

THE HAMPI WORLD HERITAGE AREA MANAGEMENT AUTHORITY ACT, 2002

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STATEMENT OF OBJECTS AND REASONS

It is considered necessary to provide for, conservation of the cultural heritage of Hampi with all its archeological remain and natural environs, to ensure sustainable development of Hampi World Heritage Area and to constitute Hampi World Heritage Area Management Authority to,-

- (i) prevent uncontrolled development of the heritage area and commercial exploitation of the area;
- (ii) cause carrying out of the works as are contemplated in the development plan;
- (iii) co-ordinate the activities of the local authorities the Urban Development Authorities constituted under the Karnataka Urban Development Authorities Act, 1987, Karnataka Urban Water Supply and Sewerage Board, the Slum Clearance Board, KPTCL, KIADB, KSRTC and such other bodies as are connected with development activities in the Heritage area;
- (iv) take appropriate action to protect the public property within the heritage area;
- (v) promote understanding of and to encourage proper research into the Archeological, historical and environmental values of Hampi World heritage site;

and for the constitution of the Authority Fund, and for matters incidental thereto.

It is also considered necessary consequentially to amend the Karnataka Town and Country Planning Act, 1961 and the Karnataka Public Premises (Eviction of un-authorized occupants) Act, 1974.

Hence the Bill.

[L.C. Bill No. 9 of 2002]

(Entries 5 and 32 of List-II and 20 and 40 of List-III of the Seventh Schedule to the Constitution of India)

I

Amending Act 10 of 2011.- It is considered necessary to amend the Hampi World Heritage Area Management Authority Act, 2002, to substitute the words "State Level Committee" for the State Level Advisory Committee. The proposed Bill also envisages substitution of the Chief Minister as Chairperson of the Committee in place of the Minister incharge of Bellary District and the Minister incharge of Bellary District as a Vice-chairperson of the Committee and the Minister incharge of Kannada and Culture as Member of the Committee.

Hence the Bill.

[L.A. Bill No. 3 of 2011, File No.Samvyashae 24 Shasana 2010]

[Entries 5 and 32 of List II of the Seventh Schedule to the Constitution of India.]

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KARNATAKA ACT NO. 18 OF 2003

(First published in the Karnataka Gazette Extra-ordinary on the sixteenth day of April, 2003)

THE HAMPPI WORLD HERITAGE AREA MANAGEMENT AUTHORITY ACT, 2002

(Received the assent of the Governor on ninth day of April, 2003)

(As amended by Karnataka Act 10 of 2011)

An Act to provide for conservation of the cultural heritage of Hampi with all its archeological remains and natural environs; to preserve its cultural identity and to ensure sustainable development of the Hampi World Heritage Area, in the State of Karnataka and to constitute Hampi World Heritage Area Management Authority.

Whereas it is expedient to provide for,-

- (a) the conservation of the Cultural Heritage and natural environs of Hampi and its surroundings;
- (b) the preservation of the historical and cultural identity of Hampi as a World Heritage Centre;
- (c) preventing uncontrolled development and commercial exploitation of the area;
- (d) sustained development of the area which is conducive to the above objectives, and
- (e) for matters incidental thereto.

Be it enacted by the Karnataka State Legislature in the fifty third year of the Republic of India as follows:-

CHAPTER-1

Preliminary

1. Short title and commencement.- (1) This Act may be called the Hampi World Heritage Area Management Authority Act, 2002.

(2) It shall come into force on such date as the State Government may, by notification, appoint and different dates may be appointed for different provisions of the Act.

(This Act came into force w.e.f. 27.01.2005 by notification No. SKD 118 KMU 2004, dated 27.01.2005.)

