THE LINE BETWEEN AKRAMA & SAKRAMA — ANALYZING THE POLITICAL AND LEGAL CONTOURS OF REGULARISING ILLEGAL PROPERTY IN KARNATAKA

Tanish Neeraj & Saanvi Manjunath, OP Jindal Global University

ABSTRACT

The paper critically examines the Akrama–Sakrama scheme introduced by the Government of Karnataka as a legislative mechanism to regularise unauthorised constructions in urban areas. Against the backdrop of rapid urbanisation and a parallel rise in informal housing across Indian cities, the state initiated this scheme through the Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014. While supposedly framed as a means to integrate informal settlements into the formal urban fabric, the scheme has generated significant legal and constitutional contestation. The authors analyse the scheme's validity by tracing the jurisprudence around State led regularisation policies. The Public interest litigations (PILs) challenging the scheme argued that it unfairly rewarded lawbreakers while penalising law-abiding citizens and violated the right to a clean and safe environment. The authors assess judicial pronouncements, including the Karnataka High Court's upholding of the scheme and the Supreme Court's subsequent stay in Namma Bengaluru Foundation v. State of Karnataka (2017), highlighting the ongoing legal uncertainty regarding its implementation. This paper situates the Akrama–Sakrama scheme within the broader legal doctrine that treats regularisation as a narrow exception rather than a policy norm. Citing key precedents such as Consumer Action Group v. State of Tamil Nadu and Royal Paradise Hotel v. State of Haryana, the paper argues that regularisation must be a rare exception and not a policy norm. The analysis further reveals that the 2014 Rules fail to distinguish between bona fide purchasers and deliberate violators, thereby eroding the moral and legal basis for selective leniency.

In response to judicial intervention, the Government of Karnataka has promoted B-Khata certificates as an alternative mechanism to collect property taxes without conferring legal title. The paper critically evaluates this workaround and argues that it perpetuates legal ambiguity. B-Khata certificates, while facilitating revenue collection, are incompatible and inconsistent with the Transfer of Property Act, 1882, as they confer neither ownership rights nor transferable title. The result is a legal grey zone and public misconception about rights and protections. B-Khata property leaves owners in a vulnerable position, holding what appears to be a legal document, but in substance is just a revenue document. The authors argue for judicial discretion and case-by-case adjudication over legislative amnesties and urge for a more equitable, and constitutionally sound approach to regularisation.

I. Background

As India continues to develop, its cities are witnessing a significant surge in the urban populations. This rapid urbanisation contributes to the unsustainable increase in demand for housing, often outpacing the capacity of formal infrastructure and planning mechanisms. Consequently, development of illegal property has become a critical urban governance challenge. These unauthorised constructions are often built without attaining required permissions or in violation of zoning and land-use regulations. They pose a threat due to their strain on the urban infrastructure, environmental degradation and legal ambiguity regarding ownership and other rights. Thus, in response to this, governments have periodically introduced regularisation schemes that aim to bring such constructions within the legal framework. This resolves the ambiguities, enabling the government to collect tax from these properties. Any attempt to regularise a property must uphold the principles of Article 14[1] and Article 21[2] enshrined under Part III of the Constitution. While the Constitution of India does not forbid one-time regularisation policies, they must be narrowly tailored and justified in the public interest.

In the State of Karnataka, the government on 31st December 2013 introduced the draft rules of their regularisation scheme i.e., the Akrama – Sakrama scheme vide notification no. 556MyAPRa 2013'[3] Bangalore. To operationalise the scheme, the government framed the Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014[4] (*hereinafter* Akrama-Sakrama Rules,2014). These rules derive itself from the powers conferred to the government by Section 76FF read with Section 74 of the Karnataka Town and Country Planning Act, 1961[5](*hereinafter* KTCP Act). Under the Akrama-Sakrama Rules 2014, only constructions completed before a specified cut-off date i.e.,

[1] INDIA CONST. art 14.
[2] INDIA CONST. art 21.
[3] 556MYAPRA 2013,
http://www.uddkar.gov.in/sites/uddkar.gov.in/files/image/UDD%20556%20MYAPRA%202013.pdf .
[4] Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014 (India).
[5] Karnataka Town and Country Planning Act, 1961, § 74 (India).

