

Overview Of Planning Legislation, Governance and Administration in Karnataka State, India

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Abstract

This article provides a comprehensive overview of Karnataka's state legislature, legislative procedure, urban planning legislation, governance, and administrative landscape. It meticulously lists the various acts and urban planning rules the Government of Karnataka enacted. The article delves into the introduction, structure, functions, and powers of different government and quasi-government organisations related to urban planning in Karnataka, such as the Department of Town and Country Planning, Town Planning Authorities and Municipal Planning Authorities, Urban Development Authorities, Bengaluru Metropolitan Regional Development Authority, Bengaluru Development Authority, Housing Board of Karnataka, Karnataka Industrial Area Development Board, Karnataka Slum Development Board, and Karnataka State Town Planning Board, and their crucial contributions towards the planning and development of the state. The article also examines urban planning governance and administration in the state of Karnataka, as well as the interrelationship between urban development authorities, urban local bodies, and the government. It also discusses the level of implementation of the 74th Constitution Amendment Act and the sharing of powers and responsibilities, as outlined in the 12th Schedule, among different agencies. Furthermore, this article lists various approvals granted by different authorities, along with legal backing and the appointment of various officers and officials serving in organisations related to urban planning in the state. The article also provides insightful recommendations to address various planning, legislative, governance, and administrative issues in the state.

Keywords: Legislation, Governance, Planning, Functions, Organisation.

1. Introduction

1.1. Background

Planning legislation and governance works side by side to steer the development of civilisation. They share a long history, as prominent early civilisations such as the Greeks, the Romans, and the Mesopotamians had well-organized planning before industrialisation and the growth of the modern city. The Industrial Revolution created the cornerstone for formal legislation by expressing a significant need. Newly created cities gave rise to numerous issues that required legal resolution. Once the bill was created, cities passed laws regulating industries, residences, and other locations. Over time, planning laws have evolved to encompass a broader range of objectives, including environmental protection and sustainable development. Legislation creates the framework. The rules and regulations govern how planning and development are to be accomplished, establish planning authorities, and define the role of

civil society in the planning process. Within the legal framework, the citizens participate in planning and development. Governance structures ensure the enforcement of laws and regulations. Planning departments, government agencies, and citizen involvement structures collaborate to develop plans, implement regulations, and regulate the construction of buildings, specifying where and how they are constructed.

1.2.Aim

This article aims to examine the current legislative, governance, and administrative structures related to planning in the state of Karnataka, India.

1.3.Objectives

The following objectives have been framed in this present study. They are as follows:

1. To understand the planning legislation and governance concept and its features in Karnataka state.
2. To explore the various acts related to urban and rural planning in the Karnataka state.
3. To explore the various authorities associated with urban and rural planning in the Karnataka state.
4. To analyse the implementation of the Constitution (74th amendment) Act 1992 in the Karnataka state.
5. To evolve policy recommendations for improving planning legislation, governance and administration in the Karnataka state.

1.4.Methodology

The study utilises secondary data, including research papers, websites, Information published under Section 4(1)(b) of the Right to Information Act, the citizen charter, and annual reports of various institutes associated with urban planning in the state of Karnataka. These are used as tools to understand the existing legislation, legislative procedures, and governance structures related to planning in the state of Karnataka.

1.5.Need for Study

Studying the complexities of planning legislation and governance in India is crucial, as it has a diverse impact on urban and rural development, environmental sustainability, social equity, and governance effectiveness. A comprehensive understanding of the legislative framework is crucial to ensure compliance and the efficient enforcement of policies related to land use, zoning regulations, and development control requirements. India's rapid urbanisation poses various challenges, including the growth of slums, inadequate infrastructure, and environmental degradation. Understanding zoning regulations is crucial for developing effective strategies to address these challenges while promoting long-term, sustainable development. Moreover, these regulations mandate the development of essential infrastructure, including transportation networks, water distribution systems, sanitation facilities, and waste disposal management systems.

It is crucial to analyse governance structures and legal mandates to evaluate the extent of public participation in decision-making processes, a fundamental aspect of democratic governance. Efficient planning legislation should enable the active involvement of citizens and guarantee the fair allocation of resources and opportunities. Planning rules are essential for environmental conservation, as they promote sustainable development strategies that reduce ecological deterioration and support eco-friendly behaviours. Furthermore, urban planning regulations should actively promote social equity and inclusivity by addressing the needs of marginalised communities and ensuring their access to essential amenities, such as affordable housing and healthcare. Periodic assessment of planning legislation is crucial to detect deficiencies, inefficiencies, and opportunities for improvement. Research in this field

contributes to suggesting policy interventions and legislative changes to enhance governance and urban management, encourage sustainable development, and facilitate fair growth.

1.6.Scope and Limitations

1.6.1.Scope

The broad purpose of this study is to examine the various legislations, legislative procedures, brief introductions, administration, and functions of the authorities associated with urban and rural planning, as well as the implementation of the Constitution (74th Amendment) Act, 1992. It also concludes with some policy recommendations for improving legislation, governance, and administration related to planning in Karnataka.

1.6.2.Limitations

1. The study is purely based on secondary sources of data.
2. The study area is limited to the state of Karnataka.
3. The study focuses on legislation, governance, and administration related to urban and rural planning.

2. Legislation

Legislation is a law or a set of laws that have been passed by Parliament (UK Parliament, n.d.). The term “legislation” is derived from the Latin terms *Legis* and *Latum*, which refer to “law” and “to make”, respectively. In simple words, Legislation refers to the process of formulating and implementing laws. It encompasses statutes, regulations, and ordinances that set legal standards, rights, and obligations for individuals and organisations. Legislatures create and enact laws to govern various aspects of society, such as public safety, commerce, and social justice. After enactment, legislation is enforced by government agencies and interpreted by courts. Effective legislation fosters order, justice, and stability within a legal system while adapting to societal changes and evolving needs.

2.1.Introduction to Karnataka Legislature

Before 1973, the Karnataka Legislative Assembly, previously known as the Mysore Legislative Assembly or Mysore Representative Assembly, was the lower house of Karnataka's bicameral legislative system. Karnataka has a bicameral state legislature consisting of the Vidhana Sabha (lower house) and the Vidhana Parishath (upper house). The other five states are Bihar, Maharashtra, Andhra Pradesh, Telangana, and Uttar Pradesh. The Vidhan Sabha (lower house) comprises 224 members, commonly referred to as MLAs, whom the people directly elect. The Vidhan Parishad (upper house) comprises 75 members, commonly referred to as MLCs. Out of 75 members, 25 are chosen by local self-governments; the Legislative Assembly members choose 25; the graduates choose 7; the teachers choose 7; and the Karnataka Government nominates the remaining 11.

2.2.Legislative Procedure in the Karnataka State Legislature

The Assembly and the Council follow the same legislative procedure as Parliament.

- The state legislature should meet at least twice a financial year, with a maximum six-month gap between sessions.
- The commencement of the new legislative session starts with the governor's opening speech, which explains the state government's policy.

- Apart from money bills, all other bills may be presented in any one of the houses. Money bills may only be given in the lower house, i.e., assembly.
- After the three readings, the bill will be submitted to the governor for his approval.
- The governor may return the bill for reconsideration of sessions or can keep the bills with his office for some time. However, he cannot reject the bill if the legislature passes it again.
- The governor may send some bills for consideration by the president.
- The president is not required to approve, even if the state legislature passes the bill for the second time.
- The bill expires if the legislative assembly is dissolved before it is passed or pending before the legislative council.
- After the governor's approval, the bill will be sent to the publication section.
- After the bill's publication in the gazette, the bill will become an act and come into force.
- If any date is mentioned in the Act as "the Act shall come into force on such date as the State Government may, by notification," then the date specified by the government will be the enforcement date.

2.3.Need for Planning Legislation

Town planning mainly deals with land. A significant portion of urban land is privately owned. The practical exercise of planning control over these lands is only possible if the authorities associated with planning are supported by necessary legislation (Acts, Rules, Regulations). The courts will invalidate such decisions if the authority works beyond its power without legislative support. Hence, it is essential to study planning legislation, particularly for those working in government departments.

2.4.Planning Legislation in Karnataka

The acts enacted by the Karnataka government that contribute to town and country planning are briefly explained as follows:

2.4.1.Karnataka Town and Country Planning Act, 1991

This legislation became effective on its publication in the official gazette on March 12, 1963. It was enacted to establish regulations for controlled land use and development, as well as the making and implementation of town planning schemes within Karnataka. This is the primary act governing significant activities related to town and country planning throughout the state, including the preparation of master plans, town planning schemes, and the approval of land and building development. This legislation applies to both urban and rural areas, as well as all associated authorities in the planning field. This act has 11 chapters and 83 sections. The essential sections of this act and their description are provided in the Table 1.

Table 1 Significant sections of the KTCP Act and their description

(Source: KTCP Act 1961)

SI No	Sections	Description
1	4 (A), 4(B)	This section explains the declaration and withdrawal of local planning areas in the state of Karnataka, as well as the amalgamation and subdivision of local planning areas.
2	4 (C)	It explains the constitution of the new planning authority for the declared local

		planning areas.
3	4 (I)	This section provides for the appointment of a town and country planning officer for local authorities who is not below the rank of Assistant Director and has the required qualifications in town and country planning.
4	4 (K)	This section stipulates that any person wishing to develop land and buildings outside the local planning area must obtain approval from the Director or a designated officer who holds the required qualification in town and country planning and is not of a rank lower than Assistant Director. Furthermore, it provides for the preparation of a village extension plan for the notified area.
5	5 to 13	These sections are concerned with preparing a master plan for the notified local planning areas. They cover the process from the declaration of intention to prepare the plan to its final approval.
6	14 (A)	This section explains the change in land use from the approved master plan.
7	14 (B)	This section is concerned with development rights.
8	17	This section explains the approval of a single plot layout and subdivision.
9	18	This section outlines the required fees to be paid for various planning approvals.
10	26-36	This section concerns the town planning schemes.
11	69	This section provides a provision for assigning a new land use to the lapsed land use.
12	76 (M)	According to the provisions of this section, the KTCP Act has an overriding effect over other laws.
13	76 (O)	Under the provisions of this section, the planning authority may withdraw or suspend any approvals it has given.

2.4.2.Karnataka Urban Development Authorities Act, 1987

This legislation took effect on the date of its publication in the official gazette, November 19, 1987. It was enacted to establish urban development authorities, facilitating the planned growth of major urban areas in the state. This act provides comprehensive legislative support to the administration of urban development authorities in the state of Karnataka. It applies to urban and rural areas within the urban development authority's jurisdiction / local planning area. This act has 07 chapters and 79 sections. The essential sections of this act and their description are provided in the Table 2.

