- (3) Unexpended balance of the fund and all other properties vesting in the existing Zilla Panchayat or Taluk Panchayat shall be transferred to the Zilla Panchayat of the new district or Taluk panchayat of the new taluk as the Government may by order direct.
- (4) The rights and liabilities of existing Zilla Panchayat or Taluk Panchayat in respect of civil and criminal proceedings, properties, contracts agreements and other matters or things (including arrears of taxes, fees, cess and rates) arising in, and relating to any part of the area included in the new district or the new taluk shall vest in such Zilla Panchayat of the new district or Taluk Panchayat of the new taluk, as the Government may by order direct.
- (5) Such officers and servants of the existing Zilla Panchayat or Taluk Panchayat may be transfered to Zilla Panchayat of the new district, or as the case may be, to the Taluk Panchayat of the new Taluk as the Government may by order direct and shall, until other provisions are made in according with this Act, be entitled to receive the same salary and allowances and be subject to the same conditions of service as they were entitled or subject to immediately before such transfer.
- (6) All proceedings including appeals, pending before the existing Zilla Panchayat or Taluk panchayat or any officer immediately before the constitution of the new district or the new taluk and all prosecutions instituted by or on behalf of the existing Zilla panchayat or Taluk Panchayat or any officer thereof, pending immediately before such constitution shall be continued by or against or disposed of by, the existing Zilla Panchayat or Taluk Panchayat or such officer.
- (7) The Government may, by notification, make such provision as appearing to it to be necessary or expedient,-
- (i) for making deletions from, additions to, adaptations or modifications in any rule, bye-law, notification, scheme, permission or licence referred to in sub-section (2) in its application to the Zilla Panchayat of the new district, or as the case may be, the Taluk Panchayat of the new district, or as the case may be, the Taluk Panchayat of the new taluk; or
- (ii) for removing difficulties arising in connection with the working of the existing Zilla Panchayat or existing Taluk Panchayat or the Zilla Panchayat of the new district or Taluk Panchayat of the new taluk.]¹
- ¹[302B. Consequences of absorption of part of a panchayat area or any area within the limits of a District or Taluk in another panchayat area, Taluk or District.-If during the term of office of,-
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

- (i) a member of Grama Panchayat, any local area within the limits of a panchayat area, being the whole or major part of the area comprised in the territorial constituency represented by such member is included in any other panchayat area by virtue of a notification under section 4 of this Act: or
- (ii) a member of a Taluk Panchayat, any local area within the limits of a Taluk being the whole or major part of the area comprised in the territorial constituency represented by such member is included in another taluk by virtue of a notification under section 4 of the Karnataka Land Revenue Act, 1964; or
- (iii) a member of a Zilla Panchayat, any local area within the limits of a district being the whole or major part of the area comprised in the territorial constituency represented by such member is included in another district by virtue of a notification under section 4 of the Karnataka Land Revenue Act, 1964, then, notwithstanding anything contrary contained in this Act, the following consequences shall ensue with effect from the date of such inclusion, namely:-
- (a) such member of the Zilla Panchayat, Taluk Panchayat or Grama Panchayat as the case may be, (hereinafter referred to as earlier Zilla Panchayat, Taluk Panchayat or Grama Panchayat) shall cease to be a member of the earlier Zilla Panchayat, Taluk Panchayat or Grama Panchayat, as the case may be, and the total number of elected members of the earlier Zilla Panchayat, or Taluk Panchayat or Grama Panchayat, as the case may be, as determined already shall stand reduced to that extent:
- (b) such member of the earlier Zilla Panchayat, Taluk Panchayat or Grama Panchayat as the case may be, shall become the member of the Zilla Panchayat of the District, Taluk Panchayat of the Taluk or Grama Panchayat of the panchayat area, as the case may be, in which such local area is included, (hereinafter referred to as later Zilla Panchayat, Taluk Panchayat or Grama Panchayat), and the total number of elected members of such later Zilla Panchayat or Taluk Panchayat or Grama Panchayat as the case may be, as already determined shall stand increased to that extent;
- (c) such member of the later Zilla Panchayat, Taluk Panchayat or Grama Panchayat shall hold office for the remainder of the period for which he would have continued as Member of the earlier Zilla Panchayat, Taluk Panchayat, or Grama Panchayat as the case may be, had there been no such inclusion or till the remainder of the term of the later Zilla Panchayat, Taluk Panchayat or Grama Panchayat, as the case may be, whichever is earlier;

- (d) so much of the Zilla Panchayat, Taluk Panchayat or Grama Panchayat fund or any other property vested in earlier Zilla Panchayat, Taluk Panchayat or Grama Panchayat shall be transferred to the fund of the later Zilla Panchayat, Taluk Panchayat or Grama Panchayat as the Government may by order in writing direct.
- (e) the rights and labilities of the earlier Zilla Panchayat, Taluk Panchayat or Grama Panchayat in respect of civil and criminal proceedings, contracts, agreements and other matters or things (including arrears of tax, fees, rates and cess) arising in, or relating to the part of the area included in another panchayat area, Taluk or District shall vest in the later Zilla Panchayat, Taluk Panchayat and Grama Panchayat, as the case may be, and such rights and liabilities may be enforced by or against such later Zilla Panchayat, Taluk Panchayat or Grama Panchayat under this Act or rules, byelaws and orders made thereunder.]1
- **303.** Transfer of property may be subject to conditions.- The grant, lease, sale or other transfer of moveable or immovable property by a Grama Panchayat, Taluk Panchayat or Zilla Panchayat may be subjected to such conditions as the Grama Panchayat, Taluk Panchayat or Zilla Panchayat may specify.
- **304.** Saving of acts and proceedings.- No act done or proceedings taken under this Act shall be questioned on the ground merely of any defect or irregularity not affecting the merits of the case.
- **305. Procedure for consultation.-** Whenever any action has to be taken under this Act after consultation with any authority or body, such consultation shall be deemed to have been made if the authority or body concerned had been informed of the proposed action and given a reasonable time to furnish its views.
- **306. Method of serving notices, etc.-** (1) Save as otherwise provided in this Act, the service of any notice or other document under this Act or order made thereunder on any person to whom it is by name addressed shall be affected,-
 - (a) by giving or tendering the said notice or document to such person, or
- (b) if such person in not found by leaving such notice or document at his last known place of residence or business, or by giving or tendering the same to some adult member or servant of his family, or
- (c) if such person does not reside in the village or town and his address elsewhere is known to the officer directing the issue of such notice or document by sending the same to him by registered post, or
- (d) if none of the means aforesaid be available, by affixing such notice or document on some conspicuous part of the house, if any, in which the person is known to have last resided or carried on business or personally worked for gain.

