

. 55
No.55

1 / 10

ಪ್ರಕರಣದ (6) ಅಡಿಯಲ್ಲಿ ಪೂರ್ವಸಂಪರ್ಕ ವಹಿವಾಟು ಎಂಬ,

- ಅಃ ಅಧರಿವಣಿ೭೧೦೧೦ರತಕಜೆಹಿ೪.

(ಇ) “ಕೌಪನಿ” ಎಂ ಹಿಂಗ ಖ ಅರಮಲಿ (ಆಜರಿ ಮಗ್ತ ವಫೆಯ) ಅಕ್ರಿಯಮ, 1996ರ 2೪ ಪಂಕ್ರಣದ (4)ತಫಡದ ಪನ್ದಂನಿರತಕಜೆಕಿ.

(ಎ೧) “ವಛಠಿ ಸಬಠಿ ದಿಠಿ ಅಠಿ ಲಿಠಿ ಹಠಿ ಜೆಗಠಿ” ಎಠಿ ಲಿ ಕಠಿಠಿಟಕ ಪಠಿಠಿ

ಮಂತ್ರಾಂಶಾಂತರಾಜಿ (ಅಗ್ನಿ ಹೇಗೂ ಪಾಂಜನ) ಐಯಮಗಾ, 2016ಒಂಠೆಡ
ಒಂಠೆಆಂಫ ಕಾಟಕ ಪಟ್ಟಣ ಮಂತ್ರಾಂಶಾಂತರಾಜಿ ಅಫಿಐಯಮ, 1961ರ 14
ಪಕರಣದ (28)ಫ ಉಪ ಪಕರಣದ (ಃ) ಫಡದ ಪೂಂಠೆರತಕಹೆಹೆ.

(೧) “**ಉಜ್ಜ್ವಲ ಸ್ಮಾರ**” ಎಂದೂ ಕರೆಯಲ್ಪಡುವ ಸ್ಮಾರ ಮಂತ್ರಾಂಗ
ಮಂತ್ರಗಳ ವಿಷಯವಾಗಿ ಉತ್ತರಾಧಿಕಾರಿಗಳ ಕರೆಯಲ್ಪಡುವ ಸ್ಮಾರದ
ಅಂಗವ್ಯವಸ್ಥೆ (instrumentalities) ಒಳಗಡೆ ತೆರೆಯಲ್ಪಡುವ.

3. ಉಲಂಕಯರಿ ಲೀಜಲಿಫಜ ಡೀಯ ಬಳಃ:- (1) ಢಢಃ
ಉಲಂಕಯರಿ ಲೀಜಲಿಯ ಉಂಘಲೀಶಢಜೆಜ, ಲಜ ಢ ಸಢರಿ ಲೀಂಘ ಅರಮಲಿ (ಆಜರಿಲಿ
ಮಢ್ರಢ ವಫರಿವಯಿ) ಅಢ್ರಲಿಯಮ, 1996ರ 4ಶ ಪಕರಣಢಘ ಬಘವ ಲೀಂಘ ಲ ಅರಮಲಿಯ
ಢಢಃ ಗವಜಢ ಬಳಸಢ ಅಢ್ರಢರವಜಢಢಂಢರಿತಕಜೆಢಫ.

(2) ಮುಖ್ಯಮಂತ್ರಿಗಳಾದ ಮುಖ್ಯಮಂತ್ರಿಗಳು ಅಥವಾ ಅವರ ಅಧಿಕಾರಿಗಳು
ಸಹಿರಾಗಿ ಈ ರದ್ದುಗೊಳಿಸುವಂತಹ ಮುಖ್ಯಮಂತ್ರಿಗಳಿಂದ ಏತೆ ಇದ್ದು, ಉಳಿದ
ಸಹಿರಾಗಿ (1)ನ ಉಪಪಂಚಾಯತ್‌ನ ಮುಖ್ಯಮಂತ್ರಿಗಳಿಂದ ಕೂಡಿದ ನಾಣ್ಯದ
ಅಧಿಕಾರವು ಉಂಟಾದಂತಹ ಅಧಿಕಾರವು ಇರುವಂತಹದಾಗಿರುತ್ತದೆ.