**Table 2 Significant sections of the KUDA Act and their description
(Source: KTCP Act 1961)**

Sl No	Sections	Description
1	3	It explains the constitution of the Urban Development Authority for the notified area.
2	15	This section powers the urban development authority to take any development scheme.
3	32	This section explains the urban development authority's approval of new extensions or layouts.
4	35 & 36	This section provided a provision for the urban development authority to ac-

quire land for its requirements.

2.4.3. Bengaluru Development Authority Act, 1976

This legislation took effect on the date of its publication in the official gazette on March 8, 1976. It was enacted to create an authority to facilitate the planned growth of Bengaluru city. This act provides comprehensive legislative support to the administration and planning of the Bengaluru Development Authority. This legislation applies to the jurisdiction / local planning areas of Bengaluru city. This act has 08 chapters and 77 sections. The essential sections of this act and their description are the same as in Table 2.

2.4.4. Bengaluru Metropolitan Region Development Authority Act, 1985

This legislation became effective on the date of its publication in the official gazette on October 29, 1985. It was enacted to create an authority to facilitate the planned growth of the Bengaluru Metropolitan Region. This act provides comprehensive legislative support to the administration and planning of the Bengaluru Metropolitan Region Development Authority. This legislation applies to the jurisdiction of the Bengaluru metropolitan region and its local planning areas. This act has 05 chapters and 31 sections. Chapter 2 addresses the constitution of authority, and Chapter 3 examines the power and functions of the authority.

2.4.5. The Bruhat Bengaluru Mahanagara Palike (BBMP) Act, 2020

This act came into force on January 11, 2021, when the government issued the notification. It was enacted to create independent legislation for the Bengaluru city corporation area. This act provides comprehensive legislative support to the administration and planning of the area falling within the limits of the Bengaluru City Corporation. This act has 25 chapters and 376 sections. Section 98 deals with the appointment of a chief town planner, zonal town planner and other subordinate staff of town planning; section 249 (A) (ii) provides that the officer of BBMP should obtain the evidence in support of having complied with the provisions of KTCP Act 1961 before giving approvals and permission; Chapter 16 deals with building regulations including town planning; chapter 19 deals with disaster management and chapter 21 deals with urban heritage.

2.4.6. The Karnataka Municipalities Act, 1964

This legislation became effective on the date of its publication in the official gazette, May 7, 1964. It was enacted to create independent legislation for urban local bodies, excluding municipal corporations. This act provides comprehensive legislative support for the administration and planning of urban local bodies, excluding municipal corporations. Under the provisions of this Act, third-tier governance, such as town panchayats, town municipal councils, and city municipal councils, is established in the state. This act has 18 chapters and 389 sections. Section 106 of this act has a provision that the functions of municipalities regarding the sanctioned layout plan and issue of new PID or Khata must comply with the provisions outlined in section 4 (K) of the KTCP Act of 1961 in case of area falling outside of local planning area and section 17 of the KTCP Act of 1961 in case of area falling within the local planning area. This means that before issuing a new PID or Khata, approval must be obtained from the competent authorities, as prescribed in Section 4 (K) and Section 17 of the KTCP Act of 1961, from the Director or his subordinate and the planning authority, respectively.

2.4.7. The Karnataka Municipal Corporations Act, 1976

This legislation became effective on the date of its publication in the official gazette, June 1, 1977. It was enacted to create independent legislation for municipal corporations. This act provides

comprehensive legislative support for the administration and planning of municipal corporations, applying to their respective jurisdictions. This act has 21 chapters and 509 sections. Section 112(B) of this Act provides that the functions of city corporations regarding layout plans and the issuance of new PIDs or khata must comply with the provisions outlined in Section 17 of the KTCP Act of 1961. This means that before issuing a new PID or Khata, approval must be obtained from the competent authorities, as prescribed in Section 4 (K) and Section 17 of the KTCP Act of 1961, from the Director or his subordinate and the planning authority, respectively.

2.4.8. The Karnataka Land Revenue Act, 1964

This legislation became effective on the date of its publication in the official gazette, April 1, 1964. It was enacted to establish common law related to land administration and land revenue in the state. This act has 25 chapters and 202 sections. Section 95 of this act provides that the deputy commissioner shall not divert agricultural land to non-agricultural purposes contrary to the land use and provisions outlined in the approved master plan in case an area falls within local planning areas.

3. Governance

Governance refers to making decisions and ensuring that those decisions are effectively implemented or not. It also refers to the systematic arrangement and execution of city government functions. Good governance has eight principles, presented in Figure 1 Moreover, given by the United Nations.

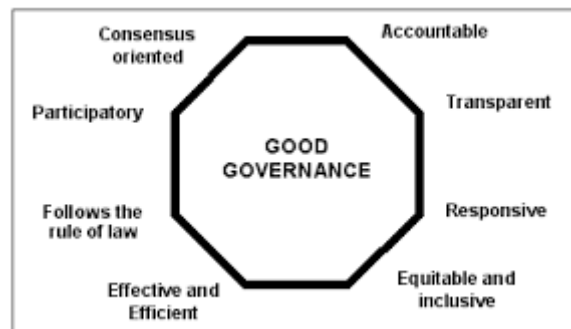


Figure 1 Principles of Good Governance.
(source: United Nations)

3.1. Planning Governance in Karnataka

Planning governance in Karnataka has two arms. One arm falls within the jurisdiction of the Bengaluru metropolitan region (comprising Bengaluru Urban, Bengaluru Rural, and Ramanagara districts), while the other is outside the Bengaluru Metropolitan region, encompassing the remaining 28 districts. This has been further explained as follows.

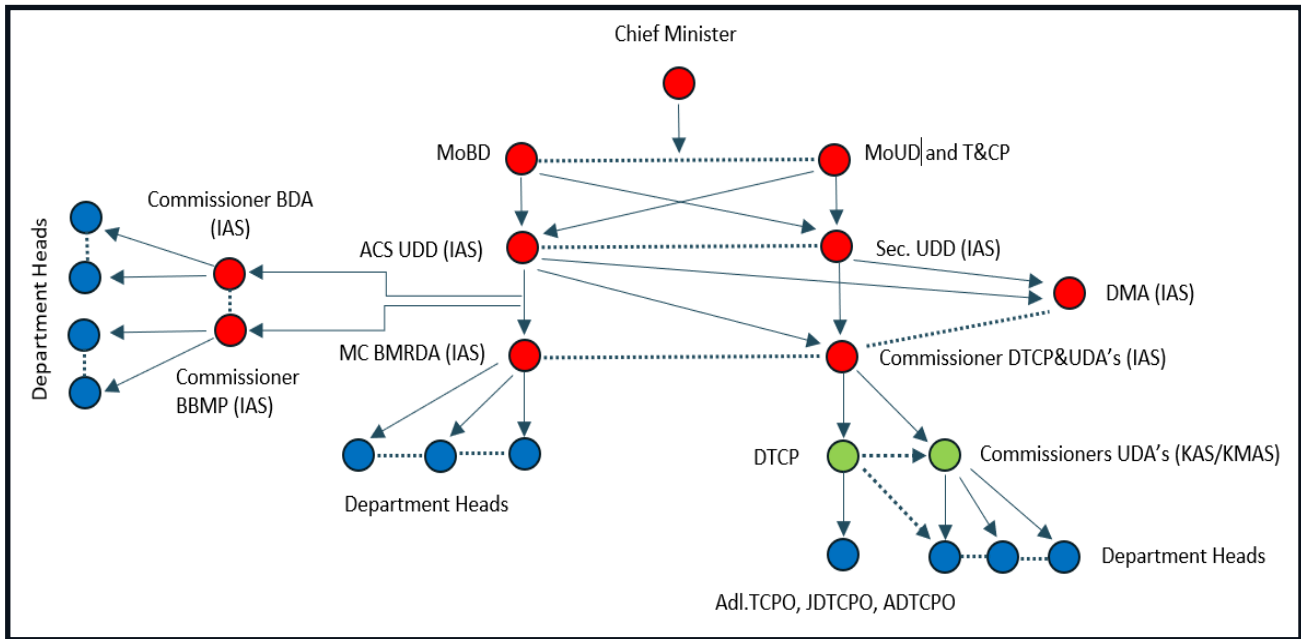


Figure 2 Planning governance structure in Karnataka.
(Source: Prepared by author)



MoBD- Minister for Bengaluru Development, **MoUD and T&CP**- Minister for Urban Development and Town & Country Planning, **ACS**-Additional Chief Secretary, **Sec**-Secretary, **MC**- Metropolitan Commissioner, **UDD**-Urban development department, **DMA**- Directorate of Municipal Administration, **BMRDA**- Bengaluru Metropolitan Development Authority, **BDA**-Bengaluru Development Authority, **BBMP**-Bruhath Bengaluru Mahanagara Palike, **DTCP**-Director of Town & Country Planning, **Adl, TCPO / JDTCPO / ADTCPO**- Office of Additional / Joint / Assistant Director of Town & Country Planning, **IAS**-Indian administrative services, **KAS**-Karnataka administrative services, **KMAS**-Karnataka municipal Administrative services

Under the Chief Minister of Karnataka, there are two separate ministries for Bengaluru development and urban development & town planning. The Bengaluru development minister oversees the development of Bengaluru, including town planning within the Bengaluru metropolitan region. The urban development and town planning minister oversees the remaining districts. At the secretariat, there are two sections: the Additional Chief Secretary's section and the Secretary's section. An additional chief secretary to the Urban Development Department, a senior IAS officer, is responsible for overseeing the BMRDA, BBMP, and BDA. The Secretary of Urban Development, an IAS officer, oversees the Commissionerate of Urban Development Authorities and Town Planning, as well as the Directorate of Municipal Administration.

The Chief Executive Officer of the Bengaluru Metropolitan Region Development Authority is the Metropolitan Commissioner, a senior IAS officer. Department heads, including the Metropolitan Planner and Additional Metropolitan Commissioner, assist him. The Commissioner, a senior IAS officer, is the Chief Executive Officer of the Bengaluru Development Authority. He is assisted by department heads, including a Town Planner Member, Engineer Member, Secretary, Deputy Commissioner (Land

Acquisition), Finance Member, Superintendent of Police, and others. The Chief Executive Officer of Bruhath Bengaluru Mahanagara Palike is the Chief Commissioner, a senior IAS officer. He is assisted by department heads, including Special Commissioners (IAS), Zonal Commissioners (IAS), the Chief Town Planner, the Engineer-in-Chief, Education officers, Health officers, and others. The Commissioner of Urban Development Authorities and Town and Country Planning, an IAS officer, is the administrative head of the Town and Country Planning department. He is assisted by the Director of Town and Country Planning, who serves as the technical head of the department. The Additional Director aids the Director at the zonal office, the Joint Director at the divisional offices, and the Assistant Director at the district offices. The commissioner also controls urban development and planning authorities beyond the BMR area. Commissioners of urban development authorities, who are KAS/KMAS/Group A state civil service officers, oversee these authorities with the support of various section heads. An officer from the Department of Town and Country Planning, known as a member secretary, serves as the chief executive and chief technical officer of the planning authority, overseeing the administrative and planning activities of the planning authority.