19th October, 2013 were qualified for regularisation.[6]Applicants seeking regularisation had to pay a 'regularisation fee' which is calculated based on the extent of deviation from sanctioned plans or the illegality of the land use.[7]The scheme has set a tolerance limit on the violations that could be condoned and regularized. The limit put on residential buildings are up to 50% of deviation in setbacks or Floor-Area-Ratio (FAR) beyond approved plans, and for commercial buildings it is up to 25% deviation.[8]Violations exceeding these percentages would not be regularised, ostensibly to ensure that only relatively moderate infractions could be forgiven. Furthermore, constructions in locations such as parks, open spaces, playground, tank beds, stormwater drains, canals and other places that are mentioned in Section 4 of the Act are categorically excluded from the scheme.[9]In addition, a change in land use e.g., building a residential layout on land zoned for agriculture must not be regularized unless such exemptions are made under in the Master Plan (or) Zoning Regulations.[10]

This paper examines the Akrama–Sakrama scheme introduced by the Government of Karnataka as a mechanism to regularize unauthorised constructions, for determining its validity. Furthermore, it analyses the steps taken by the government in response to the Supreme Court's stay on the implementation of the scheme i.e., its promotion of B-Katha property as an alternative. The authors contend that, despite the claims of the government that B-Khata would benefit individuals, it in effect creates more ambiguity and stigma to the property held by the person.

II. The Akrama – Sakrama Scheme

The purpose behind the Akrama-Sakrama scheme was threefold; *firstly,* to provide relief to individuals and families who, in many cases, unwittingly purchased property in unauthorised layouts or built homes with minor by-law deviations; *secondly,* to bring a huge stock of illegal developments into the formal system, thereby enabling the government to collect property tax and enforce standards going forward; *thirdly,* to yield significant revenue

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[6] Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014, §1(3) (India).
[7]Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014, § 16 (India).
[8] Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014, §17 (India).
[9] Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014, § 4 (India).
[10] Karnataka Town and Country Planning (Regularisation of Unauthorised Development or Constructions) Rules, 2014, § 5 (India).

accumulated from the penalties imposed during regularisation which subsequently were meant to contribute to the development of urban infrastructure.

Given its widespread impact, it was inevitable that the Akrama-Sakrama scheme would face legal scrutiny. Even before the Rules took effect, multiple public interest litigations (PILs) were filed questioning the scheme's constitutional validity. Foremost among these was a PIL by Citizens' Forum for Mangalore Development, joined by Bengaluru-based civil society groups like Citizens Action Forum and Namma Bengaluru Foundation, who collectively argued that the scheme was unconstitutional. The petitioners raised a series of legal objections, they primarily contended that the Akrama-Sakrama scheme violated their Article 14 by arbitrarily creating a benefit for those who illegally built something that was denied to law-abiding citizens, creating an unreasonable classification. The petitioners also argued infringement of Article 21 as a ground for unconstitutionality. They contend that the scheme, "*acts in a manner detrimental to the interests of the citizens, including their right to health, safety, and an environment free from congestion. The right to life under Article 21 includes the right to a clean environment and the right to a meaningful existence and not merely an animal existence*."[11]

The *first* argument put forth by the petitioners was the inconsistency of the scheme with prior decision of the Supreme Court in the case of *Consumer Action Group & Anr. v. The State of Tamil Nadu & Ors.*[12]In this case, the Hon'ble Supreme Court held that regularization can be done only once by the State Government and repeated attempts to regularize would amount to arbitrary actions of the State. The petitioners argued that the Karnataka Government had already enacted a Regularisation Law once in the year 1991[13] and therefore, the present action of the State Government would amount to regularisation for the second time. This results in the violation of the above-mentioned position of the Supreme Court. The Karnataka High Court while adjudicating, distinguished the case at hand from the Tamil Nadu case and stated that the Supreme Court had initially upheld a one-time regularisation in Tamil Nadu and subsequently, due to implementing repeated extensions, the scheme was struck down by the Madras High Court. However, the Akrama-Sakrama scheme was the first actual implementation and attempt at regularization. The High Court treated Akrama-Sakrama as a comparable one-time measure,

