

**GOVERNMENT OF KARNATAKA**

No.UDD 356 MNJ 2005(P)

Karnataka Government Secretariat,  
Vikasa Soudha,  
Bangalore, dated: 04-01-2014.**NOTIFICATION**

Whereas the draft of the "Bangalore Metropolitan Planning Committee Rules, 2013" which the Government of Karnataka proposes to make in exercise of the powers conferred by section 503B read with section 421 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), was published as required by sub-section (1) of section 421 of the said Act, vide notification No. UDD 356 MNJ 2005(P) Dated: 07-11-2013 in part IV-A No. 1258 of the Karnataka Gazette Dated: 07-11-2013 inviting objections or suggestions from all the persons likely to be affected within fifteen days from the date of its publication in the official Gazette. However in order to give wide publication and more opportunities for any objections and suggestions, the State Government extended the period specified above by another 15 days vide Notification No. UDD 356 MNJ 2005(P) Dated: 22-11-2013 published in the official Gazette Dated: 22.11.2013.

And whereas, the said Gazette was made available to the public on 07.11.2013.

And whereas, objections and suggestions received in this behalf have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 503B read with section 421 of the Karnataka Municipal Corporation Act 1976(Karnataka Act 14 of 1977), the Govt. of Karnataka hereby make the following rules, namely

**RULES**

1. **Title, Extent and commencement.**- (1) These rules may be called the Bangalore Metropolitan Planning Committee Rules, 2013.
- (2) These rules extends to the Bangalore Metropolitan Area.

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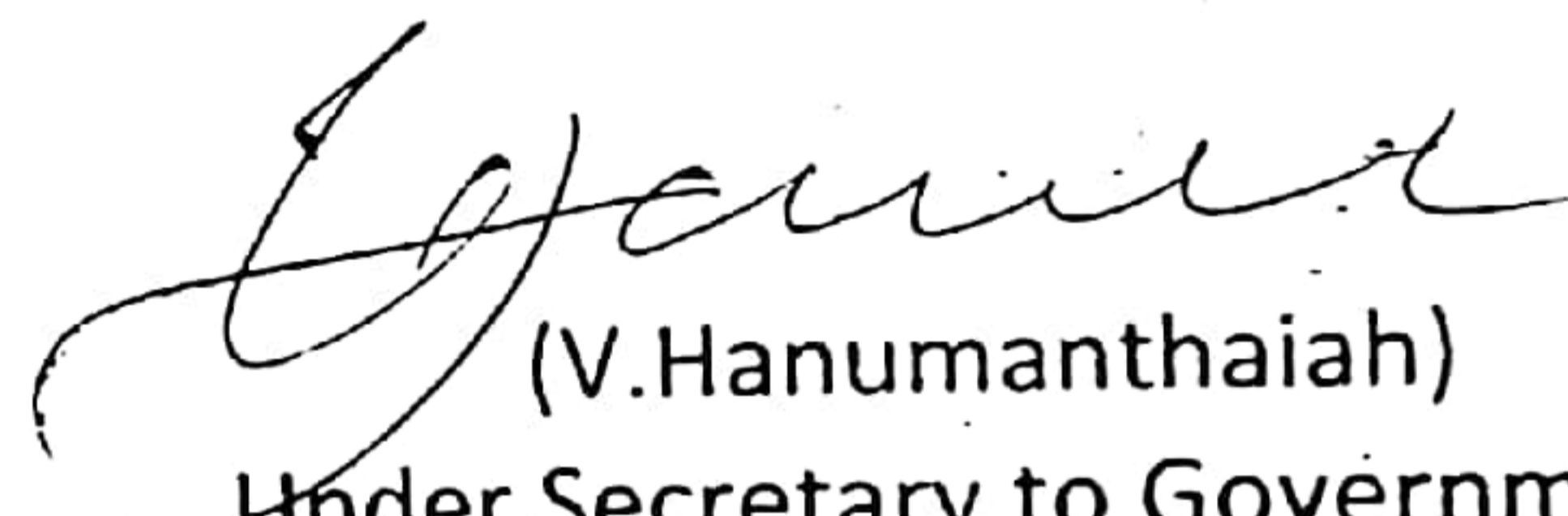
(2) The Government, as the case may be, may approve the modifications with or without variations or refuse to approve the modifications by a notification in the Official Gazette and publish in atleast one local newspaper.

Provided that no such modifications shall, as proposed be approved by the board or the Government as the case may be, unless they are in public interest and are notified to the public.

**14. Directions by the State Government.-** (1) The Government may, from time to time issue such directions to the committee as it may deem fit, for giving effect to the provisions of this rules and it shall be the duty of the committee to comply with such directions.