2. Definitions.- (1) In this Act unless the context otherwise requires,-

(a) ¹[XXX]¹

1. Omitted by Act 10 of 2011 w.e.f. 09.02.2011

- (b) "Amenity" includes roads, bridges, streets, transport, lighting, water and electricity supply sewerage, drainage, public works, open spaces recreational grounds, parks and other conveniences, services or utilities;
- (c) "Appointed day" means the day appointed for bringing into force any or all the provisions of the Act;
- (d) "Authority" means the Hampi World Heritage Area Management Authority established under section 3;
- (e) "Buffer Zone" means the area specified in Part-B of the Schedule;
- (f) "Chairperson" means the Chairperson of the Authority;
- (g) "Commissioner" means the Commissioner of the Authority appointed under section 7;
- (h) "Core Area Zone" means the area specified Part-A of the schedule;

- (i) “Cultural Heritage” means and includes Sri Virupaksheswara Temple, Krishna Temple, Achutaraya Temple, Vittala Temple, Hazararama Temple, monolithic sculptures of Ganesh, Ugranarasimha and Veerabhadra and the Jain Temples, Mohammadan tombs, mosques and other monuments that are being conserved by the Archeological Survey of India and the State Archaeology Department;
- (j) “Development” with its grammatical variations means the carrying out of building, engineering or other operations in or over or under any land or the making of any material change in any building or land or in the use of any building, or land and includes redevelopment and forming of layouts and sub-division of any land including amenities;
- (k) “Fund” means the fund of the Authority;
- (l) “Heritage Area” means the whole of the area comprising the Core Area Zone, Buffer Zone and Peripheral Zones, but excluding the area referred to as protected area under the Ancient Monuments and Historical sites and Remains Act, 1958 (Central Act 24 of 1958);
- (m) “Local Authority” means a Municipal Corporation, Municipal Council, Grama Panchayat, Taluk Panchayat, Zilla Panchayat, town Panchayat and a local authority is a “local authority” concerned, if any land within its local limits fall in the area of a plan prepared or to be prepared under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963);
- (n) “Land” includes benefits arising out of land and things attached to the earth or permanently fastened to anything attached to the earth;
- (o) “Natural Environs” includes the rivers, river beds, rocks, water sources, wild life and vegetation located in the Heritage Area;
- (p) “Peripheral Zone” means the area specified in Part-C of the Schedule;
- (q) “Schedule” means Schedule appended to this Act.
- ¹[(r) ‘State Level Committee’ means the committee constituted under section 6;]¹

1. Inserted by Act 10 of 2011 w.e.f. 09.02.2011

(2) Other words and expressions used but not defined in the Act shall have meanings respectively assigned to them in the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963).

CHAPTER-II

HAMPI WORLD HERITAGE AREA MANAGEMENT AUTHORITY

3. Constitution and Incorporation of the Authority.- (1) As soon as may be after the appointed day there shall be established for the purposes of this Act, an Authority to be called the Hampi World Heritage Area Management Authority.

(2) The Authority shall be a body corporate by the name aforesaid having perpetual succession and common seal with power subject to the provisions of this Act, to acquire hold and dispose of property both movable and immovable and to contract and shall by the said name sue or be sued.

(3) The Authority shall consist of the following members, namely:-

- (a) the Deputy Commissioner,
Bellary District - Chairperson
- (b) The Deputy Commissioner
Koppal District - Vice Chairperson
- (c) The Director of Archaeology and Museums.

- (d) The Director of Town Planning, Bangalore.
 - (e) The Director of Tourism, Bangalore.
 - (f) Superintendent of Police, Bellary.
 - (g) Superintendent of Police, Koppal.
 - (h) The Superintending Archaeologist, Archaeological Survey of India, Bangalore Circle, Bangalore.
 - (i) The Superintending Archaeologist, Archaeological Survey of India, Dharwad Circle, Dharwad.
 - (j) The Chief Executive Officer, Zilla Panchayat, Bellary.
 - (k) The Chief Executive Officer, Zilla Panchayat, Koppal.
 - (l) The Deputy Conservator of Forests, Bellary.
 - (m) The Deputy Conservator of Forests, Koppal.
 - (n) The Commissioner, Hospet Urban Development Authority, Hospet.
 - (o) The Superintendent Engineer, Bellary Circle, Bellary.
 - (p) The Deputy Environment Officer, Bellary.
 - (q) The Executive Engineer, Irrigation Department, Munirabad.
 - (r) Head of the Department of Archaeology, Kannada University, Hampi.
 - (s) The Executive Officer, Sri Virupakshewara Temple and other allied temples, Hampi.
 - (t) The Commissioner of the Authority - Member Secretary
- (4) The Headquarters of the Authority shall be at Hospet.

