THE KARNATAKA [1][GRAM SWARAJ AND PANCHAYAT RAJ][1] ACT, 1993

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STATEMENT OF OBJECTS AND REASONS

I

Act 14 of 1993.- The Karnataka Panchayat Raj Bill, 1993 seeks to replace the Karnataka Zilla parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983 consequent upon the changes proposed in the seventy-second Constitution (Amendment) Bill, 1991.

The Bill is to establish a three-tired Panchayat Raj System in the State with the elected bodies at Grama, Taluk and District levels for greater participation of the people and more effective implementation of rural developed programes in the State.

The following are the salient features of the Bill:-

1. Establish a three-tiered panchayat system in the State based on the population as ascertained at the last preceding census of which the figures have been published. It envisages elected bodies at all the three levels.

2. It provides for reservation of seats in favor of Scheduled Castes and Scheduled Tribes in proportion of their population and for reservation of one- third seats for women at all levels.

3. It also provides for reservation of seats and offices of chair persons at all levels for the persons belonging to Backward Classes of citizens.

4. It also provides for reservation of offices of chair persons at all levels in favour of Scheduled Castes and Scheduled Tribes and women.

5. It also envisages constitution of State Election Commission, the Finance Commission and district Planning Committee.

Hence the Bill.

(Obtained from L.A. Bill No. 21 of 1993.)

II

Amending Act 10 of 1995.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993,-

(i) to provide for the Government to specify Backward Classes by issue of notification and not by making rules;

(ii) to provide reservation separately to the extent of eighty percent and twenty per cent for category-A and category-B respectively, out of seats and offices of chairperson reserved in favour of Backward Classes;

(iii) to provide for one member for a population of eighteen thousand or part thereof for the Zilla Panchayat in Kodagu District; and

(iv) to delete the provisions which provide a minimum reservation of fifteen percent for Scheduled Castes and three per cent for Scheduled Tribes irrespective of their ratio of population.

As the matter was urgent and the karnataka Legislative Assembly was not in session, the Karnataka Panchayat Raj (Amendment) ordinance, 1995 (Karnataka Ordinance 1 of 1995) was promulgated.

Hence the Bill.

(Obtained from L.A. Bill No. 8 of 1995.)

III

Amending Act 9 of 1996.- It is considered necessary to make the following amendments to the Karnataka Panchayat Raj Act, 1993, namely:-

(1) To amend Sections 156 and 197 so that Chief Executive Officer and the Executive Officer and other Officials of Zilla Panchayat and Taluk Panchayat to function subject to the general powers of Superintendence, and control of Adhyakshas.

(2) To amend Sections 152 and 193 to confer the status of executive head on the Adhyakshas of the Taluk Panchayat and Zilla Panchayat.

(3) To amend Section 159 to provide that the members of the House of people and members of State Legislative Assembly whose constituencies lie within the area of jurisdiction of Zilla Panchayat and members of Council of State and members of State Legislative Council who are registered as electors within the area of Jurisdiction of Zilla Panchayat shall alone be the members of Zilla Panchayat.

Hence the Bill.

(Obtained from L.A. Bill No. 2 of 1996.)

IV

Amending Act 17 of 1996.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993, to:-

(i) dispense with the requirement of quorum of members in an adjourned meeting, if any meeting called for the purpose of election of Adhyaksha or Upadhyaksha is adjourned to the following day or to a further day for want of quorum.

(ii) restrict the term of office of Adhyaksha and Upadhyaksha of Taluk Panchayat or Zilla Panchayat to twenty months.

(iii) restrict the term of office of every member of the standing Committee of Taluk Panchayat or Zilla Panchayat to twenty months.

(iv) to replace the words " surcharge" with " additional stamp duty".

Hence the Bill.

(Obtained from L.A. Bill No. 20 of 1996.)

V

Amending Act 1 of 1997.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993,-

(i) to provide for the officers who preside over the first meeting of Grama Panchayats, Taluk Panchayats and Zilla Panchayats for conducting elections to the offices of Adhyaksha and Upadhyskha should also preside over the subsequent meetings convened for filling up the vacancies in the office of Adhyaksha and Upadhyaksha;

(ii) to enable the Upadhyaksha of Taluk Panchayats and Zilla Panchayats to exercise the powers of Adhyaksha when the office of Adhyaksha is vacant.

(iii) to enable the Upadhyaksha of Taluk Panchayats and Zilla Panchayats to preside over the meetings of Zilla Panchayat and Taluk Panchayat, when the office of Adhyaksha is vacant.

Certain consequential changes are also made.

Hence the Bill.

(Obtained from L.A. Bill No. 5 of 1997.)

VI

Amending Act 10 of 1997.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993, for the following reasons, namely:-

The Hon'ble High Court of Karnataka in W.P.No.7547/97 had held that the Adhyaksha or Upadhyaksha elected to fill casual vacancy of a Taluk Panchayat or Zilla Panchayat will hold office for the full term of twenty months. However the intention of the law is to limit such period to the remainder of the period for which the Adhyaksha or Upadhyaksha in whose place he has been elected would have held the office. In order to specify the above intention provisos to sub-section (3) in both Sections 138 and 177 have been inserted, with effect from twenty fourth October, 1996.

The provisions relating to amalgamation of panchayat areas is proposed to be re-worded.

It is also proposed to state in detail, the consequences of absorption of part of a Panchayat area or an area within the limits of a district or taluk into a larger urban area, smaller urban area or transitional area and conversion of any area within the limits of panchayat area or taluk is converted into a smaller urban area or transitional area; and

The consequences of Constitution of new district or taluk by altering the limits of the existing districts and taluks.

Hence the Bill.

(Obtained from L.A. Bill No. 21 of 1997.)

VII

Amending Act 29 of 1997.- The State of Karnataka having pioneered the decentralised administration system of Panchayat Raj Institutions in the State by legislating the Karnataka Panchayat Raj Act, 1993 and being earnest in rendering these institutions effective as units of local-self-Government at all tires, appointed an Expert Committee under the Chairmanship of Sri P.R.Nayak, for the purpose of making suggestions for better administration and functioning of these institutions in the State. The Committee having submitted its report in March 1996, which the State Government accepted, and in contemplation of implementing these recommendations, it is now proposed to bring about comprehensive amendment to the Karnataka Panchayat Raj Act, 1993 to provide for the following, interalia:-

(1) To make the preamble of the Act expressly declare that the Panchayat Raj Institutions should function as units of local-self -Government.

(2) Consequently upon the 74th Constitutional amendment, to nomenclature the urban local bodies like Sanitary Boards, Town Boards, and Notified area committees uniformly as 'Town Panchayat'.

(3) To entrust the task of determining the number of elected members, reservation of seats for different categories, delimitation of territorial constituencies, and publication of names of elected members of all the Grama Panchayats to the State Election Commission, an independent body.

(4) To provide for disqualifying such members of the panchayat institutions who are directly or indirectly involved in the execution of works and supply of goods and services to the Panchayats and who have not provided sanitary latrines for the use of members of their family.

(5) To explain and provide punishment for the offence of Booth Capturing and to curb the tendency of Government servants acting as election agents, polling agents or counting agents by imposing rigorous penalty.

(6) To require the Adhyakshas of the panchayats to cause the letter of resignation of members to be placed at the meeting of the panchayat.

(7) To provide for removal of members of Grama Panchayat for defined misconduct.

(8) To specify that the election to the office of Adhyaksha and Upadhyaksha of Panchayat Raj Institutions be held, within one month from the publication of names of elected members.

(9) To provide a measure of stability to the term of office of Adhyaksha and Upadhyaksha of panchayats, by stipulating that a resolution expressing want of confidence in the Adhyaksha or Upadhyaksha of a Grama Panchayat shall not be moved within one year from the date of his election and with in one year from the date of the last decision of such a resolution and in the case of Taluk Panchayats and Zilla Panchayats within six months from such dates.

(10) To make certain functions obligatory on all Panchayat institutions and to specify the functions of the Panchayat bodies operating at different levels.

(11) To provide for appointment of appropriate Committees by the Grama Panchayats for specific purpose and joint committees for two or more Grama Panchayats for any common purpose.

(12) To state in necessary detail the consequences of having to divide a Panchayat area into two or more Panchayats, to amalgamate two or more Panchayat areas to constitute one Panchayat and to create a new Panchayat by carving out areas from existing Panchayats and provide that in all such eventualities the members representing these areas should continue in the interim Grama Panchayat through the remainder of their elected term.

(13) To effect certain structural changes, namely, to ensure reservation for women and for Scheduled Castes/Scheduled Tribes on the Social justice Committee of the Taluk Panchayat and Zilla Panchayat; to increase the total number of members of the standing committee of the Zilla panchayat from five to seven; and to make the Adhyaksha as the chairman of Finance, Audit and Planning Committee, and the Upadhyaksha as the Chairman of the General Standing Committee.

(14) To require the Executive Officer and Chief Executive Officer to advise, in writing, the head of the Panchayat which may pass any resolution or take any decision the implementation of which would contravene the provision of any law or the budgetary provisions etc., pointing to the specific provision that is likely to be contravened.

(15) To require the Panchayats concerned to take follow up action on the report of the inspecting officer made under section 233 within thirty days, and providing for omission to be construed as default in the performance of duty.

(16) To delete the provisions of section 234 which enables appointment of a person to perform a duty in case of default of the Panchayats and to recover expenses.

(17) To re-allocate power of certain authorities under the Act by divesting these authorities of their powers and vesting them in other to facilitate better functioning, namely:-

(a) The Commissioner to be divested of the power of removal of Adhyaksha or Upadhyaksha of a Panchayat, to be vested in the Government.

(b) The Commissioner and Chief Executive Officer to be divested of their power sunder section 253 to be vested in the Zilla Panchayat and Taluk Panchayat respectively.

(c) The Chief Executive officer and Commissioner to be divested of their powers under section 237, to suspend the execution of an unlawful order or resolution, of a Grama Panchayat and Taluk Panchayat to be vested in the Adhyaksha of the concerned Taluk Panchayat or Zilla Panchayat, and

(d) The Commissioner to be divested of his power under section 268 to dissolve a Grama Panchayat, to be vested in the Zilla Panchayat.

(18) To provide appeal against every original order of a Grama Panchayat.

(19) To require a Grama Panchayat to consider the development programme suggested by the grama shaba at the time of preparing its development plan.

(20) To make the Adhyaksha of the Zilla Panchayat the Chairman of the District Planning Committee and the Mayor or president of the Municipal Body having jurisdiction over the Head Quarters of the district, the Vice-Chairman.

(21) To constitute a State Panchayat Council to discuss matters relating to the functioning of the Panchayats in the State under the Chairmanships of the Chief Minister and the Minister for Rural Development and Panchayat Raj as Vice-Chairman.

(22) To provide for consulting the State panchayat Council before amending schedule I, II or III under the Act, relating to functions of Panchayats.

Opportunity is availed also to bring about certain consequential amendments based on functional requirements.

Hence the Bill.

(Obtained from L.A. Bill No. 26 of 1997.)

VIII

Amending Act 29 of 1998.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993):-

(i) to restore the powers of Deputy Commissioner so that he shall exercise the powers of notifying number of elected members, de-limitation of Constituencies and publication of names of elected members subject to the general and special orders of the State Election Commission; and

(ii) to empower the Tahsildar to prepare the voters list for Grama Panchayat and Taluk Panchayat by splitting the electoral rolls of Zilla panchayat Constituencies as advised by the State Election Commission.

Opportunity is also taken to provide for appointment of officers belonging to Karnataka Administrative Services (Selection Grade) or officers of Development Branch equal to the rank of Karnataka Administrative Services (Selection Grade) as Chief Executive Officers of Zilla Panchayat.

This Bill seeks to replace the Karnataka Panchayat Raj (Amendment) Ordinance, 1998 (Karnataka Ordinance 4 of 1998) and Karnataka Panchayat Raj (Second Amendment) Ordinance, 1998 (Karnataka Ordinance 6 of 1998).

Hence the Bill.

(Obtained from L.A. Bill No. 5 of 1998.)

IX

Amending Act 10 of 1999.- It is considered necessary to make the following amendments to the Karnataka Panchayat Raj Act, 1993, namely:-

(1) The number of Grama Panchayats in each taluk in the present system is too large for proper supervision over their functions and the present Grama Panchayats are also financially very weak. It is felt that the Grama Panchayats in order to be viable are to be reconstituted with larger jurisdiction. Restructuring of the existing Grama Panchayats has to be done at the earliest.

(2) According to clause (1) of Article 243 D of the Constitution the seats reserved in a Panchayat may be allotted by rotation to different constituencies. The proviso to sub-section (4) of section 5 of the Karnataka Panchayat Raj Act, 1993 requires that the seats reserved shall be allotted by rotation to the different constituencies. Thus the proviso is not in conformity with the aforesaid provision of the constitution. Further, it is felt that rotation at the present nascent stage of the Panchayat Raj system hampers the development of effective political leadership at the grassroot levels, particularly among Scheduled Castes/ Scheduled Tribes and women, as person of these categories elected during one term may not get re-elected to the Panchayat for subsequent terms. If the category of the reservation of their constituencies is subjected to rotation on a compulsory basis it would lead to difficult situations. Therefore it was considered necessary to omit the provisions relating to rotation of seats reserved in a Grama Panchayat.

(3) Consequent to the proposal of restructuring of the Grama Panchayats, it is proposed that each Grama Panchayat member shall be elected for every one thousand population instead of existing four hundred population.

Hence the Bill.

(Obtained from L.A. Bill No. 10 of 1999.)

X

Amending Act 21 of 1999: It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the following purposes, namely:-

(i) In case of a Panchayat area having the population of less than ten thousand, to provide for a minimum of eleven elected members; and

(ii) To entrust the preparation of the electoral roll of Zilla Panchayats, to the Assistant Commissioner.

Hence the Bill.

(Obtained from L.A. Bill No. 15 of 1999.)

XI

Amending Act 8 of 2000.- In the Karnataka Panchayat Raj Act, 1993 as it stood prior to the Karnataka Panchayat Raj (Third Amendment) Act, 1997 powers were vested in the Government for determining the number of elected members, reservation of seats of offices of Adhyaksha and Updhyaksha of Taluk Panchayats and Zilla Panchayats delamination of constituencies of Zilla Panchayat and publication of names of Zilla Panchayat members. Further, delimitation of territories constituencies of Taluk Panchayat and publication of names of members of taluk Panchayat were entrusted to the Deputy Commissioner respectively.

By the aforesaid amendment Act of 1997 the powers vested in the Government were entrusted to the State Election Commission. The State Election Commission was also given powers to publish the names of elected members of Taluk Panchayat and Zilla Panchayat. Delimitation of constituencies of Taluk Panchayat and Zilla Panchayat was entrusted to the Deputy Commissioner, subject to the general or special order of the State election Commission.

In the light of the experience gained for the last two years it is considered desirable to amend the relevant sections and to restore by a large the position as it obtained prior to the amendment of the Karnataka Panchayat Raj (Third Amendment) Act, 1997.

Further, it is considered desirable to reduce the term of office of Adhyaksha and Upadhyaksha of Grama Panchayat to thirty months to provide opportunities for more than one set of persons to be elected as Adhyaksha and Upadhyaksha of Grama Panchayats during a period of five years.

Hence the Bill.

(Obtained from L.A. Bill No. 2 of 2000.)

XII

Amending Act 11 of 2000.- Since it was considered not desirable to make structural changes in a short period it was decided to retain the Grama Panchayat of similar jurisdiction as they existed prior to 28.1.1999. It was also felt that Grama Panchayats of smaller jurisdiction would enable he weaker sections of the society to get better representation. Therefore, it was considered necessary to amend section 4 and 5 of the Karnataka Panchayat Raj Act, 1993 to provide for the following:-

(i) to restore the population criteria of five thousand and seven thousand and two thousand five hundred and the norms relating to geographical area of the radius of five kilometers (diameter of 10 kilometer) for declaration of panchayat area;

(ii) to specify four hundred population instead of one thousand population for the purpose of determining the number of elected members of Grama Panchayat;

(iii) to omit the provision providing for a minimum of eleven members in respect of Panchayat area having less than ten thousand population;

(iv) to restore the provisions relating to allotment of seats by rotation to different constituencies in he panchayat area;

(v) to declare that the provisions of section 4 and 5 as they stood prior to 28.1.1999 and 4.8.1999 shall be deemed to have continued;

(vi) to declare that anything done or any action taken or any notification issued under sections 4 and 5 before such date shall be deemed to be valid and shall continued to be in force.

It was also considered necessary to reserve in a Grama Panchayat at least one seat each for the person belonging to Schedule Castes and the Scheduled Tribes.

As the matter was urgent and both the Housed of the State Legislature were not in session, the Karnataka Panchayat Raj (Second Amendment) Ordinance, 1999 and the Karnataka Panchayat Raj (Third Amendment) Ordinance, 1999 were issued.

This Bill seeks to replace the said Ordinance with following additions, namely:-

(i) to provide for reservation of at least one seat each for the persons belonging to the Scheduled Castes and the Scheduled Tribes in a Taluk Panchayat and Zilla Panchayat;

(ii) to omit the provisions relating to disqualification of a person for being chosen and for being a member of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat for not having a sanitary latrine for the use of the members of his family;

(iii) to enhance the annual grant payable by the Government to the Grama Panchayat from the existing one lakh rupees to two lakh rupees.

Hence the Bill.

(Obtained from L.A. Bill No. 11 of 2000.)

XIII

Amending Act 30 of 2001.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993, to make it obligatory on the part of every Grama Panchayat to report any case of Bonded Labour in the Panchayat Area to the Deputy Commissioner or to such other authority specified for the purpose and to treat any failure to report the case of bonded labour as a default in the performance of the duties of a Grama Panchayat for the purpose of dissolution.

(LA Bill No. 33 of 200. SAMVYASHAE 51 SHASANA 2000)

XIV

Amending Act 8 of 2003.- To give effect to the proposals made in the Budget Speech for the year 2003-04, it is considered necessary to amend the Karnataka Stamp Act, 1957, the Karnataka Municipalities Act, 1964, the Karnataka Municipal Corporations Act, 1976 and the Karnataka Panchayat Raj Act, 1993.

Hence the Bill.

(obtained LA Bill No. 8 of 2003 vide File No. SAMVYASHAE 15 SHASANA 2003]

XV

Amending Act 37 of 2003.- It is considered necessary to amend the Karnataka Panchayat Raj Act,l 1993,-

(i) to have a Ward Sabha in respect of each Grama Panchayat constituency and a Grama Sabha for the whole panchayat area and to entrust them with more responsibilities to ensure that participation of people at village level will be more meaningful and intense.

(ii) to provide for disqualificaiton of members of Grama Panchayats, Taluk Panchayat and Zilla Panchayat for a period of three years for failure to lodge an account of election expenses.

(iii) to ensure that as far as possible one-third members of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat attending the meeting will be women members.

(iv) to require every member of Grama Panchayat, Taluk Panchayat and Zilla Panchayat to disclose any pecuniary interest that he has in any question coming up for consideration at a meeting of Grama Panchayat, Taluke Panchayat or Zilla Panchayat.

(v) to make Adhyaksha of the Grama Panchayat as executive Head.

(vi) to re-define the powers and duties of the Secretary of Grama panchayat.

(vii) to provide for pooling of officers and officials of the State Civil Services and post them to Grama Panchayat and to empower the Grama Panchayat to engage the services of technical staff not belonging to State Civil Services for specif work.

(viii) to entrust to the State Election Commission powers of the State Government relating to determining the elected members, reservation of seats and delimitation of territorial constituencies of Taluk Panchayat and Zilla Panchayats.

(ix) to require the members of the Taluk Panchayat and Zilla Panchayat to declare their assets and to provide for cessation of membership for filing false or incorrect declaration.

(x) to provide for appointment of the Chairman of the Standing Committee of social justice to exercise the powers and perform the duties of the Adhyaksha and Upadhyaksha of Taluk Panchayat or Zilla Panchayat in case both the officers are vacant.

(xi) to provide for maintenance of account of election expenses, lodging of the same, etc.,

The Bill also provides for certain other incidental and consequential matters.

Hence the Bill.

(obtained LA Bill No. 27 of 2002 vide file No. SAMVYASHAE 33 SHASANA 2002)

XVI

Amending Act 17 of 2007.- In G.O.NO.RD 9 BMM 2003, dated: 8.9.2005 the posts of Regional Commissioners at Bangalore, Mysore, Gulbarga and Belgaum along with supporting staff has been created.

The Regional Commissioners have to be conferred with statutory powers by necessary amendments to the relevant Acts.

Since the matter was urgent and the Karnataka Legislature was not in session, the Karnataka Land Revenue and Certain Other Laws (Amendment) Ordinance 2006(Karnataka Ordinance No.5 of 2006) was promulgated to achieve the above Object.

Hence the Bill.

[L.A.Bill No. 7 of 2007]

[Entry 5 and 18 of List II of the Seventh Schedule to the Constitution of India.]

XVII

Amending Act 24 of 2010.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993.

(1) to define " Panchayat Development Officer" and to provide for powers and functions, thereof.

(2) to notify election results quickly and precisely and to introduce modern technology in the election system of Panchyath Raj Institutions by using electronic voting machines in the elections to Grama Panchayat, Taluk Panchayat and Zilla Panchayat in the State;

(3) to provide fifty percent reservation for women in seat and the offices in all the three tiers of Panchyath Raj Institutions.

Hence the Bill.

(L.C.Bill No.03 of 2010, File No.Samvyashae 03 Shasana 2010)

[Entry 5 of List II of the Seventh Schedule and Article 243D to the Constitution of India.]

XVIII

Amending Act 34 of 2011.- It is considered necessary to amend the Karnataka Panchayath Raj Act, 1993 (Karnataka Act 14 of 1993),-

(i) to give effect to the judgment of the Hon'ble Supreme Court in the case of Krishnamurthy and others Vs Union of India in Writ Petition (Civil) 356 of 1994;

(ii) to give effect to the 13th Central Finance Commissions recommendations.

(iii) Certain other consequential amendments are also proposed.

This Bill also seeks to replace the Karnataka Panchayath Raj (Amendment) Ordinance, 2010 (Karnataka Ordinance No. 3 of 2010).

Hence the Bill.

[L.A. Bill No. 6 of 2011, File No.Samvyashae 40 Shasana 2010]

[Entry 5 of List II of the Seventh Schedule and Article 243 (D) of the Constitution of India.]

XIX

Amending Act 23 of 2014.- In section 136A and 175A of the Karnataka Panchayat Raj Act, 1993 a member automatically ceases to be a member in case, if he fails to file the declaration of assets owned by him and any member of his family before the State Election Commission or the Competent Authority. But no provision has been made for calling explanation or giving an opportunity of hearing to the member in this regard moreover there is no provision in the Constitution of India for cessation of membership.

Therefore, it is considered necessary to provide for the reasonable opportunity to such member and it is considered necessary to amend the provisions accordingly.

Hence the Bill.

[L.A. Bill No.22 of 2013, File No. Samvyashae 50 Shasana 2013]

[entry 5 of List II of the Seventh Schedule to the Constitution of India.]

XX

Amending Act 17 of 2015.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to provide for the following, namely.-

1) to increase the terms of Office of Adhyaksha and Upadhyaksha of Grama Panchayat, Taluk Panchayat and Zilla Panchayat to five years as recommended by High Level Expert Committee headed by Hon`ble Member of Legislative Assembly Sri Ramesh Kumar.

2) to provide for continuation of rotation of reservation of SC, ST and other Backward Classes and non-reserved category up to ten years.

3) to provide for compulsory voting at Panchayat Elections.

4) to Provide for one half reservation to women in all Panchayats.

Hence the Bill.

[L.A. Bill No. 18 of 2015, File No. Samvyashae 26 Shasana 2015]

[entry 5 of List II of the Seventh Schedule to the Constitution of India.]

XXI

Amending Act 44 of 2015.- Manifesting the commitment to the cause of translating the constitutional mandate of empowering the Panchayat to effectively function as "Grama Swaraj",

Budget Speech 2014-15, Para, 277. "*It is our prime duty to make the "*Gram Swarajya*" dream of Mahatma Gandhi into a reality*"

Hon'ble Chief Minister promised the State to initiate steps in this direction. Accordingly, the Government of Karnataka constituted a committee of experts headed by Sri Ramesh Kumar, Member of Legislative Assembly and former Speaker, Karnataka Legislative Assembly, to study the existing system and to recommend the means and measures to be adopted to holistically strengthen the Panchayats. The Committee held a series of meetings involving experts and stake holders and submitted its Report. The Report was considered by a Cabinet Sub-Committee and proposed amendments to the Karnataka Panchayat Raj Act.

The Amendments are proposed to strengthen the Panchayat system to make villages free from fear, exploitation, and litigation, wherein every individual can live with self respect and dignity. To enhance the standards of living of rural people through effective implementation of rural development programs. Empowering women to achieve gender equality, eradicating the evil practices of open defecation, exploitation, and discrimination, ushering in an egalitarian society by empowering socially weaker sections in particular and people in general.

The salient features of the Bill are as follows:

1. The title of Act has been renamed Karnataka Grama Swaraj and Panchayat Raj Act to bring into the principle of local self Government in the panchayat institutions.
2. The concept of Habitation, Habitation sabha, has been incorporated to strengthen the system from the grassroots democracy.
3. Habitation sabha, Ward Sabha and Gram Sabha have been given more importance their needs, problems and to fix priority of economic, social, cultural and environmental development programmes and schemes to be implemented. Specific functions and powers have been assigned to Habitation Sabha, Ward Sabha and appraise the Gram Sabha about their priority.
4. The Preamble and Directive Principles of Panchayat Policy have been incorporated to make explicit the values of Grama Swaraj.
5. A provision has been made to include the duties and responsibilities of panchayat members.
6. Section 206, provides for devolution funds based on the recommendations of State Finance Commission and not less than 20 percent of such funds shall be untied grants.
7. Section 43B, 136A, 175A, Transparency is ensured at all levels of the administration, i.e., declaration of Assets & Liabilities of the elected members is made mandatory.

8. Provision has been made to fill up the seats reserved for person belonging to scheduled caste by a person belonging to scheduled tribe, if a person belonging to that category, is not available and vice-versa.
9. Section 60B is proposed to be inserted to provide for “community contract” to self help groups consisting of beneficiaries within the panchayat area who have contributed not less than ten percent of value of work executed by the Grama Panchayat.
10. Section 232A regarding Constitution of Commissionerate of Panchayat Raj and 232B regarding constitution of panchayat administrative service, have been incorporated.
11. Vision and Activity Mapping has been designed to ensure codification of duties and responsibilities of Panchayats.
12. In order to overcome the menace of un-touchability and social boycott to the suppressed and oppressed classes in the villages and to zero the incidents of sexual assault on females.
13. The Grievance Redressal Authority is being set up to bring in time bound and effective service delivery mechanism.
14. The village planning in Karnataka starts from bottom to top approach through effective implementation by the District Planning Boards & State Planning boards to suit the needs of the each village.
15. Section 199, to improve the revenue generation and resource mobilisation of Panchayats.
16. Opportunity has been taken to make consequential amendments and amendments which are necessary from administrative point of view.

Hence the Bill,

[L.A. Bill No. 37 of 2015, File No. Samvyashae 45 Shasana 2015]
[entry 5 of List II of the Seventh Schedule to the Constitution of India.]

XXII

Amending Act 37 of 2017.-It is considered necessary to amend the Karnataka Grama Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to,-

(1) entrust the jurisdiction of handling of election disputes of Gram Panchayat, Taluk Panchayat and Zilla Panchayat to the court of Senior Civil Judge.
(2) omit the provision of clause (c) of sub-section (1) of section 13.
(3) omit the provisions regarding levy of advertisement tax by panchayat consequent on the enforcement of Goods and Services Tax.

Certain other consequential amendments are also made.
Hence the Bill.

[LA Bill No.34 of 2017 , File No. DPAL 36 Shasana 2017]
[entry 5 of List II of the Seventh Schedule to the Constitution of India.]

XXIII

Amending Act 49 of 2020.- It is considered necessary to amend the Karnataka Grama Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to provide for,-

(a) reduction of the term of office of Adhyaksha and Upadhyaksha of Gram Panchayat, Taluk Panchayat and Zilla Panchayat to thirty months;
(b) motion of no confidence against Adhyaksha or Upadhyaksha not earlier than fifteen months;

(c) the Deputy Commissioner to preside while no confidence motion is considered in Taluk Panchayat and the Regional Commissioner to preside while no confidence is considered in Zilla Panchayat;

(d) certain election reforms are also provided;

(e) closing of liquor shops during forty-eight hours before closing the polling of election of Panchayats;

(f) rationalisation of property tax in respect of Industries and vacant land; and

(g) certain consequential amendments connected therewith or incidental thereto.

As the matter was urgent and the Karnataka Legislative Assembly and the Karnataka Legislative Council were not in session, the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2020 (Karnataka ordinance No. 2 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence, the Bill.

[L.A. Bill No. 37 of 2020, File No. Samvyashae 32 Shasana 2020]
[Entry 5 of List II of the Seventh Schedule to the Constitution of India.]
[Published in Karnataka Gazette Extra-ordinary No. 494 in part-IVA dated: 22.10.2020]

XXIV

Amending Act 25 of 2021.- Whereas the Hon'ble Supreme Court in the case of Dravida Munetra Kazhagam (DMK) Vs Secretary, Governor's Secretariat and others case reported in (2020) 6 sec 548 date 06.12.2019 has held that while making delimitation the object of maintaining ratio between the population and territory cannot be effectively achieved without any research or proposal by the Delimitation commission; and delimitation exercise for constitution of local bodies at all leaves is properly undertaken as per criteria for delimitation of Constituencies.

And whereas several writ petitions have been filed before the Hon'ble High Court of Karnataka challenging the delimitation notification and reservation notification made by the Karnataka State Election Commission as arbitrary, irrational, illegal and ultra vires of the constitution.

Now therefore, it is considered necessary to further amend the Karnataka Gram Swaraj and Panchayat Raj Act,1993 to provide for,-

(i) Constitution of Delimitation Commission;

(ii) Participation of experts in the process of Delimitation;

(iii) Powers of the Delimitation Commission;

(iv) Functions of the Delimitation Commission;

(v) Delimitation Commission shall call for objections from the public before making recommendation to the Government; and

(vi) Certain consequential amendments are also made.

Hence the Bill.

[L.A. Bill No. 35 of 2021, File No. Samvyashae 37 Shasana 2021]

[Entry 5 of List II of the Seventh Schedule to the Constitution of India.]

[Published in Karnataka Gazette Extra-ordinary No. 782 in part-IVA dated: 18.09.2021]

XXV

Amending Act 19 of 2022 It is considered necessary to amend the Karnataka Grama Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to,-

(i) disqualify a person,-

(a) who has been subject to compulsory retirement or removal or dismissal from the service of the Central Government or the State Government;

(b) who has been subject to compulsory retirement or removal or dismissal from the service of Co-operative Society and Institution;

(c) who has been subject to removed from the post of Chairperson and Membership of the Co-operative Society and Institution

from being a member of Grama Panchayat, Taluk Panchayat and Zilla Panchayat;

(ii) prescribe the population limit for election to the Taluk Panchayat and Zilla Panchayat and exclude the taluks of Tarikere, Kadur and Ajjampura from Chikkamagalur District for the purpose of population proportion;

(iii) appoint the Minister in-charge of the concerned District as the Chair-person of the District planning committee;

(iv) appoint the Mayor or President of the concerned City Corporation or the Municipalities at the District head quarters as the Vice-Chairperson of the District Planning Committee;

(v) invite the Vice-Chairperson of the Karnataka State Policy and Planning Commission as the special invitee of the Karnataka state decentralized planning and development committee; and

(vi) Certain consequential amendments are also made.

Hence, the Bill.

[L.A. Bill No. 10 of 2022, File No. SAMVYASHAE 10 SHASANA 2022]

[Entry 5 of List II of the Seventh Schedule to the Constitution of India]

[Published in Karnataka Gazette Extra-ordinary No.216 in part-IVA dated: 05.04.2022]

XXVI

Amending Act 27 of 2022.- It is considered necessary to amend sections 121 and 160 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to revise the total number of elected members of the Zilla Panchayat in the districts on the basis of rural population and to emply with the direction of the Hon'ble High Court of Karnataka in W.P.No: 20426/2021 to conduct the election to the rural local bodies within the time limit.

As the matter was urgent and both Houses of the State Legislature were not in a session, the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2022 (Karnataka Ordinance 06 of 2022) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence, the Bill.

[L.A. Bill No.22 of 2022, File No. SAMVYASHAE 18 SHASANA 2022]

[Entry 5 of List II of the Seventh Schedule to the Constitution of India]

[Published in Karnataka Gazette Extra-ordinary No.506 in part-IVA dated: 11.10.2022]

XXVII

Amendment Act 01 of 2024:- It is considered necessary to amend the Karnataka Gram Swaraj Panchayath Raj Act, 1993 (Karnataka Act 14 of 1993) to comply with the direction of the Hon'ble High Court of Karnataka in the writ petition No.20426/2021 to conduct the election to the rural local bodies within the time limit by prescribing population limit for election to the Taluk Panchayat and zilla panchayat by excluding Bhadravathi, shivamogga and shikaripura taluk of shivamoga district in proportion to their population

As the matter was urgent and both Houses of the State Legislature were not in a session, the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2023 (Karnataka Ordinance 03 of 2023) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence, the Bill.

[L.A. Bill No.16 of 2023, File No. SAMVYASHAE 26 SHASANA 2023]

[Entry 5 of List II of the Seventh Schedule to the Constitution of India.]

[Published in Karnataka Gazette Extra-ordinary No.43 in part-IVA dated:30.01.2024]

XXVIII

Amendment Act 22 of 2024:- Kodagu District is totally like Malnad district which consists of hilly areas with scattered population having low density. In some cases the geographical spread of the zilla panchayat constituency is nearly 100 K.M. The geographical expansion of territorial constituency of zilla panchayat has a negative effect on the development programmes and administration.

The Karnataka Panchayat Raj Delimitation Commission, at the request of the public from Kodagu has recommended to bring necessary amendment Hence It considered necessary to amend the Karnataka Gram Swaraj Panchayath Raj Act, 1993 (Karnataka Act 14 of 1993).

Hence, the Bill.

[L.A. Bill No.02 of 2024, File No. SAMVYASHAE 03 SHASANA 2024]

[Entry 5 of List II of the Seventh Schedule to the Constitution of India.]

[Published in Karnataka Gazette Extra-ordinary No.174 in part-IVA dated:11.03.2024]

XXIX

Amendment Act 27 of 2025:- It is considered necessary to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to,-

(i) bring in all assets under the purview of the rural local authorities under their network of financial resources;

(ii) extend the provisions of property tax to the premises and buildings in unauthorised settlements, other than Government land, and to unauthorized buildings in official settlements, as provided in the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993); and

(iii) provided for penalty to the officers in case of non-compliance of the provisions of the said Acts.

Hence, the Bill.

[L.A. Bill No.18 of 2025, File No. SAMVYASHAE 23 SHASANA 2025]

[Entry 5 and 18 of List II of the Seventh Schedule to the Constitution of India.]

[Published in Karnataka Gazette Extra-ordinary No.219 in part-IVA dated:07.04.2025]

XXX

Amendment Act 61 of 2025:- It is considered necessary to amend the following Acts for decriminalising and rationalising offences and to further enhance trust-based governance for ease of living and doing business, namely:-

1. the Bangalore Water Supply and Sewerage) Act, 1964 (Karnataka Act 36 of 1964);

2. the Karnataka Urban Development Authorities Act, 1987 (Karnataka Act 34 of 1987);

3. the Karnataka Agricultural produce marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966);

4. In the Karnataka Warehouse Act, 1961 (Karnataka Act 11 of 1962);

5. the Karnataka Tourism Trade (Facilitation and Regulation) Act, 2015 (Karnataka Act 21 of 2015);

6. the Karnataka Industrial Areas Development Act, 1966 (Karnataka Act 18 of 1966);

7. the Karnataka Gram Swaraj and Panchayatharaj Act, 1993 (Karnataka Act 14 of 1993);

8. the Karnataka Lifts, Escalators and Passenger Conveyors Act, 2012 (Karnataka Act 9 of 2013);

9. the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964);

10. the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977);

11. the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963); and

12. the Karnataka Industries (Facilitation) Act, 2002 (Karnataka Act 45 of 2003

Hence, the Bill.

[L.A. Bill No. 59 of 2025, File No. SAMVYASHAE 65 SHASANA 2025]

[Entries 5, 6, 28, 32 of List II and entry 20 of List III of the Seventh Schedule to the Constitution of India]

[Published in Karnataka Gazette Extra-ordinaryNo.577 in part-IVA dated:12.09.2025]

KARNATAKA ACT No. 14 OF 1993

(First published in the Karnataka Gazette Extraordinary on the Thirtieth day of April, 1993)

THE KARNATAKA [1][Gram Swaraj and Panchayat Raj][1] ACT, 1993

(Received the assent of the Governor on the Thirtieth day of April, 1993)

(As Amended by Acts 10 of 1995, 9 of 1996,17 of 1996, 1 of 1997, 10 of 1997, 29 of 1997, 29 of 1998, 10 of 1999, 21 of 1999, 8 of 2000, 11 of 2000, 30 of 2001, 8 of 2003, 37 of 2003,17 of 2007, 24 of 2010, 34 of 2011, 23 of 2014, 17 of 2015 , 44 of 2015, 37 of 2017 , 49 of 2020, 25 of 2021, 19 of 2022, 27 of 2022, 01 of 2024, 22 of 2024, 27 of 2025 and 61 of 2025)

[1][An Act to constitute units of Gram Swaraj and Panchayat Raj to provide for:-

(i) establishment of three tier panchayat raj system with the elected bodies at grama, taluk and district levels to fulfill the spirit of 73rd Amendment of the Constitution of India and for greater participation of the people to function as units of Grama Swaraj, the local self-government;

(ii) effective implementation of rural development programmes for enhancement of living standards of rural people;

(iii) a litigation-free, exploitation-free, and fear-free egalitarian rural Karnataka;

(iv) clean villages which are free from practice of open defecation;

(v) Panchayat Raj system empowering women to achieve gender equality;

(vi) reservation for socially deprived classes of people to attain economic prosperity and social equality;

(vii) alternative sources of income in the lives of rural people through economic activities and to enhance the standard of living by providing civic amenities;

(viii) building a creative, proud, self-reliant, prosperous, contented and harmonious society;

(ix) constitution of habitation sabha, Ward Sabha and gram sabha with commitment and to resonate the voice of the real sovereign through direct participation of rural India in policy making by using them as a platform for developmental activities and thereby resolving to establish true Gram Swaraj- the cherished dream of Mahatma Gandhiji;"][1]

BE it enacted by the Karnataka State Legislature in the Forty-fourth year of the Republic of India as follows:-

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016

CHAPTER I

PRELIMINARY

1. Short title and commencement.- (1) This Act may be called the [2][Karnataka Gram Swaraj and Panchayat Raj][2] j Act, 1993.

(2) It shall come into force on such [1][date][1] as the Government may by notification specify and different dates may be specified for different areas and for different provisions.

1. Act came into force on 10.5.1993

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

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

(1) "Assistant Commissioner" means the Assistant Commissioner of a revenue sub-division;

[1][(2) "Backward Classes" means such class or classes of citizens as may be classified as category "A" and "B" and notified by the Government from time to time for the purposes of reservation of seats and offices of Chairperson in Zilla Panchayat, Taluk Panchayat and Grama Panchayat.][1]

1. Substituted by Act 10 of 1995 w.e.f. 13.1.1994.

(3) "building" includes a house, out- house, shop, stable, warehouse, workshop, canopy, shed, hut, or other enclosure whether used as a human dwelling or otherwise and shall include a wall, compound wall, fencing, verandah, platform, plinth, doorstep and the like;

(4) "business" includes any trade, commerce or manufacture or an adventure or concern in the nature of trade, commerce of manufacture;

(5) "casual vacancy" means a vacancy occurring otherwise than by afflux of time;

(6) "Chief Executive Officer" means the Chief Executive Officer of the Zilla Panchayat;

(7) "Commissioner" means the [1][Regional Commissioner][1] or such other officer as may be appointed by the Government to exercise the powers of Commissioner under this Act;

1. Substituted by Act 17 of 2007 w.e.f. 5.1.2007.

(8) "company" means a company as defined in the Companies Act, 1956 (Central Act 2 of 1956) or a co-operative society registered under the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) and includes any firm or association of individuals carrying on business in the State of Karnataka whether incorporated or not;

(9) "Deputy Commissioner" means the Deputy Commissioner of the district;

[1][(9A) "Designated Court" means the jurisdictional Court of Senior Civil Judge designated for the trial of election disputes related to Gram Panchayats, Taluk Panchayats and Zilla Panchayats, in whose territorial jurisdiction respectively, the panchayat area or a major portion of the panchayat area is situated.][1]

1. Substituted by Act 37 of 2017 w.e.f. 12.07.2017.

(10) "district" means a revenue district;

(11) "erection or re-erection or enlargement" of any building includes,-

(i) any material alteration or enlargement of any building;

(ii) the conversion , by structural alteration , into a place of human habitation of any building not originally constructed for human habitation;

(iii) the conversion of two or more places of human habitation into a lesser number of such places;

(iv) the conversion of one or more places of human habitation into a greater number of such places;

(v) such alteration of a building as would affect a change in the drainage or sanitary arrangements or materially affect its security;

(vi) the addition of any rooms, buildings, out-houses or their structures to any building;

(vii) the conversion , by any structural alteration, into a place of religious worship or into a building used for a sacred purposes of any place or building not originally meant or constructed for such purposes;

(viii) roofing or covering an open space between walls or buildings, in respect of the structure which is formed by roofing or covering such space;

(ix) conversion into a stall, shop, warehouse or godown of any building not originally constructed for use as such or *vice versa*;

(x) construction of a door in a wall adjoining any street or land not vested in the owner of the wall and opening on such street or land;

[1][(xi) erection of a hoarding or mobile tower on the roof of any building or on a platform within the compound or land adjacent thereto, in the panchayat area][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016

(12) "Executive Officer" means an Executive Officer of Taluk Panchayat;

(13) "factory" means besides a factory as defined in the Factories Act , 1948 (Central Act, 13 of 1948) any premises including the precincts thereof wherein any industrial manufacturing or trade process is carried on with the aid of steam, water, oil, gas, electrical or any other form of power which is mechanically transmitted and is not generated by human or animal agency;

(14) "Government" means the State Government;

(15) "Grama Panchayat" means the Grama Panchayat established under this Act.

[1][(16) "Gram Sabha" means a body consisting of persons registered as voters in the electoral rolls relating to a village comprised within the area of Gram Panchayat at the village][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][(16A) "Habitation" means a hamlet or other small settlement by whatever name called or a group of such hamlets or settlements with one hundred to three hundred and fifty population located outside the limits of a village and notified as such under section 3";

"(16B) "Habitation Sabha" shall be a body consisting of persons registered in the voters list of habitation in the Gram Panchayat][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016

(17) "Health Officer" means the Health Officer, employed by or on behalf of the Zilla Panchayat and if there is no such officer, the Government Health Officer having jurisdiction over the Taluk or district concerned;

(18) "infectious disease" means cerebro-spinal fever, chicken pox, cholera, diptheria, enteric fever, epidemic influenza, [1][XXX][1], measles, plague, rabies, scarlet fever, small-pox, tuberculosis, typhus, yaws or any other disease which the Government may notify in this behalf either generally throughout the State or in such part or parts thereof as may be specified in the notification;

1. Deemed to have been omitted by Act 49 of 2020 w.e.f. 31.03.2020.

(19) "land revenue" means all sums and payments received or claimable by or on behalf of the Government, from any person on account of land held by or vested in him as fixed at a survey settlement current in the area in which the land is situated;

(20) "latrine" include a privy, water-closet and urinal;

(21) "local authority" includes a municipal corporation, municipal council, Zilla Panchayat, Taluk Panchayat, Grama Panchayat, [1][Town Panchayat, Industrial Township][1], Improvement Board, Urban Development Authority and Planning Authority constituted under this Act or under any law for the time being force;

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(22) “market” means a place for the sale of goods or animals publicly exposed where ordinarily or periodically at least four shops, stalls or sheds are set up or where at least ten animals are brought for sale;

(23) "nuisance” includes any act, omission, place or thing which causes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smell or hearing or disturbance to rest or sleep or which is or may be dangerous to life or injurious to the health or property of the public, or of the people in general, who dwell in the vicinity or of persons who may have occasion to exercise a public right;

(24) “offensive or dangerous trade” means any trade, business or industry dangerous to life, health or property or likely to cause nuisance which is notified by the Government under section 67;

(25) “occupier” means any person in actual possession of any land or building or part thereof and includes an owner in actual possession, and the tenant or licensee whether such tenant or licensee is liable to pay rent or not;

(26) "offensive matter” includes filth, sewage, dirt, house sweepings, splittings, including chewed betel and tobacco, kitchen or stable refuse, pieces of broken glass or pottery, debris and waste paper;

(27) “owner” includes the person for the time being receiving the rent of any land or building or part thereof, whether on his own account or as agent, receiver or trustee or who would receive rent if the land or building or part thereof were let to a tenant;

(28) "panchayat area” means any area declared as panchayat area under section 4;

[1][(28-A)"Panchayath Development Officer" means the Panchayath Development Officer of the Grama Panchayath;][1]

[3][[2][(28B) “Panchayat Staff” means the officers and staff appointed by the panchayat excluding the posts in the Karnataka Panchayat Raj Administrative Service;

(28C) “Responsibility Map” means the detailed enumeration of responsibilities of the Panchayat Raj Institutions under the Act;

(28D) “Returning Officer”, “Assistant Returning Officer”, “Presiding Officer” and “Polling Officer” wherever used in this Act shall have the same meaning assigned to in the Representation of People’s Act, 1951(central Act No.43 of 1951) for conduct of elections to panchayats by the State Election Commission][2]][3]

1. Inserted by Act 24 of 2010 w.e.f. 23.07.2010.

2. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.

3. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(29) "Population” means the population as ascertained at the last preceding census of which the relevant figures have been published;

(30) “private market” means a market other than a public market;

(31) "public market” means any market owned by a Grama Panchayat or acquired, constructed, maintained or managed by a Grama Panchayat;

(32) “public place” means any place not being private property which is open to the use or enjoyment of the public whether such place is vested in a Grama Panchayat, Taluk Panchayat or Zilla Panchayat or not;

(33) “public street” means any street over which the public have a right of way whether a thoroughfare or not;

(34) “Schedule” means a Schedule annexed to this Act;

(35) "Scheduled Castes and Scheduled Tribes” means the Scheduled Castes and the Scheduled Tribes specified in respect of the State of Karnataka in the Constitution (Scheduled Castes) Order, 1950, and the Constitution (Scheduled Tribes) Order, 1950, for the time being in force;

(36) “Secretary” means the Secretary of the Grama Panchayat;

[1][(36A) "State Election Commission" means the Election Commission of Karnataka constituted under section 308][1];

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

(37) “street” includes any highway, causeway, bridge, viaduct, arch, road, land, footway, subway, court, alley or riding path or passage, whether a thoroughfare or not; and when there is a footway as well as carriage way in any street, the said term includes both;

(38) “taluk” means a revenue taluk but excluding therefrom the limits of a [1][larger urban area, smaller urban area, transitional area or an industrial township specified][1] under any law for the time being force;

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(39) “Taluk Panchayat” means the Taluk Panchayat established under this Act;

(40) “Tahsildar” means the Tahsildar of a revenue taluk;

(41) “vehicle” includes a bicycle, cycle rickshaw, motorcar and every wheeled conveyance which is used or is capable of being used on a public street;

(42) “village” means a village specified by the Governor by public notification to be village for the purposes of this Act and includes a group of villages so specified;

[2][1][(42A) “Vision Plan” means a long term forward looking plan for achieving overall development in the panchayat area;

(42B) “Vulnerable sections of society” means the children, adolescents, women, senior citizens, the sick and the infirm, the disabled and the differently-abled, the Scheduled castes and the scheduled tribes, the religious, linguistic and sexual minorities, the bonded labour if any, nomadic and tribal groups and migrant labour of the society;

(42C) “Ward” means an area of local constituency demarcated as ward within a Gram Panchayat for the purpose of conduct of elections to the Gram Panchayat;

(42D) "Ward Sabha" means in relation to ward area, a body consisting of all persons registered as voters in the electoral rolls of each ward of Gram Panchayat constituency][1,2]]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(43) “Zilla Panchayat” means the Zilla Panchayat established under this Act.

[1][CHAPTER IA

Directive Principles of panchayat policy

2A. Directive principles of panchayat policy.– (1) The panchayat shall strive to promote,-

(i) improved living standard of village community and quality of life by providing contamination free drinking water, health and sanitation facilities;

(ii) the necessary rural infrastructure and involvement of rural communities and organizations in its improvement and development;

(iii) democratic representation, social inclusion and meaningful community engagement in the Panchayat area, for planning asset management and sustainable development for enhancing the economic, social and environmental well-being of its residents;

(iv) the use of resources at the command of panchayat in a sustainable manner so as to conserve them for future generation and to protect Forest and wild life in the Panchayat area;

(v) activities to protect and preserve art, culture and heritage of the local community and promote tourism;

(vi) the preservation, development and distribution of indigenous varieties of seeds like Navane, Sajje, Bili Jola, Saame, Saave, Korli etc, and Herbs and Shrubs of Medicinal Value;

(vii) generation of employment opportunities by promoting Agro-industrial centers, rural cottage industries and a single window system for processing of documents to ease the business operations;

(viii) a spirit of co-operation and an atmosphere of well being by encouraging co-operative institutions so that they are able to work in accordance with National and state policies at the grass root level;

(ix) development and empowerment of human resource in rural area in terms of their skills, knowledge and other abilities;

(x) a safe and tolerant community that fosters peace social and communal harmony and abjures violence in all its forms.

(2) It shall be an important directive policy of Gram Panchayat to prevent the pessimistic attitude that may be permeating in the social fabric of residents of the village. Gram Panchayat shall pay special attention to those sections of farmers and other people who, on account of their vulnerability to socio economic pressures created by financial indebtedness, poverty and other factors, are psychologically prone to contemplate taking extreme step of the destruction of their own lives. Gram Panchayat members shall educate the residents of the village of the futility of such mindset and instill confidence in the minds of all residents of the village][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][CHAPTER II
WARD SABHA AND GRAMA SABHA][1]

1. Chapter II and Section 3 Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

[1][**3. Units of Gram Swaraj.–** (1) The units of gram swaraj shall be habitation sabha, Ward Sabha and gram sabha.

(2) There shall be as many habitation sabhas as there are habitations notified as such by the Deputy Commissioner of the district specifying the areas of habitation.

(3) There shall be as many Ward Sabhas as there are wards within the limits of a Gram Panchayat; and

(4) There shall be a Gram Sabha for each Gram Panchayat consisting of all persons whose names are registered as voters on the electoral rolls of concerned village within the Gram Panchayat][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][**3A. Functions and powers of the Habitation sabha.–** (1) The functions of habitation sabha within their respective jurisdiction, shall be to assist the Ward Sabha and gram sabha and also includes the following functions namely,-

(i) uphold social justice congenial for all people generally, in particular to the people of the vulnerable sections of the society to exercise their rights;

(ii) identify hazards and suggest measures for the safety, security and freedom of all the residents of the habitation and in general of the village. in an environment that is clean and healthy;

(iii) assist the Gram Panchayat to conduct surveys or participation of the residents in rural appraisals to collect essential socio-economic data and assess the needs of residents and their requirements for the development of the habitation in order to enable the Gram Panchayat to compile and draw up the vision plan;

(iv) fix the priority among the economic, social, cultural and environmental development programmes and schemes to be implemented in the area of the habitation, taking into account the interests of every group constituting the habitation and place them before the Gram Sabha for inclusion in the vision plan and the annual development plans of the Gram Panchayat;

(v) priortise the location of installation of street lights, providing community water taps, public wells, public sanitation units, irrigation facilities and such other public amenity schemes and identify the deficiencies and suggest remedial measures and report the satisfactory completion of the works and manage a clean and healthy atmosphere in the habitation;

(vi) identify the deficiencies in the water supply and street lighting arrangements in the area of habitation and suggest remedial measures;

(vii) identify and select the most eligible beneficiaries from the area of habitation under poverty alleviation and other welfare programmes on the basis of criteria fixed and prepare list of the eligible beneficiaries in the order of priority;

(viii) assist the gram sabha and the Gram Panchayat in planning, monitoring and implementing the plans, schemes and projects undertaken;

(ix) initiate action to prevent discrimination on the basis of caste, religion and sex in the area of habitation;

(x) assist the Gram Panchayat to eradicate untouchability, social boycotts of any kind and other types of social exclusions in promoting harmony and unity among various groups of people in the area of the habitation;

(xi) organise cultural festivals, literary activities and sporting events to promote and nurture local games, athletics, the literature, arts and culture of the area and provide opportunities for the residents to express their talents;

(xii) impart awareness on the matters of public interest such as cleanliness, preservation of the environment, prevention of public nuisance, pollution and ensure public peace, safety and security of all people;

(xiii) address issues of water conservation, preservation of natural habitat and recycling of bio-degradable waste;

(xiv) promote programmes of adult education, enhancing literacy and education levels and family-counseling, character building and de-addiction of liquor, narcotic drugs and smoking among the youth, adults and senior citizens;

(xv) promote at village level, small and medium industries, businesses and commercial enterprises in consultation with associations of women, youth and senior citizens and provide training and capacity building opportunities for employment and send proposals to the Gram Sabha for necessary action;

(xvi) monitor the functioning of public health centre’s in the area of the habitation and assist in the implementation of health programmes, especially in the prevention of infectious diseases and promote family welfare measures and promptly report the incidence of epidemics and natural calamities to the Gram Panchayat, the elected members and concerned panchayat functionaries;

(xvii) take care of public properties such as gomaala, pasture lands, tanks, tank beds, ground water sources, roads, bridges, mines etc., within the area of habitation and the Gram Panchayat with a view to their conservation or maintenance;

(xviii) revive and develop folk arts, handicrafts, home and cottage industries;

(xix) provide and mobilise voluntary labour and contributions in cash and kind for development work and supervise such development work through volunteer teams;

(xx) assist functionaries of the Gram Panchayat in providing sanitation arrangements in the area of habitation and render voluntary service to create clean and hygienic environment free from open defecation and in the removal of garbage; and

(xxi) persuade the residents of the habitation to pay taxes and to repay loans owed to the Gram Panchayat;

(2) Every habitation sabha shall have the power to,-

(i) get information from the functionaries of the Gram Panchayat as to the services they shall render, the programmes and projects they shall implement and the public works they propose to carry out in the succeeding period of six months after the meeting of the habitation sabha;

(ii) get information from the Gram Panchayat on the follow up action taken on the decisions of the gram sabha in relation to that habitation;

(iii) assist the Gram Panchayat to prevent any other activity prejudicial to public interest or health and safety to the residents of the habitation;

3B. Meetings of Habitation sabha.– (1) A habitation sabha shall meet at such place as may be decided by the elected member of ward to transact its business at least once in six months which shall be at least one month ahead of the meeting of the gram sabha.

(2) The habitation sabha shall be presided by the elected member of the ward representing the habitation and in his absence, shall be presided by any other voter of the Gram Panchayat elected from the said habitation sabha at the meeting. In case there are more than one member representing the ward a member elected among themselves in the grama panchayat shall convene and preside over the meeting;

(3) Where an elected member of the ward in the habitation fails to convene and preside over a meeting of the habitation sabha, when due or is necessary, the concerned panchayat development officer or secretary, as the case may be, shall convene such meeting and any other voter of the Gram Panchayat as may be elected by the members present at the meeting of the habitation sabha shall preside over the meeting;

(4) The quorum for the meeting of a habitation sabha shall be not less than one-fifth of the total voters or twenty members of the habitation sabha, whichever is less, of whom at least thirty percent of the voters shall be women and persons belonging to the scheduled castes and the scheduled tribes in proportion to their population;

Provided that no quorum shall be required for an adjourned meeting;

(5) Resolutions in respect of any subject in the meeting held shall be passed by a majority of the members present and voting:

Provided that, the needs outlined by the affected group and habitation sabha at their meetings shall be taken up at the meeting of the habitation sabha and shall be recorded as its own and forwarded to the Gram Sabha for being placed before it;

(6) The procedure for convening and conducting the meetings shall be such as may be prescribed;

(7) Notwithstanding anything contained in sub-section (1) a special meeting of the habitation sabha shall be convened by the panchayat development officer or secretary, as the case may be, where at least ten percent of the voters of the habitation make a request in writing, specifying the subject for the meeting;

Provided that no two special meetings shall be held within a period of three months;

(8) Notwithstanding anything contained in sub-sections (1) or (2), an emergency meeting of the habitation may be convened by the member of the ward elected from the area of the concerned habitation whenever a natural calamity has occurred or a matter of urgent

public importance has arisen and the elected members of the said habitation and the Adhyaksha or the Upadhyaksha or any elected members of the concerned Gram Panchayat shall attend such emergency meeting. The Adhyaksha shall preside over such meeting and in his absence, Upadhyaksha shall preside over the meeting.

(9) Nothing contained in sub-section (1), shall be construed as preventing affected group coming together as often as required to hold meetings among themselves and outline the developmental needs of their group along with suggestions for being placed before the gram sabha at its regular meetings.

3C. Ward Sabha.– The functions of Ward Sabha within their respective jurisdiction, shall be to assist the gram sabha and also include the following functions namely,-

(i) to generate proposals and determine the priority of schemes and development programmes to be implemented in the area of the Ward Sabha and forward the same to the gram sabha for inclusion in the concerned Gram Panchayat development plan;

(ii) to identify the most eligible persons from the area of Ward Sabha for beneficiary oriented schemes on the basis of criteria fixed and prepare list of eligible beneficiaries in the order of priority and forward the same to the Gram Panchayat for inclusion in its development plan;

(iii)to verify the eligibility of persons getting various kinds of welfare assistance from Government such as pensions and subsidies;

(iv) to get information from the officers of the Gram Panchayat as to the services and the works proposed to be done in the succeeding period of six months after the meeting of the Ward Sabha;

(v) to get information from the Gram Panchayat on the rationale of every decision of the Gram Panchayat relating to the area of the Ward Sabha;

(vi) to get information from the Gram Panchayat on the follow up action taken on the decisions of the Ward Sabha;

(vii) to provide and mobilize voluntary labour and contributions in cash or kind or both for development work and supervise such development works through volunteer teams;

(viii) to ensure that the members of Ward Sabha pay taxes and repay loans to the Gram Panchayat;

(ix) to priortise the location of installation of street lights, providing community water taps, public wells, public sanitation units, irrigation facilities and such other public amenity schemes within the area of the Ward Sabha;

(x) to identify the deficiencies in the water supply and street lighting arrangements in the area of Ward Sabha and suggest remedial measures;

(xi) to impart awareness on matters of public interest such as cleanliness, preservation of the environment and prevention of pollution;

(xii) to assist the employees of the Gram Panchayat in sanitation arrangements in the area of Ward Sabha and render voluntary service to create clean and hygenic environment free from open defecation and in the removal of garbage;

(xiii) to promote programme of adult education within the area of Ward Sabha;

(xiv) to assist the activities of public health centers in the area of Ward Sabha especially in the prevention of disease and promotion of family welfare and immediately report the incidence of epidemics and natural calamities;

(xv) to promote harmony and unity among various groups of people in the area of the Ward Sabha and to arrange cultural festivals and sports meets to encourage the talents of the people of the locality;

(xvi) to get information from the functionaries of the Gram Panchayat as to the services they shall render, the programmes and projects they shall implement and the public works they propose to carry out in the succeeding period of six months after the meeting of the Ward Sabha;

(xvii) to get information from the Gram Panchayat on the follow up action taken on the decisions of the gram sabha in relation to that ward;

(xviii) to assist the Gram Panchayat to prevent any other activity prejudicial to public interest or health and safety to the residents of the Ward Sabha; and

(xix) to exercise such other functions as may be prescribed;

3D. Meetings of the Ward Sabha.– (1) A Ward Sabha shall meet to transact its business once in six months which shall be at least one month ahead of the meeting of the gram sabha and the manner of conduct of the meeting shall be as hereinafter provided, namely: **–**

(i) every meeting held shall be presided over by the elected member of the ward representing the area of the concerned ward and in his/her absence, by any other voter of the Gram Panchayat elected from the said ward sabha as the case may be, at the meeting. In case of wards having more than one elected member, elected member among them determined by Gram Panchayat shall call such meeting.

(ii) where an elected member of the ward fails to convene and preside over a meeting of the Ward Sabha as the case may be, when due or is necessary, he shall be liable to pay rupees one Hundred to the Gram Panchayat fund and give explanation for such failure. Then the concerned panchayat development officer or secretary, as the case may be, shall convene such meeting and any other voter of the Gram Panchayat may be selected by the members present at the meeting of the Ward Sabha may preside over the meeting;

(iii) the quorum for the meeting of a Ward Sabha shall be not less than one-fifth of the total voters or twenty members of the Ward Sabha, whichever is less, of whom at least thirty percent of the voters shall be women and persons belonging to the scheduled castes and the scheduled tribes in proportion to their population:

Provided that, no quorum shall be required for an adjourned meeting.

(iv) all resolutions in respect of any subject in the meeting held under this section shall be passed by a majority of the members present and voting:

Provided that, the needs outlined by habitation sabha and affected group at their meetings shall be taken up at the meeting of the Ward Sabha and recorded as its own for being sent to the Gram Sabha.

(v) The procedure for convening and conducting the meeting of the Ward Sabha shall be such as may be prescribed;

(2) Notwithstanding anything contained in sub-section (1) a special meeting of the Ward Sabha shall be convened where at least ten percent of the voters of the ward make a request in writing, specifying the subject for the meeting:

Provided that no two special meetings shall be held within a period of three months;

(3) Notwithstanding anything contained in sub-sections (1) or (2), an emergency meeting of the Ward Sabha may be convened by the elected member whenever a natural calamity has occurred or a matter of urgent public importance has arisen and the elected members of the said ward and the Adhyaksha or the Upadhyaksha or any elected members of the concerned Gram Panchayat shall be required to attend such emergency meeting. The Adhyaksha shall preside such meeting and his absence the Upadhyaksha shall preside.

(4) Nothing contained in sub-section (1) shall be construed as preventing affected group coming together as often as they may, to hold meetings among themselves and outline the developmental needs of their group along with suggestions for addressing them, for being placed before the Gram Sabha at its regular meetings.

3E. Gram Sabha.– (1) The Gram Sabha shall be the basic unit of local self-Government at the village level to ensure the direct participation of all the citizens of the village in the planning, implementation, monitoring and evaluation of all economic, social, cultural and environmental development programmes and all central, state and district sector Government schemes implemented in the Gram Panchayat.

(2) The functions of Gram Sabha within their respective jurisdiction, shall be to assist the Gram Panchayat and shall also include the following functions namely,-

(a) to conduct surveys or participate in rural appraisals to collect essential socio-economic data and assess the needs of residents and their requirements for the development of the village in order to enable the Gram Panchayat to compile and draw up a vision plan;

(b) priortise the location of installation of street lights, providing community water taps, public wells, public sanitation units, irrigation facilities and such other public amenity schemes and to identify the deficiencies and suggest the remedial measures and to report the satisfactory completion of the work, after considering the suggestions of the Habitation sabhas;

(c) to ensure that all plans are beneficial to all sections of the population especially the vulnerable sections and migrant labour;

(d) to approve subject to availability of funds, plans, programmes and projects for social and economic development after considering the needs and suggestions of the Habitation sabhas and Ward Sabhas before such plans, programmes and projects are taken up for implementation by the Gram Panchayat;

(e) to generate consolidated proposals by determining the priority of all schemes and development programmes to be implemented in the panchayat area as per the 'Priority Ranking' method after considering the needs, recommendations and suggestions of the each of the Habitation sabhas and Ward Sabhas; and

(f) to identify and select the most eligible persons from the Panchayat area under beneficiary oriented schemes on the basis of criteria fixed by the Gram Panchayat, Taluk Panchayat, Zilla Panchayat or Government and prepare a list of beneficiaries in the order of priority as per the 'Priority Ranking' method after considering the needs, recommendations and suggestions of the Habitation sabhas and Ward Sabhas and send the same to the Gram Panchayat for inclusion in its development plan in the order of priority sent by the Habitation sabhas and Ward Sabhas. Such list shall be binding on the concerned Gram Panchayat, Taluk Panchayat, Zilla Panchayat or Government as the case may be.