[11] Citizens Forum for Mangalore Development v. The State of Karnataka & Ors., Writ Petition No.8895/2015 (LB-RES-PIL).
[12] Consumer Action Group & Anr. v. The State of Tamil Nadu & Ors., (2000)7 SCC 425.
[13] Karnataka Regularisation of Unauthorised Construction in Urban Areas Act, 1991 (India).

not yet an example of serial extensions. The quorum appeared satisfied that the state's current effort was bona fide and not an endless policy. They took at face value the government's assertion that this was a final opportunity for regularisation upholding the presumption that is in favour of the government. Similarly, the High Court discussed the case of *Shivalal K Purohit & Ors. v. The State of Gujarat & Ors.*[14]wherein the Gujarat High Court upheld the legislative action of the Government of Gujarat in regularizing unauthorized construction. The Bench noted that the scheme was the first attempt by the Government of Karnataka to implement regularization and that any future attempt would fail in the light of the precedents observed in the case of Tamil Nadu and Gujarat.

The *second* contention of the petitioners was that the Amendments that amounted to regularization was detrimental to the environment and encroached upon vulnerable areas of land. In response to this, the Karnataka High Court perused the Amendment of Karnataka Act No.11 of 1963, in the Karnataka Town and Country Planning Act, 1961 particularly Section 76FF[15]. The Court was persuaded that the scheme did not extend to critical zones like lakes, stormwater drains, parks, etc. It noted that all care and precautions had been taken to exclude areas where no construction should ever be regularised. Thus, the scheme would not sanction something that jeopardises public interest. Although the High Court noted that public interest is not jeopardized, the caveat is that there is scope for regularization of land that blatantly encroaches upon another individual's private property, thereby jeopardizing private interest of individuals.

The *third* contention of the petitioners was that according to a survey which was conducted by the Commissioner, Bruhat Bengaluru Mahanagara Palike (**Annexure 1**) to ascertain the data regarding the extent of violation in Benglauru City, it showed that roughly half of all violating residential buildings exceeded the 50% deviation limit, and over 80% of violating commercial buildings exceeded the 25% limit. This translates into the fact that the scheme's thresholds were such that a majority of illegal constructions would not qualify, calling into question how the scheme would meaningfully solve the problem and implement regularization.

[14] Shivalal K Purohit & Ors. v. The State of Gujarat & Ors., No.2865/2012.
[15] Karnataka Town and Country Planning Act, 1961, § 76FF (India).

Lastly, in response to the challenge of constitutional validity of the Scheme the Court discussed the case of *Hamdard Dawakhana & Anr. v. The Union of India & Ors.*[16]to establish that there must be a presumption of constitutionality of an enactment as the legislature understands and appreciates the need of the people. The High Court favoured the presumption of constitutionality without dissecting the requirements that needs to be met to justify the actions. The case of *Shri Ram Krishna Dalmia v. Shri Justice S.R Tendolkar & Ors.*[17]was discussed to establish that there was a reasonable classification made by the State of Karnataka and that they did not meet the conditions required to be violative of Article 14. It stated that "*the amendments laid down the criteria for regularisation and the classes of people who are entitled to such benefits. Therefore, there is no inequality or want of equal protection of law among the same class of citizens"*[18]The High Court dismissed the PILs against the Akrama-Sakrama scheme, allowing the government to proceed with inviting and processing applications.

However, it cautioned the state to treat this as a one-time measure and strictly enforce building regulations in the future. The bench noted that demolishing approximately 1.5 lakh unauthorized buildings would lead to national waste and serious law-and-order issues. By invoking the doctrine of proportionality, the court justified regularisation over demolition, citing the potential harm of mass displacement, property loss, and public unrest.