- (2) When any notice or other document has to be served upon an owner or occupier of any building or land, it shall not be necessary to name the owner or occupier therein, and the service thereof in cases not otherwise specially provided for in this Act, shall be effected either,-
- (a) by giving or tendering the notice or document to the owner or occupier or if there be more owners or occupiers than one, to any one of them, or
- (b) if no such owner or occupier be found, then by giving or tendering the notice or document to some adult member or servant of the family of any such owner or occupier as aforesaid, or
- (c) if none of the means aforesaid be available, then by causing the notice or document to be affixed upon some conspicuous part of the building or land to which the same relates.
- (3) Every notice which this Act requires or empowers a Grama Panchayat, Taluk Panchayat or Zilla Panchayat to give or to serve either as a public notice, or generally, or by provisions which do not expressly require notice to be given to individuals therein specified shall be deemed to have been sufficiently given or served if a copy thereof is put up in such conspicuous part of the office of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat, as the case may be, during such period and in such other public buildings and places, or is published in such local papers or in such other manner as the Grama Panchayat, Taluk Panchayat or Zilla Panchayat may in this behalf direct.
 - (4) No notice or bill shall be invalid for defect of form.
- (5) Whenever in any notice or other document served under this Act or the rules, regulations, bye-laws or order made thereunder, a period is fixed within which any tax or other sum is to be paid or any work executed or anything provided such period shall, in the absence of any provision to the contrary in this Act, or the said rules, regulations, bye-laws or orders thereunder, be calculated from the date of such service.
- (6) When any notice under this Act, or any rule, regulation, bye-law or order requires any act to be done for which no time is fixed the notice shall fix a reasonable time for doing the same.
- (7) In the event of non-compliance with the terms of the notice it shall be lawful for the Grama Panchayat, Taluk Panchayat or Zilla Panchayat or an officer authorised by it to take such action or such steps as may be necessary for the doing of the act thereby required to be done, and all the expenses therein incurred by the Grama Panchayat, Taluk Panchayat or Zilla Panchayat shall be paid by the person or persons upon whom the notice was served, and shall be recoverable in the manner provided under Chapter XIII.

- **307.** Official display of flag.- (1) No person shall fly any flag other than the National Flag or flag approved by the Government on the office of the Grama Panchayat or Taluk Panchayat or Zilla Panchayat.
- (2) Whoever contravenes sub-section (1) shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to rupees five thousand or with both and in the case of continuing contravention with a further fine which may extend to rupees five hundred for each day during which the contravention continues.
- **308. State Election Commission.-** (1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Grama Panchayat, Taluk Panchayat or Zilla Panchayat shall be vested in the State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.
- (2) The conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a judge of a High Court and conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

- (3) The Governor shall when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission under subsection (1).
- ¹[308 A. Account of election expenses and maximum thereof.- (1) Every candidate at an election to Zilla Panchayat or Taluk Panchayat under this Act shall either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election, incurred or authorized by him or by his election agent between the date of which he has been nominated and the date of declaration of the result thereof, both dates inclusive.
 - 1. Sections 308A to 308D Inserted by Act 37 of 2003 w.e.f. 1.10.2003.
- (2) Any expenditure incurred or authorized in connection with the election of the candidate referred to in sub-section (1) by a political party or by any other association or body or persons or by any individual (other than the candidate or his election agent) shall not be deemed to be the expenditure in connection with the election incurred or authorized by the candidate or by his election agent for the purpose of sub-section (1).

Explanation 1: For the purposes of this sub-section, 'Political Party' shall have the same meaning as in the Election Symbols (Reservation and Allotment) Order, 1968 for the time being in force.

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Explanation 2: For the removal of doubts, it is hereby declared that any expenditure incurred in respect of any arrangement made facilities provided or any other act or thing done by any person in the service of the government or the service of the Zilla Panchayat or Taluk Panchayat as the case may be, the discharge or purported discharge of his official duty for, or to, or in relation to any candidate or his election agent or any other person acting with the consent of the candidate or his election agent (whether by reason of the office held by the candidate or for any other reason) shall not be deemed to be expenditure in connection with the election incurred or authorized by a candidate or by his election agent for the purpose of this section.

- (3) The account shall contain such particulars as may be prescribed.
- (4) The total of the said expenditure shall not exceed such amount as may be prescribed.

308B. Lodging of account with the returning officer.- Every contesting candidate at the election to the Zilla Panchayat or Taluk Panchayat under this Act shall within thirty days from the date of election of the returned candidate or, if there are more than one returned candidate at the election and the dates of the election are different, the later of those two dates lodge with the Returning Officer appointed at an election under this Act an account of his election expenses which shall be a true copy of the account kept by him or by his election agent under section 308A.

308C. Failure to lodge an account of election expenses.- If the State Election Commission is satisfied that any person,-

- (a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act; and
 - (b) has no good reason or justification for the failure;

the State Election Commission shall by order published in the Official Gazette declare him to be disqualified and any such person shall be disqualified for a period of six years from the date of the order.