4. Meetings of the Authority.- (1) The meetings of the Authority shall be convened by the Chairperson or the Commissioner with the express approval of the chairperson and it shall ordinarily meet at least once in three months at such place within the jurisdiction of the Authority or at the Headquarters of the Authority and at such time as the Chairperson may decide.

(2) The Authority shall observe such rules of procedure in regard to the transaction of business at its meetings (including quorum at meetings) as may be specified by regulations.

(3) the Chairperson or, if for any reason he is unable to attend any meeting, the Vice-Chairperson or if for any reason he is also unable to attend the meeting, any other member chosen by the members present at the meeting, shall preside at the meeting of the Authority;

(4) All questions which come up before any meeting of the Authority shall be decided by majority of the votes of the members present and voting and in the event of an equality of votes, the Chairperson or in his absence the person presiding, shall have and exercise a second or casting vote.

(5) A member shall not, at any meeting of the Authority or a committee thereof, take part in the discussion of or vote on any matter in which he has directly or indirectly by himself or his partner, any share or interest.

5. Authority Security Force.- (1) There shall be constituted and maintained a force to be called the Authority Security Force,-

- (i) for the better protection and security of the public property within the heritage area including prevention of encroachments and removal thereof;

- (ii) for aiding the officers of the Authority in the detection and investigation of any matter relating to leakage of revenue or any amount payable to the Authority;
- (iii) for effective communication and obtaining of any information regarding any design to commit or the commission of any offence by any person under this Act or the Karnataka Town and Country Planning Act, 1961 or any rule, or regulation or order made under them;
- (iv) to exercise such other powers and discharge such other functions as may be prescribed

(2) The Authority Security Force shall consist of such number of supervisory officers and members as may be determined by the Authority and shall be provided by the State Government.

(3) The Chairperson shall exercise powers of superintendence and control over the Authority Security Force.

6. ¹[State Level Committee]¹. (1) There shall be a ¹[State Level Committee]¹ consisting of the following members, namely:-

- ¹[(a) The Chief Minister - Chairperson
- (aa) The Minister in charge of Bellary District - Vice Chairperson
- (b) The Minister in charge of Kannada and Culture - Member.]¹
- (c) The Minister in charge of Tourism.
- (d) Members of the Parliament and the State Legislature representing the part or whole of heritage area whose constituency lie within the jurisdiction of the Authority.
- (e) The Additional Chief Secretary to Government of Karnataka.
- (f) The Secretary to Government, in charge of Kannada and Culture Department - Member Secretary
- (g) Director General, Archaeological Survey of India or his nominee.
- (h) The Secretary to Government, in charge of Finance Department.
- (i) The Secretary to Government in-charge of Tourism.
- (j) Chairperson of the Authority.
- (k) The Director of Town Planning, Government of Karnataka.

(2) The ¹[State Level Committee]¹ may co-opt three persons who are experts in the field of Heritage, Archaeology, Tourism or Environment as members.

(3) The ¹[State Level Committee]¹ may if it deems necessary invite any person who is an expert in the field of Heritage, archaeology, Tourism or Environment.

(4) The ¹[State Level Committee]¹ shall co-ordinate and monitor the activities of the Authority and advise the Authority on all matters concerning the conservation of the Cultural Heritage and the Natural Environs within the Heritage Area.

(5) The ¹[State Level Committee]¹ shall meet at least once in six months at such place and at such time and shall adopt such procedure as may be prescribed.

CHAPTER-III

Officers of the Authority and their duties

7. Appointment of the Commissioner.- The State Government shall appoint, an officer of the State Civil Service or any person working in the University or any local or other authority who is familiar with the historical and cultural development to be the Commissioner of the Authority.

8. Duties of the Commissioner.- (1) The Commissioner shall be the Chief Executive and Administrative Officer of the Authority.