(2) If any doubt arises on any point of procedure or otherwise the Chairperson may, if he thinks fit refer the point to the State Government whose decision shall be final.

By order and in the name of the  
Governor of Karnataka

  
(V. Hanumanthaiah)

Under Secretary to Government,  
Urban Development Department

To:

The Compiler Karnataka Gazette, Bangalore-for Publication in the extraordinary Gazette and supply 500 copies to the Government.

Copy to:

- 1) The Chief Secretary to Government, Vidhana Soudha, Bangalore.
- 2) The Additional Chief Secretary to Government, Vidhana Soudha, Bangalore.
- 3) The Additional Chief Secretary and Development Commissioner, Vidhana Soudha, Bangalore.
- 4) The Secretary to Governor, Raja Bhavan, Bangalore.
- 5) The Principal Secretary to Chief Minister, Vidhana Soudha, Bangalore.
- 6) The Principal Secretary to Government, Revenue Department, Bangalore.
- 7) The Chairman, Bangalore Development Authority, Bangalore.
- 8) The Commissioner, Bruhat Bangalore Mahanagara Palike Bangalore.
- 9) The Commissioner, Bangalore Development Authority, Bangalore.

- 10) The Metropolitan Commissioner, Bangalore Metropolitan Region Development Authority, Bangalore.
- 11) The Regional Commissioner, Bangalore Region, Bangalore.
- 12) The Managing Director, Bangalore Metro Rail Corporation Limited, Bangalore.
- 13) The Managing Director, Karnataka Urban Infrastructure Development and Finance Corporation, Bangalore.
- 14) The Chairman, Bangalore Water Supply and Sewerage Board, Bangalore.
- 15) The Deputy Commissioner, Bangalore Urban / Rural District .
- 16) The Director of Town Planning , M.S. Building, Bangalore.
- 17) S.G.F/ Spare Copies.

(3) These rules shall come into force from the date of their publication in the official Gazette.

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

(a) 'Act' means the Karnataka Municipal corporations Act, 1976 (Karnataka Act 14 of 1977);

(b) "Committee" means the Bangalore Metropolitan Planning Committee constituted under rule 3 of these rules for the Bangalore Metropolitan area.

**3. Constitution of the Metropolitan Planning Committee.-**(1) As soon as may after the declaration of the Bangalore metropolitan area, the Government may by notification constitute a Bangalore Metropolitan Planning Committee for Bangalore metropolitan area.

(2) The committee so established under sub-rule (1) shall consists of the following thirty members, namely:-

(a) Ten members nominated by the State Government, namely:-

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|--------|--|---|------------------|
| (i)    | The Chief Minister,  | - | Member           |
| (ii)   | The Minister for Urban Development   | - | Member           |
| (iii)  | The Principal Secretary to Government, Urban Development   | - | Member           |
| (iv)   | One Representative of Government of India (Chief Town Planer, Town and Country Planning Organization). | - | Member           |
| (v)    | Commissioner, Bangalore Metropolitan Region Development Authority; (B.M.R.D.A)                         | - | Member           |
| (vi)   | Commissioner, Bruhat Bangalore Mahanagara Palike (B.B.M.P)   | - | Member           |
| (vii)  | Chairman, Bangalore Water Supply and Sewerage Board  | - | Member           |
| (viii) | Director, Town and Country Planning Department.  | - | Member           |
| (ix)   | Secretary to Government Finance Department   | - | Member           |
| (x)    | Commissioner, Bangalore Development Authority  | - | Member Secretary |

(b) Eighteen members of the committee shall be elected by and from amongst the elected members of the Urban Local Authorities Bruhat Bangalore Mahanagara Palike and Municipalities and 2 members elected by and from amongst the Adyakshas and Upadyakshas of Zilla Panchayat, Taluk Panchayat and Grama Panchyats within the metropolitan area. The election shall be held by the Karnataka State Election Commission.

(c) **Special Invitees.**- Two persons out of eminent Economists and professional having experience in Town Planning nominated by the State Government shall be special invitees.

(d) **Permanent Invitees.**- All the members of the House of the people and the State Legislative Assembly whose constituencies lie within the Bangalore Metropolitan area and members of the Council of States and the State Legislative council who are registered as electors in such area shall be permanent invitees.

(e) Chairperson of the committee shall be chosen among the members.

(3) The Commissioner of Bangalore Development Authority (BDA) shall convene the meetings of the committee.

**4. Terms of office of members of the Committee.**- (1) The tenure of the elected member of Committee shall run concurrently with that of Bruhat Bangalore Mahanagara Palike or Municipality or Panchayat of which he is a member as the case may be;

(2) Casual vacancy in the Committee arising out of death, resignation removal or otherwise, shall be filled in by election or nomination within a period of six months from the date of occurrence of vacancy, as the case may be, and any member elected or nominated to fill such a vacancy shall hold office for the remainder period:

Provided that when the remainder period is less than six months, it shall not be necessary to hold any election.