(3) ಒಬ್ಬ ಸಚಿವರ (2)ನ ಉಪಪರಿಶೀಲನೆಯನ್ನು ಮುಗಿಸಿದ ಕಾರಣದಿಂದಾಗಿ, ಅದರಲ್ಲಿ ಉಳಿದಿರುವ ವಿಷಯಗಳನ್ನು ಪರಿಶೀಲಿಸುವುದು, ಅದರಲ್ಲಿ:-

(ಎ) ಉಪಪಂಚರ (1)ರಲ್ಲಿ ಬಳಸಿ ಉಂಟಾಗಿರುವ ಆದಿ ತಜ್ಞರು
ಉಪಪಂಚರ (2)ರಲ್ಲಿ ಉಂಟಿರುವವರಿಗಿಂತ ಅಧಿಕ ಬಳಸಿರುವ ಪಂಗಡ

ರಜ ಪಕಣಿಸಣಟ

ರತ ಂನದ

ಅಣಿಂಢ 348ರಲಯಫಜಫಿಲಂಢ ಅಫಂತತ

ಢದ ಸದಾ ಅಫಃಶದ

ಅಂಗ ಂಂತರವಣಃ ಕಢಿಟಕ ಜಫಪತದ ಡಷ ಂಃಯಫ(

ಗ IV-A)

ಪಕಣಿಸಃಂಫಿ ಅಃಸಢಜಃ,-

KARNATAKA ORDINANCE NO. 01 OF 2025

THE BANGALORE PALACE (UTILIZATION AND REGULATION OF LAND) ORDINANCE, 2025

(Promulgated by the Governor of Karnataka in the seventy sixth year of the Republic of
first published in the Karnataka Gazette Extra-ordinary on the 29th day of
2025)

India and
January,

An Ordinance to determine the utilization and regulation of land of the Bangalore Palace which has been acquired under the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996) and under which the land relating to the Bangalore Palace now vests with the State of Karnataka;

Whereas, the total value of the entire extent of 472 acres and 16 guntas of the Bangalore Palace has been determined in accordance with sections 8 and 9 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996), which has been determined to be Rupees Eleven Crores;

And whereas, the constitutional validity of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996) has been upheld by the Hon'ble High Court of Karnataka, and there is no stay on the operation of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996) by the Hon'ble Supreme Court in the appeal;

And whereas, by the judgment dated 10.12.2024, the Hon'ble Supreme Court in Contempt Case No. 688 of 2021 etc. has directed to grant transferable development rights,

9

valuing the part of the Bangalore Palace ear-marked for the purpose of road widening, in accordance with the prevailing guidance value of the adjoining areas in accordance with section 45B of the Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957);

And whereas, the financial effect of the judgment of the Hon'ble Supreme Court will be grave on the exchequer of the State of Karnataka, and upon the urban planning of the city of Bengaluru. Further, the same is not consistent with the total compensation determined as per the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996);

And whereas, the Civil Appeals relating to the constitutional validity of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996) are pending consideration of the Hon'ble Supreme Court and the grant of the transferable development rights will be an irreversible process, which will have a severe ramification on the State;

And whereas, the Karnataka Legislative Assembly and Karnataka Legislative Council are not in session, and the Hon'ble Governor of Karnataka is satisfied that the circumstances exist which render it necessary and expedient to exercise powers under Article 213 (1) of the Constitution of India, and promulgate the following Ordinance, namely:-

1. Short title, application and commencement.- (1) This Ordinance may be called the Bangalore Palace (Utilization And Regulation Of Land) Ordinance, 2025

(2) This Ordinance shall apply to the Bangalore Palace.

(3) It shall come into force on 27.01.2025.

2. Definitions.- In this Ordinance, unless the context otherwise requires,-

(A) **“Bangalore Palace”** shall have the same meaning as defined in clause (2) of section 2 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996);

(B) **“Infrastructure Project”** includes any infrastructure development towards the larger public interest;

(C) **“Claimants”** shall have the same meaning as,-

- (i) **“Legal Representatives”** and **“Heirs”** as defined in clause (5) of section 2 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996); and
- (ii) **“Others”, “Other Persons”** and **“Other Interested Persons”** as defined in clause (6) of section 2 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996);
- (D) **“Compensation”** shall include any amount that is payable and shall also include transferable development rights;
- (E) **“Commissioner”** shall have the same meaning as defined in clause (4) of section 2 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996);
- (F) **“Transferable development rights”** shall have the same meaning as defined in clause (k) of sub-section (28) of section 14B of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) read with the Karnataka Town and Country Planning (Benefit of Development Rights) Rules, 2016;
- (G) **“State Government”** shall mean the Government of Karnataka and include the instrumentalities of the Government of Karnataka such as the Bruhat Bengaluru Mahanagara Palike and the Bengaluru Development Authority.