3.2. Overview of the authorities associated with urban planning in Karnataka.

The Commissionerate of Urban Development Authorities and Town and Country Planning has its headquarters in Bengaluru, which the Commissioner heads. Before November 2023, the Department of Town and Country Planning was a separate office under the direct control of the Urban Development Department secretariat, the government of Karnataka. Also, it was headed by the Director, a technical cadre officer. To achieve better administration and financial management, the government renamed the Directorate of Town and Country Planning as the Urban Development Authorities and Town and Country Planning Commissionerate and created a new commissioner post, filling it with a senior IAS officer. Furthermore, the government placed the Directorate of Town and Country Planning and all the state's planning and urban development authorities under the commissioner's direct control and supervision. The Department of Town and Country Planning has division offices in three revenue divisions of the state, namely Bengaluru, Mysuru, and Kalaburagi, each overseen by a Joint Director. Additionally, Dharwad has a zonal office under the supervision of an Additional Director and thirty-one unit offices, each headed by an Assistant Director, in all the districts. Except at the district level, some unit offices are also located at the subdivision level, except for those that fall under the Bangalore Metropolitan Region. The department's primary responsibilities are:

- Prepare master plans for cities, towns, and future villages after the relevant physical and socio-economic studies and obtain government permission under the KTCP Act, 1961.
- Prepare various urban and village extension plans, development and enhancement initiatives, rehabilitation projects, Ashraya initiatives, and similar endeavours.
- Extending technical support to development authorities and town planning authorities in the creation, execution, and enforcement of plans under the KTCP Act of 1961.
- Providing technical support to organisations that promote development, like the Karnataka Housing Board, Karnataka Industrial Areas Development Board, Karnataka Slum Development Board, and other organisations of the same type.
- Furnishing technical opinions to Deputy Commissioners of Revenue on land diversion for uses from agriculture to non-agriculture.
- Prepare integrated and comprehensive traffic management plans and schemes and extend technical assistance to local self-governments for their implementation.

Suppose someone wants to develop their land or building outside the local planning area, regardless of whether it is in a rural or urban area. In that case, they should obtain technical approval for the development of the land and a technical opinion for the development building from the director or their subordinate officer, not below the rank of assistant director, as per the provisions of Section 4(K) of the KTCP Act, 1961. The department has a power delegation structure for approvals. Typically, for the development of land, approval for the lower extent is vested with assistant directors, the middle extent with additional or joint directors, and the higher extent with the director. Since the Commissionerate oversees all planning and urban development authorities in the state, these authorities and the directorate should submit technical and administrative proposals to the government through the Commissioner. Hence, most proposals are scrutinised in the Commissionerate before being sent to the government. The general organisation structure of the Commissionerate of Urban Development Authorities and Town and Country Planning is presented in Figure 3.

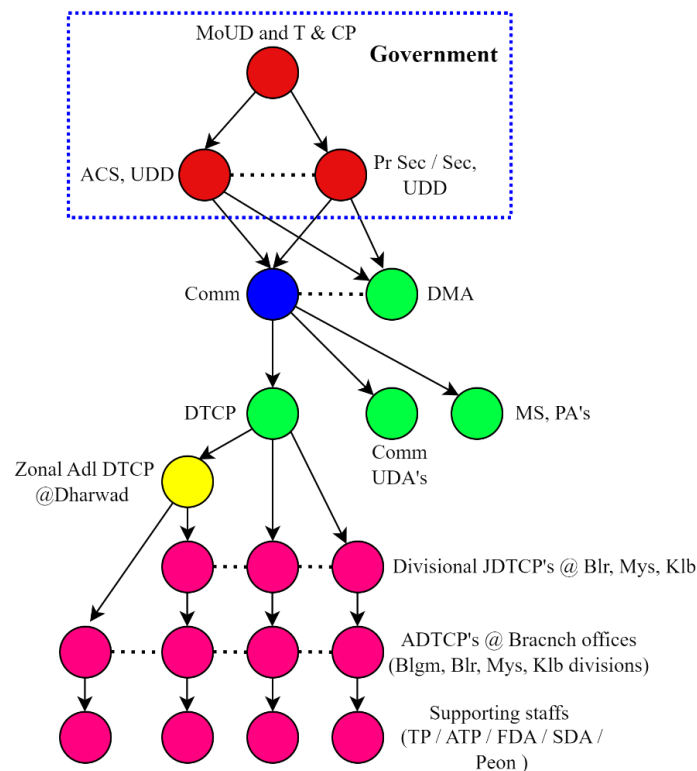


Figure 3 General organisation structure of the Commissionerate of Urban Development Authorities and Town and Country Planning

(source: DTCP Karnataka, <http://www.dtcp.gov.in/en>)

Command and Control •• —————> Collaboration and Cooperation

MoUD and T&CP- Minister for Urban Development and Town & Country Planning, **ACS-**Additional Chief Secretary, **Pr Sec-** Principal Secretary, **Sec-**Secretary, **UDD-**Urban Development Department, **Comm-** Commissioner, **DTCP-**Director of Town & Country Planning, **DMA-** Directorate of Municipal Administration, **Adl, DTCP / JDTCP / ADTCP-** Additional / Joint / Assistant Director of Town & Country Planning, **MS-** Member-Secretary, **PA-** Planning Authority, **UDA-** Urban Development Authority, **Blr-** Bengaluru, **Blgm-** Belagavi, **Mys-**Mysuru, **Klb-** Kalburgi, **TP-** Town Planner, **ATP-** Assistant Town Planner, **FDA-** First Division Assistant, **SDA-** Second division assistant.

The Bengaluru Development Authority (BDA), established under the BDA Act, 1976, came into effect on January 6, 1976, and replaced the erstwhile CITB. The authority combines the development and planning responsibilities of the former CITB and the City Planning Authority. The BDA's local planning area is BMA, which covers an area of 1,219.50 sq. km. It also serves as the Planning Authority for the local planning area of Bengaluru city, as per Section 2(B) of the KTCP Act, 1961. The primary responsibilities of BDA entail supervising, directing, and administering the progress of planning and development in the Bengaluru local planning area, ensuring that growth is systematic, planned, and sustainable. The general organisation structure of the town planning wing of BDA is presented in Figure 4.

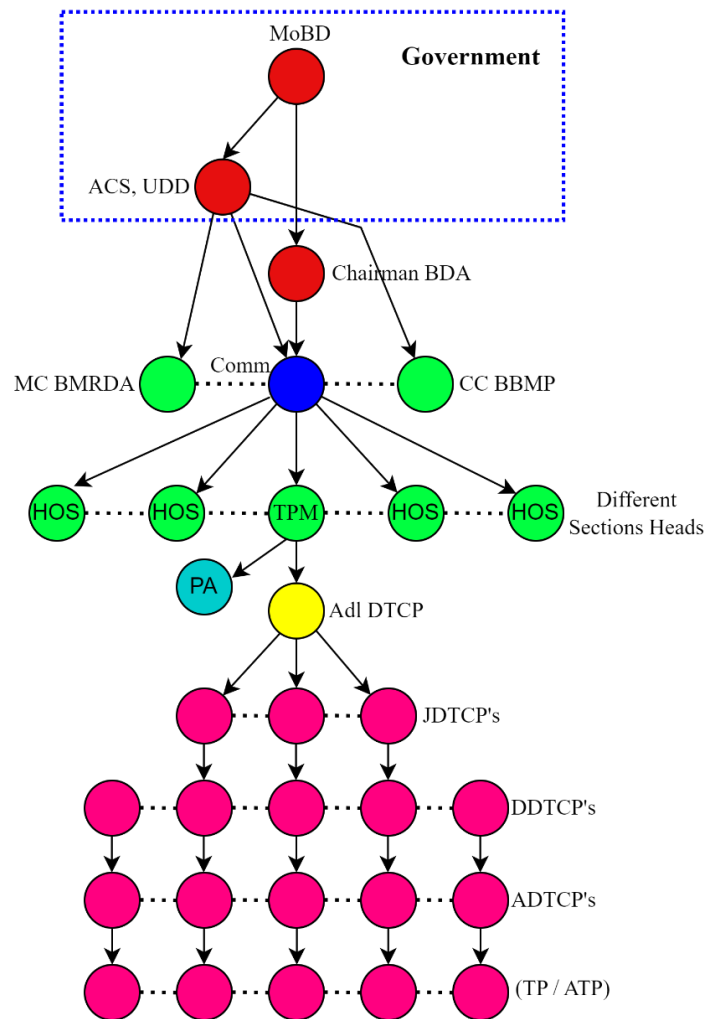


Figure 4 Organisation Structure of BDA Town Planning Wing
(Source: BDA Bengaluru, <https://kbda.karnataka.gov.in/about.html>)

————> Command and Control Collaboration and Cooperation

MoBD- Minister for Bengaluru Development **Comm**- Commissioner, BDA, **TPM**- Town Planner Member, **HOS**- Heads of different sections such as Engineering, Land acquisition, Administrative, Finance, Taskforce and Vigilance, Estate, Law, Horticulture and Forest, etc. **PA**- Personnel Assistant, **CC**- Chief Commissioner, **MC**- Metropolitan Commissioner.

In addition to the nominated and other ex officio members of the authority, the town planner member is a full-time member of the authority. An officer from the rank of Director of Town and Country Planning is a full-time member of the BDA, known as a Town Planner Member, and is the head of the town planning wing of the BDA. He is assisted in planning activities by the additional director, joint directors, deputy directors, assistant directors, town planners, and assistant town planners who are deputed from the Department of Town and Country Planning.

The Karnataka State Town Planning Board came into force on January 15, 1965, and was established under Section 4 of the Karnataka Town and Country Planning Act, 1961. It was constituted to advise the state government regarding planning and development. The functions of the board have been prescribed under Rule 20 of the KSTPB Rules, 1964, including the following:

- Offering technical guidance and support to the Urban development authorities, Town Planning Authorities, and the State Government on land use, development, and town and urban planning within the state.
- Provide technical guidance in the preparation and execution of master plans, development plans, land pooling schemes, housing schemes, etc.
- Prepare reports, policies, rules, and notifications about the purpose of the KTCP Act, 1961, and the KUDA Act, 1987.
- Inspection of Urban Development Authorities falls under the Bengaluru and Mysuru revenue divisions. (Power delegated to Additional director of the board)

The general organisation structure of KSTPB is presented in Figure 5.