(2) The Commissioner shall in addition to performing such functions as are conferred on him by or under this Act or under any law for the time being in force,-

- (a) be the Chief Executive of the Authority;
- (b) be responsible for all budgetary planning, enforcement and supervisory functions of the Authority;
- (c) furnish to the Authority all the information relating to the administration and accounts of the Authority as well as other matters whenever called upon by the Authority to do so;
- (d) prepare and submit the Annual Reports and audited accounts of the Authority for its approval within three months of the close of every financial year and thereafter submit copies of the same to the Authority and the State Government;
- (e) perform such other functions as may be prescribed.

9. Appointment of the Planning Officer.- (1) The State Government shall appoint an officer of the Town Planning Department not below the rank of an Assistant Director of Town planning, to be the Planning Officer.

(2) The Planning Officer shall report to the Commissioner, and shall exercise such powers and perform such duties as may be prescribed.

10. Appointment of Accounts Officer etc.- (1) The State Government shall appoint an officer of the State Accounts Service, not below the rank of a Group A (Junior Scale) Officer to be the Accounts Officer of the Authority.

(2) The Accounts Officer shall report to the Commissioner and shall exercise such powers and perform such duties as may be prescribed.

(3) The State Government shall provide such other officers and staff as may be necessary to the Authority. The conditions of service and the powers and duties of officers and staff of the Authority shall be such as may be determined by regulations.

(4) The Administrative expenses, salary and allowances of the officers and staff of the Authority shall be defrayed out of the fund of the Authority.

CHAPTER-IV

POWERS AND FUNCTIONS OF THE AUTHORITY

11. Functions of the Authority.- (1) Subject to the provisions of this Act and the rules made thereunder the functions of the Authority shall be,-

- (i) to carry out a survey of the Heritage Area and prepare reports on the surveys so carried out;
- (ii) to prepare development plan of the Heritage area;
- (iii) to cause to be carried out such works as are contemplated in the development plan;

- (iv) to formulate as many schemes as are necessary for implementing the development plan of the Heritage Area;
- (v) to secure and co-ordinate execution of the development plan, town planning schemes and the development of the Heritage Area in accordance with the said plan and schemes;
- (vi) to raise finance for any project or scheme for the development of the Heritage Area and to extend assistance to the local authorities in the Region for the execution of such project or scheme;
- (vii) to do such other acts and things as may be entrusted by the State Government or as may be necessary for or incidental or conducive to, any matters which are necessary for furtherance of the objects for which the Authority is constituted;
- (viii) to entrust to any local authority or other agency the work of execution of any development plan or town planning scheme or development of the Heritage area;
- (ix) to co-ordinate the activities of the local authorities and the Urban Development authority, if any, constituted under the Karnataka Urban Development Authorities Act, 1987 exercising jurisdiction within the limits of the Heritage Area and the Karnataka Urban water Supply and Sewerage Board, the Karnataka Slum Clearance Board, the Karnataka Power Transmission Corporation, the Karnataka Industrial Areas Development Board, the Karnataka State Road Transport Corporation and such other bodies as are connected with developmental activities in the Heritage Area;
- (x) to supervise and review the progress of expenditure incurred under the plan and performance of various development departments and local authorities with reference to the plan;
- (xi) to take action to protect the public property within the heritage area;
- (xii) to raise local, regional, national and international awareness about the significance of the Hampi World Heritage Site;
- (xiii) to promote and encourage proper research to understand the archaeological, historical and environmental values of the Hampi World Heritage Site;
- (xiv) to perform such other functions as may be prescribed.

12. Special powers of the Chairperson.- The Chairperson shall have special powers to act on his own and direct measures for effective realisation of the object in cases of urgency where there is no sufficient time to convene a meeting of the Authority, but he shall place the subject before the Authority at its immediate next meeting and seek ratification.

13. Power to delegate.- The Authority may, by notification, direct that any power exercisable by it under this Act except the power to make regulation may also be exercised by the Chairperson or such officer of the Authority as may be specified in the notification subject to such restrictions and conditions as may be specified therein.

14. No other authority or person to undertake development without permission of the Authority.- (1) Notwithstanding anything contained in any law for the time being in force, except with the previous permission of the Authority, no other authority or person shall undertake any development within the Heritage Area, of the types as the Authority may from time to time specify by notification published in the Official Gazette.