III. Pending Appeal in the Supreme Court

Namma Bengaluru Foundation and other petitioners approached the Supreme Court via Article 136 i.e., Special Leave Petition filing an appeal challenging the Karnataka High Court's decision. The case *Namma Bengaluru Foundation v. The State of Karnataka*[19] was admitted in January of 2017 in the Supreme Court and the implementation of the Akrama-Sakrama Scheme was stayed via Interim Order dated 13.01.2017. The Stay Order ensures that no applications under the scheme are processed until the matter was heard and decided in the Apex court. In 2025, as the appeal still remains pending, it becomes imperative to understand the implications of the eventual findings by the Supreme Court and the significance of their decision in the case. The outcome of the case will set a pertinent precedent regarding the laws of regularization in

[16] Hamdard Dawakhana & Anr. v. The Union of India & Ors., AIR 1960 SC 554.
[17] Shri Ram Krishna Dalmia v. Shri Justice S.R Tendolkar & Ors., AIR 1958 SC 538.
[18] CITIZENS FORUM FOR MANGALORE DEVELOPMENT, *supra* note 9 at 2.
[19] Namma Bengaluru Foundation v. The State of Karnataka, Special Leave to Appeal (C) No(s).956-957/2017.

India. The legal uncertainty that exists without the interjection of the Supreme Court has pressured the Government of Karnataka to turn to alternate channels of addressing this issue. These channels will be explored in Section IV and V of this paper. In the current Section we shall track the jurisprudence revolving around the concept of regularization so as to understand the position of law. This will help in preempting certain arguments and holding of the judgement.

Multiple judgements of the Supreme Court state that regularization should not become the norm. The most recent case on this is *Kanin Ahmed v. Sabuddin & Ors.*[20] Which was held on May 1st, 2025. In this case the Court held that there must be restraint shown while regularizing as, "*the law ought not to come to rescue of those who flout its rigours as allowing the same might result in flourishing the culture of impunity. Put otherwise, if the law were to protect the ones who endeavour to disregard it, the same would lead to undermine the deterrent effect of laws, which is the cornerstone of a just and orderly society."*[21] The stance of Supreme Court in this judgement is that the law must safeguard those who have no mala fide intention. The State should keep in mind that regularization schemes tend to undermine the rule of law as it protects those who violate it by converting their illegality to legality. This approach aligns with the Tamil Nadu judgement discussed before to restrict the chances of regularization to once only. Furthermore, regularization of property is seen as a rare exception rather than the rule. This notion is reflected in the authoritative judgement of *M/S Royal Parasdise Hotel (P) Ltd v. State of Haryana & Ors.*[22] wherein the Supreme Court in 2006 held that, "*No authority administering municipal laws and other laws like the Act involved here, can encourage such violations. Even otherwise, compounding is not to be done when the violations are **deliberate, designed, reckless or motivated**. Marginal or insignificant accidental violations unconsciously made after trying to comply with all the requirements of the law can alone qualify for regularization, which is not the rule, but a rare exception."*[23] This position of law still holds to be good as it continues to be cited in cases even today.[24]The authors argue that the 2014 Akrama-Sakrama Rules provided by the government does not distinguish individuals who are entitled to the title of bonafide purchasers/violators from those who violate the law 'deliberately' and with 'motive'. It considers the aspect of 'reckless' by ensuring certain

[20] Kanin Ahmed v. Sabuddin & Ors., Petition for Special Leave to Appeal (C) Nos. 12199-12200/2025.
[21] *Id.*
[22] M/S Royal Parasdise Hotel (P) Ltd v. State of Haryana & Ors., AIRONLINE 2006 SC 219.
[23] *Id.*
[24] Rajendra Kumar Barjatya v. U.P Avas Eva, Vikas Parishad, Civil Appeal No. 14604/2024.

exceptions that cannot be regularized as discussed in the High Court judgement, but it does not gather information regarding designed violations. This will be an issue that is faced by any blanket codified legislations that aim to regularize property. These legislations are limited to percentages and cannot account for the need of the violation being that of bona fide nature. Thus, it is better if attempts of regularization occur on a case-to-case judicial basis ensuring the above stated principles are not violated. Judicial regularizations have the ability to infer more details and adjudicate regarding the need to use an exception that is reserved for rare instances.