(3) An elected member may resign from a Committee by writing under Resignation of the member his hand addressed to hold any election.

**5. Meetings of the Committee.-** (1) The committee shall meet as and when necessary and at least once in three months or at such times and places as the Chairperson may determine in this behalf and shall observe such procedure to the transaction of its business at such meetings.

(2) If Chairperson of the Committee for any reason is unable to act, members shall elect from amongst the other members a chairperson who shall act as Chairperson for that meeting.

(3) The quorum necessary for the transaction of business at a meeting shall be two third of the total members.

(4) All questions at any sitting of the committee shall be determined by a majority of votes of the members present and voting. In case of equality of votes on any question, the Chairperson shall have casting vote.

**6. Removal of members.-** The State Government may, by notification in the Official Gazette, remove from office a non-official member of the Committee:-

(a) If he has any pecuniary interest in the schemes or works included in the plans and schemes prepared by the urban local authorities or rural local authorities in the Metropolitan area;

(b) If he is convicted for an offence involving moral turpitude punishable under the provisions of any law for the time being in force; or if he, upon the trial of election petition, is found guilty of corrupt practice.

**7. Staff of the Metropolitan planning committee.-** The Bangalore Development Authority shall provide Secretariat Assistance to the Committee. The Bangalore Development Authority may appoint such number of other officers and employees including experts for technical, work as may be necessary, for the efficient performance of its functions and may determine their designations and grades.

**8. Constitution of Sub-committee.-** The committee may constitute the sub-committees for such purpose as it may think fit, sub committees consisting wholly of members of the committee or wholly of other persons or partly of members of the committee and partly of other persons as it may consider necessary or expedient.

**9. Functions of the Metropolitan Planning Committee.-** (1) The committee shall perform such functions relating to planning and co-ordination for the Bangalore Metropolitan area as the Government may, by notification, assign to it.

(2) The committee shall, in preparing the draft development plan,-

(a) have regard to,-

- (i) the plans prepared by the local Authorities in the Metropolitan area;
- (ii) matters of common interest between the urban local authorities and the rural local authorities, including co-ordinated spatial planning of the area, sharing of water and other physical natural resources, the integrated development of infrastructure and environmental conservation;
- (iii) the overall objectives and priorities set by the Government of India and the State Government;
- (iv) the extent and nature of investments likely to be made in the Metropolitan area by agencies of the Government of India and of the State Government and other available resources, whether financial or otherwise;
- (v) Consult such Institutions and Organizations as the Government may specify by, Order.

(b) Also indicate policies, strategies and priorities and major projects for a plan period of five years having due regard to,-

- (i) Physical and natural resource potentials and their utilization;
- (ii) Natural Hazard prone areas;
- (iii) Poverty alleviation and employment in both formal and informal sectors;
- (iv) Development of trade, commerce and industry;
- (v) Rural development;
- (vi) Metropolitan area level transportation system including mass transport;
- (vii) Integrated infrastructure development covering water, energy,

- (c) C  
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- sanitation, education, health, recreation, communication and other utilities facilities and Services;
- (viii) Housing and Shelter development programme;
  - (ix) Population assignment and settlement pattern of rural service centres as well as small, medium and large urban centres and their functional specialisation;
  - (x) Protection of environmentally and ecologically sensitive areas and conservation of heritage;
  - (xi) Generalised Land use;
  - (xii) Fiscal resource requirements and its mobilisation including the extent and nature of investments likely to be made in the metropolitan area by agencies of the Government of India and the State Government;
  - (xiii) Development of special areas, if any, such as new towns, industrial townships, etc;
  - (xiv) Phasing of the metropolitan area perspective plan in periods of five years preferably co-terminus with the state five year plan; and
  - (xv) Any other particulars and details as may be considered necessary by the committee and as may be directed by the Government.

**10. Preparing draft Development plan.-1.** (a) Formulate metropolitan area draft development plan within one year from the date of constitution of the committee having regard or under preparation under sub-rule (2) of rule 9 and development goals, objectives and priorities for the plan period as well as the fiscal resources and central and state Government investment policies and programmes incorporating,-

- (i) all or any matters mentioned in sub-rule (2) of rule 9;
- (ii) phasing of the metropolitan area development plan into five annual plans by sectoral programmes, projects and schemes indicating physical targets and fiscal requirements; and
- (iii) any other particulars and details as may be considered necessary by the committee or as may be directed by the Government.

