

KARNATAKA ACT NO. 03 OF 2018

**THE CHALUKYA'S HERITAGE AREA MANAGEMENT AUTHORITY ACT, 2017
Arrangement of Sections**

STATEMENT OF OBJECTS AND REASONS

Sections:

CHAPTER-I

Preliminary

1. [Short title and commencement](#)
2. [Definitions](#)

CHAPTER-II

CHALUKYA'S HERITAGE AREA MANAGEMENT AUTHORITY

3. [Constitution and Incorporation of the Authority](#)
4. [Meetings of the Authority](#)
5. [Authority Security Force](#)
6. [State Level Advisory Committee](#)

CHAPTER-III

Officers of the Authority and their Duties

7. [Appointment of the Commissioner](#)
8. [Duties of the Commissioner](#)
9. [Appointment of Accounts Officer and other officers](#)
10. [The method of recruitment and conditions of service of officers and staff](#)

CHAPTER-IV

POWERS AND FUNCTIONS OF THE AUTHORITY

11. [Functions of the Authority](#)
12. [Special powers of the Chairman](#)
13. [Power to delegate](#)
14. [No other authority or person to undertake development without permission of the Authority](#)
15. [Power of entry](#)
16. [Levy of Fee](#)
17. [Authority fund](#)
18. [Budget](#)
19. [Annual report](#)
20. [Subventions and loans to the Authority](#)
21. [Power of Authority to borrow](#)
22. [Accounts and audit](#)

CHAPTER – V
Miscellaneous

23. [Directions by the Authority](#)
24. [Penalty for breach of the provisions of the Act](#)
25. [Offences by companies](#)
26. [Sanction of Prosecution](#)
27. [Authority may compromise claims by or against it](#)
28. [Members and officers to be public servants](#)
29. [Protection of action taken in good faith](#)
30. [Control by the State Government etc](#)
31. [Application of the Karnataka Public Premises \(eviction of unauthorized occupants\) Act, 1974 \(Karnataka Act 32 of 1974\) to Authority Premises](#)
32. [Act to over-ride other laws](#)
33. [Power to amend the Schedule](#)
34. [Power to make Rules](#)
35. [Regulations](#)
36. [Removal of difficulties](#)
[Schedule](#)

STATEMENT OF OBJECTS AND REASONS

Act 03 of 2018.- It is considered necessary to provide for, constitution of Chalukya's Heritage Area Management Authority for Conservation of the Chalukya's Heritage area of Badami , Ihole and Pattada Kallu with all its archaeological remains and natural environs; and to preserve its cultural identity and to ensure sustainable development of the chalukya's Heritage area and to,-

- (i) prevent uncontrolled development of the heritage area and commercial exploitation of the area;
- (ii) carry out the works as 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 Chalukya's heritage site;
- (vi) for the constitution of the Authority Fund, and for matters incidental thereto.

It is also considered necessary consequentially to amend the Karnataka Public Premises (Eviction of un-authorised occupants) Act, 1974.

Hence, the Bill.

[entry 5 and 12 of List II and entry 40 of List III of the Seventh Schedule to the Constitution of India.]

KARNATAKA ACT NO. 03 OF 2018

(First Published in the Karnataka Gazette Extra-ordinary on the 23rd day of February, 2018)

THE CHALUKYA'S HERITAGE AREA MANAGEMENT AUTHORITY ACT, 2017

(Received the assent of the Governor on the 22nd day of February, 2018)

An Act to provide for constitution of Chalukya's Heritage Area Management Authority for conservation and development of the Chalukya's Heritage area of Badami, Ihole and Pattadakallu with all its archaeological remains and natural environs; and to preserve its cultural identity and to ensure sustainable development of the Chalukya heritage area, in the State of Karnataka.

Whereas it is expedient to provide for constitution of Chalukya's Heritage Area Management Authority for conservation and development of the Chalukya's Heritage area of Badami, Ihole and Pattadakallu with all its archaeological remains and natural environs; and to preserve its cultural identity and to ensure sustainable development of the Chalukya heritage area, in the State of Karnataka and for the matters connected therewith or incidental thereto.

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

CHAPTER-I

Preliminary

1. Short title and commencement.- (1) This Act may be called the Chalukya's Heritage Area Management Authority Act, 2017.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

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

(a) "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 of the heritage area;

(b) "Authority" means the Chalukya's Heritage Area Management Authority established under section 3;

(c) "Chairman" means the Chairman of the Authority;

(d) "Committee" means the State Level Advisory Committee constituted under section 6;

(e) "Commissioner" means the Commissioner of the Authority appointed under section 7;

(f) "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 in the heritage area;

(g) "Fund" means the fund of the Authority;

(h) "Heritage Area" means the whole of the Chalukya's heritage area comprising the Core Area Zone, Buffer Zone and Peripheral Zones specified in the schedule and includes such other area as may be notified by the State Government from time to time, but excluding the area referred to as protected area under the Ancient Monuments and Archaeological sites and Remains Act, 1958 (Central Act 24 of 1958);

(i) "Land" includes benefits arising out of land and things attached to the earth or permanently fastened to anything attached to the earth;

(j) "Local Authority" means a Municipal Corporation, Municipal Council, town Panchayat, Grama Panchayat, Taluk Panchayat, Zilla 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 by the Authority under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963);

(k) "Natural Environs" includes the rivers, river beds, rocks, water sources, wild life and vegetation located in the Heritage Area;

(l) "President" means President of the State Level Advisory Committee.

