	Bye-law No.4	Illegally granting license or illegally refusing to grant license.	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
38	Bye-law No.4.1.5(2)	Illegal refund of security deposit.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
39	Bye-law No.5.1	Failure of the owner in discharging the responsibility in the matter of execution of the building plan, as per the plan sanctioned.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
40	Bye-law No.5.2(i)	Failure of the owner in giving intimation inspite of the work started, within a period of two years and failure of the owner in giving intimation on completion of the foundation or footing of the walls/columns.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
41	Bye-law No.5.2.(ii)	Commencement of the work after the expiry of the two years, without obtaining fresh license.	Simple imprisonment for a term which may extend to two years and fine upto Rs.50,000/- in default of payment of fine, SI for a period three months.
42	Bye-law No.5.3(i)	Failure of holding inspections as and when necessary.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
43	Bye-law No.5.3(iii)	Failure to issue commencement certificate within a period of fifteen days from the date of intimation.	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
44	Bye-law No.5.4	Failure to keep the documents at site during the construction.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
45	Bye-law No.5.5	Failure to display to sanctioned and the license at the construction site, by the owner/builder/contractor	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
46	Bye-law No.5.6	Failure to inspect the building after construction, on receipt of the intimation and failure in issuing occupancy certificate, when the building is complete legally in all respect, as per the plan sanctioned.	Fine of Rs.5000/-, i/d to undergo for SI for 10 days.
47	Bye-law No.5.7	Occupying building or permitting to occupy the building or letting of the new building in the absence of occupancy certificate.	Fine of Rs.10,000/-, i/d to undergo for SI for 20 days.
48	Bye-law No.6	According permission to compound the deviations/violations even beyond 5% .	Simple imprisonment for a term which may extend to one year and fine upto Rs.25,000/- in default of payment of fine, SI for a period one month.

SL No.	Violation of the Section/ Byelaw	Nature of the offence	Punishment/Penalty
01	02	03	04
49	Bye-law No.6	Permitting without valid reasons to continue deviation/violations, when demolition under Chapter – XV of the Act is not feasible without affecting structural ability.	Fine of Rs.10,000/-, i/d to undergo for SI for 20 days.
50	Bye-law No.7.1	Permitting piece of the land to be used as a site for the construction of the building in violation of Bye-law No.7.1	Fine of Rs.2000/-, i/d to undergo for SI for 2 days.
51	Bye-law No.7.4	Failure to keep the distance of building from electrical lines.	Fine of Rs.10,000/-, i/d to undergo for SI for 20 days.
52	Bye-law No.8	Violation of means of access.	Fine of Rs.10,000/-, i/d to undergo for SI for 20 days.

By order and in the name of the
Governor of Karnataka

(H.N.PRABHAKAR)

Under Secretary to Government,
Urban Development Department (BBMP)