(3) The Gram Sabha shall support all activities of the Gram Panchayat in implementing the plans and schemes by, **–**

(a) providing voluntary labour and contributions in cash or kind or both for development works and to supervise such development works through volunteer teams;

(b) assisting the functionaries of the Gram Panchayat in providing sanitation arrangements in the panchayat area and mobilizing voluntary service to create clean and hygienic environment free from open defecation and in the removal of garbage in the area of the village;

(c) promoting programmes of adult education, increasing literacy, family counseling, character building and de-addiction of liquor, narcotic drugs among the youth, adults and senior citizens and education levels within the area of village;

(d) ensuring that no traditional, social and religious practices that denigrate the rights, dignity and freedom of any individual, especially women and children from the scheduled castes and the scheduled tribes and all weaker sections, are performed in the village;

(e) assisting in the activities of school betterment committees, Anganwadis, Mahila Samaja, Youth associations, self-help groups and organisations working for the development of the scheduled castes and the scheduled tribes, other backward classes, senior citizens, the differently abled, women, children and youth in the panchayat area;

(f) co-ordinating the activities of public health centre's in the panchayat area, especially in prevention of disease and promotion of family welfare, population control and prevention of cattle diseases and report the incidence of epidemics and natural calamities immediately to the concerned functionaries;

(g) persuading members of the Gram Sabha to pay taxes and other dues and repay loans;

(4) The Gram Sabha shall, **–**

(a) ensure social justice for all, especially for people of the vulnerable sections of the society to exercise their rights in a free and fair manner and suggest measures to the Gram Panchayat and their elected members or officials of the departments, or both, so that appropriate action is taken to protect them from abuse and exploitation;

(b) organize cultural festivals, literary activities and sporting events that promote and nurture local games, athletics, the literature, arts and culture of the area and provide opportunities for the residents to express their talents; and

(c) impart awareness among the citizens in matters of public interest such as cleanliness, preservation of the environment and ecology, prevention of public nuisance, pollution and ensure public peace, safety and security of all people within the area of the village;

(d) spread awareness on issues of water conservation, preservation of natural surroundings and recycling of bio-degradable waste;

(e) promote at village level small and medium industries, businesses and commercial enterprises in discussion with associations of women, youth and senior citizens and provide training and capacity building opportunities for employment and present proposals before the Gram Panchayat;

(f) conserve and maintain public properties such as gomaala, pasture lands, tanks, tank beds, ground water, roads, bridges, mines etc., within the area of the Gram Panchayat;

(g) promote the revival and growth of folk arts, handicrafts, home industries and cottage industries in the village area;

(h) ensure the safety, security and freedom of the residents of the village;

(i) be able to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;

(j) initiate action to prevent discrimination among people on the basis of caste, creed, religion and gender ; and

(k) report concerned authorities activities of illegal money lending in the panchayat area and inform the Gram Panchayat for taking necessary action;

(5) The Gram Sabha may, –

(a) discuss and prepare the budgetary provisions, the details of plan outlay and the subject wise allocation of funds and also the details of the estimate and cost of materials of the works executed or proposed to be executed in the village area in a special meeting of all the Gram Sabhas in the month of October each year;

(b) discuss and prepare the annual statement of accounts of the preceding financial year, the last audit report and replies thereto and the panchayat jama-bandi report, action taken, in a special meeting of all the Gram Sabhas in the month of April each year;

(6) Gram Sabha may get information from,-

(a) the Gram Panchayat on the rationale of every decision of the Gram Panchayat concerning the panchayat area;

(b) the Gram Panchayat on the follow up action taken on the decisions of the Gram Sabha; and

(c) the officers of the Gram Panchayat as to the services they will render and the works proposed to be done during the next six months after the meeting of the Gram Sabha;

(7) The decisions, views, recommendations or suggestions taken at the meetings of the Gram Sabhas shall be communicated to the Gram Panchayat for implementation subject to availability of funds and guidelines issued by the Government. The priorities set by the Gram Sabha normally shall not be changed".

3F. Duties of Gram Sabha.–The Gram Sabha shall discharge the following duties, namely:**–**

(a) ensure that all plans are beneficial to all sections of the population especially the vulnerable sections and migrant labour;

(b) generate consolidated proposals by determining the priority of all schemes and development programmes to be implemented in the panchayat area as per the 'Priority

Ranking' method after considering the needs, recommendations and suggestions of the each of the Habitation sabhas and Ward Sabhas;

(c) identify and select the most eligible persons from the Panchayat area under beneficiary oriented schemes on the basis of criteria fixed by the Gram Panchayat, Taluk Panchayat, Zilla Panchayat or Government and prepare a list of beneficiaries in the order of priority as per the 'Priority Ranking' method after considering the needs, recommendations and suggestions of the Habitation sabhas and Ward Sabhas and send the same to the Gram Panchayat for inclusion in its development plan;

(d) recommend subject to availability of funds, plans, programmes and projects for social and economic development after considering the needs and suggestions of the Habitation sabhas and Ward Sabhas before such plans, programmes and projects are taken up for implementation by the Gram Panchayat;

(e)assist the functionaries of the Gram Panchayat in providing sanitation arrangements in the panchayat area and mobilising voluntary service to create clean and hygienic environment free from open defecation and in the removal of garbage in the area of the village;

(f) persuading members of the Gram Sabha to pay taxes and other dues and repay loans;

(g) spread awareness on issues of water conservation, preservation of natural surroundings and recycling of bio-degradable waste;

(h) conserve and maintain public properties such as gomaala, pasture lands, tanks, tank beds, ground water, roads, bridges, mines etc., within the area of the Gram Panchayat;

(i) ensure the safety, security and freedom of the residents of the village; and

(j) report to the concerned authorities activities of illegal money lending in the panchayat area for taking necessary action.

3G. Meetings of Gram Sabha.– (1) The Adhyaksha of the Gram Panchayat shall convene the first meeting of all the Gram Sabhas as far as may be within sixty days. Thereafter the next meetings shall be convened on such date as decided by the Gram Sabha, however that not more than six months shall intervene between two meetings. Every meeting of the Gram Sabha shall be presided over by the Adhyaksha of the concerned Gram Panchayat and in his/her absence by the Upadhyaksha and in the absence of both Adhyaksha and Upadhyaksha, by any other member elected by the members present at the meeting. If the Adhyaksha of the Gram Panchayat fails to convene the meeting when due or was necessary, the executive officer shall convene such meeting. Such Adhyaksha shall be liable to pay Rs. 1000 to the grama panchayat fund and give an explanation for such failure to call the meeting in the next meeting of the Gram Sabha.

(2) Notice of the meetings shall be published in public places and telecast through other medias such as local channels of the Television, radio and newspapers. The pamphlets about such notice shall be printed and distributed in the Gram Panchayat area.

(3) The quorum for an ordinary meeting of the Gram Sabha shall not be less than one-tenth of the total number of voters in the Gram Sabha or one hundred members, whichever is less.

Provided that if at the time appointed for the meeting if there is no quorum, the presiding authority shall wait for thirty minutes and thereafter there is no quorum, the presiding authority shall adjourn the meeting to the following day or some other day which is not a public holiday. On such adjourned meeting no quorum shall be required.

(4) At least ten members from each Ward Sabha within the panchayat area shall attend the meeting, of whom not less than thirty percent of the members attending the Gram Sabha, shall be women and persons belonging to the scheduled castes and the scheduled tribes in proportion to their population in the Ward Sabha.

(5) The elected members of that area shall be present at every Gram Sabha meeting.

(6) The officers in the Gram Panchayat area shall attend the meetings of the Gram Sabha as may be required by the Adhyaksha and such officer of the panchayat as is specifically nominated as convener of the meeting shall assist in convening and conducting its meetings, recording proceedings in the minutes book and video-graph and all the decisions shall be recorded and shall be authenticated by the Adhyaksha.

Provided that, the needs outlined by the habitation sabha and ward sabha at their meetings shall be taken up at the meeting of the Grama sabha and shall be recorded as its own and forwarded to the Gram Sabha for being placed before it;

(7) All resolutions in respect of any subject in the meetings of the Gram Sabha shall be passed by majority of the members present and voting and the Gram Panchayat shall consider such resolutions of the Gram Sabha as if its own and implement them in order of the priority indicated by the Gram Sabha.

(8) All meetings of the Gram Sabha shall be held in a free and fair manner, with the active participation of all citizens, especially those belonging to the vulnerable sections of the society.

(9) The procedure for convening and conducting the meeting of Gram Sabha shall be such as may be prescribed.

3H. Special meeting of the Gram Sabha.– (1) Nothing contained in section 3G shall be construed as preventing groups of women, the scheduled castes and the scheduled tribes, and the farmers and the artisan population, the youth and the senior citizens, within the Gram Sabha come together as often as may be to hold meetings among themselves and outline their needs of the group for development along with suggestions of redressal, for being placed before the Gram Sabha at its regular meetings.

Provided that, needs outlined by the habitation sabha and Ward Sabha at their meeting shall be taken up at the meeting of the Gram Sabha and recorded as its own for being forwarded to be placed before Gram Panchayat.

Provided further that, the needs outlined by each of such representative group at their meetings shall be taken up by the Gram Sabha and followed up as its own for being presented to the Gram Panchayat.

(2) Without prejudice to anything contained in the other provisions of this section, the Adhyaksha may call for, **-**

(i) meetings of Gram Sabhas for drafting plans and programmes for empowerment, of the scheduled castes and the scheduled tribes, women and the children to discuss issues related to each of them separately, at least once in a year before the Gram Panchayat meetings;

(ii) special meetings of the Gram Sabha whenever a request is made by not less than ten percent of the members of the Gram Sabha specifying the subject for discussion in such request, so however that there shall be an interval of at least three months between any two special meetings;

(iii) Special budget meetings of the Gram Sabha twice a year in the months of April and October to consider the plans and finances of the Gram Panchayat;

(3) The budget allocated to the scheduled castes and the scheduled tribes shall be in proportion to their population in the given Gram Panchayat and shall be decided in their special meeting of the Gram Sabha;

Provided, that the fund which is not utilised by the said Gram Sabha, the fund shall be utilised in accordance with the Karnataka scheduled castes sub-plan and the scheduled tribes sub-plan (planning, allocation and utilization of financial resource) Act, 2013 (Karnataka Act 65 of 2013).][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

CHAPTER III

CONSTITUTION OF GRAMA PANCHAYATS AND STANDING COMMITTEES

4. Declaration of panchayat area and establishment of Grama Panchayats.- (1) Subject to the general or special orders of the Government, the Deputy Commissioner, if, in his opinion, it is expedient to declare any area comprising a village or group of villages having a population of [1][not less than five thousand and not more than seven thousand][1] to be a panchayat area, may, after pervious publication, declare such area as a panchayat area for the purposes of this Act and also specify its headquarter:

1. Substituted by Act 11 of 2000 w.e.f. 25.4.2000.

Provided that the Government may order that an area with a population of [1][not less than two thousand five hundred][1] may be so declared as a panchayat area in such areas of the districts of Belgum, Chickmagalur, Dakshina Kannada, Dharwar, Hassan, Kodagu, Shimoga , [2][Udupi , Haveri][2] and Uttara Kannada as may be specified by the Government:

1. Substituted by Act 11 of 2000 w.e.f. 25.4.2000.

2. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided further that irrespective of population, wherever it is found necessary, the Government, as a special case, may, order that an area within [1][a radius of five kilometers (diameter of ten kilometers)][1] from the centre of a village may be so declared as a panchayat area in such areas of the districts of Belgaum, Chickmagalur, Dakshina Kannada, Dharwar, Hassan, Kodagu, Shimoga [1][Udupi , Haveri][1] and Uttara Kannada as may be specified by the Government:

1. Substituted by Act 11 of 2000 w.e.f. 25.4.2000.

2. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided also that the Deputy Commissioner may, with, the previous permission of the Government declare any area comprising a village or group of villages having a population of [1][either less than five thousand or more than seven thousand][1] to be a panchayat area.

1. Substituted by Act 11 of 2000 w.e.f. 25.4.2000.

(2) Subject to the general or special orders of the Government and the provisions of this Act, the Deputy Commissioner may, at the request of the Grama Panchayat concerned, or otherwise, and after previous publication of the proposal by notification, at any time,-

(a) increase the area of any panchayat area by including within such panchayat area any village or group of villages;

(b) diminish the area of any panchayat area by excluding from such panchayat area any village or group of villages;

(c) alter the head quarters of any panchayat area;

(d) alter the name of any panchayat area; or

(e) declare that any area shall cease to be a panchayat area.

(3) The Commissioner may either on an application made within thirty days from the date of the notification by any person aggrieved by such notification, or *suo moto*, and after giving a reasonable opportunity of being heard to the applicant or the Grama Panchayat concerned revise the orders of the Deputy Commissioner under sub-section (1) or sub-section (2) and may also if he considers necessary, modify it as provided in the third proviso to sub-section (1). Every order so passed revising or modifying the order of the Deputy Commissioner shall be published in the Official Gazette.

(4) In every panchayat area declared as such under this section, there shall be established a Grama Panchayat.

5. Constitution of Grama Panchayat.- (1) The Grama Panchayat shall consist of such number of elected members as may be notified from time to time by the [3][[1][Government][1]][3], at the rate of one member for [2][every four hundred population][2] or part thereof of the panchayat area:

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 11 of 2000 w.e.f. 28.1.1999.

3. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

Provided that the determination of the number as aforesaid shall not affect the then composition of the Grama Panchayat until the expiry of the term of office of the elected members then in office:

[1][Proviso x x x][1]

1. Omitted by Act 11 of 2000 w.e.f. 4.10.1999.

(2) Seat [1][shall, subject to the general or special order of the [2][Government][2], be reserved by the Deputy Commissioner][1] in a Grama Panchayat,-

(a) for the Scheduled Castes; and

(b) for the Scheduled Tribes;

and the number of seats so reserved shall bear as nearly as may be, the same proportion to the total number of seats in the Grama Panchayat as the population of the Scheduled Castes in the panchayat area or of the Scheduled Tribes in the panchayat area bears to the total population of the panchayat area;

1. Substituted by Act 29 of 1998 w.e.f. 24.8.1998.

2. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

[1][Proviso x x x][1]

1. Omitted by Act 10 of 1995 w.e.f. 13.1.1995.

[1][Provided that at least one seat each shall be reserved in a Grama Panchayat for the persons belonging to the Scheduled Castes and the Scheduled Tribes:

Provided further that, if no person belonging to the Scheduled Castes is available the seat reversed for that category shall also be filled by the persons belonging to Scheduled Tribes and vice-versa.][1]

1. Inserted by Act 11 of 2000 w.e.f. 16.12.1999.

(3) Such number of seats which shall, as nearly as may be one-third of the total number of seats of the Grama Panchayat [1][shall, subject to the general or special order of the [4][Government][4], be reserved by the Deputy Commissioner][1] for persons belonging to the Backward classes: [3][But the number of seats so reserved for the Backward Classes under this sub-section shall be so determined, that the total number of seats reserved for the Scheduled Castes and the Scheduled Tribes under sub-section (2) and the Backward Classes under this sub-section shall not exceed fifty per cent of the total number of seats in the Grama Panchayat.][3]

[2][Provided that out of the seats reserved under this sub-section, eighty per cent of the total number of such seats shall be reserved for the persons falling under category “A” and the remaining twenty per cent of the seats shall be reserved for the persons falling under category "B":

Provided further that if no person falling under category "A" is available, the seats reserved for that category shall also be filled by the persons falling under category "B" and *vice versa*.

***Explanation*.-** For the purpose of this sub-section, proviso to clause (b) of sub-section (2) of section 44, sub-section (2) of section 123, clause (b) of sub-section (2) of section 138, sub-section (2) of section 162 and clause (b) of sub-section (2) of section 177, categories "A" and "B" shall mean category 'A' and 'B' referred to in clause (2) of section 2.][2]

1. Substituted by Act 29 of 1998 w.e.f. 24.8.1998.

2.Inserted by Act 10 of 1995 w.e.f 13.1.1995.

3. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.

4. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

(4) Not less than [2][fifty percent][2] of the seats reserved in each category, for persons belonging to the Scheduled Castes, Scheduled Tribes and Backward classes and of the non-reserved seats in the Grama Panchayat [1][shall, subject to the general or special order of the [4][Government][4], be reserved by the Deputy Commissioner][1] for women [3][subject to an overall limit of one half rounding of to the next number][3].

1. Substituted by Act Act 29 of 1998 w.e.f. 24.8.1998.

2. Substituted by Act 24 of 2010 w.e.f 23.07.2010.

3. Inserted by Act 17 of 2015 w.e.f. 30.04.2015.

4. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

[1][Proviso x x x][1]

1. Omitted by Act 10 of 1999 w.e.f. 28.1.1999.

[1][Provided that the seats reserved under sub-sections (2), (3) and (4) shall be allotted by rotation, to different constituencies in the Panchayat area [2][and such rotation shall be continued for a period of [3][five years][3]][2]][1]

1. Inserted by Act 11 of 2000 w.e.f. 28.1.19999.

2. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020

Provided further that nothing contained in this section shall be deemed to prevent a woman or a person belonging to the Scheduled Castes and Scheduled Tribes or Backward Classes for whom seats have been reserved in a Grama Panchayat from standing for election to any non-reserved seat in such Grama Panchayat.

(5) Subject to the provisions of sub-sections (2), (3) and (4), [1][and subject to the general or special order of the [2][Government][2], the Deputy Commissioner][1] shall, by notification, determine,-

1. Substituted by Act 29 of 1998 w.e.f. 24.8.1998.

2. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

(a) the constituencies into which the area within the jurisdiction of every Grama Panchayat shall be divided for the purpose of election to every Grama Panchayat;

(b) the extent of each constituency;

(c) the number of seats if any reserved for the Scheduled Castes, the Scheduled Tribes, Backward Classes or women in each constituency; and

(d) the number of seats allotted to each Constituency which shall be one or more.

(6) If for any reason the election to any Grama Panchayat does not result in the election of the required number of members as specified in sub-section (1), the [1][Deputy Commissioner][1] shall within one month from the date on which the names of the elected members are published by him under sub-section (8) arrange another election for the election of such number of members as will make up the required number.

1. Substituted by Act 29 of 1998 w.e.f. 24.8.1998.

(7) Notwithstanding anything contained in sub-sections (1) and (6), but subject to any general or special orders of the Government, where two-thirds of the total number of members of any Grama Panchayat have been elected, the Grama Panchayat shall be deemed to have been duly constituted under this Act.

(8) The [1][Deputy Commissioner][1] shall publish, in the prescribed manner the names of members elected or deemed to have been duly elected.

1. Substituted by Act 29 of 1998 w.e.f. 24.8.1998.

6. Incorporation of Grama Panchayat.- Every Grama Panchayat shall be a body corporate by the name of the "-----Grama Panchayat" and shall have perpetual succession and a common seal, and subject to such restrictions as are imposed by or under this Act or any other enactment, shall be vested with the capacity of suing or being sued in its corporate name, of acquiring, holding and transferring property, moveable or immoveable, whether without or within the limits of the area over which it has authority, of entering into contracts and of doing all things necessary, proper or expedient for the purposes for which it is constituted.

7. Method of voting and procedure for election.- (1) Every voter shall have as many votes as there are members to be elected for the constituency. No voter shall give more than one vote to any one candidate.

(2) Subject to the provisions of this Act, elections to the Grama Panchayat shall be held by ballot [2][on non-party basis][2] in accordance with such rules as may be prescribed.

[1][(3)Not withstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in the Grama Panchayat election by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State Election commission may having regard to the circumstances of each case specify.

Explanation : For the purpose of this section, "Voting Machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made there under shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.][1]

1. Inserted by Act 24 of 2010 w.e.f. 23.7.2010.

2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020

8. Appointment of an Administrative Committee or Administrator on failure to elect members of Grama Panchayats.- (1) (a) If the Deputy

Commissioner is satisfied that a Grama Panchayat for a village or group of villages immediately after the establishment of such Grama Panchayat cannot be constituted by reason of,-

(i) any difficulty in holding an election of the members of the Grama Panchayat; or

(ii) failure to elect such members at two successive elections held under sub-section (6) of section 5; or

(iii) any other sufficient reason whatsoever; or

(b) if at any general election to a Grama Panchayat no member is elected or less than two third of the total number of members are elected:

the Deputy Commissioner shall by notification either,-

(i) appoint an Administrative Committee consisting of persons qualified to be elected, the number of such persons being equal to the number of members determined under sub-section (1) of section 5, or

(ii) appoint an Administrator.

(2) The members of the Administrative Committee or the Administrator shall hold office for such period not exceeding six months as the Deputy Commissioner may specify in the notification under sub-section (1).

(3) On the appointment of an Administrative Committee or an Administrator under sub-section (1), the persons if any, chosen as members of the Grama Panchayat before such appointment shall cease to be members of the Grama Panchayat and all the powers and duties of the Grama Panchayat shall be exercised and performed by such Administrative Committee or Administrator.

(4) The Administrative Committee or Administrator shall be deemed to be duly constituted Grama Panchayat for the purpose of this Act, notwithstanding anything contained in the foregoing provisions:

Provided that if at any time after the appointment of the Administrative Committee or the Administrator under sub-section (1) the Deputy Commissioner is satisfied that there is no difficulty in duly constituting the Grama Panchayat by election of members, the Deputy Commissioner may notwithstanding that the term of the office for which the members of the Administrative Committee or the Administrator had been appointed has not expired, direct by notification that the members of the Administrative Committee or the Administrator, as the case may be, shall cease to hold office with effect from such date as may be specified in such notification.

9. Right to vote.- (a) Every person whose name appears in the voters list relating to a constituency shall, subject to the other provisions of the Act be entitled to vote at any election which takes place in that constituency while the voters list remains in force and no person whose name does not appear in such voters list shall vote at any such election.

(b) No person shall vote at an election under this Act in more than one constituency or more than once in the same constituency and if he does so, all his votes shall be invalid.

[1][(c) It shall be the duty of every person whose name appears in the voters list of a Grama Panchayat to vote at the election of panchayat and it shall be compulsory. However, he will be free to cast his vote in favour of none of the candidates contesting election as indicated in sub-section (d).

(d) If Election Commissioner makes a suitable provision, the qualified voter shall cast his vote in favour of none of the candidates contesting at the election, in case where he does not want to cast his vote in favour of any candidate.][1]

1. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

10. List of voters.- (1) Subject to the provisions of sub-section (2) the electoral roll of the Zilla Panchayat for the time being in force for such part of the constituency shall be deemed to be the list of voters for such Grama Panchayat constituency.

(2) No amendment, transposition or deletion of any entry in the electoral roll of the Zilla Panchayat made after the last date of making nominations for an election in any Grama Panchayat constituency and before the completion of such election shall form part of the list of voters for such election for the purpose of this section.

[1][(3) The Tahsildar concerned shall prepare in the prescribed manner, a list of voters for each Grama Panchayat constituency and the Secretary of the Grama Panchayat shall maintain a copy of such list.][1]

1. Substituted by Act 29 of 1998 w.e.f. 21.9.1998.

11. Qualification for membership.- Every person whose name is in the list of voters of any Grama Panchayat constituency shall, unless disqualified under this Act or under any other law for the time being in force, be qualified to be elected as a member of the Grama Panchayat:

Provided that in the case of seats reserved for the Scheduled Castes or Scheduled Tribes or Backward Classes and women, no person who is not a member of any of the Scheduled Castes or Scheduled Tribes or Backward Classes or is not a woman, as the case may be, shall be qualified to be elected to such seat.

12. Disqualification for members.- A person shall be disqualified for being chosen and for being a member of a Grama Panchayat,-

(a) if he is so disqualified by or under any law for the time being in force for the purposes of the elections to the State Legislatures:

Provided that no person shall be disqualified on the ground that he is less than twenty-five years, if he has attained the age of twenty-one year.

(b) if he has been sentenced by a criminal court to imprisonment for a term exceeding three months in respect of an offence under the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966), such sentence not having been subsequently reversed or quashed or the offence pardoned; or

(c) if an order has been passed against him under section 117 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) in proceedings instituted under section 110 of the Code, such order not having been subsequently reversed or quashed; or

(d) if he has been dismissed from service under any local authority; or

[2][(d-1) if he has been subject to compulsory retirement or removal or dismissal from the service of the Central Government or the State Government; or.

(d-2) if he has been subject to compulsory retirement or removal or dismissal from the service of the Co-operative Society and institutions or if, he has been removed from the post of Chairperson and membership of the Co-operative society and institutions; or][2]

(e) if, having been a legal or medical practitioner or a chartered accountant he has been disenrolled or suspended by order of a competent authority, the disqualification in the latter case being operative during the period of such suspension; or

(f) if he has been removed from membership of any local authority; or

(g) if he holds any office of profit under any local or other authority subject to the control of the central Government, the State Government or the Government of any other State,

other than such offices as are declared by rules made under this Act not to disqualify the holder; or

Explanation.- For the purpose of this clause, a person shall not be deemed to hold an office of profit under the Grama Panchayat by reason only that he is an Adhyaksha or Upadhyaksha of the Grama Panchayat.

(h) if, save as hereinafter provided he has directly or indirectly any share or interest in any work done by order of the Grama Panchayat, or in any contract or employment with, or under, or by, or on behalf of, the Grama Panchayat [1][or if he is either directly or indirectly by himself or by his agent, partner or employee involved in obtaining or execution of any such work or contract on behalf of the Grama Panchayat or of any contract for the supply of goods and services to the Grama Panchayat;][1] or

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Inserted by Act 19 of 2022 w.e.f. 05.04.2022.

(i) if he is employed as paid legal practitioner on behalf of the Grama Panchayat or accepts employment as legal practitioner against the Grama Panchayat; or

[1][(j) if he does not have a sanitary latrine for the use of the members of his family:

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][Provided that nothing in this clause shall apply to a person, if at the time of filing his nomination he gives an undertaking to construct within one year from the date of commencement of his term of office as a member, a sanitary latrine for the use of members of his family and also complies with such undertaking after becoming a member]][1][1]

1. Substituted by Act 11 of 2000 w.e.f. 25.4.2000.

[1][(k)][1] if arrears of any kind are due by him to the Grama Panchayat under this Act:

1. Renumbered by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(l) if he is found guilty, directly involved in any act of misuse or abuse of power or authority as member of the panchayat in executing any scheme, plan or project of the panchayat or of misappropriation of funds or other assets of the panchayat during the term of his membership][1] [2][or while holding any office of panchayat.][2]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020

Provided that,-

(a) the disqualification in clause (c) will cease to operate after the expiry of the period during which a person is ordered to furnish security;

(b) the disqualification in clauses (b), (d), or (e) will cease to operate after the expiry of [1][six years][1] from the date of such sentence or dismissal , or disenrollment or earlier by an order of the Government;

(c) the disqualification in clause (f) will cease to operate after the expiry of [1][six years][1] from the date of such removal;

(d) a person shall not be deemed to have incurred disqualification under clause (h) by reason of his,-

(i) having a share in any joint stock company or a share or interest in any association registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960) or in any co-operative society, which shall contract with or be employed by or on behalf of the Grama Panchayat; or

(ii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Grama Panchayat is inserted; or

(iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the Grama Panchayat.

[1][(e) the disqualification under clause (l) shall cease to operate after the expiry of six years from the date of the order.][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020

13. Vacation of seat by members.- (1) If a member of a Grama Panchayat,-

(a) is or becomes subject to any of the disqualifications mentioned in section 12 ; or

(b) votes or takes part in discussion in contravention of the provisions of sub-section (4) of section 53; or

[2][XXXX][2]

his seat shall be deemed to be or to have become, as the case may be vacant:

Provided that where an application is made by a member to the Grama Panchayat for leave to absent himself and the Grama Panchayat fails to inform the applicant of its decision on the application within a period of one month from the date of the application, the leave applied for shall be deemed to have been granted by the Grama Panchayat.

(2) If any question arises as to whether a person is, or has become subject to disqualification under sub-section (1), the [1][State Election Commission][1] may [1][either *suo moto* or on a report made to it][1] and after giving an opportunity to the person concerned of being heard, decide the question.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Omitted by Act 37 of 2017 w.e.f. 12.07.2017.

14. Prohibition of simultaneous membership.- (1) If a person is elected by more than one Grama Panchayat constituency, he shall by notice in writing signed by him and delivered to the Deputy Commissioner within the prescribed time, choose any one of the constituencies which he shall serve and the choice shall be final.

(2) If the person does not make the choice referred to in sub-section (1), the Deputy Commissioner shall determined by lot and notify the constituency which such person shall serve.

(3) The said person shall be deemed to have been elected only for the constituency so chosen or notified, as the case may be , and the vacancy or vacancies thereby arising in respect of the other constituency or constituencies shall be filled by election.

15. Election petition.- (1) No election to fill a seat or seats in a Grama Panchayat shall be called in question except by an election petition presented on one or more of the grounds specified in sub-section (1) of section 19 and section 20 to [2][1][the Designated Court][1]][2] within whose territorial jurisdiction the panchayat area concerned or the major portion of the panchayat area concerned is situate by any candidate at such election or by any voter qualified to vote at such election together with a deposit of five hundred rupees as security for costs, within thirty days from , but not earlier than, the date of declaration of the result of the election of the returned candidate or if there are more than one returned candidate at the election, and if the dates of declaration of the results of the their election are different, the last of those dates.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) A petitioner shall join as respondent to his petition,-

(a) where the petitioner, in addition to claiming a declaration that the election of all or of any of the returned candidates is void , claims a further declaration that he himself or any other candidate has been duly elected all the contesting candidates other than the petitioner, and where no such further declaration is claimed, all the returned candidates; and

(b) any other candidate against whom allegation of any corrupt practice are made in the petition;

(3) Every election petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and every such copy shall be attested by the petitioner under his own signature to be true copy of the petition.

Explanation.- The expression "returned candidate" means a candidate who has been declared as duly elected.

16. Contents of the petition and relief that may be claimed.- (1) An election petition,-

(a) shall contain a concise statement of the material facts on which the petitioner relies;

(b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and

(c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Central Act 5 of 1908) for the verification of pleadings:

Provided that where the petition alleges any corrupt practice, the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

(3) A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidate is void , claim a further declaration that he himself or any other candidate has been duly elected.

17. Trial of election petition.- (1) [1][2][the Designated Court][2][1] shall dismiss an election petition which does not comply with the provisions of section 15.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

Explanation.- An order of [2][1][the Designated Court][1][2] dismissing an election petition under this sub-section shall be deemed to be an order made under clause (a) of sub-section (1) of section 18.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) Where more election petitions than one are presented to [2][1][the Designated Court][1][2] in respect of the same election [2][1][the Designated Court][1][2] may, try them separately or in one or more groups.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(3) Any candidate not already a respondent shall, upon application made by him to [2][[1][the Designated Court][1]][2] within fourteen days from the date of commencement of the trail and subject to any order as to security for costs which may be made by [2][[1][the Designated Court][1]][2], be entitled to be joined as a respondent.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

Explanation.- For the purpose of this section, a trail of petition shall be deemed to commence on the date fixed for the respondents to appear before [2][[1][the Designated Court][1]][2] and answer the claim or claims made in the petition.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(4) [2][[1][the Designated Court][1]][2], may upon such terms as to costs and otherwise as he may deem fit, allow the particulars of any corrupt practice alleged in the petition to be amended or amplified in such manner as may in his opinion be necessary for ensuring a fair and effective trail of the petition, but shall not allow any amendment of the petition , which will have the effect of introducing particulars of a corrupt practice not previously alleged in the petition.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(5) The trail of an election petition shall, so far as is practicable consistently with the interest of justice in respect of the trail, be continued from day to day until its conclusion, unless [2][[1][the Designated Court][1]][2] finds the adjournment of trail beyond the following day to be necessary for reasons to be recorded.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(6) Every election petition shall be tried as expeditiously as possible and endeavor shall be made to conclude the trail within six months from the date on which the election petition is presented to [2][[1][the Designated Court][1]][2] for trail.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(7) Subject to the provisions of this Act every election petition shall be tried by [2][[1][the Designated Court][1]][2], as nearly as may be in accordance with the procedure applicable under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) to the trial of suits:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

Provided that [2][[1][the Designated Court][1]][2] shall have discretion to refuse for reasons to be recorded in writing, to examine any witness or witnesses if he is of the opinion that their evidence is not material for the decision of petition or that the party tendering such witness or witnesses is doing so on frivolous grounds or with a view to delay the proceedings.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(8) The provisions of the Indian Evidence Act, 1872 shall subject to the provisions of this Act be deemed to apply in all respects to the trail of the election petition.

(9) Notwithstanding anything in any enactment to the contrary, no document shall be inadmissible in evidence at the trial of the election petition on the ground that it is not duly stamped or registered.

18. Decision of [2][[1][the Designated Court][1]][2].- (1) At the conclusion of the trail of an election petition [2][[1][the Designated Court][1]][2] shall make an order,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(a) dismissing the election petition; or

(b) declaring the election of all or any of the returned candidates to be void ; or

(c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidates to have been duly elected.

(2) At the time of making an order under sub-section (1) [2][[1][the Designated Court][1]][2] shall also make an order,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(a) where any charge is made in the petition of the corrupt practice having been committed at the election, recording,-

(i) a finding whether any corrupt practice has or has not been proved to have been committed at the election and the nature of that corrupt practice; and

(ii) the names of all persons, if any, who have been proved at the trail to have been guilty of any corrupt practice and the nature of that practice; and

(b) fixing the total amount of the costs payable and specifying the person by and to whom costs shall be paid:

Provided that a person who is not a party to the petition shall not be named in the order under sub-clause (ii) of the clause (a) unless,-

(i) he has been given notice to appear before [2][[1][the Designated Court][1]][2] and to show-cause why he should not be so named; and

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(ii) if he appears in pursuance of the notice, he has been given an opportunity of cross examining any witness who has already been examined by [2][[1][the Designated Court][1]][2] and has given evidence against him, of calling evidence in his defence and of being heard.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

19. Grounds for declaring election to be void.- (1) Subject to the provisions of sub - section (2) if [2][[1][the Designated Court][1]][2] is of opinion,-

(a) that on date of his election a returned candidate was not qualified, or was disqualified, to be chosen as a member under this Act; or

(b) that any corrupt practice has been committed by a returned candidate or his agent or by any other person with the consent of a returned candidate or his agent; or

(c) that any nomination paper has been improperly rejected; or

(d) that the result of the election, in so far as it concerns a returned candidate, has been materially affected,-

(i) by the improper acceptance of any nomination; or

(ii) by any corrupt practice committed in the interests of the returned candidate by an agent; or

(iii) by the improper reception , refusal or rejection of any vote or reception of any vote which is void ; or

(iv) by any non-compliance with the provisions of this Act or of any rules or orders made thereunder;

[2][[1][the Designated Court][1]][2] shall declare the election of the returned candidate to be void.

(2) If in the opinion of [2][[1][the Designated Court][1]][2], any agent of a returned candidate has been guilty of any corrupt practice, but [2][[1][the Designated Court][1]][2] is satisfied,-

(a) that no such corrupt practice was committed at the election by the candidate and every such corrupt practice was committed contrary to the order and without the consent of the candidate,

(b) that the candidate took all reasonable measures for preventing the commission of corrupt practices at the election, and

(c) that in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents,

then [2][[1][the Designated Court][1]][2] may decide that the election of the returned candidate in not void.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

20. Grounds on which a candidate other than the returned candidate may be declared to have been elected.- (1) If any person who has filed an election petition has, in addition to calling in question the election of the returned candidate, claims a declaration that he himself or any other candidate has been duly elected and [2][[1][the Designated Court][1]][2] is of opinion,-

(a) that in fact the petitioner or such other candidate received a majority of the valid votes; or

(b) that but for the votes obtained by the returned candidate by corrupt practices the petitioner or such other candidate would have obtained a majority of the valid votes,

[2][[1][the Designated Court][1]][2] shall after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected.

(2) The decision of [2][[1][the Designated Court][1]][2] shall be final.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

21. Procedure in case of equality of votes.- If during the trial of an election petition it appears that there is an equality of votes between any candidates at the election and that the addition of a vote would entitle any of those candidates to be declared elected, then

[2][[1][the Designated Court][1]][2] shall decide between them by lot and proceed as if the one on whom the lot falls had received an additional vote.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

22. Corrupt practices.- The following shall be deemed to be corrupt practices for the purposes of this Act, namely,-

(i) bribery as defined in clause (1) of section 123 of the Representation of the People Act, 1951 (Central Act 48 of 1951) for the time being in force;

[1][(ia) coercion or fraud enticing of any voter or member of the Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be, to trade the post of member or Adhyaksha or upadhyaksha of the Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be, during election for a consideration][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016

(ii) undue influence as defined in clause (2) of the said section for the time being in force;

(iii) the appeal by a candidate or his agent or by any other person with the consent of a candidate or his agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to religious symbols or the use of or appeal to national symbols, such as the national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate;

(iv) the promotion of or attempt to promote, feelings of enmity or hatredness between different classes of the citizens of India on grounds of religion, race, caste, community or language by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the election of that candidate or for prejudicially affecting the election of any candidate;

(v) the publication by a candidate or his agent or by any other person, with the consent of candidate or his agent of any statement of fact which is false and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate or in relation to the candidature or withdrawal of any candidature, being a statement reasonably calculated to prejudice the prospects of that candidate's election;

(vi) the hiring or procuring, whether on payment or otherwise, any vehicle, or vessel by a candidate or his agent or by any other person with the consent of a candidate or his agent, or the use of such vehicle or vessel for the free conveyance of any voter (other than the candidate himself, the members of his family or his agent) to or from any polling station provided in accordance with the rules made under this Act:

Provided that the use of any public transport vehicle or vessel or railway carriage by any voter at his own cost for the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause.

Explanation.- In this clause the expression "vehicle" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise whether used for the drawing of other vehicles or otherwise.

(vii) the holding of any meeting at which intoxicating liquors are served;

(viii) the issuing of any circular, placard or poster having reference to the election which does not bear the name and address of the printer and publisher thereof;

(ix) any other practice which the Government may by rules specify to be a corrupt practice.

23. Order as to corrupt practices.- The corrupt practices referred to in section 22 shall entail disqualification for membership of any local authority for a period of five years counting from the date on which the finding of [2][[1][the Designated Court][1]][2] as to such practices takes effect under this Act.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

24. Communication of orders.- [2][[1][the designated court][1]][2] shall after announcing the orders made under sections 18 and 19 send a copy thereof to the [2][the State Election Commissioner and the concerned panchayat][2].

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][**24A. Transfer of pending cases**.- All cases pending before Civil Judge (Junior Division) and Civil Judge(Senior Division) now called as Court of a Civil Judge or Court of a Senior Civil Judge pertaining to election disputes before the date of commencement of the Karnataka Panchayath Raj (Second Amendment) Act, 2015 shall stand transferred to the concerned designated Court and shall be disposed off as if they are pending before them.][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

25. Fresh election if a seat becomes vacant.- If the seat of any member has become vacant or is deemed to have become vacant under section 13, a fresh election for the vacancy so caused shall be held in accordance with the provisions of this Act.

26. Prohibition of canvassing in or near polling station.- (1) No person shall, on the date or dates on which a poll is taken in any polling station, commit any of the following acts within the polling station or in any public or private place within a distance of one hundred meters of the polling station, namely:-

(a) canvassing for votes; or

(b) soliciting the vote of any voter; or

(c) persuading any voter not to vote for any particular candidate; or

(d) persuading any voter not to vote at the election; or

(e) exhibiting any notice or sign (other than an official notice relating to the election).

(2) Any person who contravenes the provisions of sub section (1) shall on conviction, be punished with fine which may extend to rupees five hundred.

(3) An offence punishable under this section shall be cognizable.

27. Penalty for disorderly conduct in or near polling stations.- (1) No person shall on the date or dates on which a poll is taken at any polling station,-

(a) use or operate within or at the entrance of the polling station or in any public or private place in the neighborhood thereof, any apparatus for amplifying or reproducing the human voice such as a megaphone or a loudspeaker; or

(b) shout or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, so as to cause annoyance to any person visiting the polling station for the poll, or so as to interfere with the work of the officers and other persons on duty at the polling station .

(2) Any person who contravenes or willfully aids or abets the contravention of the provisions of sub-section (1) shall, on conviction, be punished with imprisonment which may extend to three months or with fine or with both.

(3) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under this section he may direct any police officer to arrest such person, and thereupon the police officer shall arrest him.

(4) Any police officer may take such steps and use such force as may be reasonably necessary for preventing any contravention of the provisions of sub-section (1), and may seize any apparatus used for such contravention.

28. Penalty for misconduct at polling station.- (1) Any person who during the hours fixed for the poll at any polling station misconducts himself or fails to obey the lawful directions of the presiding officer, may be removed from the polling station by the presiding officer or by any police officer on duty or by any person authorised in this behalf by such presiding officer.

(2) The powers conferred by sub-section (1) shall not be exercised so as to prevent any voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

(3) If any person who has been so removed from a polling station reenters the polling station without the permission of the presiding officer, he shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine, or with both.

(4) An offence punishable under sub-section (3) shall be cognizable.

29. Maintenance of secrecy of voting.- (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at any election shall maintain and aid in maintaining , the secrecy of the voting and shall not (expect for some purpose authorised by or under any law) communicate to any person any information calculated to violate secrecy.

(2) Any person who contravenes the provisions of sub-section (1) shall. on conviction, be punished with imprisonment for a term which may extend to three months or with fine or with both.

30. Officers etc., at elections not to act for candidate or influence voting.- (1) No person who is a returning officer or a presiding officer or a polling officer at any election or any officer or clerk appointed by the returning officer or the presiding officer to perform any duty in connection with an election shall, in the conduct or the management of the election, do any act (other than the giving of a vote) for the furtherance of the prospects of the election of a candidate.

(2) No such person as aforesaid, and no member of a police force, shall endeavor,-

(a) to persuade any person to give his vote at an election; or

(b) to dissuade any person from giving his vote at an election; or

(c) to influence the voting of any person at an election in any manner.

(3) Any person who contravenes the provisions of sub-section (1) or sub-section (2) shall , on conviction, be punished with imprisonment for a term which may extend to six months or with fine or with both.

(4) An offence punishable under sub-section (2) shall be cognizable.

31. Breaches of official duty in connection with elections.- (1) If any person to whom this section applies is without reasonable cause guilty of any act or omission in breach of his

official duty, he shall , on conviction, be punished with fine which may extend to five hundred rupees.

(2) An offence under sub-section (1) shall be cognizable.

(3) No suit or other legal proceeding shall lie against any such person for damages in respect of any such act or omission as aforesaid.

(4) The persons to whom this section applies are the returning officers, presiding officers, polling officers and any other person appointed to perform any duty in connection with the receipt of nominations or withdrawal of candidature, or the recording or counting of votes at an election; and the expression "official duty" shall for the purpose of this section be constructed accordingly, but shall not include duties imposed otherwise than by or under this Act.

[1][**31A. Offence of booth capturing.-** Whoever commits an offence of booth capturing shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine and where such offence is committed by a person in the service of the Government, he shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to three years and with fine.

1. Section 31A and 31B inserted by Act 29 of 1997 w.e.f. 20.10.1997.

Explanation.- For the purpose of this section, 'booth capturing' includes among other things, all or any of the following activities, namely:-

(a) seizure of a polling station or a place fixed for the poll by any person or persons, making polling authorities surrender the ballot papers or voting machines and doing of any other act which affects the orderly conduct of elections;

(b) taking possession of a polling station or a place fixed for the poll by any person or persons and allowing only his or their own supporters to exercise their right to vote and prevent others from voting;

(c) threatening any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote;

(d) seizure of a place for counting of votes by any person or persons, making counting authorities surrender the ballot papers or voting machines and the doing of anything which affects the orderly counting of votes;

(e) doing by any person in the service of Government of all or any of the aforesaid activities or aiding or conniving at, any such activity in furtherance of the prospects of the election of a candidate.

31B.Penalty for Government servants for acting as election agent, polling agent or counting agent.- If any person in the service of the Government acts as an election agent or a polling agent or a counting agent of a candidate at an election, he shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.][1]

32. Removal of ballot papers from polling stations to be an offence.- (1) Any person who at any election fraudulently takes, or attempts to take, a ballot paper out of a polling station or willfully aids or abets the doing of such act, shall, on conviction, be punished with imprisonment for a term which mat extend to one year or with fine or with both.

(2) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-section (1), such officer may,

before such person leaves the polling station, arrest or direct a police officer to arrest such person and may search such person or cause him to be searched by a police officer:

Provided that when it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to decency.

(3) Any ballot paper found upon the person arrested on search shall be made over for safe custody to a police officer by the presiding officer, or when the search is made by a police officer , shall be kept by such officer in safe custody.

(4) An offence punishable under sub-section (1) shall be cognizable.

33. Other offences and penalties thereof.- (1) A person shall be guilty of an offence if at any election, he,-

(a) fraudulently defaces, or fraudulently destroys any nomination paper; or

(b) fraudulently defaces, destroys or removes any list, notice or other documents affixed by or under the authority of a returning officer; or

(c) fraudulently defaces, or fraudulently destroys any ballot paper or the official mark on any ballot paper; or

(d) without due authority supplies any ballot paper to any person or receives any ballot paper from any person or is in possession of any ballot paper; or

(e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorised by law to put in; or

(f) without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot papers then in use for the purposes of the election; or

(g) fraudulently or without due authority, as the case may be, attempts to do any of the forgoing acts or willfully aids or abets the doing of any such acts.

(2) Any person guilty of an offence under this section shall,-

(a) if he is a returning officer or presiding officer of a polling station or any other officer or clerk employed on official duty in connection with the election, on conviction, be punished with imprisonment for a term which may extend to two years or with fine or with both;

(b) if he is any other person, on conviction, be punished with imprisonment for a term which may extend to six months or with fine or with both.

(3) For the purpose of this section, a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election including the counting of votes or to be responsible after an election for the used ballot papers and other documents in connection with such election, but the expression “official duty” shall not include any duty imposed otherwise than by or under this Act in connection with such election.

(4) An offence punishable under clause (b) of sub-section (2) shall be cognizable.

34. Promotion of enemity between classes in connection with election.- Any person who in connection with an election under this Act, promotes or attempts to promote on grounds of religion, race, caste, community or language, feelings of enemity or hatred between different classes of the citizens of India shall, on conviction, be punished with imprisonment for a term which may extend to three years, or with fine or with both.

35. Prohibition of pubic meetings on the day preceding the election day and on the election day.- (1) No person shall convene, hold or attend any public meeting, within any

polling area within forty-eight hours before the commencement of the poll or on the date or dates on which poll is taken for an election in that polling area.

(2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with fine which may extend to two hundred and fifty rupees.

36. Powers of Deputy Commissioner to prohibit fairs etc., on election day.- The Deputy Commissioner may, in order to ensure free and fair election, prohibit any fair (including cattle fair) or shandies in a panchayat area on the day of election to the Grama Panchayat of such area.

37. Disturbance at election meetings.- (1) Any person who at a public meeting held in connection with an election under this Act, acts or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called shall, on conviction, be punished with fine which may extend to five hundred rupees.

(2) If any police officer reasonably suspects any person of committing an offence under sub-section (1), he may, if requested so to do by the Chairman of the meeting require that person to declare to him immediately his name and address, and if that person refuses or fails to so declare his name and address or if the police officer reasonably suspects him of giving a false name or address, the police officer may arrest him without warrant.

38. Restrictions on the printing of pamphlets, posters, etc.- (1) No person shall print or publish, or cause to be printed or published any election pamphlet or poster which does not bear on its face the names and addresses of the printer and the publisher thereof.

(2) No person shall print or cause to be printed any election pamphlet or poster,-

(a) unless a declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known is delivered by him to the printer in duplicate; and

(b) unless within a reasonable time after the printing of the documents, one copy of the declaration is sent by the printer, together with one copy of the document to the District Magistrate.

(3) For the purposes of this section,-

(a) any process for multiplying copies of a document other than copying it by hand, shall be deemed to be printing and the expression ‘printer’ shall be construed accordingly; and

(b) election pamphlets or posters means any printed pamphlet, hand bill or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates or any placard or poster having reference to an election but does not include any hand bill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instructions to election agents or workers.

(4) Any person who contravenes any of the provisions of sub-section (1) or sub-section (2) shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

39. Penalty for illegal hiring or procuring of conveyance at election.- If any person is guilty of any such corrupt practice as is specified in clause (vi) of section 22 at or in connection with an election, he shall, on conviction, be punished with fine which may extend to five hundred rupees.

40. Prosecution in certain offences.- No court shall take cognizance of an offence punishable under clause (a) of sub-section (2) of section 33 unless there is a complaint made by an order of or under authority from the Deputy Commissioner.

41. Term of office.- The members of a Grama Panchayat shall save as otherwise provided in this Act, hold office for a term of five years.

42. Commencement of term of office.- (1) The term of office of the members elected at a general election or at a second election held under sub-section (6) of section 5, shall commence on the date appointed for the first meeting of the Grama Panchayat.

(2) The term of office of a member elected under section 5 to fill a casual vacancy shall commence on the date of publication of his name under sub-section (8) of section 5.

43. Resignation of member.- A member of a Grama Panchayat may resign his membership in writing under his hand addressed to the Adhyaksha and his seat shall become vacant on the expiry of fifteen days from the date of the receipt of such resignation, unless within the said period of fifteen days he withdraws such resignation by writing under his hand addressed to the Adhyaksha. [1][The Adhyaksha shall cause the letter of resignation to be placed in the next meeting of the Grama Panchayat.][1]

1. Inserted by Act 29 1997 w.e.f. 20.10.1997.

[2.1][**43A. Removal of members.–** (1) The Government [3][or an Authority authorised by the Government][3] if it thinks fit, on the recommendation of the Gram Panchayat, or otherwise, may remove any member after giving him an opportunity of being heard and after such enquiry as it deems necessary, **–**

(i) if he has been guilty of misconduct in the discharge of duties or of any disgraceful conduct;

(ii) become incapable of performing duties as a member, or persistently remiss in performing duties;
(a) on being medically unfit to hold the post as may be certified by the district surgeon;
(b) as a result of insolvency or of unsound mind,

(iii) has failed to attend four consecutive meetings of the panchayat, and in the case of an Adhyaksha or Upadhyaksha, failed to convene two consecutive meetings which were either due or were necessary; or
[3][Provided that where an application is made by a member to the Grama Panchayat for leave to absent himself and Grama panchayat fails to inform the applicant of its decision on the application within a period of seven days from the date of the application, the leave applied for shall be deemed to have been granted by the Grama Panchayat.; and][3]

(iv) if the member, by coercion or fraud entice any voter or member of Gram Panchayat or Taluk Panchayat or Zilla Panchayatas as the case may be to trade the post of member or Adhyaksha or Upadhyaksha of Gram Panchayat or Taluk Panchayat or Zilla Panchayat, as the case may be, during election for a consideration.

(v) in the execution of any work of the panchayat, contractual or otherwise found involved directly with any person who is a nearest relative in the family or otherwise associated in any transaction related to such work as a partner, employee or a member on the Committee of such organisation, or otherwise.

[3][(vi) if a former Adhyaksha or Upadhyaksha or member of Grama Panchayat has been accused and proved guilty for misconduct or misappropriation in an Inquiry.][3]

Explanation: For the purpose of this section, nearest relative in the family means, -
(a) the wife or husband of a person residing with her or him;
(b)son or daughter or step-son or step-daughter;

(c) any other person related, whether by blood or marriage who is wholly dependent on such person;

(2) An Adhyaksha or Upadhyaksha or member so removed shall cease to function as such member and shall be disqualified from contesting election as provided in sections 12 of the Act to any panchayat for the next six years".

43B. Members to declare assets and liabilities.– (1) Every member shall within three months from the date of commencement of his term of office and until the expiry of his term in every calendar year, and within one month of the end of the financial year, file a declaration of the movable and immovable assets and liabilities of more than two lakhs owned by him and by all the members of his joint family in the form as may be prescribed before the state election commission through the panchayat development officer of concerned Gram Panchayat:

Provided that, where the term of a member commences before two months of the end of the financial year such member may file his declaration within two months after the commencement of the following financial year.

(2) the panchayat development officer of the concerned panchayat shall receive the declarations filed by all the members and forward them to the state election commission in the first week of May of that year and, in the case of late submissions, in the first week of July of the year, with a statement of members who have filed and who have not filed the declaration.

(3) a member, who after filing a declaration under sub-section (1), acquires or disposes of any property or incurs any liability shall file a declaration to that effect before the state election commission through the panchayat development officer of the panchayat, within forty-five days from the date of such acquisition or disposal, as the case may be, and the panchayat development officer shall follow the same procedure as in sub-section (1).

(4) if the member does not file the declaration within the time without reasonable cause or the declaration is found to be false, shall be deemed to have committed guilty of misconduct and the state election commission shall after giving an opportunity of hearing, remove him from membership and declare his seat vacant.][1][2]

1. Inserted by Act 29 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

3. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020

44. Election of Adhyaksha and Upadhyaksha.- (1) Every Grama Panchayat shall, [1][within one month from the date of publication of names of elected members under sub-section (8) of section 5][1], [2][or immediately before the expiry of term of office of Adhyaksha and Upadhyksha][2] choose two members of the Grama Panchayat to be respectively Adhyaksha and Upadhyaksha. In the event of occurrence of any vacancy by reason of death, resignation, removal or otherwise in the office of Adhyaksha or Upadhyaksha, the Grama Panchayat shall choose another member to be the Adhyaksha or the Upadhyaksha, as the case may be.

1. Substituted by Act 29 1997 w.e.f. 20.10.1997.

2. Inserted by Act 8 of 2000 w.e.f. 3.4.2000.

(2) Subject to the general or special order of the [1][State Election Commission][1], the Deputy Commissioner shall reserve,-

1. Substituted by Act 29 1997 w.e.f. 20.10.1997.

(a) such number of offices of Adhyakshas and Upadhyakshas of Grama Panchayats in the State for the Scheduled Castes and Scheduled Tribes and the number of such offices bearing as nearly as may be the same proportion to the total number of the offices in the

State as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State:

[1][Proviso x x x][1]

[2][Provided that, if no person belonging to the scheduled caste is available, the seats reserved for that category, shall also be filled by the persons belonging to the scheduled tribes and vice-versa][2]

1. Omitted by Act 10 of 1995 w.e.f 13.1.1995.

2. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

(b) such number of offices of Adhyakshas and Upadhyakshas of the Grama Panchayats, which shall as nearly as may be, one-third of the total number of offices of Adhyaksha and Upadhyaksha in the State for the persons belonging to the Backward Classes: [2][But the number of offices of Adhyakshas and Upadhyakshas reserved for the Backward Classes under this clause shall be so determined, that the total number of offices of Adhyaksha and Upadhyaksha reserved for the Scheduled Castes and the Scheduled Tribes under clause (a) and the Backward Classes under this clause shall not exceed fifty per cent of the total number of offices of Adhyaksha and Upadhyaksha of the Grama Panchayaths in the State.][2]

[1][Provided that out of the offices reserved under this clause eighty per cent of the total number of such offices shall be reserved for the persons falling under category 'A' and the remaining twenty per cent of the offices shall be reserved for the persons falling under category 'B':

1. Inserted by Act 10 of 1995 w.e.f 13.1.1995.

2. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.

Provided further that if no person falling under category 'A' is available, the offices reserved for that category shall also be filled by the persons falling under category 'B' and *Vice versa*.][1]

(c) not less than [1][fifty percent][1] of the total number of offices of Adhyaksha and Upadhyaksha of Grama Panchayats in the State from each of the categories which are reserved for persons belonging to the Scheduled Castes, Scheduled Tribe and Backward Classes and of those which are non-reserved, for women [2][Subject to an overall limit of one half of the total number rounding of to the next number][2];

Provided that the offices reserved under this sub-section shall be allotted by rotation to different Grama Panchayats.

[3][Provided further that the duration of the offices reserved under this sub-section shall be thirty months.][3]

***Explanation*.-** For the removal of doubts it is hereby declared that the principle of rotation for purpose of reservation of offices under this section shall commence from the first election to be held after the commencement of the Karnataka Panchayat Raj Act, 1993.

1. Substituted by Act 24 of 2010 w.e.f 23.7.2010.

2. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

3. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

45. Procedure for election of Adhyaksha and Upadhyaksha on the establishment of Grama Panchayat etc,.- [1][(1) The prescribed officer shall after every general election of members of a Grama Panchayat or on its constitution, reconstitution or establishment under

this Act and in any case within one month from the date of publication of names of the elected members under sub-section (8) of section 5, [2][and immediately before the expiry of term of office of Adhyaksha and Upadhyaksha][2] and so often as there arises any casual vacancy in the office of the Adhyaksha or Upadhyaksha, call for a meeting of the Grama Panchayat and preside over it, without right to vote, and in such meeting the Adhyaksha or the Upadhyaksha or both, as the case may be, shall be elected.][1]

1. Substituted by Act 29 of 1997 w.e.f 20.10.1997

2. Inserted by Act 8 of 2000 w.e.f. 3.4.2000..

(2) Any dispute relating to the validity of election of a Adhyaksha and Upadhyaksha of Grama Panchayat under this Act shall be decided by [1][the designated court][1] having jurisdiction over the panchayat area or the major portion of the panchayat area, whose decision thereon shall be final.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

46. Term of office and conditions of service of Adhyaksha and Upadhyaksha.- [1][(1) The term of office of every Adhyaksha and every Upadhyaksha of the Grama Panchayat shall, save as otherwise provided in this Act, be [2][[3][thirty months][3]][2] from the date of his election or till he ceases to be a member Grama Panchayat, whichever is earlier.][1]

1. Substituted by Act 8 of 2000 w.e.f 3.4.2000.

2. Substituted by Act 17 of 2015 w.e.f. 30.04.2015

3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

(2) Salary and other conditions of service of Adhyaksha and [1][Upadhyaksha and chairman standing committee][1] shall be as prescribed.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

47. Appointment of Adhyaksha during vacancy in the office.- During a vacancy in the office of the Adhyaksha of the Grama Panchayat, the Upadhyaksha and when there is no Upadhyaksha, [1][the Chairman of the standing committee for social justice of the concerned Gram Panchayat and if there is no such chairman][1] an officer appointed by the Deputy Commissioner shall exercise the powers and perform the duties of the Adhyaksha until an Adhyaksha is duly elected.

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

48. Resignation or removal of Adhyaksha and Upadhyaksha.- (1) The Adhyaksha of the Grama Panchayat may resign his office by writing under his hand addressed to the Assistant Commissioner and the Upadhyaksha of the Grama Panchayat may resign his office by writing under his hand addressed to the Adhyaksha and in absence of the Adhyaksha to the Assistant Commissioner.

[4][Provided that Adhyaksha or Upadhyaksha of a Gram Panchayat shall,-

(i) on the grounds of proven physical or mental incapacity certified by a competent authority approved by the State Election Commission; or;

(ii) on the grounds of securing employment in central Government or State Government or public undertakings;

-resign his office or membership, or be liable for removal.][4]

[3][Provided further that the Assistant Commissioner shall enquire into the cause of resignation and satisfy that resignation has not been submitted under threat, coercion, undue influence and allurement and is submitted voluntarily;

[5][XXX][5][3]

(2) Every Adhyaksha or Upadhyaksha of the Grama Panchayat shall vacate his office if he ceases to be a member of the Grama Panchayat.

(3) Every resignation under sub-section (1) shall take effect on the expiry of ten days from the date of its receipt by the Assistant Commissioner or the Adhyaksha, as the case may be, unless within the period of ten days he withdraws such resignation by writing under his hand addressed to the Assistant Commissioner or the Adhyaksha, as the case may be.

(4) Every Adhyaksha and Upadhyaksha of Grama Panchayat shall, after an opportunity is afforded for hearing him, [2][and if necessary after obtaining a report from the Taluk Panchayat and considering the same][2] be removable from his office as Adhyaksha or Upadhyaksha by the [1][Government][1] [6][or an authority authorised by the Government][6] for being persistently remiss [1][or guilty of misconduct][1] in the discharge of his duties and an Adhyaksha or Upadhyaksha so removed who does not cease to be a member under sub-section (2) shall not be eligible for re-election as Adhyaksha or Upadhyaksha during the remaining term of office as member of such Grama Panchayat.

(5) An Adhyaksha or Upadhyaksha removed from his office under sub-section (4) may also be removed by the [1][Government][1] from the membership of the Grama Panchayat.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
3. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.
4. Substituted by Act 37 of 2017 w.e.f.12.07.2017.
5. Deemed to have been omitted by Act 49 of 2020 w.e.f. 31.03.2020.
6. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

49. Motion of no-confidence against Adhyaksha or Upadhyaksha of Grama Panchayat.- [2][(1)][2]Every Adhyaksha or Upadhyaksha of Grama Panchayat shall forthwith be deemed to have vacated his office if a resolution expressing want of confidence in him is passed by a majority of not less than two thirds of the total number of members of the Grama Panchayat at a meeting specially convened for the purpose in accordance with the procedure as may be prescribed:

Provided that no such resolution shall be moved unless notice of the resolution is signed by not less than [3][one-half][3] of the total number of members and at least ten days notice has been given of the intention to move the resolution:

[1][Provided further that no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved [3][within the first [4][fifteen months][4]][3] from the date of his election:

Provided also that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negatived by a Grama Panchayat a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, [3][[4][six months][4]][3] from the date of the decision of the Grama Panchayat.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Renumbered as sub section 1 by Act No 44 of 2015 w.e.f 25.02.2016.
3. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
4. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

[2][1][2.XXX][1][2]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

2. Deemed to have been omitted by Act 49 of 2020 w.e.f. 31.03.2020.

50. Procedure at meetings.- The procedure at a meeting of the Grama Panchayat shall be as prescribed.

51. Casual vacancies.- A casual vacancy in the office of the Adhyaksha or Upadhyaksha or member of the Grama Panchayat shall be filled by election of an Adhyaksha or Upadhyaksha or member who shall hold office so long as the Adhyaksha, Upadhyaksha or member in whose place he has been elected would have held office if the vacancy had not occurred.

52. Meeting of the Grama Panchayat.- (1) A Grama Panchayat shall meet for the transaction of business at least [1][once in a month][1] at the office of the Grama Panchayat and at such time as the Adhyaksha may determine.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

(2) The Adhyaksha may, whenever he thinks fit, and shall, upon the written request of not less than one-third of the total number of members and on a date within fifteen days from the receipt of such request, call a special meeting.

(3) Seven clear days notice of an ordinary meting and three clear days notice of a special meeting specifying the place, date and time of such meeting and the business to be transacted thereat, shall be given by the Secretary of the Grama Panchayat to the members and such officers as the Government may prescribe, and affixed on the notice board of the Grama Panchayat.

(4) The officers to whom notice is given under sub-section (3) and other Government officers having jurisdiction over the panchayat area or any part thereof shall [1][attend every meeting of the Grama Panchayat and take part in the proceedings][1] but shall not be entitled to vote.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

(5) If the Adhyaksha fails to call a special meeting as provided in sub-section (2) , the Upadhyaksha or one third of the total number of members may call such meeting for a day not more than fifteen days after the presentation of such request and require the Secretary of the Grama Panchayat to give notice to the members and to take such action as may be necessary to convene the meeting.

[1][**Explanation**:- for the purpose of this section, an ordinary or special meeting includes an extended meeting of such ordinary or special meeting as the case may be.

(6) every meeting may be allowed to be telecasted if in the opinion of the panchayat the proceeding of a such Gram Panchayat be telecasted][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

53. Quorum and procedure.- (1) The quorum for a meting of the Grama Panchayat shall be [1][one-half][1] of the total number of members. If at the time appointed for the meeting a quorum is not present the presiding authority shall wait for thirty minutes, and if within such period there is no quorum, the presiding authority shall adjourn the meeting to such time on the following day or such future day as he may fix. He shall similarly after waiting for thirty minutes adjourn the meeting if at any time after it has begun attention is drawn to the want of a quorum . A notice of the meeting so fixed shall be pasted in the office of the Grama

Panchayat. The business which could not be considered at the meeting so postponed for want of quorum, shall be brought before and disposed of at the meeting so fixed or at any subsequent adjourned meeting at which there is a quorum.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

[2][1][Provided that in any meeting called for the purpose of election of Adhyaksha or Upadhyaksha, if there is no quorum at the time appointed for the meeting, the presiding authority shall wait for thirty minutes and if within such time there is no quorum, he/she shall adjourn the meeting to such time on the following working day which is not a public holiday and if there be no quorum even on the second adjourned day, election shall be conducted for which no quorum is necessary][1]][2]

1. Inserted by Act 17 of 1996 w.e.f. 23.9.1996.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) Save as otherwise provided by or under this Act, at every meeting of Grama Panchayat, the Adhyaksha or in his absence the Upadhyaksha shall preside, and in the absence of both, the members present shall choose one from amongst themselves to preside for the occasion.

(3) All questions shall, unless otherwise specifically provided, be decided by a majority of votes of the members present and voting. The Adhyaksha or Upadhyaksha or person presiding, as the case may be, unless he refrains from voting shall give his vote before declaring the number of votes for and against a question and in the case of equality of votes he may give his casting vote.

(4) No member of a Grama Panchayat shall vote on, or take part in the discussion of any question coming up for consideration at a meeting of a Grama Panchayat, if the question is one in which apart from its general application to the public, he has any pecuniary interest, and if the person presiding has such an interest, he shall not preside over the meeting when such question comes up for consideration.

[1][(4A) It shall be the duty of every member of a Grama Panchayat to disclose to the Grama Panchayat any pecuniary interest that he has, direct or indirect, in any question coming up for consideration at a meeting of a Grama Panchayat][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(5) If the person presiding is believed by any member present at the meeting to have any such pecuniary interest in any matter under discussion and if a motion to that effect be carried he shall not preside at the meeting during such discussion or vote on or take part in it . Any member of the Grama Panchayat may be chosen to preside at the meeting during the continuance of such discussion.