(m) "Regulations" means regulations made under this Act; and

(n) "Schedule" means schedule appended to this Act.

CHAPTER-II

CHALUKYA'S HERITAGE AREA MANAGEMENT AUTHORITY

3. Constitution and Incorporation of the Authority.- (1) As soon as may be after the commencement of this Act, there shall be established for the purposes of this Act, an Authority to be called the Chalukya's 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, develop, protect, conserve and promote property both movable and immovable and shall by the said name sue or be sued.

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

(a)	The Deputy Commissioner, Bagalakote, District.	Chairman
(b)	The Commissioner, Department of Archaeology, Museums and Heritage, Mysuru.	Member
(c)	The Director of Town and country Planning Department, Bengaluru	Member
(d)	The Director of Tourism Department, Bengaluru	Member
(e)	Superintendent of Police, Bagalakote	Member
(f)	The Superintending Archaeologist, Archaeological Survey of India, Dharwad Circle, Dharwad	Member
(g)	The Chief Executive Officer of Zilla Panchayat, Bagalakote	Member
(h)	The Deputy Conservator of Forests, Bagalakote.	Member
(i)	The Commissioner, Town Municipal Council, Badami	Member
(j)	The Superintendent Engineer, Bagalakote Circle, Bagalakote.	Member
(k)	The Deputy Environment Officer, Bagalakote.	Member
(l)	The Executive Engineer, Water Resources Department., Bagalakote.	Member
(m)	The Commissioner. Department of Archaeology, Museums and Heritage	Member
(n)	The Commissioner of the Authority,	Member Secretary

(4) The headquarters of the Authority shall be at Bagalakote.

4. Meetings of the Authority.- (1) The meetings of the Authority shall be convened by the Commissioner with the prior approval of the chairman 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 Chairman 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 Chairman or, if for any reason he is unable to attend any 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 Chairman or in his absence the person presiding, shall have and exercise a second or casting vote.

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 any rule, or regulation or order made thereunder; and
- (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 Chairman shall exercise powers of superintendence and control over the Authority Security Force.

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

(a)	The Chief Minister, Government of Karnataka	- President
(b)	The Minister in charge of Bagalkote District	- Vice- President.
(c)	The Minister in charge of Kannada and Culture	- Member
(d)	The Minister in charge of Tourism.	- Member
(e)	The Members of the Parliament and the State Legislature representing the part or whole of heritage area whose constituency lies within the jurisdiction of the Authority	- Member
(f)	The Additional Chief Secretary and Development Commissioner, Government of Karnataka.	- Ex-officio Member
(g)	Director General, Archaeological Survey of India or his nominee.	- Ex-officio Member
(h)	The Additional Chief Secretary or Principal Secretary to Government, in charge of Finance Department	- Ex-officio Member
(i)	The Secretary to Government in-charge of Tourism.	- Ex-officio Member
(j)	Chairman of the Authority.	- Ex-officio

		Member
(k)	The Director of Town and Country Planning, Government of Karnataka.	- Ex-officio Member
(l)	The Commissioner, Archaeological	- Ex-officio Member
(m)	The Secretary to Government, in Charge of Kannada and Culture Department.	- Member Secretary

(2) The State level Advisory Committee may co-opt four persons who are experts in the field of Heritage, Archaeology, Tourism or Environment as members.

(3) The State level Advisory Committee 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.

(4) The State level Advisory Committee 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 not below the rank of Group-A (Senior scale) of the State Civil Service, Chief of any local or other authority or working in the University in a post not less than that of Professor 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; and
- (e) perform such other functions as may be prescribed.

9. Appointment of Accounts Officer and other officers.- (1) The State Government shall appoint an officer of the State Audit and Accounts Service, not below the rank of a Assistant Controller 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.

10. The method of recruitment and conditions of service of officers and staff.-

(1) The State Government shall provide such other officers and staff as may be necessary to the Authority. The method of recruitment and conditions of service and the powers and

duties of the commissioner and other officers and staff of the Authority shall be such as may be determined by regulations.

(2) 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.- Subject to the provisions of this Act and the rules made there under 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 duly approved by the State Level Advisory Committee.
- (iv) to formulate as many schemes as are necessary for implementing the development plan of the Heritage Area in a sustainable manner;
- (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 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 Development 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;
- (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 Architectural importance of Chalukyas of Badami, Ihole and Pattadakal and in the heritage area;
- (xiii) to promote and encourage proper research to understand the Archaeological, Historical and Environmental values of the Architectural importance of Chalukyas of Badami, Ihole and Pattadakal in the heritage area;
- (xiv) to protect, develop and conserve the places of cultural Heritage; and prepare a plan of action for comprehensive and sustainable protection and development of its jurisdictional area, assess budget requirement and project strategies of implementation with Government funds, Corporate Social Responsibility funds through Public Private Partnership and other modes.
- (xv) to perform such other functions as may be prescribed.