308D. Returning Officer etc., deemed to be on deputation to State Election Commission.- The returning officers, presiding officers, polling officers and any other officer or staff employed in connection with the preparation, revision and correction of electrol roll for, and the conduct of all elections to the Zilla Panchayat, Taluk Panchayat and Grama Panchayat shall be deemed to be on deputation to the State Election Commission for the period during which they are so employed and such officers and staff shall, during that period, be subject to the control, superintendence and discipline of the State Election Commission. If during that period the officer concerned commits any misconduct action shall be taken against him under the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957]¹.

- **309. Preparation of Development Plan.-** (1) Every Grama Panchayat shall 1[having due regard to the development programes suggested by the Grama Sabha]1 prepare every year a development plan and ¹[forward]¹ it to the Taluk Panchayat before such date and in such form as may be prescribed.
 - 1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
- (2) Every Taluk Panchayat shall prepare every year a development plan for the Taluk after including the development plans of the Grama Panchayats and 1[forward]1 it to the Zilla Panchayat before such date and in such form as may be prescribed.
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
- (3) Every Zilla Panchayat shall prepare every year a development plan of the district after including the development plans of the Taluk Panchayats and ¹[forward] ¹ it to the District Planning Committee constituted under section 310.
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
- **310.** District Planning Committee.- (1) The Government shall constitute in every district a District Planning Committee to consolidate the plans prepared by the Zilla Panchayats, Taluk Panchayats, Grama Panchayats, ¹[Town Panchayat]¹, Municipal Council and Municipal Corporations in the district and to prepare a draft development plan for the district as a whole.
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
 - (2) The District Planning Committee shall consist of,-
- (a) members of the House of People who represent the whole or part of the district:
- (b) members of the Council of State who are registered as electors in the district:
 - (c) Adhyaksha of the Zilla Panchayat;
- (d) Mayor or the President of the Municipal Corporation or the Municipal Council respectively, having jurisdiction over the head quarters of the district;
- (e) such number of persons, not less than four-fifth of the total number of members of the Committee as may be specified by the Government, elected in the prescribed manner from amongst the members of the Zilla Panchayat, '[Town Panchayat]', and Councillors of the Municipal Corporation and Municipal Councils in the district, in proportion to the ratio between the population of the rural areas and of the urban areas in the district.
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
- (3) All the members of the State Legislative Assembly whose constituencies lie within the district, the members of the State Legislative Council who are registered as

electors in the district and the Deputy Commissioner shall be permanent invitees of the committee.

- (4) The Chief Executive officer shall be the Secretary of the committee.
- ¹[(5) The Adhyaksha of the Zilla Panchayat shall be the Chairman of the District Planning Committee, and the Mayor or President of the Municipal Corporation or the Municipal Council respectively having jurisdiction over the headquarters of the district, shall be the Vice-Chairman.]¹
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
- (6) The District Planning Committee shall consolidate the plans prepared by the Zilla Panchayats, Taluk Panchayats, Grama Panchayats, ¹[Town Panchayats] Municipal Councils and the Municipal Corporations in the district and prepare a draft development plan for the district as a whole.
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
- (7) Every District Planning Committee shall in preparing the draft development plan,-
 - (a) have regard to,-
- (i) the matters of common interest between the Zilla Panchayats, Taluk Panchayats, Grama Panchayats, ¹[Town Panchayats], Municipal Corporations and Municipal Councils in the district, including spatial planning, sharing of water and other physical and natural resource, the integrated development of infrastructures and environmental conservation:
 - 1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
 - (ii) the extent and type of available resources whether financial or otherwise:

¹[Provided that it shall not result in the alteration of the plans prepared by the local bodies referred to in item (i), but the recommendations of the District Planning Committee, if any, may be considered by such local bodies before finalising the plan.]¹

- 1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
- (b) consult such institutions and organisations as the Governor may, by order, specify.
- (8) The Chairpersons of every District Planning Committee shall forward the development plan, ¹[for being integrated into the State plan] as recommended by such committee to the Government.
 - 1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

¹[310A. State Panchayat Council.- (1) The Government shall constitute a State Panchayat Council to act as a forum for elected representatives to voice their

aspirations and offer their suggestions to improve the Panchayat Raj system and make it more responsive to the peoples' needs.

- 1. Subsection 1 to 4 Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
- (2) The State Panchayat Council shall consist of,-
 - (i) the Chief Minister as Chairman,
 - (ii) the Minister for rural Development and Panchayat Raj as Vice-Chairman,
 - (iii) five other ministers nominated by the Government as members,
- ¹[(iv) Ten Adhyakshas of the Zilla Panchayats nominated by the Government as members:
 - 1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.
- (v) Adyakshas of one Grama Panchayath and one Taluk Panchayath nominated by each Zilla Panchayath as members and;
- (vi) five Members of Legislative Assembly nominated by the Speaker of the Legislative Assembly and two Members of Legislative Council nominated by the Chairman of the Legislative Council as members; and
- (vii) Secretary, Department of Rural Development and Panchayat Raj as member-secretary.]¹
 - (3) The State Panchayat Council shall meet at least once in a year.
- (4) The State Panchayat Council shall discuss matters relating to functioning of the panchayats in the State.]¹
- **311.** Power of Government to make rules.- (1) The Government may after previous publication, by notification in the Official Gazette make rules to carry out the purposes of this Act.
- (2) A rule under this Act may be made with retrospective effect and when such a rule is made the reasons for making the rule shall be specified in a statement laid before both Houses of the State Legislature. Subject to any modification made under section 320 every rule made under this Act shall have effect as if enacted in this Act.
- (3) In making a rule under this section, the Government may provide that a person guilty of breach thereof shall, on conviction, be punished with fine which may extend to five hundred rupees and where the breach is a continuing one with further fine which may extend to twenty-five rupees for every day on and after the first day on which the breach continues.
- **312.** Amendment of Schedules I, II and III.- The Government may, 1[in consultation with the State Panchayat Council]1 by notification, in the official Gazette omit, amend or add any activity, programme or scheme covered by or mentioned in

Schedule I, II or III. On the issue of such notification the Schedule shall be deemed to have been amended accordingly. Every such notification shall be placed before each House of the State Legislature.