[1][(6) Every member of Grama Panchayat or any committee thereof shall be paid a sitting fee, per day of sitting at such rate, as may be prescribed.][1]

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

54. Modification or cancellation of resolution.- No resolution of a Grama Panchayat shall be modified or cancelled within six months after the passing thereof, except by a resolution passed by not less than one-half of he total number of members at an ordinary or special meeting, notice whereof shall have been given fulfilling the requirement of sub-section (3) of section 52 setting forth fully the resolution which it is proposed to modify or cancel at such meeting and the motion or proposition for the modification or cancellation of such resolution.

55. Minutes.- (1) Minutes shall be kept of the names of the members and of the officers, if any present and of the proceedings at each meeting of the Grama Panchayat and if any member present at the meeting so desires, of the names of the members voting respectively for or against any resolution in a book to be provided for the purpose and after they are read over and agreed to shall be signed by the Adhyaksha or Upadhyaksha or person presiding at such meetings, and shall at all reasonable times be open to inspection by any member of the Grama Panchayat. Any person may inspect the copy of the minutes of the meeting. The minute book shall always be kept in the office of the Grama Panchayat and shall be in the custody of the Secretary of the Grama Panchayat. [1][A copy of the proceedings shall be displayed within three days from the date of the meeting on the notice board of the Grama Panchayat along with the details of the names of the members voting respectively for or against the resolutions passed in the meetings.][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(2) A copy of every resolution passed by the Grama Panchayat shall within ten days from the date of meeting be forwarded by the Secretary to the Executive Officer [1][and copies of the minutes of the meeting shall be furnished to all members.][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

56. Interpellations and resolutions.- (1) Any member may call the attention of the Adhyaksha to any neglect in the execution of the Grama Panchayat work, to any waste of Grama Panchayat property or to the wants of any locality and may suggest any improvements which may appear desirable.

(2) Every member shall have a right to move resolution and to interpellate the Adhyaksha on matters connected with the administration of the Grama Panchayat, subject to such rules as may be prescribed.

57. Validity of proceedings.- (1) No disqualification of or defect in the election or appointment of any person acting as member or as the Adhyaksha of the Grama Panchayat or the Chairman or member of the committee of the Grama Panchayat constituted under this Act shall be deemed to vitiate any act or proceeding of the Grama Panchayat or any such committee as the case may be, in which such person has taken part whenever the majority who were parties to such act or proceeding were entitled to act.

[1][Provided that the executive officer of Taluk Panchayat concerned shall decide as to whether any resolution passed by the Gram Panchayat is in contravention of the provisions of the Act or the rules made thereunder and submit such resolution to the Adhyaksha of Taluk Panchayat to take action under section 237 of the Act][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) No resolution of a Grama Panchayat or of any committees of a Grama Panchayat constituted under this Act shall be deemed invalid on account of any irregularity in the service of notice upon any member, provided that the proceedings of the Grama Panchayat or committee were not prejudicially affected by such irregularity.

(3) Until the contrary is proved, every meeting of a Grama Panchayat or of the committee of a Grama Panchayat constituted under this Act in respect of proceedings whereof a minute has been made and signed in accordance with this Act, shall be deemed to have been duly convened and held and all the members of the meeting shall be deemed to have been duly qualified and where the proceedings are the proceedings of a committee, such committee shall be deemed to have been duly constituted and to have had the power to deal with matters referred to in the minute.

(4) During any vacancy in a Grama Panchayat or Committee of a Grama Panchayat, the continuing members may act as if no vacancy had occurred.

CHAPTER IV

FUNCTIONS, DUTIES AND POWERS OF GRAMA PANCHAYAT, ADHYAKSHA AND UPADHYAKSHA

58. Functions of Grama Panchayat.- [1][(1) The Grama Panchayat shall perform the functions specified in Schedule I:

1. Section 1 and 1A substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that where the State Government or Central Government provide funds for the performance of any function specified in Schedule I, the Grama Panchayat shall perform such function in accordance with the guidelines or norms laid down for performing such function.

(1A) Notwithstanding anything contained in sub-section (1) and Schedule I, it shall be obligatory on the part of a Grama Panchayat in so far as the Grama Panchayat fund at its disposal will allow, to make reasonable provision within the panchayat area in regard to the following matters, namely:-

(i) providing sanitary latrines to not less than ten per cent of the households every year and achieve full coverage as early as possible;

[2][(i-a) providing sanitary latrines to all new house constructed every year"; and][2]

(ii) constructing adequate number of community latrines for the use of men and women and maintaining them;

(iii) maintaining water supply works either on its own or by annual contract by generating adequate resources;

(iv) revising and collecting taxes, rates and fees periodically which are leviable under the Act;

(v) ensuring universal enrollment of children in primary school;

(vi) achieving universal immunisation of children;

(vii) ensuring prompt registration and reporting of births and deaths;

(viii) providing sanitation and proper drainage;

(ix) construction, repair and maintenance of public streets;

(x) removing encroachments on public streets or public places;

(xi) providing adequate number of street lights and paying electricity charges regularly;

(xii) filling-up insanitary depressions and reclaiming unhealthy localities;

(xiii) destruction of rabid [3][and to conduct animal birth control measures to control the number of street dogs, ownerless dogs][3]

(xiv) maintenance of all community assets vested in it;

(xv) maintenance of records relating to population census crop census, cattle census, census of unemployed persons and persons below poverty line;

(xvi) earmarking places away from the dwelling houses for dumping refuse and manure.][1]

[1][(xvii) protecting the biodiversity][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

(2) The Grama Panchayat may also make provision for carrying out within the panchayat area any other work or measure which is likely to promote the health, safety, education, comfort, convenience or social or economic well being of the inhabitants of the panchayat area.

(3) The Grama Panchayat may, by a resolution, passed at its meeting and supported by two-thirds of its total number of members [1][x x x][1]

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

(a) make provision for or make contribution towards, any exhibition, conference or seminar within or outside the panchayat area but within the district; or

(b) make contribution to any medical, educational or charitable institutions or any other institutions of public utility, within the panchayat area which are registered under the Karnataka Societies Registration Act, 1961, Karnataka Co-operative Societies Act, 1959 or under any other law for the time being in force.

[1][(4) The Gram Panchayat shall be an institution of local self Government and the state shall, subject to availability of funds, endow the Gram Panchayat with the powers, authority, functions, functionaries and funds as may be necessary to enable them to function as institutions of local self-Government.

(5) It shall be the duty of every Gram Panchayat, to meet the needs of people of the panchayat area and shall have powers to administer the matters enumerated in schedule I and also as elaborated in the responsibility map in respect of Gram Panchayats and to prepare and implement schemes for economic, social, cultural development for the realisation of social justice for all, subject to the availability of the Gram Panchayat fund at its disposal to make reasonable provision within the panchayat area in regard to the following matters, namely: –

(i) to ensure an environment that is safe and congenial for all citizens to exercise their rights in an atmosphere of freedom and liberty and to act on measures suggested by the respective Habitation sabha, Ward Sabha and Gram Sabhas to protect its people against every form of abuse and exploitation;

(ii) to act against hazards identified by the Habitation Sabha, ward Sabha and Gram Sabhas and to implement measures for the safety, security and freedom of all person residing in the panchayat;

(iii) to protect the rights and interests of the disenfranchised and the people belonging to the vulnerable sections of society and also to monitor and prevent practices that tend to violate their rights and to take all measures at their command to safeguard the dignity and freedom of the individual;

(iv) to make efforts to prevent the economic, social, religious or sexual exploitation of any citizen of the panchayat by any individual or group or establishment;

(v) to promote communal harmony and unity among all groups of people.

(vi) to ensure that all functions, meetings and dealings of the Gram Panchayat including meetings of the habitation sabha, ward Sabha and Gram Sabhas are held in an environment that is congenial for the free and active participation of women and the weaker sections and to maintain an environment that is conducive to the participation of women, the scheduled castes and scheduled tribes and the backward classes in every office of a panchayat;

(vii) to identify the capacity building needs of the elected members and the staff of the panchayat, identify appropriate resource persons and ensure that their capacity is strengthened if necessary with the assistance of the Taluk and zilla panchayat;

(viii) to ensure that the office of all Panchayats and public buildings under its management and control have ramps for the physically disabled;

(ix) to provide for a baby care centre or crèche in the building or complex within the panchayat area as may be required;

(x) to organise and promote cultural festivals, literary activities and sports meets to nurture and promote physical education and the art and culture of the area and give expression to the talents of the people of the panchayat and to equip them with the skills to manage the affairs of the panchayat in accordance with the Act and rules;

(xi) to promote programmes of adult education, de-addiction and family counseling within the panchayat area;

(xii) to promote scientific processing of cowdung pits and agricultural waste;

(xiii) to spread awareness on issues of water conservation, preservation of natural habitat and recycling of bio degradable waste;

(xiv) to promote economic development of all with a special focus on women, youth, scheduled castes and scheduled tribes, backward classes and weaker sections through the promotion of agriculture, village industries, small enterprises and cooperatives;

(xv) to promote cooperation among residents and all co-operatives in the area with a view to enabling economic development and social harmony;

(xvi) to facilitate the formation of self-help groups for the social and economic advancement of women, farmers and labourers.

(xvii) to report the concerned authorities regarding money-lending activities which are in violation of the usurious loans Act and money lending Act to the concerned authorities so as to prevent the exploitation of people in the Panchayat area;

(xviii) to plan and design systems for knowledge management and the maintenance of all records including those related to caste wise population census, crop census, cattle census, census of unemployed persons and persons below poverty line;

(xix) to be a “front office” for all official requirements of the residents of Grama Panchayat and attend to their needs either through addressing them if within the purview of the Gram Panchayat or to follow up with other panchayats or Government agencies;

(xx) to take steps for disposal of carcasses; and

(xxi) to protect and nurture the bio-diversity of the area;

(6) (i) with the assistance of the habitation sabha, ward sabha and Gram Sabhas, the Gram Panchayat shall once in five years collate the plans of the Gram Sabhas reflecting the needs of all residents and the requirements for the development of their areas in order to compile and draw up a forward looking plan called the vision plan;

(ii) in order to determine the priority of the economic, social, cultural and environmental development programmes and schemes to be implemented in the area of the Gram Panchayat, the Gram Panchayat shall collate all the plans approved by the Gram Sabhas taking into account the interests of every group constituting the Gram Panchayat for inclusion in the vision plan and the annual development plans of the Gram Panchayat and this plan shall be placed before the Gram Sabha and forward to the taluk planning and development committee (TPDC) with a copy to the Taluk Panchayat;

(iii) the Gram Panchayat shall also make provisions for carrying out any other work or programme or take such measures to promote the health, safety, education, comfort, convenience or social or economic well-being of the inhabitants and for the protection of the environment within the panchayat area.

(iv) subject to availability of funds and guidelines issued by the Government, plans approved by the Gram Sabhas shall be considered by the Gram Panchayat;

(v) to ensure that the priority of economic, social, cultural and environmental development programmes and schemes to be implemented in the area are based on the “priority ranking” method, the Gram Panchayat shall take into consideration and give due weightage to backwardness of the area, urgency of need of the people within the area, level of impact and coverage.

(7) subject to availability of funds, the entrustment of every function to the Grama Panchayat shall result in the vesting of the respective functionaries and funds in the Grama Panchayat][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[1]**[58A.- Duties of Grama Panchayat to report regarding Bonded Labour System etc.-** It shall be obligatory on the part of a Grama Panchayat to report in such form and at such intervals as may be prescribed to the Deputy Commissioner or to any other authority specified by the Government in this behalf, any case of enforcement of Bonded Labour System which stood abolished under the Bonded Labour System (Abolition) Act, 1976 (Central Act 19 of 1976) in the Panchayat Area failing which it shall be construed as a default in the performance of duties imposed on it for the purpose of section 268.][1]

1. Inserted by Act 30 of 2001 w.e.f. 13.9.2001.

[1][**58B. Duty of Gram Panchayat to prevent traditional, social and religious practices that denigrate human dignity.–** It shall be the duty of every panchayat, -

(i) to ensure that no traditional or any social and religious practice are performed in the villages that denigrate the rights, dignity and freedom of individuals especially of women, persons belonging to scheduled castes and the scheduled tribes and the weaker sections;

(ii) to report the practice of un-touchability, social boycotts and other types of social exclusions to the concerned authority;

58C. Duty of Gram Panchayat to prevent sexual harassment of women.– It shall be the duty of Gram Panchayat to report to the concerned authorities, sexual harassment of women in work places, educational institutions and at other public places within the panchayat area.

58D. Duty to recover possession of encroached property of Gram Panchayat other than Revenue Land.– Every Gram Panchayat shall take necessary steps with the concerned authorities to take possession of encroached Gram Panchayat property other than revenue lands encroached either by individuals or by organization or organizations.

58E. Duty to maintain hygiene.– Every Gram Panchayat shall take steps to,-

(a) maintain hygiene in the panchayat area and for that purpose it shall inspect and regulate the activities of individuals or establishments that are engaged in the catering of food, water and other consumables within the panchayat area.

(b) provide clean environment free from open defecation and garbage.

58F. Dangerous quarrying, bore wells, open wells and ponds.– It shall be the duty of every Gram Panchayat to report acts of quarrying, drilling bore wells, excavating open wells or ponds as to prevent nuisance or danger to the inhabitants and to take steps together with the appropriate Government departments][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

59. Assignment of functions.- (1) The Government may, by notification and subject to such conditions as may be specified therein,-

(a) transfer to any Grama Panchayat the management and maintenance of a forest situated in the panchayat area;

(b) make over to the Grama Panchayat the Management of waste lands, pasture lands or vacant lands belonging to the Government situated within the panchayat area;

(c) entrust the Grama Panchayat with the collection of land revenue on behalf of the Government and the maintenance of such records as are connected therewith;

(d) entrust such other functions as may be prescribed:

Provided that no entrustment under clause (c) shall be made without the concurrence of the Grama Panchayat concerned:

Provided further that when any transfer of the management and maintenance of a forest is made under clause (a) the Government shall direct that any amount required for such management and maintenance or an adequate portion of the income from such forest be placed at the disposal of the Grama Panchayat.

(2) The Government may, by notification, withdraw or modify the functions assigned under this section.

60. General powers of the Grama Panchayat.- Grama Panchayat shall have powers to do all acts necessary for or incidental to the carrying out of the functions entrusted, assigned or delegated to it and in particular and without prejudice to the forgoing powers, to exercise all powers specified under this Act.

[1][**60A. Mode of making contracts, –** (1) every contract or agreement entered into on behalf of the Gram Panchayat for execution of works or for supply of goods or services shall be in accordance with the provisions of this section and the Karnataka transparency in public procurement Act . 1999.

(2) The panchayat development officer shall execute the contract or agreements on behalf of the Gram Panchayat in respect of matters which he is empowered to carry out under the provisions of any law for the time being in force and such contract or agreement shall be executed up to such amount of value of the contract or agreement as may be prescribed by the government from time to time.

60B. Community contracts.– Notwithstanding anything contained in any other law for the time being in force, the Gram Panchayat may, on the recommendation of gram sabha award any contract for execution of any work or works of the panchayat or to supply any goods or services to any group of residents who have come together as self help group of beneficiaries within panchayat area who have contributed not less than ten percent of the value of work executed by the Gram Panchayat, to undertake and execute the works up to twenty lakhs at rates fixed by the government as a first choice][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][**61. Standing committees.–** (1) Every Gram Panchayat shall have the following standing committees constituted from among members by election, namely: **–**

(i) General standing committee to perform functions relating to agricultural production, animal husbandry and rural industries and poverty alleviation programmes, education, public works and other functions of the Gram Panchayats, supervision of public works for investigation and reporting on complaints raised by the Gram Sabha about poor quality, pilferage and misappropriation of funds in the execution of works.

(ii) Finance, audit and planning standing committee to perform the functions relating to the finance of the Gram Panchayats, framing of budgets, scrutinizing proposals for increase of revenue examinations of receipts and expenditure statement, consideration of all proposals affecting the finances of the Gram Panchayats and general supervision of the revenue and expenditure of the Gram Panchayats and any other function relating to the development plan of the Gram Panchayat, information and statistics. Every Gram Panchayat shall collate and store the vision and annual plans, data related to the census, surveys conducted, PRAs and data concerning rural development, details of central and State Government schemes in progress, data relating to agricultural practices and other information of importance to farmers, data concerning physical infrastructure index and assets and resources relating the Panchayat raj system in general and Gram Panchayats in particular that shall assist the Gram Panchayat to fine tune their plans and budget outlays.

(iii) Social justice standing committee for; **–**

(a) promotion of educational, economic, social, cultural and other interest of the scheduled castes and scheduled tribes and backward classes, protection of such castes and classes from social injustice and any form of exploitation;

(b) Welfare of women and children. The social justice committee shall address women's concerns and issues such as the empowerment of women by achieving their social, cultural and economic development and to protect them against crimes of domestic violence, sexual harassment etc., within the Gram Panchayat. Functions of the social justice committee shall include tendering of advice to the panchayat on promoting gender friendly programs by ensuring adequate facilitations for women at schools, offices, factories, hospitals and other public places and go about their daily lives in freedom and dignity:

Provided that, the social justice committee shall consist of at least one member who is a women and one member from either the scheduled castes or scheduled tribes whichever has more number of elected members. The social justice committee shall elect one person among scheduled caste or scheduled tribe as the chairman of the committee.

(2) The committees mentioned in sub-section (1) shall have power to co-opt one or two computer technicians conversant with web designing and organisation and maintenance of electronic portals.

(3) The Adhyaksha of Gram Panchayat shall be the ex-officio chairman of the finance, audit and planning standing committee. The Upadhyaksha shall be the chairman of the general standing committee".

(4) Election of members of standing committee shall be held as soon as may be after the general election of members of Grama Panchayat or on its reconstitution or establishment under this Act or immediately before the expiry of term of office of the members of the Standing Committee.

(5) The term of office of every member of the Standing Committee shall, other than ex-officio chairman be thirty months from the date of the election or till he ceases to be a member of the Grama Panchayat, whichever is earlier.

(6) (a) Each Committee shall consist of not less than three and not more than five members including the Adhyaksha and Upadhyaksha, as the case may be.

(b) Each Committee shall be competent to co-opt in such manner as may be prescribed, members of farmers clubs, mahila mandals, yuvak mandals and other similar bodies recognized by the Government. A representative of co-operative societies in the panchayat area shall be co-opted to the Standing Committee. The rights and liabilities of the co-opted members shall be such as may be prescribed.

(7) The Standing Committees shall perform the functions referred to above to the extent the powers are delegated to them by the Grama Panchayat.][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[1]**[61A. Other committees.-** (1) A Grama Panchayat may appoint one or more committees consisting of such members as it may decide for any purpose other than those specified in section 61 and may invest the committee so appointed with such powers and functions as may be necessary or expedient for the fulfillment of the purpose for which it is appointed.

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) The committee appointed under sub-section (1) shall be competent to co-opt in such manner as may be prescribed such of the residents of the panchayat area.

(3) The procedure of the committee shall be such as may be prescribed.

[1]**[61B. x x x]**[1]]

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

62. Powers and duties of the Adhyaksha and Upadhyaksha.- (1) The Adhyaksha of the Grama Panchayat shall [1][be the executive head of the Grama Panchayat and he shall][1] in addition to the powers exercisable under any other provision of this Act or rules made thereunder,-

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(a) convene meetings of the Grama Panchayat;

(b) have access to the records of the Grama Panchayat [1][and may call for records and files, and pass orders thereon in accordance with the provisions in the Act, rules and other standing orders and in pursuance to resolution passed by the Grama Panchayat to that effect:

Provided that the Adhyaksha shall not call for the files and records which are directly related to the exercise of independent statutory powers by the Secretary or any other officer of the Grama Panchayat;][1] and

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(c) exercise supervision and control over the acts of the officers and employees of the Grama Panchayat [1][including the Secretary][1].

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(d) have power to place under suspension any officer or employee under the control of the Grama Panchayat where a disciplinary proceeding against him is contemplated or pending or where a case against him in respect of any criminal offence is under investigation or trial.][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(2) The Adhyaksha may, if in his opinion the immediate execution of any work or the doing of any act which requires the sanction of a committee or of the Grama Panchayat, is necessary in public interest convene a meeting for the purpose with a notice of twenty-four hours.

(3) The Upadhyaksha of the Grama Panchayat shall exercise the powers and perform the duties of the Adhyaksha when the Adhyaksha is absent, on leave or is incapacitated from functioning.

63. Power of Grama Panchayat as to roads, bridges etc.- All village roads and bridges thereon, cart tracks, drains, wells and other public places in the panchayat area not being private property and not being under the control or management of Zilla Panchayat, Taluk Panchayat, Municipal Council, [1][Town Panchayat, Industrial Township][1], or the Government shall vest in the Grama Panchayat and the Grama Panchayat may do all things necessary for the maintenance and repair thereof, and may,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(a) lay-out and make new roads;

(b) construct new bridges;

(c) widen, open, enlarge or otherwise improve any such roads or bridges;

(d) [1][xxx][1] divert, discontinue or close any road or bridge; and

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

(e) deepen or otherwise improve any water way:

[1][Provided that no road or bridge shall be diverted, discontinued or closed before the Grama Panchayat publishes its intention of doing so][1].

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

64. Regulation of the erection of buildings.- (1) Subject to such rules as may be prescribed, no person shall erect any building or alter or add to any existing building [4][or erect advertisement hoarding][4] [3][[2][XXX][3] or set up mobile towers atop or alongside or in any vacant space within the premises][2] or reconstruct any building without the written permission of the Grama Panchayat. The permission may be granted on payment of such fees as may be specified by bye-laws.

(2) If the Grama Panchayat does not, within sixty days from the receipt of the application determine whether such permission should be given or not and communicate its decision to the applicant, such permission shall be deemed to have been given and the applicant may proceed to execute the work, but not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act.

(3) Whenever any building is erected, added to or reconstructed without such permission or in any manner contrary to the rules prescribed under sub-section (1) or any conditions imposed by the permission granted, the Grama Panchayat may, whether any action is taken or not against such person under section 298,-

(a) direct that the building, alteration or addition be stopped; or

(b) by written notice require within a reasonable period to be specified therein , such building, alteration or addition to be altered or demolished as it may deem necessary for the promotion of public health or prevention of danger to life or property.

(4) In the event of non-compliance with the terms of any notice under clause (b) of sub-section (3) within the period specified in the notice, it shall be lawful for the Grama Panchayat to take such action as may be necessary for the completion of the act thereby required to be done, and all the expenses therein incurred by the Grama Panchayat shall be paid by the person or persons upon whom the notice was served and shall be recoverable as if it were a tax imposed under section 199.

(5) An appeal shall lie to the [1][Executive officer][1] from any order or direction or notice of the Grama Panchayat under sub-section (1), (2) or (3) and his decision on such appeal shall be final.

[2][(5A) Gram Panchayats shall strictly comply with the provisions of the Town and Country Planning Act, 1961 in the matter of issue of building license or approvals of housing or residential layouts. Any approval in violation of any of the provisions of the town and country planning Act, 1961 shall be construed as “misconduct” for which the concerned officer or official shall be liable for disciplinary action.][2]

(6) Any appeal under sub-section (5) pending before the Public Works and Amenities Committee of the Zilla Parishad shall on the date of commencement of the Karnataka Panchayat Raj Act, 1993 stand transferred to the Assistant Commissioner and such appeal shall be decided by him as if it had been filed before him.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

3. Omitted by Act 37 of 2017 w.e.f 12.07.2017.

4. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

65. Power of Government to prohibit and regulate the erection of buildings in certain areas without permission.- (1) Notwithstanding anything contained in section 65,

the Government may, in the interest of the general public and after consulting the Grama Panchayat concerned prohibit by notification the erection of any building within a specified area within the jurisdiction of a Grama Panchayat except with permission granted by the Government or any officer authorised by the Government in this behalf (hereinafter in this section referred to as the "authorised officer"):

Provided that such prohibition shall not be made in respect of the land which has been set apart as a building site by the Government or the Grama Panchayat prior to the date of such notification.

(2) Subject to the provisions of sub-section (3), the grant of any permission under sub-section (1) may be subjected to such conditions as may be imposed by the Government or the authorised officer in each case or specified generally.

(3) The Government may publish a development plan in respect of the area notified under sub-section (1) after following such procedure as may be prescribed, and on the publication of such plan, no building shall be erected or constructed in such area except in accordance with the specifications and conditions specified in such development plan.

(4) Whoever erects any building contrary to the provisions of sub-section (2) or (3) shall, on conviction, be punished with fine which may extend to five hundred rupees.

(5) The Government or the authorised officer, as the case may be, may demolish any building erected contrary to the provisions of sub-section (1) or (3) or in violation of the conditions imposed under sub-section (2).

66. Permission for the construction of factories and the installation of machinery.- No person shall, without the permission of the Grama Panchayat and except in accordance with the condition specified in such permission,-

(a) construct or establish any factory, workshop or workplace in which it is proposed to employ steam power, water power or other mechanical power or electrical power, or

(b) install in any premises, any machinery or manufacturing plant driven by any power as aforesaid, not being machinery or manufacturing plant exempted by rules made by the Government under this Act.

67. Prohibition of offensive or dangerous trades without licence.- No place within the jurisdiction of Grama Panchayat shall be used for the purpose of any trade, business or industry which the Government may, by notification declare to be offensive or dangerous, except under a licence granted or renewed by the Grama Panchayat and subject to such conditions as may be imposed in the licence.

68. Control of hotels etc.- No place within the jurisdiction of a Grama Panchayat shall be used as a hotel, restaurant, eating house, coffee-house, sweetmeat shop, bakery, boarding house or lodging house (other than a hostel recognised by the Government), or a dharmashala or for manufacturing ice or aerated water except under a licence granted or renewed by the Grama Panchayat and except in accordance with conditions specified therein.

69. Licensing of shops.- No place within the jurisdiction of a Grama Panchayat shall be used as a shop whether permanently or temporarily, other than a shop referred to in section 68 and 69 except under a licence granted or renewed by the Grama Panchayat and except in accordance with the conditions specified therein.

70. Provisions applicable to permissions and licences under sections 66, 67, 68 and 69.- (1) A permission shall be granted under section 66 and a licence under sections

67,68 and 69 shall be granted or renewed, only on payment in advance of such fee as may be prescribed.

(2) The Grama Panchayat may, for reasons to be recorded in writing refuse to grant the permission under section 66 or to grant or renew a licence, or suspend or cancel a licence granted or renewed , under sections 67, 68, and 69 for default of any of the conditions subject to which the licence was granted.

[1][(2A) save as otherwise provided in this Act, every application for a license or permission under this Act or rule, bye-law or regulations made thereunder, or for the renewal thereof, shall be made not less than thirty days and not more than ninety days before the earliest date with effect from which, or the commencement of the period (being a year or such less period as is mentioned in the application) for which the license or permission is required.

(2B) for every license or permission, fees may be charged on such units and at such rates not exceeding the maximum prescribed as may be fixed by the Gram Panchayat.

Provided that for every license for hoardings, the fees may be charged at such rates as specified in schedule IV

(2C) if orders on an application under sub-section 2A are not communicated to the applicant within sixty days the application shall be deemed to have been sanctioned subject to such conditions ordinarily imposed for the period, if any, for which it would have been ordinarily sanctioned.

Provided that in times of election or otherwise the application cannot be processed the orders on an application shall be communicated within a period of ninety days.

(2D) when an order of deemed sanction under sub-section 2C has been issued and the concerned Adhyaksha and the panchayat development officer is responsible for issue of such order, it shall be considered as a misconduct and the Adhyaksha shall be proceeded under section 48 and the Panchayat Development Officer shall be proceeded under the relevant service law, applicable to him.

(2E) the acceptance of the pre-payment of the fee for any such license or permission shall not entitle the person making such prepayment to the license or permission, but only to a refund of the fee in case of refusal of the license or permission.

(2F) if an act, for which any such license or permission is necessary is done without such license or permission, or in a manner inconsistent with the conditions of the license or permission obtained, the licensing authority of the Gram Panchayat may by notice require the person to alter, remove, or as far as practicable restore to its original state, the whole or any part of any property, movable or immovable, public or private affected thereby within a time specified in the notice][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

(3) Any person aggrieved by the refusal to grant permission under section 66 or to grant or renew licence, or by the suspension or cancellation of a licence under sub-section (2) may, within thirty days of the date of the communication of the order, appeal to the [1][Executive officer][1] and his decision on such appeal shall be final.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(4) Any appeal under sub-section (3) pending before the General Standing Committee of the Zilla Parishad shall on the date of commencement of the Karnataka Panchayat Raj Act, 1993 stands transferred to the Assistant Commissioner and such appeal shall be decided by him as if it had been filed before him.

71. Transfer of institutions or works to Grama Panchayats.- Subject to such rules as may be prescribed, the Deputy Commissioner or Zilla Panchayat or Taluk Panchayat or any private person or body of persons may, with the consent of the Grama Panchayat and subject to such conditions as may be agreed upon, make over to it the management of any institution or the execution or maintenance of work or the performance of any duty within the area over which it has got control.

72. Obstructions and encroachments upon public streets and open sites.- (1) Whoever not duly authorised in this behalf, within the limits of a panchayat area,-

(a) shall have built or set up, or shall build or set up, any wall, fence, rail, post, stall, verandah, platform, plinth, step or any projecting structure or other encroachment or obstruction; or

(b) shall deposit or cause to be placed or deposited any box, bale, package, or merchandise or any other thing in any public street or place or in or over or upon any open drain, gutter, sewer or aqueduct in such street or places,

shall on conviction, be punished with fine which may extend to one hundred rupees and with further fine which may extend to five rupees for every day on which such projection encroachment, obstruction or deposit continues after the date of first conviction for such offence.

(2) The Grama Panchayat shall have power to remove any such obstruction or encroachment, and shall have the like power to remove any unauthorised obstruction or encroachment of the like nature in any open site not being private property, whether such site is vested in the Grama Panchayat or not. The expenses of such removal shall be paid by the person who has caused the said obstruction or encroachment and shall be recoverable as if it were a tax imposed under section 199.

(3) Whoever, not being duly authorised in that behalf, removes earth, sand other than sand used for domestic purposes by residents of the panchayat area or other materials from, or makes any encroachment in or upon any open site which is not private property shall, on conviction, be punished with fine which may extend to two hundred rupees, and,-

(i) in the case of an encroachment, with further fine which may extend to two rupees for every day on which the encroachment continues after the date of first conviction;

(ii) in the case of removal of earth, sand or other material, twice the value of such earth, sand or other material shall also be recoverable as a fine.

(4) Nothing contained in this section shall prevent the Grama Panchayat from allowing any temporary occupation of or erection in any public street on occasions of festivals and ceremonies or the piling of fuel in by-streets and sites for not more than four days, and in such manner as not to inconvenience the public or any individual.

73. Power to name streets and number buildings.- (1) The Grama Panchayat may cause a name to be given to any street and may also cause a number to be affixed to any building or part of a building and may, from time to time, cause such name and number to be altered.

(2) No person shall destroy , remove, deface or in any way injure or alter any such name or number or put up or paint any name or number different from that put up or painted by the order of the Grama Panchayat.

(3) Any person who destroys, removes, injures, alters or defaces any such name or number or puts any name or number different from that put up by order of the Grama

Panchayat and any owner of any premises who does not at his own expenses keep such number in good order after it has been put up shall, on conviction , be punished with fine which may extend to one hundred rupees.

74. Removal of structures, trees etc., which are in ruins or likely to fall.- (1) If it appears at any time to the Grama Panchayat that any building or any part thereof or any tree or branch of a tree is in a ruinous state or is likely to fall or is in any other way dangerous to any person occupying, resorting to or passing by the such building or the part thereof, or the tree or the branch of the tree, the Grama Panchayat may by written notice require the owner or occupier of such building or trees as the case may be,-

(i) to pull down, lop or cut down; or

(ii) to secure; or

(iii) to remove; or

(iv) to repair,

such building or part of it or the tree or the branch of the tree, as the case may be, and to prevent all causes of danger therefrom.

(2) If it appears to the Grama Panchayat that the danger from a building or tree which is ruinous or about to fall is imminent, it may , before the period of notice expires, fence off, pull down, lop or cut down, secure or repair the said building or tree, as the case may be, or take such steps as may be required to arrest danger.

(3) Any expenses incurred by the Grama Panchayat in this behalf may be recovered from the owner or occupier of the building or tree, as the case may be, as if it was a tax imposed under section 199.

(4) The Grama Panchayat shall issue a notice under sub-section (1) after giving the owner or occupier, as the case may be, a reasonable opportunity of stating any objection, adducing evidence, if any, and after being satisfied that the objection which is raised is invalid or insufficient.

75. Power as to sanitation, conservancy and drainage.- (1) If it appears necessary to improve the sanitary condition of any area within its jurisdiction a Grama Panchayat may, by a written notice require within a reasonable period to be specified therein,-

(i) the owner or occupier of any building or any hut or the owner of any privy to remove such hut or privy either wholly or in part;

(ii) the owner or the occupier of any building to construct private drains thereof or to alter or to remove private drains thereof;

(iii) the owner or occupier of any land or building which needs to be cleansed, to cause the same to be cleansed to the satisfaction of the Grama Panchayat;

(iv) the owner or occupier of any land or building which contains a well, pool, ditch, pit, pond, tank or any place containing or used for the collection of any drainage, filth or stagnant water, which is injurious to health or offensive to the neighbourhood or is otherwise a source of nuisance to cause the same to be filled up, cleansed or deepened or to cause the water to be removed therefrom or drained off or to take such other action therewith, as may be deemed necessary by the Grama Panchayat;

(v) the owner or occupier of any land overgrown with vegetation, undergrowth, prickly pear, or jungle, which is in any manner injurious to health or dangerous to the public or offensive to the neighborhood or an impediment to efficient ventilation, to cause it to be cleared of the vegetation, under-growth, prickly pear or jungle;

(2) If any work required by a notice under sub-section (1) is not executed within the period specified in the notice, the Grama Panchayat may itself cause such work to be carried out and may recover the cost of such work or part thereof from the owner or occupier referred to in sub-section (1) as if it were a tax imposed under section 199.

76. Contribution from persons having control over places of pilgrimage, etc.- (1) Where a church, mosque, temple, mutt, or any place of religious worship or institution or any place which is used for holding fairs or festivals or for other like purposes is situated within the limits of a Grama Panchayat or in the neighbourhood thereof and attracts either throughout the year or on particular occasions a large number of persons, any special arrangement necessary for the public health, safety or convenience whether permanent or temporary shall be made by the Grama Panchayat , the Deputy Commissioner may after providing sufficient opportunity to the Board of Trustees or other persons having control over such place require him or it to make such recurring or non-recurring contribution to the funds of the Grama Panchayat as he may determine in such manner as may be prescribed.

(2) The Board of Trustees or other persons required to make a contribution under sub-section (1) may appeal to the Commissioner against any determination made by the Deputy Commissioner.

(3) Any contribution directed to be paid under sub-section (1) shall be recoverable as an arrears of land revenue.

77. Power for providing adequate water supply.- (1) For providing the area under its control or any part thereof with a supply of water pure and sufficient for public and private purposes, the Grama Panchayat may,-

(a) construct, repair and maintain tanks or wells and clear streams or water courses;

(b) purchase or acquire by gift or otherwise any tank, well, stream or water course, or any right to take or convey water within or without the area under its control;

(c) with the consent of the owner thereof utilise, cleanse or repair any tank, well, stream or water course or provide facilities for obtaining water therefrom;

(d) contract with any person for supply of water ,or

(e) do any other act for carrying out the purposes of this section.

(2) The Grama Panchayat may, by order published at such place as it may think fit, set apart for the supply of water to the public for drinking or culinary purposes, any tank, well, stream or water course in respect of which action has been taken under clause (a) or (b) or (c) of sub-section (1) subject to any rights which the owner referred to in clause (c) of sub-section (1) may retain with the consent of the Grama Panchayat.

(3) The Grama Panchayat may by order published at such place as it may think fit, prohibit,-

(a) bathing, washing of clothes and animals or other acts likely to pollute the water of any tank, well, stream or water course set apart for drinking or culinary purpose under sub-section (2), and

(b) the use of any source of water supply for drinking or culinary purposes or for the washing of clothes during epidemics.

78. Power of Grama Panchayat to make bye-laws regarding provision of water supply.- Subject to such rules as the Government may make in this behalf, a Grama Panchayat may make bye-laws for conserving and preventing injury to sources and means of water supply and appliances for the distribution of water whether within or without the

limits of the Grama Panchayat, and for regulating all matters connected with the supply and use of water, and turning on ,or turning off, and preventing the waste of water, and construction ,maintenance and control of Grama Panchayat water works and pipes and fittings in connection therewith whether the property is of the Grama Panchayat or not.

[1][**79. Appointment of Joint Committees.-** (1) Two or more Grama Panchayats within a Taluk, or within two or more Taluks in a district, or a Grama Panchayat and one or more other local authority or statutory body, for any specific purpose common to all of them, or for any purpose in which they are jointly interested or for which they are jointly responsible, may by like resolution passed by each of them, appoint a Joint Committee for such purpose.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

(2) A Committee constituted under sub-section (1), shall be competent to co-opt in such manner as may be prescribed, the residents of the Panchayat areas concerned.

(3) The Joint Committee may, include persons who are not members of the local authorities or statutory bodies concerned but who may in their opinion possess special qualifications or special interest for serving on such committee:

Provided that the number of such persons shall not exceed one-third of the total number of members of the Joint Committee.

(4) The Government may by general or special order provide for the following matters, namely:-

(a) the procedure of the Joint Committee;

(b) The total number of members of the Committee;

(c) The number of members to be appointed or elected under sub sections (2) and (3);

(d) The manner of election or appointment under sub-sections (2) and (3);

(e) The term of Office;

(f) The powers of the committee which shall not be in excess of the powers that can be exercised by the local authorities or statutory bodies concerned;

(g) the provisions of funds to the Joint Committee and its administration;

(h) the manner of selection of the chairperson of Joint Committee;

(5) The Joint Committee may be dissolved after serving the purpose for which it was constituted.

(6) The Government may issue such direction as it thinks necessary in regard to the distribution of its assets and liabilities when the Joint committee is dissolved][1].

80. Power of entry.- Any member, officer or servant of a Grama Panchayat may enter into or upon any building or land with or without assistance or workmen, in order to make any inspection or execute any work for any of the purposes of this Act:

Provided that,-

(a) no such entry shall be made between sunset and sunrise;

(b) unless the entry be with the consent of its occupier, no dwelling house shall be so entered without giving reasonable previous notice signed by the Adhyaksha or by a person duly authorised by him in this behalf of the intention to make such entry; and

(c) due regard shall be had in making such entry to the social and religious usages of the occupants of the premisses entered.

81. Filthy buildings etc.- Whoever, being the owner or occupier of any building or land, whether tenantable or otherwise suffers the same to be in a filthy or unwholesome state, or in the opinion of the Grama Panchayat a nuisance to persons residing in the neighborhood or overgrown with prickly pear or rank and noisome vegetation ,and who shall not, within a reasonable time after notice in writing from any person authorised by the Grama Panchayat in this behalf to cleanse, clear or otherwise put the same in a proper state, have compiled with the requisition contained in such notice, shall, on conviction, be punished with fine which may extend to one hundred rupees and if the offence be a continuing one with further fine which may extend to five rupees for every day during which the said offence is continued after the date of first conviction.

82. Powers and duties in regard to sources of water supply.- The Secretary or any officer authorised by the Grama Panchayat in this behalf may at any time by written notice require that the owner or any person who has control over any well, stream, channel, tank, or other sources of water supply shall, whether it is private property or not,-

(a) if the water is used for drinking,-

(i) keep and maintain any such source of water supply, other than a stream, in good repair, or

(ii) within a reasonable time to be specified in the notice cleanse any such source of water supply from silt, refuse and decaying vegetation, or

(iii) in such manner as the Grama Panchayat directs protect any such source of water supply from pollution by surface drainage, or

(iv) desist from using and from permitting others to use for drinking purposes any such sources of water supply, which not being a stream in its natural flow, is in the opinion of the Grama Panchayat unfit for drinking, or

(v) if, notwithstanding any such notice under sub-clause (iv) such use continues and cannot, in the opinion of the Grama Panchayat, be otherwise prevented, close either temporarily or permanently, or fill up or enclose or fence in such manner as the Grama Panchayat considers sufficient to prevent such use, such source of water supply, or

(vi) drain off or otherwise remove from any such source of water supply, or from any land or premises or receptacle or reservoir attached or adjacent thereto any stagnant water which the Grama Panchayat considers is injurious to health or offensive to the neighborhood;

(b) within twenty four hours of such notice repair, protect or enclose in such manner as the Grama Panchayat may direct or approve any source of water supply, whether used for drinking purposes or not , other than a stream in its natural flow, if for want of sufficient repair, protection or enclosure such source of water supply is in the opinion of the Grama Panchayat dangerous to the health or safety of the public or of any persons having occasion to use or to pass by or approach the same.

83. Remedy for non-compliance with directions issued.- If the owner or the person having control as aforesaid fails or neglects to comply with any such requisition within the time required by or under the provisions of section 83, Grama Panchayat may, and if in the opinion of the Secretary immediate action is necessary to protect the health or safety of any person, he shall at once, proceed to execute the work required by such notice, and all the expenses incurred thereon shall be paid by the owner, or person having control over such source of water supply, and shall be recovered in the same manner as an amount claimed on account of any tax recoverable under section 200:

Provided that in the case of any well or private stream or any private channel, tank or other source of water supply the water of which is used by the public or by any section of the public as of right the expenses incurred by such owner or person having control may, if the Grama Panchayat so directs, be paid from the Grama Panchayat fund.

84. Power to set apart public springs etc., for certain purposes.- The Grama Panchayat may by public notice which shall be put up at the spring, tank or other places concerned and otherwise as required by this Act, set apart public springs, tanks, wells and other places and parts of public water sources for drinking purposes or for bathing or for washing clothes or animals or for any other purposes calculated to promote the health, cleanliness, comfort or convenience of the inhabitants, and with the consent of the owners, may also set apart any private springs, tanks, wells or other places for any of the aforesaid purposes.

85. Power to prohibit use of water from certain sources.- The Grama Panchayat may, during epidemics, on receipt of a certificate from any medical officer in the employ of the Taluk Panchayat, Zilla Panchayat or of the Government stating that such action is desirable, summarily by notice prohibit the use of water from any source to which the public have access. Such notice shall be served by putting up a copy thereof near the source of water supply stating the number of days during which such prohibition shall last. The Grama Panchayat may from time to time extend or modify the period of prohibition without the production of a further certificate.

86. Penalty for using water for certain purposes.- Whoever,-

(a) bathes on, or defiles, the water in any place set apart for drinking purposes by the Grama Panchayat or, in the case of private property, by the owner thereof, or

(b) deposits any offensive or deleterious matter in the dry bed of any place set apart as aforesaid for drinking purposes, or

(c) washes clothing in any place set apart as aforesaid for drinking or bathing , or

(d) washes any animal or any cooking utensils or wood, skins, or other foul or offensive substance, or deposits, any offensive or deleterious matter in any place set apart as aforesaid for drinking purposes or for bathing or for washing clothes, or

(e) allows the water from a sink, sewer, drain, engine or boiler or any other offensive matter belonging to him or flowing from any building or land belonging to or occupied by him to pass into any place set apart as aforesaid for drinking purposes or for bathing or for washing clothes, or

(f) uses water from any source in contravention of the provisions of section 85,

shall, on conviction, be punished with fine which may extend to fifty rupees and if the offence be a continuing one, with further fine which may extend to ten rupees for every day during which the said offence is continued after the date of first conviction.

87. Abatement of nuisance from foul water.- When any pool, ditch, tank, pond, well, hole, or any waste or stagnant water, or any channel, or receptacle of foul water or other offensive or injurious matter, whether the same be within any private enclosure or otherwise shall appear to the Secretary to be likely to prove injurious to the health of the inhabitants or offensive to the neighborhood, the Secretary may by written notice require the owner of the same to cleanse, fill up, drain off or remove the same, or to take such measure as shall, in his opinion be necessary to abate or remove the nuisance.

88. Closing of places for the disposal of the dead.- (1) If the Grama Panchayat is of opinion that any place in the panchayat area which is used for the disposal of the dead is in such a state as to be, or to be likely to become injurious to health, it may forward its opinion with the reasons, therefor to the Assistant Commissioner. The Assistant Commissioner may thereupon, after such further inquiry, if any, as he shall deem fit to cause to be made by notification direct that such place shall cease to be so used from such date as may be specified in that behalf in the notification.

(2) A copy of the said notification shall be published in the local newspapers, if any, and shall be pasted up at the Grama Panchayat office and in one or more conspicuous spots on or near the place to which if relates.

(3) Any person who buries or otherwise disposes of any corpus in any such place after the date specified in the said notification for closure thereof or buries any corpse in any unoccupied Government land not set apart for the burial of the dead under the provisions of any law for the time being in force or by established usage, shall on conviction, be punished with fine which may extend to one hundred rupees.

89. Power of entry into building, etc., where infectious disease exists.- The Secretary or any person authorised by the Grama Panchayat in this behalf may enter at any time after reasonable notice, any building or premises in which any infectious disease is reported or suspected to exist, for the purpose of inspecting such building or premises. No such inspection shall be made except between sunrise and sunset.

90. Disinfection of buildings, etc.- If the Secretary is of opinion that the cleansing or disinfecting of a building or premises or of a part thereof or of any articles therein likely to retain infection , would tend to prevent or check the spread of any infectious disease he may by notice require the owner or occupier to cleanse or disinfect the same within a time to be specified in such notice:

Provided that if the Secretary considers that immediate action is necessary or that the owner or occupier is by reason of poverty or otherwise, unable effectively to comply with his requisition, he may himself cause such building or premises or articles to be cleansed or disinfected and for this purpose may cause such articles to be removed from such building or premises and the expenses incurred under this section shall be recoverable in the manner provided in chapter XIII from the said owner or occupier unless he was by reason of poverty unable effectively to comply with the requisition.

91. Articles exposed to infection.- (1) The Secretary shall, from time to time, notify places at which articles of clothing or bedding or other articles which have been exposed to infection from any dangerous or infectious disease may be washed or disinfected.

(2) The Secretary may direct the destruction of clothing, bedding, or other articles likely to retain such infection.

(3) Whoever washes such clothing or bedding or other articles at any place other than those set apart for such purposes under sub-section (1), shall, on conviction be punished with fine which may extend to fifty rupees.

92. Registration of burial and burning grounds.- (1) Every owner or person having the control of any place used at the commencement of this Act, as a public place for burying, burning or otherwise disposing of the dead in a panchayat area, shall, if such place be not already registered under any law applicable thereto, apply to the Grama Panchayat to have such place registered under this Act.

(2) If it appears to such Grama Panchayat that there is no owner or person having control of such place, the Grama Panchayat shall assume such control, and register such place or may close it.

93. Licensing of places for disposal of the dead.- (1) No new place for the disposal of the dead whether private or public, shall be opened, formed constructed or used in a panchayat area unless after an application for the purpose is made and a licence is obtained from, the Grama Panchayat.

(2) Such application for a licence shall be accompanied by a plan of the place to be licenced showing the locality, boundary and extent thereof, the name of the owner or person or community interested therein, the system of management and such other particulars as the Grama Panchayat may require.

(3) The Grama Panchayat to which an application is made, may,-

(a) grant, or refuse a licence, or

(b) postpone the grant of a licence until objections, if any, to the site, considered reasonable by the Grama Panchayat have been removed or any particulars called for by it have been furnished.

94. A book to be kept of places registered, licensed, or provided.- (1) A book shall be kept at the office of every Grama Panchayat in which the places registered, licensed or provided under section 92 or section 93 shall be recorded.

(2) A notice that such place has been registered, licensed or provided as aforesaid, shall be affixed at or near the entrance to such place conspicuously.

95. Prohibition against burying or burning, in unauthorised places.- No person shall in any panchayat area bury, burn or otherwise dispose of or cause or suffer to be buried, burnt or otherwise disposed of any corpse in any place within hundred meters of a dwelling place or any source of drinking water supply other than a place registered under section 92 or licensed under section 93, or provided by the Grama Panchayat.

96. Notice of burials, etc., to be given to Grama Panchayat.- The person having control of a place for disposing of the dead in a panchayat area shall give information of every burial, burning or other disposal, of a corpse at such place to any person appointed by the Grama Panchayat.

97. Public landing places, carts stand etc.- Save as otherwise provided in this Act and subject to such rules as may be prescribed a Grama Panchayat, may,

(a) provide public landing places, halting places, and cart stands (which last expression includes stands for any animals and vehicles of any description) and levy fees for their use; and

(b) where any such place or stand has been provided, prohibit the use for the same purpose by any person within such distance thereof, of any public place or the sides of any public road, as the Grama Panchayat may [1][x x x][1] specify.

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

98. Regulation of huts.- No person shall erect any hut, shed or range or block of huts or sheds or add to any hut or shed already existing in panchayat area without obtaining previous permission. The Grama Panchayat may require such huts or sheds to be built so that they may stand in regular lines with a free passage or way in front of and between every two lines of such width as the Grama Panchayat may think proper for ventilation and to facilitate scavenging and at such a level as will admit of sufficient drainage. If any hut or

shed is built without obtaining previous permission of the Grama Panchayat, the Grama Panchayat may give written notice to the owner or builder thereof or to the owner or the occupier of the land on which the same is erected or is being erected requiring him within such reasonable time as may be specified in the notice to remove the same or to make such alterations therein or additions thereto as having regard to the sanitary consideration, the Grama Panchayat may think fit.

99. Power for making drains.- (1) In order to carry out any drainage scheme, it shall be lawful for a Grama Panchayat to carry any drain, sewer, conduit, tunnel, culvert, pipe or water course through, across or under any cellar or vault which may be under any street and after giving reasonable notice in writing to the owner or occupier, into, through or under any land whatsoever within the panchayat area.

(2) The Grama Panchayat or any officer authorised by it for such purpose may enter upon and construct any new drain in the place of an existing drain in any land wherein any drain vested in the Grama Panchayat has been already constructed or may repair or alter any drain vested in the Grama Panchayat.

(3) In the exercise of any power under this section, no unnecessary damage shall be done, and due compensation shall be paid by the Grama Panchayat to any person who sustains damage by the exercise of such power.

100. Sufficient drainage of houses.- (1) If any building or land in a panchayat area is, at any time, under drained, or not drained to the satisfaction of the Grama Panchayat, the Grama Panchayat may, by written notice call upon the owner to construct or lay from such building or land a drain or pipe of such size and materials, at such level, and with such fall as it thinks necessary for the drainage of such building or land into,-

(a) some drain or sewer, if there is a suitable drain or sewer within sixteen meters of any part of such building or land, or

(b) a covered cess pool to be provided by such owner.

(2) It shall not be lawful newly to erect any building or to rebuild any building or to occupy any building newly erected or rebuilt in a panchayat area unless and until,-

(a) a drain is constructed of such size, materials and description, at such level, and with such fall, as shall appear to the Grama Panchayat to be necessary for the effectual drainage of such building, or

(b) there have been provided for and set up in such building and in the land appurtenant thereto all such appliances and fittings as may appear to the Grama Panchayat to be necessary for the purposes of gathering and receiving the drainage from , and conveying the same off, the said building and the said land and of effectually flushing the drain of the said building and every fixture connected therewith.

(3) The drain to be constructed as aforesaid shall empty into a Grama Panchayat drain, or into some place legally set apart for the discharge of drainage situated at a distance not exceeding sixteen meters from such building, but if there is no such drain or place within that distance, then such drain shall empty into such cess pool as the Grama Panchayat directs.

101. Power of owner or occupier of buildings or lands to drain into Grama Panchayat drains.- The owner or occupier of any building or land within a panchayat area shall be entitled to cause his drain to empty into sewer of the Grama Panchayat, provided that he first obtains the written permission of the Grama Panchayat and that he complies with such conditions as the Grama Panchayat prescribes as to the mode in which and the

superintendence under which the communications are to be made between drains not vested in the Grama Panchayat and drains which are so vested.

102. Right to carry drain through land or into drain belonging to other persons.- (1) If the owner or occupier of any building or land within a panchayat area desires to connect the same with any Grama Panchayat drain by means of a drain, to be constructed through land or connected with a drain belonging to or occupied by or in the use of some other person, he may make an application in that behalf to the Grama Panchayat.

(2) Thereupon the Grama Panchayat after giving to such other person a reasonable opportunity of stating any objection, may, if no objection is raised or if the objection raised is insufficient, authorise the applicant to carry his drain into or through or under the land or into the said drain, as the case may be, in such manner and on such conditions as to the payment of rent or compensation, and as to the respective responsibilities of the parties for maintenance and repair as may appear to it to be adequate and equitable.

(3) Every such order shall be a complete authority to the person in whose favour it is made, or to any agent or other person employed by him for this purpose, after giving or tendering to the owner, occupier or user of the said land or drain the compensation and rent, if any ,specified in the said order, and otherwise fulfilling as far as possible the conditions of the said order, and after giving to the said owner, occupier or user reasonable notice in writing, to enter upon the land specified in the said order with assistants and workmen at any time between sunrise and sunset and, subject to the provisions of this Act, to do all such work as may be necessary,-

(a) for the construction or connection of the drain as may be authorised by the said order;

(b) for renewing, repairing, or altering the same as may be necessary from time to time; or

(c) for discharging any responsibility attaching to him under the terms of the order as to maintaining, repairing, flushing, cleaning or emptying the said drain or any part thereof.

(4) In executing any work under this section as little damage as possible shall be done and the owner or occupier of the building or land for the benefit of which the work is done shall cause the work to be executed with the least practicable delay and fill in, reinstate and make good at his own cost the ground or any portion of the building or other construction opened, broken up or removed for the purpose of executing the said work and pay compensation to any person who sustains damage by the execution of the said work.

103. Rights of owner of land through which drain is carried in regard to subsequent building thereon.- If the owner of any land into, through or under which a drain has been carried under section 102 whilst such land was not built upon shall at any subsequent time desires to construct a building thereon, the Grama Panchayat shall, if it sanctions the construction of such building or land, by written notice require the owner to demolish or close any privy for the benefit of which such drain was constructed, to close remove or divert the same, and to fill in reinstate and make good the land in such manner as it may deem to be necessary in order to admit of the construction or safe enjoyment of the proposed building.

104. Provision of privies, etc.- (1) In case a Grama Panchayat is of the opinion that any privy or cesspool or additional privies or cesspools should be provided in or on any building or land, are shifted or removed from any building or land or in any area in which a water closet system has been introduced, that water closets should be substituted for the existing

privies in or on any building or land or that additional water closets should be provided therein or thereon, the Grama Panchayat may, by written notice, call upon the owner of such building or land to provide such privies, cesspools or water closets as the Grama Panchayat may deem proper.

(2) A Grama Panchayat may, by written notice, require any person or persons employing workmen or labourers exceeding twenty in number or owning or managing any market, school or theatre or other place of public resort, to provide such latrines and urinal as the Grama Panchayat may direct, and to cause the same to be kept in proper order, and to be daily cleansed.

(3) A Grama Panchayat may, by written notice, require the owner or occupier of any land upon which there is a privy or urinal to have such privy or urinal shut out, by a sufficient roof and a wall or fence, from the view of the persons passing by or resident in the neighbourhood or to alter as it may direct any privy door or trap-door which opens on to any street, and which it deems to be a nuisance.

105. Cost of altering, repairing and keeping in proper order privies etc.- (1) All sewers, drains , privies, water closets, house-gullies and cesspools within a panchayat area shall, unless constructed at the cost of the Grama Panchayat be altered, repaired, and kept in proper order at the cost and charges of the owner of the land and buildings to which the same belong, or for the use of which they are constructed or continued, and the Grama Panchayat may, by written notice, require such owner to alter, repair and put the same in good order in such manner as it thinks fit.

(2) The Grama Panchayat may, by written notice, require the owner to demolish or close any privy or cesspool whether constructed before or after the coming into force of this Act, which in the opinion of the Grama Panchayat, is a nuisance, or is so constructed as to be inaccessible for the purposes of scavenging or incapable of being properly cleansed or kept in good order.

106. Inspection of drains, etc,.- (1) A Grama Panchayat or any officer appointed by it for such purpose may inspect any sewer, drain, privy, water-closet, house-gully or cesspool, and for that purpose, at any time between sunrise and sunset, may enter upon any lands or buildings, with assistants and workmen and cause the ground to be opened where he or it may think fit, doing as little damage as may be.

(2) The expenses of such inspection, and of causing the ground to be closed and made good as before, shall be borne by the Grama Panchayat unless the sewer, drain, privy, water-closet, house-gully or cesspool is found to be in bad condition , or was constructed in contravention of the provisions of any enactment, or of any bye-law of the Grama Panchayat in force at the time, in which case such expenses shall be paid by the owner of such sewer, drain, privy, water-closet, house-gully or cesspool and shall be recoverable in the same manner as a tax or fee due to the Grama Panchayat.

107. Dangerous quarrying.- If in the opinion of a Grama Panchayat the working of any quarry or the removal of a stone, earth or other material, from the soil in any place is dangerous to persons residing in or having legal access to the neighborhood thereof or creates or is likely to create a nuisance, the Grama Panchayat may, by written notice, require the owner of the said quarry or place or the person responsible for such working or removal not to continue or permit the working of such quarry or the removing of such material or to take such order with such quarry or place as the Grama Panchayat shall direct

for the purpose of preventing danger or of abating the nuisance arising or likely to arise therefrom:

Provided that if such quarry or place is vested in the Government or if such working thereof or removal therefrom as aforesaid is being carried on by or on behalf of the Government or any person acting with the permission or under the authority of the Government or any officer of the Government acting as such, the Grama Panchayat shall not take such action unless and until the Director of Mines and Geology or the person authorised by him in this behalf has consented to its so doing:

Provided further that the Grama Panchayat shall immediately cause a proper hoarding or fence to be put up for the protection of passers by near such quarry or place, if in any case referred to in this section it appears to it to be necessary in order to prevent imminent danger, and any expense incurred by the Grama Panchayat in taking action under this section shall be paid by such owner or other person as aforesaid and shall be recoverable in the same manner as an amount claimed on account of any tax due to the Grama Panchayat.

108. Using offensive substance, etc.- Whoever, except with the written permission of a Grama Panchayat and except in the manner, if any, enjoined in such permission stores or uses night soil or other substance emitting an offensive smell other than cattle manure shall, on conviction, be punished with fine which may extend to one hundred rupees.

109. Emission of smoke.- (1) It shall be lawful for a Grama Panchayat to direct by public notice that every furnace employed or to be employed, in any works or buildings used, for the purpose of any trade or manufacture whatsoever, within the limits of the Grama Panchayat, whether a steam engine is or is not used or employed therein, shall in all cases be constructed, supplemented or altered as to consume or burn or reduce as for as may be practicable the smoke arising from such furnace.

(2) If any person shall, after such direction, use or permit to be used, any such furnace not so constructed, supplemented or altered or shall so negligently use or permit to be used any such furnace that the smoke arising therefrom shall not be effectually consumed or burnt as far as may be practicable, every person so offending being the owner or occupier of the said work or building or being an agent or other person employed by such owner or occupier for managing the same, shall, on conviction, be punished with fine which may extend to one hundred rupees and upon any subsequent conviction with fine which may extend to five hundred rupees:

Provided that nothing in this section shall be held to apply to locomotive engines used for the purpose of traffic upon any railway or for the repair of road.

110. Prohibition of nuisance.- Whoever within a Grama panchayat area,-

(a) in any public street or public place,-

(i) eases himself; or

(ii) loiters or begs importunately for alms ; or

(iii) exposes or exhibits, with the object of exciting charity, any deformity or disease or any offensive sore or wound; or

(iv) carries meat exposed to public view; or

(v) without proper authority pickets animals, or collects carts; or

(vi) without proper authority defaces or writes upon or otherwise marks any building, monument, post, wall, fence, tree or other thing; or

(vii) without proper authority affixes upon any building , monument, post, wall, fence, tree or other thing, any bill, notice or other document; or

(viii) without proper authority removes, destroys defaces or otherwise obliterates any notice or other document put up or exhibited under this Act or the rules or bye-laws made thereunder; or

(b) at any time or place at which the same has been prohibited by the Grama Panchayat by public or special notice, beats any drum or tom-tom or blows a horn or trumpet or beats any utensil or sounds any brass or other instrument or plays any music; or

(c) without proper authority disturbs the public peace or order by singing, screaming or shouting, or by using any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loudspeaker; or

(d) lets loose any animal so as to cause, or negligently allows any animal to cause injury, danger, alarm or annoyance to any person; or

(e) uses or permits to be used as a latrine any place not intended for that purpose,

[1][shall pay administrative expenses of rupees five hundred to the Gram Panchayat][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][CHAPTER IVA

Duties and responsibilities of panchayat members

110A. Duties and responsibilities of panchayat members.– It shall be the duty and responsibility of every member of the panchayat to,–

(a) effectively represent the interests of every section of panchayat and local constituencies;

(b) fairly and impartially, respond to enquiries and representation made by resident in a panchayat;

(c) provide community leadership by representing the views of the community;

(d) maintain the highest standards of conduct and ethics;

(e) serve only in the public interest and shall never discriminate to confer an advantage or disadvantage on any person;

(f) promote equality by not discriminating against any person and by treating people with respect regardless of their race, age, religion, gender (sex) or disability;

(g) make provision to the people to gain access to information to which he is entitled;

(h) desist from participating in any discussion or vote where he has pecuniary interest in any matter and withdraw from the meeting during the consideration of such matter;

(i) scrutinize the performance of the panchayat in achieving the priorities and targets which are set; and

(j) attend the priorities set by the Government and to decide how best those priorities can be delivered in a local context;

(k) take part in the good governance of the area and actively encourage involvement of residents of Panchayat in decision making][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

CHAPTER V

STAFF OF GRAMA PANCHAYATS [1][and the Karnataka panchayat administrative service][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[3][1][111. Panchayat Development Officer and other officers][3].- [3][(1) Every Grama Panchayat shall have a whole time Panchayat Development Officer and Secretary who shall be the officers of the Government and such other officials appointed by the Government, and they shall draw their salary and allowances from the Grama Panchayat fund after the same is credited to the Grama Panchayat fund by the Government.][3]

(2) The [3][Panchayat Development Officer][3] shall perform all the duties and exercise all the powers imposed or conferred upon him by or under this Act or any rules or bye-laws made thereunder. [4][The Secretary and the other officials shall assist the Panchayat Development Officer to discharge his duties.][4]

(3) Without prejudice to the generality of the provisions under sub-section (2), the [3][Panchayat Development Officer][3] shall perform the following functions, namely:-

(a) submit to the Grama Panchayat the monthly accounts of the Grama Panchayat before the tenth day of succeeding month;

(b) furnish returns, statement of accounts and such other information when called for, by the Government or the auditor;

(c) inspect or cause to be inspected the accounts of institutions under the control of the Grama Panchayat;

(d) keep records of the Grama Panchayat. Standing committees, and other committees, Grama Sabha and Ward Sabha;

(e) co-ordinate the preparation of the annual plan and five year plan so that the approved plan is submitted to the District Planning Committee in time;

(f) disburse Grama Panchayat fund and plan fund to the officers concerned and furnish utilization certificate in the manner prescribed.][1]

[5][g) to execute all lawful decision and resolutions taken by the Grama Panchayath under the Act and sign all the orders of the Grama Panchayath.][5]

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.
2. Substituted by Act 24 of 2010 w.e.f.23.07.2010.
3. Substituted by Act 34 of 2011 w.e.f. 4.10.2010.
4. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.
5. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

112. Staffing pattern and schedule of employees.- (1) The Government may, by order, specify the staffing pattern, the scales of pay and mode of recruitment of staff of Grama Panchayats.

(2) The Grama Panchayat shall, subject to sub-section (1), determine and submit for approval of the Chief Executive Officer a schedule of employees specifying the designations and grades and the salaries and allowances payable to its officers other than the [1][Panchayat Development Officer, Secretary and Accounts Assistant][1] required for carrying out the duties imposed upon the Grama Panchayat by or under this Act.

1. Substituted by Act 24 of 2010 w.e.f.23.07.2010.

113. Appointment and control of employees.- (1) Subject to the provisions of sections 111 and 112 the Grama Panchayat may, with the prior approval of the Chief Executive Officer appoint other employees of the Grama Panchayat and pay their salaries from the Grama Panchayat Fund:

Provided that in making appointments the appointing authority shall reserve posts for the Scheduled Castes, the Scheduled Tribes and other socially and educationally backward classes of citizens in the same manner and to the same extent as is applicable for the recruitment to posts in the State Civil Services.

(2) The [2][Panchayat Development Officer] [2] may, by order, fine [1][x x x][1]or withhold, the increment of any employee appointed by the Grama Panchayat.

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 24 of 2010 w.e.f.23.07.2010.