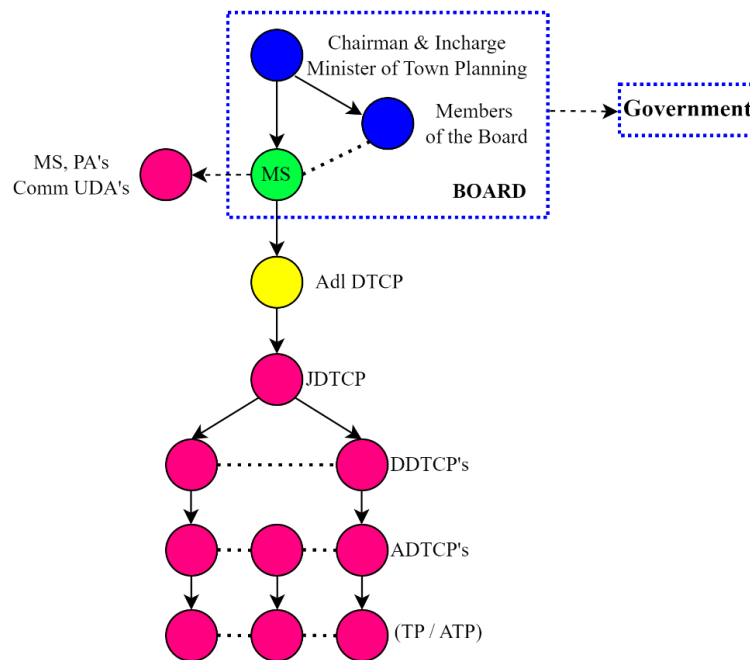


Figure 5 Organization Structure of KSTPB

(source: KSTPB Karnataka, <https://www.kstpb.dtcp.gov.in/en/>)
 Command and Control Collaboration and Cooperation
 Advise on Planning and Development

MS- Member-Secretary of the Board

The Director of Town and Country Planning is the ex-officio member-secretary of the board and chief executive officer. He is assisted in planning activities by the additional director, joint director, deputy directors, assistant directors, town planners, and assistant town planners who are deputed from the Department of Town and Country Planning.

The Bengaluru Metropolitan Region Development Authority (BMRDA) was established in accordance with the provisions of the BMRDA Act, 1985, to oversee, coordinate, and manage the structured and systematic development of the Bengaluru Metropolitan Region. It has an area of 8,005 square kilometres, which covers the Bengaluru Urban, Bengaluru Rural, and Ramanagara districts. According to the BMRDA Act of 1985, BMRDA can enter into contracts and buy, hold, and sell property within the BMR area. The specific duties that BMRDA has to carry out are as follows:

- Survey the area under BMR and prepare survey reports; afterwards, prepare a structure plan for BMR.
- To set up suitable implementation strategies for the structure plan.
- To coordinate the execution of the town planning schemes.
- Procure funding for any project or plan to advance the BMR and extend technical and financial support to the local bodies to carry out such projects.
- To do any tasks assigned by the government or deemed required for any matters essential for achieving the BMRDA Act, 1985 objectives.
- To delegate to any local self-government the execution work of any master plan or land pooling scheme.
- To coordinate the planning and development activities of the local governments, parastatal organisations, and government departments contributing to urban planning and development within BMR.

The general organisation structure of the town planning wing of BMRDA is presented in Figure 6.

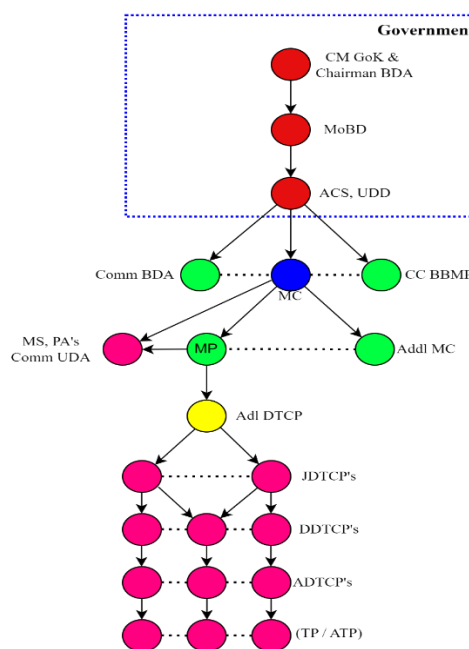


Figure 6 Organization Structure of the Town Planning Wing of BMRDA

(source: BMRDA, <https://bmrda.karnataka.gov.in/english>)

Command and Control Collaboration and Cooperation
CM GoK- Chief Minister of Karnataka, **MP**- Metropolitan Planner.

In the authority's central office, an officer of the Director of Town and Country Planning rank serves as the chief technical officer, known as a Metropolitan Planner, who works under the direct supervision of the Metropolitan Commissioner. The Metropolitan Planner is assisted in planning activities by the additional director, joint directors, deputy directors, assistant directors, town planners, and assistant town planners who are deputed from the Department of Town and Country Planning.

BMRDA supervises nine town planning authorities such as Doddaballapura Planning Authority, Nelamangala Planning Authority, Bengaluru International Airport Area Planning Authority, Satellite Town Ring Road Planning Authority, Hoskote Planning Authority, Kanakapura Planning Authority, Anekal Planning Authority, Magadi planning authority and Channapattana planning authority and two urban development authorities such as Greater Bengaluru Development Authority and Ramanagara Urban Development Authority.

In town planning authorities, an officer from the joint director of town and country planning cadre serves as the chief executive and technical officer of the authority, known as the member secretary. Further, the member secretary is assisted in planning activities by the deputy directors, assistant directors, town planners, and assistant town planners, who are deputed by the Department of Town and Country Planning. In the case of the Greater Bengaluru Development Authority, the Metropolitan Planner, a full-time member of the authority known as a Town Planner Member, works under the direct supervision of the Commissioner. The town planner member is assisted in planning activities by the joint director, deputy directors, assistant directors, town planners, and assistant town planners, who are deputed by the Department of Town and Country Planning. In the case of the Ramanagara Urban Development Authority, the Assistant Director of Town and Country Planning is a full-time member of the authority, known as a Town Planner Member, and heads the Town Planning wing. The town planners and assistant town planners from the Department of Town and Country Planning assists him in planning activities.

Urban Development Authorities: Excluding BDA, the state has 35 urban development authorities established under the KUDA Act of 1987. Except for the Bengaluru Metropolitan Region, all districts have urban development authorities, majorly at district headquarters (some districts also have more than one), which also function as the Planning Authorities under Section 2(B) of the KTCP Act, 1961.

The planning functions of the Urban Development Authorities are:

- Formulating and revising the master plan or development plan for the designated local planning area.
- Formulating town planning schemes, housing schemes, and village and urban extension schemes.
- Approval of group housing development and layouts for private individuals, organisations, government, and quasi-government agencies.
- Providing technical opinions to the revenue authorities about diversifying land for uses other than agriculture.
- Sanction of private group housing or apartment plans.
- Other required statutory functions as per the provisions of the KTCP and KUDA Act.

The development-related functions of the urban development authorities are:

- Acquisition of land for housing and other schemes.

- Develop town planning schemes and housing schemes to provide civic infrastructure in society and construct shopping complexes.
- Development of infrastructure facilities other than local authority limits.
- Maintenance of all infrastructure facilities.

The general organisation structure of the Town Planning wing of the Urban Development Authority is presented in Figure 7.

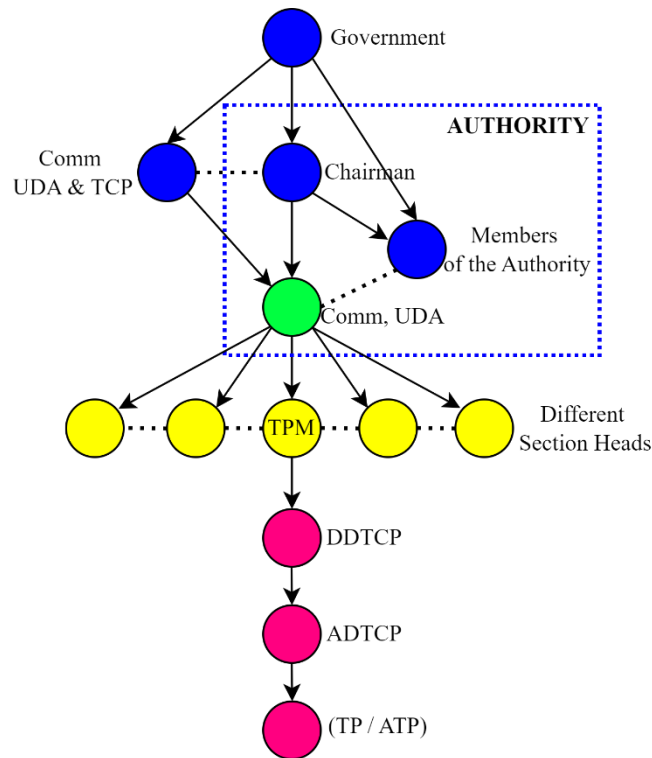


Figure 7 Organisation Structure of Town Planning Wing of Urban Development Authorities
(source: DTCP Karnataka, <http://www.dtcp.gov.in/en>)

—————> Command and Control ••••• Collaboration and Cooperation

In addition to the nominated and other ex officio members of the authority, the town planner member is a full-time member of the authority. An officer from the cadre of joint director/deputy director/assistant director of town and country planning is a full-time member of the authority, known as a town planner member, and who heads the town planning wing and works under the direct supervision of the Commissioner. The Town Planner Member is assisted by the deputy directors, assistant directors, town planners, and assistant town planners, who are deputed by the Department of Town and Country Planning. The list of urban development authorities in the state and the cadre of town planner member working in such authorities is presented in Table 3.