12. Special powers of the Chairman.- The Chairman shall have special powers to act on his own and direct measures for effective realization of the object in cases of urgency where there is no sufficient time to convene a meeting of the Authority, the Chairman shall take action and 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 Chairman 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 consultation, concurrence and written permission of the Authority, no other authority or person shall undertake any development within the Heritage Area.

(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 following due process of law.

15. Power of entry.- The Authority may authorize any person to enter into or upon any land or building with or without assistance of 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; and
- (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 realized 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 authorized by the Authority.

(2) The Authority may accept grants, subventions, contributions, donations and gifts from the Central Government, the State Government, the local authority, any international organization 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 the Principal Director of State Audit and Accounts Department.

(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 audit thereon to the State Government and State Government shall laid before both Houses of the State Legislature 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.

CHAPTER – V

Miscellaneous

23. Directions by the Authority.- (1) The Authority may, in order to carry out the assignment plans and schemes formulated under section 11 or any town planning scheme issue directions to any local Authority, the Urban development Authority concerned, the Karnataka Urban Water Supply and Sewerage Board, the 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 which 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 there for 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 be 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 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. 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.

29. 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 there under.

30. 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.

31. Application of the Karnataka Public Premises (eviction of unauthorized occupants) Act, 1974 (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 Unauthorized 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 there under 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 6,7,8,13,14,15 and 16 of that Act shall be deemed to be references to the Authority.

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 amend the Schedule .- (1) State Government may by notification add, amend or omit any of the entries in this Schedule.

(2) Every notification issued under sub-section (1) shall be laid before each house of the Legislature.

(3) State Government may also notify the Geo-spatial map of the heritage area.

34. Power to make Rules.- (1) The State Government may, by notification, after 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 rules 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.

35. 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.

36. 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 not inconsistent with the provisions of this Act which appears to it to be necessary to remove the difficulty:

Provided that no Order shall be made under this section after expiry of two years from the date of commencement of this Act.

(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.

Schedule

(See clause (n) of sub-section (1) of section 2)

Heritage Area

I Core Area Zone

Places of Cultural Heritage

“Cultural Heritage” means and includes the historical place known as Kisuvolal preserved by Archaeological Survey of India and State Archaeology Department, the temples of the period of Chalukya’s at Badami, Megalith tombs found near Bachana gudda village, the architecture in the style of *Dravida and Nagara* in Pattadakallu, nine Shyva, one Jaina, nine other temples located at the outskirt in the Badami road, Virupaksha, Rani Loka Mahadevi temples and the small shrines in the temples complex, doorways in the direction of East and West, Sangameshwara temple, Galaganatha, Kashivishwanatha, Jambu Linga, Kadusiddeshwara and other temples in *Nagara* in

Pattadakallu. For the preservation of all the Archaeological remains with their natural environment and also for the conservation of the cultural heritage in Badami, Ihole and Pattadakallu in a Comprehensive manner in Karnataka, the heritage features in and around Badami, Ihole and Pattadakallu viz., Badami fort, Cave Temples, the environs of Agastya Teertha, Bhutanatha Shrine, Ananta Shayana Shrine, Malgitti Temple, Northern Fort, Southern Fort, Natural Fort of Buddhists, Jaina Cave Temple, Ellamma Shrine, Jumbo Linga Temple, Veerupaksha Temple, Indo-Islamic Monuments, Arali, water spring, Tripurantaka Shiva, Kaleri Shiva and Twin Matruche Sculptures in Pattada Kallu and Megaliths, Fort, Ravala Fadi Cave, Jaina Temple (Meena Basadi), Durga Shrine, Lord Khana Shrine, Gowda Shrine, Chakra Shrine, Badigera Shrine, Groups of Ambigera Shrine, Groups of Chikki Gudi Shrine, Tara Basappa Shrine, Huchi Malli Shrine, Groups of Shrines of Mallikarjuna and Jyotir Linga, Buddha Chaityalaya, Meguti Jinalaya, Huchappayya Matha, Groups of Konthi Shrines, Groups of Galaga Natha Shrine, Gowri Shrine, Groups of Jaina Narayana Shrines, Groups of Maddina Gundi-Trayambakeshwara Shrines, Groups of Charanti Matha, Rachi Shrine, Groups of Eni avara Shrine, Arali Basappa Shrine, Groups of Rama Lingeshwara Shrine and others in Ihole, to ensure the comprehensive development of the cultural heritage of and to ensure the sustainable development of ancient capital of Badami Chalukya's and Town Area under the glorious rule of historic Chalukyas.

II Buffer Zone

Areas extending upto 1 km beyond the limits of Core Area Zone

III Peripheral Zone

Areas extending upto 1 km beyond the limits of Buffer Zone

The above translation of ಚಾಲುಕ್ಯ ಪಾರಂಪರಿಕ ಪ್ರದೇಶ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರ ಅಧಿನಿಯಮ, 2017 (2018ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ : 03) 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