- 1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
- **313.** Power of Zilla Panchayat to make regulations.- (1) A Zilla Panchayat may subject to the provisions of this Act and the rules made under section 311 and with the previous sanction of the Government, by notification, make regulations to carry out the purposes of this Act in so far as it relates to its powers and duties.
- (2) The regulations made under sub-section (1) shall be subject to the condition of previous publication and such publication shall be in such manner as may be prescribed.
- **314.** Power of Taluk Panchayat to make regulations.- (1) A Taluk Panchayat may subject to the provisions of this Act and the rules made under section 311 and with the previous sanction of the Government, by notification, make regulations to carry out the purposes of this Act in so far as it relates to its powers and duties.
- (2) The regulations made under sub-section (1) shall be subject to the conditions of previous publication and such publication shall be in such manner as may be prescribed.
- 315. Power of Grama Panchayats to make bye-laws.- (1) A Grama Panchayat may subject to the provisions of this Act and the rules made under section 311 and the regulations made under section 313 and with the previous sanction of the Zilla Panchayat make bye-laws to carry out the purposes of this Act in so far as it relates to its powers and duties.
- (2) In particular and without prejudice to the generality of the foregoing power, a Grama Panchayat may make bye-laws,-
 - (a) for the purification and protection from pollution of all sources of water used for drinking purposes;
 - (b) for the prohibition of the removal or use for drinking purposes of any water from any stream, tank, well or other source, where such removal or use causes, or is likely to cause disease or injury to health and for the prevention of such removal or use by the filling in or covering over of such tank or well, or by any other method which may be considered advisable;
 - (c) or the prohibition of the deposit or storage of manure, refuse or other offensive matter in a manner or in places prejudicial to the public health, comfort or convenience;
 - (d) for the regulation of dangerous or offensive callings or trade;

- (e) for the disposal of corpses by burning or burial;
- (f) for excavation of earth and filling up of excavations and depressions injurious to health or offensive to the neighborhood;
- (g) for the removal of noxious vegetation;
- (h) for the repair and removal of dangerous or ruinous buildings;
- (I) for the prevention of the erection of buildings without adequate provision for ventilation or the laying out and location of streets;
- (j) for specifying fees payable under section 70;
- (k) for the control of fairs and bazaars and the regulation of markets, slaughter houses and cart stands;
- (I) for the inspection and destruction of unfit food and drink exposed for sale:
- (m) for general regulation of sanitation and conservancy;
- (n) the management and maintenance of cattle pounds; and
- (o) performance of other duties assigned by the Government, Zilla Panchayat or Taluk Panchayat.
- (3) In making any bye-laws under sub-sections (1) and (2), the Grama Panchayat may provide that a contravention thereof shall be punishable,-
 - (a) with fine which may extend to twenty-five rupees;
- (b) with fine which may extend to twenty-five rupees, and in case of continuing contravention with an additional fine which may extend to two rupees for every day during which such contravention continues after conviction for the first such contravention; or
- (c) with fine which may extend two rupees for every day during which the contravention continues after receipt of a notice from the Grama Panchayat or any officer duly authorised in this behalf, by the person contravening the bye-law requiring such person to discontinue such contravention;
- (4) any such bye-law may also provide that a person contravening the same shall be required to remedy so far as lies in his power, the mischief, if any, caused by such contravention.
- (5) All bye-laws made under this section shall be subject to the condition of previous publication and such publication shall be in such manner as may be prescribed.
- 316. Power of Government to make model regulations and bye-laws and adoption of such regulations and bye-laws by the Panchayats.- (1) The

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Government may, subject to the provisions of this Act and the rules made under section 311 and after previous publication of the draft for not less than one month, make model regulations and bye-laws for Grama Panchayats, Taluk Panchayats and Zilla Panchayats.

- (2) A Grama Panchayat, Taluk Panchayat or Zilla Panchayat may by resolution adopt the model bye-laws or regulations, as the case may be, made under sub-section (1), and such bye-laws and regulations shall come into force within the jurisdiction of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat from such date as the Grama Panchayat, Taluk Panchayat or Zilla Panchayat, as the case may be, may specify in a notice published in the prescribed manner.
- (3) The Government may by order direct any Grama Panchayat, Taluk Panchayat or Zilla Panchayat to adopt the model bye-laws and regulations in respect of any matter within such period not being less than three months from the date of receipt of the direction by the Panchayat concerned.
- (4) If any Grama Panchayat, Taluk Panchayat or Zilla Panchayat, fails to take any action for adopting the model bye-laws or regulations, as the case may be, the Government may, by notification, declare that the said model bye-laws or regulations, as the case may be, shall come into force within the jurisdiction of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat from such date as may be specified in such notification, and such bye-laws or regulations, as the case may be, shall come into force accordingly.
- (5) The provisions of this section will have the effect notwithstanding any thing contained in sections 313, 314, and 315.
- **317.** Power of Government to adapt laws.- For the purpose of bringing the provisions of any law in force in accordance with the provisions of this Act, the Government may by order published in the official Gazette make such adaptations and modifications of such law, whether by way of repeal or amendment, as may be necessary or expedient, and provide that the law shall, as form such date as may be specified in the order, have effect subject to adaptations and modifications so made and any such adaptation or modification shall not be questioned in any court of law.

Explanation.- The expression "law in force" in this section shall include a law passed or made by the State legislature or other competent authority in the State before the commencement of this Act and not previously repealed, notwithstanding that it or parts of it may not be then in operation either in all, or any particular areas in the State.