Table 3 List of urban development authorities in the state
(Source: DTCP Karnataka, <http://www.dtcp.gov.in/en/uda>)

Sl.No	District	UDA's	No's	Cadre of TPM
1	Bagalkot	Bagalkot UDA	1	Assistant Director

2	Ballari	Ballari UDA; Hospete UDA	2	Assistant Director
3	Belagavi	Belagavi UDA	1	Assistant Director
4	Bengaluru Rural	-	0	-
5	Bengaluru Urban	BDA (It is a development authority constituted under provisions of the BDA Act)	1	Director
6	Bidar	Bidar UDA	1	Joint Director
7	Chamarajanagar	Chamarajanagar- Ramasamudra UDA	1	Assistant Director
8	Chikkaballapur	Chikkaballapur UDA	1	Assistant Director
9	Chikkamagaluru	Chikkamagaluru UDA	1	Assistant Director
10	Chitradurga	Chitradurga UDA	1	Assistant Director
11	Dakshina Kannada	Mangaluru UDA	1	Joint Director
12	Davanagere	Davanagere- Harihara UDA	1	Joint Director
13	Dharwad	Hubballi-Dharwad UDA	1	Joint Director
14	Gadaga	Gadaga- Betageri UDA	1	Deputy Director
15	Kalaburagi	Kalaburagi UDA	1	Joint Director
16	Hassan	Hassan UDA	1	Assistant Director
17	Haveri	Haveri UDA; Ranebennuru UDA	2	Assistant Director
18	Kodagu	Madikeri UDA	1	Assistant Director
19	Kolar	Kolar UDA; KGF UDA	2	Assistant Director; Deputy Director
20	Koppal	Koppal UDA	1	Assistant Director
21	Mandya	Mandya UDA	1	Assistant Director
22	Mysuru	Mysuru UDA	1	Joint Director
23	Raichur	Raichur UDA; Sindhanuru UDA	2	Joint Director, Assistant Director
24	Ramanagara	Greater Bengaluru Development Authority; Ramanagara UDA	2	Director; Assistant Director
25	Shivamogga	Shivamogga- Bhadravathi UDA	1	Deputy Director
26	Tumakuru	Tumkuru UDA; Shira UDA	2	Joint Director; Assistant Director
27	Udupi	Udupi- Malpe UDA	1	Assistant Director
28	Uttara Kannada	Karwar UDA	1	Assistant Director
29	Vijayapura	Vijayapura UDA	1	Joint Director
30	Vijayanagara	Vijayanagara Area Development Authority	1	Assistant Director
31	Yadgir	Yadgir UDA	1	Assistant Director

Total	Karnataka	-	36	
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Town Planning Authorities and Municipal Planning Authorities: The state has 51 town planning authorities and 78 municipal planning authorities. These are established by the regulations outlined in Section 4-C of the KTCP Act of 1961. The following is a summary of the duties performed by the authorities:

- Formulation and revision of a master plan for a local planning area under the provisions of the KTCP Act.
- To regulate developments and growth within the local planning area as per the Zoning Regulations, which include the sanction of building plans, the development of layouts, and group housing.
- Providing a technical opinion to the Deputy Commissioners of Revenue about diversifying land for uses other than agriculture.
- Implementation of the master plan through town planning schemes for the local planning area.
- Sanction of plotted development plans of private and government/quasi-government organisations.
- Preparation of extension schemes.

The general organisation structure of the town planning authorities is presented in Figure 8.

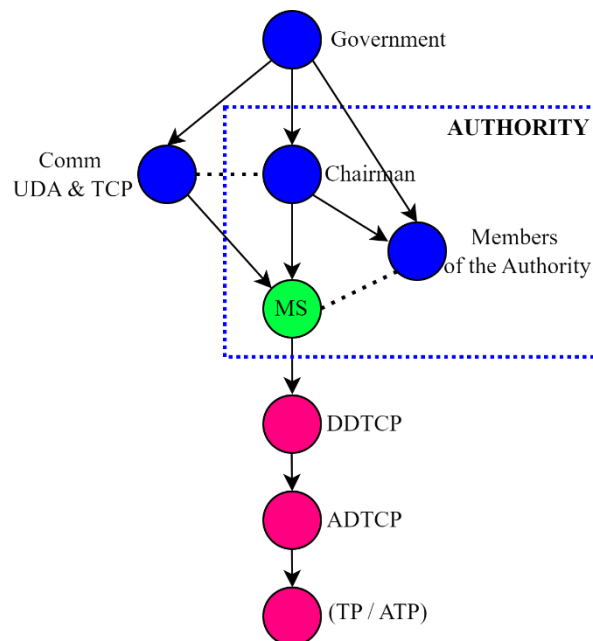


Figure 8 The general organisation structure of town planning authorities

(source: DTCP, Karnataka, <http://www.dtcp.gov.in/en>)

Command and Control

Collaboration and Cooperation

In town planning authorities, an officer from the cadre of joint director, deputy director, or assistant director of town and country planning serves as the chief executive and technical officer of the authority, known as the member secretary. The officer is assisted by the deputy directors, assistant directors, town planners, and assistant town planners, who are deputed by the Department of Town and Country

Planning. The Table 4 presents the list of town planning authorities in the state, along with the cadre of member secretaries working in these authorities.

Table 4 List of town planning authorities in the state
(Source: DTCP Karnataka, <http://www.dtcp.gov.in/en/tpa>)

Sl.No	District	TPA's	Cadre of Member Secretary
1	Bagalkot	Badami PA; Ilakal PA; Jamakhandi PA; Mudhol PA; Rabakavi- Banahatti PA,	Assistant Director
2	Ballari	Hampi World Heritage Area Management Authority (Constituted under the provisions of the HWHAMA Act 2002)	Deputy Director (Planning Officer)
3	Belagavi	Gokak PA; Nippani PA; Ramadurga PA	Assistant Director
4	Bengaluru Rural	Doddaballapura PA; Nelamangala PA; Hoskote PA; Bangalore International Airport Area Planning Authority (BIAAPA); Satellite Town Ring Road Planning Authority (STRRPA) (Part)	Joint Director
5	Bengaluru Urban	Anekal PA; Satellite Town Ring Road Planning Authority (STRRPA) (Part); Bangalore-Mysore Infrastructure Corridor Area Planning Authority (BMICAPA) (Part)	Joint Director; Additional Director (BMICAPA)
6	Bidar	Basavakalyan PA	Assistant Director
7	Chamarajanagar	-	-
8	Chikkaballapur	Chinthamani PA; Shidlaghatta PA; Gouribidanuru PA	Assistant Director
9	Chikkamagaluru	-	-
10	Chitradurga	-	-
11	Dakshina Kan-nada	Bantwala PA; Puttur PA; Mudbidre PA	Assistant Director
12	Davanagere	-	-
13	Dharwad	-	-
14	Gadaga	-	-
15	Kalaburagi	Chittapura PA; Sedam PA; Wadi-Shahabad PA	Assistant Director
16	Hassan	Arasikere PA; Beluru-Halebidu PA; Arakalgoodu PA; Channarayapattana PA	Assistant Director
17	Haveri	-	-
18	Kodagu	Kushalnagara PA	Assistant Director
19	Kolar	Malur PA	Assistant Director
20	Koppal	Gangavathi PA	Assistant Director
21	Mandya	Malavalli PA; Bangalore-Mysore Infrastructure	Assistant Director

		Corridor Area Planning Authority (BMICAPA) (Part)	
22	Mysuru	Hunsur PA; Krishnaraja Nagar PA; Bangalore-Mysore Infrastructure Corridor Area Planning Authority (BMICAPA) (Part)	Assistant Director; Additional Director (BMICAPA)
23	Raichur	Manvi PA; Lingasuguru PA	Assistant Director
24	Ramanagara	Channapattana PA; Magadi PA; Kanakapura PA; Bangalore-Mysore Infrastructure Corridor Area Planning Authority (BMICAPA) (Part)	Assistant Director; Additional Director (BMICAPA)
25	Shivamogga	Sagara PA	Assistant Director
26	Tumakuru	Kunigal PA; Tiptur PA; Chennai-Bangalore Industrial Corridor (CBIC) PA	Assistant Director; Joint Director (CBIC)
27	Udupi	Kaapu PA; Kundapura PA	Assistant Director
28	Uttara Kannada	Sirsi PA	Assistant Director
29	Vijayapura	Sindagi PA	Assistant Director
30	Vijayanagara	-	-
31	Yadgir	Shahapur PA	Assistant Director

In municipal planning authorities, an officer from the cadre of municipal commissioner (grade 1 or 2) or chief officer (grade 1 or 2) serves as the member secretary of the authority. The unit office of the Department of Town and Country Planning, working at the district level, provides technical guidance to municipal planning authorities.

Bruhat Bengaluru Mahanagara Palike is the fourth-largest city corporation in India, primarily responsible for providing civic facilities to the citizens of the Bengaluru metropolitan area. It operates in accordance with the provisions of the BBMP Act 2020. Due to further decentralisation of powers, the BBMP has been divided into eight different zones. As per the power conferred by Section 81 of the KTCP Act, 1961, the government approved the exercise of planning authority powers by BBMP in issuing commencement certificates for the construction of buildings.

The general organisational structure of the Town Planning Wing of BBMP at the central office is presented in Figure 9.

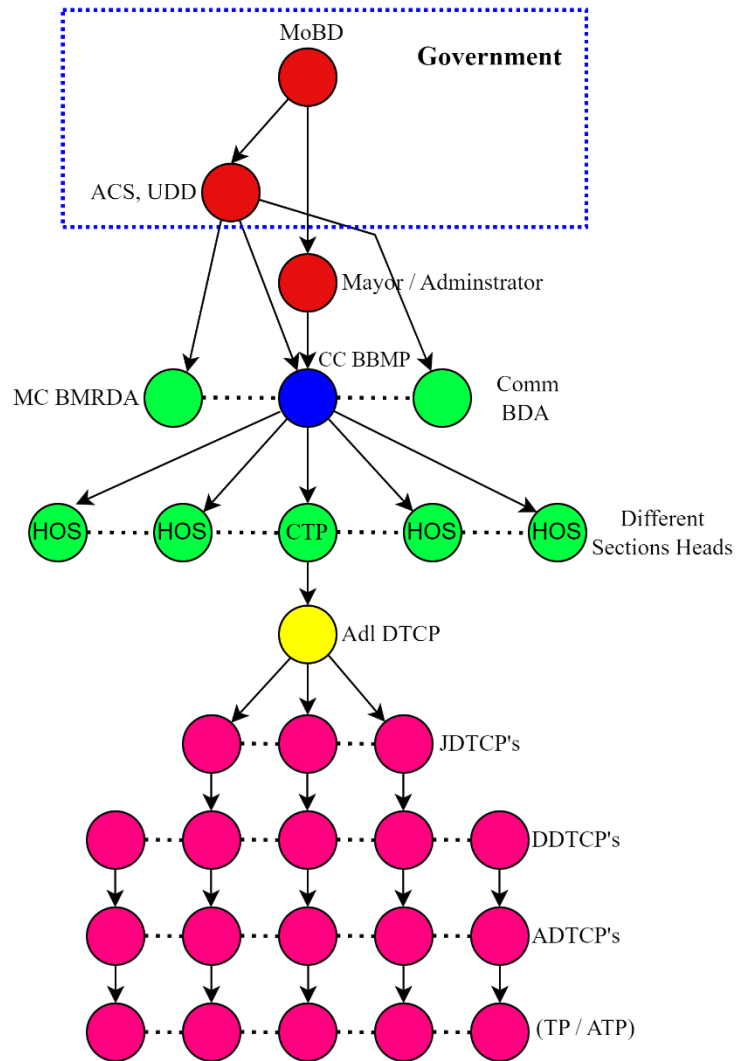


Figure 9 The general organisation structure of the Town planning wing of BBMP at the central office

(source: BBMP Bengaluru, <https://site.bbmp.gov.in/chart2.html>)

The general organisation structure of the Town planning wing of BBMP at the zonal office is presented in Figure 10.