(3) The Grama Panchayat may reduce in rank, remove or dismiss any employee appointed by it.

(4) An appeal shall lie against an order passed by the [2][Panchayat Development Officer][2]under sub-section (2) to the Executive Officer and against an order passed by the Grama Panchayat under sub-section (3) to the Chief Executive Officer [1][xxx][1]

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 24 of 2010 w.e.f.23.07.2010.

(5) Any appeal under sub-section (4) pending before the Mandal Panchayat or the Zilla Parishad on the date of commencement of the Karnataka Panchayat Raj Act, 1993, shall stand transferred respectively to the Executive Officer and the Chief Executive Officer and such appeal shall be decided by them as if it had been filed before them.

[1]**[113A. Arrangements for additional technical staff for Grama Panchayat.-** (1) The Government may, if required, pool the officers and officials of the State Civil Service including engineering or technical staff and post them to one or more Grama Panchayats:

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

Provided that if there is dearth of officers or officials for such posting under this sub-section, the Grama Panchayat may in the exigencies of service engage the services of technical staff including engineers not belonging to State Civil Service for specific work, on terms and conditions as may be specified by the Government in this regard.

(2) The officers and employees posted to a Grama Panchayat under sub-section (1) shall perform functions and discharge duties as if they are officers and employees of that Grama Panchayat and they shall attend to, in addition to their normal duties any other duty assigned to them by the Grama Panchayat subject to the guidelines, if any, issued by the Government.

(3) The officers and employees posted to a Grama Panchayat under sub-section (1) shall execute works, discharge functions or perform duties involving implementation of any scheme, project or plan of the Government, not assigned to the Grama Panchayat under this Act or any other law.

(4) The Government shall continue to pay the salary, allowances and other dues to officers and officials posted to the Grama Panchayat under sub-section (1)][1].

CHAPTER VI

CONVERSION OF [1][SMALLER URBAN AREA OR A TRANSITIONAL AREA][1] AND AMALGAMATION

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

114. Interpretation.- For the purpose of this charter, unless the context otherwise requires,-

(a) "municipal council" includes a person or persons appointed to exercise the powers and to perform the functions of municipal council;

[1][(b) "Town Panchayat" means a Town Panchayat constituted under section 350 of the Karnataka Municipalities Act, 1964;][1]

1. Clause (b) and (c) Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(c) "Grama Panchayat" includes a person or persons appointed to exercise the powers and to perform the functions of a Grama Panchayat under section 8.

115. Effect of conversion of a [1][smaller urban area or a transitional area into panchayat area][1].- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, after previous publication by notification, direct that the local area constituting [1][any smaller urban area][1] shall from such date as may be specified therein (hereinafter referred to as the specified date), be a panchayat area and in respect thereof, on and from such specified date, the following consequences shall ensue, namely:-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(a) the Municipal Council of such local area shall cease to exist or to function;

(b) there shall be constituted for the panchayat area an interim Grama Panchayat consisting of persons vacating office as councillors of the municipality and the President and Vice President of Municipal Council shall be deemed to be the Adhyaksha and Upadhyaksha of the interim Grama Panchayat;

(c) the unexpended balance of the municipal fund and the property (including arrears of rates, taxes and fees) belonging to the Municipal Council and all rights and powers which, prior to such notification, vested in the Municipal Council shall, subject to all charges and liabilities affecting the same vest in the interim Grama Panchayat as the Grama Panchayat Fund until a new Grama Panchayat is constituted in pursuance of the provisions of sub-section (1) of section 116;

(d) any appointment, notification, notice, tax, order, scheme, licence, permission, rule, bye-law or form made, issued, imposed or granted under the municipal law before the specified date in respect of such local area shall continue in force and be deemed to have been made, issued, imposed or granted in respect of the panchayat area until it is superseded or modified by any appointment, notification, notice, tax, order, scheme, licence, bye-law or form made, issued, imposed or granted under this Act;

(e) all budget estimates, assessments, assessment lists, valuation or measurements made or authenticated under the municipal law immediately before the specified date in respect of such local area shall be deemed to have been made or authenticated under this Act;

(f) all debts and obligations incurred and all contracts made by or on behalf of the Municipal Council before the specified date and subsisting on the specified date shall be deemed to have been incurred and made by the Grama Panchayat in exercise of the powers conferred on it by this Act;

(g) all officers and servants in the employ of the Municipal Council immediately before the specified date shall be officers and servants of the Grama Panchayat under this Act, and shall, until other provision is made in accordance with the provisions of this Act, receive salaries and allowances and subject to the conditions of service to which they were entitled or subject immediately before such date:

Provided that it shall be competent to the Grama Panchayat subject to the previous sanction of the Government to discontinue the services of any officer or servant who, in its opinion, is not necessary or suitable to the requirements of the Grama Panchayat service after giving such officer or servant 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 Municipal Council in the employ of which he was, had not ceased to exist;

(h) all proceedings pending immediately before the specified date before the Municipal council shall be deemed to be transferred to and be continued before the Grama Panchayat;

(i) all appeals pending immediately before the specified date before the Municipal Council shall , so far as may be practicable, be disposed of as if such local area had been included in the Grama Panchayat when they were filed;

(j) all prosecutions instituted by or on behalf of the Municipal Council and all suits or other legal proceedings instituted by or against such Municipal Council or any officer of such municipal council pending immediately before the specified date shall be continued by or against the Grama Panchayat as if such local area had been included in the panchayat area when such prosecution, suits or proceedings were instituted.

(2) The provisions of sub-section (1) shall, *mutatis mutandis*, apply for the [1][conversion of a transitional area into a panchayat area.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

116. Term of office of members of interim Grama Panchayat and their powers.- (1) The Government shall take steps to hold election for a new Grama Panchayat within a period not exceeding five years from the date on which the interim Grama Panchayat has been constituted under section 115:

Provided that where an interim Grama Panchayat has been constituted to a panchayat area converted under section 115 prior to the date on which the first elections to the Grama Panchayats are held under this Act, no election to constitute a new Grama Panchayat for such area shall be held before the date on which the unexpired portion of the term of office of the [1][councillors of municipal council or Town Panchayat][1], as the case may be, would have ended:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided further that nothing in the above provision shall apply to a panchayat area, the limits of which are altered by including within such panchayat area any village or group of villages.

(2) The members of the interim Grama Panchayat shall hold office until the date immediately preceding the date of first meeting of the new Grama Panchayat.

(3) Any vacancy in the office of the interim Grama Panchayat shall be filled, as soon as may be, by appointment by the Deputy Commissioner.

(4) All arrears of rates, taxes and fees vesting in the interim Grama Panchayat shall, notwithstanding that such rates, taxes and fees cannot be levied under this Act, be recoverable in the same manner as a tax levied under section 199 of this Act:

Provided that the steps to recover arrears of rates, taxes and fees shall be taken within a period of three years from the date on which they vest in the interim Grama Panchayat.

(5) In other respect, the provisions of this Act shall, *mutatis mutandis* apply to the interim Grama Panchayat and its members.

(6) If any difficulty arises,-

(i) in the constitution of the interim Grama Panchayat or the new Grama Panchayat which succeeds it, or

(ii) in giving effect to the provisions of section 115 and this section,

the Government may, by order not inconsistent with the provisions of this Act, remove the difficulty.

[1][**117. Effect of amalgamation of panchayat areas.**- (1) When [2][during the term of office of members of Grama panchayats, two or more contiguous panchayat areas][2] are amalgamated and declared to be a panchayat area (hereinafter in this section referred to as the amalgamated panchayat area) by virtue of a notification under section 4 [2][notwithstanding anything contained in this Act, with effect from][2] the date on which such notification is issued (hereinafter in this section referred to as the specified date), the following consequences shall ensue, namely.-

1. Subsection 1 to 10 Substituted by Act 10 of 1997 w.e.f. 14.8.1997.

2. Substituted by Act 29 of 1997 w.e.f 20.10.1997.

(a) the Grama Panchayats of such local area (hereinafter in this section referred to as the existing Grama Panchayats) shall cease to exist and all the members of such Grama Panchayats shall vacate office;

(b) There shall be constituted for the amalgamated panchayat area a Grama Panchayat (hereinafter in this section referred to as interim Grama Panchayat) consisting of members nominated by the Deputy Commissioner and such members shall, as far as may be practicable be persons who are the members of the existing Grama Panchayats;

[1][(c) The Adhyaksha and Upadhyaksha of the interim Grama Panchayat and the members of the Standing Committee shall be elected in the manner provided in this Act, within one month from the specified date;

1. Clause (c) (d) substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(d) The members of the interim Grama Panchayat so constituted, shall subject to the provisions of sections 12, 13, 43 and 43-A hold office for the remainder of the period for which all the existing Grama Panchayats would have continued or where the remainder of the period is different in respect of different existing Grama Panchayats, till the remainder of the period of the last of such existing Grama Panchayats would have expired had there not been amalgamation of panchayat areas under this section.][1]

(e) Before the expiry of the term of the interim Grama Panchayat in accordance with the provisions of clause (d), a Grama Panchayat (hereinafter referred to as the amalgamated Grama Panchayat) shall be constituted in the manner provided in this Act;

[1][(f) x x x][1]

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) When an amalgamated Grama Panchayat is constituted under this section so much of the Grama Panchayat fund and other property vesting in the existing Grama Panchayats shall vest in and such portion of the debts and obligations shall be transferred to, the Grama panchayat established under this section as the Deputy Commissioner may by order direct.

(3) The rights and liabilities of the existing Grama Panchayats in respect of civil and criminal proceedings, contracts, agreements and matters or things arising in and relating to amalgamated panchayat area shall vest in the Grama panchayat established under this section.

(4) All budget estimates, assessment and assessment list, valuation or measurements made or authenticated by the existing Grama Panchayats before the specified date shall be deemed to have been made or authenticated in respect of the Grama Panchayat established in respect of amalgamated panchayat area.

(5) Any appointment, notification, notice, tax, order, scheme, licence permission, rule, regulation, bye-law or form made, issued, imposed or granted in respect of such local areas and in force on the specified date shall continue in force and be deemed to have been made, issued or granted in respect of the amalgamated panchayat area until it is suspended or modified by any appointment, notification, notice, tax, order, scheme, licence, permission, rule, regulation, bye-law or form made, issued, imposed or granted under this Act.

(6) All officers and servants in the employ of the existing Grama Panchayats immediately before the specified date shall be officers and servants of the Grama Panchayat constituted in respect of the amalgamated panchayat area and shall until such other provision is made in accordance with this Act, receive salaries and allowances and be subject to conditions of service to which they were entitled or subject immediately before such date:

Provided that it shall be competent for the interim Grama Panchayat or the amalgamated Grama Panchayat, as the case may be, subject to the previous sanction of the Deputy Commissioner to discontinue the services of any officer or servant who, in its opinion, is not necessary or suitable to the requirements of the Grama Panchayat service in respect of the amalgamated panchayat area, after giving the officer or servant such notice as is required to be given by the terms of his employment, and every officer or servant whose services are so discontinued shall be entitled to such leave, pension, and gratuity as he was entitled to take or receive on being invalidated out of service, as if the Grama Panchayat, in the employ of which he was, had not ceased to exist.

(7) All proceedings pending immediately before the specified date before the existing Grama Panchayats shall be deemed to be transferred to and continued before the interim Grama Panchayat or the amalgamated Grama Panchayat, as the case may be.

(8) All appeals pending before the existing Grama Panchayats immediately before the specified date shall, so far as may be practicable, be disposed of by the interim Grama Panchayat or the amalgamated Grama Panchayat, as the case may be.

(9) All prosecutions instituted by or on behalf of the existing Grama Panchayats or any officer of such Grama Panchayats, pending immediately before the specified date shall be continued by or against the interim Grama Panchayat or the amalgamated Grama Panchayat, as the case may be.

(10) If any difficulty arises in giving effect to the provisions of the preceding sub-sections the Government may, as occasion requires, by order published in the official Gazette do anything which appears to it to be necessary to remove the difficulty.][1]

[1]**[118. Effect of division of panchayat area.**- (1) When during the term of office of the members of a Grama Panchayat any local area comprised within the limits of a panchayat area ceases to be a panchayat area, and is declared as constituting two or more new panchayat areas by virtue of notification under section 4, notwithstanding anything contained

in this Act, with effect from the date on which such notification is issued (hereinafter in this section referred to as the specified date) the following consequences shall ensue, namely:-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(a) the Grama Panchayat constituted in respect of such local area (hereinafter referred to as the existing Grama Panchayat) shall cease to exist and all the members of such Grama Panchayat shall vacate office;

(b) there shall be constituted for the new panchayat areas, Grama Panchayats (hereinafter in this section referred to as interim Grama Panchayats) consisting of members nominated by the Deputy Commissioner and such members shall as far as may be practicable be persons who are the members of the existing Grama Panchayat:

Provided that if as on the specified date there were no elected members in the existing Grama Panchayat the Deputy Commissioner may by order appoint such person (hereinafter referred to as the Administrator) to exercise all powers and perform all duties of the Grama Panchayat, for such period but not exceeding six months as he may specify;

(c) the Adhyaksha and Upadhayksha of the interim Grama Panchayat and the members of the standing committee shall be elected in the manner provided in this Act, within one month from the specified date;

(d) the members of the interim Grama Panchayat so constituted shall subject to the provisions of sections 12, 13, 43 and 43-A hold office for the unexpired portion of their term of office in the existing Grama Panchayat;

(e) before the expiry of the term of office of the members of the interim Grama Panchayat or the expiry of term of the Administrator in accordance with the provisions of clause (b) or (d), Grama Panchayats (hereinafter referred to as new Grama Panchayats) for each of the new panchayat areas shall be constituted in the manner provided in this Act.

(2) When the new panchayat areas are declared under this section so much of the Grama Panchayat fund and other property vesting in the existing Grama Panchayat shall vest in and such portion of the debts and obligations shall be transferred to, the Grama Panchayats established or the Administrator appointed under this section as the Deputy Commissioner may by order direct.

(3) The rights and liabilities of the existing Grama Panchayat in respect of civil and criminal proceedings, contracts, agreements and matters or things arising in and relating to such local area declared as new panchayat areas shall vest in the Grama Panchayat constituted or the Administrator appointed under this section as the Deputy Commissioner may by order direct.

(4) All budget estimates, assessment and assessment lists, valuation or measurements made or authenticated by the existing Grama Panchayat before the specified date shall be deemed to have been made or authenticated in respect of the Grama Panchayats established for the new panchayat areas, as the Deputy Commissioner may by order direct.

(5) Any appointment, notification, notice, tax, order, scheme, licence, permission, rule, regulation, bye-law or form made, issued, imposed or granted in respect to such local areas and in force on the specified date shall continue in force and be deemed to have been made, issued or granted in respect of such new panchayat area as the Deputy Commissioner may by order direct until it is superseded or modified by any appointment, notification, notice, tax, scheme, licence, permission, rule, regulation, bye-law or form made issued, imposed or granted under this Act,

(6) All officers and servants in the employ of the existing Grama Panchayat immediately before the specified date shall be officers and servants of Grama Panchayats constituted in respect of new panchayat areas as the Deputy Commissioner may by order direct and shall until such other provision is made in accordance with this Act, receive salaries and allowances and be subject to conditions of service to which they were entitled or subject immediately before such date:

Provided that it shall be competent for the interim Grama Panchayat, Administrator or the new Grama Panchayats, as the case may be, subject to the previous sanction of the Deputy Commissioner to discontinue the services of any officer or servant who in its or his opinion is not necessary or suitable to the requirements of the Grama Panchayat service in respect of the new panchayat area, after giving the officer or servant such notice, as is required to be given by the terms of his employment and every officer or servant whose services are so discontinued shall be entitled to such leave, pension and gratuity as he was entitled to take or receive on being invalidated out of service as if the Grama Panchayat in the employ of which he was, had not ceased to exist.

(7) All proceedings pending immediately before the specified date before the existing Grama Panchayats shall be deemed to be transferred to, and continue before, such of the interim Grama Panchayat or the Administrator or the new Grama Panchayats, as the case may be, as the Deputy Commissioner may by order direct.

(8) All appeals pending before the existing Grama Panchayat immediately before the specified date shall so far as may be practicable be disposed off by such of the interim Grama Panchayats or the Administrator or the new Grama Panchayats, as the case may be, as the Deputy Commissioner may by order direct.

(9) All prosecutions instituted by or on behalf of the existing Grama Panchayat pending immediately before the specified date shall be continued by or on behalf of such of the interim Grama Panchayats or the Administrator or of the new Grama Panchayats, as the case may be, as the Deputy Commissioner may by order direct.

(10) If any difficulty arises in giving effect to the provisions of the preceding sub-sections the Government may, as occasion requires, by order published in the official Gazette, do anything which appears to it to be necessary to remove the difficulty.][1]

CHAPTER VII

CONSTITUTION OF TALUK PANCHAYAT

119. Establishment of Taluk Panchayat and its incorporation.- (1) For each Taluk, there shall be a Taluk Panchayat having jurisdiction, save as otherwise provided in this Act, over the entire Taluk excluding such portions of the Taluk as are included in a [1][smaller urban area][1] or are under the authority of a municipal corporation, [1][a Town Panchayat or an Industrial Township][1] constituted under any law for the time being in force:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that a Taluk Panchayat may have its office in any area comprised within the excluded portion of the Taluk and in such area may exercise its powers and functions over schools, [1][hospitals][1] and other institutions under its control or management.

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) Every Taluk Panchayat shall be a body corporate by the name of "..... Taluk Panchayat", shall have perpetual succession and a common seal and subject to such restrictions as are imposed by or under this or any other enactment, shall be vested with the

capacity of suing or being sued in its corporate name, or acquiring, holding and transferring property, movable or immovable, whether without or within the limits of the area over which it has authority, of entering into contracts and of doing all things, necessary, proper and expedient for the purpose for which it is constituted.

120. Constitution of Taluk Panchayat.- (1) Every Taluk Panchayat shall consist of,-

(i) the elected members as determined under section 122;

(ii) the members of the House of People and the State Legislative Assembly representing a part or whole of the Taluk, whose constituencies lie within the Taluk;

(iii) the members of the Council of States and the State Legislative Council who are registered as electors within the Taluk; and

(iv) one-fifth of the Adhyakshas of the Grama panchayats in the Taluk [2][of whom one shall be a woman and one each from the scheduled castes and the scheduled tribes][2] by rotation for a period of one year as the [1][Adhyaksha of the Taluk Panchayat][1] may determine by lot:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

Provided that an Adhyaksha who was a member under this clause for one term shall not be eligible to become member for a second term during the remainder of his term of office as Adhyaksha.

[1][(2) The members of the House of people, the State Legislative Assembly, the Council of States and the Legislative Council and the Adhyaksha of the Grama Panchayats referred to in clauses (ii), (iii) and (iv) of sub-section (1) shall be entitled to take part in the proceedings of, and vote at, the meetings of Taluk Panchayat except at a special meeting convened for the purpose of election of Adhyakshas and Upadhyakshas under sub-section (1) of section 138 or for considering a no confidence motion under sub-section (3) of section 140.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(3) Notwithstanding anything contained in this section or sections 122,123 and 124 but subject to any general or special orders of the Government, where two-thirds of the total number of members of any Taluk Panchayat required to be elected have been elected the Taluk Panchayat shall be deemed to have been duly constituted under this Act.

[4]**[**[3]**[**[2]**[**[1]**[121. Elected Members.-** The number of elected members of a Taluk Panchayath as far as possible shall consist of members elected from the territorial constituencies in the Taluk as may be notified from time to time by the Government on the basis of rural population or thereof, as below,-

(i) Taluks having a rural population exceeding [5][two lakhs thirty thousand][5], there shall be one elected member for every population of not less than twelve thousand;

(ii) Taluks having a rural population exceeding one lakh, but not exceeding [5][two lakhs thirty thousand][5] there shall be one elected member for every population of not less than ten thousand and there shall be a minimum of eleven elected members;

(iii) Taluks having a rural population exceeding fifty thousand but not exceeding one lakh, there shall be a minimum of nine elected members; and

(iv) Taluks having a rural population less than fifty thousand, there shall be a minimum of seven elected members.][1][2][3][4]

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

3. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

4. Substituted by Act 19 of 2022 w.e.f. 05.04.2022.

5. Substituted by Act 27 of 2022 w.e.f. 22.08.2022.

Provided that in Taluks having a population of not exceeding one lakh, there shall be a minimum of eleven elected members.

122. Determination of elected members after each census.- Upon the publication of the figures of each census, the number of elected members of a Taluk Panchayat [1][shall be determined by the [2][[3][Government][3]][2]][1] on the basis of the population of the Taluk as ascertained at that census:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

3. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

Provided that the determination of the number as aforesaid shall not affect the then composition of the Taluk Panchayat until the expiry of the term of office of the elected members then in office.

123. Reservation of Seats.- (1) Seats [1][shall be reserved by the [2][[3][Government][3]][2]][1] in a Taluk Panchayat,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

3. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

(a) for the Scheduled Castes; and

(b) for the Scheduled Tribes;

and the number of seats so reserved shall bear as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the Taluk Panchayat as the population of the Scheduled Castes in the Taluk or of the Scheduled Tribes in the Taluk bears to the total population of the Taluk:

[1][Provided that at least one seat each shall be reserved in a Taluk Panchayat for the persons belonging to the Scheduled Casts and the Scheduled Tribes.][1]

1. Omitted by Act 10 of 1995 and inserted by Act 11 of 2000 w.e.f. 25.4.2000.

(2) Such number of seats which shall, as nearly as may be one -third of the total number of seats in a Taluk Panchayat [1][shall be reserved by the [2][4][Government][4]][2]][1] for persons belonging to the Backward Classes. [3][But the number of seats reserved for the Backward Classes under this sub-section shall be so determined, that the total number of seats reserved for the Scheduled Castes and the Scheduled Tribes under sub-section (1) and the Backward Classes under this sub-section shall not exceed fifty per cent of the total number of seats in the Taluk Panchayat.][3]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

3. Inserted by Act 34 of 2011 w.e.f. 04.10.2010.

4. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

[1][Provided that out of the seats reserved under this sub-section eighty per cent of the total number of such seats [2][shall be reserved by the [3][[4][Government][4]][3][2] for the persons falling under category 'A' and the remaining twenty per cent of the seats [2][shall be reserved by the [3][[4][Government][4]][3][2] for the persons falling under category 'B'.][1]

1. Inserted by Act 10 of 1995 w.e.f. 31.1.1995.

2. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

3. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

4. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

(3) Not less than [3][fifty percent][3] of the seats reserved for each category of persons belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes and those of the non-reserved seats in a Taluk Panchayat [1][shall be reserved by the [2][[5][Government][5]][2][1] for women [4][subject to an overall limit of one half rounding of to the next number][4]:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

3. Substituted by Act 24 of 2010 w.e.f.23.07.2010.

4. Inserted by Act 17 of 2015 w.e.f. 30.04.2015.

5. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

Provided that the seats reserved under sub-sections (1), (2), and (3) shall be allotted by rotation to different constituencies in the Taluk [1][and such rotation shall be continued for a period of [2][five years][2][1]:

Provided further that nothing contained in this section shall be deemed to prevent the persons belonging to the Scheduled Castes or Scheduled Tribes or Backward classes or women for whom seats have been reserved in a Taluk Panchayat from standing for election to the non-reserved seats in such Taluk Panchayat.

1. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

124. Delimitation of territorial constituencies.- [1][The [2][Government][2][1] shall, by notification,-

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 25 of 2021 18.09.2021.

(a) divide the area within the jurisdiction of every Taluk Panchayat for the purpose of elections to such Taluk Panchayat into as many single member territorial constituencies as the number of members required to be elected under section 122.

(b) determine the extent of each territorial constituency; and

(c) determine the territorial constituency [1][XXX][1].

1.Omitted by Act 25 of 2021 w.e.f.18.09.2021.

125. Right to vote.- (1) Every person whose name appears in the voters list relating to a constituency shall, subject to the other provisions of this Act, be entitled to vote at any election which takes place in that constituency while the voters list remains in force and no person whose name does not appear in such voters list shall vote at any such election.

(2) No person shall vote at an election under this Act in more than one constituency or more than once in the same constituency and if he does so, all his votes shall be invalid.

[1][(3) It shall be the duty of every person whose name appears in the voters list of a Taluk Panchayat to vote at the election of panchayat and it shall be compulsory, however, he will be free to cast his vote in favour of none of the candidates contesting election as indicated in sub-section (4).

(4) If Election Commissioner makes a suitable provision, the qualified voter shall cast his vote in favour of none of the candidates contesting at the election, in case where he does not want to cast his vote in favour of any candidate.][1]

1. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

126. List of voters.- (1) Subject to the provisions of sub-section (2), the electoral roll of the Zilla Panchayat for the time being in force for such part of the constituency shall be deemed to be the list of voters for such Taluk Panchayat constituency.

(2) No amendments, transposition or deletion of any entry in the electoral roll of the Zilla Panchayat made after the last date for making nominations for an election in any Taluk Panchayat constituency and before the completion of such election shall form part of the list of voters for such election for the purpose of this section.

[1][(3) The Tahsildar concerned shall prepare in the prescribed manner a list of voters for each Taluk Panchayat constituency and the Executive Officer of the Taluk Panchayat shall maintain a copy of such list.][1]

1. Substituted by Act 29 of 1998 w.e.f. 21.9.1998.

127. Qualifications of a candidate.- (1) A person shall not be qualified to be chosen to fill a seat in a Taluk Panchayat unless his name is included in the list of voters of the Taluk Panchayat for the time being in force in the Taluk.

(2) A person shall not be qualified to be chosen from a territorial constituency to fill a seat in a Taluk Panchayat unless in the case of a seat reserved for the Scheduled Castes or Scheduled Tribes or Backward Classes or women, such person is a member of those castes or classes or is a woman.

128. Disqualification for members.- (1) A person shall be disqualified for being chosen and for being member of a Taluk Panchayat,-

(a) if he is so disqualified by or under any law for the time being in force for the purposes of the elections to the State Legislature:

Provided that no person shall be disqualified on the ground that he is less than twenty five years, if he has attained the age of twenty-one years;

(b) if he is disqualified under the Karnataka Local Authorities (Prohibition of Defection) Act, 1987; or

(c) if he has been sentenced by a criminal court to imprisonment for a term exceeding three months in respect of an offence under the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966), such sentence not having been subsequently reversed or quashed or the offence pardoned; or

(d) if an order has been passed against him under section 117 of the Code Of Criminal Procedure, 1973 (Central Act 2 of 1974) in proceedings instituted under section 110 of the code, such order not having been subsequently reversed or quashed; or

(e) if he has been dismissed from service under any local authority; or

[2][(e-1) if he has been subject to compulsory retirement or removal or dismissal from the service of the Central Government or the State Government; or.

(e-2) if he has been subject to compulsory retirement or removal or dismissal from the service of the Co-operative Society and institutions or if, he has been removed from the post of Chairperson and membership of the Co-operative society and institutions; or][2]

(f) if, having been a legal or medical practitioner or a chartered accountant he has been disenrolled or suspended by order of a competent authority, the disqualification in the latter case being operative during the period of such suspension; or

(g) if he has been removed from membership of any local authority; or

(h) if he holds any office of profit under any local or other authority subject to the control of the Central Government, the Government of Karnataka or the Government of any other State, other than such offices as are declared by rules made under this Act not to disqualify the holder.

***Explanation*.-** For the purpose of this clause a person shall not be deemed to hold an office of profit under the Zilla Panchayat, Taluk Panchayat or Grama Panchayat by reason only that he is a Adhyaksha or Upadhyaksha of Zilla Panchayat, Taluk Panchayat or Grama Panchayat,-

(i) if save as hereinafter provided, he has directly, any share or interest in any work done by order of the Taluk Panchayat or in any contract or employment with or under or by or on behalf of the Taluk Panchayat, [1][or if he is either directly or indirectly by himself or by his agent or partner or employee involved in obtaining or execution of any such work or contract on behalf of the Taluk Panchayat or of any contract for the supply of any goods and services to the Taluk Panchayat.][1] or

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Inserted by Act 19 of 2022 w.e.f. 05.04.2022.

[1][(j) if he does not have a sanitary latrine for the use of the members of his family:

[2][Provided that nothing in this clause shall apply to a person, if at the time of filing his nomination he gives an undertaking to construct within one year from the date of commencement of his term of office as a member, a sanitary latrine for the use of members of his family and also complies with such undertaking after becoming a member][2]][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 11 of 2000 w.e.f. 25.4.2000.

[1][(J-1). If he is disqualified under section 308C or][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

[1][(k)][1] if he is employed as paid legal practitioner on behalf of the Taluk Panchayat or accepts an employment as legal practitioner against the Taluk Panchayat:

1. Renumbered by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(l) if he is found guilty, directly involved in any act of misuse or abuse of power or authority as member of the panchayat in executing any scheme, plan or project of the panchayat or of misappropriation of funds or other assets of the panchayat during the term

of his membership or while holding any office of panchayat.][1]

1. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

Provided that,-

(a) the disqualification in clause (d) will cease to operate after the expiry of the period during which a person is ordered to furnish security;

(b) the disqualification in clauses (c), (e), or (f) will cease to operate after the expiry of five years from the date of such sentence, dismissal or disenrollment or removal;

(c) the disqualification in clause (g) will cease after the expiry of five years from the date of such removal;

[1][(cc) the disqualification under clause (j-1) will cease to operate [2][after expiry of six years][2] from date of order by the State Election Commission under section 308C.][1]

1. Inserted by 37 of 2003 w.e.f. 1.10.2003.

2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020

(d) a person shall not be deemed to have incurred disqualification under clause (i) by reason of his,-

(i) having a share in any joint stock company or a share or interest in any association registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960) or in any co-operative society, which shall contract with or be employed by or on behalf of the Taluk Panchayat, or

(ii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Taluk Panchayat is inserted, or

(iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the Taluk Panchayat.

[1][(e) the disqualification under clause (l) shall cease to operate after the expiry of six years from the date of the order.][1]

1.Deemed to have been Inserted by Act 49 of 2020 w.e.f. 31.03.2020

[1][(2) If a person who is chosen as a member of a Taluk Panchayat is or becomes a member of the House of the People, the Council of States, the State Legislative Assembly, the State Legislative Council, or is or becomes a Municipal Councillor or a Councillor of a Municipal Corporation or a Councillor of a Town Panchayat, or a member of a Zilla Panchayat or Grama Panchayat then at the expiration of a period of fifteen days from the date of notification of the names of the members under section 133, or as the case may be, within fifteen days from the date of commencement of term of office of a member of the House of the people, the Council of states, the State Legislative Assembly or the State Legislative Council or a Municipal Councillor or a Councillor of a Municipal Corporation or a Councillor of a Town Panchayat or a member of a Zilla Panchayat or Grama Panchayat, his seat in the Taluk Panchayat shall become vacant unless he has previously resigned his seat in the House of the People, the Council of States, the State Legislative Assembly, the State Legislative Council, the Municipal Council, the Municipal Corporation, Town Panchayat, Zilla Panchayat or Grama Panchayat as the case may be.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

129. Vacancy of seat.- (1) If any member of a Taluk Panchayat,-

(a) is or becomes subject to any of the disqualifications specified in section 128, or

(b) votes or takes part as a member in the discussion of any matter in which he has directly or indirectly any such share or interest as is described in sub-clauses (i) or (ii) of clause (d) of the proviso to sub-section (1) of section 128, or

(c) votes on or takes part in the discussion of any question in contravention of the provision of clause (g) of sub-section (2) of section 141, or

[2][XXXX][2]

his seat shall be deemed to be or to have become, as the case may be, vacant:

[2][XXXX][2]

(2) The [1][State Election Commission][1], on a report made to him and after giving a reasonable opportunity to the person concerned of being heard shall declare whether the seat of the member concerned is or has become vacant.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Omitted by Act 37 of 2017 w.e.f. 12. 07.2017.

130. Method of voting and procedure for election.- (1) Every elector shall have as many votes as there are members to be elected. No elector shall give more than one vote to any one candidate.

(2) Subject to the provisions of this Act, elections to the Taluk Panchayat shall be held by ballot in accordance with such rules as may be prescribed.

[1][(2A) Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in taluk panchayath elections by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State election commission may having regard to the circumstances of each case specify.

Explanation : For the purpose of this section, "Voting Machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.][1]

1.Inserted by Act 24 of 2010 w.e.f. 23.07.2010.

(3) The provisions of sections 26, 27, 28, 29, 30, 31, [1][31A, 31B][1], 32, 33, 34, 35, 36, 37, 38, 39, and 40 shall apply in respect of elections to Taluk Panchayat as they apply to elections to Grama Panchayats.

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

131. Prohibition of simultaneous membership.- (1) If a person is elected by more than one Taluk Panchayat constituency he shall, by notice in writing signed by him and delivered to the Deputy Commissioner or any other prescribed officer, within the prescribed time, choose any one of the constituencies which he shall serve, and the choice shall be final.

(2) If the person does not make the choice referred to in sub-section (1), the Deputy Commissioner or the prescribed officer, shall determine by lot and notify the constituency which such person shall serve.

(3) Such person shall be deemed to have been elected only for the constituency so chosen or notified, as the case may be and the vacancy or vacancies thereby arising in respect of the other constituency or constituencies shall be filled by election.

132. Application of certain sections relating to elections.- (1) The provisions of sections 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 shall apply *mutatis mutandis* in respect of election to Taluk Panchayat, the application being to the [1][Civil Judge (Senior Division)][1] having jurisdiction and the deposit as security for costs being one thousand rupees.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) Any person aggrieved by any decision or order of the [1][Civil Judge (Senior division)][1] under this section may, within thirty days from the date of such decision or order appeal to the District Judge and the decision of the District Judge on such appeal shall be final.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

133. Publication of names of members.- The names of members elected to any Taluk Panchayat shall be [1][reported to the Commissioner who shall notify the names][1] in the Official Gazette.

1. Substituted by Act 8 of 2000 w.e.f. 3.4.2000.

134. Term of office of members.- (1) Except as is otherwise provided in this Act, members of a Taluk Panchayat elected at a general election shall hold office for a term of five years.

(2) The term of office of the members elected at a general election shall commence on the date appointed for the first meeting of the Taluk Panchayat.

(3) The term of office of a member elected to fill a casual vacancy shall commence on the date of publication of his name under section 134.

135. Resignation of members.- A member of a Taluk Panchayat may resign his membership in writing under his hand addressed to the Adhyaksha of the Taluk Panchayat and his seat shall become vacant on the expiry of fifteen clear days from the date of such resignation unless within the said period of fifteen days, he withdraws such resignation by writing under his hand addressed to the Adhyaksha. [1][The Adhyaksha shall cause the letter of resignation to be laid in the next meeting of the Taluk Panchayat.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][**136. Removal of members.–** (1) The Government [1][or the authority authorized by the Government by order in this behalf.][1] if it thinks fit, on the recommendation of the Taluk Panchayat or otherwise, may remove any member after giving him an opportunity of being heard and after such enquiry as it deems necessary, **–**

(i) if he has been guilty of misconduct in the discharge of duties or of any disgraceful conduct;

[1][Provided that where an application is made by a member to the Taluk Panchayat for leave of absence to himself and Taluk Panchayat fails to inform the applicant of its decision on the application within a period of seven days from the date of the application, the leave applied for, shall be deemed to have been granted by the Taluk Panchayat".;][1]

(ii) become incapable of performing duties as a member or persistently remiss in performing duties;-

(a) on account of medically unfit to hold the post as may be certified by the district surgeon;

(b) as a result of insolvency or of unsound mind,

(iii) has failed to attend four consecutive meetings of the panchayat and in the case or an Adhyaksha or Upadhyaksha, failed to convene two consecutive meetings which were either due or were necessary; or

(iv) if the member, by coercion or fraud entice any voter or member of Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be, to trade the post of member or Adhyaksha or Upadhyaksha of Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be during election for a consideration.

(v) in the execution of any work of the panchayat, contractual or otherwise found involved directly with any person who is a nearest relative in the family or otherwise associated in any transaction related to such work as a partner, employee or a member on the Committee of such organisation, or otherwise.

[1][(vi) if a former Adhyaksha or Upadhyaksha or member of Taluk Panchayat has been accused and proved guilty of misconduct or misappropriation in an Inquiry.][1]

1.Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

Explanation:- For the purpose of this section, nearest relative in the family means, -

(a) the wife or husband of a person residing with her or him;
(b) son or daughter or stepson or stepdaughter;
(c) any other person related, whether by blood or marriage who is wholly dependent on such person;

(2) An Adhyaksha or Upadhyaksha or member so removed under sub- section (1) shall cease to function as such member and shall be disqualified from contesting election as provided in sections 12, 128 and 167 of the Act, to any panchayat for the next five years][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[2][1][**136A. Members to declare assets and liabilities,–** (1) Every member shall within three months from the date of commencement of his term of office and until the expiry of his term in every calendar year and within one month of the end of the financial year, file a declaration of the movable and immovable assets and liabilities of more than two lakhs owned by him and by all the members of his joint family in the form as may be prescribed before the state election commission through the executive officer of the concerned taluk panchayat;

Provided that where the term of a member commences before two months of the end of the financial year, such member may file his declaration within two months after the commencement of the following financial year.

(2) The executive officer of the concerned Taluk Panchayat shall receive the declarations filed by all the members and forward to the state election commission in the first week of May of that year and in the case of late submissions, in the first week of July of the year, along with a statement of members who have filed and who have not filed the declaration.

(3) A member, who after filing a declaration under sub-section (1), acquires or disposes of any property or incurrs any liablility shall file a further declaration to that effect before the state election commission through the executive officer of the panchayat, within forty-five days from the date of such acquisition or disposal, as the case may be, and the executive officer shall follow the same procedure as in sub-section (1).

136B. Cessation of Membership,- (1) If the member does not file the declaration or the declaration is found to be false, under section 136A shall be deemed to have committed guilty of misconduct, the state election commission shall after giving an opportunity of hearing, remove him from membership and declare his seat vacant.

(2) If the member is representative of recognized political party, has avoided to receive notice of whip issued by his party or has at any meeting refused to vote or has voted in violation of the whip issued by his party, the State Election Commission, shall remove him from membership and declare his seat vacant.][1]][2]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

137. Casual vacancies how to be filled up.- A casual vacancy of a member of a Taluk Panchayat shall be filled up, as soon as conveniently may be, by the election of a person thereto who shall hold office so long only as the member in whose place he is elected could have held office if the vacancy had not occurred.

138. Election of Adhyaksha and Upadhyaksha and term of office.- (1) The elected members of the Taluk Panchayat referred to in clause (i) of sub-section (1) of section 121 shall [1][2][within one month from the date of publication of names of members under section 133][2] after every general election of Members of Taluk Panchayat or on its reconstitution or establishment under this Act or immediately before the expiry of the term of office of Adhyaksha and Upadhyaksha][1] choose two members from amongst them to be respectively Adhyaksha and Upadhyaksha thereof, and so often as there is a casual vacancy in the office of Adhyaksha and Upadhyaksha they shall choose another member from amongst them to be Adhyaksha or Upadhyaksha, as the case may be:

1. Substituted by Act 17 of 1996 w.e.f. 23.9.1996.

2. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that no election shall be held if the vacancy is for a period of less than one month.

(2) There shall be reserved by the [1][Government][1], in the prescribed manner,-

1. Substituted by Act 8 of 2000 w.e.f. 3.4.2000.

(a) such number of offices of Adhyaksha and Upadhyaksha of Taluk Panchayat in the State for the persons belonging to the Scheduled Castes and Scheduled Tribes and the number of such offices bearing as nearly as may be the same proportion to the total number of offices in the State as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State;

[2][[1][Provided that, the duration of the offices reserved under this sub-section shall be thirty months";][1]][2]

1. Omitted by Act 10 of 1995 w.e.f. 13.1.1995.

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

(b) such number of offices of Adhyaksha and Upadhyaksha of Taluk Panchayats which shall as nearly as may be one-third of the total number of offices of the Adhyaksha and Upadhyaksha in the State, for the persons belonging to the Backward Classes: [2][But the number of offices of Adhyaksha and Upadhyaksha reserved for the Backward Classes under this clause shall be so determined that the total number of offices of Adhyaksha and Upadhyaksha reserved for the Scheduled Castes and the Scheduled Tribes under clause (a) and the Backward Classes under this clause shall not exceed fifty per cent of the total number of offices of Adhyaksha and Upadhyaksha of the Taluk Panchayaths in the State.][2]

[1][Provided that out of the offices reserved under this clause, eighty per cent of the total number of such offices shall be reserved for the persons falling under category 'A' and the remaining twenty per cent of the offices shall be reserved for the persons falling under category 'B' :

Provided further that if no person falling under category 'A' is available, the offices reserved for that category shall also be filled by the persons falling under category 'B' and *vice versa*.][1]

1. Inserted by Act 10 of 1995 w.e.f. 13.1.1995.

2. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.

(c) not less than [1][fifty percent][1] of the total number of offices of Adhyaksha and Upadhyaksha of the Taluk Panchayats in the State from each of the categories reserved for persons belonging to the Scheduled Castes, Scheduled Tribes and backward Classes and those which are non-reserved, for women [2][subject to an overall limit of one half rounding of to the next number][2]:

Provided that the offices reserved under this sub-section shall be allotted by rotation to different Taluk Panchayats.

Explanation.- For the removal of doubts it is hereby declared that the principle of rotation for the purposes of reservation of offices under this sub-section shall commence from the first election to be held after the commencement of the Karnataka Panchayat Raj Act, 1993.

1. Substituted by Act 24 of 2010 w.e.f. 23.7.2010.

2. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

[2][[1][(3) The term of office of every Adhyaksha and every Upadhyaksha of Taluk Panchayat shall, save as otherwise provided in the Act, be [3][thirty months][3] from the date of his election or till he ceases to be a Member of Taluk Panchayat, whichever is earlier.][1]][2]

1. Substituted by Act 17 of 1996 w.e.f. 23.9.1996.

2. Substituted by Act 17 of 2015 w.e.f. 30.04.2015

3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

[1][Provided that the member who is elected as Adhyaksha or Upadhyaksha to fill the casual vacancy in the office of Adhyaksha or Upadhyaksha shall hold office for the remainder of the period for which the Adhyaksha or Upadhyaksha in whose place he has been elected would have held office if the vacancy had not occured.][1]

1. Inserted by Act 10 of 1997 w.e.f. 23.9.1996.

(4) The election of Adhyaksha and Upadhyaksha, filling of Vacancies in the said offices and determination of disputes relating such election shall be in accordance with such rules as may be prescribed;

[1][Provided that the Civil Judge (Senior Division) having Jurisdiction, shall determine such election dispute.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

139. Salary and allowances to the Adhyaksha, Upadhyaksha and other members.- (1) The salary and allowances of Adhyaksha and Upadhyaksha of Taluk Panchayat shall be as prescribed.

(2) Every member of the Taluk Panchayat other than the Adhyaksha and Upadhyaksha shall be entitled to receive such sitting fee and other allowances, as may be prescribed.

140. Resignation or removal of Adhyaksha and Upadhyaksha.- (1) A member holding office as Adhyaksha of the Taluk Panchayat may resign his office at any time by writing under his hand addressed to the Deputy Commissioner and the Upadhyaksha may resign his office at any time by writing under his hand addressed to the Adhyaksha and in the absence of Adhyaksha to the Deputy Commissioner and the office shall become vacant on the expiry of fifteen days from the date of such resignation unless within the said period of

fifteen days he withdraws such resignation by writing under his hand addressed to the Deputy Commissioner or the Adhyaksha, as the case may be.

(2) Every Adhyaksha or Upadhyaksha of Taluk Panchayat shall vacate office if he ceases to be a member of the Taluk Panchayat.

(3) Every Adhyaksha and every Upadhyaksha of the Taluk Panchayat shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed [2][after a notice is given by one half of the elected members and passed by majority of two thirds of total elected members][2]

[1][Provided that no resolution expressing want of confidence in Adhyaksha or Upadhyaksha shall be moved within [3][[2][fifteen months][2]][3], from the date of his selection:

Provided further that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negatived by a Taluk Panchayat, a similar resolution in respect of the same Adhyaksha or Apadhyaksha shall not be given notice of, or moved, within [3][[2][six months][2]][3] from the date of the decision of the Taluk Panchayat.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

(4) Every Adhyaksha and Upadhyaksha of the Taluk Panchayat shall, after an opportunity is afforded for hearing him, [1][and if necessary after obtaining a report from the Zilla Panchayat and considering the same][1] be removable from his office as Adhyaksha or Upadhyaksha by the Government [2][or an authority authorized by the Government in this behalf][2] for misconduct in the discharge of his duties, for being persistently remiss in the discharge of his duties and an Adhyaksha or Upadhyaksha so removed who does not cease to be a member under sub-section (2) shall not be eligible for re-election as Adhyaksha or Upadhyaksha during the remaining term of office as member of such Taluk Panchayat.

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

(5) An Adhyaksha or Upadhyaksha removed from his office under sub-section (4) may also be removed by the Government from membership of the Taluk Panchayat.

[1][(6) Where the offices of both Adhyaksha and Upadhyaksha of Taluk Panchayat are vacant, the Chairman of the Standing Committee on Social Justice shall exercise the powers and perform the duties of the Adhyaksha, until an Adhyadsha or Upadhyaksha is duly elected][1].

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

141. Meetings of Taluk Panchayat.- (1) A Taluk Panchayat shall hold a meeting for the transaction of business at least once in two months (hereinafter in this section called the ordinary meeting) and shall subject to the provisions of the following sub-sections, make regulations not inconsistent with this Act, or with any rules made thereunder with respect to the day, hour, notice, management and adjournment of its meetings and generally with respect to the transaction of business thereto. Every meeting of the Taluk Panchayat shall ordinarily be held at the headquarters of the Taluk Panchayat.

(2) (a) The date of the first meeting of the Taluk Panchayat after the first Constitution or reconstitution, [1][or the date of subsequent meeting for the purpose of election of Adhysksha or Upadhyksha, as the case may be][1] shall be fixed by the Assistant Commissioner who shall preside at such meeting [2][the date of each subsequent ordinary meeting shall be

decided by the Adhyaksha and he shall informthe same at the immediately preceding meeting][2] of the Taluk Panchayat, provided that the Adhyaksha may for sufficient reasons, alter the day of the meeting to a subsequent date. The Adhyaksha may, whenever he thinks fit and shall, upon the written request of not less than one-third of the total number of members and on a date within fifteen days from the receipt of such request, call a special meeting. Such request shall specify the object for which the meeting is proposed to be called. If the Adhyaksha fails to call a special meeting, the Upadhyaksha or one-third of the total number of members may call the special meeting for a day not more than fifteen days after presentation of such request and require the Executive Officer to give notice to the members and to take such action as may be necessary to convene the meeting.

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

2. Omitted by Act 37 of 2017 w.e.f. 12. 07.2017.

(b) Ten clear day's notice of an ordinary meeting and seven clear day's notice of a special meeting specifying the time at which such meeting is to be held and the business to be transacted thereat, shall be sent to the members and pasted up at the office of the Taluk Panchayat. Such notice shall include in the case of a special meeting any motion or proposition mentioned in the written request made for such meeting.

(c) [1][One-half][1] of the total number of members of the Taluk Panchayat shall form a quorum for transaction of business at a meeting of the Taluk Panchayat. If at the time appointed for the meeting a quorum is not present, the person presiding shall, wait for thirty minutes and if within such period there is a quorum proceed with the meeting; but if within such period there is no quorum the person presiding shall adjourn the meeting to such hour on some future day as he may fix. He shall similarly adjourn the meeting at any time after it has begun if his attention is drawn to the want of a quorum. At such adjourned meeting at which there is quorum the business which would have been brought before the original meeting shall be transacted.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

(d) Every meeting shall be open to the public unless the presiding authority considers that any enquiry or deliberation pending before the Taluk Panchayat should be held in camera and the said authority may at any time cause any person who interrupts the proceedings to be removed.

(e) Every meeting shall be presided over by the Adhyaksha or if he is absent, [1][or if the office of Adhyaksha is vacant][1] by the Upadhyaksha and if both the Adhyaksha and Upadhyaksha are absent [1][or if the offices of both Adhyaksha and Upadhyaksha are vacant][1] or if the Adhyaksha is absent and there is no Upadhyaksha the members present shall elect one from among themselves to preside.

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

(f) All questions shall, unless otherwise specially provided be decided by a majority of votes of the members present and voting. The presiding member, unless he refrains from voting, shall give vote before declaring the number of votes, for and against a question and in case of equality of votes, he may give his casting vote.

(g) No member of a Taluk Panchayat shall vote on, or take part in the discussion of, any question coming up for consideration at a meeting of the Taluk Panchayat or any committee, if the question is one in which apart from its general application to the public he has any direct pecuniary interest.[1][It shall be the duty of every member of the Taluk Panchayat to disclose to the Taluk Panchayat any pecuniary interest that he has, direct or `indirect, in any question coming up for consideration at a meeting of the Taluk Panchayat][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(h) If the person presiding is believed by any member present at the meeting to have any such pecuniary interest in any matter under discussion , and if a motion to that effect be carried, he shall not preside at the meting during such discussion, or vote on, or take part in it. Any member of the Taluk Panchayat may be chosen to preside at the meeting during the continuance of such discussion.

(i) No proposition shall be discussed at any ordinary meeting unless it has been entered in the notice convening such meeting or in the case of a special meeting, in the written request for such meting. A member may propose any resolution connected with or incidental to the subjects included in the list of business. The Adhyaksha may propose any urgent subject of a routine nature not included in the list of business if no member objects to it. No permission shall be given in the case of a motion or proposition to modify or cancel any resolution [1][within six months][1] after the passing thereof except in accordance with clause (k). The order in which any business or proposition shall be brought forward at such meeting shall be determined by the presiding authority who in case it is proposed by any member to give particular proposition, shall put the proposal to the meeting and be guided by the majority of votes given for or against the proposal.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(j) Any ordinary meeting may, with the consent of a majority of the members present be adjourned from time to time, but no business shall be transacted at any adjourned meeting other than that left undisposed at the meeting from which the adjournment took place.

(k) No resolution of Taluk Panchayat shall be modified or cancelled within six months after the passing thereof except by a resolution passed by not less than one-half of the total number of members at an ordinary or special meeting, any notice whereof shall have been given fulfilling the requirements of clause (b) and setting forth fully the resolution which it is proposed to modify fully or cancel at such meeting and motion or proposition for the modification or cancellation of such resolution.

(3) The proceedings of every meeting shall be recorded in the minute book immediately after the deliberations of the meeting and shall after being read over by the presiding authority of the meeting be signed by him. The action taken on the decisions of the Taluk Panchayat shall be reported at the next meeting of the Taluk Panchayat. The minute book shall always be kept in the office of the Taluk Panchayat. The minute book shall not be taken outside the Taluk Panchayat office under any circumstances. The Executive Officer shall be the custodian of the minute book. [1][A copy of the proceedings shall be displayed on the notice board within three days from

the date of meeting of the Taluk Panchayat along with the details of the names of the members voting respectively for or against the resolutions passed in the meeting.][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(4) A copy of every resolution passed by a Taluk Panchayat at a meeting shall, within ten days from the day of the meeting, be forwarded to [1][x x x][1] the Chief Executive Officer [2][and copies of the minutes of the meeting shall be furnished to all members][2]

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(5) During any vacancy in the Taluk Panchayat or any committee thereof, continuing members may act as if no vacancy had occurred.

[2][1][(6) the Deputy Commissioner shall preside over the meeting in which no confidence motion against Adhyaksha or Upadhyaksha is being considered by the Taluk Panchayat.][1]][2]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.
2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

142. Interpellations and resolutions.- (1) A member of a Taluk Panchayat may move resolutions and interpellate the Adhyaksha of Taluk Panchayat on matters connected with the administration of the Taluk Panchayat subject to such regulations as may be made by the Taluk Panchayat.

(2) A member of the Taluk Panchayat may also call the attention of the Adhyaksha to any neglect in the execution of the work of the Taluk Panchayat, to any waste of property belonging to the Taluk Panchayat or to the wants of any locality within Taluk and may suggest any improvements which may appear desirable.

143. Taluk Panchayat may require the presence of [1][officers of the Government or of any Government committee, company or corporation involved in rural development as notified by government][1] at meetings.- If it shall appear to a Taluk Panchayat that the attendance of any [1][officers of the Government or of any Government committee, company or corporation involved in rural development as notified by government][1] having jurisdiction over an area of a district or less than a district and not working under the Taluk Panchayat, is desirable at a meeting of the Taluk Panchayat, the Executive Officer shall by a letter addressed to such officer not less than fifteen days before the intended meeting, request that officer to be present at the meeting and the officer shall, unless prevented by sickness or other reasonable cause, attend the meetings:

Provided that the officer on receipt of such letter may if he for any of the causes aforesaid is unable to be present thereat himself, instruct his deputy or other competent subordinate officer to represent him at the meeting.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

144. Validity of proceedings.- (1) No disqualification or defect in the election or appointment of any person acting as member or as the Adhyaksha of Taluk Panchayat or presiding authority of a general or special meeting or of a chairman or member of the committee appointed under this Act, shall be deemed to vitiate any act or proceeding of the Taluk Panchayat or of any such committee as the case may be, in which such person has taken part, whenever the majority who were parties to such act or proceeding, were entitled to act.

(2) No resolution of a Taluk Panchayat or of any Committee appointed under this Act shall be deemed invalid on account of any irregularity in the service of notice upon any member provided that the proceedings of the Taluk Panchayat or committee, were not prejudicially affected by such irregularity.

(3) Until the contrary is proved every meeting of a Taluk Panchayat or of a committee constituted under this Act, in respect of proceedings whereof a minute has been made and signed in accordance with this Act, shall be deemed to have been duly convened and held and all the members of the meeting shall be deemed to have been duly qualified and where the proceedings are the proceedings of a committee, such committee shall be deemed to have been duly constituted and to have had the power to deal with the matters referred to in the minute.

(4) During any vacancy in a Taluk Panchayat or committee the continuing member or members may act as if no vacancy has occurred.

CHAPTER VIII

FUNCTIONS, DUTIES AND POWERS OF TALUK PANCHAYAT, ADHYAKSHA AND UPADHYAKSHA

FUNCTIONS OF TALUK PANCHAYAT

[1][**145. Functions of Taluk Panchayat.-** (1) The Taluk Panchayat shall perform the functions specified in Schedule II:

Provided that where the State Government or Central Government provides funds for the performance of any function specified in Schedule II, the Taluk Panchayat shall perform such functions in accordance with the guidelines or norms laid down for performance of such function.

(2) Notwithstanding anything contrary contained in sub-section (1) or Schedule II, it shall be obligatory on the part of the Taluk Panchayat, in so for as the Taluk Panchayat fund at its disposal will allow, to make reasonable provision within the area under its jurisdiction in respect of the following matters, namely:-

(i) construction and augmentation of water supply works to the level of not less than forty liters per capita for day;

(ii) filing half yearly report regarding the activities of Grama Panchayats within the taluk regarding,-

(a) holding of Grama Sabha;

(b) maintenance of Water supply works;

(c) construction of individual and community latrine;

(d) collection and revision of taxes, rates and fees;

(e) payment of electricity charges;

(f) enrollment in schools;

(g) progress of immunisation.

(iii) providing adequate number of class rooms and maintaining primary school buildings in proper condition including water supply and sanitation;

(iv) acquiring land for locating the manure pits away from the dwelling houses in the villages.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(3) The Taluk Panchayat shall be a unit of local self Government and the state shall endow, subject to availability of funds, the Taluk Panchayat with the powers, authority, functions, functionaries, as may be necessary to enable them to function as institutions of local self-Government.

(4) It shall be the duty of every Taluk Panchayat to meet the needs of people of the panchayat area and so far as the funds of the Taluk Panchayat shall allow have powers to administer the matters enumerated in schedule II and also as specified in the responsibility map in respect of Taluk Panchayats and to prepare and implement schemes for economic, social, cultural development for the realisation of social justice for all, in addition to the following, namely:–

(a) to consolidate, manage and maintain a data base of all relevant socio-economic information and a map of all natural and other resources and assets within the area and update them periodically to include the information obtained as a result

of the surveys and rural appraisals conducted in every Gram Panchayat and the surveys and data collection conducted by every Taluk Panchayat;

(b) to render assistance to the Gram Panchayats for ensuring the safety, security, freedom and rights of all citizens and in particular, the vulnerable sections of the society;

(c) to monitor primary health centre's, taluk hospitals, veterinary hospitals and polyclinics in the taluk with special focus on the health needs of women, children, the aged, sick and the infirm, including implementation of child development programmes at taluk level;

(d) to monitor Government schools, ashram schools and hostels, orphanages, Government industrial, vocational training institutions and education centre's and to perform all the functions required such as promotion of literacy and access to information through libraries with internet access;

(e) to assist the Gram Panchayats in the establishment and development of home stays, tourist destinations, khadi and village industries, food storage, processing and marketing outlets to create opportunities for self-employment and the alleviation of poverty through rural enterprises and cooperative societies including the management of the public distribution system;

(f) to assist cooperative banks for women at the taluk level for encouraging small business, home and cottage industries by offering loans and promoting savings and to nominate three of its women members ex-officio on its committee of directors of whom one shall be a member belonging to the scheduled castes or the scheduled tribes;

(g) to assist the Gram Panchayats by providing material support to preserve, protect and nurture the bio-diversity and ecology of the area and plan for social forestry and maintenance of multi village solid and liquid waste management plants;

(h) to promote trade of rural products, produce and livestock thoroughfares, melas, exhibitions and taluk level public markets and to perform all the attendant functions required;

(i) to enable Gram Panchayats to provide clean drinking water and regular power supply and establish the infrastructure required to ensure the same including providing of technical assistance;

(j) to ensure preparedness in the taluk for any disaster management by assessing the risks and developing disaster documenting and disseminating this knowledge to provide medical and other requirements for all types of possible disasters and enlisting the cooperation and participation of the Gram Panchayats and zilla panchayats, non-Government organisations and men of expertise in the relevant fields;

(k) to promote and preserve social and cultural art forums, sports, crafts, skills and practices of all sections of the society at the taluk level;

(l) to meet the requirements of the Taluk Panchayat area and respond to the needs and requests of the Gram Panchayats and provide assistance as necessary in respect of the matters enumerated in schedule-II;

(m) to conduct along with the urban local bodies concerned, a survey once in five years to collect essential socio-economic data, crop census and cattle census, census of unemployed persons and persons below poverty line within the area of the taluk;

(n) to draw up with the assistance of the Gram Panchayats, its own vision plan based on its survey held consolidating the plans of all the Gram Panchayats within its area and adding to it its own development plan covering area other than the areas covered by the Gram Panchayats in the taluk;

(o) to implement and administer schemes subject to availability of funds such as the construction of roads and bridges and water channels, lift irrigation and minor irrigation schemes that the Gram Panchayats cannot by themselves undertake; and

(p) to promote the health, safety, education or social and economic well- being of the inhabitants for the protection of the environment within the panchayat area and to carry out any other work or programme necessary or incidental thereto][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][**145A. Consolidation and integration of plans.–** (1) Subject to availability of funds in the Taluk Panchayat, the Taluk Panchayat shall draw up a vision plan and annual development plans, indicating the needs in their order of priority, by consolidating the plans presented by the Gram Panchayats, adding their own requirements containing the components of the plans and the estimate of funds required and presenting the same to the taluk planning and development committee with a copy to the Zilla Panchayat. The plans of the Gram Panchayats shall not be altered except on availability of funds or guidelines or direction of Government.

(2) In determining the priorities of development programmes and schemes to be implemented in the area, the priority ranking method shall be adopted taking into consideration the backwardness of the area, urgency of the need, level of impact and the population.

145B. Dangerous quarrying, bore wells, open wells and ponds.– A Taluk Panchayat shall assist the concerned authorities to prevent acts of illegal quarrying, drilling bore wells, excavating open wells or ponds causing nuisance or danger to the inhabitants of the area and to take measures like fencing or filling them to make them secure at the cost of the individual or the person concerned, or from both, as the case may be.

145C. Biodiversity, social forestry and ecology.– A Taluk Panchayat shall assist the Gram Panchayats within the area by providing technical and material support to preserve, protect and nurture, the biodiversity and ecology of the area and plan for social forestry and maintenance of multi village solid and liquid waste management plants.

145D. Knowledge management.– Taluk Panchayat shall consolidate, manage and maintain a data base of all relevant socio-economic information and a map of all natural and other resource and assets within the area and update them periodically to include the information obtained as a result of the surveys and appraisal surveys and the data collection conducted in every Gram Panchayat.][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

146. Assignment of functions.- (1) The Government may assign to a Taluk Panchayat, functions in relation to any matters to which the Executive authority of the Government extends or the functions which have been assigned to the State Government by the Central Government.

(2) The Government may, by notification, withdraw or modify the functions assigned under this section.

147. General powers of Taluk Panchayat.- The Taluk Panchayat shall have powers to do all acts necessary for or incidental to, the carrying out of the functions entrusted or delegated to it and, in particular, and without prejudice to the foregoing powers to exercise all powers specified under this Act.

148. Standing committees.- (1) A Taluk Panchayat shall have the following standing committees, namely,-

(a) General Standing Committee;

(b) Finance, Audit and Planning Committee;

(c) Social Justice Committee.

[1][(2) Each standing committee shall consist of such number of members not exceeding six including the Chairman as specified by the Taluk Panchayat, elected by the members of the Taluk Panchayat from among the elected members. The election of members of standing committee shall be held as soon as may be after every general election of members of Taluk Panchayat or on its reconstitution or establishment under this Act or immediately before the expiry of the term of office of the members of the standing committee:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that the Social Justice Committee shall consist of at least one member who is a woman and one member from either the Scheduled Castes or Scheduled Tribes whichever has more number of elected members.][1]

[1][(2A) The term of office of every member of the standing committee shall, save as otherwise provided in this Act, be twenty months from the date of his election or till he ceases to be a member of the Taluk Panchayat, whichever is earlier.][1]

1. Inserted by Act 17 of 1996 w.e.f. 23.3.1996.

[1][(3) The Adhyaksha shall be the *ex-officio* member and Chairman of the Finance, Audit and Planning Committee. The Upadhyaksha shall be the ex officio member and Chairman of the General Standing Committee. The other standing Committees shall elect the Chairman from among the members.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(4) No elected member of the Taluk Panchayat shall be eligible to serve on more than one standing committee.

(5) The Executive Officer shall be the *ex-officio* Secretary of every standing committee.

149. Functions of the standing committees.- (1) The General Standing Committee shall perform functions relating to the establishment matters, communications, buildings, rural housing, village extensions, relief against natural calamities, water supply and all miscellaneous residuary matters.

(2) The Finance, Audit and Planning Committee shall perform the functions relating to the finance of the Taluk Panchayat, framing of budgets, scrutinising proposals for increase of revenue, examinations of receipts and expenditure statement, consideration of all proposals affecting the finances of the Taluk Panchayat and general supervision of the revenue and expenditure of the Taluk Panchayat and co-operation, small savings scheme and any other function relating to the development plan of the Taluk.

(3) The Social Justice Committee shall perform functions relating to,-

(a) promotion of education, economic, social, cultural and other interests of the Scheduled Castes and Scheduled Tribes and Backward Classes;

(b) protecting them from social injustice and all other forms of exploitation;

(c) amelioration of the Scheduled Castes and Scheduled Tribes and Backward Classes;

(d) securing social justice to the Scheduled Castes and Scheduled Tribes, women and other weaker sections of the society.

(4) The standing committee shall perform the functions referred to above to the extent the powers are delegated to them by the Taluk Panchayat.

150. Procedure of committees.- (1) Taluk Panchayat may frame regulations relating to election of members of committees conduct of business therein and all other matters relating to them.

(2) The Chairman of every committee shall in respect of the work of the committee be entitled to call for any information, return, statement, account or report from the office of the Taluk Panchayat and to enter on and inspect any immoveable property of the Taluk Panchayat or work in progress connected with the work of the committee .

(3) Each committee shall be entitled to require attendance at its meetings any officer of the Taluk Panchayat who is connected with the work of the committee. The Secretary shall under instruction of the Committee, issue notices and secure the attendance of the officer.

151. Delegation of powers.- The Taluk Panchayat may, by notification delegate to the Executive Officer or other officer any of the powers conferred by or under this Act on Taluk Panchayat.

152. Powers and duties of the Adhyaksha.- [1][The Adhyaksha shall be the Executive head of the Taluk Panchayat and shall][1],-

1. Substituted by Act 9 of 1996 w.e.f. 29.11.1995.

(a) convene, preside at and conduct meetings of the Taluk Panchayat;

(b) discharge all duties imposed and exercise all the powers conferred on him under this Act and the rules made thereunder and perform such functions entrusted to him by the Government from time to time;

[1][(c) exercise supervision and control over the Executive Officer for securing implementation of resolutions or decisions of the Taluk Panchayat or of the Standing Committees which are not inconsistent with the provisions of this Act or any general or specific directions issued under this Act][1]

1. Omitted Act 9 of 1996 w.e.f. 29.11.1995 and Inserted by 37 of 2003 w.e.f. 1.10.2003.

(d) exercise overall supervision [1][and control][1] over the financial and executive administration of the Taluk Panchayat and place before the Taluk Panchayat all questions connected therewith which shall appear to him to require its orders and for this purpose may call for records of Taluk Panchayat; and

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(e) have power to accord sanction upto a total sum of [1][rupees one lakh][1] in a year for the purpose of providing immediate relief to those who are affected by the natural calamities in the Taluk:

Provided that the Adhyaksha shall place at the next meeting of the Taluk Panchayat for its ratification, the details of such sanctions.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

153. Powers and duties of the Upadhyaksha.- The Upadhyaksha of the Taluk Panchayat shall,-

(a) exercise the powers and perform the duties of the Adhyaksha, when the Adhyaksha is absent or on leave or is incapacitated from functioning [1][or when the office of Adhyaksha is vacant][1]; and

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

(b) in the absence of the Adhyaksha [1][or when the office of Adhyaksha is vacant][1] preside over the meeting of the Taluk Panchayat.