IV. An Alternate Path to 'Regularisation': Understanding A-Khata and B-Khata Property

An alternate approach taken by the Government of Karnataka to gather tax from these properties but not be held under contempt of court for violation of the Stay Order was the promotion of B-Khata certificates. The term "Khata" refers to an official document or certificate that signifies a property's inclusion in the municipal property tax register. A Khata certificate, along with a Khata extract is typically needed for various civic purposes like to apply for building licenses, water connections, trade licenses, or loans, as it serves as proof that the municipal authority recognises the property. Traditionally, properties with all valid titles and approvals are issued what is colloquially known as an 'A-Khata' which essentially is an entry in the 'A' register of the municipality indicating the property is fully compliant and tax-assessed. Around 2007, following a surge in revenue layouts and buildings put up without sanctions, the Bruhat Bengaluru Mahanagara Palike (BBMP) i.e., Bengaluru's municipal corporation, devised a mechanism to collect property tax from unauthorised properties even though they were not formally approved. This led to the creation of a separate 'B register' for such properties, and the issuance of 'B-Khata' certificates for them. The Government of Karnataka in September 2024, passed The Karnataka Municipalities and Certain Other Law (Amendment) Act, 2024[25]. This act brings all urban properties under local authorities to be able to impose property tax. The wording of the Act explicitly provides that, "*collection of property tax under this sub-section does not confer any right to regularize violation made, or title, ownership or legal status to such building or vacant land.*" [26] This push for B-Khata

[25] Karnataka Municipalities and Certain Other Law (Amendment) Act, 2024 (India).
[26] *Id*.

properties comes with its own pitfalls majorly due to its inconsistency with the Transfer of Property Act, 1882 [27].

V. Inconsistencies Between B-Khata & the ToPA Act

B-Khata is an unusual legal instrument, it provides recognition to a property but only to the extent of taxation. The ambiguous status of this legal instrument gives rise to a multiplicity of issues, including clashes with the central laws in place such as the Transfer of Property Act, 1882[28](*hereinafter* ToPA). Upon sale of a B-Khata property, sections 54 and 55 of the ToPA gets attracted. Section 54 stipulates that a valid sale of immovable property requires the seller to transfer the ownership and title of the property in exchange for a price paid.[29] Furthermore, a sale of a tangible immoveable property of the value of one hundred rupees or more mandatorily requires registration of such transfer as the statute. Section 55 of the ToPA governs the rights and liabilities of buyer and seller in a sale. These two sections must be harmoniously read together to understand the law of sale. The sale of B-Khata properties violates Section 54 of the ToPA as there cannot be a transfer of ownership. Since the holder of the B-Khata certificate is not recognized as the owner he/she cannot transfer ownership. This is given by the Latin maxim, "*Nemo dat quod non habe"* which means, "no one can give what they do not have".

Both the wordings of the statute as given above in this paper in Section IV and the judicial pronouncements clarify that the recognition given is limited to taxation and does not extend to title or ownership.[30] An argument arises whether the title held by the holders of B-Khata is an imperfect title as if it were to be one, then the sale does not need to be void ab initio. Mulla on Transfer of Property Act clarifies that, "if the title is imperfect, it is the problem of the taker of the property."[31] But there is no judicial support to extend this argument to B-Khata property as the wordings of the law states that B-Khata means 'no title' and not an 'imperfect title'. Though there is a change in name from the seller to the buyer in the B-Register and the buyer will become the one who will now pay tax upon this property, there is no transfer of ownership. The government knows and acknowledges that the individual has this property and will collect tax based on it, but the government does not recognise it as a legal property. In

[27] Transfer of Property Act, 1882 (India).
[28] *Id.* At 7.
[29] Transfer of Property Act, 1882, § 54 (India).
[30] Jayamma v. Assistant Revenue Officer, MANU/KA/0450/2008.
[31] DINSHAW FARDUNJI MULLA, THE TRANSFER OF PROPERTY ACT (14th ed. 2023).