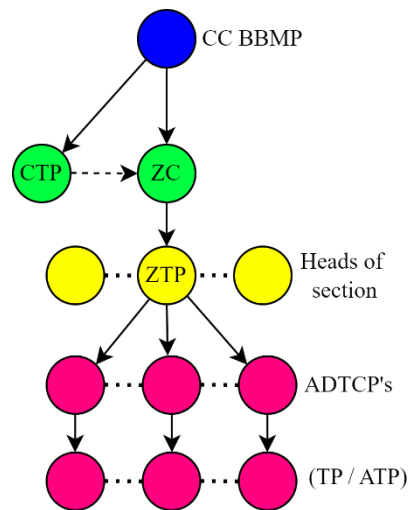


Figure 10 The organisation structure of the town planning wing of BBMP at the zonal office

(source: BBMP Bengaluru, <https://site.bbmp.gov.in/chart2.html>)

Command and Control Collaboration and Cooperation
 Technical Cooperation

CC- Chief Commissioner, **CTP-** Chief Town Planner, **ZC-** Zonal Commissioner, **ZTP-** Zonal Town Planner

In the corporation’s central office, the Chief Town Planner, an officer of the rank of Director of Town and Country Planning, works under the direct supervision of the Chief Commissioner. At the zonal level, the zonal town planner is an officer of the rank of Joint Director of Town and Country Planning, who works under the direct supervision of the zonal commissioners. The chief town planner is assisted in planning activities by the additional director, joint directors, deputy directors, assistant directors, town planners, and assistant town planners, who are deputed by the Department of Town and Country Planning.

The Karnataka Housing Board (KHB) was established under the provisions of the Karnataka Housing Board Act, 1961, as a replacement for the Mysore Housing Board. The primary goal of the KHB is to develop and implement initiatives and projects that are essential for addressing and fulfilling the demand for housing accommodations. The primary objective of KHB is to provide affordable housing options to residents of Karnataka, thereby establishing itself as the premier housing organisation in the region. Suppose the board wants to develop their land or building outside the local planning area. In that case, it should get approval from the director or designated officer not below the rank of assistant director as per the provisions of section 4(K) of KTCP Act 1961; further, as per sections 14, 15 and 17 of KTCP Act 1961, it is required to get the approval from the respective planning authorities if the area falls under the notified local planning area.

The head of the town planning wing of the board is an officer from the cadre of the additional director of Town and Country Planning. He is assisted by the deputy directors, assistant directors, town planners, and assistant town planners, who are deputed by the Department of Town and Country Planning and the housing board.

The Karnataka Industrial Areas Development Board (KIADB) is an autonomous organisation established under the KIAD Act 1966. This organisation aims to promote and optimise industrial

growth, providing necessary infrastructure and services in Karnataka's industrial areas. The aims and objectives of KIADB are:

- Facilitate the expeditious and systematic advancement of industries within the state.
- Assist in conducting government programs under the KIAD Act's scope.
- Aid in the establishment of infrastructure projects.
- Function on a “No Profit, No Loss” basis.

As per the directions from the Government of Karnataka, KIADB is empowered to issue permissions to individual units within industrial areas/estates subject to strict adherence to town planning regulations and building by-laws. Furthermore, approval must be obtained from the director or a designated officer not below the rank of an assistant director, as per the provisions of Section 4(K) of the KTCP Act, 1961, if the area falls outside the notified local planning area. The head of the board's town planning wing is an officer from the joint director of the Town and Country Planning cadre. He is assisted by the deputy director and Town Planners, who are deputed from the Department of Town and Country Planning.

The Directorate of Urban Land Transport was established in 2007 to plan and implement transport projects in the state. This directorate works under the Urban Development Department of the Government of Karnataka and is headed by the Commissioner. The special officer (technical) is the head and is responsible for technical and planning activities within the directorate, reporting directly to the commissioner. Other specialists, such as transport planners and GIS specialists, are contracted as needed.

Municipal Corporations are established under The Karnataka Municipal Corporations Act, 1976. Currently, there are eleven corporations in the state, excluding Bengaluru city, located in Mysuru, Tumakuru, Hubballi, Dharwad, Belagavi, Mangaluru, Bellary, Vijayapura, Kalaburagi, Hassan, Bidar and Raichur. (The establishment of corporations in Hassan, Bidar and Hubli (bifurcated from Hubli-Dharwad MC) was decided in the cabinet meeting and yet to be notified) City corporation's primary objective is to enhance citizens' quality of life by providing them with basic and other essential civic amenities. Along with various functions, issuing commencement certificates, building licences, completion certificates, and occupancy certificates within their jurisdiction is another key function from a planning perspective. As per the power conferred by Section 81 of the KTCP Act, 1961, the government accorded approval for the exercise of planning authority powers to urban local bodies in issuing commencement certificates for the construction of buildings. An officer from the cadre of joint director/deputy director of town and country planning works under the direct supervision of the commissioner as a town planning officer. The town planning officer is assisted by the assistant town planning officer (also referred to as the assistant director) and the assistant planner (also referred to as the assistant town planner), who is deputed by the Department of Town and Country Planning.

The Karnataka Slum Development Board, constituted in 1975, seeks to provide essential infrastructure and housing to slum residents. The primary objective is to enhance the quality of life and economic opportunities for disadvantaged urban populations by fostering social awareness and supporting income-generating initiatives. In 2004, amendments were implemented to the regulations to provide additional support to the socioeconomically underprivileged inhabitants of slums. Suppose the board wants to develop their land outside the local planning area. In that case, it should get approval from the director or designated officer not below the rank of assistant director as per the provisions of section 4(K) of KTCP Act 1961; further, as per sections 14, 15 and 17 of KTCP Act 1961, it is required

to get the approval from the respective planning authorities if the area falls under the notified local planning area.

4. Analysis of the administrative and planning personnel in planning agencies

The Table 5 provides a comprehensive analysis of the administrative and planning personnel in various planning agencies across the state, including chief executive officers and town planning heads, as well as their appointments and legislative support.

Table 5 Comprehensive Analysis of the planning governing body of different planning agencies
(Source: Prepared by author)

Institute	CEO of Institute and Rank	Appointment of CEO as per the provision of	Head of Town Planning Wing and Rank	Appointment of head of town planning as per the provisions of	Selection and Appointment of Other officers and staff of the Town Planning Wing
CoUD & TCP	Commissioner (IAS senior scale)	Government order	Director	Section 3 of the KTCP Act 1961	C&R rules of DTCP, 1994
KSTPB	Member Secretary (DTCP)	Rule 3, 4 of KSTPB Rules 1964	Member Secretary (DTCP)	Rule 3, 4 of KSTPB Rules 1964	Government order
BMRDA	Metropolitan Commissioner (IAS super time scale)	Section 8 of the BMRDA Act 1985	Metropolitan Planner (DTCP)	Section 8 of the BMRDA Act 1985 and Rule 7 of BMRDA Rules 2022	C&R rules of BMRDA, 2008

BDA	Commissioner (IAS super time scale)	Section 12 of the BDA Act 1976	Town Planner Member (DTCP)	Section 3 (3) (d) of the BDA Act 1976	C&R rules of BDA, 1995
BBMP	Chief Commissioner (IAS HAG scale)	Section 63 of the BBMP Act 2020	Chief Town Planner (DTCP)	Section 98 (1) (2) of the BBMP Act 2020	Section 98 (2) of the BBMP Act 2020 and C&R rules of BBMP, 2020
UDA's	Commissioner (KAS / KMAS senior scale / SCS Group A and above)	Section 12 of KUDA Act 1987	Town Planner Member (JDTCP / DDTCP/ ADTCP)	Section 3 (3) (b) of KUDA Act 1987	Government order
PA's	Member Secretary (JDTP / DDTP / ADTP)	Section 4C (3) (ii) of the KTCP Act 1961	Member Secretary (JDTCP / DDTCP/	Section 4C (3) (ii) of the KTCP Act 1961	Government order

			ADTCP)		
KI-ADB	CEO & EM (IAS senior scale)	Section 11 (1) of KIADB Act 1966	JDTCP	Section 11 (2) of KIADB Act 1966	Section 11 (2) of KIADB Act 1966
KHB	Housing Commissioner (IAS super time scale)	Section 10 of the KHB Act 1962	Addl DTCP	Section 10 of the KHB Act 1962	Section 10 (A) of the KHB Act 1962 and C&R rules of KHB, 1993
KSDB	Commissioner (KAS selection grade and above)	Section 37 of the KSA Act 1973	ADTCP	Government order	Government order
DULT	Commissioner (IAS senior scale)	Government order	Special Officer Technical (JDTCP)	Government order	Government order
MC's	Commissioner (IAS senior/junior scale / KAS / KMAS senior scale & above)	Section 14 of the KMC Act 1976	TPO (JDTCP / DDTCP)	Section 82 of the KMC Act 1976	Section 82 of the KMC Act 1976 and C&R rules of Municipal Corporations, 2011
HWHAMA	Commissioner (KAS / KMAS senior scale & above)	Section 7 of the HWHAMA Act 2002	PO (DDTCP /ADTCP)	Section 9 of the HWHAMA Act 2002	Section 10 (3) of the HWHAMA Act 2002

CoUD & TCP- Commissionerate of Urban Development Authorities and Town Planning; **KSTPB-** Karnataka State Town Planning Board; **UDA-** Urban Development Authority; **PA-** Planning Authority; **KIADB-** Karnataka Industrial Area Development Authority; **KHB-** Karnataka Housing Board; **KSDB-** Karnataka slum development board; **DULT-** directorate of urban land transport; **MC-** Municipal corporation; **HWHAMA-** Hampi world heritage area management authority; **TPO-** Town planning officer; **PO-** Planning officer; **C&R-** Cadre and recruitment, **SCS-**Sate civil service; **CEO&EM-** Chief executive officer and executive member.

The appointment of CEO's, Heads of the town planning wing, and other officers and staff are also selected or appointed as prescribed by the government from time to time through orders, notifications, etc.

