

## FAQ

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### 1. What is BMRDA?

BMRDA is an Act to provide for the establishment of an authority for the purpose of planning, coordinating and supervising the proper and orderly development of the areas within the Bangalore Metropolitan Region and to provide for matters connected therewith.

### 2. What are the Powers and Functions of BMRDA?

1. To carry out a survey of the Bangalore Metropolitan Region and prepare reports on the surveys so carried out.
2. To prepare a structure plan for the development of the Bangalore metropolitan Region.
3. To cause to be carried out such works as are contemplated in the structure plan.
4. To formulate as may schemes as are necessary for implementing the structure plan of the Bangalore Metropolitan Region.
5. To secure and co-ordinate execution of the town planning scheme and the development of the Bangalore Metropolitan Region in accordance with the said schemes.
6. To raise finance for any project or scheme for the development of the Bangalore Metropolitan Region and to extend assistance to the local authorities in the Region for the execution of such project or scheme.
7. To do such other acts and things as may be entrusted by the Government or as may be necessary for, or incidental or conducive to, any matters which are necessary for furtherance of the objects for which the Authority is constituted.
8. To entrust to any local authority the work of execution of any development plan or town planning scheme.
9. To Co-ordinate the activities of the Bangalore Development Authority, the Corporation of the city of Bangalore, the Bangalore Water supply and Sewerage Board, the Karnataka Slum Clearance Board, the Karnataka Electricity Board, the Karnataka Industrial Areas Development Board, the Karnataka State Road Transport Corporation and such other bodies as are connected with development activities in the Bangalore Metropolitan Region.

### 3. What are the permissions required for development activities.

1. Notwithstanding anything contained in any law for the time being in force, except with the previous permission of the Authority. No authority or person shall undertake any development within the Bangalore Metropolitan Region of the types as the Authority may from time to time specify, by notification published in the official Gazette.
2. No local authority shall grant permission for any development referred to in sub-section (1), within the Bangalore Metropolitan Region, unless the Authority has granted permission for such development.
3. Any authority or person desiring to undertake development referred to in sub-section (1) shall apply in writing to the Authority for permission to undertake such development.
4. The Authority shall, after making such inquiry as it deems necessary grant such permission without any conditions or with such conditions as it may deem fit to impose or refuse to grant such permission.
5. Any authority or person aggrieved by the decision of the Authority under sub-section (4) may, within thirty days from the date of the decision appeal against such decision to the State Government, whose decision thereon shall be final: Provide that, where the aggrieved authority submitting such appeal is under the administrative control of the central Government, the appeal shall be decided by the state Government, after consultation with the Central Government.
6. In case any person or authority does anything contrary to the decision given under sub-section (4) as modified in sub-section (5) the Authority shall have power to pull down, demolish or remove any development undertaken contrary to such decision and recover the cost of such pulling down, demolition or removal from the person or authority concerned.

#### Message

Your developer will overwhelm you with dream offers, colorful literature, attractive prices and incredible incentives. With persuasive charm he will convince you that buying his plot is the bargain of your lifetime, a chance not to be missed. But be on your guard; Make absolutely sure that your developer has the approval of the appropriate authorities. Unapproved Layouts could cause you problems. You could land in difficulties with the Authorities as your layout does not fulfill legal requirements of the Land Revenue Act, the Land Reforms Act, The Town and Country Planning Act and BMRDA Act. You will also be liable to pay various statutory fees and levies which have not been paid by the developer. Unauthorised layouts are often without basic amenities and do not conform to Town planning requirements. They may lack proper roads and open spaces which should be about 50% of the total area, as stipulated by the law. Such layouts will prove to be inconvenient in the long run and have little resale value.

### **The authorities to approve layouts are:**

1. The Bangalore Metropolitan Region Development Authority (BMRDA) - for Bangalore Urban and Rural Districts and Malur Taluk of Kolar District excluding the areas covered by BDA, BIAAPA and other LPA's.
2. The Bangalore International Airport Area Planning Authority (BIAAPA) - for its local planning area which includes the area of proposed new airport and its environs.
3. The Ramanagaram - Channapatna Urban Development Authority (RCUDA) - for Ramanagaram - Channapatna local planning area.
4. Nelamangala Local Planning Authority - For Nelamangala Town & its environs.
5. Magadi Local Planning Authority - For Magadi Town & its environs.
6. Kanakapura Local Planning Authority - LPA of Kanakapura.
7. Anekal Local Planning Authority - LPA of Anekal.
8. Bangalore Mysore Infrastructure Corridor Area Planning Authority(BMICAPA).

For more Information, contact the concerned Authorities or officers of BMRDA on 2263479 or 2263528 fax: 2263431.

### **4. Directions by the Authority.**

1. The Authority may, in order to carry out the development plans and schemes formulated under section 9 or any town planning scheme may issue direction to the Bangalore Development Authority, Bangalore Water Supply and Sewerage Board, Karnataka Power Transmission Corporation and such other bodies as are connected with developmental activities in the Bangalore Metropolitan Region. The directions issued by the Authority shall prevail over any directions issued by the Bangalore Development Authority under section 53 of the Bangalore Development Authority Act 1976 (Karnataka Act 12 of 1976).
2. Notwithstanding anything contained in any other law for the time being in force, every such direction shall be complied with by the body to whom it is issued. On failure, it shall be competent for the Authority to take necessary action to carry out the directions issued under sub-section (1) and recover expenses, if any, incurred therefore from the body concerned.
3. Any dispute which arises between the Authority and the Boards or other bodies referred to in sub-section(1) in respect of the directions issued to them shall be determined by the State Government whose decision shall be final.

### **5. Penalty for breach of the provisions of the Act.**

Whoever contravenes any of the provisions of this Act or of any rule, regulation, or byelaw or scheme made or sanctioned there under shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees or with both

and in the case of continuing contravention, with additional imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees or with both for each day after the first during which the contravention continues

#### **6. Offences by companies.**

1. If the person committing an offence under this Act is a company, every person who at the time the offence was committed was in charge of and responsible to the company for the conduct of its business as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly; Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.
2. Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be liable to be proceeded against and punished accordingly.

#### **7. Act to over-ride other laws.**

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.