Suraj Lamp and Industries v. State of Haryana[32], there is a very brief discussion by the Court on how Sale Agreements, General Power of Attorney or Wills can be used to regularize but it does not give it the full effect of a completed transaction of sale. This argument shall extend to B-Khata as well as it is of a similar nature. A B-Khata certificate can be presented for the purposes of regularization as it serves as proof of possession but by itself a transfer of B-Khata certificate does not pass the conditions of Section 54.

Furthermore, another issue in holding a B-Khata property is the public perception and the stigma that surrounds it. Due to the government's mixed messaging, property buyers are often under the impression that a B-Khata is a form of title document or at least a halfway mark to full legal status, while in reality it is only a tax acknowledgment. It tempts buyers to purchase a B-Khata property as it is cheaper than the market rate and aim to convert it into an A-Khata property to earn profits. This creates a gap between public perception and legal reality, for instance, a buyer with a B-Khata might find themselves denied building approvals, unable to defend against demolition orders, or can be caught in litigation over property rights. B-Khata does not provide title assurance, validate zoning, or grant occupancy rights. Legally, it holds no standing under the hierarchy of property documents recognised by ToPA or the Registration Act, 1908. While B-Khata offers surface-level legitimacy, it does so without reconciling the deeper inconsistencies it presents within established property law, leaving buyers exposed to uncertainty and potential loss.

The public perception of B-Khata properties reveals a troubling disconnect between bureaucratic procedure and legal reality, creating a cycle of confusion, misinformation, and social stigma. This blurring of lines fosters a dangerous sense of security for owners and investors. Moreover, B-Khata properties are marked by a social stigma as they are seen as second-grade holdings. The B-Khata becomes a label not of ownership, but of compromise — a public admission that the property is unofficial, precarious, and not on equal footing with legally sanctioned plots. This stigma is compounded by the state's refusal to offer legal clarity. Instead of reforming planning laws or offering one-time regularisation pathways, the state codifies the ambiguity: it taxes the property while simultaneously denying its legitimacy. This leaves owners in a vulnerable position, holding what appears to be a legal document, but in substance is just a revenue document.

[32] Suraj Lamp and Industries v. State of Haryana, (2011) (11) SC 438.

VI. Conclusion

The Akrama-Sakrama scheme, introduced to catch up with the general tendency of unauthorised development, reflects both the administrative lapse to uphold the law and also the administrative actions to initiate accountability and standards. While regularization schemes on the surface provides practical solutions to planning gaps in cities, such as higher revenue through property tax and infrastructural simplification. The legal context exposes fundamental flaws in implementation. The Karnataka High Court judgment in Akrama-Sakrama in favour of the regularization scheme stressed the principle of proportionality, referring to practical challenges and potential anarchy because of bulk demolitions. Nevertheless, the Supreme Court's interim Stay Order and its conservative approach towards regularization seen via the developing jurisprudence reflects clear hesitation in legalising illegal constructions. Judicial precedent mentioned above such as the case of *Kanin Ahmed v. Sabuddin*[33] and *M/S Royal Paradise Hotel (P) Ltd v. State of Haryana*[34] explicitly reaffirms that regularisation can only be an exception and not a rule. Its usage is limited to bona fide and inadvertent transgressions, and not wilful and intentional ones. Blanket regularization policies by the legislature will safeguard both transgressors i.e., the ones with a bonafide intention and also the ones with a mala fide intention. This is the reason regularization must be a policy that is implemented on a case-to-case basis, deriving the intention from the actions of the individual and not merely a percentage.

In addition, the government's issuance of B-Khata certificates on a temporary basis indicates a broader policy inconsistency. While it ensures taxation and collection of revenues from unauthorized holdings, the regime of B-Khata increases the ambiguity and public misconception of property entitlements. The inherent contradiction between an official recognition of taxation without titles or rights to ownership creates serious conflict with existing law such as the Transfer of Property Act, 1882[35]. The Court's interpretations categorically reiterate that mere recognition by revenue cannot equate to creation of title or ownership of property which is needed U/S. 54 of the ToPA to complete a sale. The promotion of these certificates safeguards merely the interests of the government by providing additional tax and revenue but does not safeguard the interests of the bona fide individuals.