5. Implementation of the Constitution (74th amendment) Act 1992

The 74th Constitution Amendment Act came into force on June 1, 1993, introducing a new part, namely Part IXA, to the Constitution, which addresses issues related to municipalities (The Constitution (74th Amendment) Act, 1992 Background, n.d.). Among all provisions, the most critical one from the planning point of view concerns the constitution of district and metropolitan planning committees. The Gov-

ernment of Karnataka established a Metropolitan Planning Committee for the Bengaluru metropolitan area and has yet to constitute district planning committees.

Table 6 presents the existing division of responsibilities as outlined in the 12th Schedule of the Indian Constitution among the State, BMRDA, BDA, BBMP, UDAs, PAs, and ULBs.

Table 6 Sharing of responsibilities as provided in the 12th schedule.
(Source: Prepared by author and based upon Biswas et al., 2019)

Sl No	Responsibilities	State	BMR-DA	BD A	BBM P	UD A	P A	UL B
1	Burials and burial grounds; cremations, cremation grounds and electric crematoriums.	x	x	x	✓	x	x	✓
2	Cattle pounds; prevention of cruelty to animals.	✓	x	x	✓	x	x	✓
3	Fire services.	✓	x	x	x	x	x	x
4	Planning for economic and social development.	✓	✓	✓	x	✓	✓	✓
5	Planning of land- use and construction of buildings.	x	✓	✓	✓	✓	✓	✓
6	Promotion of cultural, educational and aesthetic aspects.	✓	x	x	x	x	x	✓
7	Provision of urban amenities and facilities such as parks, gardens, playgrounds.	x	x	✓	✓	✓	x	✓
8	Public amenities including street lighting, parking lots, bus stops and public conveniences.	x	x	✓	✓	✓	x	✓
9	Public health, sanitation conservancy and solid waste management.	x	x	x	✓	x	x	✓
10	Regulation of slaughter houses and tanneries.	x	x	x	✓	x	x	✓
11	Roads and bridges.	✓	x	✓	✓	✓	x	✓
12	Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded.	✓	x	x	x	x	x	✓
13	Slum improvement and upgradation.	✓	x	x	x	x	x	x
14	Urban forestry, protection of the environment and promotion of ecological aspects.	✓	x	x	✓	x	x	✓
15	Urban planning, including town planning.	x	✓	✓	x	✓	✓	x
16	Urban poverty alleviation.	✓	x	x	✓	x	x	✓
17	Vital statistics, including registration of births and deaths.	x	x	x	✓	x	x	✓
18	Water supply for domestic, industrial and	✓	x	x	✓	x	x	✓

commercial purposes.							
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The table above shows that the responsibilities and powers allocated to urban local bodies, as outlined in the 12th Schedule, are not fully vested in these bodies. Instead, they are distributed among the state, planning agencies, and local bodies.

6. Comprehensive Analysis of the power of approvals and appeals by different planning agencies
The

Table 7 provides a comprehensive analysis of the powers of various planning agencies in the state, including different types of approvals and appeals, as well as the kind of approval, legislative backing, and other relevant details.

Table 7 Comprehensive analysis of the powers of different planning agencies in the state
(Source: Prepared by author)

Particulars	Relevant section/rule/bye-law	Approval power vested with
Structure Plan	Section 9 of the BMRDA Act 1985	UDD, GoK
Metropolitan area development plan	Part IXA of the Indian constitution; Rule 11 of BMPC Rules 2013	MPC
District development plan	Part IXA of the Indian constitution	DPC (is yet to be constituted)
Master Plan	Section 13 of the KTCP Act 1961	UDD, GoK
Change in land use	Section 14 (A) of the KTCP Act 1961	BDA, UDA, PA (with administrative approval of UDD, GoK)
Redesignation of land use	Section 69 of the KTCP Act 1961	BDA, UDA, PA
Development plan, Single plot and subdivision of plot	Section 4 (K) of the KTCP Act 1961 (in case of outside LPA by DTCP); Section 17 of the KTCP Act 1961 (in case of BDA, PA & UDA); Section 32 of BDA Act 1976 (in case of BDA); Section 32 of KUDA Act 1987 (in case of UDA's) and zoning regulations of respective authorities (in case of BDA, PA & UDA's)	DTCP (Technical approval) (only single plot & subdivision of plots), Local bodies (Administrative approval in case of outside LPA) BDA, UDA, PA (Within LPA)
Plan for single-unit complex within industrial areas/estates	Government order	KIADB

Commencement certificate for construction of buildings	Section 15 of the KTCP Act 1961; Bye-law no 3.16.4 of KMM building bye-laws, 2017 (in case of municipalities); Bye-law no 3.16.4 of KMCM building bye-laws, 2017 (in case of municipal corporations)	BDA, BBMP, UDA, PA ULB with technical opinion from jurisdictional PA / UDA
Building license	Section 240 and 240(A) of BBMP Act 2020 (in case of BBMP); Bye-law no 3.9 of KMM building bye-laws, 2017 (in case of municipalities); Bye-law no 3.9 of KMCM building bye-laws, 2017 (in case of municipal corporations); Section 64 of KGSPR Act 1993; Bye-law no 03 of KPRM building bye-laws, 2015 (in case of gram panchayats)	BBMP, ULB & RLB
Completion certificate of building	Bye-law no 3.17.1 of KMM building bye-laws, 2017 (in case of municipalities); Bye-law no 3.17.1 of KMCM building bye-laws, 2017 (in case of municipal corporations); Bye-law no 12 of KPRM building bye-laws, 2015 (in case of gram panchayats)	BBMP, ULB RLB with technical opinion from jurisdictional PA / UDA
Occupancy certificate of building	Bye-law no 3.18 of KMM building bye-laws, 2017 (in case of municipalities); Bye-law no 3.18 of KMCM building bye-laws, 2017 (in case of municipal corporations); Bye-law no 13 of KPRM building bye-laws, 2015 (in case of gram panchayats).	BBMP, ULB RLB with technical opinion from jurisdictional PA / UDA
Amalgamation and Subdivision of sites	Zoning regulations of respective authorities	BDA, UDA, PA
Technical opinion to Deputy commissioner regarding diversion of agricultural land	Section 95 of the KLR Act 1964	DTCP, BDA, UDA, PA
Development rights certificate	Section 14 (B) of the KTCP Act 1961	PA

Land acquisition	Section 11 of RFCTLARR Act 2013; Section 35 & 36 of BDA Act 1976 (in case of BDA); Section 35 & 36 of KUDA Act 1987 (in case of UDA's); Section 28 of KIADB Act 1966 (in case of areas comes under KIADB); Section 15 of the KSIR Act 2022 (in case of special investment regions).	Deputy Commissioner, BDA, UDA, KIADB, RDA (SIR)
Town Planning schemes	Section 26 of the KTCP Act 1961	BDA, UDA, PA (with administrative approval of UDD, GoK)
Development schemes	Section 15 of the BDA Act 1976; Section 15 of the KUDA Act 1987	BDA, UDA (with administrative approval of UDD, GoK)
Development plan for special investment regions	Section 15 of the KSIR Act 2022	RDA (SIR)
Land use plan for special investment regions	Section 06 of the KSIR Act 2022	Apex authority (KIADB)
Development Plans & Town Planning schemes within special investment regions	Section 06 of the KSIR Act 2022	Apex authority (KIADB)
Integrated township plan	Regulation 7.3 of Zoning regulations of RMP-2015 (in case of BDA); Zoning regulations of respective authorities (in case of PA's & UDA's)	BDA, UDA, PA
Appeals	Section 15(6) & 17 (6) of the KTCP Act 1961; Rule 36 (A) of KPA Rules 1965 (Related to approvals given by planning authority)	Metropolitan Commissioner in case of BMR; Jurisdictional Regional Commissioners with technical support from officers of DTCP in case of outside BMR
	Section 39 of the KTCP Act 1961 (Related to Town Planning Scheme)	Director of Town and Country Planning
	Section 40 of the KTCP Act 1961 (Related to Town Planning Scheme)	Jurisdictional district judge
	Section 18 (2) of the KTCP Act 1961 (Related to levy of fees)	Jurisdictional district court
	Rule 8 of the KTCP (BDR) rules 2016 (Regarding the grant of development rights)	Jurisdictional Regional Commissioners with technical support from officers of DTCP in case of outside local planning area of Bengaluru

ULB- Urban local body; **RLB-** rural local body; **BMPC-** Bengaluru Metropolitan Committee; **MPC-** Metropolitan Committee; **DPC-** District Planning Committee; **KSIR-** Karnataka Special Investment region; **RDA-** Regional Development Authority; **KMM-**Karnataka Municipalities Model; **KMCM-** Karnataka Municipal Corporation Model; **KPRM-** Karnataka Panchayath Raj Model; **KLR-** Karnataka Land Revenue; **KGSPR-** Karnataka Gram Swaraj and Panchayath Raj; **KUDA-** Karnataka Urban Development Authority; **KTCP-** Karnataka Town and Country Planning; **BDR-**Benefits of Development Rights.

The government also prescribes the powers of various planning agencies in the state regarding different types of approvals and appeals through orders, notifications, circulars, and other means from time to time.

7. Declaration of Urban Areas

As per the 2011 census, the urban unit is defined as the area declared as an urban local body (called a statutory town), a place with a minimum population of five thousand, a place with more than seventy per cent male population working in non-agricultural activities and a place with a minimum density of four hundred people per square kilometre area. Furthermore, statutory towns with a population of more than one lakh are defined as cities, and areas with a population of more than ten lakhs are defined as metropolitan areas. In Karnataka, the government may, by notification, declare any area of the state as an urban area subject to the provisions of the Karnataka Municipalities Act 1964 and the Karnataka Municipal Corporations Act 1976. The criteria for declaring any area as an urban area in Karnataka are presented in Table 8.

Table 8 criteria for declaring an urban area in Karnataka
(Source: DMA Karnataka, <http://www.municipaladm.gov.in/en/gazette-notification>)

Type of urban area	Population	Population density	Revenue generation	Percentage of non-agricultural employment activities
Town Panchayat (TP)	Not less than 10,000 and not more than 20,000	Not less than 400 inhabitants / sq.km.	-	Not less than 50% of total employment
Town Municipal Council (TMC)	Not less than 10,000 and not more than 50,000	Not less than 1,500 inhabitants / sq.km.	Not less than 9,00,000 / annum or Rs 45 per capita per annum (whichever is higher)	Not less than 50% of total employment
City Municipal Council (CMC)	Not less than 50,000 and not more than 3,00,000	Not less than 1500 inhabitants / sq.km.	Not less than 9,00,000 / annum or Rs 45 per capita per annum (whichever is higher)	Not less than 50% of total employment
Municipal Corporation	Not less than 3,00,000	Not less than 3,000 inhabitants / sq.km.	Not less than 6,00,00,000 / annum or	Not less than 50% of total

(MC)			Rs 200 per capita per annum (whichever is higher)	employment
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8. Declaration of Local Planning Areas

A local planning area, smaller than a district, is an area that is identified, delineated, or declared for planning purposes. Under the provisions of the Karnataka Town and Country Planning Act 1961, the government may declare any area of the state as a local planning area. Section 4(A) of the KTCP Act explains the declaration, and Section 4(C) describes the withdrawal of local planning areas, as well as the amalgamation and subdivision of local planning areas within the state. The local planning area may be urban, rural, or a combination of both. Generally, a government order declaring a local planning area consists of either Schedule A or I and Schedule B or II. Schedule A or I include a list of towns and villages (which may consist of the whole town or village or part of a town or village) with survey numbers for part of the proposed local planning area. Schedule B or II explains the running boundary of the proposed local planning area.