318. Repeal and Savings.- The Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983 (Karnataka Act 20 of 1985) is hereby repealed:

Provided that such repeal shall not affect,-

- (a) the previous operations of the said Act or anything duly done or suffered thereunder, or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Act: or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Act; or
- (d) any investigation, legal proceeding or remedy in respect of such right, privilege obligation, liability, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed:

Provided further that .-

- (a) subject to the preceding provision, anything done or any action taken (including any appointment or delegation made, tax, fee or cess imposed, notification, order, instrument or direction issued, rule, regulation, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected) under the said Act shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under this Act;
- (b) every officer and servant of a Mandal Panchayat or Zilla parishad, other than such class of servants as the Government may specify by order, shall until other provisions are made receive the salary and allowances and be subject to the conditions of service to which they were entitled immediately before the commencement of this section:
- (c) it shall be competent to the Grama Panchayat, Taluk Panchayat or Zilla Panchayat subject to the previous sanction of the Government to discontinue the service of any officer or servant who, in its opinion, is not necessary or suitable to the requirements of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat after giving such notice as is required to be given by the terms of his employment and every officer or servant whose services are discontinued, shall be entitled to such leave, pension, provident fund and gratuity as he would have been entitled to take or receive on being invalidated out of service as if the Mandal Panchayat or Zilla Parishad in the employ of which he was, had not ceased to exist;
- (d) all assets and liabilities of, and all contracts made by or on behalf of a Mandal Panchayat or a Zilla Parishad before the date of commencement of this Act and subsisting on that day shall stand transferred to such Grama Panchayat, Taluk

Panchayat or Zilla Panchayat in accordance with such orders as the Government may make in this behalf:

- (e) where a provident fund or superannuation fund or any other like fund has been established for the benefit of the employees of the Mandal Panchayat or a Zilla Parishad, the moneys standing to the credit of any such fund on the date of commencement of this Act together with any other assets belonging to such fund shall stand transferred to and vest in the Government and the Government shall be liable to discharge the obligations of the Mandal Panchayat and Zilla Parishad in respect of such fund;
- (f) any reference in any enactment or in any instrument to any provision of the repealed Act shall unless a different intention appears be construed as a reference to the corresponding provisions of this Act.
- **319.** Orders bringing this Act into force.- (1) Notwithstanding anything contained in this Act or in any other law for the time being in force, the Government may by order published in the Official Gazette make such provision as appears to it to be necessary or expedient,-
- (a) for making omissions from, additions to and adaptations and modifications of the rules, regulations, bye-laws, notifications and orders referred to in the second proviso to section 318 in their application to the local authorities established or continued under this Act:
- (b) for removing difficulties arising in connection with the transition to the provisions of this Act, including difficulties in the construing of reference to authorities in any law;
- (c) for authorising the continued carrying in for the time being on behalf of the local authorities of services and activities previously carried on by any of the local authorities; and
- (d) so far as it appears necessary or expedient in connection with any of the matters aforesaid for varying the powers or jurisdiction of any court or authority and empowering new courts or other authorities to exercise such jurisdiction as may be specified in such order.
- (2) The provisions made by any order under sub-section (1) shall subject to the provisions of section 320 have effect as if enacted in this Act, and any such order may be made so as to be retrospective to any date not earlier than the date of commencement of this Act:

Provided that no person shall be deemed to be guilty of an offence by reason of so much of any such orders as makes any provision thereof retrospective to any date before the making thereof.

320. Rules and orders to be laid before the Houses of the State Legislature.-

Every rule made under section 311 and every order made under section 319 shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions and if before the expiry of the said period, either House of the State Legislature makes any modification in any rule or order or directs that any rule or order shall not have effect, and if the modification or direction is agreed to by the other House, such rule or order shall thereafter have effect only in such modified form or be of no effect, as the case may be.

321. Removal of difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the Government may by order, published in the Official Gazette as the occasion may require do anything which appears to it to be necessary to remove the difficulty.

SCHEDULE I

(see section 58)

I. General functions:

- (1) Preparation of annual plans for development of the panchayat area.
- (2) Preparation of annual budget.
- (3) Providing reliefs in natural calamities.
- (4) Removal of encroachments on pubic properties.
- (5) Organising voluntary labour and contribution for community works.
- (6) Maintenance of essential statistics of the villages.

II. Agriculture, including agricultural extension :

- (1) Promotion and development of agriculture and horticulture.
- (2) Development of waste lands.
- (3) Development and maintenance of grazing lands and preventing their unauthorised alienation and use.

III. Animal husbandry, dairying and poultry:

- (1) Improvement of breed of cattle, poultry and other livestock.
- (2) Promotion of dairy farming, poultry and piggery.
- (3) Grassland development.

IV. Fisheries:

Development of fisheries in the villages.

V. Social and farm forestry, minor forest produce, fuel and fodder:

- (1) Planting and preservation of trees on the sides of roads and other public lands under its control.
- (2) Fuel plantations and fodder development.
- (3) Promotion of farm forestry.
- (4) Development of social forestry.

VI. Khadi, village and cottage industries:

- (1) Promotion of rural and cottage industries
- (2) Organisation of conferences, seminars and training programmes, agricultural and industrial exhibitions for the benefit of the rural areas.

VII. Rural housing:

- (1) Distribution of house sites within Gramathana limits.
- (2) Maintenance of records relating to the houses, sites and other private and public properties.

VIII. Drinking water:

- (1) Construction, repair and maintenance of drinking water, wells, tanks and ponds.
- (2) Prevention and control of water pollution.
- (3) Maintenance of rural water supply schemes.

IX. Roads, buildings, culverts, bridges, ferries, waterways and other means of communication:

- (1) Construction and maintenance of village roads, drains and culverts.
- (2) Maintenance of buildings under its control or transferred to it by the Government or any public authority.
- (3) Maintenance of boats, ferries and waterways.