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

[1][**154. Mode of making contracts.–** (1) every contract or agreement entered into for execution of works or for supply of goods or services on behalf of the Taluk Panchayat shall be in accordance with this section and the Karnataka transparency in public procurement Act, 1999.

(2) The executive officer shall execute the contract or agreements on behalf of the Taluk Panchayat in respect of matters which he is empowered to carry out under the provisions of any law for the time being in force and such contract or agreement shall be executed up to such amount of value of the contract or agreement as may be prescribed by the Government][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

CHAPTER IX

STAFF OF TALUK PANCHAYAT

155. Executive officer and other staff.- (1) The Government shall appoint a Group-A Officer of the State Civil Services or equal to the rank of the Assistant Commissioner to be the Executive Officer of the Taluk Panchayat.

(2) The Government shall post from time to time to work under every Taluk Panchayat such number of officers and officials of group A or B or C or D Services of the State (including any officer and official appointed to such service from amongst persons employed by existing local authorities) to serve under the Taluk Panchayat as the Government considers necessary.

(3) Notwithstanding anything contained in this act or any other law for the time being in force, Government or any officer or other authority authorised by it in this behalf shall have power to effect transfer of the officers and officials so posted either within the Taluk or from one Taluk to another Taluk.

156. Functions of the Executive Officer and other officers and officials.- (1) [1][Save as otherwise expressely provided by or under this Act,][1] [2][the Executive Officer shall perform the following functions,-][2]

1. Substituted by Act 9 of 1996 w.e.f. 29.11.1995.

2. Substituted by Act 37 fo 2003 w.e.f. 1.10.2003.

(a) exercise all the powers specifically imposed or conferred upon him by or under this Act, or under any other law for the time being in force;

[1][(b) control the officers and officials of, or holding office under the Taluk Panchayat subject to the general superintendence and control of the Adhyaksha and such rules as may be prescribed.][1]

1. Substituted by Act 9 of 1996 w.e.f. 29.11.1995.

[1][(bb)discharge all duties imposed and exercise all the powers conferred on him under this Act and the rules made there under and perform such other functions entrusted to him by the Government from time to time][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(c) supervise and control the execution of all works of the Taluk Panchayat;

(d) take necessary measures for the speedy execution of all works and developmental schemes of the Taluk Panchayat;

(e) have custody of all papers and documents connected with the proceedings of the meetings of the Taluk Panchayat and of its Committees;

(f) draw and disburse monies out of the Taluk Panchayat fund; and

(g) exercise such other powers and discharge such other functions as may be prescribed.

(2) The Executive Officer shall attend every meeting of the Taluk Panchayat and shall have the right to attend the meeting of any committee thereof and to take part in the discussion but shall not have the right to move any resolution or to vote. [1][If in the opinion of the Executive Officer any proposal or resolution before the Taluk Panchayat or any Committee or any order of the Adhyaksha is violative of, or inconsistent with the provisions of this Act, or any other law or rule or order made thereunder or any financial regulation or budget provision or is in derogation of the functions and powers of the Taluk Panchayat or its committee or the Adhyaksha, it shall be the duty of the Executive Officer to advise the Taluk Panchayat or the committee or the Adhyaksha in the form of a written note containing the reasons for his opinion and specifying the law, rule, order, regulation or provision with which the proposal or resolution or order is inconsistent and if the proposal or resolution or order has been considered and passed by the Taluk Panchayat or the committee or the Adhyaksha before such advise is tendered, the Executive Officer may resubmit the proposal or resolution or order with his advice after such examination as he considers necessary.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(3) If the Taluk Panchayat or any of its committees or the Adhyaksha passes the resolution or order without resolving the inconsistency referred to in sub-section (2) it shall be the duty of the Executive Officer, not withstanding any other provisions in this Act, to forward forthwith to the Chief Executive Officer under intimation to the Adhyaksha a copy of the said resolution or order along with his written note.][1]

1. Substituted 29 of 1997 w.e.f. 20.10.1997.

157. Executive Officer's right to requisition records. etc.- (1) Every person in possession of moneys, accounts, records, or other property pertaining to a Grama Panchayat or Taluk Panchayat shall on the requisition in writing of the Executive Officer for this purpose, forthwith handover such moneys or deliver up such accounts, records or other property to the Executive Officer or the person authorised in the requisition to receive the same.

(2) The Executive Officer may also take steps to recover any money due by such person in the same manner and subject to the same provisions as in the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) for the recovery of the arrears of land revenue from defaulters; and for the purpose of recovering the accounts , records or other property appertaining to the Grama Panchayat or Taluk Panchayat may issue a search warrant and exercise all such powers with respect thereto as may lawfully be exercised by a Magistrate under the provisions of Chapter VII of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(3) Every person knowing where any moneys, accounts, records or other property appertaining to a Grama Panchayat or Taluk Panchayat are concealed, shall be bound to give information of the same to the Executive Officer.

(4) An appeal shall lie from an order of the Executive Officer under this section to the Chief Executive Officer.

CHAPTER X

ZILLA PANCHAYAT

158. Establishment of Zilla Panchayat and its incorporation.- (1) There shall be constituted for each district a Zilla Panchayat having jurisdiction over the entire district excluding such portions of the district as are included in a [1][smaller urban area][1] or are under the authority of a municipal corporation, a [1][a Town Panchayat or an Industrial Township][1] constituted under any law for the time being in force:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that a Zilla Panchayat may have its office in any area comprised within the excluded portion of the district and in such area may exercise its powers and functions over schools and other institutions under its control or management.

(2) Every Zilla Panchayat shall be a body corporate by the name of "..... Zilla Panchayat" shall have perpetual succession and a common seal and subject to such restrictions as are imposed by or under this or any other enactment, shall be vested with the capacity of suing or being sued in its corporate name, of acquiring, holding and transferring property movable or immovable, whether without or within the limits of the area over which it has authority of entering into contracts and of doing all things, necessary, proper or expedient for the purpose for which it is constituted.

159. Constitution of Zilla Panchayat.- (1) Every Zilla Panchayat shall consist of,-

(i) the elected members as determined under section 160;

(ii) the members of the House of People and the members of the State Legislative Assembly representing a part or whole of the district whose constituencies lie within the district;

(iii) the members of the Council of State and the members of the State Legislative Council who are registered as electors within the district; and

(iv) the Adhyakshas of Taluk Panchayats in the district.

[1][(2) The members of the House of People, the State Legislative Assembly, the Council of States and the Legislative Council and the Adhyaksha of Taluk Panchayat referred to in clauses (ii), (iii) and (iv) of sub-section (1) shall be entitled to take part in the proceedings of, and vote at, the meetings of Zilla Panchayat except at a special meeting convened for the purpose of election of Adhyakshas and Upadhyakshas under sub-section (1) of section 177 or for considering a no confidence motion under sub-section (3) of section 179.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(3) Notwithstanding anything contained in this section or sections 160, 161, and 162 but subject to any general or special orders of the Government, where two-thirds of the total number of members of any Zilla Panchayat required to be elected, have been elected, the Zilla Panchayat shall be deemed to have been duly constituted under this Act.

[1][160. Elected members.- The elected members of the Zilla Panchayat shall consist of [9][[5][not less than twenty five][5] members][9] elected from the Taluks in the district, the number of members to be elected from each Taluk [2][being fixed by the [3][Government][3]][2] in accordance with the scale of one member for [6][for every population between thirty five thousand and forty-five thousand][6] or part thereof of the population :

[8][[4][Provided that, in case of [11][Shivamogga (excluding Bhadravati, Shivamogga and Shikaripura Taluks),][11] Chikkamagalur (excluding Tarikere, Kaduru, Ajjampura Taluks) Uttara Kannada [12][XXX][12] Districts it shall be one member for every rural population between eighteen thousand to twenty five thousand or part thereof [13][and in case of Kodagu district,

there shall be one member for every eighteen thousand or part thereof of rural population]]]]]

[10][Provided further that, in case of a district having rural population of more than seven lakhs but not more than nine lakhs fifty thousand there shall be twenty eight elected members.][10]

1. Substituted by Act 10 of 1995 w.e.f. 13.1.1995.
2. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
3. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.
4. Substituted by Act 34 of 2011 w.e.f. 4.10.2010.
5. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.
6. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
7. Deemed to have been omitted by Act 49 of 2020 w.e.f. 31.03.2020.
8. Substituted by Act 19 of 2022 w.e.f.05.04.2022.
9. Substituted by Act 27 of 2022 w.e.f. 22.08.2022.
10. Inserted by Act 27 of 2022 w.e.f. 22.08.2022.
11. Inserted by Act 01 of 2024 w.e.f. 16.09.2023.
12. Omitted by Act No.22 of 2024 w.e.f. 11.03.2024
13. Inserted by Act No.22 of 2024 w.e.f. 11.03.2024

161. Determination of elected members after census.- Upon the publication of the figures of each census, the number of elected members of a Zilla Panchayat [1][shall be determined by the [2][[3][Government based on the recommendation of the Karnataka Panchayat Raj Delimitation Commission][3]][2]][1] on the basis of the population of the district as ascertained at that census:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.
3. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

Provided that the determination of the number as aforesaid shall not affect the then composition of the Zilla Panchayat until the expiry of the term of office of the elected members then in office.

162. Reservation of seats.- (1) Seats [1][shall be reserved by the [2][[3][Government][3]][2]][1] in the Zilla Panchayat,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.
3. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

(a) for Scheduled Castes; and

(b) for the Scheduled Tribes;

and number of seats so reserved shall bear, as nearly as ma-y be, the same proportion to the total number of seats to be filled by direct election in the Zilla Panchayat as the population of the Scheduled Castes in the district or of the Scheduled Tribes in the district bears to the total population of the district:

[1][Provided that at least one seat each shall be reserved in a Zilla Panchayat for the persons belonging to the Scheduled Castes and the Scheduled tribes.][1]

1. Omitted by Act 10 of 1985 and Inserted by Act 11 of 2000 w.e.f. 25.4.2000.

(2) Such number of seats which shall, as nearly as may be one third of the total number of seats in a Zilla Panchayat [1][shall be reserved by the [2][[4][Government][4]][1,2]] for persons belonging to the Backward Classes. [3][But the number of seats reserved for the Backward Classes under this sub-section shall be so determined, that the total number of seats reserved for the Scheduled Castes and the Scheduled Tribes under sub-section (1) and the Backward Classes under this sub-section shall not exceed fifty per cent of the total number of seats in the Zilla Panchayat.][3]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

3. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.

4. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

[1][Provided that out of the seats reserved under this sub-section, eighty per cent of the total number of such seats [2][shall be reserved by the [3][State Election Commission][3,2]] for the persons falling under category 'A' and the remaining twenty per cent of the seats [2][shall be reserved by the [3][[4][Government][4]][2,3]] for the persons falling under category 'B'.][1]

1. Inserted by Act 10 of 1995 w.e.f. 13.1.1995.

2. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

3. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

4. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

(3) Not less than [3][fifty percent][3] of the seats reserved for each category of persons belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes and those of the non-reserved seats in the Zilla Panchayat [1][shall be reserved by the [2][[5][Government][5]][2,1]] for women [4][subject to an overall limit of one half rounding of to the next number][4]:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.
3. Substituted by Act 24 of 2010 w.e.f.23.07.2010.
4. Inserted by Act 17 of 2015 w.e.f. 30.04.2015.
5. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

Provided that the seats reserved under sub-sections (1), (2) and (3) shall be allotted by rotation to different constituencies in the district [1][and such rotation shall be continued for a period of [2][five years][1]][2]:

Provided further that nothing contained in this section shall be deemed to prevent the persons belonging to the Scheduled Castes or Scheduled Tribes or Backward Classes or women for whom seats have been reserved in a Zilla Panchayat from standing for election to the non-reserved seats in such Zilla Panchayat.

1. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

163. Delimitation of territorial constituencies.- The [1][[2][Government based on the recommendation of the Karnataka Panchayat Raj Delimitation Commission][2]][1] shall, by notification,-

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 25 of 2021 w.e.f. 18.09.2021.

(a) divide the area within the jurisdiction of every Zilla Panchayat, for the purpose of election to such Zilla Panchayat into as many signal member territorial constituencies as the number of members required to be elected under section 160;

(b) determine the extent of each territorial constituency which shall be a Taluk or part of a Taluk ;and

[1][Provided that the area comprised in a constituency of a Zilla Panchayat determined under section 124, shall not be divided while determining the extent of each territorial constituency][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][(c) determine the territorial constituency [2][XXX][2]][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Omitted by Act 25 of 2021 w.e.f. 18.09.2021.

164. Right to vote.- (1) Every person whose name appears in the electoral roll relating to a constituency shall subject to the other provisions of this Act, be entitled to vote at any election which takes place in that constituency while the electoral roll remains in force and no person whose name does appear in such electoral roll shall vote at any such election.

(2) No person shall vote at an election under this Act in more than one constituency or more than once in the same constituency and if he does so, all his votes shall be invalid.

[1][(3) It shall be the duty of every person whose name appears in the voters list of a Zilla Panchayat to vote at the election of panchayat and it shall be compulsory. however, he will be free to cast his vote in favour of none of the candidates contesting election as indicated in sub-section (4).

(4) If Election Commissioner makes a suitable provision, the qualified voter shall cast his vote in favour of none of the candidates contesting at the election, in case where he does not want to cast his vote in favour of any candidate.][1]

1. Inserted by Act 17 of 2015 w.e.f. 30.04.2015

165. Electoral roll.- The electoral roll of the Zilla Panchayat [1][shall be prepared by the Assistant Commissioner][1] subject to the superintendence, direction and control of the State Election Commission:

1. Substituted by Act 21 of 1999 w.e.f. 4.8.1999.

Provided that the electoral roll of the Karnataka Legislative Assembly for the time being in force for such part of the district as is included in any constituency of the Zilla Panchayat may be adopted for the purpose of preparation of electoral roll of the Zilla Panchayat for such constituency:

Provided further that the electoral roll for such constituency of the Zilla Panchayat shall not include any amendment, transposition, inclusion or deletion of any entry made after the last date for making nomination for the election of such constituency and before the completion of such election.

166. Qualifications of a candidate.- (1) A person shall not be qualified to be chosen to fill a seat in a Zilla Panchayat unless his name is included in the electoral roll of the Zilla Panchayat for the time being in force in the district.

(2) A person shall not be qualified to be chosen from a territorial constituency to fill a seat in a Zilla Panchayat unless in the case of a seat reserved for the Scheduled Castes or Scheduled Tribes or Backward Classes or women such person is a member of those castes or tribes or classes or is a woman.

167. Disqualification for members.- (1) A person shall be disqualified for being chosen and for being member of a Zilla Panchayat,-

(a) if he is so disqualified by or under any law for the time being in force for the purposes of the elections to the State Legislature:

Provided that no person shall be disqualified on the ground that he is less than twenty five years, if he has attained the age of twenty-one years.

(b) if he has been sentenced by a criminal court to imprisonment for a term exceeding three months in respect of an offence under the Karnataka Excise Act , 1965 (Karnataka Act 21 of 1966), such sentence not having been subsequently reversed or quashed or the offence pardoned; or

(c) if an order has been passed against him under section 117 of the Code Of Criminal Procedure, 1973 (Central Act 2 of 1974) in proceedings instituted under section 110 of that code, such order not having been subsequently reversed or quashed ; or

(d) if he has been dismissed from service under any local authority; or

[2][(d-1) if he has been subject to compulsory retirement or removal or dismissal from the service of the Central Government or the State Government; or.

(d-2) “if he has been subject to compulsory retirement or removal or dismissal from the service of the Co-operative Society and institutions or if, he has been removed from the post of Chairperson and membership of the Co-operative society and institutions; or][2]

(e) if having been a legal or medical practitioner or a chartered accountant has been disenrolled or suspended by order of a competent authority, the disqualification in the latter case being operative during the period of such suspension; or

(f) if he has been removed from membership of any local authority; or

(g) if he holds any office of profit under any local or other authority subject to the control of the Central Government, the State Government or the Government of any other State, other than such office as are declared by rules made under this Act not to disqualify the holder; or

***Explanation*.-** For the purpose of this clause a person shall not be deemed to hold an office of profit under the Zilla Panchayat, Taluk Panchayat or Grama Panchayat by reason only that he is an Adhyaksha or Upadhyaksha of Zilla Panchayat, Taluk Panchayat or Grama Panchayat.

(h) if save as hereinafter provided, he has directly or indirectly any share or interest in any work done by order of the Zilla Panchayat or in any contract or employment with or under, or by, or on behalf of, the Zilla Panchayat [1][or if he is either directly or indirectly by himself or by his partner or agent or employee involved in obtaining or execution of any such work or contract on behalf of the Zilla Panchayat or of any contract for the supply of any goods and services to the Zilla Panchayat; or][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Inserted by Act 19 of 2022 w.e.f. 05.04.2022.

(i) if he employed as a paid legal practitioner on behalf of the Zilla Panchayat or accepts employment as legal practitioner against the Zilla Panchayat; or

[1][(j) if he does not have a sanitary latrine for the use of the members of his family:

[2][Provided that nothing in this clause shall apply to a person, if at the time of filing his nomination he gives an undertaking to construct within one year from the date of commencement of his term of office as a member, a sanitary latrine for the use of the members of his family and also complies with such undertaking after becoming a member.][2]][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 11 of 2000 w.e.f. 25.4.2000.

[1][(J-1) If he is disqualified under section 308 C or;][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

[1][(k)][1]if he is disqualified under the Karnataka Local Authorities (Prohibition of Defection) Act, 1987;

1. Renumbered by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(l) if he is found guilty, directly involved in any act of misuse or abuse of power or authority as member of the panchayat in executing any scheme, plan or project of the panchayat or of misappropriation of funds or other assets of the panchayat during the term of his membership or while holding any office of panchayat.][1]

1. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

Provided that,-

(a) the disqualification in clause (c) will cease to operate after the expiry of the period during which a person is ordered to furnish security;

(b) the disqualification in clause (b), (d), or (e) will cease to operate after the expiry of five years from the date of such sentence or dismissal or disenrollment or removal by an order of the Government;

(c) the disqualification in clause (f) will cease after the expiry of five years from the date of such removal;

[1][(cc) the disqualification under clause (j-1) will cease to operate after the expiry of [2][six years][2] from the date of order by the State Election Commission under section 308C.][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

(d) a person shall not be deemed to have incurred disqualification under clause (h) by reason of his,-

(i) having a share in any joint stock company or a share or interest in any association registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960) or in any co-operative society which shall contract with or be employed by or on behalf of the Zilla Panchayat, or

(ii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Zilla Panchayat is inserted, or

(iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the Zilla Panchayat.

[1][(e) the disqualification under clause (1) shall cease to operate after the expiry of six years from the date of the order.][1]

1. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020

[1][(2) If a person who is chosen as a member of a Zilla Panchayat is or becomes a member of the House of the People, the Council of States, the State Legislative Assembly or the State Legislative Council, or is or becomes a Municipal Councillor or a Councillor of a Municipal Corporation or a Councillor of a Town Panchayat, or a member of a Taluk Panchayat or a Grama Panchayat then at the expiration of a period of fifteen days from the date of notification of the names of the members under section 172, or as the case may be, within fifteen days from the date of commencement of term of office of a member of the House of the people, the Council of states, the State Legislative Assembly or State Legislative Council or a Municipal Councillor or a Councillor of a Municipal Corporation or a Councillor of a Town Panchayat or a member of a Taluk Panchayat or Grama Panchayat, his seat in the Zilla Panchayat shall become vacant unless he has previously resigned his seat in the House of the People, the Council of States, the State Legislative Assembly or the State Legislative Council or the Municipal Council or the Municipal Corporation or Town Panchayat or Taluk Panchayat or Grama Panchayat as the case may be.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

168. Vacancy of Seats.- (1) If any member of a Zilla Panchayat,-

(a) is or becomes subject to any of the disqualifications specified in section 167; or

(b) votes or takes part as a member in the discussion of any matter in which he has directly or indirectly any such share or interest as is described in sub-clause (i) or (ii) of clause (d) of the proviso to sub-section (1) of section 167; or

(c) votes on or takes part in the discussion of any question in contravention of the provision of clause (g) of sub-section (2) of section 180; or

[2][XXX][2]

his seat shall be deemed to be or to have become, as the case may be, vacant:

[2][XXX][2]

(2) The [1][State Election Commission][1] on a report made to it and after giving a reasonable opportunity to the person concerned of being heard shall declare whether the seat of the person concerned is or has become vacant.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Omitted by Act 37 of 2017 w.e.f. 12.07.2017.

169. Method of voting and procedure for election.- (1) Every elector shall have as many votes as there are members to be elected. No elector shall give more than one vote to any one candidate.

(2) Subject to the provisions of this Act, election to the Zilla Panchayat shall be held by ballot in accordance with such rules as may be prescribed.

[1][(2A)Not withstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in zilla panchayath elections by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State Election Commission may having regard to the circumstances of each case specify

Explanation: For the purpose of this section "Voting machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made there under shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.] [1]

1. Inserted by Act 24 of 2010 w.e.f. 23.07.2010.

(3) The provisions of sections 26, 27, 28, 29, 30, 31,[1][31A, 31B][1], 32, 33, 34, 35, 36, 37, 38, 39, and 40 shall apply in respect of elections to Zilla Panchayat as they apply to elections to Grama Panchayats.

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

170. Prohibition of simultaneous membership.- (1) If a person is elected by more than one Zilla Panchayat constituency he shall, by notice in writing signed by him and delivered to the Deputy Commissioner or any other officer, authorised by the Government within the prescribed time, choose any one of the constituencies which he shall serve, and the choice shall be final.

(2) If the person does not make the choice referred to in sub-section (1), the Deputy Commissioner or the authorised officer, shall determine by lot and notify the constituency which such person shall serve.

(3) Such person shall be deemed to have been elected only for the constituency so chosen or notified, as the case may be and the vacancy or vacancies thereby arising in respect of the other constituency or constituencies shall be filled by election.

171. Application of certain sections relating to elections.- (1) The provisions of sections 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 shall apply *mutatis mutandis* in respect of election to Zilla Panchayat, the application being to the [1][[2][designated court][2] Division)][1] having jurisdiction and the deposit as security for costs being two thousand rupees.

(2) Any person aggrieved by any decision or order of the [1][[2][designated court][2] Division)][1] under this section may, within thirty days from the date of such decision or order appeal to the District Judge and the decision of the District Judge on such appeal shall be final.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

172. Publication of names of members.- The names of members elected to any Zilla Panchayat shall be [1][reported to the Government which shall notify the names][1] in the Official Gazette.

1. Substituted by Act 8 of 2000 w.e.f. 3.4.2000.

173. Term of office of members.- (1) Except as is otherwise provided in this Act, members of a Zilla Panchayat elected at a general election shall hold office for a term of five years.

(2) The term of office of the member elected at a general election shall commence on the date appointed for the first meeting of the Zilla Panchayat.

(3) The term of office of a member elected to fill a casual vacancy shall commence on the date of publication of his name under section 172.

174. Resignation of members.- A member of a Zilla Panchayat may resign his membership in writing under his hand addressed to the Adhyaksha of the Zilla Panchayat and his seat shall become vacant on the expiry of fifteen clear days from the date of such resignation unless within the said period of fifteen days, he withdraws such resignation by writing under his hand addressed to the Adhyaksha.[1] [The Adhyaksha shall cause the letter of resignation to be laid in the next meeting of the Zilla Panchayat.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][**175. Removal of members,–** (1) The Government [2][or an authority authorized by the Government in this behalf][2] if it thinks fit on the recommendation of zilla panchayat, may remove any member after giving him opportunity of being heard and after such enquiry as deems necessary, **–**

(i) if he has been guilty of misconduct in the discharge of duties or of any disgraceful conduct;

(ii) become incapable of performing duties as a member or persistently remiss in performing duties;
(a) on being medically unfit to hold the post as may be certified by the district surgeon;
(b) as a result of insolvency or of unsound mind,

(iii) has failed to attend four consecutive meetings of the panchayat and in the case or an Adhyaksha or Upadhyaksha, failed to convene two consecutive meetings which were either due or were necessary; or

[2][Provided that where an application is made by a member to the Zilla Panchayat for leave of absence to himself and Zilla Panchayat fails to inform the applicant of its decision on the application within a period of seven days from the date of the application, the leave applied for shall be deemed to have been granted by the Zilla Panchayat.][2]

(iv) if the member, by coercion or fraud entice any voter or member of Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be, to trade the post of member or Adhyaksha or Upadhyaksha Gram Panchayat or Taluk Panchayat or Zilla Panchayat as the case may be during election for a consideration;

(v) in the execution of any work of the panchayat, contractual or otherwise found involved directly with any person who is a nearest relative in the family or otherwise associated in any transaction related to such work as a partner, employee or a member on the Committee of such organisation, or otherwise.
[if a former Adhyaksha or Upadhyaksha or member of Zilla Panchayat has been accused and proved guilty for misconduct or misappropriation in an enquiry.]

[2][(vi) if a former Adhyaksha or Upadhyaksha or member of Zilla Panchayat has been accused and proved guilty for misconduct or misappropriation in an enquiry.][2]

Explanation: For the purpose of this section, nearest relative in the family means, -
(a) the wife or husband of a person residing with her or him;
(b) son or daughter or step-son or step-daughter;
(c) any other person related, whether by blood or marriage who is wholly dependent on such person;

(2) An Adhyaksha or Upadhyaksha or member so removed shall cease to function in office and shall be disqualified under section 12, 124 and 167 of the Act, for a period of five years][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020

[2][[1][**175A. Members to declare assets and liabilities,–** (1) Every member shall within three months from the date of commencement of his term of office and until the expiry of his term in every calendar year, and within one month of the end of the financial year, file a declaration of the movable and immovable assets and liabilities of more than two lakhs owned by him and by all the members of his joint family in the form as may be prescribed before the State Election Commission through the chief executive officer of concerned Zilla Panchayat:

Provided that, where the term of a member commences before two months of the end of the financial year such member may file his declaration within two months after the commencement of the following financial year.

(2) The Chief executive officer of the concerned Zilla Panchayatshall receive the declarations filed by all the members and forward the same to the State Election Commission in the first week of May of that year and, in the case of late submissions, in the first week of July of the year, with a statement of members who have filed and who have not filed the declaration.

(3) A member, who after filing a declaration under sub-section (1), acquires disposes of any property or incurrs any liability shall file a further declaration to that effect before the state election commission through the chief executive officer of the panchayat, within forty-five days from the date of such acquisition or disposal, as the case may be, and the chief executive officer shall follow the same procedure as in sub-section (1).

175B. Cessation of Membership.- (1) If the member does not file the declaration or the declaration is found to be false, under section 175A shall be deemed to have committed guilty of misconduct the state election commission shall after giving an opportunity of hearing, remove him from membership and declare his seat vacant.

(2) if the member is representative of recognized political party has avoided to receive notice of whip issued by his party or has at any meeting refused to vote or has voted in violation of the whip issued by his party, the State Election Commission shall remove him from membership and declare his seat vacant.][1]][2]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

176. Casual vacancy.- A casual vacancy of a member of a Zilla Panchayat shall be filled up, as soon as conveniently may be, by the election of a person thereto who shall hold office so long only as the member in whose place he is elected could have held office if the vacancy had not occurred.

177. Election of Adhyaksha, Upadhyaksha and term of office.- (1) The elected members of the Zilla Panchayat referred to in clause (i) of sub-section (1) of section 159 shall [1][2][within one month from the date of publication of names of members under section 172][2], after every general election of member of Zilla Panchayat or on its reconstitution or establishment under this Act or immediately before the expiry of term of office of Adhyaksha and Upadhyaksha][1] choose two member from amongst them to be respectively Adhyaksha and Upadhyaksha thereof, and so often as there is a casual vacancy in the office of Adhyaksha and Upadhyaksha they shall choose another member from amongst them to be Adhyaksha or Upadhyaksha, as the case may be:

1. Substituted by Act 17 of 1996 w.e.f. 23.9.1996.

2. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that no election shall be held if the vacancy is for a period of less than one month.

(2) There shall be reserved by the [1][Government][1], in the prescribed manner,-

1. Substituted by Act 8 of 2000 w.e.f. 3.4.2000.

(a) Such number of offices of Adhyaksha and Upadhyaksha of Zilla Panchayat in the State for the persons belonging to the Scheduled Castes and Scheduled Tribes and the number of such offices bearing as nearly as may be the same proportion to the total number of offices in the State as the population of the Scheduled Castes in the State or of the Scheduled Tribe in the State bear to the total population of the State;

[1][Proviso x x x][1]

1. Omitted by Act 10 of 1995 w.e.f. 13.1.1995.

(b) such number of offices of Adhyaksha and Upadhyaksha in the State which shall as nearly as may be one-third of the total number of offices of Adhyaksha and Upadhyaksha in the State, for the persons belonging to the Backward Classes: [1][But the number of offices of Adhyaksha and Upadhyaksha reserved for the Backward Classes under this clause shall be so determined, that the total number of offices of Adhyaksha and Upadhyaksha reserved for the Scheduled Castes and the Scheduled Tribes under clause (a) and the Backward Classes under this clause shall not exceed fifty per cent of the total number of offices of Adhyaksha and Upadhyaksha of the Zilla Panchayaths in the State.][1]

1. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.

[1][Provided that out of the offices reserved under this clause, eighty per cent of the total number of such offices shall be reserved for the persons falling under category 'A' and the remaining twenty per cent of the offices shall be reserved for the persons falling under category 'B' ;][1]

1. Inserted by Act 10 of 1995 w.e.f. 13.1.1995.

(c) not less than [1][fifty percent][1] of the total number of offices of Adhyaksha and Upadhyaksha in the State from each categories reserved for person belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes and those which are non-reserved, for women [2][subject to an overall limit of one half rounding of to the next number][2]:

Provided that the offices reserved under this section shall be allotted by rotation to different Zilla Panchayats.

[3][Provided further that the duration of the offices reserved under this sub-section shall be for thirty months";][3]

Explanation.- For the removal of doubts it is hereby declared that the principle of rotation for the purposes of reservation of offices under this sub-section shall commence from the first ordinary election to be held after the commencement of the Karnataka Panchayat Raj Act, 1993.

1. Substituted by Act 24 of 2010 w.e.f. 23.7.2010.
2. Inserted by Act 17 of 2015 w.e.f. 30.04.2015.
3. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

[2][[1][(3) The term of office of every Adhyaksha and every Upadhyaksha of Zilla Panchayat shall, save as otherwise provided in the Act, be [3][thirty months][3] from the date of his election or till he ceases to be a Member of Zilla Panchayat, whichever is earlier.][1]][2]

1. Substituted by Act 17 of 1996 w.e.f. 23.9.1996.
2. Substituted by Act 17 of 2015 w.e.f. 30.04.2015

3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

[1][Provided that the member who is elected as Adhyaksha or Upadhyaksha to fill the casual vacancy in the office of Adhyaksha or Upadhyaksha shall hold office for the remainder of the period for which the Adhyaksha or Upadkyaksha in whose place he has been elected would have held office if the vacancy had not occured.][1]

1. Inserted by Act 10 of 1997 w.e.f. 23.9.1996.

(4) The election of the Adhyaksha or the Upadhyaksha of a Zilla Panchayat and, filling up of vacancies in the said offices and the determination of disputes relating to such election shall be in accordance with such rules as may be prescribed:

Provided that the authority to determine such election disputes shall be the District Judge having Jurisdiction.

178. Salary and allowances to the Adhyaksha and Upadhyaksha and other members.- (1) The salary and allowances of Adhyaksha and Upadhyaksha shall be as prescribed.

[1][Provided that Adhyaksha of a Zilla Panchayatshall have the status of a minister of state and shall be entitled to receive such salary or other emoluments as may be prescribed.][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) Every member of the Zilla Panchayat other than the Adhyaksha and the Upadhyaksha shall be entitled to receive such sitting fee and allowances, as may be prescribed.

179. Resignation or removal of Adhyaksha and Upadhyaksha.- (1) A member holding office as Adhyaksha of Zilla Panchayat may resign his office at any time by writing under his hand addressed to the [1][Government][1] and the Upadhyaksha of Zilla Panchayat may resign his office at any time by writing under his hand addressed to the Adhyaksha and in the absence of Adhyaksha to the [1][Government][1] and the office shall become vacant on the expiry of fifteen days from the date of such resignation unless within the said period of fifteen days he withdraws such resignation by writing under his hand addressed to the [1][Government][1] or the Adhyaksha, as the case may be.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) Every Adhyaksha or Upadhyaksha of Zilla Panchayat shall vacate office if he ceases to be a member of the Zilla Panchayat.

(3) [3][Subject to such rules as may be prescribed][3] every Adhyaksha and every Upadhyaksha of Zilla Panchayat shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed [2][after a notice is given by one half of the elected members and passed by majority of two thirds of total elected members][2]

[1][Provided that no resolution expressing want of confidence in an Adhyaksha or Upadhyaksha shall be made within [4][[2][fifteen months][2]][4] from the date of his election:

Provided further that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negatived by the Zilla Panchayat, a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, within [4][[2][six months][2]][4] from the date of the decision of the Zilla Panchayat.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
3. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

4. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

(4) Every Adhyaksha and Upadhyaksha of the Zilla Panchayat shall, after an opportunity is afforded for hearing him, be removable from his office as Adhyaksha or Upadhyaksha by the Government for misconduct in the discharge of his duties, or for being persistently remiss in the discharge of his duties and an Adhyaksha or Upadhyaksha so removed who does not cease to be a member under sub-section (2) shall not be eligible for re-election as Adhyaksha or Upadhyaksha during the remaining term of office as member of such Zilla Panchayat.

(5) An Adhyaksha or Upadhyaksha removed from his office under sub-section (4) may also be removed by the Government from membership of the Zilla Panchayat.

[1][(6) Where the offices of both Adhyaksha and Upadhyaksha are vacant, the Chairman of the Standing Committee on Social Justice shall exercise the powers and perform the duties of the Adhyaksha until the Adhyaksha or Upadhyaksha is duly elected.][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

180. Meetings of Zilla Panchayat.- (1) A Zilla Panchayat shall hold a meeting for the transaction of business at least once in two months (hereinafter in this section referred to as the ordinary meeting) and shall subject to the provisions of the following sub-sections, make regulations not inconsistent with this Act, or with any rules made thereunder with respect to the day, hour, notice, management and adjournment of its meetings and generally with respect to the transaction of business thereto. Every meeting of the Zilla Panchayat shall ordinarily be held at the headquarters of the Zilla Panchayat.

(2) (a) The date of the first meeting of the Zilla Panchayat after the first constitution or reconstitution, [1][or the date of subsequent meeting for the purpose of election of Adhyaksha or Upadhyaksha as the case may be][1] shall be fixed by the Commissioner who shall preside at such meeting [2][the date of each subsequent ordinary meeting shall be decided by the Adhyaksha and he shall inform the same at the immediately preceding meeting][2] of the Zilla Panchayat, provided that the Adhyaksha of Zilla Panchayat may for sufficient reasons, alter the date of the meeting to a subsequent date. The Adhyaksha may, whenever he thinks fit and shall, upon the written request of not less than one-third of the total number of members and on a date within fifteen days from the receipt of such request, call a special meeting. Such request shall specify the object for which the meeting is proposed to be called. If the Adhyaksha fails to call a special meeting, the Upadhyaksha or one-third of the total number of members of the Zilla Panchayat may call the special meeting for a day not more than fifteen days after presentation of such request and require the Chief Executive Officer to give notice to the members and to take such action as may be necessary to convene the meeting.

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

. 2. Substituted by Act 37 of 2017 w.e.f. 12. 07.2017.

(b) Ten clear day's notice of an ordinary meeting and seven clear day's notice of a special meeting specifying the time at which such meeting is to be held and the business to be transacted thereat, shall be sent to the members and pasted up at the office of the Zilla Panchayat. Such notice shall include in the case of a special meeting any motion or proposition mentioned in the written request made for such meeting.

(c) [1][One-half][1] of the total number of members of the Zilla Panchayat shall form a quorum for transacting business at a meeting of the Zilla Panchayat. If at the time appointed for the meeting a quorum is not present, the person presiding shall, wait for thirty minutes

and if within such period there is a quorum proceed with the meeting; but if within such period there is no quorum the person presiding shall adjourn the meeting to such hour on some future day as he may fix. He shall similarly adjourn the meeting at any time after it has begun if his attention is drawn to the want of a quorum. At such adjourned meetings at which there is quorum the business which would have been brought before the original meeting shall be transacted.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

(d) Every meeting shall be open to the public unless the presiding authority considers that any enquiry or deliberation pending before the Zilla Panchayat should be held in camera and the said authority may at any time cause any person who interrupts the proceedings to be removed.

(e) Every meeting shall be presided over by the Adhyaksha or if he is absent, [1][or if the office of Adhyaksha is vacant][1] by the Upadhyaksha and if both the Adhyaksha and Upadhyaksha are absent [1][or if the offices of both Adhyaksha and Upadhyaksha are vacant][1] or if the Adhyaksha is absent and there is no Upadhyaksha, the members present shall elect one from among themselves to preside.

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

(f) All questions shall, unless otherwise specially provided be decided by a majority of votes of the members present and voting. The presiding member, unless he refrains from voting, shall give vote before declaring the number of votes, for and against a question and in case of equality of votes he may give his casting vote.

(g) No member of a Zilla Panchayat shall vote on, or take part in the discussion of, any question coming up for consideration at a meeting of the Zilla Panchayat or any committee, if the question is one in which apart from its general application to the public he has any pecuniary interest. [1][It shall be the duty of every member of a Zilla Panchayat to disclose to the Zilla Panchayat any pecuniary interest that he has, direct or indirect, on any question coming up for consideration at a meeting of a Zilla Panchayat][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(h) If the person presiding is believed by any member present at the meeting to have any such pecuniary interest in any matter under discussion, and if a motion to that effect be carried, he shall not preside at the meting during such discussion, or vote on, or take part in it. Any member of the Zilla Panchayat may be chosen to preside at the meeting during the continuance of such discussion.

(i) No proposition shall be discussed at any ordinary meeting unless it has been entered in the notice convening such meeting or in the case of a special meeting, in the written request for such meeting. A member may propose any resolution connected with or incidental to the subjects in the list of business. The Adhyaksha may propose any urgent subject of a routine nature not included in the list of business if no member objects to it. No permission shall be given in the case of a motion or proposition to modify or cancel any resolution within [1][six months][1] after the passing thereof except in accordance with clause (k). The order in which any business or proposition shall be brought forward at such meeting shall be determined by the presiding authority who in case it is proposed by any member to give priority to any particular item of such business or to any particular proposition, shall put the proposal to the meeting and be guided by the majority of votes given for or against the proposal.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(j) Any ordinary meeting may, with the consent of a majority of the members present be adjourned from time to time, but no business shall be transacted at any adjourned meeting other than that left undisposed at the meeting from which the adjournment took place.

(k) No resolution of the Zilla Panchayat shall be modified or cancelled within six months after the passing thereof except by a resolution passed by not less than one-half of the total number of members at an ordinary or special meeting, any notice whereof shall have been given fulfilling the requirements of clause (b) and setting forth fully the resolution which it is proposed to modify fully or cancel at such meeting and motion or proposition for the modification or cancellation of such resolution.

(3) The proceedings of every meeting shall be recorded in the minute book immediately after the deliberations of the meeting and shall after being read over by the Chairman of the meeting be signed by him. The action taken on the decisions of the Zilla Panchayat shall be reported at the next meeting of the Zilla Panchayat. The minute book shall at all reasonable times be open to inspection by any member of the Zilla Panchayat. The Minute Book shall always be kept in the office of the Zilla Panchayat and it shall be in the custody of the Chief Executive Officer. [1][A copy of the proceedings shall be displayed on the notice board of the Zilla Panchayat within three days from the date of meeting along with the details of the names of the members voting respectively for or against the resolutions passed in the meeting.][1]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(4) A copy of every resolution passed by a Zilla Panchayat at a meeting shall, within ten days from the date of meeting, be forwarded to the [1][Government][1] [2][and copies of the minutes of the meeting shall be furnished to all members.][2]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(5) During any vacancy in a Zilla Panchayat or any committee thereof, the continuing members may act as if no vacancy had occurred.

[2][[1][(6) The Regional Commissioner or any other equivalent officer authorized by the Government shall preside over the meeting in which no confidence motion against to Adhyaksha or upadhyaksha is being considered.][1]][2]

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

181. Interpellations and resolutions.- (1) A member of Zilla Panchayat may move resolutions and interpellate the Adhyaksha of Zilla Panchayat on matters connected with the administration of the Zilla Panchayat, subject to such regulations as may be made by the Zilla Panchayat.

(2) A member of the Zilla Panchayat may also call the attention of the Adhyaksha to any neglect in the execution of the work of the Zilla Panchayat, to any waste of property belonging to the Zilla Panchayat or to the wants of any locality within the district and may suggest any improvements which may appear desirable.

182. Zilla Panchayat may require the presence of [1][officers of the Government or of any Government committee or company or corporation as may be notified by Government][1] at meetings.- If it shall appear to a Zilla Panchayat that the attendance of any [1][officers of the Government or of any Government committee or company or corporation

as may be notified by Government][1] having jurisdiction over an area of a division or circle or less than division or circle and not working under the Zilla Panchayat, is desirable at a meeting of the Zilla Panchayat, the Chief Executive Officer shall by a letter addressed to such officer not less than fifteen days before the intended meeting, request that officer to be present at the meeting and the officer shall, unless prevented by sickness or other reasonable cause, attend the meetings:

Provided that the officer on receipt of such letter may, if he for any of the causes aforesaid is unable to be present thereat himself, instruct his deputy or other competent subordinate officer to represent him at the meeting.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

183. Validity of proceedings.- (1) No disqualification or defect in the election or appointment of any person acting as member or as the Adhyaksha of Zilla Panchayat or presiding authority of a special or general meeting or a Chairman or member of committee appointed under this Act, shall be deemed to vitiate any act or proceeding of the Zilla Panchayat or of any such committee, as the case may be, in which such person has taken part, whenever the majority who were parties to such act or proceedings, were entitled to act.

(2) No resolution of a Zilla Panchayat or of any committee appointed under this Act shall be deemed invalid on account of any irregularity in the service of notice upon any member provided that the proceedings of the Zilla Panchayat or committee, were not prejudicially affected by such irregularity.

(3) Until the contrary is proved every meeting of a Zilla Panchayat or of a committee appointed under this Act, in respect of proceedings whereof a minute has been made and signed in accordance with this Act, shall be deemed to have been duly convened and held and all the members of the meeting shall be deemed to have been duly qualified and where the proceedings are the proceedings of a committee, such committee shall be deemed to have been duly constituted and to have had the power to deal with the matters referred to in the minute.

(4) During any vacancy in a Zilla Panchayat or committee the continuing member or members may act as if no vacancy has occurred.

CHAPTER XI

FUNCTIONS, DUTIES AND POWERS OF ZILLA PANCHAYAT, ADHYAKSHA AND UPADHYAKSHA

[1][**184. Functions of Zilla Panchayat.-** (1) The Zilla Panchayat shall perform the functions specified in Schedule III:

1. Subsection 1 and 2 Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that where the State Government or Central Government provide funds for the performance of any function specified in Schedule III, the Zilla Panchayat shall perform such functions in accordance with the guidelines or norms laid down for performance of such function.

(2) Notwithstanding anything contained in sub-section (1) or Schedule III, it shall be obligatory on the part of the Zilla Panchayat so far as the Zilla Panchayat fund at its disposal will allow, to make reasonable provisions within the area under its jurisdiction, in respect of the following matters, namely:-

(i) establishment of health centres including maternity centres so as to cover the entire population within five years, as per the norms laid down by the Government;

(ii) construction of underground water recharge structures to ensure availability of water in the drinking water wells;

(iii) prevention of drilling of irrigation borewells in the vicinity of drinking water wells to ensure adequate drinking water, specially in lean season;

(iv) drawing up a plan for social forestry development in each taluk and spending not less than such percentage of the District Plan allocation every year as may be specified by the Government from time to time.][1]

[l][(3) The Zilla Panchayat shall be an unit of local self Government and the state shall endow the Zilla Panchayat with the powers, authority, functions, functionaries and subject to availability of funds as may be necessary to enable them to function as institutions of Local self-Government.

(4) It shall be the duty of every Zilla Panchayat to meet the needs of people of the Panchayat area and shall have powers to administer the matters enumerated in schedule-III and also as elaborated in responsibility map in respect of Zilla Panchayats and so for as Zilla Panchayat fund shall allow, to prepare and implement schemes for economic, social, cultural development for the realisation of social justice for all.

(5) The Zilla Panchayatshall meet the requirements of the Panchayat area and respond to the needs and requests of the Gram Panchayat and Taluk Panchayats and provide assistance as may be necessary in the area in respect of the matters enumerated in the schedule-III.

(6) It shall be obligatory on the Zilla Panchayatto engage itself in the process of planning as envisaged in the Act.][l]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

185. Assignment of functions.- (1) The Government may assign to a Zilla Panchayat, functions in relation to any matters to which the executive authority of the Government extends or in respect of the functions which have been assigned to the State Government by the Central Government.

(2) The Government may, by notification, withdraw or modify the functions assigned under this section.

186. Standing committees.- (1) The Zilla Panchayat shall have the following Standing committees, namely:-

(a) General Standing Committee;

(b) Finance, Audit and Planning Committee;

(c) Social Justice Committee;

(d) Education and Health Committee;

(e) Agriculture and Industries Committee;

[1][(2) Each Standing Committee shall consist of such number of members not exceeding seven including the Chairman as specified by the Zilla Panchayat elected by the members of the Zilla Panchayat from amongst the elected members. The election of members of standing Committee shall be held as soon as may be after every general election of member of Zilla Panchayat or on its reconstitution or establishment under this Act or immediately before the expiry of the term of office of the members of the Standing Committee:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that the Social Justice Committee shall consist of at least one member who is a woman and one member from either the scheduled castes or the scheduled tribes whichever has more number of elected members.][1]

[1][(2A)The term of office of every member of the standing committee shall, save as otherwise provided in this Act, be twenty months from the date of his election or till he ceases to be a member of the Zilla Panchayat, whichever is earlier.][1]

1. Inserted by Act 17 of 1996 w.e.f. 23.9.1996.

[1][(3) The Adhyaksha shall be the ex-officio member and Chairman of the Finance, Audit and Planning Committee. The Upadhyaksha shall be the ex-officio member and Chairman of the General Standing Committee. The other standing committees shall elect the Chairman from among their members.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(4) No member of the Zilla Panchayat shall be eligible to serve on more than two Standing Committees.

(5) The Chief Executive Officer shall be the Ex-officio Secretary of the General Standing Committee and the Finance, Audit and Planning Committee and he shall nominate one of the Deputy Secretaries as Ex-officio Secretary for each of the remaining standing committees. The Chief executive officer shall be entitled to attend the meetings of all the standing committees.

187. Functions of the Standing Committees.- (1) The General Standing Committee shall perform functions relating to the establishment matters and functions relating to communications, buildings, rural housing, village extensions, relief against natural calamities and allied matters and all miscellaneous residuary matters.

(2) The Finance and Planning Committee shall perform the functions relating to,-

(a) the finances of the Zilla Panchayat, framing of budgets, scrutinising proposals for increase of revenue, examination of receipts and expenditure statements, consideration of all proposals affecting the finances of the Zilla Panchayat and general supervision of the revenue and expenditure of the Zilla Panchayat.

(b) the plan priorities, allocation of outlays to developments, horizontal and vertical linkages, implementation of guidelines issued by the Government, regular review of planned programes, evaluation of important programes and small savings schemes.

(3) The Social Justice Committee shall perform functions relating to,-

(a) promotion of educational, economic, social, cultural and other interests of the Scheduled Castes and Scheduled Tribes and Backward Classes;

(b) protecting them from social injustice and all other forms of exploitation;

(c) amelioration of the Scheduled Castes and Scheduled Tribes and Backward Classes;

(d) securing social justice to the Scheduled Castes and Scheduled Tribes, women and other weaker sections of the society.

(4) The Education and Health Committee shall perform the following functions:-

(a) be incharge of all educational activities of the Zilla Panchayat;

(b) undertake the planning of education in the district within the framework of the national policy and the national and state plans;

(c) survey and evaluate the educational activities of the Zilla Panchayat;

(d) perform such other duties pertaining to education, adult literacy and cultural activities as the Zilla Panchayat may assign to it;

(e) health services, hospitals, water supply, family welfare and other allied matters.

(5) The Agriculture and Industry Committee shall perform functions relating to,-

(a) agricultural production, animal husbandry, co-operation, contour bunding and reclamation;

(b) village and cottage industries;

(c) promotion of industrial development of the district.

(6) The Standing Committees shall perform the functions referred to above to the extent the powers are delegated to them by the Zilla Panchayat.

(7) The Committees shall perform in respect of matters assigned to them such additional duties as may be prescribed.

188. Procedure of committees.- (1) The Zilla Panchayat may frame regulations relating to election of members of committees conduct of business therein and all other matters relating to them.

(2) The Chairman of every committee shall in respect of the work of that committee be entitled to call for any information, return, statement or report from the office of the Zilla Panchayat and to enter on and inspect any immoveable property of the Zilla Panchayat or any work in progress concerning the committee.

(3) Each committee shall be entitled to require attendance at its meetings any officer of the Zilla Panchayat who is connected with the work of the committee. The Chief Executive officer shall under instruction of the Committee, issue notices and secure the attendance of the officer.

189. Delegation of Powers.- The Zilla Panchayat may, by notification delegate to the Chief Executive Officer or other officer any of the powers conferred by or under this Act on the Zilla Panchayats.

190. Power to divert, discontinue or close road.- (1) The Zilla Panchayat may, by notification, turn, divert, discontinue or permanently close any road which is under the control and administration of , or is vested in, the Zilla Panchayat.

(2) Before issuing a notification under sub-section (1), the Zilla Panchayat shall publish in such manner as may be prescribed a notice of its proposal inviting objections and shall take into consideration any objections received.

191. General powers of Zilla Panchayat.- (1) The Zilla Panchayat shall have powers to do all acts necessary for or incidental to, the carrying out of the functions entrusted or delegated to it and, in particular, and without prejudice to the foregoing powers to exercise all powers specified under this Act.

(2) Subject to the general or special orders of the Government, a Zilla Panchayat may,-

(a) incur expenditure on education or medical relief outside its jurisdiction;

(b) provide for carrying out any work or measure likely to promote the health, safety, education, comfort, convenience or social or economic or cultural well-being of the inhabitants of the district;

(c) contribute to associations of all India, State or Inter-State level, concerned with the promotion of local Government and to exhibition, seminars and conferences within the district related to the activities of Grama Panchayat, Taluk Panchayat and Zilla Panchayat; and

(d) render financial or other assistance to any person for carrying on in the district any such activity which is related to any of the functions of the said bodies.

[1][(e) carrying out the functions enumerated in schedule-III with the funds allocated by the Government to implement the duties and functions vested in the Zilla Panchayats including the following,-

(i) providing assistance to the Taluk Panchayat and Gram Panchayats to ensure the safety, security, freedom and rights of all residents residing in the village.

(ii) maintenance of community health centres and district hospitals at the district level and to perform all the functions required to the care of special categories and the differently abled including programmes for the development and empowerment of women and children at district level.

(iii) Monitor first grade colleges, Pre-University colleges, polytechnics, industrial training institutes, ashram schools, hostels, orphanages, Government industrial, technical and vocational training institutions for youth and rural artisans and education centres and to access to the information required through libraries with internet facilities.

(iv) Promote and support Taluk Panchayat and Gram Panchayats to develop and promote tourist destinations, khadi and village industries, establish food storage, processing and marketing outlets and create opportunities for self-employment and the alleviation of poverty through rural enterprises and cooperative societies.

(v) promote and support the Taluk Panchayats to manage women's co-operative banks or societies for women separately at the taluk level to promote small business, small and medium scale industries run by woman.

(vi) assist the Taluk Panchayat and Gram Panchayats by providing technical and material support to preserve, protect and nurture the biodiversity and ecology of the area and plan for social forestry and the maintenance of multi village solid and liquid waste management plants and the prevention of drilling of irrigation bore wells in the vicinity of drinking water wells to ensure adequate drinking water, especially in dry season.

(vii) promote trade of rural agricultural and industrial products, produce and livestock, organising thoroughfares, melas, and exhibitions at the district level.

(viii) enable the Taluk and Gram Panchayats to provide clean drinking water, toilets and power supply and provide the infrastructure required including the providing of technical assistance for the following, namely:-

(a) construction of underground water re-charging structures to ensure availability of water in the drinking water wells;

(b) the management of drinking water projects, setting up water testing labs and the development of ground water resources; and

(c) maintain minor irrigation schemes and the conventional and non-conventional energy units including the sale of conventional and non-conventional energy.

(ix) identification, documentation and dissemination of low cost, indigenous, viable and sustainable technologies for construction of housing, schools and all public works for the use in zilla, taluk and Gram Panchayats and the planning, construction and maintenance of roads, bridges, culverts, drains etc.; and the maintenance of boats, ferries and water ways at the district level.

(x) assist concerned authorities to implement epidemic and disaster management systems and disaster preparedness in all taluks for disaster management and villages of the district, assessing the risks and developing disaster protocols that include capacity building and resource availability such as medical and other requirements for all types of possible disasters and

enlisting the cooperation and participation of Taluk Panchayats and Gram Panchayats, non Government organisations and experts in the relevant fields.

(xi) promote, preserve and showcase traditional, social and cultural art forms, sports, crafts, skills and practices of all sections of society at the district level.

(xii) consolidation, management and maintenance of data base of all relevant socio-economic information and a map of all natural and other resources and assets within the area and updating them periodically to include the information obtained as a result of the surveys and participatory rural appraisals conducted in every Gram Panchayat and the surveys and data collection conducted by every taluk and zilla panchayat.

(xiii) incur expenditure on education or medical relief within its jurisdiction;

(xiv) provide for carrying out any work or measure likely to promote the health, safety, education, comfort, convenience or social or economic or cultural well-being of the inhabitants of the district;

(xv) contribute to associations of all national, state or inter-state level, concerned with the promotion of local self Government and to conduct exhibition, seminars and conferences within the district related to the activities of Gram Panchayat, Taluk Panchayat and zilla panchayat;

(xvi) render financial or other assistance to any person for carrying on in the district any such activity specified above which is related to any of the functions of the said institution; and

(xvii) to report to the concerned authority acts of illegal quarrying, drilling bore wells, excavating open wells or ponds causing nuisance or danger to the inhabitants of the area][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

192. Control of unwieldy traffic.- Subject to the provisions of the Karnataka Traffic Control Act, 1960, a Zilla Panchayat may subject to such rules as may be prescribed and to the regulations framed by the Zilla Panchayat, notify that any road vested in it shall not be used by any vehicle of such form, construction, weight or size, or laden with such machinery or other unwieldy objects as may be deemed likely to cause injury to the roadway or to any construction thereon or risk or obstruction to other vehicles or to pedestrians except under the licence issued by the Chief Executive Officer and in accordance with the regulations framed from time to time as regards speed, time, fees, mode of traction or locomotion, use of appliances for protection of the roadway, number of lights and assistants and other general precautions.

193. Powers and duties of the Adhyaksha.- [1][The Adhyaksha shall be the Executive Head of the Zilla Panchayat and shall,-][1]

1. Substituted by Act 9 of 1996 w.e.f. 29.11.1995.

(a) convene, preside at and conduct meetings of the Zilla Panchayat;

(b) discharge all duties imposed and exercise all the powers conferred on him by or under this Act or perform such functions entrusted to him by the Government from time to time;

[1][(c) exercise such administrative supervision and control over the Chief Executive Officer for securing implementation of resolutions or decisions of the Zilla Panchayat or of the Standing Committes which are not inconsistent with the provisions of this Act, or any general or specific directions issued under this Act;][1]

1. Omitted by Act 9 of 1996 w.e.f. 29.11.1995 and Inserted by Act 37 of 2003 w.e.f 1.10.2003.

(d) exercise overall supervision over the financial and executive administration of the Zilla Panchayat and place before the Zilla Panchayat all questions connected therewith which shall appear to him to require its orders and for this purpose may call for records of the Zilla Panchayat; and

(e) have power to accord sanction up to a total sum of [1][rupees five lakhs][1] in a year for the purpose of providing immediate relief to those who are affected by natural calamities in the district:

Provided that the Adhyaksha shall place at the next meeting of the Zilla Panchayat for its ratification, the details of such sanctions.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

194. Powers and duties of the Upadhyaksha.- The Upadhyaksha of the Zilla Panchayat shall,-

(a) exercise the powers and perform the functions of the Adhyaksha, when he is absent on leave or is incapacitated from functioning [1][or when the office of Adhyaksha is vacant][1] ; and

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

(b) in the absence of the Adhyaksha [1][or when the office of Adhyaksha is vacant][1] preside over the meetings of the Zilla Panchayat.

1. Inserted by Act 1 of 1997 w.e.f. 26.2.1997.

[1][**195. Mode of making contracts.–** (1) Every contract or agreement entered into for execution of works or for supply of goods or services shall on behalf of the Zilla Panchayat be in accordance with the provisions of this section and the Karnataka Transparency in Public Procurement Act, 1999.

(2) The chief executive officer shall execute the contract or agreements on behalf of the Zilla Panchayat in respect of matters which he is empowered to carry out under the provisions of law for the time being in force and such contract or agreement shall be executed up to such amount of value of the contract or agreement as may be prescribed by the Government from time to time][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

CHAPTER XII

STAFF OF ZILLA PANCHAYAT

196. Chief Executive officer and other officers.- (1) The Government shall appoint an officer not below the rank of the Deputy Commissioner of a district as Chief Executive Officer of the Zilla Panchayat:

[1][Provided that if a suitable officer not below the rank of the Deputy Commissioner of a District is not available for appointment as Chief Executive Officer of the Zilla Panchayat, the Government may [2][XXX][2] appoint an officer of the Karnataka Administrative Service (Selection Grade) or an officer belonging to the Development and Local Government Branch of the Karnataka General Services holding a post in a Grade equal to that of the Karnataka Administrative Service (Selection Grade) as Chief Executive Officer of the Zilla Panchayat.][1]

1. Inserted by Act 29 of 1998 w.e.f. 24.11.1998.

1. Deemed to have been omitted by Act 49 of 2020 w.e.f. 31.03.2020

(2) The Government shall also appoint a Chief Accountants officer, [1][a Chief Planning Officer][1] and one or more Deputy Secretaries for each Zilla Panchayat.

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

(3) The Government shall post from time to time to work under every Zilla Panchayat such number of other officers and officials of the State Government (including any officers and officials appointed to such services from amongst persons employed by existing local authorities) and officers of the All India Service as the Government considers necessary.

(4) Notwithstanding anything contained in this Act or any other law for the time being in force the Government or any other officer or other authority authorised by it in this behalf shall have power to effect transfer of the officers and officials so posted either within the district or from one district to another district.

(5) The Government may as from the specified day constitute such services for each Zilla Panchayat as may be prescribed.

197. Functions, powers and duties of the Chief Executive Officer and other officers.- (1) [1][2][Save as otherwise expressly provided by or under this Act][2], the Chief Executive officer shall perform the following functions:-][1]

1. Substituted by Act 9 of 1996 w.e.f. 29.11.1995.

2. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(a) exercise all the powers specially imposed or conferred upon him by or under this Act, or under any other law for the time being in force;

[1][(b) control the officers and officials of, or holding office under the Zilla Panchayat subject to the general superintendence and control of the Adhyaksha and such rules as may be prescribed.][1]

1. Substituted by Act 9 of 1966 w.e.f. 29.11.1995.

[1][(bb) discharge all duties imposed and exercise all the powers conferred on him under this Act and the rules made there under and perform such functions entrusted to him by the Government from time to time][1].

1. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(c) supervise and control the execution of all works of the Zilla Panchayat;

(d) take necessary measures for the speedy execution of all works and developmental schemes of the Zilla Panchayat;

(e) have custody of all meeting papers and documents connected with the proceedings of the meetings of the Zilla Panchayat and its Committees;

(f) draw and disburse monies out of the Zilla Panchayat fund; and

(g) exercise such other powers and discharge such other functions as may be prescribed.

(2) The Chief Executive Officer shall attend every meeting of the Zilla Panchayat and shall have right to attend the meeting of any Committee thereof and to take part in the discussion but shall not have right to move any resolution or to vote. [1][If in the opinion of the Chief Executive Officer any proposal or resolution before the Zilla Panchayat or any Committee or any order of the Adhyaksha is violative of, or inconsistent with, the provisions of this Act, or any other law or rule or order made thereunder or any financial regulation or budget provision or is in derogation of the functions and powers of the Zilla Panchayat, or its committee or the Adhyaksha, it shall be the duty of the Chief Executive Officer to advise the Zilla Panchayat or the committee or the Adhyaksha in the form of a written note containing the reasons for his opinion and specifying the law, rule, order, regulation or provision with which the proposal or resolution or order is inconsistant and if the proposal or resolution or order has been considered and passed by the Zilla Panchayat or the committee or the

Adhyaksha before such advise is tendered, the Chief Executive Officer may resubmit the proposal or resolution or order with his advice after such examination as he considers necessary.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(3) If the Zilla Panchayat or any of its committees or the Adhyaksha passes the resolution or order without resolving the inconsistency referred to in sub-section (2) it shall be the duty of the Chief Executive Officer, not withstanding any other provisions in this Act, to forward forthwith to the Government under intimation to the Adhyaksha a copy of the said resolution or order along with his written note and he shall not implement such resolution or order otherwise than as decided by the Government:

Provided that if the Government does not communicate its decision within [2][thirty days][2] from the date of receipt of such letter, the Chief Executive Officer shall take action to implement such resolution of the Zilla Panchayat or the committee or the order of the Adhyaksha.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Deemed to have been omitted by Act 49 of 2020 w.e.f. 31.03.2020.

(4) The Chief Accounts Officer shall advice the Zilla Panchayat in matters of financial policy and shall be responsible for all matters relating to the accounts of the Zilla Panchayat including the preparation of the annual accounts and budget.

(5) The Chief Accounts Officer shall ensure that no expenditure is incurred except under proper sanction and in accordance with this Act and the rules and regulations made thereunder and shall disallow any expenditure not warranted by the Act or the rules or regulations for which no provision is made in the budget.

(6) The Deputy Secretary shall assist the Chief Executive Officer in the performance of his duties.

198. Chief Executive Officer's right to requisition records, etc.- (1) Every person in possession of moneys, accounts, records, or other property pertaining to a Grama Panchayat or Taluk Panchayat or Zilla Panchayat shall on the requisition in writing of the Chief Executive Officer for this purpose, forthwith hand over such moneys or deliver up such accounts, records or other property to the Chief Executive Officer or the person authorised in the requisition to receive the same.

(2) The Chief Executive Officer may also take steps to recover any money due by such person in the same manner and subject to the same provisions as in the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) for the recovery of the arrears of land revenue from defaulters; and for the purpose of recovering the accounts , records or other property appertaining to the Grama Panchayat or Taluk Panchayat or Zilla Panchayat may issue a search warrant and exercise all such powers with respect thereto as may lawfully be exercised by a Magistrate under the provisions of Chapter VII of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(3) Every person knowing where any moneys, accounts, records or other property appertaining to a Grama Panchayat or Taluk Panchayat or Zilla Panchayat are concealed, shall be bound to give information of the same to the Chief Executive Officer.

(4) An appeal shall lie from an order of the Chief Executive Officer under this section to the [1][Government][1].

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

CHAPTER XIII

TAXES AND FEES

199. Levy of taxes, rates, etc., by Grama Panchayats.- (1) Every Grama Panchayat shall in such manner and subject to such exemptions as may be prescribed and not exceeding the maximum rate specified in Schedule IV levy tax upon buildings and lands [1][based on capital value of the property][1] which are not subject to agricultural assessment, within the limits of the panchayat area:

Provided that where an owner of the building or land has left the Panchayat area or cannot otherwise be found, the occupier of such building or land shall be liable for the tax leviable on such owner.

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) A Grama Panchayat may levy water rate for supply of water for drinking and other purposes.