3. Utilization of Land for infrastructure project.- (1) For the purpose of any infrastructure project, the State Government is empowered to utilize any portion of the Bangalore Palace, which is covered by section 4 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996).

(2) Notwithstanding any judgment or order of any court or any earlier decision taken by the State Government, the State Government is empowered to not go ahead with any infrastructure project, in whole or in part, under sub-section (1).

(3) If the State Government decides to not go ahead with any infrastructure project under sub-section (2), it shall:

11

- (a) restore that part of the portion of the Bangalore Palace which was sought to be utilized under sub-section (1) but subsequently not gone ahead with or not utilized under sub-section (2);
- (b) restore the possession of that part of portion the Bangalore Palace as it was, prior to when such land was sought to be utilized under sub-section (1), but subsequently not gone ahead with or not utilized under sub-section (2); and
- (c) bear the entire expenditure for (a) and (b).

(4) Notwithstanding anything contained in any other law for time being in force, if the State Government has utilized any part of a portion of the Bangalore Palace under sub-section (1), the State Government shall pay compensation to the claimants as per this Ordinance under section 4.

4. Compensation Payable for Utilization.- (1) Notwithstanding any judgment or order of any court, or anything contained in any law for the time being in force, which is contrary to this Ordinance, the guidance value of the land shall be in accordance with this Ordinance for the purpose of compensation.

(2) For the purpose of calculation of compensation for any portion of the Bangalore Palace utilized under sub-section (1) of section 3 of this Ordinance, the proportionate value shall be as per section 8 and section 9 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996), which shall be deemed to be the guidance value under section 45B of the Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957) from the appointed day under the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996).

Explanation I. – For the determination of “guidance value”, the valuation as per the Bangalore Palace (Acquisition and Transfer) Act, 1996 shall be deemed to be guidance value under section 45B of the Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957) notwithstanding any judgment or order of any court to the contrary.

Explanation II. – The expression “appointed day” shall have the same meaning as under sub-section (1) of section 2 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996), i.e. 21.11.1996.

- (3) The compensation payable to the claimants shall be as follows:

12

(a) an amount being the proportionate value as per sub-section (2) proportionate to the extent of the land, or as the case may be;

(b) transferable development rights on the proportionate value as per sub-section (2).

(4) The claimants shall have no other right to compensation, other than as prescribed by this Ordinance and notwithstanding any order or judgment of any court.

(5) The compensation under this Ordinance shall be adjusted proportionately towards payment of final compensation as determined by the Commissioner under section 13 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996).

(6) The claimants shall be liable to indemnify the State Government for the utilization of any compensation under sub-section (3), in the event the same is inconsistent with section 8 and section 9 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996).

(7) Notwithstanding any order or judgment of any court to the contrary, or to any other law for the time being in force, the compensation determined under section 8 and section 9 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996) read with this Ordinance shall be final.

(8) In the event of any inconsistency of any order or judgment of any court with this Ordinance, for the determination of compensation of lands utilized under sub-section (1) of section 3, the provisions of this Ordinance shall prevail.

5. Payment of compensation on existence of disputes between the claimants.-(1) In the event of any disputes between the claimants for the purpose of claiming compensation, the State Government shall deposit the compensation determinable under this Ordinance before the Commissioner.

(2) No claimant shall be entitled to withdraw any compensation from the Commissioner under section 13 of the Bangalore Palace (Acquisition and Transfer) Act, 1996 (Karnataka Act 18 of 1996), in the event of existence of inter-se disputes between the claimants, without furnishing a certified copy of the final decree of a competent civil court to the Commissioner:

R.N.I. No. KARBIL/2001/47147 POSTAL REGN. No. RNP/KA/BGS/2202/2017-19 Licensed to post without prepayment WPP No. 297