(2) No local authority shall grant permission for any development referred to in sub-section (1), within the Heritage Area, unless the Authority has granted permission for such development.

(3) Any authority or person desiring to undertake development referred to in sub-section (1) shall apply in writing to the Authority for permission to undertake such development.

(4) The Authority may, after making such inquiry as it deems necessary grant such permission without or with such conditions, as it may deem fit, to impose or refuse to grant such permission.

(5) Any authority or person aggrieved by the decision of the Authority under sub-section (4) may, within thirty days from the date of the decision appeal against such decision to the State Government, whose decision thereon shall be final:

Provided that, where the aggrieved authority submitting such appeal is under the administrative control of the Central Government, the appeal shall be decided by the State Government, after consultation with the Central Government.

(6) In case any person or authority does anything contrary to the decision given under sub-section (4) as modified in sub-section (5), the Authority shall have power to pull down, demolish or remove any development under taken contrary to such decision and recover the cost of such pulling down, demolition or removal from the person or authority concerned.

15. Power of entry.- The Authority may authorise any person to enter into or upon any land or building with or without assistants or workmen for the purposes of,-

- (a) making any enquiry, inspection, measurement or survey or taking levels for such land or building;
- (b) examining works under construction and ascertaining the course of sewers and drains;
- (c) digging or boring into the sub-soil;
- (d) setting out boundaries and intended lines of work;
- (e) making such levels, boundaries and lines by placing marks and cutting trenches;
- (f) ascertaining whether any land is being or has been developed in contravention of any plan or in contravention of any conditions subject to which such permission has been granted; or
- (g) doing any other thing necessary for the efficient administration of this Act.

Provided that,-

- (i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building;
- (ii) sufficient opportunity shall in every instance be given to enable women or children, if any, to withdraw from such land or building;
- (iii) due regard shall always be had, so far as may be, compatible with the exigencies of the purpose for which the entry is made, to the social and religious usage of the occupants of the land or building entered.

16. Levy of Fee.- (1) It shall be lawful for the Authority to levy, at such rate as may, by regulations be specified, a fee for grant of permission under section 14.

(2) All fee realised under this Act shall be credited to the Authority fund.

17. Authority fund.- (1) The Authority shall have a fund to be called the Authority Fund which shall be operated by such officers as may be authorised by the Authority.

(2) The Authority may accept grants, subventions, contributions, donations and gifts from the Central Government, the State Government, a local authority, any International organisation or any individual or body, whether incorporated or not, for all or any of the purposes of this Act.

(3) The State Government shall, every year, make a grant to the Authority of a sum equivalent to the administrative expenses of the Authority till the Authority is able to meet its administrative expenses out of its own resources.

(4) All moneys received by or on behalf of the Authority by virtue of this Act, and all interests, profits, and other moneys accruing to or borrowed by the Authority, shall be credited to the Fund.

(5) Except as otherwise directed by the State Government, all moneys and receipts specified in the foregoing provisions and forming part of the Fund shall be deposited in any Scheduled Bank as defined in the Reserve Bank of India Act, 1934 or invested in such securities, as may be approved by the State Government.

(6) The Fund and all other assets vesting in the Authority shall be held and applied by it, subject to the provisions of and for the purposes of this Act.

18. Budget.- The Authority shall prepare, every year, in such form and at such time as may be prescribed, an annual budget estimate in respect of the next financial year showing the estimated receipts and disbursements of the Authority and shall submit a copy thereof to the State Government.

19. Annual report.- The Authority shall, after the end of each year prepare in such form and before such date as may be prescribed, a report of its activities during such year and submit to the State Government and the State Government shall cause a copy of such report to be laid before both Houses of the State Legislature.

20. Subventions and loans to the Authority.- (1) The State Government may, from time to time, make subventions to the Authority for the purposes of this Act on such terms and conditions as the State Government may determine.

(2) the State Government may, from time to time advance loans to the Authority on such terms and conditions; not inconsistent with the provisions of this Act, as the State Government may determine.