X. Rural Electrification including distribution of electricity;

Providing for and maintenance of lighting of public streets and other places.

XI. Non-conventional energy source:

- (1) Promotion and development of non-conventional energy schemes.
- (2) Maintenance of community non-conventional energy devices, including biogas plants.
- (3) Propagation of improved chulhas and other efficient energy devices.

XII. Poverty alleviation programes:

- (1) Promotion of public awareness and participation in poverty alleviation programes for fuller employment and creation of productive assets etc.
- (2) Selection of beneficiaries under various programes through Grama Sabhas.
- (3) Participation in effective implementation and monitoring.

XIII. Education, including primary and secondary schools:

- (1) Promotion of public awareness and participation in primary and secondary education.
- (2) Ensuring full enrollment and attendance in primary schools.

XIV. Adult and non-formal education:

Promotion of adult literacy.

XV. Libraries:

Village libraries and reading rooms.

XVI. Cultural activities:

Promotion of social and cultural activities.

XVII. Markets and fairs:

Regulation of fairs (including cattle fairs) and festivals.

XVIII. Rural sanitation:

- (1) Maintenance of general sanitation.
- (2) Cleaning of public roads, drains, tanks, wells and other public places.
- (3) Maintenance and regulation of burning and burial grounds.
- (4) Construction and maintenance of public latrines.
- (5) Disposal of unclaimed corpses and carcasses.
- (6) Management and control of washing and bathing ghats.

XIX. Public health and family welfare;

- (1) Implementation of family welfare programmes.
- (2) Prevention and remedial measures against epidemics.
- (3) Regulation of sale of meat, fish and other perishable food articles.
- (4) Participation in programes of human and animal vaccination.
- (5) Licensing of eating and entertainment establishments.
- (6) Destruction of stray dogs.

- (7) Regulation of curing, tanning and dyeing of skins and hides.
- (8) Regulation of offensive and dangerous trades.

XX. Women and child development:

- (1) Participation in the implementation of women and child welfare programmes.
- (2) Promotion of school health and nutrition programmes.

XXI Social welfare, including welfare of the handicapped and mentally retarded:

- (1) Participation in the implementation of the social welfare programmes, including welfare of the handicapped, mentally retarded and destitute.
- (2) Monitoring of the old-age and widows pension schemes.

XXII. Welfare of the weaker sections and in particular the Scheduled Castes and Scheduled Tribes:

- (1) Promotion of public awareness with regard to welfare of Scheduled Castes, Scheduled Tribes and other weaker sections.
- (2) Participation in the implementation of the specific programmes for the welfare of the weaker sections.

XXIII. Public distribution system:

- (1) Promotion of public awareness with regard to the distribution of essential commodities.
- (2) Monitoring the public distribution system.

XXIV. Maintenance of community assets:

- (1) Maintenance of community assets.
- (2) Preservation and maintenance of other community assets.
- XXV. Construction and maintenance of dharmashalas, chatras and similar institutions.
- XXVI. Construction and maintenance of cattle sheds, pounds and cart stands.
- XXVII. Construction and maintenance of slaughter houses.
- XXVIII. Maintenance of public parks, playgrounds etc.
- XXIX. Regulation of manure pits in public places
- XXX. Establishment and control of shandies.
- XXXI. Such other functions as may be entrusted.

SCHEDULE II

(see section 145)

I. General Functions:

- (1) Preparation of the annual plans in respect of the schemes entrusted to it by virtue of the Act and those assigned to it by the Government or the Zilla Panchayat and submission thereof to the Zilla Panchayat within the prescribed time for integration with the district plan.
- (2) Consideration and consolidation of the Annual Plans of all Grama Panchayats in the taluk and submission of the consolidated plan to the Zilla Panchayat.
- (3) Preparation of Annual budget of the taluk and its submission within the prescribed time to the Zilla Panchayat.
- (4) Performing such functions and executing such works as may be entrusted to it by the Government or the Zilla Panchayat.
- (5) Providing relief in natural calamities.

II. Agriculture, including agricultural extension:

- (1) Promotion and development of agriculture and horticulture.
- (2) Maintenance of agricultural seed farms and horticultural nurseries.
- (3) Storing and distribution of insecticides and pesticides.
- (4) Propagation of improved methods of cultivation.
- (5) Promotion of cultivation and marketing of vegetables, fruits and flowers.
- (6) Training of farmers and extension activities.

III. Land improvement and soil conservation:

Assisting the Government and Zilla Panchayat in the implementation of land improvement and soil conservation programmes of the Government.

IV. Minor irrigation, water management and watershed development:

- (1) Assisting the Government and Zilla Panchayat in the construction and maintenance of minor irrigation works.
- $(2) \quad Implementation of community and individual irrigation works.$

V. Animal husbandry, dairying and poultry:

- (1) Maintenance of veterinary and animal husbandry services.
- (2) Improvement of breed of cattle, poultry and other livestock.
- (3) Promotion of dairy farming, poultry and piggery.
- (4) Prevention of epidemics and contagious diseases.

VI. Fisheries:

Promotion of fisheries development.

VII. Kadhi, village and cottage industries:

- (1) Promotion of rural and cottage industries.
- (2) Organisation of conferences, seminars and training programes, agricultural and industrial exhibitions.

VIII. Rural housing:

Implementation of housing schemes and distribution of house sites in villages outside gramathana limits.

IX. Drinking water:

- (1) Establishment, repairs and maintenance of rural water supply schemes.
- (2) Prevention and control of water pollution.
- (3) Implementation of rural sanitation schemes.

X. Social and farm forestry minor forest produce, fuel and fodder:

- Planting and preservation of trees on the sides of roads and other public lands under its control.
- (2) Fuel planation and fodder development.
- (3) promotion of farm forestry.