[33] Kanin Ahmed v. Sabuddin & Ors., Petition for Special Leave to Appeal (C) Nos. 12199-12200/2025.
[34] M/S Royal Parasdise Hotel (P) Ltd v. State of Haryana & Ors., AIRONLINE 2006 SC 219.
[35] Transfer of Property Act, 1882 (India).

The destiny of Karnataka's regularisation issue lies in the pending Supreme Court judgment. The decision will undoubtedly set key precedents, not only for future policy intervention but also in defining broader public attitudes towards government transparency and accountability. Until the Apex court speaks, Karnataka's property regularisation landscape will remain on a deadlock.

Annexure 1

"To,
The Secretary of Government
Urban Development Department
Vikasa Soudha
Bangalore-560 001.

Dear Sir,

Sub: Hon'ble High Court, Bangalore, W.P.No.8895/2015,
Citizen Forum for Mangalore Development against State Government and Others.

Ref: 1) Government Letter No.UDD 117 MyApra 2015, dated: 25-03-2015

2) Government Principal Advocate, Karnataka High Court, Bangalore letter dated: 20.03.2015

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With reference to the subject, letter of referenced (2) and the copy of the Hon'ble High Court Interim Order dated: 19-03-2015 is enclosed for your kind perusal, the Hon'ble High Court has instructed the government to submit the statistics whether

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Bruhat Bengaluru Mahanagara Palike has conducted the Survey of unauthorised development to implement Karnataka Town and Country Planning (un authorized development and construction regularisation) Rules 2014.

On examination it is estimated that there are about 16.75 Lakhs of sites/buildings in the jurisdiction of Bruhat Bengaluru Mahanagara Palike out of which 13.82 lakhs of sites/properties are coming under tax collection net. The tax has been collected every year from 13.82 lakhs sites/buildings owners by the BBMP.

The details of 13.82 lakhs properties/buildings are as below.

Sl No.	Usage	Percentage	Total Nos. of Properties
1	Residential	73.74	10.19 Lakhs
2	Commercial	9.69	1.34 Lakhs
3	Mixed Use	4.41	0.61 Lakh
4	Vacant Sites	12.16	1.68 Lakhs

Out of 16.75 lakhs sites/buildings for 13.82 lakhs sites/buildings taxes are being collected and the remaining 2.93 lakhs of sites/buildings are estimated as unauthorised. Since the unauthorised developments are huge it was not possible to conduct survey from BBMP. Hence, during the year 2014 Randum Sample Survey was conducted in BBMP for ward nos 56, 72, 80 and 109. Based on the Random Sample Survey following information is derived.

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I	Empirical data regarding, the extent of violation in Bengaluru City	Properties/buildings/Sites 2,93,000 Nos
II	Percentage of such unauthorised construction	2.93,000 x 100 = 17.49 16,75,000
III	Percentage of Contruction in violation of building bye-laws as per RANDOM Sample Survey	Residential 0-50% - 52.5% Above 50% - 47.50% Non Residential 0-25% - 18.25% Above 25% - 81.75%

IV. Details of approximate fees that could be collected form 1,53,419 properties

Sl. No.	Usage	Percentage of Usage	Total No. of Properties	Regularisation fee per property	Amount (In Crores)
1	Residential	73.93	1,13,430	1 lakh	1134.00
2	Commercial	2.85	4,360	2 lakhs	88.00
3	Vacant Sites	23.22	35,629	0.50 lakh	178.00
				Total	1400.00

V. Number of violations that would be eligible for regularisation, under the present scheme

Residential	52.5% i.e. 2,16,058 x 0.525 = 113430 Nos.
Non Residential	18.25% i.e. 28,392 x 0.1825 = 4360 Nos.
Vacant Sites	35629 Nos.
Total	**153419 Nos.**

Bringing the above information to the notice of the government, since the information is

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to be submitted to the Hon'ble High Court, submitted for further necessary action.

Sd/-
Commissioner
Bruhat Bengaluru Mahanagara Palike."