21. Power of Authority to borrow.- The Authority may from time to time, with the previous sanction of the State Government and subject to the provisions of this Act, and to such conditions as may be prescribed in this behalf, borrow any sum required for the purposes of this Act.

22. Accounts and audit.- (1) The Authority shall cause to be maintained proper books of accounts and such other books as the rules made under this Act may require and shall prepare in accordance with such rules an annual statement of accounts.

(2) The Authority shall cause its accounts to be audited annually by such persons as the State Government may direct.

(3) As soon as the accounts of the Authority have been audited, the Authority shall send a copy thereof together with a copy of the report of the auditor thereon to the State Government and shall cause the accounts to be published in the prescribed manner and place copies thereof for sale at a reasonable price.

(4) The Authority shall comply with such directions as the State Government may, after perusal of the report of the auditor, think fit to issue.

Miscellaneous

23. Directions by the Authority.- (1) The Authority may, in order to carry out the development plans and schemes formulated under section 11 or any town planning scheme issue directions to any local Authority, Urban development Authority concerned, Karnataka Urban Water Supply and Sewerage Board, Karnataka Power Transmission Corporation and such other bodies as are connected with developmental activities in the Heritage Area.

(2) Notwithstanding anything contained in any other law for the time being in force, every such direction shall be complied with by the body to whom it is issued. On failure, it shall be competent for the Authority to take necessary action to carry out the directions issued under sub-section (1) and recover expenses, if any, incurred therefor from the body concerned.

24. Penalty for breach of the provisions of the Act.- Whoever contravenes any of the provisions of this Act or of any rule, regulation, or bye-law or scheme made or sanctioned thereunder shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees or with both and in the case of continuing contravention, with additional imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees or with both for each day after the first during; which the contravention continues.

25. Offences by companies.- (1) If the person committing an offence under this Act is a company, every person who at the time the offence was committed was in charge of and responsible to the company for the conduct of its business as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation: For the purpose of this section-

(a) "company" means a body corporate and includes a firm or other association of individuals; and

(b) "director" in relation to a firm means a partner in the firm.

26. Sanction of Prosecution.- No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the Authority or any officer of the Authority authorised by it in this behalf.

27. Authority may compromise claims by or against it.- The Authority may compound or compromise any claim or demand arising out of any contract entered into by it under this Act or any action or suit instituted by or against it for such sum of money or other compensation as it shall deem sufficient:

Provided that no such claim or demand exceeding fifty thousand rupees shall be compounded or compromised except with the previous approval of the State Government.

28. Fines realised to be credited to the Fund.- All fines realised in connection with prosecutions under this Act shall be credited to the Authority Fund.

29. Members and officers to be public servants.- Every member, every officer and other employee of the Authority shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

30. Protection of action taken in good faith.- No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule or regulation made thereunder.

31. Control by the State Government etc.- (1) The State Government may give such directions to the Authority as in its opinion are necessary or expedient for carrying out the purposes of the Act. The Authority shall carry out such directions as may be issued from time to time by the State Government for the efficient administration of this Act and it shall be the duty of the Authority to comply with such directions.

(2) The Authority shall furnish to the State Government such reports, and other information as the State Government may from time to time require.

(3) If in, or in connection with, the exercise of its powers and discharge of its functions by the Authority under this Act, any dispute arises between the Authority, and a Local Authority, the decision of the State Government on such dispute shall be final.

32. Act to over-ride other laws.- The Provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

33. Power to make rules.- (1) The State Government may, by notification, subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act 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 successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or to be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything done under that rule.

34. Regulations.- The Authority may, by notification and with previous sanction of the State Government, make regulations not inconsistent with this Act and the rules made thereunder for enabling it to perform its functions under this Act. Regulations may be made in respect of any matter which is required to be or may, in the opinion of the Authority be provided by regulations.

35. Removal of difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the State 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.

(2) Every order made under sub-section (1) shall as soon as may be after it is published, be laid before both Houses of the State Legislature and shall, subject to any modification which the State Legislature may make, have effect as if enacted in this Act.

