



The Bangalore City Planning Area Zonal Regulations (Amendment and Validation) Act, 1996

Act 2 of 1996

Keyword(s):
Validation Act, Zonal Regulations

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**THE BANGALORE CITY PLANNING AREA ZONAL REGULATIONS (AMENDMENT AND
VALIDATION) ACT, 1996.**

ARRANGEMENTS OF SECTION

Sections:

1. [Short title and extent commencement](#)
2. [Amendment of Zonal Regulations appended to the Outline Development Plan](#)
3. [Regularisation of certain constructions](#)
4. [Validation](#)

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STATEMENTS OF OBJECTS AND REASONS

Act 2 of 1996.- The Bangalore City Planning Area Zonal Regulations 1972, which was in vogue till 1984, provided for construction of five floors including ground floor. The Corporation of the City of Bangalore granted permission for construction of buildings beyond five floors in certain cases. In respect of some of the buildings the permission granted by the Corporation contrary to the Zonal Regulations then in force was questioned in the High Court and the Division Bench of the High Court held that the permission granted in violation of the Zonal Regulation was illegal. The matter was taken to the Supreme Court. The Supreme Court dismissed it on 19-1-1987 with a direction that the judgement of the High Court should be given effect.

The allottees of the extra floors took up the matter to the High Court resulting into innumerable writ petitions. Some of the Writ Petitions have been dismissed and the High Court has confirmed the order of demolition.

In respect of one such building contempt petition has been filed against the Commissioner, Bangalore City Corporation for having not carried out demolition of the extra floors. Demolition of extra floors without affecting the security and safety of the First five floors is a difficult task and therefore, the Corporation is trying its best to get a suitable party who can carry out the demolition in the intended manner. But, so far no one has come forward to do the job. Further more, the cost of demolition is prohibitive which may go even beyond rupees one crore in respect of a single building.

Thus, the task of demolition is extremely difficult but failure to carry out the direction would attract contempt of Court. The interest of large number of allottees of the flat which is now in danger has also to be borne in mind.

In the circumstances, it is considered necessary to amend retrospectively the Zonal Regulations appended to the Outline Development Plan of the Bangalore City Planning Area as it existed during the period 1972-1984 and to validate the permission granted by the Bangalore City Corporation which has been declared as illegal by the High Court and Supreme Court for the above purpose.

KARNATAKA ACT NO. 2 OF 1996

(First published in the Karnataka Gazette Extraordinary on the Fourteenth day of March, 1996)

THE BANGALORE CITY PLANNING AREA ZONAL REGULATIONS (AMENDMENT AND VALIDATION) ACT, 1996.

(Received the assent of the Governor on the Fourteenth day of March, 1996)

An Act to amend and validate the Bangalore City Planning Area Zonal Regulations, 1972.

WHEREAS it is expedient to amend and validate the Bangalore City Planning Area Zonal Regulations, 1972 for the purposes hereinafter appearing;

BE it enacted by the Karnataka State Legislature in the Forty-seventh Year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Bangalore City Planning Area Zonal Regulations (Amendment and Validation) Act, 1996.

(2) It shall come into force at once.

2. Amendment of Zonal Regulations appended to the Outline Development Plan.- Notwithstanding anything contained in any judgement, decree or order of any court, tribunal or any other authority, Zonal regulations appended to the Outline Development Plan of the Bangalore City Planning Area made under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) as they existed during the period from 22nd May 1972 to 12th October, 1984 (hereinafter referred to as the said Zonal Regulations) shall be deemed to have been modified as specified in the Schedule with effect from the 22nd day of May, 1972.

3. Regularisation of certain constructions.- (1) Notwithstanding anything contained in the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) or in the said Zonal Regulations as modified by this Act if any person after obtaining permission from the Corporation of the City of Bangalore during the period from 22nd May, 1972 to 12th October, 1984 has constructed any building deviating from the said Zonal Regulations as modified by this Act or the permission granted by the Corporation of the City of Bangalore such person may within thirty days from the date of commencement of this Act, apply to the State Government for regularisation of such construction in accordance with the provisions of this section.

(2) There shall be a committee for the purpose of regularisation of constructions referred to in sub-section (1), consisting of the following members, namely:-

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| (i) | The Secretary to Government,
Urban Development Department | .. | Chairman |
| (ii) | The Commissioner, Corporation
of the city of Bangalore | .. | Member |
| (iii) | The Commissioner, Bangalore
Development Authority | .. | Member |
| (iv) | The Director of Town Planning | .. | Member-Secretary |

(3) The Committee shall scrutinise the applications received under sub-section (1) and after holding such enquiry as it deems fit if it is satisfied that the deviation referred to in sub-section (1) does not constitute material deviation from the said Zonal Regulations

as modified by this Act or the permission granted by the Corporation of the City of Bangalore it may make recommendations to the Government for regularisation subject to payment of such amount as may be determined by it having regard to,-

- (i) the situation of the building;
- (ii) the nature and extent of deviation;
- (iii) any other relevant factors:

Provided that the amount so determined shall not be less than an amount equivalent to one and half times the then market value of such construction.

(4) The State Government may, on receipt of the recommendation of the committee and after payment of the amount by the applicant towards regularisation of such constructions, order for regularisation of the construction.

4. Validation.- Notwithstanding anything contained in any judgement, decree or order of any court, tribunal or other authority, any permission to construct building granted by the Corporation of the City of Bangalore during the period from 22nd May, 1972 to 12th October, 1984 and building constructed in pursuance to such permission and regularised under section 3 shall be deemed to have been validly granted or constructed and shall have effect for all purposes as if the permission had been granted and buildings had been constructed in conformity with the said Zonal Regulations as modified by this Act, and accordingly,-

(a) all such permissions granted, buildings constructed or proceedings or things done or action taken shall for all purposes deemed to be and to have always been done or taken in accordance with law;

(b) no suit or other proceeding shall be instituted, maintained or continued in any court or before any tribunal or other authority for cancellation of such permission or demolition of buildings which were constructed after obtaining the permission from the Corporation of the City of Bangalore and were regularised under section 3, or for questioning the validity of any action or things taken or done in pursuance to the said Zonal Regulations as modified by this Act, and no Court shall enforce or recognise any decree, judgement or order declaring any such permission granted or buildings constructed, action taken or things done in pursuance to the said Zonal Regulations, as modified by this Act as invalid or unlawful.

SCHEDULE

(See section 2)

Modified Zonal Regulations applicable to A, B and C Zones appended to the Outline Development Plan of Bangalore City Planning Area.

Site area	Maximum No. of floors	Maximum coverage permissible	Maximum F.A.R. permissible	Maximum height of buildings	Minimum Road Width
Upto 500 sq. meters	B+G+7	80%	2-00	25 meters	7.5 meters
Above 500 sq.meters.	B+G+13	70%	3-00	50 meters	9.0 meters

The above translation of the ಬೆಂಗಳೂರು ನಗರ ಯೋಜನಾ ಪ್ರದೇಶ ವಲಯ ವಿನಿಯಮಗಳು (ತಿದ್ದುಪಡಿ ಮತ್ತು ಮಾನ್ಯೀಕರಣ) ಅಧಿನಿಯಮ, 1966 (1996ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 2) was published in the official Gazette (Extraordinary) dated 06.04.1996 in Part IV-2B as No.557 under clause (3) of Article 348 of the Constitution of India.