9. Overview of posts in the Department of Town and Country Planning

The government, through its orders on various dates, created various technical and administrative posts for the Town and Country Planning Department under the administration of the Urban Development Department Secretariat. Table 9 provides comprehensive details about the various technical posts under the Department of Town and Country Planning, Government of Karnataka.

Table 9 Details of various technical posts

(Source: Prepared by author)

Sl no	Post	Pay scale & Group	Appointing authority	Equivalent posts under the Government of Karnataka
1	Director	1,55,200-2,26,200 (Group-A)	Government (DPAR)	<ul style="list-style-type: none"> • Additional secretary to the government (Karnataka Secretariat Services, KSS) • Karnataka administrative services (KAS super time scale)
2	Additional director	1,31,100-1,88,200 (Group-A)	Government (UDD)	<ul style="list-style-type: none"> • Joint commissioner of excise • Additional director of state audit and accounts department
3	Joint director	1,18,700-1,75,200 (Group-A)		<ul style="list-style-type: none"> • Deputy secretary to the government (Karnataka Secretariat Services, KSS) • Karnataka administrative services (KAS, senior scale) • Municipal commissioner, Grade-I (Karnataka Municipal Administrative Services, KMAS)

				<ul style="list-style-type: none"> • Superintendent engineer
4	Deputy director	1,07,500-1,67,200 (Group-A)		<ul style="list-style-type: none"> • Executive engineer • Deputy conservator of forests (Karnataka State Forest Services, KSFS)
5	Assistant director	83,700-1,55,200 (Group-A)		<ul style="list-style-type: none"> • Under secretary to the government (Karnataka Secretariat Services, KSS) • Tahsildar, Grade-I • Municipal commissioner, Grade-II (Karnataka Municipal Administrative Services, KMAS) • Assistant executive engineer • Deputy superintendent of police (Karnataka state police services, KSPS)
6	Town planner (Previously known as Junior town planner)	69,250-1,34,200 (Group-B)	Director of Town and Country Planning	<ul style="list-style-type: none"> • Section officer (Karnataka secretariat services) • Tahsildar, Grade-II • Assistant engineer • Police inspector
7	Assistant town planner (Previously known as Town planning supervisor)	54,175-99,400 (Group-C)		<ul style="list-style-type: none"> • Municipal chief officer, Grade-II • Junior engineer

10. Recommendations

Based on the literature review and the author's knowledge and experience in urban planning, the following policy recommendations related to planning legislation, governance, and administration in Karnataka are presented below. These recommendations are purely indicative and suggestive, influenced by academic research.

1. Currently, Karnataka lacks provisions for preparing regional or district plans. Hence, suitable provisions should be made in the Town Planning Act of Karnataka for the preparation of district plans and regional plans. These plans may be prepared in accordance with evolving policy guidelines and recommendations, which can be implemented and further detailed through the lower hierarchy of plans, such as development plans/master plans, including micro or ward plans, schemes, programmes, projects, and annual plans.
2. The existing KTCP Act and KUDA Act may be repealed, and a new single act for planning and development, similar to the Gujarat Town Planning and Urban Development Act, 1976, may be enacted.

3. To achieve the objective of the National Urban Transport Policy, 2014, and to ensure the comprehensive mobility plan's implementation and compliance with the city's master plan, suitable amendments should be made to the Town Planning Act to integrate the mobility plan into the master plan.
4. The transportation/mobility sectoral plan is an integral part of the master plan; hence, the Bangalore Metropolitan Land Transport Authority does not need to carry out separate transport-related plans. In line with the objectives of the BMLTA statute, the BMLTA may be assigned mobility-related activities, such as operational integration, fare integration, and time integration. A transport and mobility cell may be established in BDA and BBMP to facilitate the achievement of the objectives of the National Urban Transport Policy 2014.
5. To facilitate the appointment of an official chairman for urban development authorities and planning authorities following an immediate vacancy, suitable amendments may be made to the Karnataka Planning Authorities Rules, 1965, rather than issuing instructions through circulars or notifications.
6. The government may review the repetition of act provisions in the KUDA and KTCP Acts. Hence, Section 32 in the KUDA Act may be repealed, and vice versa for Section 17 in the Town Planning Act and other similar provisions.
7. As per Rule 17 of the BMRDA Rules, 2022, the master plan of the planning authorities and urban development authority should confirm the vision of the structure plan. However, there is a considerable time lag between the structure plan and the master plan timeline. For instance, the current structure plan's planning period is set to end in 2031; however, BDA is currently preparing a master plan for the horizon year of 2041. This indicates the gap between the two plans and may not effectively achieve the provision of rule 17.
8. As per the provisions of section 4 (I) of the KTCP Act 1961, the town and country planning officer for the local authority, as per the provisions of section 4 (K) of the said act, the assistant director and as per the Section 98 of the BBMP Act, 2020 the officers in the town planning wing of BBMP should be qualified in town and country planning. However, these provisions may be incorporated in all acts and rules where town planning officers and staff are deputed. The government may facilitate eligible officers and staff in achieving this by mandatory deputation to higher studies in planning or other such measures. While achieving this, The Government may also take such measures to protect the interests of working officials and officers based on their expertise.
9. To succeed, interdependency between policy and act is required; concurrent provisions may be made in local acts to achieve the objectives of national-level policies. For instance, the provision for the preparation of a district development plan in the Town Planning Act, as recommended in the Constitution (74th Amendment) Act 1992; the provision for the preparation of a comprehensive mobility plan in the Town Planning Act, as recommended in the national urban transport policy 2014; the provision for the preparation of a regional plan in the Town Planning Act, as mentioned in the URD-PFI guidelines, 2014 and other such cases.
10. In all other states except Tamil Nadu, Karnataka and Madhya Pradesh, the Town and Country Planning department is headed by the Director, a qualified urban planner, who assists respective governments in planning and development. Recently, the Government of Karnataka renamed the Directorate of Town and Country Planning as the Urban Development Authorities and Town and Country Planning Commissionerate and created a new Commissioner post, filling it from the ranks of senior IAS officers. Furthermore, the government placed the Directorate of Town and Country Planning and all planning and urban development authorities under the commissioner's direct control and su-

pervision. The Town and Country Planning Department is primarily a technical department, and the Director is responsible for assisting the government in decision-making. Hence, the government of Karnataka may re-examine this matter and redesignate the Director as the head of the Department of Town and Country Planning.

11. The government may review all the acts and rules that are in force concerning the planning and development of their respective properties, like the Karnataka Municipalities Act, KMC Act, BBMP Act, KHB Act, KIADB Act, The Karnataka Agricultural Produce Marketing (regulation and development) Act, Karnataka Gram Swaraj and Panchayat Raj Act, to effectively implement the overriding effect provision of the KTCP act as prescribed in section 76 (M).
12. In state, administrative officers have KAS abbreviations, Police officers have KSPS, Forest offices have KSFS, Accounts and audit officers have KSAS, Engineering officers have KES, Excise officers have KSES and so on. The government may consider providing abbreviations to officers from town and country planning, such as KTPS (Karnataka Town Planning Services), similar to other services. It is necessary, as the government has deputed officers from different cadres within the department to various organisations in the state. Furthermore, a separate section for 'Karnataka Town and Country Planning services' may be inserted into the Town Planning Act, similar to sections 327 and 365 of the Karnataka Municipalities Act, 1964.
13. The designation of officers and officials in the Department of Town and Country Planning may be redesignated as per the designations of the Town and Country Planning Organisation (TCPO) Government of India to bring uniformity.
14. In recent years, the government of India has placed more emphasis on preparing GIS-based plans. Hence, a centralised GIS cell may be opened at the head office of the town and country planning department to facilitate achieving the objectives of the various schemes and policies. This cell should comprise qualified geographers and urban planners, and its technical expertise shall be extended to local offices.
15. A bachelor's degree in a relevant field (Planning or Architecture or Civil Engineering) may be fixed as a minimum educational qualification for an entry-level technical post in the department. Suitable amendments may be made to relevant recruitment rules, and technical posts with minimum educational qualifications below a bachelor's degree may be discontinued.
16. Karnataka state has the School of Planning and Architecture at the University of Mysuru, Visvesvaraya Technological University, and the Nitte School of Architecture, Planning, and Design, which offer undergraduate and postgraduate courses in planning within the state. The government could utilise this opportunity and may create a memorandum of understanding between these institutes and the government, allowing them to prepare different plans for various towns in the state as part of their academic activities. The completed works may be submitted to the government for review and consideration. Upon submission, the government may consider the works, modify them as deemed necessary, and approve them in accordance with the provisions of the act. This leads to synergy between academics and the field as well as faster completion of plan-making and revision of plans in the state.
17. The government may make a memorandum of understanding between the Institute of Town Planners, India, Karnataka Regional Chapter and the government to take over research activities in the field of urban and rural planning.

18. As per the recent directions from the government, KIADB and KSSIDC are empowered to approve the development plan, layout plan, single-unit complex plan, Building plan, and issuance of commencement and completion certificates within the jurisdiction of their industrial townships. These activities are purely associated with town planning and require experts with a background in town planning. Hence, the government may consider upgrading the existing town planning cell at KIADB and establishing a comprehensive town planning cell headed by a Director-level officer under the direct control of the CEO and Executive Member of KIADB. Various cadre officers and officials from the Department of Town and Country Planning shall assist the Director.
19. Concerning housing, in Karnataka, the Karnataka Slum Board (KHB), the Karnataka Slum Development Board (KSDB), and Rajiv Gandhi Housing Corporation Limited (RGHCL) are contributing. Housing is an associated matter of town planning and requires assistance from expert professionals. Hence, the government may consider upgrading the town planning cells in the KHB and KSDB and may bring them under one umbrella by creating a combined town planning cell for KHB, KSDB, and RGHCL, headed by a director-level officer under the direct control of the Secretary to the Government, Housing department. Various cadre officers and officials from the Department of Town and Country Planning shall assist the Director.

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