XI. Roads, building, bridges, ferries waterways and other means of communication:

- (1) Construction and maintenance of public roads, drains, culverts and other means of communications which are not under the control of any other locality authority or the Government.
- (2) Maintenance of any building or other property vested in the Taluk Panchayat.
- (3) Maintenance of boats, ferries and waterways.

XII. Non-conventional energy sources:

Promotion and development of non-conventional energy sources.

XIII. Poverty alleviation programmes:

Implementation of poverty alleviation programmes.

XIV. Education, including primary and secondary schools:

- (1) Promotion of primary and secondary education.
- (2) Construction, repair and maintenance of primary school buildings.

(3) Promotion of social education through youth clubs and mahila mandals.

XV. Technical training and vocational education:

Promotion of rural artisan and vocational training.

XVI. Adult and non-formal Education:

Implementation of adult literacy.

XVII. Cultural activities:

Promotion of social and cultural activities.

XVIII. Markets and fairs:

Regulation of fairs and festivals.

XIX. Health and family welfare;

- (1) Promotion of health and family welfare programes.
- (2) Promotion of immunisation and vaccination programes.
- (3) Health and sanitation at fairs and festivals.

XX. Women and child development:

- (1) Promotion of programmes relating to development of women and children.
- (2) Promotion of school health and nutrition programmes.
- (3) Promotion of participation of voluntary organisations in women and child development programmes.

XXI. Social welfare, including welfare of the handicapped and mentally retarded:

- (1) Social welfare programmes including welfare of the handicapped, mentally retarded and destitute.
- (2) Monitoring of the old-age and widows pensions and pensions for the handicapped.

XXII. Welfare of the weaker sections and in particular, of the Scheduled Castes and Scheduled Tribes:

- (1) Promotion of welfare of Scheduled Castes, Scheduled Tribes and other weaker sections.
- (2) Protecting such castes and classes from social injustice and exploitation.

XXIII. Maintenance of community assets:

(1) Maintening all community assets vested in it or transferred by the Government or any local authority or organisation.

(2) Preservation and maintenance of other community assets.

XXIV. Public distribution system:

Distribution of essential commodities.

XXV. Rural electrification:

Promotion of rural electrification.

XXVI. Co-operation:

Promotion of co-operative activities.

XVII. Libraries:

Promotion of libraries.

XXVIII. Such other functions as may be entrusted.

SCHEDULE III

(see section 184)

I. General functions:

Overall supervision, co-ordination and integration of development schemes at taluk and district levels and preparing the plan for the development of the district

II. Agriculture (including agricultural extension) and horticulture :

- (1) Promotion of measures to increase agricultural production and to popularise the use of improved agricultural implements and the adoption of improved agricultural practices.
- (2) Opening and maintenance of agricultural and horticultural farms and commercial farms.
- (3) Establishment and maintenance of godowns.
- (4) Conducting agricultural fairs and exhibitions.
- (5) Management of agricultural and horticultural extension and training centers.
- (6) Training of farmers.

III. Land improvement and soil conservation:

Planning and implementation of land improvement and Soil Conservation programmes entrusted by the Government.

IV. Minor irrigation, water management and watershed development:

(1) Construction, renovation and maintenance of minor irrigation works.

- (2) Providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the Zilla Panchayat.
- (3) Water shed development programes.
- (4) Development of ground water resources.

V. Animal husbandry, dairying and poultry:

- (1) Establishment and maintenance of taluk and village veterinary hospitals, firstaid centers and mobile veterinary dispensaries.
- (2) Improvement of breed of cattle, poultry and other livestock.
- (3) Promotion of dairy farming, poultry and piggery.
- (4) Prevention of epidemics and contagious diseases.

VI. Fisheries:

- (1) Development of fisheries in irrigation works vested in the Zilla Panchayat.
- (2) Promotion of inland, brackish water and marine fish culture.
- (3) Implementation of fishermen's welfare programmes.

VII. Kadhi, village and cottage industries:

- (1) Promotion of rural and cottage industries.
- (2) Establishment and management of training-cum-production centers.
- (3) Organisation of marketing facilities for products of cottage and village industries.
- (4) Implementation of schemes of State Boards and All India Boards and Commissions for development of rural and cottage industries.

VIII. Small-scale industries including food processing industries:

Promotion of small-scale industries.

IX. Rural housing:

Promotion of rural housing programme.

X. Drinking Water:

Promotion of drinking water and rural sanitation programmes.

XI. Minor forest produce and fuel and fodder:

- (1) Promotion of social and farm forestry, fuel plantation and fodder development.
- (2) Management of minor forest produce of the forest raised in community lands.
- (3) Development of wasteland.

XII. Roads, buildings, bridges, ferries, waterways and other means of communications:

- (1) Construction and maintenance of district roads and culverts, causeways and bridges (excluding State Highways and village roads).
- (2) Construction of administrative and other buildings in connection with the requirements of the Zilla Panchayat.

XIII. Non-conventional energy sources:

(1) Promotion and development of non-conventional energy sources.

XIV. Poverty alleviation programmes:

Planning, supervision and monitoring the implementation of poverty alleviation programmes.

XV. Education, including primary and secondary schools:

- (1) Promotion of educational activities in the district including the establishment and maintenance of primary and secondary schools.
- (2) Establishment and maintenance of ashram schools and orphanages.
- (3) Survey and evaluation of education activities.

XVI. Technical training and vocational education:

- (1) Establishment and maintenance of rural artisan and vocational training centers.
- (2) Encouraging and assisting rural vocational training centers.

XVII. Adult and non-formal education:

Planning and implementation of programes of adult literacy and non-formal educational programmes.

XVIII. Markets and fairs:

Regulation of important fairs and festivals in the district.