(3) A Grama Panchayat may also levy all or any of the following taxes and fee at such rates as the Grama panchayat may by bye-laws determine but not exceeding the maximum specified in Schedule IV and in such manner and subject to such exemptions as may be prescribed, namely:-

(a) tax on entertainment other than cinematograph shows;

(b) tax on vehicles, other than motor vehicles;

[2][XXX][2]

(d) pilgrim fee on person attending the jatras, festivals, etc., where necessary arrangements for water supply, health and sanitation are made by the Grama Panchayats;

(e) market fee on persons who expose their goods for sale in any market place;

(f) fee on the registration of cattle brought for sale in any market place;

(g) fee on buses and taxies and auto-stands provided adequate facilities for the travellers by the Grama panchayat; and

(h) fee on grazing cattle in the grazing lands.

[1][(i) tax and fee shall be as specified in schedule IV.

(j) such other fees as may be prescribed.][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

2. Omitted by Act 37 of 2017 w.e.f. 12.07.2017.

[1][**199A. Revision of taxes and rates,–** The Gram Panchayat may revise the taxes and rates leviable under section 199, at least once in two years in respect of building and lands and at least once in a year on other items specified in schedule IV][1]

[2][**199B. Issuing new Khata or PID to the properties.-** (1) Notwithstanding anything contained in this Act, prior approval of the layout plan by the jurisdictional Planning Authority shall be obtained by the Grama Panchayath or the authorities as designated by the Government by notification to issue new PID or khata for the building sites meant for the purposes of construction of building.

(2) In case, the Grama Panchayath areas falling under the jurisdiction of the Local Planning Area notified under the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the sanctioned layout plan shall be obtained from the jurisdictional planning authority under section 17 of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and no new PID or khata shall be issued without complying

with the provisions of section 17 and sub-section (2-E) of the section 17 of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963).

(3) In case, the Grama Panchayath area is not covered under the jurisdiction of the Local Planning Area or the Planning Authority constituted under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the sanctioned layout plan shall be obtained from the Director of Town and Country Planning or an officer not below the rank of Assistant Director, Town and Country planning authorized by the Director under sub-section (2) of section 4-K of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), and no new PID or khata shall be issued by the concerned Authority without complying with the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963):

Provided that, if any officer or official or authority of the Grama Panchayath fails to comply with the said provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and issues new PID or khata to an unlawfully formed plot, the concerned officer or official or authority shall be liable for such penalty and punishment as may be prescribed.

199C. Taxes on building and unconverted land or converted land but unapproved layout in a revenue land.- (1) The Grama Panchayath may levy and collect the property tax from every building, vacant land or both, including a building constructed in violation of the provisions of Model building bye-laws or unconverted land or converted land but unapproved layout in a revenue land or from a building occupied without issuance of Occupancy or Completion certificate, only for the property created prior to the date of inception of this provision, except for the building constructed illegally on the Government land, forest land, land belonging to any local body, any statutory body or an organization owned or controlled by the Government. The property tax levied for such building or vacant site shall be double the tax payable for the first year and only the property tax shall be levied for the subsequent years, which shall be maintained in a separate register. No new property shall be entered in the register after the date of commencement of the Karnataka Grama Swaraj and Panchayath Raj (Amendment) Act 2025:

Provided that, levy and collection of property tax under this sub-section from such building or vacant land does not confer any right to regularize violation made, or title, ownership or legal status to such building or vacant land. The persons holding such building or vacant land shall always be liable for legal action for violation of law, in accordance with the provisions of this Act or any other law for the time being in force.

(2) The Senior Panchayath Development Officer or Panchayath Development Officer shall maintain a record as specified in sub-section (1), which shall contain the details of the lawful buildings or vacant lands and unlawful buildings or vacant lands, which have been taxed under this section.][2]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

2. Inserted by Act 27 of 2025 w.e.f. 07.04.2025.

200. Recovery of taxes and other dues.- (1) When any tax, cess, rate or fee becomes due, Grama Panchayat shall, with the least practicable delay, cause to be presented to the person liable for the payment thereof a bill for the amount due from him, specifying the date on or before which amount shall be paid.

(2) If any person fails to pay any tax or fee or any other sum due to the Grama Panchayat under this Act or the rules or bye-laws on or before the specified date of payment the Grama Panchayat shall cause a notice of demand in the prescribed form to be served on the defaulter.

(3) The presentation of every bill under sub-section (1) and the service of every notice of demand under sub-section (2), shall be effected by the [1][Panchayat Development Officer][1] or an officer duly authorised by him in this behalf,-

(a) by giving or tendering the bill or notice to the person to whom it is addressed; or

(b) if such person is not found, by leaving the bill or notice at his last known place of abode, if within the limits of the panchayat area or by giving or tendering the bill or notice to some adult member or servant of his family; or

(c) if such person does not reside within the limits of the panchayat area and his address elsewhere is known to the person directing the issue of the bill or notice, then by forwarding the bill or notice to such person by registered post, under cover bearing the said address; or

(d) if none of the means aforesaid be available then by causing the bill or notice to be affixed on some conspicuous part of the building or land, if any, to which the bill or notice relates.

1. Substituted by Act 24 of 2010 w.e.f. 23.07.2010.

(4) If the tax, rate, fee or other amounts for which a notice of demand has been served is not paid within thirty days from the date of such service, the Grama Panchayat may recover the amount due along with a penalty of ten percent of the sum due, by the distraint and sale of the movable property of the defaulter in the prescribed manner.

(5) Fees for,-

(a) every distraint made under sub-section (4);

(b) every notice of demand issued under sub-section (2);

(c) the cost of maintaining any live-stock seized under sub-section (4), shall be chargeable at such rates as may be prescribed.

(6) Notwithstanding anything contained in the foregoing sub-sections, any tax ,rate or fee payable to a Grama panchayat shall be recoverable as an arrears of land revenue.

[1][(7) Recovery of taxes due to the Gram Panchayat excluding the arrears in sub-section (6), shall be primary obligation of the panchayats and where such recovery falls short of eighty percent of the tax recoverable the panchayat shall, investigate the reason for such shortfall and take necessary action][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

201. Appeal against assessment, etc.- Subject to such rules as may be prescribed, any person aggrieved by the assessment, levy or imposition of any tax, rate or fee under section 199 may appeal to the prescribed authority, whose decision shall be final.

202. Composition of taxes in factory areas.- (1) Subject to such rules as may be prescribed, when the owner of any industry or factory established in any panchayat area provides sanitary and other amenities for the buildings and land used for the industry or as factory quarters for employees and for other purposes connected with the undertaking the Grama Panchayat may in lieu of the taxes, rates or fees, payable under this Act in respect of such buildings and lands receive such amount annually as may be agreed upon between the Grama panchayat and such owner.

(2) Where no such agreement as is referred to in sub-section (1) can be reached, the matter may be referred to [1][the Chief Executive Officer][1] and [1][the Chief Executive Officer][1] may, after giving to the Grama panchayat and the owner concerned an opportunity of being heard, determine the amount payable by such owner and such determination shall be binding on the Grama Panchayat and such owner. [2][The Chief Executive Officer shall settle the matter within three months from the date of receipt of such reference and before making such reference such owners shall pay compulsorily fifty percent of the rates or tax or fee in question to the Grama Panchayath and the Chief Executive Officer shall accept the reference only after such payment of fifty percent of rates or tax or fees][2]

1. Substituted by Act 37 of 2003 w.e.f 1.10.2003.

2. Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

(3) The [1][Government][1] may by notification direct that the provisions of sub-section (1) shall be applicable to such other establishments as may be specified in such notification.

1. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.

203. Agency for collection.- The tax, rate, fee or other amount payable to the Grama Panchayat may be collected by such agency as the Panchayat may appoint in this behalf, provided that it shall be lawful for a Grama panchayat to lease the right to levy and collect any tax, rates, fees or other amount that may be imposed under this Act, by public auction or by tender, subject to the rules prescribed and the amount due under such lease shall be recoverable in the manner provided in this chapter.

CHAPTER XIV

LEVY OF CESSES ETC, AND GRANT OF FINANCIAL ASSISTANCE BY GOVERNMENT

204. Levy of local cess etc,.- (1) The Government may levy a local cess at the rate equal to the land revenue on all items of land revenue.

(2) The provision of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) and the rules, notifications and orders made thereunder shall be applicable for payment and recovery of the local cess levied under this section as if the local cess is in addition to the land revenue payable in respect of the land concerned.

(3) The entire amount collected under sub-section (1) from a panchayat area shall be passed on to the Grama Panchayat of that area

205. [1][Duty on transfer of immovable properties][1].- [1][[2][(1) The duty on transfers of immovable property shall be levied in the form of a surcharge at the rate of three percent of the duty imposed by the Karnataka Stamp Act, 1957 on instruments of sale, gift, mortguage, exchange and lease in perpetuity, of immovable property situated within the limits of the area of a Taluk Panchayat:][2]

1. Substituted by Act 17 of 1996 w.e.f. 23.9.1996.

2. Substituted by Act 8 of 2003 w.e.f. 1.4.2003.

Provided that no [1][duty on transfers][1] is leviable in respect of a mortgage where the amount secured by a mortgage does not exceed two thousand rupees :

Provided further that no [1][duty on transfers][1] shall be chargeable in respect of any instrument exempt from stamp duty under the Karnataka Stamp Act, 1957.][1]

1. Substituted by Act 8 of 2003 w.e.f. 1.4.2003.

(2) The Government may, by notification, specify the rate of [1][duty on transfers][1] leviable under sub-section (1), from time to time.

1. Substituted by Act 8 of 2003 w.e.f. 1.4.2003.

(3) On the introduction of the [1][duty on transfers][1], section 28 of the Karnataka Stamp Act, 1957 shall be read as if it specifically required the particulars to be set forth separately in respect of the property situated within and without the limits of a taluk.

1. Substituted by Act 8 of 2003 w.e.f. 1.4.2003.

(4) The entire amount collected under sub-section (1) as [1][duty on transfers][1] in respect of the lands and other properties situated in the taluk shall be passed on to the Taluk Panchayats in the State in proportion to the population of the taluk.

1. Substituted by Act 8 of 2003 w.e.f. 1.4.2003.

(5) The Government may make rules for regulating collection of [1][duty on transfers][1] and the payment thereof.

1. Substituted by Act 8 of 2003 w.e.f. 1.4.2003.

206. Grant to Grama Panchayats.- [2][(1)][2] The Government shall make annually [1][a grant of such amount as it may notify from time to time, but not less than five lakh rupees][1] to each Grama Panchayat which shall be utilised for meeting the electricity charges, maintenance of water supply schemes, sanitation and other welfare activities. No part of this grant shall be spent towards establishment expenses not related to the aforesaid purposes.

[3][(2) Subject to the availability of funds, Government shall allocate such percentage of grants to the Panchayats as may be determined by State Finance Commission out of which twenty percent shall be Untied Grants.

(3) The manner of allocation of grants towards Special Component Plan and Tribal Sub Plan to be based on population of scheduled caste and scheduled tribe in the Grama Panchayat area.][3]

1. Substituted by Act 37 of 2003 w,.e.f. 1.10.2003.

2. Renumberd by Act 44 of 2015 w.e.f. 25.02.2016.

3. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

207. Establishment grant to Taluk Panchayats and Zilla Panchayats.- The Government shall make a grant to every Taluk Panchayat and Zilla Panchayat to cover the expenses of establishment at such scale as may be determined by it.

208. Discretionary grant.- The Government may make discretionary grant to the Grama panchayats, Taluk Panchayats and Zilla Panchayats for such purposes and on such terms and conditions as may be decided by it.

CHAPTER XV

PROPERTIES AND FUNDS OF PANCHAYATS

209. Grama Panchayat may acquire, hold and dispose off property, etc,.- The power of the Grama Panchayat to acquire, hold and dispose off property both movable and immovable whether within or without the limits of the area over which it has authority, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it, and to contract and to do all other things necessary for the purpose of this Act, shall be subject to the rules made by the Government in this behalf:

[1][Provided x x x][1]

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

[1][Provided that twenty-five percent of transfer of properties by way of lease or rent shall be earmarked for persons belonging to the Scheduled Castes and the Scheduled Tribes][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

210. Vesting of property in Grama Panchayat.- (1) It shall be competent for the Government, a Zilla Panchayat or Taluk Panchayat with the concurrence of the Grama Panchayat from time to time to direct that any property vesting in the Government, Zilla Panchayat or Taluk Panchayat, as the case may be, shall vest in the Grama Panchayat either conditionally or otherwise:

Provided that no lease, sale or other transfer of any such immovable property by the Grama Panchayat shall be valid without the previous sanction, of the Government, the Zilla Panchayat or the Taluk Panchayat, as the case may be.

(2) Every work constructed by a Grama Panchayat out of the Grama Panchayat fund shall vest in such Grama Panchayat:

Provided that, the Government may , if it deems fit, declare by order that such road, building or other works vested in the Grama panchayat, shall stand transferred to and vest in, the Taluk Panchayat, Zilla Panchayat or the Government as the case may be.

(3) All rubbish, sewage, filth and other matter collected by a Grama Panchayat under this Act shall belong to it.

211. Decision of claims to property by or against Grama Panchayat.- (1) In any village to which a survey of lands other than lands ordinarily used for the purposes of agriculture only has been or shall be extended under any law for the time being in force, where any property or any right in or over any property is claimed by or on behalf of the Grama Panchayat, or by any person as against the Grama Panchayat, it shall be lawful for the Assistant Commissioner after enquiry of which due notice has been given, to pass an order deciding the claims.

(2) Any person aggrieved by an order made under sub-section (1) may appeal to the Deputy Commissioner and the decision of the Deputy Commissioner shall be final.

(3) Any person shall be deemed to have had notice of any enquiry or order under this section if notice has been given in the prescribed manner.

212. Grama Panchayat Fund.- (1) There shall be for each Grama Panchayat a Fund called the Grama Panchayat Fund.

(2) The following shall form part of , or be paid into the Grama Panchayat Fund, namely:-

(a) the amount which may be granted or passed on to the Grama Panchayat by the Government or the Zilla Panchayat or Taluk Panchayat under the provisions of this Act or any other Act, or on any other account;

(b) the proceeds of any tax, rate and fee imposed by the Grama Panchayat;

(c) all sums received by the Grama Panchayat by way of loans or contributions from the Government or any other authority or person or by way of gift;

(d) the rent or other income from, or sale proceeds of any immoveable or movable property owned by or vested in the Grama Panchayat; and

(e) all other sums received from any source whatsoever.

(3) The amount at the credit of the Grama Panchayat Fund shall be kept in the Government Treasury of the Taluk or with the approval of the Executive Officer in any scheduled bank or a co-operative bank situated in the panchayat area or the neighboring panchayat area.

213. Application of Grama Panchayat fund and property.- (1) Subject to the provisions of this Act and rules made thereunder and such general or special orders of the Government, all property owned by or vested in the Grama panchayat under this Act and all funds received by it and all sums accruing to it under the provisions of this Act or any other law for the time being in force, shall be applied for the purposes specified in sections 58 and 59 and for all other purposes for which by or under this Act, or any other law for the time being in force, powers are conferred or duties are imposed upon the Grama Panchayat:

Provided that no expenditure shall be incurred out of the Grama Panchayat Fund unless provision therefor has been made in the budget of the Grama Panchayat or funds are obtained by reappropriation duly approved, except in such cases as may be prescribed:

Provided further that not less than twenty percent of the funds meant for welfare activities shall be utilised for the welfare of the Scheduled Castes and Scheduled Tribes.

(2) The Grama Panchayat Fund shall also be utilised for the following purposes,-

(i) payment of salaries and allowances to the Adhyaksha and Upadhyaksha, officers and staff, traveling allowance, daily allowance, and sitting fees to the members of the Grama Panchayat or any Committee thereof, subject to such rules as may be prescribed.

(ii) any amount falling due on any loan raised by the Grama Panchayat;

(iii) with the previous sanction of the Chief Executive Officer,[1] [and in accordance with the guidelines specified by the Government][1] for any other purpose for which the application of such property or fund is necessary in public interest:

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that any amount granted to the Grama Panchayat by the Government or any person or local authority for any specific work or purpose shall be applied exclusively for such work or purpose and in accordance with such instructions as the Government may specify either generally or specially in this behalf.

214. Grama Panchayat may raise loans and form a sinking fund.- A Grama Panchayat may, with the previous sanction of the Government and subject to the conditions imposed by it from time to time, raise loans for the execution of any work or for the purposes of carrying out any of the provisions of this Act and form a sinking fund in the prescribed manner for the repayment of such loans.

215. Taluk Panchayat may acquire, hold and dispose off property etc,.- The power of every Taluk Panchayat to acquire, hold and dispose off property both movable and immovable whether within or without the limits of the area over which it has authority to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it, and to contract and to do all other things necessary for the purposes of this Act, shall be subject to such rules as may be prescribed:

[1][Provided x x x][1]

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

216. Vesting of property in Taluk Panchayat.- (1) It shall be competent for the Government or a Zilla Panchayat with the concurrence of the Taluk Panchayat from time to time to direct that any property vesting in the Government or the Zilla Panchayat , as the case may be, shall vest in the Taluk Panchayat:

Provided that no lease, sale or transfer of any such immovable property by the Taluk Panchayat shall be valid without the previous sanction of the Government or the Zilla Panchayat, as the case may be.

(2) Every work constructed by a Taluk Panchayat out of Taluk Panchayat Fund shall vest in such Taluk Panchayat:

Provided that, the Government may, if it deems fit, declare by order that such road, building or other works vested in Taluk Panchayat, shall stand transferred to and vest in, the Zilla Panchayat or the Government as the case may be.

217. Decision of claims to property by or against Taluk Panchayat.- (1) In any taluk to which a survey of lands other than lands ordinarily used for the purpose of agriculture only has been or shall be extended under any law for the time being in force, where any property or any right in or over any property is claimed by or on behalf of the Taluk Panchayat, or by any person as against the Taluk Panchayat, it shall be lawful for the Deputy Commissioner after enquiry of which due notice has been given, to pass an order deciding the claims.

(2) Any person aggrieved by an order made under sub-section (1) may appeal to the Commissioner and the decision of the Commissioner shall be final.

(3) Any person shall be deemed to have had due notice of any enquiry or order under this section if notice has been given in the prescribed manner.

218. Taluk Panchayat Fund.- (1) There shall be for each Taluk Panchayat a fund called the Taluk Panchayat Fund.

(2) The following shall form part of, and be paid into the Taluk Panchayat Fund, namely:-

(a) the amount which may be granted or passed on to the Taluk Panchayat by the Government or the Zilla Panchayat under the provisions of this Act or any other Act, or on any other account;

(b) the proceeds of any fees imposed by the Taluk Panchayat;

(c) all sums received by the Taluk Panchayat by way of contributions from the Government or any other authority or person or by way of gift;

(d) the rent or other income from, or sale proceeds of any immoveable or movable property owned by or vested in the Taluk Panchayat; and

(e) all other sums received from any source whatsoever:

Provided that sums received by way of endowments for any specific purpose shall not form part of or be paid into the Taluk Panchayat Fund.

(3) The amounts at the credit of the Taluk Panchayat Fund shall be kept in the Government Treasury of the taluk.

219. Application of Taluk Panchayat fund and property.- (1) Subject to the provisions of this Act and the rules made thereunder and such general or special orders as the Government, may make, all property owned by or vested in the Taluk Panchayat under this Act and all funds received by it and all sums accruing to it under the provisions of this Act or any other law for the time being in force, shall be applied for the purposes specified in sections 145 and 146 and for all other purposes for which by or under this Act, or any other law for the time being in force, powers are conferred or duties are imposed upon the Taluk Panchayat:

Provided that no expenditure shall be incurred out of the Taluk Panchayat Fund unless provision therefor has been made in the budget of the Taluk Panchayat or funds are obtained by reappropriation duly approved, except in such cases as may be prescribed:

Provided further that not less than twenty percent of the funds meant for welfare activities shall be utilised for the welfare of the Scheduled Castes and Scheduled Tribes.

(2) The Taluk Panchayat Fund shall also be utilised for the following purposes:-

(i) payment of salaries and allowances to the Adhyaksha and Upadhyaksha, officers and staff, traveling allowance, daily allowance, and sitting fees to the members of the Taluk Panchayat or any committee thereof, subject to such rules as may be made in this behalf by the Government;

(ii) any amount falling due on any loan raised by the Taluk Panchayat;

(iii) with the previous sanction of the [1][Government][1], for any other purposes for which the application of such property or fund is necessary in public interest:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that any amount granted to the Taluk Panchayat by the Government or any person or local authority for any specific work or purpose shall be applied exclusively for such work or purpose and in accordance with such instructions as the Government may specify either generally or specially in this behalf.

220. Taluk Panchayat may raise loans and form a sinking fund.- A Taluk Panchayat may, with the previous sanction of the Government and subject to the conditions imposed by it from time to time, raise loans for the execution of any work or for the purposes of carrying out any of the provisions of this Act and form a sinking fund in the prescribed manner for the repayment of such loans.

221. Rents and fees.- Save as otherwise provided in this Act and subject to the regulations made in this behalf, a Taluk Panchayat may charge fees for any license or permission issued by it under this Act, and the rules made thereunder and levy rent and fee for the occupation or use of land or other property placed under its control or vested in it or maintained out of the Taluk Panchayat fund.

222. Zilla Panchayat may acquire, hold and dispose off property etc,.- (1) The power of every Zilla Panchayat to acquire, hold and dispose off property both movable and

immovable whether within or without the limits of the area over which it has authority to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it, and to contract and to do all other things necessary for the purpose of this Act, shall be subject to the rules made by the Government in this behalf:

[1][Provided x x x][1]

1. Omitted by Act 37 of 2003 w.e.f. 1.10.2003.

223. Vesting of property in Zilla Panchayat.- (1) It shall be competent for the Government with the concurrence of the Zilla Panchayat from time to time to direct that any property vesting in the Government shall vest in the Zilla Panchayat :

Provided that no lease, sale or transfer of such immovable property by the Zilla Panchayat shall be valid without the previous sanction, of the Government.

(2) Every work constructed by a Zilla Panchayat out of Zilla Panchayat Fund shall vest in such Zilla Panchayat:

Provided that, the Government may, if it deems fit, declare by order that such road, buildings or other works vested in the Zilla Panchayat, shall stand transferred to and vest in, the Government .

224. Decision of claims to property by or against Zilla Panchayat.- (1) In any district to which a survey of lands other than lands ordinarily used for the purpose of agriculture only has been or shall be extended under any law for the time being in force, where any property is claimed by or on behalf of the Zilla Panchayat, or by any person as against the Zilla Panchayat, it shall be lawful for the Deputy Commissioner after enquiry of which due notice has been given, to pass an order deciding the claims.

(2) Any person aggrieved by an order made under sub-section (1) may appeal to the Commissioner and the decision of the Commissioner shall be final.

(3) A person shall be deemed to have had due notice of any enquiry or order under this section if notice has been given in the prescribed manner.

225. Zilla Panchayat Fund.- (1) There shall be for each Zilla Panchayat a fund called the Zilla Panchayat Fund and the following shall form part of, or be paid into the Zilla Panchayat Fund, namely,-

(i) the amount transferred to the Zilla Panchayat Fund by appropriation from out of the Consolidated Fund of the State;

(ii) all grants, assignments, loans and contributions made by the Government;

(iii) all fees and penalties paid to or levied by or on behalf of the Zilla Panchayat under this Act and all fines imposed under this Act;

(iv) all rents from lands or other properties of the Zilla Panchayat;

(v) all interests, profits and other moneys accruing by gifts, grants, assignments or transfers from private individuals or institutions;

(vi) all proceeds of land, securities and other properties sold by the Zilla Panchayat;

(vii) all sums received by or on behalf of the Zilla Panchayat by virtue of this Act:

Provided that sums received by way of endowments for any specific purpose shall not form part of or be paid into the Zilla Panchayat Fund.

226. Custody and investment of Zilla Panchayat Fund.- (1) The amounts at the credit of the Fund shall be kept in the Government Treasury.

(2) It shall be lawful for a Zilla Panchayat to deposit at interest with the Government Savings Bank or with the sanction of the Government, any scheduled bank or co-operative bank in the State, any surplus funds in its hands which may not be required for current charges and with like sanction to invest such funds in securities of the Government of India or the State Government or in such other securities as the Government may, from time to time, approve in this behalf and to vary such investment or dispose of such securities with like sanction.

227. Application of Zilla Panchayat Fund and property.- (1) Subject to the provisions of this Act and the rules made thereunder and such general or special orders as the Government may make, all property owned by or vested in the Zilla Panchayat under this Act and all funds received by it and all sums accruing to it under the provisions of this Act or any other law for the time being in force, shall be applied for the purposes specified in sections 184 and 185 and for all other purposes for which by or under this Act, or any other law for the time being in force, powers are conferred or duties are imposed upon the Zilla Panchayat:

Provided that no expenditure shall be incurred out of the Zilla Panchayat Fund unless provision therefor has been made in the budget of the Zilla Panchayat or funds are obtained by reappropriation duly approved, except in such cases as may be prescribed:

Provided further that not less than twenty percent of the funds meant for welfare activities shall be utilised for the welfare of the Scheduled Castes and Scheduled Tribes.

(2) The Zilla Panchayat Fund and all property held or vested in the Zilla Panchayat under this Act shall be applied, subject to the provisions of this Act for the payment of,-

(a) salaries and allowances to the Adhyaksha and the Upadhyaksha and traveling and daily allowance to the Adhyaksha and Upadhyaksha for tours outside the district and travelling and daily allowance to the members of the Zilla Panchayat or any committee thereof, subject to such rules as may be made in this behalf by the Government;

(b) the salaries, allowances, pensions and gratuities of its officers and employees other than those whose salaries and allowances are paid from the Consolidated Fund of the State;

(c) any amount falling due on any loan contracted by the Zilla Panchayat;

(d) for the purposes specified in the Act;

(e) all other purposes for which by or under this Act or the rules or regulations made thereunder or by or under any other law for the time being in force, powers are conferred or duties are imposed upon the Zilla Panchayat;

(f) with the previous sanction of the Government, for any other purposes for which the application of such property or fund is necessary in public interest:

Provided that any fund granted to the Zilla Panchayat by the Government or any person or local authority for any specific work or purpose shall be applied exclusively for such work or purpose and in accordance with such instructions as the Government may specify either generally or specially in this behalf.

228. Rents and fees.- Save as otherwise provided in this Act and subject to the regulations made in this behalf, a Zilla Panchayat may charge fee for any license or permission issued by it under this Act, and the rules made thereunder and levy rent and fee for the occupation or use of land or other property placed under its control or vested in it or maintained out of the Zilla Panchayat Fund.

229. Zilla Panchayat may raise loans and form a sinking fund.- A Zilla Panchayat may, with the previous sanction of the Government and subject to the conditions imposed by it from time to time, raise loans for the execution of any work or for the purpose of carrying out any of the provisions of this Act and form a sinking fund for the repayment of such loans.

230. Prohibition of expenditure not covered by the budget.- Except as hereinafter provided, no payment of any sum shall be made out of the Zilla Panchayat Fund, unless the expenditure of the same is covered by a budget grant except in the following cases, namely,-

(a) refund of moneys which the Zilla Panchayat is authorised to make under this Act or the rules or regulations made thereunder;

(b) repayment of moneys belonging to the contractors or other persons held in deposit and of moneys credited to the Zilla Panchayat Fund by mistake;

(c) sums which the Zilla Panchayat is required or empowered by this Act to pay by way of compensation;

(d) every sum payable,-

(i) under this Act by order of the [1][x x x][1] Government;

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

(ii) under a decree or order of a civil court; and

(iii) under a compromise of any suit or other legal proceedings or claim.

231. Government may place roads and other property under Zilla Panchayat.- (1) It shall be lawful for the Government from time to time to direct, by notification, that any road, bridge, channel, building or other property, movable or immovable, which is vested in the Government and which is situated in the district, shall with the consent of the Zilla Panchayat and subject to such exceptions and conditions as the Government may make and impose, be placed under the control and administration of the Zilla Panchayat for the purposes of the Act and thereupon such road, bridge, channel, buildings or other property shall be under the control and administration of the Zilla Panchayat, subject to all exceptions and conditions so made and imposed and to all charges and liabilities affecting the same.

(2) It shall be competent for the Government by notification to resume any property placed under the control of a Zilla Panchayat under sub-section (1) on such terms as the Government may determine.

CHAPTER XVI

[1][Administration, inspection, supervision and creation of commissionerrate of Gram Swaraj and Panchayat Raj][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

232. Power of inspection and supervision.- [1][An officer specially authorised by the Government in this behalf][1] in case of the Zilla Panchayat, Chief Executive Officer in the case of Taluk Panchayat and the Executive Officer in the case of Grama Panchayat may,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(a) inspect the offices or premises of or works taken up by the Zilla Panchayat, Taluk Panchayat or Grama Panchayat and for this purpose examine or cause to be examined the books of accounts, registers and other documents concerned and the Zilla Panchayat, Taluk

Panchayat or Grama Panchayat concerned shall comply with the instructions issued after such inspections;

(b) call for any return, statement, account or report which he may think fit to require the Zilla Panchayat, Taluk Panchayat or Grama panchayat concerned to furnish.

[1][**232A. Constitution of Commissionerrate of Panchayat Raj.-** The Government may constitute a separate commissionerrate of panchayat raj services to facilitate smooth functioning of Panchayat Raj institutions. The powers, functions and duties and the number, category of posts, method of recruitment and minimum qualification, shall be such as may be prescribed.

232B Constitution of the Karnataka Panchayat Administrative Service, – The Government shall constitute a Karnataka panchayat administrative service consisting of such category of posts from the rural development and panchayat raj department, the number of posts, scale of pay, method of recruitment and minimum qualifications shall be such as may be prescribed][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

233. Technical supervision and inspections.- (1) The Heads of Departments concerned and the officers incharge of the Departments at the Divisional level [1][may with a view to ensure quality of implementation according to the technical and financial norms contained in the respective schemes or orders, inspect][1] works or development schemes relating to that department under the control of any Zilla Panchayat, Taluk Panchayat or Grama Panchayat and also to inspect relevant documents pertaining to such work or development schemes in the manner specified by the Government.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) The scope of such inspections may cover technical aspects including feasibility, economic viability, the technical quality of the work, and the expenditure being incurred.

(3) The notes of inspections by such officers after such inspections shall be forwarded to the Chief Executive Officer, Executive Officer or the Secretary, as the case may be, for appropriate action.

[1][(4) The Zilla Panchayat, Taluk Panchayat or Grama Panchayat concerned shall take follow-up action on the report of the inspecting officer within thirty days from the date of receipt of such report and failure to take such action may be construed as “default in the performance of the duty” for the purpose of section 268.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

234. [1][Government][1] and Chief Executive Officer's powers in respect of Grama Panchayat, Taluk Panchayat and Zilla Panchayat.- (1) The Chief Executive Officer may in respect of Taluk Panchayat and Grama Panchayat exercise the following powers,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(a) call for proceedings of any Grama Panchayat or Taluk Panchayat or any extract of any book or document in the possession or under the control of the Grama Panchayat or Taluk Panchayat or any return or statement of account or report;

(b) require a Grama Panchayat or Taluk Panchayat to take into consideration any objection which appears to him to exist to the doing of anything which is about to be done or is being done by such Grama Panchayat or Taluk Panchayat or any information which appears to him to necessitate the doing of anything by such Grama Panchayat or Taluk Panchayat or within such period as he might fix;

[1][(c) require a duty to be performed within a specified period if a Grama Panchayat or Taluk Panchayat has made default in the performance of any duty.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(d) and (e) x x x][1]

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) The Grama Panchayat or Taluk Panchayat may appeal to the [1][Government][1] against any order under clause (c) of sub-section (1) by the Chief Executive Officer within thirty days from the date of the order;

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(3) The [1][Government][1] may in respect of Zilla Panchayat exercise the following powers,-

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(a) call for proceedings of any Zilla Panchayat or any extract of any book or document in the possession or under the control of the Zilla panchayat or any return of statement of account or report;

(b) require a Zilla Panchayat to take into consideration any objection which [1][appears to it][1] to exist to the doing of anything which is about to be done or is being done by such Zilla Panchayat or any information which [1][appears to it][1] to necessitate the doing of anything by such Zilla Panchayat or within such period as [1][it might fix][1];

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(c) require a duty to be performed within a specified period if a Zilla Panchayat has made default in the performance of any duty.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(d) x x x][1]

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(4) x x x][1]

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

235. Power of Government, [1][Zilla Panchayat and Taluk Panchayat][1] to provide for performance of duties in default of Grama Panchayat, Taluk Panchayat or Zilla panchayat.- [2][(1)][2] When the Government in case of a Zilla Panchayat, [1][Zilla Panchayat in case of][1] a Taluk Panchayat and [1][Taluk Panchayat in case of][1] a Grama Panchayat is informed on complaint made or otherwise, that any Zilla Panchayat or Taluk Panchayat or Grama Panchayat has made default in performing any duty imposed on it, by or under this Act, or by or under any law for the time being in force and if satisfied, after due enquiry that any Zilla Panchayat, Taluk Panchayat or Grama Panchayat has failed in the performance of such duty, [1][it may][1] fix a period for the performance of that duty:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Renumbered by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that no such period shall be fixed unless the Zilla Panchayat, Taluk Panchayat or Grama panchayat concerned has been given an opportunity to show-cause why such an order shall not be made.

[1][(2) An appeal shall lie, against the order of,-

(i) the Taluk Panchayat, to the Zilla Panchayat; and

(ii) the Zilla Panchayat, to the Government,

within thirty days from the date of such order.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

236. Inquiry into affairs of Grama Panchayat, Taluk Panchayat, Zilla Panchayat by the Government.- (1) The Government may, at any time for reasons to be recorded, cause an inquiry to be made by any of its officers in regard to any Grama Panchayat, Taluk Panchayat or Zilla Panchayat on [1][specific][1] matters concerning it, or any matter with respect to which the sanction, approval consent or orders of the Government is required under this Act.

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) The Officer holding such inquiry shall have the powers of the Civil Court under the Code of Civil procedure, 1908 to take evidence and to compel attendance of witnesses and production of documents for the purpose of the inquiry.

(3) The Government may make orders as to the costs of inquiries made under sub-section (1) and as to the parties by whom and the funds out of which they shall be paid and such order may, on the application of the [1][Chief Executive Officer][1] or of any person named therein be executed as if it were a decree of a Civil Court.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

237. Power of suspending execution of unlawful orders or resolution.- (1) If in the opinion of the [1][Adhyaksha of Taluk Panchayat][1], the execution of any order or resolution of a Grama Panchayat or any order of any authority or officer of the Grama Panchayat or the doing of anything which is about to be done, or is being done, by or on behalf of a Grama Panchayat [2][other than law full resolutions and decisions taken by the authorities specified in section 64, 70, 113 and 269 of this Act][2] is unjust,, unlawful or improper or is causing or is likely to cause injury or annoyance to the public or to lead to a breach of peace, he may by order suspend the execution or prohibit the doing thereof.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

2. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

(2) When the [1][Adhyaksha of Taluk Panchayat][1] makes an order under sub-section (1), he shall forthwith forward to the [1][Adhyaksha of the Zilla Panchayat][1] and the Grama Panchayat affected thereby a copy of the order with a statement of the reasons for making it, and the [1][Adhyaksha of the Zilla Panchayat][1] may confirm or rescind the order or direct that it shall continue to be in force with or without modification permanently or for such period as he thinks fit:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided that no order of the [1][Adhyaksha of Taluk Panchayat][1] passed under sub-section (1) shall be confirmed, revised or modified by the [1][Adhyaksha of the Zilla Panchayat][1] without giving the Grama Panchayat concerned a reasonable opportunity of showing cause against the proposed order.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(3) If in the opinion of the [1][Adhyaksha of the Zilla Panchayat][1], the execution of any order or resolution of a Taluk Panchayat or any order of any authority or officer of the Taluk Panchayat or the doing of anything which is about to be done, or is being done, by or on behalf of a Taluk Panchayat is unjust, unlawful or improper or is causing or is likely to cause

injury or annoyance to the public or to lead to a breach of peace he may by order suspend the execution or prohibit the doing thereof.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(4) When the [1][Adhyaksha of the Zilla Panchayat][1] makes an order under sub-section (3), he shall forthwith forward to the Government and the Taluk Panchayat affected thereby a copy of the order with a statement of the reasons for making it, and the Government may confirm or rescind the order or direct that it shall continue to be in force with or without modification permanently or for such period as it thinks fit:

Provided that no order of the [1][Adhyaksha of the Zilla Panchayat][1] passed under sub-section(3) shall be confirmed, revised or modified by the Government without giving the Taluk Panchayat concerned a reasonable opportunity of showing cause against the proposed order.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(5) If [1][x x x][1] the Government is of the opinion that execution of any order or resolution of Zilla Panchayat or the doing of anything which is about to be done, or is being done by or on behalf of a Zilla Panchayat is unjust, unlawful or improper or is causing or is likely to cause injury or annoyance to the public or to lead to a breach of the peace, it may, by an order suspend the execution or prohibit the doing thereof.

1. Omitted by Act 29 of 1997 w.e.f. 20.10.1997.

(6) When the Government makes an order under sub-section (5), it shall forthwith forward to the Zilla Panchayat affected thereby a copy of the order with a statement of reasons for making it and the Government may confirm or rescind the order or direct that it shall continue to be in force with or without modification permanently or for such period as it thinks fit:

Provided that no order under this sub-section shall be passed by the Government without giving the Zilla Panchayat concerned, a reasonable opportunity of showing cause against the said order.

238. Purchase of stores and equipments.- (1) The Government may by general or special order provide for all or any of the following matters, namely:-

(a) the manner in which purchase of stores, equipments, machineries and other articles required by a Zilla Panchayat, Taluk Panchayat or Grama Panchayat shall be made by them;

(b) the manner in which tender for works contracts and supplies shall be invited and examined and accepted;

(c) the manner in which works and development schemes may be executed and inspected and payment may be made in respect of such works, schemes; and

(d) constitution of committee for the purpose of this section.

(2) Save as otherwise expressly provided in sub-section (1) in respect of all other matters relating to drawl of funds, form of bills, incurring of expenditure, maintenance of accounts, rendering of accounts and such other matters, the rules of implementation as applicable to departments of the Government shall *mutatis matandis* apply.

239. Power to appoint Administrator in certain cases.- (1) Whenever,-

(a) any general election to a Zilla Panchayat or Taluk Panchayat under this Act or any proceedings consequent thereon has been stayed by an order of a competent court or authority; or

(b) all the members or more than two-thirds of the members of a Zilla Panchayat or Taluk Panchayat have resigned,

the Government shall by notification in the official Gazette appoint an Administrator for such period as may be specified in the notification and may, by like notification, curtail or extend the period of such appointment, so however the total period of such appointment shall not exceed six months.

(2) Notwithstanding anything contained in this Act, on the appointment of an Administrator under sub-section (1) during the period of such appointment, the Zilla Panchayat or Taluk Panchayat and the committees thereof and the Adhyaksha or Upadhyaksha of such Panchayat, charged with carrying out the provisions of this Act, or any other law, shall cease to exercise any powers and perform and discharge any duties or functions conferred or imposed on them by or under this Act or any other law and all such powers shall be exercised and all such duties and functions shall be performed and discharged by the Administrator.

240. Government's power to specify the role of Panchayats.- The Government may, by general or special order, specify from time to time, the role of Grama Panchayat, Taluk Panchayat and Zilla Panchayat in respect of the programes, schemes and activities related to the functions specified in Schedule I, II and III, in order to ensure properly co-ordinated and effective implementation of such programes, schemes and activities.

CHAPTER XVII

FINANCIAL CONTROL AND AUDIT

241. Presentation of accounts and budget of Grama Panchayat.- (1) The [1][Panchayat Development Officer][1] shall prepare and lay before the Grama Panchayat at a meeting, which shall be held between the first day of February and the tenth day of March, a complete account of the actual and expected receipts and expenditure for the official year ending on the thirty-first day of March next following together with a budget estimate of the income and expenditure, of the Grama panchayat for the official year to commence on the first day of April next following.

1. Substituted by Act 24 of 2010 w.e.f. 23.07.2010.

(2) The Grama Panchayat shall thereupon decide upon the appropriations and the ways and means contained in the budget of the year to commence on the first day of April next following. The budget as passed by the Grama Panchayat shall be sent to the Taluk Panchayat before such date as may be fixed by the Government.

(3) In such budget estimate, the Grama Panchayat shall among other things,-

(a) make adequate and suitable provision for such services as may be required for the fulfillment of the several duties imposed on the Grama Panchayat by this Act or any other law;

(b) allow for a balance at the end of said year of not less than such sum or percentage of income as may from time to time, be fixed by the Government either generally for all Grama Panchayats or specially for any Grama Panchayat;

(c) provide for the payment, as they fall due, of all installments of principal and interest for which the Grama Panchayat may be liable in respect of loans contracted by it.

(4) If such budget estimate is not in accordance with the provisions of this Act or the rules and orders issued thereunder, the Taluk Panchayat may within two months from the

date of receipt of the budget modify the same to secure compliance with this Act, the rules or the orders:

Provided that the Taluk Panchayat shall not have power to direct that total proposed expenditure shall exceed the total of the estimated income of the Grama Panchayat for the following year and the opening balance.

(5) If the Grama Panchayat fails to pass the budget estimate on or before the date mentioned in sub-section (1), the [1][Panchayat Development Officer][1] shall forward the budget estimate to the Taluk Panchayat and it shall approve it with or without modification. The budget as approved by the Taluk Panchayat shall be certified by the Executive Officer and thereupon shall be deemed to have been duly approved by the Grama Panchayat.

1. Substituted by Act 24 of 2010 w.e.f. 23.07.2010.

242. Revision of budget.- If, in the course of the official year, the Grama Panchayat finds it necessary to modify the provisions made in the budget with regard to the receipts or to the distribution of the amounts to be expended on the different services it undertakes, it may make such modifications:

Provided that no diversion of grants transferred by the Government out of the Consolidated Fund of the State can be made for a purpose or programme or scheme not covered under such grants:

Provided further that, without the approval of the Chief Executive Officer,-

(a) no reduction of over ten percent shall be made in the grants approved for any developmental functions of the Grama Panchayat, and

(b) the closing balance shall not be reduced below the sum fixed under clause (b) of sub-section (3) of section 241.

243. Maintenance of accounts and restriction of expenditure.- (1) Accounts of the income and expenditure of a Grama Panchayat shall be kept in accordance with such rules as may be prescribed.

(2) Expenditure from the Grama Panchayat Fund shall, save as otherwise expressly provided for in this Act, be incurred subject to such sanctions, conditions and limitations as may be prescribed.

(3) Grama Panchayat shall, within a period not exceeding three months after the close of the official year, pass the accounts of that year.

244. Transmission of accounts.- The Grama Panchayat shall, as soon as the annual accounts have finally passed by it, transmit a copy thereof to the Zilla Panchayat in the form prescribed and shall furnish such details and vouchers relating to the same as the Zilla Panchayat may, from tine to time, direct.

245. Power to write off irrecoverable amounts.- Subject to such restrictions as may be prescribed, a Grama Panchayat may write off any tax, fee, rate or other amount whatsoever due to it, whether under a contract or otherwise, or any sum payable in connection therewith if, in its opinion, such tax, fees, rate or other amount or sum is irrecoverable:

Provided that, no sum exceeding one thousand rupees shall be written off except with the previous sanction of the Taluk Panchayat.

246. Audit of accounts.- (1) The accounts of every Grama Panchayat shall be audited each year by such officer as may be authorised by the [2][Director General, Karnataka State Accounts And Audit Department][2] (hereinafter referred to as the auditor) [1][The Comptroller

and Auditor General shall provide technical guidance and supervision for audit of accounts under this section in accordance with the provisions of Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971 (Central Act 56 of 1971) and also undertake test checks of the accounts of the Grama Panchayaths].[1]

(2) The auditor shall, for the purpose of audit, have access to all the accounts and other records of the Grama Panchayat.

(3) The auditor may,-

(a) require in writing the production before him of such vouchers, statements, returns, correspondence, notes or other documents which he may consider necessary for the proper conduct of his audit;

(b) require in writing any person accountable for, or having the custody or control of, any such vouchers, statements, returns, correspondence, notes or documents or any person having directly or indirectly by himself or his partner, any share or interest in any contract with or under the Grama Panchayat, to appear in person before him;

(c) require any person so appearing before him to make and sign a declaration with respect to such vouchers, statements, returns, correspondence, notes or documents or to answer any question or prepare and submit any statement;

(d) in the event of an explanation being required from the Adhyaksha or other member of the Grama panchayat, in writing invite such person to meet him and shall in writing specify the point on which explanation is required.

(4) Any person who willfully neglects or refuses to comply with any requisition lawfully made under sub-section (3), shall on conviction , be punished with fine which may extend to one hundred rupees:

Provided that no proceedings under this sub-section shall be instituted without the sanction of the Chief Executive Officer.

(5) The auditor shall, within one month after the completion of audit, forward a copy of the audit report to the Grama Panchayat and to the Executive Officer.

(6) On receipt of the audit report, the Grama Panchayat shall either remedy any defects or irregularities which have been pointed out in the report and send to the Executive Officer within three months an intimation of its having done so, or shall within the same period furnish to the Executive Officer any further explanation in regard to such defects or irregularities.

(7) On receipt of such intimation or explanation in respect of all or any of the matters discussed in the audit report, the Executive officer may, in consultation with the auditor,-

(a) accept the intimation or explanation given by the Grama Panchayat and order the withdrawal of the objection, or

(b) direct that the matter be reinvestigated at the next audit or at any earlier date, or

(c) direct that the defects or irregularities pointed out in the audit report or any of them shall be removed or remedied by the Grama Panchayat.

(8) The Executive Officer may, after making such enquiry as he may consider necessary disallow any item of expenditure which appears to him to be contrary to law and surcharge the amount thereof on the person making or authorising the illegal payment and after taking the explanations of the person concerned, the Executive Officer may direct by an order in writing that such person shall pay to the Grama Panchayat the amount surcharged along with interest at fifteen percent per annum on the amount due, from the date from which it

became due and if the amount is not paid within two months from the date of such order, the Executive Officer shall take steps to recover it as an arrears of land revenue and credit it to the Grama Panchayat Fund.

(9) Any person aggrieved by the order of the Executive Officer, under sub-section (8) may, within thirty days of the receipt by him of a copy of the decision, appeal to the Chief Executive Officer who shall pass such orders as he may deem fit.

(10) Any appeal under sub-section (9) pending before the Government on the date of commencement of the Karnataka Panchayat Raj Act, 1993 shall stand transferred to the Chief Executive Officer and such appeal shall be decided by him as if it had been filed before him.

(11) The [2][Director General, Karnataka State Accounts And Audit Department][2] Department shall submit a summary of observations made in the audit report and rectifications made by the Grama Panchayats to the Government.

[1][(12) The [2][Director General, Karnataka State Accounts And Audit Department][2] Department shall submit to the Government a consolidated Annual Report in respect of all the Grama Panchayats of the State and the State Government shall lay such report before both the houses of the State Legislature.][1]

1. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.
2. Substituted by Act 37 of 2017 w.e.f. 12.07.2017.

247. Presentation of accounts and budget of Taluk Panchayat.- (1) The Finance, Audit and Planning Committee shall cause to be prepared and laid before the Taluk Panchayat at a meeting, which shall be held between the first day of February and the tenth day of March, a complete accounts of the actual and expected receipts and expenditure for the official year ending on the thirty-first day of March next following together with a budget estimate of the income and expenditure, of the Taluk Panchayat for the official year to commence on the first day of April next following.

(2) The Taluk Panchayat shall thereupon decide upon the appropriations and the ways and means contained in the budget of the year to commence on the first day of April next following. The budget as passed by the Taluk Panchayat shall be sent to the Zilla Panchayat before such date as may be fixed by the Government.

(3) In such budget estimate, the Taluk Panchayat shall among other things,-

(a) make adequate and suitable provision for such services as may be required for the fulfillment of the several duties imposed on the Taluk Panchayat by this Act or any other law;

(b) provide for the payment, as they fall due, of all installments of principal and interest for which the Taluk Panchayat may be liable in respect of loans contracted by it; time be fixed by the Government either generally or for any Taluk Panchayat;

(4) If such budget estimate is not in accordance with the provisions of this Act or the rules and orders issued thereunder, the Zilla Panchayat may within two months from the date of receipt of the budget modify the same to secure compliance with the Act, the rules or the orders:

Provided that the Zilla Panchayat shall not have power to direct that total proposed expenditure shall exceed the total of the estimated income of the Taluk Panchayat for the following year and the opening balance.

(5) If the Taluk Panchayat fails to approve the budget estimate on or before the date mentioned in sub-section (1), the Executive Officer shall forward the budget estimate to the Zilla Panchayat and the Zilla Panchayat shall approve it with or without modification. The budget so approved by the Zilla Panchayat shall be certified by the Chief Executive Officer and thereupon shall be deemed to have been duly approved by the Taluk Panchayat.

248. Revision of budget.- If, in the course of the official year, the Taluk Panchayat finds it necessary to modify the provisions made in the budget with regard to the receipts or to the distribution of the amounts to be expended on the different services it undertakes, it may make such modifications:

Provided that no diversion of grants transferred by the Government out of the Consolidated Fund of the State can be made for a purpose or programme or schemes not covered under such grants:

Provided further that, without the approval of the Commissioner;-

(a) no reduction of over ten percent shall be made in the grants approved for any developmental functions of the Taluk Panchayat, and

(b) the closing balance shall not be reduced below the sum fixed under clause (c) of sub-section (3) of section 247.

249. Supplementary budget.- Supplementary budget may be prepared and submitted when necessary. The Taluk Panchayat may at any time during the year for which a budget has been sanctioned by the Government cause a supplementary budget to be prepared and submitted to the Government. Every such supplementary budget shall be considered and approved by the Zilla Panchayat and submitted to the Government for approval.

250. Maintenance of accounts and restriction of expenditure.- (1) Accounts of the income and expenditure of a Taluk Panchayat shall be kept in accordance with such rules as may be prescribed.

(2) Expenditure from the Taluk Panchayat Fund shall, save as otherwise expressly provided for in this Act, be incurred subject to such sanctions, conditions and limitations as may be prescribed.

(3) The Taluk Panchayat shall, within a period not exceeding three months after the close of the official year, pass the accounts of that year.

251. Transmission of accounts.- The Taluk Panchayat shall, as soon as the annual account have been finally passed by it, transmit a copy thereof to the Zilla Panchayat in the form prescribed in this behalf and shall furnish such details and vouchers relating to the same as the Zilla Panchayat may, from tine to time, direct.

252. Power to write off irrecoverable sums.- Subject to such restrictions as may be prescribed, a Taluk Panchayat may write off any sum due to it, whether under a contract or otherwise, or any sum payable in connection therewith if, in its opinion, such sum is irrecoverable:

Provided that, no sum exceeding one thousand rupees shall be written off except with the previous sanction of the Zilla Panchayat.

253. Audit of accounts.- (1) The accounts of the Taluk Panchayat Fund shall be audited by the Comptroller and Auditor General of India (hereinafter referred to as auditor) in accordance with the provisions of the Comptroller and Auditor General (Duties, Powers and Conditions of Service) Act, 1971.

(2) The auditor shall, for the purpose of audit, have access to all the accounts and other records of the Taluk Panchayat.

(3) The auditor shall send every year to the Government a consolidated audit report in respect of the Taluk Panchayats in the State and the Government shall lay the consolidated report before both the Houses of the State Legislature.

254. Action by Taluk Panchayat on audit report.- The Taluk Panchayat shall on the report of the auditor or may on its own motion and after taking the explanation of the person concerned or making such further enquiry as it may consider necessary, charge any person concerned or making such further enquiry as it may consider necessary charge any person responsible for irregular expenditure pointed out by the auditor or the amount of any deficiency or loss caused by negligence or misconduct of such person or any sum received which ought to have been, but is not brought into account by such person, and shall , in every such case, certify the amount due from such person.

(2) The Taluk Panchayat shall in writing state the reasons for its decision in respect of every charge and send a copy thereof to the person against whom it is made.

255. Recovery of amounts disallowed.- (1) Every sum certified by the Taluk Panchayat to be due from any person under sub-section (1) of section 254, shall be paid by such person to the Taluk Panchayat within thirty days from the date of the receipt by him of a copy of the decision.

(2) Such sum, if not duly paid along with interest at fifteen percent per annum on the amount due, from the date from which it became due shall be recoverable as an arrears of land revenue along with the necessary expenses of such recovery and shall be credited to the Taluk Panchayat Fund.

256. Presentation of accounts and budget of Zilla Panchayat.- (1) The Finance, Audit and Planning Committee shall cause to be prepared and laid before the Zilla Panchayat at a meeting, which shall be held between the first day of February and the tenth day of March, a complete account of the actual and expected receipts and expenditure for the official year ending on the thirty-first day of March next following together with a budget estimate of the income and expenditure, of the Zilla Panchayat for the official year to commence on the first day of April next following.

(2) The Zilla Panchayat shall thereupon decide upon the appropriations and the ways and means contained in the budget of the year to commence on the first day of April next following. The budget as passed by the Zilla Panchayat shall be sent to the Government before such date as may be fixed by the Government.

(3) In such budget estimate, the Zilla Panchayat shall among other things,-

(a) make adequate and suitable provision for such services as may be required for the fulfillment of the several duties imposed on the Zilla Panchayat by this Act or any other law;

(b) provide for the payment, as they fall due, of all installments of principal and interest for which the Zilla Panchayat may be liable in respect of loans contracted by it ;

(c) allow for a balance at the end of said year of not less than such sum or percentage of income as may from time to time, be fixed by the Government either generally for all Zilla Panchayats or specially for any Zilla Panchayat.

(4) If such budget estimate is not in accordance with the provisions of this Act or the rules and orders issued thereunder, the Government may within two months from the date of

receipt of the budget modify the same to secure compliance with the Act, the rules or the orders:

Provided that the Government shall not have power to direct that total proposed expenditure shall exceed the total of the estimated income of the Zilla Panchayat for the following year and the opening balance.

(5) If the Zilla Panchayat fails to approve the budget estimate on or before the date mentioned in sub-section (1), the Chief Executive Officer shall forward the budget estimate to the Government and the Government shall approve it with or without modification. The budget so approved by the Government shall be certified by the Government and thereupon shall be deemed to have been duly approved by the Zilla Panchayat.

257. Revision of budget.- If, in the course of the official year, the Zilla Panchayat finds it necessary to modify the provisions made in the budget with regard to the receipts or to the distribution of the amounts to be expended on the different services it undertakes, it may make such modifications:

Provided that no diversion of grants transferred by the Government out of the Consolidated Fund of the State can be made for a purpose or programme or scheme not covered under such grants:

Provided also that, without the approval of the Government,-

(a) no reduction of over ten percent shall be made in the grants approved for any developmental functions of the Zilla Panchayat, and

(b) the closing balance shall not be reduced below the sum fixed under clause (c) of sub-section (3) of section 256.

258. Supplementary budget.- Supplementary budget may be prepared and submitted when necessary. The Zilla Panchayat may at any time during the year for which a budget has been sanctioned by the Government cause a supplementary budget to be prepared and submitted to the Government. Every such supplementary budget shall be considered and approved by the Zilla Panchayat and submitted to the Government for approval.

259. Maintenance of accounts and restriction of expenditure.- (1) Accounts of the income and expenditure of the Zilla Panchayat fund shall be kept in accordance with such rules as may be prescribed.

(2) Expenditure from the Zilla Panchayat Fund shall, save as otherwise expressly provided for in this Act, be incurred subject to such sanctions, conditions and limitations as may be prescribed.

(3) The Zilla Panchayat shall, within a period not exceeding three months after the close of the official year, pass the accounts of that year.

260. Transmission of accounts.- The Zilla Panchayat shall, as soon as the annual accounts have been finally passed by it, transmit to the Government an account in the form prescribed in this behalf and shall furnish such details and vouchers relating to the same as the Government may, from time to time, direct.

261. Power to write off irrecoverable sums.- Subject to such restrictions as may be prescribed, a Zilla Panchayat may write off any sum due to it, whether under a contract or otherwise, or any sum payable in connection therewith if, in its opinion, such sum is irrecoverable:

Provided that, no sum exceeding one thousand rupees shall be written off except with the previous sanction of the Government.

262. Audit of accounts.- (1) The accounts of the Zilla Panchayat fund shall be audited by the Comptroller and Auditor General of India (hereinafter referred to as the auditor) in accordance with the provisions of the Comptroller and Auditor General (Duties, Powers and Conditions of Service) Act, 1971.

(2) The auditor shall, for the purpose of audit, have access to all the accounts and other records of the Zilla Panchayat.

(3) The Government shall on receipt of the audit report of the Zilla Panchayats lay them before both the Houses of the State Legislature.

263. Action by Zilla Panchayat on audit report.- The Zilla Panchayat shall on the report of the auditor or may on its own motion and after taking the explanation of the person concerned or making such further enquiry as it may consider necessary, charge any person responsible for irregular expenditure pointed out by the auditor or the amount of any deficiency or loss caused by the negligence or misconduct of such person or any sum received which ought to have been, but is not brought into account by such person, and shall, in every such case, certify the amount due from such person.

(2) The Zilla Panchayat shall in writing state the reasons for its decision in respect of every charge and send a copy thereof to the person against whom it is made.

264. Recovery of amounts disallowed.- (1) Every sum certified by Zilla Panchayat to be due from any person under sub-section (1) of section 263, shall be paid by such person to the Zilla Panchayat within thirty days from the date of the receipt by him of a copy of the decision.

(2) Such sum, if not duly paid along with interest at fifteen percent per annum on the amount due, from the date from which it became due shall be recoverable as an arrears of land revenue along with the necessary expenses of such recovery and shall be credited to the Zilla Panchayat Fund.

265. Procedure for recovery of dues of Zilla Panchayat and Taluk Panchayat.- (1) When any sum payable on demand,-

(a) which by or under the provisions of this Act, is declared to be recoverable in the manner provided by this Chapter; or

(b) which is claimable as a fee or other amount due to the Zilla Panchayat or Taluk Panchayat under this Act, or under any rules or regulation made thereunder, shall have become payable and remains unpaid for fifteen days after the same is due,

the Chief Executive Officer, or the Executive Officer, as the case may be, or an officer duly authorised by him in writing in this behalf (hereinafter referred to as the authorised officer) may serve upon the person or persons liable to pay such sum, a notice in writing in the prescribed form.

(2) If such person does not, within fifteen days, from the service of such notice of demand upon him, pay the sum due, or show cause to the satisfaction of the Chief Executive Officer or the Executive Officer why the same should not be paid, the Chief Executive Officer or the Executive Officer may recover such sum, with all costs, by distraint and sale of the movable property of the defaulter.

(3) In order to effect the distraint and sale of property under sub-section (2), the Chief Executive Officer or the Executive Officer, as the case may be, or the authorised officer shall

issue a warrant in the prescribed form and a warrant fee of one rupee shall be leviable for each such warrant.

(4) The Chief Executive Officer or the Executive Officer, as the case may be, or the authorised officer shall make an inventory of the property distrained, a copy of which shall on demand be delivered to the defaulter or any person on his behalf, and if the amount due is not paid within fifteen days after distraint, the property may be sold.

(5) The Chief Executive Officer or the Executive Officer, as the case may be, or the authorised officer shall give or cause to be given to every person making payment of the amount due, a receipt therefor signed by him. Such receipt shall specify,-

(a) the date of the payment thereof,

(b) the name of the person by whom it is paid,

(c) the amount due in respect of which the payment has been made,

(d) the period for which the payment has been made, and

(e) the amount in respect of which it is granted.

(6) Any sum due to a Zilla Panchayat or Taluk Panchayat under this Act, shall without prejudice to any other mode of collection, be recoverable as an arrears of land revenue.

266. Conditions of distraint and sale.- (1) Whenever, under section 265 any property is distrained, seized or sold in consequence of the non-payment of any amount due, such distraint, seizure and sale shall be effected subject to the provisions of the following sub-sections and of section 62 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

(2) All such property as is, by the Code of Civil Procedure 1908, exempt from attachment or sale in execution of the decree shall be exempt from distraint or sale under this section.

(3) The distress shall not be excessive. The value of the property distrained shall be, as nearly as possible proportionate to the amount due on account of the fee, rent or other amount due, and the distraint fee and the probable expenses incidental to the detention and sale of the said property.

(4) When the property seized is subject to speedy and natural decay, or if in the opinion of the person seizing the property, the expenses of keeping it in custody together with amount due, exceeds the value of the property, the said person shall immediately after seizure of such property, give notice to the person from whose possession it was seized, to the effect that it will be sold at once and shall sell it accordingly unless the amount due is paid forthwith.

(5) Any surplus amount that may remain after deducting the amount due and of the said expenses, including the expenses of the sale, shall be paid to the owner of the property.

(6) If any claim be set up by a third person to movable property distrained under section 265 the Chief Executive Officer or the Executive officer as the case may be shall after a summary enquiry held after giving reasonable notice to the claimant admit or reject the claim. If the claim be admitted wholly or partly the property shall be dealt with accordingly. Except in so far as it is admitted, the property shall be sold and the title of the purchaser shall be good for all purposes, and the proceeds shall be disposed of as hereinbefore directed:

Provided that nothing in this sub-section shall be deemed to bar the claimant or any person having any interest in the property distrained, from seeking relief in a Civil Court having jurisdiction.

267. Finance Commission.- (1) [1][The Governor shall][1] as soon as may be within one year from the date of commencement of this Act and thereafter at the expiration of every fifth year constitute a Finance Commission to review the financial position of the Zilla Panchayats, Taluk Panchayats and Grama Panchayats and to make recommendation to the Government as to,-

(a) the principles which should govern,-

(i) the distribution between the State and the Zilla Panchayats, Taluk Panchayats and Grama Panchayats and the net proceeds of the taxes, duties, tolls and fees leviable by the Government which may be divided between them and allocation between the Zilla Panchayats, Taluk Panchayats and Grama Panchayats of their respective shares of such proceeds;

(ii) the determination of the taxes, duties, tolls and fees which may be assigned to or appropriated by the Zilla Panchayats , Taluk Panchayats and Grama Panchayats;

(iii) the grants-in-aid to the Zilla Panchayats, Taluk Panchayats and Grama Panchayats from the Consolidated Fund of the State;

(b) the measures needed to improve the financial position of the Zilla Panchayats, Taluk Panchayats and Grama Panchayats;

(c) any other matter referred to the Finance Commission by the Governor in the interest of sound finance of the Zilla Panchayats, Taluk Panchayats and Grama Panchayats.

(2) Finance Commission shall consist of a Chairman and two other members.

(3) The Chairman and members of Finance Commission shall possess such qualification and shall be appointed in such manner as may be prescribed.

(4) The Finance Commission shall determine its procedure.

(5) The Chairman or a member of the Finance Commission may resign his office by writing under his hand and addressed to the Finance Secretary to the Government, but he shall continue in office until his resignation is accepted by the Government.

(6) The casual vacancy created by the resignation of the member or Chairman under sub-section (5) or for any other reason may be filled by fresh appointment and a member or Chairman so appointed shall hold office for the remaining period for which the member or Chairman in whose place he was appointed would have held office.

(7) The Commission shall have the following powers in the performance of its functions namely:-

(a) to call for any record from any officer or authority;

(b) to summon any person to give evidence or produce records; and

(c) such other power as may be prescribed.

(8) The Governor shall cause every recommendation made by the Finance Commission under this section together with an explanatory memorandum as to the action taken thereon to be laid before both the Houses of the State Legislature [2][within a period of six months][2].

1. Substituted by Act 34 of 2011 w.e.f. 4.10.2010.

2. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

CHAPTER XVIII

MISCELLANEOUS

268. Dissolution of Panchayats.- (1) If, [1][on the recomendation of the Taluk Panchayat, or otherwise the Zilla Panchayat is of the opinion that][1], a Grama Panchayat exceeds or abuses its power or is not competent to perform or makes persistent default in the performance of the duties imposed on it under this Act or any other law for the time being in force the [1][Zilla Panchayat may][1], by an order published in the official Gazette, dissolve such Grama Panchayat.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) If in the opinion of the Government, a Zilla Panchayat or a Taluk Panchayat exceeds or abuses its power or is not competent to perform or makes persistent default in the performance of the duties imposed on it under this Act or any other law for the time being in force , the Government may, by an order published in the official Gazette, dissolve such Zilla panchayat or Taluk Panchayat.

[1][(3) Before publishing an order under sub-section (1) or sub-section (2), the Zilla Panchayat or the Government, as the case may be shall communicate to the Grama Panchayat, Taluk Panchayat or Zilla Panchayat, as the case may be the grounds on which it proposed to do so, fix reasonable period for the Grama Panchayat, Taluk Panchayat or Zilla Panchayat to show cause against the proposal and consider its explanation and objections if any.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

[1][(3A) Any person aggrieved by the order of the Zilla Panchayat under sub-section (1) may, within thirty days from the date of such order, appeal to the Government.][1]

1. Inserted by Act 29 of 1997 w.e.f. 20.10.1997.

(4) When a Zilla Panchayat, Taluk Panchayat or Grama Panchayat is dissolved all the members of such panchayat shall, from the date specified in the order, vacate their office as such members.