(b) Prepare metropolitan area annual plan within the framework of approved metropolitan area development plan having regard to findings of review of fiscal and physical performance of the previous annual plan.



(c) Consult such institutions and organizations as the Chamber of Commerce and Industry, non-Governmental organizations' including professional bodies as, Institute of Town Planners of India in the formulation of metropolitan area plans as the Government may determine in this behalf;

(d) Monitor the physical achievements of the investments made by the various planning and development authorities on annual basis and submission of report thereon to the Government;

(e) Resolve conflicts arising out of overlapping functions of planning and development authorities and rural local bodies:

(f) Advise the local authorities on their up-gradation of status and alteration of boundaries;

(g) Sort-out matters relating to sharing of water and other physical and natural resources;

(h) Formulate policies and identify projects for integrated development of metropolitan area level infrastructure and facilitate their implementation through public or private agencies;

(i) Serve as a nodal agency for disbursement of such funds as the Government may determine, to the local planning and development authorities; and

(j) Perform any other incidental, supplemental and consequential function or as prescribed or as may be directed by the Government or as may be necessary and required for the purposes of carrying out its functions under these rules.

(2) The Chairman of the Committee shall forward the draft development plan, as recommended by the committee, to the Government.

(3) The Committee shall have powers to formulate guidelines for preparation of draft plan, which shall be followed by the local authorities while formulating their own plans.

(4) The accounts of all receipts and expenditure of the Committee for the purpose of conduct of meetings and discharge of their function shall be governed by Financial Code and other related Rules.

**11. Preparation and Approval of Metropolitan Area draft Development Plan.**- (1) The committee shall prepare a metropolitan area draft development plan for a period of five years preferably coterminous with the State Five Year Plan, and a report thereon and shall publish the same by a notice in at least one local newspaper indicating the place or places where the metropolitan area development plan shall be available for inspection by the public inviting objections and suggestions in writing from any person in respect of the said plan within a period of thirty days from the date of publication of the aforesaid notice.

(2) Simultaneously with the publication of notice under sub-rule (1), the committee shall appoint a Hearing Committee consisting of not more than five of its members including the metropolitan planning member, who will give hearing to all such persons who have made a request in writing for being so heard and submit their report to the metropolitan planning committee within a period of sixty days from the date of expiry of notice under sub-rule (1).

(3) The committee shall, within thirty days from the date of receipt of the report of the Hearing Committee under sub-rule (2) resolve to effect such modifications, as may be considered necessary, and thereafter the Metropolitan Area draft Development Plan together with the objectives received under sub-rule (2) and the report of the Hearing Committee under sub-rule (2) shall be submitted to the Director of Town and Country Planning, Bangalore Metropolitan Region Development Authority and the Government.

(4) The Government shall, within sixty days of the receipt of the Metropolitan Area draft Development Plan under sub-rule (3) in consultation with the Director of Town and Country Planning approve the same with or without modifications.

(5) As soon as may be, but not later than thirty days, after the draft development plan of the metropolitan area has been approved by the Government, the committee shall publish a notification in Official Gazette and in at least two local newspapers, stating that the Development Plan of the metropolitan area has been approved and mentioning the place or places where a copy of the metropolitan area development plan may be inspected at

reasonable hours and that copies thereof or an extract there from certified to be correct shall be available for sale to the public at a reasonable price.

(6) The metropolitan area development plan shall come into operation from the date of its publication in the Official Gazette. Simultaneously with the publication of metropolitan area development plan in the Official Gazette under sub-rule (5), the committee shall forward a copy thereof to each of the concerned planning and development authorities and the local authorities at the district level falling within the metropolitan area, who shall take necessary steps to obtain such sums of money as allocated to them under Central or state sector through the process of formulation of annual plans, schemes and projects within the framework of the approved metropolitan area development plan.

**12. Review and revision of the metropolitan area development plan.**- Immediately after the expiry of three years from the date of approval of the metropolitan area, development plan under sub-rule (4) of rule 11, but not later than one year the metropolitan planning committee shall review such plan and prepare a fresh metropolitan area development plan for the next five years commencing from the date of expiry of such plan in force after incorporating such modifications and amendments, as may be considered necessary and submit it for approval as laid down in rule-11.

**13. Modifications to development plan of metropolitan area.**

(1) Notwithstanding anything contained in rule 12 development plan of a metropolitan area may be modified at any time and for this propose, the committee shall publish a draft of the proposed modifications by a notice in at least one local newspaper inviting objections and suggestions from the public within thirty days from the date of the aforesaid publication of the notice, and after giving an opportunity of hearing to such persons who have made request of being heard and after considering such objections and suggestions finalise the modifications and submit the modifications together with the objection and report of the hearing committee to the Board or the Government, as the case may be.