36. Amendment of Karnataka Town and Country Planning act, 1961.- In the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963),-

(1) in section 2, in clause (7), after item (ia) of sub-clause (a), the following item shall be inserted, namely:-

“(ib) the heritage area as defined in the Hampi World Heritage Area Management Authority Act, 2002 (hereinafter referred to as heritage area) the Hampi World Heritage Area Management Authority constituted, under that Act.”

(2) in section 4A, in sub-section (1), after the proviso, the following proviso shall be inserted, namely:-

“Provided further that in the case of the heritage area, the local planning area declared under this sub-section shall be co-terminus with the heritage area.”

(3) in section 12, in sub-section (1) the following proviso shall be inserted, namely:-

“Provided that notwithstanding anything contained in this Act in the case of the local planning area comprising the heritage area the outline development plan shall also contain the particulars specified in clauses (a) to (g) of sub-section (1) of section 21 and the plan so prepared shall for the purpose of this Act be deemed to be the comprehensive development plan in respect of the heritage area and sections 19 to 23 shall not apply for preparation of such deemed comprehensive development plan.”

(4) after section 81 D the following shall be inserted, namely:-

“81E. Consequences of constitution of Hampi World Heritage Area Management Authority.- Notwithstanding anything contained in this Act with effect from the date Hampi World Heritage Area Management Authority is constituted under Hampi World Heritage Area Management Authority Act, 2002 such authority shall be the local planning authority for the local planning area comprising the heritage area and it shall exercise the powers, discharge the functions and perform the duties under this Act as if it were a local planning authority constituted for the heritage area.”

37. Application of (Karnataka Act 32 of 1974) to Authority Premises.- (1) The State Government, may by notification provide from such date as may be specified in such notification that the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 shall apply to premises belonging to, vesting in, or leased by, the Authority as that Act applies in relation to public premises but subject to the provisions of sub-section (2).

(2) On a notification being issued under sub-section (1), the aforesaid Act, and the rules made thereunder shall apply to the premises of the Authority with the following modifications, that is to say,-

- (a) the State Government may appoint any officer of the State Government or the Authority as it thinks fit, to be the competent officer for the purposes of the aforesaid Act;
- (b) references to “public premises” in that Act and those rules shall be deemed to be references to premises of the Authority, and references to “the State Government” in section 6,7,8,14,15,16 and 17 of that Act shall be deemed to be references to the Authority.

SCHEDULE

(see section 2 (q))

Part-A

Core Area Zone

Area of 41.80 sq.km. notified by the State Government as protected area under notification No.ITY 137 KMV 84, dated 22.10.1988.

Part-B

Buffer Zone

53.0 sq. km. Of area extending upto 1 km. beyond the limits of the Core Area Zone on all sides.

Part-C

Peripheral Zone

31.0 sq.km. of area extending upto 1 km. beyond the limits of the Buffer Zone on all sides.

The above translation of the $\text{Y}^{\text{a}}\text{A} \text{Æ}\mu\text{a}] \sim \text{â}\text{p}^{\text{a}} \sim \text{â}\text{p}^{\text{e}} \sim \text{â}\text{Z}\{\text{ê}\text{©}\mu\text{â} \text{¾}\text{A}\text{â}\text{E}\text{Y}\text{â}\text{Ç}\text{Ö} \sim \text{Ö}\text{Z}^{\text{o}}\text{d}\text{Ö}\text{p}\text{â} \%^{\text{o}}\text{¾}\text{â}^{\text{o}}\text{A}\text{â}^{\text{o}}$, 2002 (2003 pâ dâ}ÖËrdâ \%^{\text{o}}\text{¾}\text{â}^{\text{o}}\text{A}\text{â}^{\text{o}} \text{É}\text{â}\text{f}\text{ê}\text{X} 18) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

NOTIFICATION

No. SKD 118 KMU 2004, Bangalore, dated 27th January, 2005

Karnataka Gazette, Extraordinary No. 118, dated 27-1-2005

In exercise of the powers conferred by the sub-section (2) of section 1 of the Hampi World Heritage Area Management Authority Act, 2002 (Karnataka Act No. 18 of 2003), the Government of Karnataka hereby appoints 27-1-2005 to be the day on which all the provisions of the said Act, shall come into force.