(5) When a Zilla Panchayat, Taluk Panchayat or Grama Panchayat is dissolved, it shall be reconstituted in the manner provided in this Act before the end of six months from the date of such dissolution:

Provided that where the remainder of the period for which the dissolved Zilla Panchayat, Taluk Panchayat or Grama Panchayat would have continued is less than six months it shall not be necessary to hold an election under this section for constituting a Zilla Panchayat, Taluk Panchayat or Grama Panchayat for such period.

(6) A Zilla Panchayat, Taluk Panchayat or Grama Panchayat constituted upon the dissolution before expiration of its duration shall continue only for the remainder of the period of which the dissolved Zilla Panchayat, Taluk Panchayat or Grama Panchayat would have continued had it not been so dissolved.

(7) If a Grama Panchayat, Taluk Panchayat or Zilla Panchayat is dissolved,-

(a) all the powers and duties of the Zilla Panchayat, Taluk Panchayat or Grama Panchayat shall, during the period of its dissolution be exercised and performed by such person or persons as the Zilla Panchayat or the Government, as the case may be , may from time to time appoint in this behalf;

(b) all property vested in the Zilla Panchayat, Taluk Panchayat or Grama Panchayat dissolved shall during the period of dissolution vest in the Government;

(c) the persons vacating office on dissolution shall be eligible for re-election.

269. Appeals.- [1][(1) Any person aggrieved by any original order of the Grama Panchayat under this Act, unless appeal is provided elsewhere in this Act, may within thirty days from the date of such order appeal to the Executive Officer.][1]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

(2) The Appellate Authority may after giving an opportunity to the appellant to be heard and after such enquiry as it deems fit, decide the appeal and its decision shall be final.

(3) Any appeal under sub-section (1) pending before the Zilla Parishad shall on the date of commencement of the Karnataka Panchayat Raj Act, 1993 stand transferred to the Assistant Commissioner and such appeal shall be decided by him as if it has been filed before him.

270. Power over decisions of committees.- Every Zilla Panchayat, Taluk Panchayat or Grama Panchayat shall have power to annul, revise or modify any decision taken by any of its committees.

271. Requisitioning of premises, vehicles, etc., for election purpose.- (1) If it appears to an officer authorised by the State Election Commission for the conduct of elections to the Zilla Panchayat, Taluk Panchayat and Grama Panchayat under this Act (hereinafter referred to as "the requisitioning authority") that in connection with an election under this Act,-

(a) any premises is needed or is likely to be needed for the purpose of being used as a polling station or for the storage of ballot boxes after a poll has been taken, or

(b) any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes to or from any polling station or transport of members of the police force for maintaining order during the conduct of such election, or transport of any officer or other person for performance of any duties in connection with such election

the requisitioning authority may by order in writing requisition such premises, or as the case may be, such vehicle, vessel or animal and may make such further orders as may appear to it to be necessary or expedient in connection with the requisitioning:

Provided that no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned under this sub-section, until the completion of the poll at such elections.

(2) The requisitioning shall be effected by an order in writing addressed to the person deemed by the requisitioning authority to be the owner or person in possession of the property, and such order shall be served in the manner prescribed on the person to whom it is addressed.

(3) Whenever any property is requisitioned under sub-section (1), the period of such requisitioning shall not extend beyond the period for which such property is required for any of the purposes mentioned in that sub-section.

(4) In this section,-

(a) "premises" means any land, building or part of a building and includes a hut, shed or other structure or any part thereof;

(b) "vehicle" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise.

272. Payment of compensation.- (1) Whenever in pursuance of section 271, the requisitioning authority requisitions any premises, the Zilla Panchayat, Taluk Panchayat or Grama Panchayat concerned shall pay to the persons interested compensation, the amount of which shall be determined by the requisitioning authority by taking into consideration the following factors that is to say,-

(i) the rent payable in respect of the premises, or if no rent is so payable, the rent payable for similar premises in the locality;

(ii) if in consequence of the requisitioning of premises, the person interested is compelled to change his residence or place of business the reasonable expenses, if any, incidental to such change:

Provided that, when any person interested being aggrieved by the amount of compensation so determined makes an application to the requisitioning authority within thirty days of the order under sub-section (1) the matter shall be referred by the requisitioning authority to the [1][Civil Judge (Junior Division)][1] having jurisdiction in the locality and the amount of compensation to be paid shall be such as the [1][Civil Judge (Junior Division)][1] may determine.

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

***Explanation*.-** In this sub-section, the expression " person interested' means the person who was in the actual possession of the premisses requisitioned under section 271 immediately before the requisitioning or where no person was in such actual possession, the owner of such premises.

(2) Whenever in pursuance of section 271, the requisitioning authority requisitions any vehicle, vessel or animal the Zilla Panchayat, Taluk Panchayat or Grama Panchayat shall pay to the owner thereof compensation, the amount of which shall be determined by the requisitioning authority on the basis of fares or rates prevailing in the locality for the hire of such vehicle, vessel or animal:

Provided that where the owner of such vehicle, vessel or animal being aggrieved by the amount of compensation so determined makes an application within thirty days to the requisitioning authority the matter shall be referred to the [1][Civil Judge (Junior Division)][1] having jurisdiction in the locality and the amount of compensation to be paid shall be such as the [1][Civil Judge (Junior Division)][1] may determine:

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.

Provided further that where immediately before the requisitioning the vehicle or vessel was by virtue of a hire purchase agreement in the possession of a person other than the owner the amount determined under this sub-section as the total compensation shall be apportioned between that person and the owner in such manner as they may agree upon and in default of agreement in such manner as an arbitrator appointed by the requisitioning authority in this behalf may decide.

273. Power to obtaining information.- The requisitioning authority may with a view to requisitioning any property under section 271 or determining the compensation payable under section 272 by order require any person to furnish to such authority as may be specified in the order such information in his possession relating to such property as may be specified.

274. Power of entry into and inspection of premises etc,.- (1) Any person authorised in this behalf by the requisitioning authority may enter into any premises and inspect such premises and any vehicle, vessel or animal therein for the purpose of determining whether,

and if so in what manner an order under section 273 should be made in relation to such premises, vehicle, vessel or animal or with a view to securing compliance with any order made under that section.

(2) In this section the expression "Premises" and "Vehicle" have the same meaning as in section 271.

275. Eviction from requisitioned premises.- (1) Any person remaining in possession of any requisitioned premises in contravention of any order made under section 271 may be summarily evicted from the premises by any officer empowered by the requisitioning authority in this behalf.

(2) Any officer so empowered may after giving to any woman not appearing in public, reasonable warning and facility to withdraw, remove or open any lock or bolt or break open any door of any building or do any other act necessary for effecting such eviction.

276. Release of premises from requisitioning.- (1) When any premises requisitioned under section 271 are to be released from requisitioning the possession thereof shall be delivered to the person from whom possession was taken at the time of the requisition or if there was no such person to the person deemed by the requisitioning authority to be the owner of such premises and such delivery of possession shall be a full discharge of the requisitioning authority from all liabilities in respect of such delivery but shall not prejudice any rights in respect of the premises which any other person may be entitled by due process of law to enforce against the person to whom possession of the premises is so delivered.

(2) Where the person to whom possession of any premises requisitioned under section 271 is to be given under sub-section (1) cannot be found or is not readily ascertainable or has no agent or any other person empowered to accept delivery on his behalf requisitioning authority shall cause a notice declaring that such premises are released from the requisitioning to be affixed on some conspicuous part of such premises and on the notice board of the office of the Tahisldar.

(3) When a notice is affixed on the notice board as provided in sub-section (2), the premises specified in such notice shall cease to be subject to requisitioning on and from the date of such affixing of the notice and be deemed to have been delivered to the person entitled to possession thereof and the requisitioning authority or the Zilla Panchayat or Taluk panchayat or Grama Panchayat shall not be liable for any compensation or other claim in respect of such premises for any period after the said date.

277. Penalty for contravention of any order regarding requisition.- If any person contravenes any order made under section 271 or section 273 he shall, on conviction, be punished with imprisonment for a term which may extend to one year or with fine or with both.

278. Penalty for acting as a member, Adhyaksha or Upadhyaksha when disqualified.- (1) Whoever acts as a member of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat when he knows that under this Act or the rules made thereunder, he is not entitled to or has ceased to be entitled to hold office as such shall, on conviction , be punished with fine of one hundred rupees for every day on which he sits or votes as a member.

(2) Whoever acts as the Adhyaksha or Upadhyaksha of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat or exercises any of his functions when he knows that under this Act or the rules made thereunder, he is not entitled to or has ceased to be entitled to

hold office as such, or to exercise such functions shall, on conviction, be punished with fine of two hundred rupees for every day on which he acts or functions as such.

(3) Any person who having been the Adhyaksha or Upadhyaksha of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat fails to hand over any document of, or any moneys or other properties vested in, or belonging to, the Grama Panchayat or Taluk Panchayat or Zilla Panchayat, as the case may be which are in or have come into his possession or control to his successor in office or other prescribed authority,-

(a) in every case as soon as his term of office as such Adhyaksha or Upadhyaksha expires; and

(b) in case of a person who was the Upadhyaksha on demand by the Adhyaksha,

shall, on conviction, be punished with a fine which may extend to one thousand rupees.

279. Penalty for interested member voting.- Whosoever votes as member of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat in contravention of the provisions of sub-section (4) of section 53, or clause (g) of sub-section (2) of section 141 or clause (g) of sub-section (2) of section 180 shall, on conviction, be punished with fine which may extend to five hundred rupees.

280. Penalty for acquisition by officer or servant of interest in contract.- If any member, officer or servant of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat knowingly acquires for himself directly or indirectly, by himself or by a partner, employer or servant, any share or interest in any contract or employment with, by or on behalf of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat he shall, on conviction, be punished with fine which may extend to five hundred rupees:

Provided that no person shall, by reason of being a shareholder, in or member of, any company, be held to be interested in any contract entered into between such company and the Grama Panchayat, Taluk Panchayat or Zilla Panchayat unless he is a Director of such company:

Provided further that nothing in this section shall apply to any person who, with the sanction of the Commissioner, enters into a contract with a Grama Panchayat, Taluk Panchayat or Zilla Panchayat.

281. Wrongful obstruction of certain officers.- Any person who prevents the Chief Executive Officer, Executive Officer or the Secretary or any person to whom such officer has lawfully delegated his powers of entering on or into any place, building or land from exercising his lawful power of entering thereon or therein shall, [1][be punished with fine of rupees one thousand which may be extended to five thousand rupees.][1]

1. Substituted by Act 61 of 2025 w.e.f. .....

282. Prohibition against obstruction of Adhyaksha or Upadhyaksha, etc,.- Any person obstructing an Adhyaksha, Upadhyaksha, Secretary or member of a Grama Panchayat, or Adhyaksha, Upadhyaksha, Executive Officer or member of a Taluk Panchayat, or Adhyaksha, Upadhyaksha, Chief Executive Officer or member of a Zilla Panchayat, or any person employed by the Grama Panchayat or Taluk Panchayat or Zilla Panchayat or any person with whom a contract has been entered into by or on behalf of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat in the discharge of his duty or of anything which he is empowered or require to do by virtue, or in consequence, of this Act or any rule, bye-law, regulation or order made thereunder shall, on conviction, be punished with fine which may extend to five hundred rupees.

283. Prohibition against removal or obliteration of notice.- Any person, who without authority in that behalf, removes, destroys, defaces or otherwise obliterates any notice exhibited or any sign or mark erected by or under the orders of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat or its executive authority, shall, on conviction, be punished with fine which may extend to one hundred rupees.

284. Penalty for not giving information or giving false information.- Any person who is required by this Act or by any notice or other proceedings issued thereunder to furnish any information fails to furnish such information or knowingly furnishes false information, shall, on conviction, be punished with fine which may extend to one hundred rupees.

285. Bidding prohibited.- (1) No member or employee of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat or any officer having any duty to perform in connection with the sale of movable or immovable property under this Act shall directly or indirectly bid for or acquire interest in, any property sold at such sale.

(2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with fine which may extend to five hundred rupees, and if he is an officer or employee of the Grama Panchayat or Taluk Panchayat or Zilla Panchayat shall also be liable for dismissal from service.

286. Application of the term "Public Servant" to members of panchayats and their officers and servants.- Every member of Grama Panchayat, Taluk Panchayat or Zilla Panchayat and every officer and servant employed under the Grama Panchayat, Taluk Panchayat or Zilla Panchayat shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code and the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) for the time being in force.

287. Fines to be credited to the Panchayat Fund.- All fines imposed by a Magistrate for any offence under this Act, or under any rule, regulations or bye-law made thereunder in any prosecution instituted by or on behalf of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat shall be credited to its fund.

288. Damage to any property of Panchayats and how made good.- If through any act, neglect or default on account of which any person shall have incurred penalty imposed by or under this Act and any damage to the property of any Grama Panchayat, Taluk Panchayat or Zilla Panchayat shall have been caused by such person, he shall be liable to make good such damage as well as to pay such penalty and the value of the damage shall in case of dispute be determined by the Magistrate. The person incurring such penalty be convicted, and non-payment of such value on demand the same shall be levied by distress, and the Magistrate shall issue a warrant accordingly.

289. Restrictions with respect to institution of suits against Panchayats.- (1) No suit for damage or compensation shall be instituted against any Grama Panchayat, Taluk Panchayat or Zilla Panchayat or any of its officers, or any person acting under its direction, for anything done or purporting to be done under this Act or any rule, bye-law regulation or order made thereunder until the expiration of two months next after notice in writing shall have been delivered or left at the office of the Grama Panchayat or Taluk Panchayat or Zilla Panchayat concerned or at the place of abode of such officer or person, such notice shall state the cause of action, the relief sought, the amount of compensation, if any, claimed and the name and the place of abode of the intending plaintiff.

(2) If any person to whom any notice is given under sub-section (1) tenders the amount to the plaintiff before the suit is instituted and if the plaintiff does not recover in any such

action more than the amount so tendered, he shall not recover any costs incurred after such tender and the defendant shall be entitled to costs as from the date of tender.

(3) When the defendant in any suit is a member, officer or servant of such Grama Panchayat, Taluk Panchayat or Zilla Panchayat or any person acting under its direction, the Secretary, Executive Officer, or Chief Executive Officer as the case may be, shall determine whether defense should be undertaken by such Grama Panchayat, Taluk Panchayat or Zilla Panchayat and be paid for out of its fund.

(4) Nothing in this section shall be deemed to apply to any suit instituted under section 38 of the Specific Relief Act, 1963 (Central Act 47 of 1963).

290. Government not to obtain licences and permissions.- Nothing in this Act or in any rule, bye-law or regulation made thereunder shall be construed as requiring the taking out of any licence or the obtaining of any permission under this Act or any such rule, bye-law or regulation in respect of any place in the occupation or under the control of the Central Government or the State Government or in respect of any property of the Central Government or State Government.

291. Injunctions not to be granted in election proceedings.-Notwithstanding anything contained in any law for the time being in force, no court shall grant any permanent or temporary injunction or make any interim order restraining any proceeding which is being or about to be taken under this Act for the conduct of any election under this Act.

292. Punishment for disobedience of orders and notices not punishable under any other section.- Whoever disobeys or fails to comply with any lawful direction given by way of written notice issued by or on behalf of a Grama Panchayat, Taluk Panchayat or Zilla Panchayat under any power conferred by this Act, or fails to comply with the conditions subject to which any permission was given to him by the Grama Panchayat, Taluk Panchayat or Zilla Panchayat concerned under any power so conferred, shall, on conviction, if the disobedience or failure is not an offence punishable under any other section, be punished with fine which may extend to one hundred rupees and with further fine which may extend to five rupees for every day during which the said disobedience or failure continues after the date of first conviction:

Provided that when the notice fixes a time within which a certain act is to be done, and no time is specified in this Act the Magistrate shall determine whether the time so fixed was reasonable.

293. In default of owner or occupier, panchayat may execute works and recover expenses.- (1) Whenever under the provisions of this Act any work is required to be executed by the owner or occupier of any building, or land, and default is made in the execution of such work, the Grama Panchayat, Taluk Panchayat or Zilla Panchayat concerned whether any penalty is or is not provided for such default, may cause such work to be executed, and the expenses thereby incurred shall, unless otherwise expressly provided in this Act, be paid to it by the person by whom such work ought to have been executed, and shall be recoverable in the same manner as an amount claimed on account of any tax recoverable under Chapter XIII either in one sum or by instalments as the Panchayat concerned may deem fit.

(2) If the defaulter is the owner of the building or land, the Panchayat concerned may, by way of additional remedy, whether a suit or proceeding has been brought or taken against such owner or not, require, subject to the provisions of sub-section (3), the payment of all or any part of the expenses payable by the owner for the time being from the person who then

or at any time thereafter occupies the building or land under such owner, and in default of payment thereof by such occupier on demand, the same may be levied from such occupier, and every amount so leviable shall be recoverable in the same manner as an amount claimed on account of any tax recoverable under Chapter XIII. Every such occupier shall be entitled to deduct from the rent payable by him to his landlord so much as has been so paid by or recovered from such occupier in respect of any such expenses.

(3) No occupier of any building or land shall be liable to pay more money in respect of any expenses charged on the owner thereof, than the amount of rent which is due from such occupier for the building or land in respect of which such expenses are payable at the time of the demand made upon him, or which at any time after such demand and notice not to pay the same to his landlord has accrued and become payable by such occupier, unless he neglects or refuses upon application made to him for that purpose by a Grama Panchayat, Taluk Panchayat or Zilla Panchayat truly to disclose the amount of his rent and the name and address of the person to whom the rent is payable, but the burden of proof that the sum demanded of any such occupier is greater than the rent which was due by him at the time of such demand or which has since accrued, shall be upon such occupier:

Provided that nothing herein contained shall be deemed to affect any special contract made between any such occupier and the owner respecting payment of the expenses of any such works as aforesaid.

294. Expenses or costs how determined and recovered.- If a dispute arises with respect to any expenses or costs which are by this Chapter directed to be paid, the amount, and if necessary the apportionment of the same, shall, save where it is otherwise expressly provided in this Act, be ascertained and determined by the Grama Panchayat, Taluk Panchayat or Zilla Panchayat concerned and shall be recoverable in the same manner as an amount claimed on account of any tax recoverable under Chapter XIII.

295. Bar of suits etc.- (1) No civil court shall entertain a suit objecting to an assessment demand or charge made or imposed under this Act, or for the recovery of any sum of money collected under the authority of this Act, or for damages on account of any assessment or collection of money under the said authority, if the provision of this Act have been in substance and effect compiled with.

(2) No, suit or other legal proceeding shall lie against a Chief Executive Officer or Executive Officer or Secretary or any other officer of the Government or a Grama Panchayat or Taluk Panchayat or Zilla Panchayat or any member, officer, servant or agent of such Grama Panchayat, Taluk Panchayat or Zilla Panchayat acting under its direction in respect of anything done or purporting to have been lawfully done and in good faith under this Act or any rule, regulation, bye-law or order made thereunder except with the previous sanction of the Zilla Panchayat or such officer as the Zilla panchayat may specify.

(3) No suit or other legal proceeding shall lie against the Government in respect of anything done under this Act, or any rule, regulation or bye-law made thereunder.

296. Jurisdiction of Magistrate.- Any prosecution under this Act or under any rule, regulation or bye-law made thereunder may, save as therein otherwise provided, be instituted before any Magistrate, and every fine or penalty imposed under or by virtue of this Act or any rule, regulation or bye-law made thereunder and also all claims to compensation or other expenses for the recovery of which no special provision is otherwise made in this Act, may be recovered on application, to such Magistrate by the distress and sale of any

movable property within the limits of his jurisdiction belonging to the person from whom the money is claimed.

[2][[1]**296A. Grievance Redressal Authority.–** (1) The State Government may, by notification in the official gazette, constitute for every District a Grievance Redressal Authority consisting of a retired [3][district judge or a retired][3] officer not below the rank of special deputy commissioner.

(2) The State Government shall provide necessary staff to the grievance redressal authority.

(3) The office of the Grievance Redressal Authority shall remain open during the business hours of panchayat on all working days of the week;

(4) The salary and other allowances of the Grievance Redressal Authority shall be the same which he was entitled to prior to his retirement minus pension;

(5) The Grievance Redressal Authority shall communicate the decision of the Grievance Redressal Authority to the aggrieved citizen within such period as may be prescribed.

(6) The Grievance Redressal Authority shall, immediately after the expiry of the period prescribed for the communication of the decision of the district grievance redressal officer, report every complaint of which has not been redressed along with the details of the complainant, nature of complaint, and reasons for non-redressal,-

(i) in respect Gram Panchayat and Taluk Panchayat to the Chief Executive Officer of Zilla Panchayatand

(ii) in respect of Zilla Panchayatto the principal secretary to the government, department of panchayat raj and rural development;

- for necessary action;

(7) Where the Grievance Redressal Authority at the time of deciding any complaint is of the opinion that officer or officers concerned or any other person has without any reasonable cause, willfully neglects his duties required to be performed by him under this Act or refused or failed or malafidely denied to extend the service urged within the time specified or within a reasonable time such officer or person shall be subjected to a penalty of two hundred and fifty rupees each day till the grievance redressal. However, the total amount of such penalty shall not exceed twenty-five thousand rupees. The Grievance Redressal Authority may in place of the penalty recommend for disciplinary action against the officer or the person concerned, under the service rules or relevant law applicable to him;

Provided that the officer or the person concerned shall be given a reasonable opportunity of being heard before any penalty is imposed on him.

Provided further that the burden of proving that he acted reasonably and diligently shall be on the officer or the person concerned who denied the service urged.

Explanation: for the purpose of this section: –

(a) “aggrieved citizen” means a citizen who has been affected by commission or omission of the Gram Panchayat Taluk Panchayat and Zilla Panchayatwhile rendering service enjoined under this Act or any other law and includes a person seeking benefit of any scheme offered by the government through the panchayat;

(b) “grievances” means and includes any complaint lodged by a aggrieved citizen regarding the commission or omission of action required to be taken by Gram Panchayat, Taluk Panchayat and Zilla Panchayat in respect of: –

(i) water supply;
(ii) maintenance of health;
(iii) maintenance of Road;
(iv) maintenance of street lights;
(v) identification of beneficiaries of any scheme or project;
(vi) allocation of benefit of any scheme or project;

(vii) maintenance of sanitation;
(viii) grant or issue of any documents or certificate;
(ix) any other matter as may be prescribed][2]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
2. Shall be deemed to have been substituted by Act 37 of 2017 w.e.f. 12.07.2017.

[2][**296B. Powers and functions of the Grievance Redressal Authority , –** (1) the Grievance Redressal Authority may: –

(a) call for and examine any document which he has reason to believe necessary to redress the grievance of an aggrieved citizen;

(b) The Grievance Redressal Authority shall, for the purposes of performing the functions under this Act, have the same powers as are vested in a civil court under the code of civil procedure, 1908 in respect of the following matters, namely:-

(i) summoning and enforcing the attendance of any person and examining him on oath;

(ii) discovery and production of any document or other material object producible as evidence;

(iii) receiving evidence on affidavits;

(iv) requisitioning of any public record;

(v) issuing commission for the examination of witnesses;

(vi) reviewing its decisions, directions and orders;

(vii) such other matter which may be prescribed;

(2) The Grievance Redressal Authority shall be a quasi judicial authority and dispose off the matters before him summarily.

(3) No complaint of the aggrieved citizen shall be entertained by the Grievance Redressal Authority unless the grievance has occurred as a result of deficiency negligence or malfeasance on the part of a office or officer or official or specific irregularity or benefit materially affecting the outcome or specific instance of discrimination is indicated.

(4) The Grievance Redressal Authority shall ensure that, –

(a) the grievance is remedied in a time frame not exceeding ninety days from the date of receipt of the complaint; or

(b)the reason for the occurrence of the grievance is identified and the responsibility of the defaulting office or individual is fixed and the grievance is redressed satisfactorily within one month after the period specified in clause (a) or

(c) where the grievance has occurred as a result of a deficiency, negligence or malfeasance on the part of an office or individual the action is taken in accordance with conduct rules and departmental procedures; and

(d)where the individual responsible for the delivery of the goods and services has willfully neglected to deliver the good or service or there exist prima facie grounds for a case under the prevention of corruption Act 1988, he can make an observation to that effect along with a recommendation for the penalty to be imposed to the principal secretary to the government or secretary to government as the case may be.

(5) The Grievance Redressal Authority may seek the assistance of any other officer required for the proper discharge of his duties or may direct any other officer to take action to redress a complaint made by aggrieved citizen;

(6) Any officer, whose assistance has been sought under sub-section (5), shall render all assistance to the grievance redress authority][2]

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[2][**296C. Appeal, –** (1) Any person aggrieved by the decision of the Grievance Redressal Authority or who has not received action taken report in respect of a complaint filed by him, may within a period of thirty days from the expiry of the receipt of such decision, prefer an appeal to the principal secretary to the government or secretary to government, as

the case may be, department of rural development and panchayat raj and the decision of such appellate authority shall be final.

Provided that the appellate authority may admit the appeal after the expiry of thirty days if it is satisfied that the complainant was prevented by sufficient reason or cause from filing the appeal in time.

(2) Every appeal shall be disposed of within ninety days from the date of receipt of such appeal.

(3) The appellate authority shall arrange to deliver copies of the decisions to the parties concerned within a period of fifteen working days from the date of decisions taken by him.][2]

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[2][**296D. Term of office of the Grievance Redressal Authority , –** The Grievance Redressal Authority shall hold office for a term of five years from the date on which he assume office or till he attains the age of sixty five years whichever is earlier and shall not be eligible for re-appointment.][2]

4. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[2][**296E. Resignation and removal, –** (1) The Grievance Redressal Authority may by notice in writing under his hand addressed to the State Government resign his office.

(2) notwithstanding anything contained in sub-section (1), the government may, by order, remove Grievance Redressal Authority from the office of the Grievance Redressal Authority , if he,-

(a) is adjudged as an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Government, involves moral turpitude; or

(c) engages during his term of office in any paid employment outside the duties of his office; or

(d) is, in the opinion of the government, unfit to continue in office by reason of infirmity of mind or body; or

(e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Grievance Redressal Authority][2]

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

[2][**296F. Procedures before the Grievance Redressal Authority , –** (1) The procedure and manner of filing a complaint and fees to be accompanied with such complaint shall be such as may be prescribed.

(2) The manner and procedure of conducting proceedings before the Grievance Redressal Authority shall be such as may be prescribed.

296G. Matters not subject to investigation.- The Grievance Redressal Authority shall not investigate any matter,-

(i) which the Lokayukta or the uplokayukta is investigating under the provisions of the Karnataka Lokayukta Act, 1984 (Karnataka Act 4 of 1985); or

(ii) which is being investigated by a Competent Authority under any provisions of the Central Act or State enactments.

296H. Transfer of pending cases.- All the cases pending before the panchayat ombudsman on the date of commencement of the Karnataka Panchayat Raj (Second Amendment) Act, 2015 shall stand transferred to the concerned Grievance Redressal Authority and shall be disposed of by such Grievance Redressal Authority as if the cases are filed before such authority.

296I. Action taken report.– (1) Every Grievance Redressal Authority shall submit a report of follow up action in respect of complaints made to it or appeal prescribed therein to the State Government within such time as may be prescribed.

(2) Every Grievance Redressal Authority shall maintain a record of complaints made to it or appeal filed and the decisions recorded on such complaints and appeals.

(3) Every Grievance Redressal Authority shall publish on its website, by the 15th day of every month or at such intervals as may be prescribed, a report mentioning therein: –

(a) the number of complaints received;

(b) the number of complaints pending;

(c) the number of complaints disposed off; and

(d) such other particulars, as may be prescribed.][1]][2]

1. Inserted by Act 34 of 2011 w.e.f. 4.10.2010.

2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

297. Alternative procedure by suit.- In lieu of any process of recovery allowed by or under this Act in case of failure to realise by such process the whole or any part of any amount recoverable under the provisions of Chapter XIII or of any compensation, expenses, charges or damages awarded under this Act, the Grama Panchayat, Taluk Panchayat or Zilla Panchayat concerned may sue in any court of competent jurisdiction the person liable to pay the same, as also any other person who may have in any way caused any injury to any property, rights or privileges of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat.

298. Punishment for offences under this Act and powers to compound.- (1) Whoever,-

(a) erects, alters , adds to or reconstructs a building without the written permission required by section 64 or in contravention of any of the conditions imposed by it;

(b) uses any place without a licence required by sections 66, 67, 68, and 69 or in contravention of any of the conditions or during the suspension of the licence; or

(c) contravenes any other provision of the Act,

shall on conviction, be punished with fine which may extend to [1][five thousand rupees][1], and in the case of a continuing offence with a fine which may extend to [1][fifty rupees][1] for every day after the first conviction during which the offence continues.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(2) Upon a conviction under clause (b) of sub-section (1) in respect of any place, the magistrate shall on the application of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat as the case may be, but not otherwise, order such place to be closed, and thereupon appoint such persons or take such other steps to prevent such place being so used; and every person who so uses or permits the use of a place after it has been ordered to be closed, shall be punished with fine which may extend to [1][fifty rupees][1] for each day during which he continues to use or permits such use of the place after it has been so ordered to be closed.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(3) (a) A Grama Panchayat, Taluk Panchayat or Zilla Panchayat or such officer as the Zilla Panchayat may authorise in this behalf may accept by way of composition a sum of money [1][not exceeding two thousand rupees][1] from any person, who, in the opinion of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat or the authorised officer, as the case may be, has committed,-

(i) any of the aforesaid offences referred to in sub-section (1), or

(ii) any other offence under this Act or under any rule, regulation or bye-law made thereunder which may by notification be declared by the Government as compoundable; and on such composition no proceeding shall be taken against such person in respect of such offence.

(b) On the composition of any offence under clause (a) if proceedings in any criminal court have been instituted against the person concerned in respect of the offence the composition shall be deemed to amount to an acquittal and no further proceedings shall be taken against such person in respect of such offence.

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

299. Powers of police officers.- (1) Any police officer may arrest any person committing in his presence any offence against any of the provisions of this Act or of any regulation or bye-law made thereunder if the name and address of such person is not known to him and if he declines to give his name and address, or if the police officer has reason to doubt the accuracy of such name and address given, and such person may be detained at the station house until his name and address shall be correctly ascertained.

(2) Any person arrested under sub-section (1) shall be informed as soon as may be, of the grounds for such arrest and shall be produced before the nearest Magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the Magistrate and no such person shall be detained in custody beyond the said period without the authority of a Magistrate.

(3) It shall also be the duty of all police officers to give immediate information to the Adhyaksha or Secretary of the Grama Panchayat, Adhyaksha or Executive officer of Taluk Panchayat, Adhyaksha or Chief Executive Officer of the or Zilla Panchayat the commission of any offence against the provisions of this Act or of any rule, regulation or bye-law made thereunder, or where a member of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat is arrested within twenty-four hours of such arrest and to assist all officers and servants of the Grama Panchayat, Taluk Panchayat or Zilla Panchayat in the exercise of their lawful authority.

300. Annual administration report.- (1) As soon as may be after the first day of April in every year and not later than such date as may be fixed by the Government the Secretary of the Grama Panchayat shall place before the Grama Panchayat a report of the administration of the Grama Panchayat during the preceding official year in such form and with such details as the Government may direct and shall forward the report with the resolution of the Grama Panchayat thereon to the Zilla Panchayat.

(2) As soon as may be after the first day of April in every year and not later than such date as may be fixed by the Government, the Executive Officer of the Taluk Panchayat shall place before the Taluk Panchayat a report of the administration of the Taluk Panchayat during the preceding official year in such form and with such details as the Government may direct and shall forward the report with the resolution of the Taluk Panchayat thereon to the Zilla Panchayat.

(3) Zilla panchayat shall on receipt of the reports under sub-section (1) and (2) review the working of the Grama Panchayats and Taluk Panchayats and shall submit a consolidated report in this behalf to the Government.

(4) As soon as may be after the first day of April in every year and not later than such date as may be fixed by the Government, the Chief Executive Officer shall prepare a report

on the administration of the Zilla panchayat during the preceding year in such form and with such details as the Government may direct and submit the report to the Zilla Panchayat. After approval by the Zilla Panchayat, the report shall be submitted to the Government.

(5) The report submitted under sub-sections (3) and (4) to the Government shall together with a memorandum by the Government reviewing the working of the Grama Panchayats, Taluk Panchayats and Zilla Panchayats, shall be laid before both the Houses of the State Legislature.

301. Adjustment of Government dues etc.- If a Grama Panchayat, Taluk Panchayat or Zilla Panchayat makes default in the payments of any amount, loan installments or interest due to the Government, the Karnataka State Electricity Board or the salaries, allowances or leave and pensionary contributions of Government servant deputed for service under such Panchayats, the Government may make an order directing the person having the custody of the Fund of the Panchayats concerned to pay the amount due in priority to any other charge against such fund and such person shall so far as the amounts to the credit of such Fund admit be bound to comply with the order.

[1][**302. Consequences of absorption of part of a panchayat area or on an area within the limits of the district or Taluk into a larger urban area etc.-** (1) If during the term of office of a member of a Grama Panchayat or Taluk Panchayat or Zilla Panchayat, any area within the limits of a panchayat area, Taluk or district being a whole area comprised in a territorial constituency represented by such member is included in, any larger urban area, smaller urban area or transitional area or if such area within the limits of a panchayat area of Taluk is converted into a smaller urban area or transitional area (hereinafter referred to as other local area) notwithstanding anything contrary contained in this Act, or any other law for the time being in force, the following consequences shall ensue with effect from the date of such inclusion, or conversion namely:-

1. 302 and 302A Substituted by Act 10 of 1997 w.e.f. 14.8.1997.

(a) such members shall cease to be a member of the Zilla panchayat or Taluk Panchayat or Grama Panchayat, and the total number of elected members of such Zilla Panchayat or Taluk Panchayat or Grama Panchayat as the case may be, as determined already shall stand reduced accordingly;

(b) so much of the Zilla panchayat or Taluk Panchayat or Grama Panchayat fund or other property vested in such Zilla panchayat, Taluk Panchayat or Grama Panchayat, shall be transferred to the fund of such local authority of the other local area, as the Government may by order in writing direct;

(c) the rights and liabilities of the Zilla Panchayat, Taluk Panchayat or Grama Panchayat in respect of civil and criminal proceedings, contracts and other matters or things (Including arrears of taxes, fees, cess and rates) arising in, or relating to the part of the area included in, or converted into the other local area shall vest in the local authority of the other local area and such rights and liabilites may be enforced by or against such local authority under the relevant law governing the local authority or the rules, bye laws and orders made thereunder.

302A. Constitution of new district or taluk by altering limits of the existing districts and taluks.- (1) If during the term of office of the members of a Zilla Panchayat of a district or Taluk Panchayat of a taluk (hereinafter referred to as an existing Zilla Panchayat or existing Taluk Panchayat) a new district or taluk is constituted (hereinafter referred to as new district or as the case may be , new taluk) under the Karnataka Land Revenue Act, 1964 by

altering the limits of such district or taluk, notwithstanding anything to the contrary contained in this Act, the following consequences shall ensue with effect from the date of such constitution of a new district or taluk, namely:-

(a) there shall be a Zilla Panchayat for the new district, or as the case may be, a Taluk Panchayat for the new taluk which shall consist of members of the existing Zilla Panchayat or Taluk Panchayat representing the territorial constituencies, the whole or major part of the area comprised in which is included in the new district or new taluk and other members referred to in section 120 or 159, as the case may be, and the total number of members of the existing Zilla Panchayat or Taluk Panchayat already determined shall stand reduced accordingly;

(b) the Zilla Panchayat of the new district or Taluk Panchayat of the new taluk shall at its first meeting after the constitution of the new district or taluk, as the case may be, elect one of its members to be Adhyaksha, and one of its members other than the Adhyaksha to be the Upadhyaksha;

(c) the Zilla Panchayat of the new district or Taluk Panchayat of the new taluk shall, as soon as may be elect members of the committees under section 148, or as the case may be, under section 186;

(d) the members of the Zilla Panchayat of the new district, or as the case may be, Taluk panchayat of the new taluk shall, subject to the provisions of sections 128, 129, 135, 136, 167, 168, 174 and 175 hold office for the unexpired portion of their term of office as members in the existing Zilla Panchayat, or as the case may be, existing Taluk Panchayat;

(e) the term of office of the Adhyaksha and Upadhyaksha and the members referred to in clauses (b) and (c) shall, subject to the provisions of sections 138, 140, 148, 177, 179 and 186 expire on such date as the government may by notification specify.

(2) Any appointment, notification, notice, tax, order, scheme, licence, permission, rule, regulation, bye-law or form made issued or imposed in respect of the existing Zilla Panchayat or Taluk Panchayat shall continue in force and be deemed to have been made, issued or imposed in respect of Zilla Panchayat or Taluk Panchayat of the new district or as the case may be, new taluk until it is superceded or modified by any appointment, notification, notice, tax, order, scheme, licence, permission, rule, regulation, bye-law or form made, issued, imposed or granted under the Act:

Provided that where a new district or new taluk is constituted by altering the limits of two or more existing districts or taluks, the Government may, by notification, direct that from the date specified thereunder, only such appointment, notification, notice, tax, order, scheme, licence, permission, rule, regulation, bye-law and form made, issued or imposed in respect of such of the existing Zilla Panchayats or Taluk Panchayats shall be applicable to the Zilla Panchayat of the new district and Taluk Panchayat of the new taluk and only such appointments, notifications, notice, tax, order, scheme, licence, permission, rule, regulation, bye-law and form shall thereupon continue in force.

(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, bye-laws 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 [1][and the power of [2][XXX][2] enforcement of the code of conduct in respect such elections][1] shall be vested in the State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

2. Omitted by Act 25 of 2021 w.e.f. 18.09.2021.

(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.

[1][(2A) The commissioner may resign his office by writing under his hand and addressed to the Governor, but he shall continue in the office until his resignation is accepted by the Governor;

(2B) A casual vacancy created by the resignation of the commissioner under sub-section (5) or for any other reason may be filled by fresh appointment;

Provided that such appointment shall be made as soon as may be, within one month from the date of the vacancy,

(2C) The Government shall prescribe the financial powers of the State Election Commissioner and allocate funds commensurate with the functions and responsibilities, for incurring establishment and election related expenditure ensuring flexibility for getting procurements needed for conduct of elections and also freedom to divert funds between different heads of account;

(2D) The State Election Commission shall determine its own procedure][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

(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 co nferred on the State Election Commission under sub-section (1).

[1][Provided that the State Election Commissioner may also draft employees of state undertakings in the public sector for conducting elections to panchayats and to exclude any class of public servants including the local police from being employed in election duties relating to panchayats][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][**308A. Staff of certain authorities to be made available for election work.–** (1) The authorities specified in sub-section (2) shall, when so requested by the state election commissioner make available to any returning officer such staff as may be necessary for the performance of any duties in connection with an election.

(2) The following shall be authorities for the purpose of sub-section (1), namely: **–**

(i) every local authority;

(ii) every Government university established under law;

(iii) a Government company;

(iv) any other institutions including banks, corporation or undertaking which are controlled or financed directly by the Government;][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016

[1][308AA. [2][Schedule of elections][2].–] The State Election Commission shall complete the election process before the expiry of the term of the panchayat and shall [2][published][2] the reservation of seats and the [2][schedule of elections][2], not less than forty five days before the issue of notification of calendar of events.][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016
2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020

[1][308AB. Notification of dates for nominations etc. –] [4][[2][(1) On publication of the schedule of election to elect the members is published by the State Election Commission, the Deputy Commissioner shall by notification in the Official Gazette, notify][2]][4]

(a) the last date for making nominations which shall be [3][the fourth working day][3] after the date of publication of the first mentioned notification or if that day is a public holiday, the next succeeding day which is not a public holiday;

(b) the date for the scrutiny of nominations, which shall be the day immediately following the last day for filing nominations or if that day is a public holiday, the next succeeding day which is not a public holiday;

(c) the last date for the withdrawal of nominations, which shall be the second day after the date of scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(d) the date or the dates on which a poll shall, if necessary, be taken or the first of which shall be a date [3][not earlier than][3] in the case of Gram Panchayat the fifth day, and in case of Taluk Panchayat and Zilla Panchayat the seventh day, after the last date for the withdrawal of candidature;

(e) the date before which the election shall be completed;

(f) The process of election of members to the panchayats shall, as far as may be, conclude within ten working days of the issue of the notification of election.][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016
2. Substituted by Act 37 of 2017 w.e.f.12.07.2017.
3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.
4. Substituted by Act 19 of 2022 w.e.f. 05.04.2022.

[1][308AC. Prevention of corrupt practices during elections.–] (1) The state election commission shall with a view to prevent corrupt practices like bribe and undue influence during elections, take the following steps, namely:–

(a) the code of conduct shall be brought into force from the date of notification of election to the date of declaration of results;

(b) returning officers at the polling booths shall ensure video-graphic recording of the proceedings of the election at [2][hyper sensitive][2] polling station;

(c) all liquor shops and liquor manufacturing units within the Panchayat area where the code of conduct is in force shall be completely closed over [2][during the period of forty eight hours before closing the polling of election.][2] The owners, occupiers and the managers, as the case may be, of the liquor shops and liquor manufacturing units shall seal their units during the period [2][forty eight hours before closing the polling of election][2] and deposit the seal and the keys with the deputy commissioner or the jurisdictional executive magistrate. Anybody found in possession of liquor or creating public nuisance after consuming liquor during the closer period of liquor shops shall be kept in preventive custody till completion of the polling date. Violations of the code conduct during the period shall be a cognizable and non-bailable offence and be punishable with fine and imprisonment under relevant law for the time being in force.][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
2. Deemed to have been Substituted by Act 49 of 2020 w.e.f. 31.03.2020

[1][**308-AD. 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.

(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.

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.][1]

1. Inserted new section by Act 37 of 2017 w.e.f. 12.07.2017.

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 [1][308 AD][1].

1. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020

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].

1. Sections 308A to 308D Inserted by Act 37 of 2003 w.e.f. 1.10.2003.

[1][**308-E. Constitution of the Karnataka Panchayat Raj Delimitation Commission.-**](1) The State Government shall constitute a Commission called the Karnataka Panchayat Raj Delimitation Commission consisting of the following members, namely:-

Retired Chief Secretary or Additional Chief Secretary to be appointed by the Government	Chairman
Retired Secretary to Government or a retired officer equivalent in the rank of Secretary to Government with experience in Rural Development, Decentralization and Panchayat Raj issues to be appointed by the Government .	Member
One expert in Rural Development and Panchayat Raj sector to be nominated by the Government.	Member
Commissioner of Panchayat Raj Department.	Ex-Officio Member
Director, Panchayat Raj, and ex-officio Joint Secretary to Government, dealing with Taluk Panchayat and Zilla Panchayat in Rural Development and Panchayat Raj Department.	Ex-Officio Member Secretary

(2) The headquarters of the Karnataka Panchayat Raj Delimitation Commission shall be at Bengaluru.

308-F. Functions of the Karnataka Panchayat Raj Delimitation Commission.- The Karnataka Panchayat Raj Delimitation Commission shall perform the following functions, namely:-

(i) to make recommendations for fixing the total number of members to be elected to every Grama Panchayat, Taluk Panchayat and Zilla Panchayat on the basis of population as ascertained at the last preceding census of which the relevant figures have been published in the Official Gazette;

(ii) to make recommendations for dividing the area of every Grama Panchayat or Taluk Panchayat or Zilla Panchayat into as many wards or constituencies as the number of members required to be elected to that Grama Panchayat or Taluk Panchayat or Zilla Panchayat on the basis of the relevant census figures at the last preceding census that have been published;

(iii) to make recommendations for determining the boundaries of the Wards or Constituencies of every Grama Panchayat or Taluk Panchayat or Zilla panchayat;

(iv) to make recommendations with a view to ensuring that the population of each ward or constituencies in every Grama Panchayat or Taluk Panchayat or Zilla panchayat

shall, as far as practicable, be the same throughout that Grama Panchayat or Taluk Panchayat or Zilla Panchayat;

(v) to make recommendations to have every territorial wards or constituencies , as far as practicable, be geographically compact area; and

(vi) to perform such other functions as the Government may specify from time to time:

Provided that, the Commission before making recommendations to the Government shall invite objections and give an opportunity of being heard to the public under this section.

308-G Powers of the Karnataka Panchayat Raj Delimitation Commission.- (1) The Karnataka Panchayat Raj Delimitation Commission shall determine its own procedure and shall, in the Performance of its functions, have all the powers of a Civil Court under the Code of Civil Procedure, 1908, (Central Act V of 1908) while trying a suit, in respect of the following matters, namely:-

(i) summoning and enforcing the attendance of witnesses;
(ii) requiring the production of any document; and
(iii) requisitioning any public record from any Office.

(2) The Karnataka Panchayat Raj Delimitation Commission shall have power to require any person to furnish any information on such points or matters as in the opinion of the Commission may be useful for, or relevant to, any matter under the consideration of the Commission.

(3) The Karnataka Panchayat Raj Delimitation Commission may authorize any of its members to exercise any of the powers conferred on it by clauses (i), (ii) and (iii) of sub-section (1) and sub-section (2), and any order made or act done in exercise of any of those powers by the member authorized by the Delimitation commission in that behalf shall be deemed order of the Commission or the Act, as the case may be, of the Delimitation Commission.

308-H. Meeting of the Karnataka Panchayat Raj Delimitation Commission.- The Delimitation Commission shall meet, as often as may be necessary, at such time and place and observe such rules of procedure as may be provided in the Act.

308-I. Employees of the Karnataka Panchayat Raj Delimitation Commission.- The Government shall appoint or depute such number of employees as may be necessary for the efficient performance of its functions.

308-J. Power to issue Directions.- The Government may issue to the Delimitation Commission such directions as in its opinion are necessary or expedient for carrying out the purposes of this Act and the Delimitation Commission shall give effect to all such directions.

308-K. Proceedings of the Delimitation Commission not to be invalidated by vacancies or absence.- The Delimitation Commission shall have power to act notwithstanding the temporary absence of a member or the existence of a vacancy in the Commission and no act or proceeding of the Delimitation commission shall be invalid or called in question on the ground merely of such temporary absence or of the existence of such vacancy.

308-L. Protection of action of taken in good faith.- No suit or other legal proceeding shall lie against the Government, the Delimitation Commission or any member thereof or any employee or person acting under the direction of the Government or the Delimitation Commission, in respect of anything which is in good faith done or intended to be done in pursuance of this Act or regulations, orders or directions made or issued under this Act.

308-M. Power to remove difficulties.-If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion requires, by order, not inconsistent with the provisions of this Act, do anything which appears to be necessary or expedient for the purpose of removing the difficulty.][1]

1. Inserted by Act 25 of 2021 w.e.f. 18.09.2021.

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.

[1][(4) All planning shall be done to meet the needs from the village level to the state level, through the taluk planning and development committees and the district planning committees][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

[1][**309A. Decentralized planning for panchayats.–** (1) Panchayats as institutions of local self-Government shall achieve all-round development coupled with social justice, development shall be planned from the grassroot level to assess, determine and prioritize the needs of all sections of the people with emphasis on the interests of the vulnerable sections of society.

309B. Vision Plan.– (1) Every newly elected Gram Panchayat shall, within three months from the date of constitution enable the members of the Habitation sabha, Ward Sabha and Gram Sabhas to carry out a participatory rural appraisal that maps the resources, population and needs of its area.

(2) Gram Panchayat shall prepare a forward looking vision plan for the whole term of the panchayat based on development benchmarks established by local, State and Central Governments to set targets and develop outcome indicators for measuring using performance management system.

(3) The vision plan shall form the basis of constructing needs-based annual plans for each year for the next five years of its term. prioritisation of issues shall be based on priority ranking method as laid down in the responsibility map.

(4) Subject to the availability of funds during the next financial year, every Gram Panchayat shall forward their annual draft plans to the taluk planning and development committee for consolidation and integration within October of the current year.

Explanation: For the purpose of section 309A, 309B and wherever the said terms appear in the Act, -

(1) “Participatory rural appraisal” involves the study, analysis and appraisal of factors undertaken in relation to the long term vision plan or the annual plans of panchayats under this
Act ;

(2) “Performance management system” means a scientifically based, data-oriented management system consisting of three primary elements-measurement, feedback and positive reinforcement and includes activities which ensure that goals are consistently met in an effective and efficient manner through a process of alignment of resources, systems and employees to achieve strategic objectives and priorities;

(3) “Priority ranking method” means the course of prioritizing of beneficiaries under the various schemes, programmes and plans taking into consideration the backwardness of the area, urgency of need, level of impact and coverage;

309C. Taluk Panchayat plan.– (1) The Taluk Panchayats shall be responsible for consolidating the plans in digital form of all Gram Panchayats at the Taluk level to place them before the taluk planning and development committee constituted under section 309D.

(2) The Taluk Panchayat shall also send a digital copy of this plan to the zilla panchayat.

309D. Taluk planning and development committee.– (1) There shall be established in every Taluk, a Taluk planning and development committee for the purpose carrying out the integration of planning at the taluk level consisting of:-

i.	Member of Legislative Assembly representing major parts of the Taluk	**Chairman**
[1][i-a	the member of the Legislative council registered as voter in that Taluk.	**Vice chairman][1]**
ii.	The Adhyaksha of the concerned Taluk Panchayat,	**[2][Member][2]**
iii.	The president of the largest urban local-self-Government at the headquarters of the taluk,	**[2][Member][2]**
iv.	One Adhyaksha from a Gram Panchayat selected by lot from among the Adhyaksha of all the Gram Panchayats in the taluk	**[2][Member][2]**
v.	Members of the house of people and the State Legislative Assembly representing a part or whole of the taluk, whose constituencies lie within the taluk; members of the council of states and the state legislative council who are registered as electors within the taluk	**Members.**
vi.	The Upadhyaksha of concerned Taluk Panchayat.	**Members.**
vii.	The chairman of social justice committee.	**Members.**
viii.	Five Adhyakshas as Grama Panchayat drawn by lot among whom one shall be a woman and one person belonging to Scheduled Castes and one person from Scheduled Tribe	**Special Invitees**
ix.	The Presidents of the APMC situated within the Taluk	**Special Invitees**
x.	The President of the PCARD situated withing the Taluk	**Special Invitees**
xi.	The District manager of the District lead bank.	**Special Invitees**

xii.	Three experts. one from the Technical Sector (Principal of Engineering college/ polytechnic/ITI of concerned Taluk) and one from service sector (Principal from local college of (social science)), one from rural development (Director Krishi Vignana Kendra)	**Special Invitees**

1. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.
2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.

(2) The executive officer of the concerned Taluk Panchayat shall be the Member Secretary of the committee.

(3) The Chief Executive Officer of the concerned shall nominate special invitees or ex-officio members. The term of these members shall be co-terminus with the term of the Taluk Panchayat and in respect of an ex-officio members shall be co-terminus with the term of the member or term of the Taluk Panchayat whichever is earlier.

309E. The process of planning and development.– (1) The Taluk planning and development committee shall receive the draft annual plans submitted by all the panchayats and the urban local self-Governments and consolidate them sector-wise identifying the priorities of each sector at the Taluk level.

(2) The process of integration at the intermediary level shall be achieved by means of prioritisation of issues following the method of priority mapping and consolidation of the plans.

(3) Nothing contained in this section shall be construed as authorising the taluk planning and development committee to change, modify or alter the demands or priorities indicated in the plans of the Gram Panchayats, Taluk Panchayat or urban local self-Governments as the case may be.

(4) planning at the intermediate level shall be the result of consolidation with the object of identifying the priorities of each individual unit of Local self-Government that shall involve,-

(i) spatial integration, means integration of schemes that run through one or more local authorities;

(ii) sectoral integration, which means integration of several schemes relating to a larger sector;

(iii) cross-sectoral integration means which aimed to ensure maximum impact from different interventions, by drawing resources from various schemes;

(iv) vertical integration, means which separates out what has to be done at higher Panchayat levels;

(v) Integration of resources, means which looks at identifying and planning the channelization of several schemes both centrally sponsored and State sponsored, which panchayats can utilise, integrate into local plans and to which they can contribute additional resources;

309F. Zilla Panchayat Plan.– The Zilla Panchayats shall be responsible for preparing the draft plan of the Zilla Panchayat and consolidation of the plans of the Taluk Panchayats at the district level and place before the district planning committee.

309G. District development plan.– (1) The District Planning Committee shall, subject to the availability of funds, prepare the draft development plan with regard to,-

(i) the matters of common interest between the panchayats and urban local authorities in the district, including spatial planning, sharing of water and other physical and natural resource, the integrated development of infrastructures and environmental conservation; and

(ii) the extent and type of available resources whether financial or otherwise.

(2) The District Planning Committee shall link the plans of panchayats and urban local bodies and other planning units to provide for mutual consultation and negotiations between them and also provide the framework for integrating the sectoral and spatial aspects of urban and rural plans.

(3) The process of consolidation and integration by the district planning committee shall not alter the plans prepared by the taluk planning and development committee but the plans which are already included earlier or included in other plans shall not again be included.

(4) The district planning committee may, while preparing the consolidated plan, consult such institutions and organisations as the Government may, by order, specify.

(5) After the process of consolidation and integration is completed, the district planning committee shall forward the consolidated plan of the district to the Government through the decentralized planning and development committee for integration into the state plan.

309H. Action taken report.– (1) Once in six months an action taken report of progress against plans shall be prepared by Gram Panchayat, Taluk Panchayat and Zilla Panchayat stating resource availability, implementation or reasons for inability to implement or projects or schemes outlined in the annual plan against set targets and using the outcome indicators for measuring them.

(2) All the Gram Panchayats shall submit their reports to the concerned Taluk Panchayat. The Taluk Panchayat shall consolidate the reports of all Gram Panchayats and include their own report and present to the Zilla panchayat and the Zilla panchayats shall consolidate the reports of all the Taluk Panchayats and include their own report and present the same to the District planning committee.

(3) The consolidated report of the Gram Panchayats shall be presented to the Gram sabha at their next meeting.

(4) Similarly, the reports of the Taluk and Zilla panchayats shall be made available to the Gram Panchayats for presentation to the Gram Sabhas.][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

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 Cou318ncil 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.

[1][(2) The district planning committee shall consist of,-

[3][(a) The Minister in charge of the concerned District- Chair-person

(b) The Adhyaksha of the Zilla Panchayat- Co-Chairperson

(b-1) The Mayor or the President of the concerned City Corporation or Municipalities at the District head quarters - Vice-Chairperson][3]

(c)The presidents of the Taluk Panchayat who is the ex-officio co-chairperson of Taluk Planning and Development Committee ---**Member**

(d) The vice-chairperson of the Taluk Planning and Development Committee (elected by Gram Panchayat of the taluk) from each Taluk in the district---------- **Member**

[2][(e) such number of person not less than four fifth of the total number of members of committees as may be specified by the Government elected in the prescribed manner from amongst the members of the Zilla Panchayats, Taluk Panchayats, Town Panchayats and

Councilors of the Municipal corporations and Municipal councils in the district in proportion to the ratio between population of the rural areas and urban areas in the District.][1]][2]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
2. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.
3. Substituted by Act 19 of 2022 w.e.f. 05.04.2022.

[1][(3) the members of the House of people who represent the whole or part of the district, the members of the council of states who are registered as electors in the district, all the members of the state legislative assembly whose constituencies lie within the district, the members of the state legislative council whose names are registered as voter in the district, and the deputy commissioner of the district shall be permanent invitees on the district planning committee][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

(4) The Chief Executive officer shall be the Secretary of the committee.

[3][2][1][(5) XXX.][1]][2]][3]

1. Substituted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
3. Omitted by Act 19 of 2022 w.e.f. 05.04.2022.

(6) The District Planning Committee shall consolidate the plans prepared by the Zilla Panchayats, Taluk Panchayats, Grama Panchayats, [1][Town Panchayats][1] 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][1], 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][1] 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.

(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,

[2][(iv) [3][Adhyakshas of all the Zilla panchayats][3] as members;

(v) [3][the Adhyakshas of four Gram Panchayats, one from each revenue division][3] and one Taluk Panchayath nominated by [4][the Government][4] 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.][2]

(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]

1. Subsection 1 to 4 Inserted by Act 29 of 1997 w.e.f. 20.10.1997.
2. Substituted by Act 37 of 2003 w.e.f. 1.10.2003.
3. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.
4. Substituted by Act 37 of 2017 w.e.f. 12.07.2017.

[1][**310B. Karnataka state decentralised planning and development Committee, –** (1) There shall be established a committee called the Karnataka State Decentralised Planning and Development Committee to enable the Government to formulate development plans and the annual economic review to be presented along with the budget document.

(2) The Karnataka state decentralized planning and development committee shall consist of,-

1	Chairperson	The Chief Minister
2	Vice-Chairperson	1. The Minister for Rural Development and Panchayat Raj 2. The Finance Minister 3. The Minister Incharge of Planning 4. The Minister for Urban Development One non-official Member who is an expert in the field of Socio-Economic Development nominated by the Government
3	Members:	1. Development Commissioner of the State. 2. Principal Secretary, RDPR 3. Principal Secretary, Urban Development. 4. The Principal Secretary, Finance 5. Two MLCs representing the Local Bodies nominated by the Government 6. Eight Members nominated by the Government consisting of,- (a) Two Chairpersons of The District Planning Committees one from each revenue division (b) Two Chairpersons of the Taluk Planning and

		Development Committees - one from each revenue division (c) Two Chairpersons of the Gram Panchayats- one from each revenue division (d) Two Chairpersons of Urban Local Bodies one representing the City Corporations, one representing the City Municipal Councils or one representing Town Panchayats and one representing the Town Municipalities Provided that of the eight at least one shall be a woman, one representative of the Scheduled Castes, one a representative of the Scheduled Tribes and one a representative of the other backward classes including minority groups (e) Five persons who are experts, from the fields of Agriculture and allied activities, Industry, Rural and Urban Development, Gender subjects (who shall be a woman), Child Rights who shall be a child rights activist, Finance, Town and Country Planning and Environment and Water Conservation nominated by the Government
[2][3-A	Special Invitee	Vice-Chairperson of the Karnataka State Policy and Planning Commission][2]
4	Member Secretary	The Principal Secretary to Government or Secretary to Government in charge of Planning Department.

(3) The term of the non-official members specified in sub-section (2) other than ex-officio members shall be for period of five years or shall be co-terminus with the term of their office whichever is earlier.

(4) The functions of the Karnataka State Decentralised Planning and Development Committee shall be as follows: **–**

(a) The karnataka state decentralised planning and development committee (KSDPDC) shall link the plans of districts and other planning units to provide for mutual consultation and negotiations between them and also provide the framework for integrating the sectoral and spatial aspects of urban and rural plans.

(b) The process of consolidation and integration by the KSDPDC shall not alter the plans prepared by the districts.

(c) The committee may, while preparing the consolidated plan, consult such institutions and organisations as the Government may, by order, specify.

(d) Soon after the process of consolidation and integration is completed, the committee shall forward the consolidated plan to the Government.

(e) The committee shall also look after formulation of policy matters related to local development and regional development, co-ordination of districts and state plans and designing policies to strengthen local bodies.][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.
2. Inserted by Act 19 of 2022 w.e.f.05.04.2022.

[1][CHAPTER XIX

RULES, REGULATIONS AND BYE-LAWS][1]

1. Inserted by Act 44 of 2015 w.e.f. 25.02.2016.

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.

[1][**315. Power of Gram Panchayat to make bye-laws.–** (1) A Gram 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 Zilla panchayat, alter or rescind bye-laws or make bye-laws, **–**

(a) for the regulation and inspection of markets, all public places used for the sale of articles and slaughter houses and all places used by or for animals which are for sale or hire or the produce of which is sold and for the proper and clean conduct of business therein, for regulating the sale of fruits, flowers, vegetables, or meat, fish, eggs and animals in the Gram Panchayat markets or other specified places and for fixing the rents and other charges to be levied for the use of any of them which belong to the Gram Panchayat;

(b) specifying the conditions on or subject to which and the circumstances in which and the areas or localities in respect of which, licences may be granted, refused, suspended or withdrawn for the use of any place not belonging to the Gram Panchayat ;

(c) for the regulation of rearing and keeping horses, cattle or other quadruped animals or poultry, birds for transportation, sale or hire or for sale of the produce thereof;

(d) prohibiting the stalling or herding of horses, camels, cattle, donkeys, pigs, sheep or goats, otherwise than in accordance with such terms prescribed in such bye-laws in regard to the number thereof and the places to be used for the purpose, as may be necessary to prevent danger to the public health;

(e) for securing the cleanliness free from open defecation and sanitation and management of solid and liquid waste within the Gram Panchayat area;

(f) for the registration of births and deaths and the taking of statistics within the Gram Panchayat area and for enforcing the supply of such information as may be necessary to make such registration or statistics effective;

(g) regulating the disposal of the dead, the maintenance of all places for the disposal of the dead in good order and in a safe sanitary condition due regard being had to the religious usages of the community or section of the community entitled to the use of such places for the disposal of the dead;

(h) for enforcing the supply of information as to any cases of dangerous disease;

(i) for enforcing the supply of such information by inhabitants of the Gram panchayat area as may be necessary to ascertain their respective liabilities to any tax imposed therein;

(j) for conserving and preventing injury to sources and means of water supply and appliances owned by Gram Panchayat, for the distribution of water whether within or without the limits of the Gram Panchayat area and regulating all matters and things connected with the supply and use of water and the turning on or turning off and preventing the wastage of water, and the construction, maintenance and control of Gram Panchayat water works and of pipes and fittings in connection therewith, whether the property of the Gram Panchayat or not;

Explanation - For purposes of this clause, “sources and means of water supply” shall include private wells which are used by the public.

(k) for securing an adequate supply of pure water to persons occupying residential premises;

(l) regulating the use of public bathing and washing places within Gram Panchayat limits;

(m) regulating the disposal of carcasses of dead animals;

(n) prescribing the conditions subject to which permission may be given for the temporary occupation of or the erection of, temporary structures on public streets or for projections over public streets;

(o) regulating the structure and dimensions of plinths, walls, foundations, floors, roofs and chimneys of new buildings, for the purpose of securing stability and the prevention of fires, and for purpos of health;

(p) regulating the erection or use of buildings for private or commercial purposes subject to the Karnataka Town and Country Planning Act, 1963;

(q) regulating in any other particular not specifically provided for in this Act, the construction, maintenance and control of drains, sewers, ventilation shafts, receptacles for dung and manure, cesspools, water closets, privies, latrines, urinals and drainage or sewerage works of every description, whether the property of the Gram Panchayat or not;

(r) determining the information and plans to be required by the Gram Panchayat area for forming of new extensions or layouts or making new private streets in accordance with The Karnataka Town and Country Planning Act, 1963;

(s) subject to the provisions of the Karnataka Traffic Control Act, 1960, prohibiting vehicular traffic in any particular street, so as to prevent danger, obstruction or inconvenience to the public, by fixing up posts at both ends of such street or portion of such street, prohibiting the transit of any vehicles of such form, construction, weight or size, or laden with such machinery or other unwieldy objects as may be deemed likely to cause injury to the roadway or to any construction thereon except under such conditions as to time, mode of traction or locomotion, use of appliances for protection of the roadway, number of lights and assistants and other general precautions as may be prescribed, either generally in such bye-laws or in special licences to be granted in each case upon such terms as to time, of application and payment of fees therefore as may be prescribed in such bye-laws:

Provided that no such bye-law relating only to any particular street or portion of a street shall be deemed to be in force, unless and until notices of such prohibition shall have been posted

up by the Gram Panchayat in conspicuous places at or near both ends of such street or portion of street;

(t) securing the protection of public parks, gardens, Thrash field and open spaces, vested in or under the control of the Gram Panchayat, from injury or misuse, regulating their management and the manner in which they may be used by the public, and providing for the proper behaviour of persons in them;

(u) prescribing the qualifications of surveyors or persons by whom plans required are to be prepared or of plumbers for licensing persons to be surveyors or plumbers or water supply contractors and fixing the fees chargeable for such licences and for modifying the provisions of or revoking such licences and prohibiting any alterations or repairs or fittings to water or drainage pipes or house connections being carried out or made, except by licensed plumbers or water supply contractors providing for the exercise of adequate control on all licensed plumbers or licensed water-supply contractors, the inspection of all works carried out by them and the hearing and disposal of complaints made by the owners or occupiers of premises with regard to the quality of work done, material used, delay in execution of work and the charges made, by a licensed plumber or licensed water-supply contractor;

(v) prescribing the conditions on or subject to which and the circumstances in and the areas or localities in respect of which licences may be granted, refused, suspended, or withdrawn for establishment in any premises, of any factory, as defined in the Factories Act, 1948;

(w) prescribing the conditions on or subject to which permission may be granted, renewed, refused, suspended or withdrawn for erecting, exhibiting, fixing or retaining any advertisement liable to tax under this Act, over any land, building or structure or upon or in any vehicle or for displaying in any other manner;

(x) the fees to be charged for licences or permissions granted by the Gram Panchayat or for the inspection of records or grant of copies of documents or duplicate licences or permits; and

(y) generally for the regulation of all matters relating to Gram Panchayat administration.