XIX. Health and family welfare:

- (1) Management of hospitals and dispensaries excluding those under the management of Government or any other local authority.
- (2) Implementation of maternity and child health programmes.
- (3) Implementation of family welfare programmes.
- (4) Implementation of immunisation and vaccination programme.

XX. Women and child development:

(1) Promotion of programmes relating to development of women and children.

- (2) Promotion of school health and nutrition programmes.
- (3) Promotion of participation of voluntary organisations in women and child development programmes.

XXI. Social welfare, including welfare of the handicapped and mentally retarded:

Promotion of social welfare programmes, including welfare of the handicapped, mentally retarded and destitute.

XXII. Welfare of the weaker sections and in particular of the Scheduled Castes and Scheduled Tribes:

- (1) Promotion of educational, economic, social, cultural and other interests of the Scheduled Castes, Scheduled Tribes and Backward Classes.
- (2) Protecting such castes, tribes and classes from social injustice and all forms of exploitation.
- (3) Establishment and management of hostels of such castes, tribes and classes.
- (4) Supervision and management of hostels in the district, distribution of grants, loans and subsidies to individuals and other scheme for the welfare of Schedule Castes. Scheduled Tribes and Backward Classes.

XXIII. Maintenance of community assets:

- (1) Maintenance of community assets vested in it or transferred to it by the Government or any local authorities or organisations.
- (2) Assisting the Government in the preservation and maintenance of other community assets.

XXIV. Cultural activities:

Promotion of social and cultural activities.

XXV. Public distribution system:

XXVI. Rural electrification:

XXVII. Co-operation:

Promotion of co-operative activities.

XVIII. Libraries:

Promotion of libraries.

XXIX. Such other functions as may be entrusted.

SCHEDULE IV

(see section 199)

		,	
A.	TAX ON PROPERTY	MAXIMUM RATE OF TAX	
1.	Tax on buildings	10 percent of the annual	
		letting value (per annum)	

Explanation: "Annual letting value" means "the annual rent for which any building or land, exclusive of furniture or machinery contained or situated therein or thereon, might reasonably be expected to be let from year to year."

2.	Tax on lands not subject to agricultural assessment.	For every one hundred square meter, one rupee per annum.
B.	TAX ON ENTERTAINMENTS	Twenty rupees per entertainment.
C.	VEHICLE TAX	Rupees per year
(i)	For every four wheeled vehicle with springs constructed to be drawn by two or more horses, bulls or bullocks.	25
(ii)	For every two wheeled vehicle with springs constructed to be drawn by one or more horses, bulls or bullocks.	10
(iii)	For every other vehicle with springs.	10
(iv)	For every cart or other vehicle without springs.	10
(v)	For every bicycle or tricycle	5
D.	FEES ON BUS STANDS	Two rupees per bus per day.
E.	FEE ON MARKETS.	
(i)	For every plot measuring not more than one square meter.	Fifty Paise per day.
(ii)	For every additional plot of one square meter or part thereof.	Twenty five paise per day. Eight rupees per month.
(iii)	Per basket or bag of any commodity.	Twenty five Paise

1993: KAR ACT 14

(iv) Per cart load bag of any commodity.

Five rupees per month

TAX ON ADVERTISEMENT AND HOARDINGS

For every square meter or

Five rupees per month

part thereof

G. FEE ON REGISTRATION OF CATTLE

For every head of cattle brought for sale in shandies or fairs.

One rupee

(The above translation of the ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, 1993 passed by

both Houses of Legislature, in the English language was published in the Official Gazette (Extraordinary) dated 18.5.1993 in Part IV -2B as No. 327 under the authority of the Governor of Karnataka under clause (3) of article 348 of the Constitution of India.)

NOTIFICATIONS

Banglore, dated 10.5.1993 [No. RDP 259 ZPS 93]

In exercise of the powers conferred by sub-section (2) of section 1 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993), the Government of Karnataka hereby specify the 10th day of May, 1993 as the date on which all the provisions of the said Act shall come into force in the whole of the State of Karnataka.

> By Order and in the name of the Governor of Karnataka. (K.P.PANDEY)

> > Secretary to the Government, Rural Development & P.Raj Department.

> > > П

Banglore, dated 20.10.1997 [No. RDP 151 ZPS 97 (p)]

In exercise of the powers conferred by sub-section (2) of section 1 of the Karnataka Panchayat Raj (3rd Amendment) Act, 1997 (Karnataka Act 29 of 1997), the Government of Karnataka hereby specify the 20th day of October, 1997 as the date on which all the provisions of the said Act shall come into force in the whole of the State of Karnataka.

> By Order and in the name of the Governor of Karnataka, (PARAVATHY KESHAVACHAR)

> > Under Secretary to Government, Rural Development & P.Raj Department.

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ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಸಚಿವಾಲಯ ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ:ಗ್ರಾಅಪ 204 ಜಿಪಸ 2003, ಬೆಂಗಳೂರು, ದಿನಾಂಕ:1ನೆ ಅಕ್ಟೋಬರ್ 2003

ರಾಜ್ಯ ಸರ್ಕಾರವು, ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ 2002 (2003ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 37)ನ್ನು ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ:ಸಂವ್ಯಶಾಇ 33 ಶಾಸನ 2002, ದಿನಾಂಕ:3.9.2003ನ್ನು ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ದಿನಾಂಕ:3.9.2003 ರಂದು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

ಅಂತೆಯೇ, ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ಯ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ 2002ರ ಪ್ರಕರಣ 1(2)ರನ್ವಯ ತಿದ್ದುಪಡಿಯ ಎಲ್ಲಾ ಉಪಬಂಧಗಳು ದಿನಾಂಕ:1.10.2003ರಂದು ಜಾರಿಗೆ ಬರುವಂತೆ ಈ ಮೂಲಕ ಅಧಿಸೂಚಿಸಲಾಗಿದೆ.

Published in the Karnataka Gazette Part IV-A Extraordinary No.1151 dated 1-10-2003

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