(2) Every Gram Panchayat shall, before making any bye-law under this section, publish in such manner as may be prescribed for the information of the persons likely to be affected thereby, a draft of the proposed bye-law, together with a notice specifying a date on or after which the draft will be taken into consideration, such date not being earlier than thirty days from the date of publication of the draft of the proposed bye-law and shall, before making the bye-law, receive and consider any objection or suggestion with respect to the draft which may be made in writing by any person before the date so specified.

315A. Power of Government to cancel or modify bye-laws of Gram Panchayat.– (1) The Government may, at any time by notification repeal wholly or in part or modify any bye-law made by any Gram Panchayat.

Provided that, before taking any action under this sub-section, the Government shall publish a draft of the proposed notification and communicate the same to the Gram Panchayat, fix a reasonable period for the Gram Panchayat and the members of the public to show cause against the proposal and consider the explanation and objections, if any, of the Gram Panchayat and the members of the public.

(2) The repeal or modification of any bye-law shall take effect from the date appointed as notified in the official Gazette, if no date is therein specified then from the date of publication and shall not affect anything done, omitted or suffered before such date.][1]

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.

316. Power of Government to make model regulations and bye-laws and adoption of such regulations and bye-laws by the Panchayats.- (1) The 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.

[1][SCHEDULE-I

(See Section 58)

GENERAL

It shall be the duty of the Gram Panchayat, to meet the requirements of the Gram Panchayat area subject to availability of funds, in respect of the matters enumerated in this Schedule and also as elaborated in responsibility mapping in respect of Gram Panchayats.

Subject to the other provisions of this Act and the guidelines and the assistance of Government, financial, technical or otherwise, the Grama panchayat shall have power to administer the matters enumerated in this Schedule and to prepare and implement schemes relating thereto for development and social justice purposes.

1. General Fuctions;

(i) Preparation of annual plans for the development of the Panchayat area.
(ii) Preparation of annual budget.
(iii) Providing reliefs in natural calamities.
(iv) Removal of encroachments on public properties.
(i) Organizing voluntary labour and contribution for community works.
(vi) Maintenance of essential statistics of the villages.

2. Agriculture, Horticulture and Sericulture

(i) Preparation and supervision of activities of a comprehensive village agriculture horticultural and sericulture plan in consultation with Gram Sabha so as to increase agricultural, horticultural and vegetable production.
(ii) Preparation of plans development of waste lands of agriculture horticulture, sericulture and grazing lands to ensure optimum utilization of land including other waste land.
(iii) Establishment and maintenance of nurseries with Gram Panchayat funds.
(iv) Preparation, recommendation and supervision of plan for farm mechanization.
(v) Facilitate establishment of group farming cooperatives.
(vi) Preparation and supervision of plans for soil, water and seed protection.
(vii) Supervision of Watershed management.
(viii) Display of market price.
(ix) Supervision of Agriculture insurance plans and its implementation.

3. Minor Irrigation

(i) Planning, construction, renovation and maintenance of all minor irrigation projects with 0-10 hectares atchkat area within the Gram Panchayat area;
(ii) Maintenance and implementation of timely and equitable distribution and full use of water of all such minor or micro irrigation projects with 0-10 hectares atchkat at Gram Panchayat level;
(iii) Development of plan for and implementing ground water recharging and rain water harvesting.
(iv) Management of records of all water sources including its mapping at Gram Panchayat area.

4. Animal husbandary, diary, poultry farm and Fisheries

(i) Implementation of plans for the development of dairy, poultry, piggery and sheep farms that are entrusted to the Gram Panchayat.
(ii) Implementation of schemes of cattle development that are entrusted to the Gram Panchayat.

(iii) Take preventive measures to control epidemics and contagious diseases.
(iv) Implementation of programmes to develop fisheries in irrigation works vested in Gram Panchayats.
(v) Construction and maintenance of rural fish and meat markets
(vi) Grass Land Fodder development.

5. Social Forestry

(i) Afforestation of waste land.
(ii) Development of social forestry and farm forestry, establishment, maintenance and disposal of social forestry produce.
(iii) Growing trees for cattle feed, fire wood and growing of fruit trees.
(iv) Implementation of farm forestry.
(v) Establishment of nurseries and its management.
(vi) Management of minor forest produce excluding reserved forest, protected forest and wild life protected area.
(vii) Planning and implementation of social forestry and farm forestry projects
(viii) Planting and preservation of trees on the road side and other public places under control of Gram Panchayat.

6. Tourism

(i) Identification and proposing development of tourist spots in the Gram Panchayat area.
(ii) Facilitation of tourism activities.
(iii) Providing and maintenance of basic amenities at tourist centres entrusted to Gram Panchayat.
(iv) Collection of entry fees, parking fees other than at places maintained by Archeology Survey of India or by other local authorities or Government Departments.

7. Small scale and rural industries –khadi, handicrafts, village industries and food processing industries

(i) Promotion of cottage and khadi industries handicrafts, village industries, food processing industries and other non agricultural activities.
(ii) Organizing marketing facilities and exhibition.
(iii) Formulationn and Implementation of schemes of state committees, all India committees for cottage, khadi, handicrafts, village industries and food processing industries.
(iv) Collection of information data on available raw materials and value added products.
(v) Conducting market surveys, dissemination of information among the people.
(vi) Promoting food processing and product marketing activities.

8. Rural Housing

(i) Identification of houseless and site less people, migrant workers.
(ii) Participation in implementation of all rural housing programmes including fishermen housing schemes.
(iii) Participation in implementation of house up-gradation Scheme.
(iv) Implementation of seasonal housing facilities for seasonal migrant workers.
(v) Promotion of rural housing cooperative societies.
(vi) Identification of Government land and recommending to the Deputy Commissioner for allotment or reservation for development of layouts, distribution of housing sites to houseless.
(vii) Sanctioning of rural housing and layout plans as per powers entrusted by Government.

9. Drinking Water Supply

(i) Collecting the required data, information and planning on quality and coverage.
(ii) Maintenance and monitoring of water supply schemes within Gram Panchayats.
(iii) Prevention, protection and control of water pollution.
(iv) Maintenance of traditional drinking water sources.
(v) Collection of water samples from drinking water sources for testing.
(vi) Periodical purification of drinking water sources.
(vii) Providing tap water to households' commercial establishments on collection of user fees.
(viii) Establishment and Maintenance of water purification units.
(ix) Assisting authorities to regulate over exploitation of ground water.

10. Town and Country planning and public works (Roads, bridges, ford, water ways and other connecting ways)

(i) Planning, construction and maintenance of,-
  (a) -Footpaths/ lanes
  (b) -Village roads
  (c) -Bridges, culverts
  (d) -Buildings
  (e) -Drainages
  (f) -Other than NHs, SHs and MDRs or those entrusted to other local bodies, or with Government Departments.
(ii) Construction and maintenance of,-
  (a) -Passenger waiting shed/ parking space
  (b) -Play grounds
(iii) Construction and maintenance of all types of burial ground/ cemetery, formation of rules and regulations for the utilisation of all burial ground, cemetery at Gram Panchayat Level.
(iv) Maintenance of boats, ferries and water ways.
(v) Maintenance of storm water drainage.
(vi) Establishment of community need based infrastructures facilities like bathing ghat, public market etc.
(vii) Habitat development.
(viii) Creation of housing layouts.
(ix) Planning, construction and management of school buildings, hospitals and other public institutions entrusted to Gram Panchayats.
(x) Preparation of a comprehensive village development plan.

11. Rural electrification, power and energy

(i) Installation and maintenance of streetlights at public streets and places.
(ii) Planning, establishment, maintenance and promotion of small conventional and non-conventional energy units like solar, including roof top solar panel installation, biogas, wind mill, micro hydro electricity plants with Gram Panchayat funds.
(iii) Sale of exces non-conventional energy to others.
(iv) Rural electrification by volunteering Gram Panchayats.

12. Poverty alleviation:

(i) Identifying the poor and implementing poverty alleviation programmes.
(ii) Identification and selection of beneficiaries for all poverty alleviation programmes.
(iii) Facilitating Grama Sabha for selection of beneficiaries under various programmes at Gram Panchayat level.
(iv) Planning, implementation, supervision and distributing benefits of poverty alleviation programmes.

(v) Providing infrastructure facilities for self employment programmes.
(vi) Organising and empowering Self Help Groups, neighbourhood groups.
(vii) Poverty alleviation need assessments.
(viii) Planning and implementation of self employment and wage employment programmes.
(ix) Providing basic minimum needs under various schemes.
(x) Participation in programmes for skill development and creation of public awareness about employment opportunities.

13. Public distribution System (PDS)

(i) Monitoring the distribution of food grains and other daily necessities
(ii) Monitoring of public distribution system, creating awareness.
(iii) Construction and maintenance of godowns and rural whare houses with Gram Panchayats funds.

14. Disaster management

To assist the concerned authority for ,-

(i) Conducting survey to identify disaster prone localities
(ii) Creation and maintenance of disaster management facilities
(iii) Identification of local as well as outside experts in disaster management
(iv) Providing relief and compensation to victims of disasters with Gram Panchayat own funds and as per guidelines issued by government.

15. Education (primary and high school education, technical and professional education, adult and informal education)

(i) Participation in planning and monitoring of both conventional and non-conventional education at Panchayat level.
(ii) Forwarding of proposals and getting sanctions from competent authority for the establishment of lower and upper primary schools.
(iii) Monitoring of govt. lower and upper primary schools.
(iv) Construction and maintenance of buildings of govt. lower and upper primary schools.
(v) Collection and updating of data of children.
(vi) Implementation of literacy programmes, non-formal and formal education programmes, promotion of adult literancy.
(vii) Management, supervision of quality control including administration.
(viii) Survey and evaluation of education activities at Gram Panchayat level.
(ix) Monitoring of ashram schools, hostel schools up to higher primary level for backward classes and groups, girls, specially disabled and for minority groups.
(x) Promotion of rural artisan and vocational trainings.
(xi) Ensuring full enrollment and attendance in primary and secondary schools.

16. Libraries

Management and monitoring of Gram Panchayat level libraries and reading rooms.

17. Sports and Cultural Activities

(i) Establishment and maintenance of play fields.
(ii) Identification of art and culture programmes.
(iii) Protection and reviving cultural activities at Grama Panchayat level.
(iv) Promotion of youth clubs.
(v) Assisting and protecting poor and indigent artists.
(vi) Maintenance of communal and religious harmony.
(vii) Construction and management of cultural centers, community halls, open air theatres at Gram Panchayat and cluster level.
(viii) Organisation of youth festival at Gram Panchayat and cluster level.

(ix) Providing life skill education, leadership training and conducting recreational activities for youths.

18. Market and fair including cattle fairs;

(i) Establishment and management of public markets,market facilities at Gram Panchayat.
(ii) Regulation and conducting fairs and festivals including cattle fair
(iii) Management market and promotion of rural farm products, craft products
(iv) Providing storage and cold storage facilities for agro products
(v) Facilitate farmers for direct marketing and e-marketing of agriculture produce.

19. Public health (health including hospitals, Public Health Centres) and family welfare

(i) Monitoring Allopathic and Ayurvedic, sidda, unani, naturopathy and yoga Indian medical systems health facilities at Gram Panchayat level.
(ii) Forwarding of proposals and getting sanctions from competent authority for the establishment of health sub center at Gram Panchayat level, facilitating and monitoring health services, providing dispensaries.
(iii) Implementation of family welfare programmes at Gram Panchayat level.
(iv) Carrying out immunization and other preventive measures.
(v) Licensing of eating and entertainment establishments.
(vi) Destruction of stray dogs, street dogs.
(vii) Implementation of prevention and remedial measures against epidemics.
(viii) Monitoring of maternity and child welfare centres.
(ix) Regulation of sale of meat, fish and other perishable food articles.

20. Sanitation

(i) Cleaning and preservation of public roads, drains, bathing ghats, tanks, wells, ponds and other public places.
(ii) Establishment and maintenance of burial and cremation grounds.
(iii) Establishment and maintenance of liquid waste management system.
(iv) Collection, segregation and transport of solid waste to multi village solid waste management plants.
(v) Construction and maintenance of individual, community toilets and bathrooms and sanitary complexes.
(vi) Planning and implementation of Gram Panchayat level sanitation programme including for household, public places and all local institutions.
(vii) Development of health and sanitation policy and its implementation.
(viii) Disposal of unclaimed corpses and carcasses, regulation of curing, tanning and dyeing of skins and hides.
(ix) Implementation of sanitation and waste management programmes at Gram Panchayat level.

21. Women and Child Welfare, specially abled and mentally challenged welfare

(i) Participation in the implementation and monitoring of women and child development programmes.
(ii) Monitoring and participation in planning and implementation of school health and nutrition programmes.
(iii) Promoting assistance from local development agencies, private agencies, voluntary organizations in women and child development and empowerment programmes.
(iv) Forwarding of proposals and getting sanctions from competent authority for the establishment of Anganwadis.
(v) Supervision of Anganwadis.

(vi) Forwarding the list of beneficiaries selected in grama sabha under various social security schemes like pension to destitute, widows, old age, specially disabled, manaswini etc. to concerned Department.
(vii) Facilitate implementation of group insurance scheme for the poor.
(viii) Participate in and monitor implementation of social welfare programmes including those especially disabled, mentally challenged and socially ostracized groups.

22. Scheduled castes, Scheduled tribes and Other Backward caste development

(i) Providing basic facilities in Scheduled Caste and Scheduled Tribes colonies.
(ii) Providing educational assistance to Scheduled Caste and Scheduled Tribes students from own resources of Gram Panchayat on priority.
(iii) Formulation, coordination and implementation of programmes to create legal and other awareness among weaker sections of the society specially Scheduled Castes and Scheduled Tribes.
(iv) Participate in and monitor the implementation of programmes for the welfare of weaker sections.
(v) Planning and monitoring of Gram Panchayat level hostels for Scheduled Caste, Scheduled Tribes and Backward communities.
(vi) To prevent social, cultural practices against Scheduled Castes and Scheduled Tribes and backward communities which undermine freedom and dignity of the individual and also of the community.

23. Construction and maintenance of cattle farms, car,auto and bus stands, cart stands

Construction and maintenance of cattle farm, community cattle sheds, pounds, village bus stand, rickshaw stand, taxi, auto stand, cart stand, slaughter houses and commercial complexes.

24. Issue of all certificates

Issue of certificates such as NOC for mines & geology Electrification, excise, biodiversity, land conversion etc. Licenses for Home stay, resorts, bar and restaurants, hotels, liquor shops, Burial, cremation ground and crematorium, slaughter house etc.

25. Management of statistics

Collection, tabulation, updating of all statistics relating to the village.

26. Planning

Setting up a team of technical and subject experts for preparation of perspective people's plan and annual plan.

27. Co-operation

Preparation and implementation of programmes to popularise, strengthen cooperative activities.

28. Rural environment and ecology

(i) Planning and implementation for protection and preservation of rural environment and ecology in conformity with National & State policy.
(ii) Establishment of GP biodiversity management committee.
(iii) Preparation of Peoples' Biodiversity Register.
(iv) Preparation and implementation of plans and programmes for the Biodiversity Act, 2002.
(v) Protection of ecologically sensitive areas.
(vi) Preparation and implementation of plans for the protection of environment.
(vii) Maintenance of parks, regulation of manure pits in public places, establishment and control of shandies.

29. Income generation activities

Taking up various income generation activities for the augmentation of own resources.

30. Knowledge management

(i) Collection and compilation of household data and maintaining database.
(ii) Recording of the history, culture, heritage of the village.
(iii) Conducting surveys and studies to determine the human development of the village.
(iv) Periodical calculation of human development index.
(v) Making available all data to the people of Gram Panchayat.
(vi) Awareness generation and Information, Education and Communication activities for all Government schemes.

31. Community Asset Management

(i) Protection, conservation and management of community assets that are entrusted to Gram Panchayats, its mapping, measurement, comprehensive documentation and its maintenance.
(ii) Systematic documentation and protection of records of all assets such as ponds, water groove , canals, agriculture pits, well, bore-well and other wells, pasture, forest, plantation etc.

SCHEDULE-II
(See Section 145)
GENERAL

It shall be the duty of the Taluk Panchayat to meet the requirements of the Taluk Panchayat area in respect of the matters enumerated in this Schedule II and also as elaborated in activity mapping in respect of Taluk Panchayats subject to availability of funds.

Subject to the other provisions of this Act and the direction of the Government, the Taluk Panchayat shall have power to administer the matters enumerated in this Schedule II and to prepare and implement the schemes on the subject specified therein for the economic development and social justice purposes.

1. General Functions:

(i) 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.
(ii) Consideration and consolidation of the annual plans of all the Grama Panchayats in the taluk and submission of the consolidated plan to the Zilla Panchayat.
(iii) Preparation of annual budget of the Taluk Panchayat and its submission within the prescribed time to the Zilla Panchayat.
(iv) Performing such functions and executing such works as may be entrusted to it by the Government or the Zilla Panchayat.
(v) Providing relief in natural calamities.

2. Agriculture, Horticulture and Sericulture,-

(i) Conducting general and technical training at the Gram Panchayat level for the preparation and execution of a comprehensive village agricultural and horticultural plan. Promotion and development of agriculture and Horticulture.
(ii) Maintenance of agricultural seed farms (including Horticultural nursery).
(iii) Conducting agricultural exhibitions, of vegetables, fruits and flowers.
(iv) Providing tehnical support through technical personnel and by conducting training, propagation of inclusion of improved methods of cultivation, training of farmers.

(v) Recommend need based establishment of Godowns and cold storages, facilitate taluk level agriculture cooperative societies and agriculture market and maintenance of infrastructure at taluk level
(vi) Consolidation of data collected by grama panchayats, preparation for taluk level plans of agriculture production and marketing
(vii) Storing and distribution of insecticides and pesticides.

3. Minor Irrigation

(i) Assisting the Government and Zilla Panchayat in the construction and maintenance of minor irrigation works.
(ii) Implementation of community and individual irrigation works.

4. Animal Husbandary, diary, poultry farm and Fisheries

(i) Maintenance of primary veterinary centres in the taluk. first aid centers and mobile veterinary dispensaries.
(ii) Providing vaccines, medicines, medical aid to Gram Panchayats to take preventive measures to control epidemics and contagious diseases.
(iii) Providing technical experts support and conducting trainings to the farmers.
(iv) Improvement of breed of cattle, poultry and other live stock.
(v) Encourage promotion of cooperative societies for the activities of animal husbandry, Dairy, Poultry farm and fisheries

5. Social Forestry:

(i) Produce and distribute saplings and seedlings to Gram Panchayat when required, Promotion of farm forestry.
(ii) Conducting trainings, workshops for providing technical knowledge to Gram Panchayat, fodder development and fuel plantation.
(iii) Planting and maintenance of trees on the sides of roads and other public lands under its control.

6.Tourism

(i) Identification and proposing development of inter Grama Panchayats tourist spots in taluks.
(ii) Promotion of tourism activities.
(iii) Providing basic amenities at tourist centers entrusted to Taluk Panchayat.
(iv) Development and maintenance of tourist attractions entrusted to Taluk Panchayat.

7. Small scale and rural industries –khadi, handicrafts,village industries and food processing industries

(i) Establishment and promotion of support mechanism for cottage and khadi industries, handicrafts, village industries, food processing industries and other non agricultural activities.
(ii) Organization of conferences, seminars and training programmes and agricultural and industrial exhibition.
(iii) Establishment of mini industrial estates.
(iv) Formulation and implementation of self employment schemes.
(v) Creation of input service and common facility centres for Gram Panchayat clusters or for group of Gram Panchayats.
(vi) Providing financial support to cluster level common facility centres
(vii) Management of common facility centres in block or hobli level

8. Rural Housing

(i) Implementation of housing scheme and distribution of sites in villages outside gramathana limits.
(ii) Adopting appropriate low cost housing technologies and dissemination among the Gram Panchayats.
(iii) Rendering technical assistance and inputs to Gram Panchayats.
(iv) Promotion of taluk level housing cooperative societies

9. Drinking Water Supply

(i) Prevention and control of water pollution.
(ii) Construction and maintenance of drinking water supply systems beyond Gram Panchayats.
(iii) Providing inputs and technical support to Gram Panchayats for implementing drinking water supply.

10. Town and country planning and Public Works (Roads, bridges, ford, water ways and other connecting ways)

(i) Planning, construction and maintenance multi Gram Panchayat level and taluk level
(a) -Roads
(b) –Footpaths, lanes
(c) -Taluk roads
(d) -Bridges, Culverts
(e) -Buildings
(f) -Drainages
(g) Which are not under control of any other local authority or State or Central Government.
(ii) Maintenance of any building or other property vested in Taluk Panchayats, boats, ferries and water ways within multi Gram Panchayats.
(iii) Planning, construction, and maintenance of high school buildings, taluk hospitals and other taluk level public institutions which are under the control of Taluk Panchayats.

11. Rural electrification, power and energy

(i) Coordinating with power supply to ensure quality and uninterrupted power supply during prime crop seasons and on special occasions
(ii) Planning, establishment and maintenance of appropriate scale conventional and non- conventional energy units.
(iii) Sale of conventional and non-conventional energy to others

12. Poverty alleviation :

(i) Providing technical inputs to Gram Panchayats to implement poverty alleviation programmes
(ii) Providing infrastructure facilities for self-employment programmes at taluk level, facilitate credit linkage for self Help groups, JLGs and individuals under all Government programmes.

13. Public Distribution System (PDS)

Distribution of essential commodities

14. Disaster management

Conducting training to Gram Panchayat and Taluk Panchayat level functionaries in disaster management programmes

15. Education (primary and high school education, technical and professional education, adult and informal education)

(i) Promotion of adult literacy.
(ii) Planning and monitoring both conventional and non conventional education at Taluk level.
(iii) Forwarding of proposals and getting sanctions from competent authority for the establishment Of high schools
(iv) Coordination of centrally and state sponsored programmes relating to education
(v) Construction and maintenance of government primary and High school buildings at taluka level.
(vi) Providing necessary support like supply of books, study materials, training inputs to schools at Gram Panchayat Level.
(vii) Promotion of social education through youth clubs ad mahila mandals.

(viii) Planning, establishment, management of ashram schools, hostel schools at primary school level for backward class and groups, girls, specially disabled and for minority groups and orphanages.

16. Libraries

(i) Planning, and monitoring of TP level libraries and reading rooms
(ii) Upgradation of libraries

17. Sports and Cultural Activities

(i) Promotion of rural artisans and vocational training
(ii) Setting up platform for art and cultural teams including youth to exhibit their talent
(iii) Conducting youth mela at taluk level
(iv) Establishment of taluk level youth centre for youth
(v) Establishment and maintenance of play fields at taluk level

18. Market and fair including cattle fairs;

(i) Establishment and management of taluk level public markets
(ii) Regulation and conducting fair and festivals at taluk level including cattle fair
(iii) Creation of infrastructure and promotion of marketing of products of self help groups and JLGs

19. Public health (health including hospitals, PHCs) and family welfare

(i) Forwarding of proposals and getting sanctions from competent authority for the establishment of primary health centre and taluk hospitals
(ii) Promotion of immunization and vaccination programmes.
(iii) Monitoring of primary health centre and taluk hospitals
(iv) Establishment of a system / mechanism for continuous support to Gram Panchayat to manage health services and sanitation programmes
(v) Setting up facilities and centres for the care of special categories, specially disabled and mentally disabled people
(vi) Monitoring of Taluk Panchayat level laboratories and investigation service and providing them to Gram Panchayats.
(vii) Planning and implementation of family welfare programmes at Taluk Panchayat level

20. Sanitation

(i) Promotion of health and sanitation at fairs and festivals.
(ii) Establishment and maintenance of multi village solid and liquid waste management plants
(iii) Provide technical support to Gram Panchayats.

21. Women and Child Welfare, specially disabled and mentally challenged

(i) Planning, implementation and monitoring of Integrated Child Development Schemes programmes at taluk level.
(ii) Promotion, implementation and monitoring of programmes in relation to development and empowerment of women and children at taluk level.
(iii) Promotion and monitoring of school health and nutrition programmes.

22. Scheduled castes, Scheduled tribes and Other Backward caste development

(i) Planning and management of hostels for Scheduled Caste and Scheduled Tribes and backward communities, Ashrama schools at Taluk and lower level
(ii) Planning and management of pre-metric hostels.
(iii) To prevent social, cultural practices against Scheduled Caste and Scheduled Tribes and backward communities which undermine freedom and dignity of individual and also community.
(iv) Monitoring of old age, widow pensions and pension for handicapped

(v) Social Welfare Programmes including welfare of handicapped mentally retarded and destitutes.

23. Construction and maintenance of cattle farms, car, autorickshaw and bus stands, cart stands

Construction and maintenance of taluk bus stands car, auto and bus stands, cart stands outside municipal limits of other local bodies

24. Management of statistics

Consolidation of taluk statistics

25. Planning

(i) Formation of Taluk level planning committee to consolidate planning received from Gram Panchayats, preparation of taluk level plan, approval and submission to Zilla Panchayat.

(ii) Providing technical experts support to GPs to collect data, information and for planning

(iii) Monitoring progress and ensure quality implementation of all Government programmes including Special component plan and Tribal sub-plan.

26. Co-operation

Facilitate in promoting all block or taluk level cooperative societies

27. Rural environment and ecology

Providing technical support to Gram Panchayats for the protection of rural environment and ecology

28. Income generation activities

Creation of assets and renting them out at the taluk ward quarters.

29. Knowledge management

(i) Collection and compilation of taluk data and maintaining database.

(ii) Recording of the history, culture, heritage of the taluk

(iii) Conducting surveys and studies to determine the human development of the taluk

(iv) Periodical calculation of human development index

(v) Making available all data to the people

(vi) Awareness generation and Information, Education and Communication activities for all Government schemes.

30. Maintenance of Community assets.

(i) Maintaining all Community assets vested in Taluk Panchayat or transferred by the Government or any local authority or organization.

(ii) Preservation and maintenance of other community assets.

Schedule – III
(See Section 184)
GENERAL

It shall be the duty of the Zilla panchayats to meet the requirements of the Zilla Panchayat area in respect of the matters enumerated in the Schedule III and also as elaborated in activity mapping subject to availability of funds.

Subject to the other provisions of this Act and the directions of the Government, the Zilla Panchayat shall have power to administer the matters enumerated in this Schedule III and to prepare and implement the schemes in the subjects specified therein, for economic development and social justice purposes.

1. General Fuctions

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

2. Agriculture, Horticulture and Sericulture

(i) Development of infrastructure for increase of agriculture and horticulture production, marketing and the application of biotechnology

(ii) Integrated water-shed management in water sheds covering more than one Taluk Panchayat area.
(iii) Opening and maintenance of agricultural and horticultural farms and commercial farms.
(iv) Providing for agricultural inputs such as finance, water, seeds and fertilizers.
(v) Establishment and maintenance of godowns
(vi) Marketing of agricultural products, conducting agricultural fares and exhibitions.
(vii) Conducting programmes to popularise innovative field trials and pilot projects.
(viii) Conducting locally appropriate research and development.
(ix) Management of agricultural and horticultural extension and training centres.
(x) Planning and implementation of land improvement and soil conservation programmes entrusted by Government.
(xi) Training of farmers.

3. Minor Irrigation

(i) Development of groundwater resources.
(ii) Construction and maintenance of minor irrigation schemes covering upto 40 hectare achkat area.

4. Animal Husbandary, Diary, poultry farm and fisheries

(i) Prevention of contagious diseases and epidemics
(ii) Management of district level veterinary hospitals, laboratories and poly clinics in district including mobile clinics.
(iii) Establishment of taluk and village veterinary hospital, first aid centers and mobile veterinary dispensaries
(iv) Promotion of district milk cooperative societies
(v) Conducting district level trainings to farmers.
(vi) Providing medicines, medical aids and vaccine
(vii) Development of fisheries in irrigation works vested in Zilla Panchayat.
(viii) Implementation of fisheries and fisherman welfare programmes.
(ix) Promotion of dairy farming, poultry and piggery.

5. Social Forestry

(i) Formulation of guidelines for social forestry and biodiversity management for the use of Gram Panchayats and Taluka Panchayats.
(ii) Promotion of social and farm forestry, fuel plantation and fodder development.
(iii) Management of minor forest produce raised in community lands.
(iv) Development of waste land.

6. Tourism

(i) Identification and development of inter taluk tourist spots in districts
(ii) Formulation of district tourism policy and regulation of tourism activities
(iii) Providing basic amenities at tourist centres
(iv) Establishment and maintenance of tourist attractions entrusted to it.
(v) Deployment of tourist guides, green police, watch and ward, life savers at taluk tourist spots and collection of entry fees, parking fees in centres entrusted to it.

7. Small scale and rural industries –khadi, handicrafts, village industries, food processing industries and other non agricultural activites.

(i) Establishment of mechanism for the development of cottage industries
(ii) Conducting training, providing technical input and other relevant skills and knowledge at the Gram Panchayat and Taluk Panchayat level
(iii) Establishment and management of training cum production centres
(iv) Establishment of marketing for cottage, khadi, village industries and handicrafts

(v) Development of linkages for the implementation of schemes of State Committees and All India Committees and commissions for development of village and cottage industries.
(vi) Conducting district level entrepreneur programmes
(vii) Formulation and implementation of credit schemes for khadi and village industries and food processing industries
(viii) Implementation of schemes of State Committees and All India Committees and Commissions for development of rural and cottage industries

8. Rural Housing :

Promotion of district level housing cooperative societies

9. Drinking Water Supply

(i) Establishement of drinking water projects or multi taluk drinking water projects
(ii) Setting up drinking water testing laboratories.
(iii) Financial support to Gram Panchayats and Taluka Panchayats for the implementation of water supply schemes

10. Town and country planning and Public works, (roads, bridges, ford, water-ways and other connecting ways)

(i) Planning, construction and maintenance of Zilla Panchayats level roads other than National Highways and State Highways and MDRs, Bridges, culverts that are not under the control of any other local authority or Government passing through or relating to more than one taluk, of all district roads other than district major roads.
(ii) Providing technologies to Gram Panchayats and Taluk Panchayats for construction and maintenance of buildings in connection with requirement of Zilla Panchayat.
(iii) Introducing new technologies, designs on demand of Gram Panchayat and Taluk Panchayat.
(iv) Construction and maintenance of multi taluk level civic amenities such as markets play ground, stadium etc.

11. Rural electrification, Power and Energy

(i) Planning, establishment and maintenance of appropriate conventional and non-conventional energy units.
(ii) Sale of conventional and non-conventional energy to others.

12. Poverty alleviation:

(i) Skill upgradation of the poor identified by Gram Panchayats
(ii) Conducting technical training programmes
(iii) Planning and implementation of employment guarantee schemes in partnership with Gram Panchayats.
(iv) Conducting job melas.

13. Public distribution System (PDS)

14. Diaster management

Creating infrastructure required for disaster management

15. Education (primary and high school education, technical and professional education, adult and informal education)

(i) Planning and managing both conventional and non-conventional education at district level.
(ii) Forwarding of proposals and getting sanctions from competent authority for the establishment of High schools, PU colleges, ITI, polytechnic colleges.
(iii) Construction and maintenance of Government PU colleges, ITI, polytechnic colleges.
(iv) Planning and management of hostels for institutions under Zilla Panchayat.
(v) Coordination of centrally and state sponsored programmes related to education and survey and evaluation of education activities.

(vi) Establishment and management of rural artisan and vocational trainings
(vii) Providing technical input, materials financial support to Gram Panchayat and Taluk Panchayat.
(viii) Planning and management of hostel, for PUC children, vocational and technical education for children belonging to backward class and groups, girls, specially disabled and for minority groups, adult literacy.
(ix) Engaging guest teachers for institution under Zilla Panchayatas per Government directions.
(x) Establishment of special schools and hostels for differently abled children and its management.
(xi) Promotion of non-formal education programmes.

16. Libraries

Planning, implementation and establishment management and monitoring of Zilla Panchayat level libraries and reading rooms that are not under the control of other local authorities or Government.

17. Sports and Cultural activities:

(i) Documentation of rural products of art and cultural activities, and craftsmen.
(ii) Protecting and reviving cultural heritage which are almost extinct.
(iii) Construction and maintenance of cultural centres at district level and conducting artisan fair.
(iv) Managing youth festivals at district level.
(v) Supervising sports schools at district level.
(vi) Institution of annual award to those Gram Panchayats who keep best track record of communal and religious harmony, protection of children, minorities, women against violation of rights, atrocity, discrimination.

18. Market and Fair including cattle fairs :

Regulation and conducting fair and festivals at District level including cattle fair.

19. Public health (Including hospitals, PHCs) and family welfare

(i) Planning and managing both conventional and non-conventional public health facilities at district level.
(ii) Forwarding of proposals and getting sanctions from competent authority for the establishment of community health center and district hospitals.
(iii) Management of community health center and district hospitals excluding those under management of Government or other local authority.
(iv) Procurement of equipments, drugs and other medicines, supply of medicines, medical equipments and other medical aids and materials to Taluk Panchayat level, cluster level and Gram Panchayat level health service centres.
(v) Planning and implementation of district level epidemic management system.
(vi) Establishment of district level laboratories and investigation service.
(vii) Implementation and management of district level maternity and child health programmes.
(viii) Coordination of centrally and state sponsored programmes at district level
(ix) Setting up centres for the care of special categories of differently abled and mentally disabled people
(x) Planning and implementation of family welfare programmes at Zilla Panchayat level

20. Sanitation

(i) Consolidation of district sanitation plans
(ii) Essential support to Taluk Panchayat and Gram Panchayats
(iii) Formation of district policy and regulations, its regulation and evaluation

21. Women and Child Welfare, Specially Abled and Mentally Challenged Welfare

(i) Implementation of programmes to provide technical input.
(ii) Implementation of empowerment of women and children programmes.
(iii) Management of school health and nutrition programmes.
(iv) Maintenance and management of post materic hostels, Juvenile hostels and orphanages

22. Scheduled Castes, Scheduled Tribes and other Backward Caste development

(i) To prevent social, cultural practices against Scheduled Castes and Scheduled Tribes and backward communities which under mine freedom and dignity of individual and also community.
(ii) Supervision and management of post-metric hostels at district level.
(iii) Management of vocational training centers for Scheduled Castes, Scheduled Tribes and backward communities.
(iv) Distribution of grants, loans and subsidies to individuals and other under schemes for welfare of Scheduled Castes/ Scheduled Tribes and other Backward Classes

23. Management of Statistics

(i) Consolidation of district statistics
(ii) Consolidation and finalization of district perspective plan based on Taluka Panchayat perspective plans

24. Planning

(i) Formation of District level planning.
(ii) Committee to consolidate planning received from Taluk Panchayat, preparation of district level plan, approval.
(iii) Providing technical experts support to Taluka Panchayats to collect data, information and for planning
(iv) Monitoring progress and ensure quality implementation of all Government programmes including SCP and TSP.
(v) Evaluation of schemes.

25. Co- operation

Facilitation of all district level cooperative societies

26. Rural electrification, environment and Ecology:

Providing technical support to Gram Panchayat and Taluka Panchayats for the protection of rural electrification environment and ecology

27. Income Generation activities

Creation of assets and renting them out at District headquarters

28. Knowledge management

(i) Undertake awareness generation and Information, Education and Communication activities for all Government scheme.
(ii) Collection and compilation of district data and maintaining database.
(iii) Recording of the history, culture, heritage of the district
(iv) Conducting surveys and studies to determine the human development of the district
(v) Periodical calculation of human development index
(vi) Making available all data to the people.

SCHEDULE-IV
(See Section 199)

Tax on Property : Tax on buildings

A	**Tax on Buildings.**	**Rate per annum**
		Not less than 0.05% but not more than

	(i) Residential buildings;	0.10% on Capital Value of the Property.
	(ii)Commercial Buildings ;	[3][(a) Small Scale Industry - 0.40 percent (b)Medium Scale Industry - 0.50 percent (c) Large Scale Industries - 0.60 percent]3 On the capital value of the property
	(i)Industries, factories, IT Parks, Hardware Park, Textile Park, Bio-Tech Park, Power plants Hydro, Thermal, Solar Plants Wind Mills & Airport including connected area etc. (in the KIADB Industrial area, SEZ and other Industrial area or zones notified by the Government from time to time). **B. Vacant land measuring : -** (a)Not more than 1000 square meter. (b)More than 1000 sq. mtr. But not more than 4000 sq.mtr. (c)Vacant land measuring above 4000 sq. mtrs. [2][XXX [4][C. (1) Run way area of an Airport (b)In case of vacant Land in Airport or Industrial area where plantations are grown **D**. Tax on mobile towers. **E.** Tax on wind mill. **F.** Tax on solar park.	Not less than 0.4% but not more than 1 % on Capital Value of the Property. Not less than 0.05% but not more than 0.1% on Capital Value of the Property. Not less than 0.025% but not more than 0.05% on Capital Value of the Property. XXX]2 0.10 percent on the Capital value of the property No tax]4 Twelve Thousand rupees per tower per Annum. 0.5 to 1 lakh per annum depending upon turbine. Not less than 0.50% but not more than 1.50% on Capital Value of the Property.

Explanations:-1.The taxable Capital value of the property means the market value guidelines of the property published under Section 45B of the Karnataka Stamp Act, 1957 – minus depreciation at the time of assessment as may be notified by the Government from time to time.

2. Assessment of the tax as prescribed in the Rules and rates in the schedule on capital value of the building, vacant land or both have to be made with regard to its location, type of

the construction of the building, nature of its use, and age of the building and any such other criteria, as may be prescribed.

G	**Fee on Entertainments**	Fifty rupees per show.
H	**Vehicle Parking Fee**	**In Rupees per day**
	(i) Buses, Lorry, etc	50/-
	(ii) Car and Light Motor Vehicles.	20/-
	(iii) Motor cycle	10/-
	(iv) For every other vehicle with springs.	3/-
	(v) For every cart or other vehicle without springs.	2/-
	(vi) For every bicycle or tricycle	1/-
I	**Fee on markets**.	
	(i) For every plot measuring not more than one square meters.	Five rupees per day
	(ii) For every additional plot of one square meter or part thereof.	Two rupees per day
	(iii) Per basket or bag of any commodity.	Two rupees per day
	(iv) Per cart load bag of any commodity	Five rupees per day

J	**Fee on registration of cattle:**	
	For every head of cattle brought for sale in shandies or fairs	Five rupee per day.
	Fee on grazing cattle in the grazing lands.	Five rupee per month.
	Fee on Road cutting charges for laying optical fibers cables.	Laying charges Rs. 450/ mtr for 3 ducts For additional ducts Rs. 75/ mtr Supervision charges Rs. 75/ mtr. Refundable security deposit Rs. 119.50/mtr and so on

]1

1. Substituted by Act 44 of 2015 w.e.f. 25.02.2016.
2. Omitted by Act 37 of 2017 w.e.f.12.07.2017.
3. Deemed to have been substituted by Act 49 of 2020 w.e.f. 31.03.2020.
4. Deemed to have been inserted by Act 49 of 2020 w.e.f. 31.03.2020.

NOTIFICATIONS

I

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.

II

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.

III

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.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆಜ್ಞಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಕೆ.ಎಸ್.ಶಾಮಸುಂದರ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂ.ರಾಜ್ ಇಲಾಖೆ.

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

ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಸಚಿವಾಲಯ
ಅಧಿಸೂಚನೆ
ಸಂಖ್ಯೆ:ಗ್ರಾಅಪ 09 ಗ್ರಾಪಂಅ 2016, ಬೆಂಗಳೂರು, ದಿನಾಂಕ:23.02.2016

ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಎರಡನೇ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ 2015 (2015ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 44) ರ 1ನೇ ಪ್ರಕರಣದ (2)ನೇ ಉಪ ಪ್ರಕರಣದಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಮೂಲಕ ಅದರಿ ಅಧಿನಿಯಮವು ದಿನಾಂಕ: 25.02.2016ರಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಗೊತ್ತುಪಡಿಸುತ್ತದೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆಜ್ಞಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಡಾ. ಎನ್. ನಾಗಾಂಬಿಕಾ ದೇವಿ
ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ,
ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂ.ರಾಜ್ ಇಲಾಖೆ.

* * * *

KARNATAKA ACT NO.23 OF 2014

(First Published in the Karnataka Gazette Extra-ordinary on the fourteenth day of July, 2014)

THE KARNATAKA PANCHAYAT RAJ (SECOND AMENDMENT) ACT, 2014

(Received the assent of the Governor on the twenty-seventh day of June, 2014)

An Act further to amend the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993).

Where it is expedient further to amend the Karnataka Panchayat Raj Act,1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the Sixty fourth year of the Republic of India as follows;

1. Short title and commencement.-(1) This Act may called Karnataka Panchayat Raj (Second Amendment) Act, 2013.

(2) Section 2 and 3 shall be deemed to have come into force with effect from the 3rd day of September, 2003 and the remaining sections shall come into force at once.

Sections 136A , 175A are incorporated in the Principal Act

4. Validation.- Notwithstanding anything contained in any judgment, decree, order of any Court, Tribunal or Authority no member shall cease to be a member unless action is taken under section 136A and section 175A of the Principal Act as amended by this Act, Which shall be deemed to be valid and effective, as if, the provisions of section 136A and 175A of Principal Act as amended by this Act were in force at all relevant time and accordingly,-

(a) no suit or other proceedings shall be maintained or continued in any Court or Tribunal or before any Authority; and

(b) no Court shall enforce any decree or order directing the ceasure of membership of any member otherwise than in accordance with the provisions of this Act.

The above translation of ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಎರಡನೇ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2013 (2014ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:23) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

VAJUBHAI VALA
GOVERNOR OF KARNATAKA.

By Order and in the name of the Governor of Karnataka,

S.B.GUNJIGAVI

Secretary to Government,
Department of Parliamentary Affairs

KARNATAKA ACT NO. 17 OF 2015
(First published in the Karnataka Gazette Extra-ordinary on the thirtieth day of April, 2015)

THE KARNATAKA PANCHAYATH RAJ (AMENDMENT) ACT, 2015
(Received the assent of the Governor on the twenty ninth day of April, 2015)

An Act further to amend the Karnataka Panchayat Raj Act, 1993.

Whereas it is expedient further to amend the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in sixty-sixth year of Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Panchayat Raj (Amendment) Act, 2015

(2) It shall come into force at once.

Sections 5, 9, 44, 46, 123, 125, 138, 162, 164 and 177 are incorporated in the Principal Act

VAJUBHAI VALA
GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka,

B.B. Pattar
Secretary to Government (i/c),
Department of Parliamentary Affairs

KARNATAKA ACT NO.44 OF 2015
(First published in the Karnataka Gazette Extra-ordinary on the thirty first day of December, 2015)

THE KARNATAKA PANCHAYAT RAJ (SECOND AMENDMENT) ACT, 2015
(Received the assent of the Governor on the sixteenth day of December, 2015)

An Act further to amend the Karnataka Panchayat Raj Act, 1993.

Whereas it is expedient further to amend the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in sixty-sixth year of Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Panchayat Raj (Second Amendment) Act, 2015

(2) It shall come into force on such date as the State Government may, by notification in the official Gazette appoint.

Sections 2, Chapter IA, 3, 3A, 12, 15 to 23, 22, 24, 24A, 43A, 44, 45, 46, 47, 48, 49, 52, 53, 57, 58, 58B, 58C, 58D, 58E, 58F, 60A and 60B, 61, 64, 70, 110, chapter IVA, V, 119, 120, 121, 136, 136A ,140 143, 145, Insertion

of new sections 145A to 145D, 152, 154, 160, 163, 171, 175, 175A, 178, 179, 182, 184, 191, 193, 195, 199, 199A, 200, 206, 209, chapter XVI, 232A, 232B, 267, 296A, 296B, 296C, 296D, 296E, 296F, 298, 308, 308A, 309, 309A to 309H, 310A, 310A, 310B, chapter XIX, 315, schedule I, II, III and IV are incorporated in the Principal Act

VAJUBHAI VALA
GOVERNOR OF KARNATAKA.

By Order and in the name of the Governor of Karnataka,

K. DWARAKANATH BABU
Secretary to Government (I/C),
Department of Parliamentary Affairs

KARNATAKA ACT NO. 37 OF 2017

(First published in the Karnataka Gazette Extra-ordinary on the twelfth day of July, 2017)

THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT) ACT, 2017

(Received the assent of the Governor on the eleventh day of July, 2017)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty-eighth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2017.

(2) It shall come into force at once.

18. Transfer of Pending Cases.- All cases pending pertaining to election disputes of the Zilla Panchayat before the jurisdictional District Judge on the date of commencement of the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2017 shall immediately be transferred to the jurisdictional court of Senior Civil Judge.

(Sections 2,13,48,64,129,141,157,168,180,199,246,296A,308-AB,310A and new section 308AD and the Schedule IV are incorporated in the principal Act.)

KARNATAKA ACT NO. 49 OF 2020

(First Published in the Karnataka Gazette Extra-ordinary on the 22nd day of October, 2020)

THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT) ACT, 2020

(Received the assent of Governor on the 22nd day of October, 2020)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2020.

(2) It shall be deemed to have come into force with effect form 31st day of March, 2020.

(Sections 2, 5, 7, 12, 43-A, 44, 46, 48, 49, 58, 64, 111, 123, 128, 136, 138, 140, 141, 160, 162, 167, 175, 177, 179, 180, 196,197, 237, 308AA, 308 AB, 308 AC, 308B, 309D, 310 and Schedule IV are incorporated in the principal Act.)

37. Repeal and savings.- (1) The Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2020 (Karnataka Ordinance No. 2 of 2020), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

The above translation of ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 (2020ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 49) be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

VAJUBHAI VALA
GOVERNOR OF KARNATAKA

By Order and in the name of
the Governor of Karnataka,

(K. DWARAKANATH BABU)
Secretary to Government
Department of Parliamentary
Affairs and Legislation

KARNATAKA ACT NO. 25 OF 2021

(First Published in the Karnataka Gazette Extra-ordinary on the Eighteenth day of September 2021)

THE KARNATAKAGRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT) ACT, 2021

(Received the assent of the Governor on the Eighteenth day of September 2021)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy second year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of section 5.- In section 5 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) (hereinafter referred to as the Principal Act),-

(i) in sub-section (1), for the words “State Election Commission” the word “Government” shall be substituted;

(ii) in sub-section (2), for the words “State Election Commission” the word “Government” shall be substituted;

(iii) in sub-section (3), for the words “State Election Commission” the word “Government” shall be substituted;

(iv) in sub-section (4), for the words “State Election Commission” the word “Government” shall be substituted; and

(v) in sub-section (5), for the words “State Election Commission” the word “Government” shall be substituted.

3. Amendment of section 121.- In section 121 of the Principal Act, for the words “State Election Commission” the word “Government” shall be substituted.

4. Amendment of section 122.- In section 122 of the Principal Act, for the words “State Election Commission” the word “Government” shall be substituted.

5. Amendment of section 123.- In section 123 of the Principal Act, for the words “State Election Commission” wherever they occur, the word “Government” shall be substituted.

6. Amendment of section 124.- In section 124 of the Principal Act,-

(i) for the words “State Election Commission” the word “Government” shall be substituted; and

(ii) in clause (c), the words “or constituencies in which seats are reserved for the Scheduled Castes, Scheduled Tribes, Backward Classes and Women” shall be omitted.

7. Amendment of section 161.- In section 161 of the Principal Act, for the words “State Election Commission” the words “Government based on the recommendation of the Karnataka Panchayat Raj Delimitation Commission ” shall be substituted.

8. Amendment of section 162.- In section 162 of the Principal Act, for the words “State Election Commission” wherever they occur, the word “Government” shall be substituted.

9. Amendment of section 163.- In section 163 of the Principal Act,-

(i) for the words “State Election Commission” the words “Government on the recommendation of the Karnataka Panchayat Raj Delimitation Commission” shall be substituted; and

(ii) in clause (c), the words “or constituencies in which seats are reserved for the Scheduled Castes, Scheduled Tribes, Backward Classes and Women” shall be omitted.

10. Amendment of section 308.- In section 308 of the Principal Act, in sub section (1), the words “delimitation of territorial constituencies and” shall be omitted.

11. Insertion of new sections 308-E to 308-M.- After section 308-D of the Principal Act, the following sections shall be inserted, namely:-

“**308-E. Constitution of the Karnataka Panchayat Raj Delimitation Commission.-**(1) The State Government shall constitute a Commission called the Karnataka Panchayat Raj Delimitation Commission consisting of the following members, namely:-

Retired Chief Secretary or Additional Chief Secretary to be appointed by the Government	Chairman
Retired Secretary to Government or a retired officer equivalent in the rank of Secretary to Government with experience in Rural Development, Decentralization and Panchayat Raj issues to be appointed by the Government .	Member
One expert in Rural Development and Panchayat Raj sector to be nominated by the Government.	Member
Commissioner of Panchayat Raj Department.	Ex-Officio Member
Director, Panchayat Raj, and ex-officio Joint Secretary to Government, dealing with Taluk Panchayat and Zilla Panchayat in Rural Development and Panchayat Raj Department.	Ex-Officio Member Secretary

(2) The headquarters of the Karnataka Panchayat Raj Delimitation Commission shall be at Bengaluru.

308-F. Functions of the Karnataka Panchayat Raj Delimitation Commission.- The Karnataka Panchayat Raj Delimitation Commission shall perform the following functions, namely:-

(i) to make recommendations for fixing the total number of members to be elected to every Grama Panchayat, Taluk Panchayat and Zilla Panchayat on the basis of population as ascertained at the last preceding census of which the relevant figures have been published in the Official Gazette;

(ii) to make recommendations for dividing the area of every Grama Panchayat or Taluk Panchayat or Zilla Panchayat into as many wards or constituencies as the number of members required to be elected to that Grama Panchayat or Taluk Panchayat or Zilla Panchayat on the basis of the relevant census figures at the last preceding census that have been published;

(iii) to make recommendations for determining the boundaries of the Wards or Constituencies of every Grama Panchayat or Taluk Panchayat or Zilla panchayat;

(iv) to make recommendations with a view to ensuring that the population of each ward or constituencies in every Grama Panchayat or Taluk Panchayat or Zilla panchayat shall, as far as practicable, be the same throughout that Grama Panchayat or Taluk Panchayat or Zilla Panchayat;

(v) to make recommendations to have every territorial wards or constituencies , as far as practicable, be geographically compact area; and

(vi) to perform such other functions as the Government may specify from time to time:

Provided that, the Commission before making recommendations to the Government shall invite objections and give an opportunity of being heard to the public under this section.

308-G Powers of the Karnataka Panchayat Raj Delimitation Commission.- (1) The Karnataka Panchayat Raj Delimitation Commission shall determine its own procedure and shall, in the Performance of its functions, have all the powers of a Civil Court under the Code of Civil Procedure, 1908, (Central Act V of 1908) while trying a suit, in respect of the following matters, namely:-

(i) summoning and enforcing the attendance of witnesses;

(ii) requiring the production of any document; and

(iii) requisitioning any public record from any Office.

(2) The Karnataka Panchayat Raj Delimitation Commission shall have power to require any person to furnish any information on such points or matters as in the opinion of the Commission may be useful for, or relevant to, any matter under the consideration of the Commission.

(3) The Karnataka Panchayat Raj Delimitation Commission may authorize any of its members to exercise any of the powers conferred on it by clauses (i), (ii) and (iii) of sub-section (1) and sub-section (2), and any order made or act done in exercise of any of those powers by the member authorized by the Delimitation commission in that behalf shall be deemed order of the Commission or the Act, as the case may be, of the Delimitation Commission.

308-H. Meeting of the Karnataka Panchayat Raj Delimitation Commission.- The Delimitation Commission shall meet, as often as may be necessary, at such time and place and observe such rules of procedure as may be provided in the Act.

308-I. Employees of the Karnataka Panchayat Raj Delimitation Commission.- The Government shall appoint or depute such number of employees as may be necessary for the efficient performance of its functions.

308-J. Power to issue Directions.- The Government may issue to the Delimitation Commission such directions as in its opinion are necessary or expedient for carrying out the purposes of this Act and the Delimitation Commission shall give effect to all such directions.

308-K. Proceedings of the Delimitation Commission not to be invalidated by vacancies or absence.- The Delimitation Commission shall have power to act notwithstanding the temporary absence of a member or the existence of a vacancy in the Commission and no act or proceeding of the Delimitation commission shall be invalid or called in question on the ground merely of such temporary absence or of the existence of such vacancy.

308-L. Protection of action of taken in good faith.- No suit or other legal proceeding shall lie against the Government, the Delimitation Commission or any member thereof or any employee or person acting under the direction of the Government or the Delimitation Commission, in respect of anything which is in good faith done or intended to be done in pursuance of this Act or regulations, orders or directions made or issued under this Act.

308-M. Power to remove difficulties.-If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion requires, by order, not inconsistent with the provisions of this Act, do anything which appears to be necessary or expedient for the purpose of removing the difficulty."

12. Transitory Provisions.- On and from the date of commencement of the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2021,-

(i) All delimitation notifications of constituencies of Taluk Panchayats and Zilla Panchayats, in force, shall stand lapsed;

(ii) All notifications reserving the constituencies of Taluk Panchayats and Zilla Panchayats, in force, based on existing delimitation of constituencies shall also stand lapsed; and

(iii) The State Government shall immediately take steps to constitute the Karnataka Panchayat Raj Delimitation Commission.

The above translation of **ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2021 (2021ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 25)** be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary Affairs
and Legislation

KARNATAKA ACT NO. 19 OF 2022

(First Published in the Karnataka Gazette Extra-ordinary on the 5th day of April, 2022)

THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT) ACT, 2022

(Received the assent of Governor on the 4th day of April, 2022)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy third year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2022.

(2) It shall come into force at once.

2. Amendment of section 12.- In section 12 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) (hereinafter referred to as the Principal Act), after clause (d) the following shall be inserted, namely:-

"(d-1) if he has been subject to compulsory retirement or removal or dismissal from the service of the Central Government or the State Government; or.

(d-2) if he has been subject to compulsory retirement or removal or dismissal from the service of the Co-operative Society and institutions or if, he has been removed from the post of Chairperson and membership of the Co-operative society and institutions; or,"

3. Amendment of section 121.- For section 121 of the Principal Act, the

following shall be substituted, namely:-

"**121. Elected Members.-** The number of elected members of a Taluk Panchayath as far as possible shall consist of members elected from the territorial constituencies in the Taluk as may be notified from time to time by the Government on the basis of rural population or thereof, as below,-

(v) Taluks having a rural population exceeding two lakhs, there shall be one elected member for every population of not less than twelve thousand;

(vi) Taluks having a rural population exceeding one lakh, but not exceeding two lakhs there shall be one elected member for every population of not less than ten thousand and there shall be a minimum of eleven elected members;

(vii) Taluks having a rural population exceeding fifty thousand but not exceeding one lakh, there shall be a minimum of nine elected members; and

(viii) Taluks having a rural population less than fifty thousand, there shall be a minimum of seven elected members."

4. Amendment of section 128.- In section 128 of the Principal Act, in sub section (1), after clause (e), the following shall be inserted, namely:-

"(e-1) if he has been subject to compulsory retirement or removal or dismissal from the service of the Central Government or the State Government; or."

(e-2) if he has been subject to compulsory retirement or removal or dismissal from the service of the Co-operative Society and institutions or if, he has been removed from the post of Chairperson and membership of the Co-operative society and institutions; or,"

5. Amendment of section 160.- In section 160 of the Principal Act, for the proviso, the following shall be substituted, namely:-

"Provided that, in case of Chikkamagalur (excluding Tarikere, Kaduru, Ajjampura Taluks) Uttara Kannada and Kodagu Districts it shall be one member for every rural population between eighteen thousand to twenty five thousand or part thereof."

6. Amendment of section 167.- In section 167 of the Principal Act, in sub section (1), after clause (d), the following shall be inserted, namely:-

"(d-1) if he has been subject to compulsory retirement or removal or dismissal from the service of the Central Government or the State Government; or."

(d-2) "if he has been subject to compulsory retirement or removal or dismissal from the service of the Co-operative Society and institutions or if, he has been removed from the post of Chairperson and membership of the Co-operative society and institutions; or,"

7. Amendment of section 308AB.- In section 308AB of the Principal Act, in sub section (1), for the words "As soon as the notification of election to elect a member is issued, the Returning Officer shall, by notification in the Official Gazette, notify," the words "On publication of the schedule of election to elect the members is published by the State Election Commission, the Deputy Commissioner shall by notification in the Official Gazette, notify." shall be substituted.

8. Amendment of section 310.-In section 310 of the Principal Act,-

(i) in sub section (2), for clause (a) and (b) the following shall be substituted, namely:-

"(a) The Minister in charge of the concerned District- Chair-person

(b) The Adhyaksha of the Zilla Panchayat- Co-Chairperson

(b-1) The Mayor or the President of the concerned City Corporation or Municipalities at the District head quarters - Vice-Chairperson"

(ii) sub section (5) shall be omitted.

9. Amendment of section 310B.-In section 310B of the Principal Act, in sub-section (2), in the table, after serial number "3" and the entries relating thereto, the following shall be inserted, namely:-

"

3-A	Special Invitee	Vice-Chairperson of the Karnataka State Policy and Planning Commission

"

The above translation of ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ **(**ತಿದ್ದುಪಡಿ**)** ಅಧಿನಿಯಮ, 2022 (2022 ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 19) be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA

By Order and in the name of
the Governor of Karnataka,

G.SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation

KARNATAKA ACT NO. 27 OF 2022
(First Published in the Karnataka Gazette Extra-ordinary on the 11th day of October, 2022)

THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ
(SECOND AMENDMENT) ACT, 2022

(Received the assent of Governor on the 11th day of October, 2022)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy third year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Second Amendment) Act, 2022.

(2) It shall be deemed to have come into force with effect from the 22nd day of August, 2022.

2. Amendment of section 121.- In section 121 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) (hereinafter referred to as the Principal Act),-

(a) in clause (i), for the words “two lakhs” the words “two lakh thirty thousand” shall be substituted; and

(b) in clause (ii), for the words “two lakhs” the words “two lakh thirty thousand” shall be substituted.

3. Amendment of section 160.- In section 160 of the Principal Act,-

(a) for the words “not less than twenty persons” the words “not less than twenty five members” shall be substituted; and

(b) after the proviso, the following shall be inserted, namely:-

“Provided further that, in case of a district having rural population of more than seven lakhs but not more than nine lakhs fifty thousand there shall be twenty eight elected members.”

4. Repeal and savings.- (1) The Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2022 (Karnataka Ordinance 06 of 2022) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

The above translation of ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ (ಎರಡನೇ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2022 (2022 ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 27) be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation.

KARNATAKA ACT NO. 01 OF 2024

(First Published in the Karnataka Gazette Extra-ordinary on the 30 th day of January 2024)

THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT) ACT, 2023

(Received the assent of the Governor on the 29th day of January 2024)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993).

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy fourth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2023.

(2) It shall be deemed to have come into force with effect from 16th day of September, 2023.

2. Amendment of section 160.- In the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) in section 160, in the first proviso, before the word "Chikkamagalur" the words, brackets and punctuation "Shivamogga (excluding Bhadravati, Shivamogga and Shikaripura Taluks)," shall be inserted.

3. Repeal and savings.- (1) The Karnataka Gram Swaraj and Panchayat Raj (Amendment) Ordinance, 2023 (Karnataka Ordinance 03 of 2023) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the Principal Act, as amended by this Act.

The above translation of ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2023 (2024ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:01) be published in the official Gazette under clause (3) of Article 348 of the constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARANATAKA

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation

KARNATAKA ACT NO. 22 OF 2024

(First Published in the Karnataka Gazette Extra-ordinary on the 11th day of March 2024)

THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT) ACT, 2024

(Received the assent of the Governor on the 8th day of March 2024)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993).

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy fifth year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2024.

(2) It shall come into force at once.

2. Amendment of section 160.-In the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) in section 160, in the first proviso,-

(i) the words “and Kodagu” shall be omitted; and

(ii) at the end the following shall be inserted, namely:-

“and in case of Kodagu district, there shall be one member for every eighteen thousand or part thereof of rural population.”

The above translation of ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2024 (2024ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:22) be published in the official Gazette under clause (3) of Article 348 of the constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARANATAKA

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government,
Department of Parliamentary Affairs
And Legislation

KARNATAKA ACT NO. 27 OF 2025

(First Published in the Karnataka Gazette Extra-ordinary on the 7th day of April 2025)

THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT) ACT, 2025

(Received the assent of the Governor on the 5th day of April 2025)

An Act further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993;

Whereas, it is expedient further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy Sixth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Insertion of new sections 199B and 199C.- After section 199A of Karnataka Grama Swaraj and Panchayath Raj Act, 1993 (Karnataka Act 14 of 1993) following sections shall be inserted, namely:-

"199B. Issuing new Khata or PID to the properties.- (1) Notwithstanding anything contained in this Act, prior approval of the layout plan by the jurisdictional Planning Authority shall be obtained by the Grama Panchayath or the authorities as designated by the Government by notification to issue new PID or khata for the building sites meant for the purposes of construction of building.

(2) In case, the Grama Panchayath areas falling under the jurisdiction of the Local Planning Area notified under the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the sanctioned layout plan shall be obtained from the jurisdictional planning authority under section 17 of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and no new PID or khata shall be issued without complying

with the provisions of section 17 and sub-section (2-E) of the section 17 of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963).

(3) In case, the Grama Panchayath area is not covered under the jurisdiction of the Local Planning Area or the Planning Authority constituted under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the sanctioned layout plan shall be obtained from the Director of Town and Country Planning or an officer not below the rank of Assistant Director, Town and Country planning authorized by the Director under sub-section (2) of section 4-K of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), and no new PID or khata shall be issued by the concerned Authority without complying with the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963):

Provided that, if any officer or official or authority of the Grama Panchayath fails to comply with the said provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) and issues new PID or khata to an unlawfully formed plot, the concerned officer or official or authority shall be liable for such penalty and punishment as may be prescribed.

199C. Taxes on building and unconverted land or converted land but unapproved layout in a revenue land.- (1) The Grama Panchayath may levy and collect the property tax from every building, vacant land or both, including a building constructed in violation of the provisions of Model building bye-laws or unconverted land or converted land but unapproved layout in a revenue land or from a building occupied without issuance of Occupancy or Completion certificate, only for the property created prior to the date of inception of this provision, except for the building constructed illegally on the Government land, forest land, land belonging to any local body, any statutory body or an organization owned or controlled by the Government. The property tax levied for such building or vacant site shall be double the tax payable for the first year and only the property tax shall be levied for the subsequent years, which shall be maintained in a separate register. No new property shall be entered in the register after the date of commencement of the Karnataka Grama Swaraj and Panchayath Raj (Amendment) Act 2025:

Provided that, levy and collection of property tax under this sub-section from such building or vacant land does not confer any right to regularize violation made, or title, ownership or legal status to such building or vacant land. The persons holding such building or vacant land shall always be liable for legal action for violation of law, in accordance with the provisions of this Act or any other law for the time being in force.

(2) The Senior Panchayath Development Officer or Panchayath Development Officer shall maintain a record as specified in sub-section (1), which shall contain the details of the lawful buildings or vacant lands and unlawful buildings or vacant lands, which have been taxed under this section."

3. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty:

Provided that, no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each house of the State Legislature.

The above translation of ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2025 (2025ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:27) be published in the official Gazette under clause (3) of Article 348 of the constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARANATAKA

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation

KARNATAKA ACT NO. 61 OF 2025

(First published in the Karnataka Gazette Extra-ordinary on the 12th day of September, 2025)

THE KARNATAKA DECRIMINALISATION (AMENDMENT OF PROVISIONS) ACT, 2025

(Received the assent of the Governor on the 11th day of September, 2025)

An Act to amend certain enactments for decriminalising and rationalising offences and to further enhance trust-based governance for ease of living and doing business.

Whereas it is to amend certain enactments for decriminalising and rationalising offences and to further enhance trust-based governance for ease of living and doing business and for matters connected therewith for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy sixth year of the Republic of India, as follows:-

1. Short title, commencement and application.- (1) This Act may be called the Karnataka Decriminalisation (Amendment of Provisions) Act, 2025.

(2) It shall come into force on such date as the Government of Karnataka may, by notification in the Official Gazette, appoint and different dates may be appointed for amendments relating to different enactments.

(3) The amendment of any enactment by this Act shall not affect any other enactment in which the amended enactment has been applied, incorporated or referred to.

(4) This Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand or any indemnity already granted, or the proof of any past act or thing;

(5) This Act shall not affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby amended.

(6) The amendment of any enactment by this Act shall not revive restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

2. Amendment of Karnataka Act 14 of 1993.- In the Karnataka Gram Swaraj and Panchayathraj Act, 1993 (Karnataka Act 14 of 1993), in section 281, for the words, "on conviction, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees or with both" the words, " be punished with fine of rupees one thousand which may be extended to five thousand rupees", shall be substituted.

The above translation of ಕರ್ನಾಟಕ ನಿರಪರಾಧೀಕರಣ (ಉಪಬಂಧಗಳ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2025 (2025ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 61) be published in the official Gazette under Article 348 of the Constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation