



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ-೧೫೫ Volume-155	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೧೩, ಫೆಬ್ರವರಿ, ೨೦೨೦ (ಮಾಘ ೨೪, ಶಕವರ್ಷ ೧೯೪೧) Bengaluru, THURSDAY, 13, FEBRUARY, 2020 (Magha 24, ShakaVarsha 1941)	ಸಂಚಿಕೆ-೦೭ Issue - 07
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ಭಾಗ ೪ಎ

ರಾಜ್ಯದ ವಿಧೇಯಕಗಳ ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ರಾಜ್ಯದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಆಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಶಾಸನಗಳ ಮೇರೆಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದ ಮೇರೆಗೆ ರಾಜ್ಯಪಾಲರು ಮಾಡಿದ ನಿಯಮಗಳು ಹಾಗೂ ಕರ್ನಾಟಕ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಮಾಡಿದ ನಿಯಮಗಳು

GOVERNMENT OF KARNATAKA

No: RD 28 BHUDAA 2019

Karnataka Government Secretariat,
Multi Stored Building,
Bengaluru, dated 18.10.2019.

NOTIFICATION

In exercise of the powers conferred under section 5(2) of the Waqf Act, 1995, as amended during 2013 (27 of 2013) the Government of Karnataka, Minority Welfare Department has forwarded the proposals received from the Deputy Commissioner, Addl. Commissioner of Survey(waqfs), Uttara Kannada District to the Board in letter No: DWO/UKD/03/SRY/2017-18 Dated 30.08.2018. It is verified and approved by the Administrator, Karnataka State Board of Auqaf on 20.12.2018. The Govt. of Karnataka is hereby notifying that the following immovable properties are Waqf properties.

(೧೦೮)

Social Welfare Department

PR-47

GOVERNMENT OF KARNATAKA

No. DOH 49 RERA 2019

Karnataka Government Secretariat,
2nd Floor, Vikasa Soudha,
Bengaluru, Dated 11th February 2020.**NOTIFICATION**

Whereas, it is expedient to frame Regulations for the Karnataka Real Estate Appellate Tribunal, as contemplated under sub-section (2) of Section 53 of the Real Estate (Regulation and Development) Act, 2016 enabling it to frame regulations of its own practice and procedure, the Government hereby notifies the following Regulations:

**CHAPTER I
PRELIMINARY****1. Short title and Commencement:-**

- (a) These regulations may be called the Karnataka Real Estate Appellate Tribunal Regulations, 2020.
- (b) These Regulations shall come into force on the date of their publication in the Karnataka State Gazette.
- (c) These regulations shall apply to all the proceedings in the Tribunal on the date of their commencement.

CHAPTER II

2. Definitions:- In these regulations, unless there is anything repugnant to the subject or context :

- (i) "Act" shall mean the Real Estate (Regulation and Development) Act, 2016 and "Rules" shall mean the Karnataka Real Estate (Regulation and Development) Rules, 2017, respectively, as amended from time to time;

- (ii) "Address for Service" shall mean the address furnished by a party or his authorized agent, or his legal practitioner, chartered accountant, company secretary, cost accountant at which service of summons, notices or other processes may be effected ;
- (iii) "Appeal" means an appeal filed under Section 44 of the Act read with Rule 33 of Karnataka Real Estate (Regulation and Development) Rules, 2017;
- (iv) "Appellant" means a person who has filed an appeal under of Section 44 of the Act read with Rule 33 of Karnataka Real Estate (Regulation and Development) Rules, 2017;
- (v) "Authorised person" means a person authorized by the appellant to represent him before the Tribunal and which term includes the persons as explained in Section 56 of the Act;
- (vi) "Chairperson" means the Chairperson of the Karnataka Real Estate Appellate Tribunal appointed under Section 46 (2) of the Act.
- (vii) "Code" means the Code of Civil Procedure, 1908, as amended from time to time;
- (viii) "Member" means Member of the Karnataka Real Estate Appellate Tribunal appointed under Section 46(3) of the Act.
- (ix) "Registrar" means the Registrar of the Karnataka Real Estate Appellate Tribunal and includes an officer of the Appellate Tribunal who is authorized by the Chairperson to function as Registrar;
- (x) "Registry" means the office of the Karnataka Real Estate Appellate Tribunal.
- (xi) Words and expressions not defined in these Regulations shall have the same meaning as assigned in the Act and the Rules.

CHAPTER III

AREA OF JURISDICTION

3. The Karnataka Real Estate Appellate Tribunal Regulations, 2020 shall be applicable to the whole of State of Karnataka;

CHAPTER IV

PRESENTATION OF APPEAL AND FILING

4. (1) **Preparation of Pleadings and other papers** : Every appeal in Form-R which is prescribed under Rule 33 of the Karnataka Real Estate (Regulation and Development) Rules, 2017 along with Memorandum of appeal and

application/s, if any, or counter statement from respondent, presented to the Tribunal, shall be in English, and in case it is some other Indian language, it shall be accompanied by a copy translated in English and shall be fairly and legibly type-written, lithographed or printed in double spacing with proper margin, duly paginated, indexed and stitched together in paper book form and shall be presented in triplicate. Application/s shall be filed separately.

(2) However, the Appellant or the Applicant, as the case may be, prior to presentation of pleading as stated above, shall make online registration of the Appeal or application/s in the portal of the Tribunal.

(3) The names of parties shall be numbered consecutively in the cause title as found in the impugned order of the Authority or Adjudicating Officer and a separate line should be allotted to the name and description of each party. In the event of the death of a party during the pendency of the appeal or application or matter, his legal heirs or representative, as the case may be, if more than one shall be shown consecutively, in the particular category, in which they are brought in. In the event of impleadment of third parties, the party shall be assigned next serial number in the cause title.

(4) The parties, in addition to furnishing the address for communication, shall also furnish their e-mail ID and mobile number for effective communication.

(5) Initialling alteration: Every interlineations, erasure or correction or deletion in any appeal or petition or application or document shall be initialled by the party or his authorized representative;

5. Documents to accompany Memorandum of Appeal

(1) Memorandum of Appeal in triplicate with adequate number of copies to be served for all respondents;

(2) Every appeal, filed under sub-section (1) of Section 44 of the Act and the Rules thereunder against any direction or order or decision of the Authority or the Adjudicating Officer shall be accompanied by a fee of Rs.5000/- (Rupees five thousand only) payable in the form of a Demand Draft or a bankers cheque drawn on a scheduled bank or a co-operative bank in favour of the Appellate Tribunal and payable at the branch of that Bank at the station where the seat of the Appellate Tribunal is situated or through online payment, as the case may be;

(3) If the appeal is presented through an Advocate, necessary vakalath, duly attested with affixture of Advocate Welfare Fund stamp on it, shall be filed. The vakalath shall contain the address of the advocate with enrolment number, e-mail id, mobile number etc., for proper communication;

(4) In the event an appeal is filed by an authorized representative, such as chartered accountant, cost accountant, company secretary as provided in Section 56 of the Act, necessary true copy of Power of Attorney document or authorization letter authorizing them to represent the appellant before the Tribunal shall be filed along with

appeal papers. The original of such authorization of Power of Attorney or letter of authorization, as the case may be, shall also be produced for verification at the time of filing for verification and return;

Provided that the Registrar may at any time call upon the party to produce such further materials as and when he is directed by the Tribunal in this regard ;

(5) Along with the appeal papers, the appellant shall produce the certified copy of impugned order served on them with the postal cover in the event of service of order by post so as to ascertain the date of service, as the date is mandatory requirement for the purpose of determining the period of limitation ;

(6) When the appeal is presented after the expiry of period of limitation as specified in the Act, Memorandum shall be accompanied by an application supported by an affidavit setting forth the facts on which appellant relies to satisfy the Tribunal that they had sufficient cause for not preferring the appeal within the period of limitation.

(7) The parties shall also furnish the actual postal stamps and covers for service of process by Speed Post/Registered Post with Acknowledgement Due.

(8) Copies of the documents relied upon by the appellant and referred to in the appeal shall be furnished;

(9) An index of documents shall also be furnished.

Explanation - The expression 'signature' or 'initial' includes impression but does not include facsimile.

(10) No new documents which have not been produced or relied on before the Authority or Adjudicating Officer, shall be produced at the time of filing of Appeal. However, parties can file additional documents along with an application under Order 41 Rule 27 of the Civil Procedure Code, 1908 and the same shall be considered by the Appellate Tribunal while hearing the Appeal, after giving an opportunity to the other side.

(11) In pending matters, all applications shall be presented after serving copies thereof in advance on the opposite side or his / her authorized representative.

CHAPTER V

EXAMINATION & REGISTRATION

6. Endorsement and Scrutiny of appeal or petition:

(1) The person in charge of filing section shall immediately on receipt of an appeal or an application affix the official seal of the Tribunal along with date on Appeal Memo or application as the case may be and thereafter shall cause it to be sent to the scrutiny officer;

- (2) The scrutiny officer of the Registry, on receipt of the appeal papers from the filing section, shall scrutinize the same as expeditiously as possible but not beyond four working days from the date of receipt of the appeal; Provided that for any reason the scrutiny is not completed within the above period, the same shall be immediately reported to the Registrar, who shall take prompt steps to complete the scrutiny within seven days.
- (3) On scrutiny, if the appeal or application is found to be defective, the same shall be entered in the return register for compliance and such intimation shall be uploaded in the website or informed through e-mail. It is for the party to comply the returned appeal papers within ten working days in the office and the same shall be placed before the Registrar who may pass appropriate orders.
- (4) Where the party fails to take necessary steps for removal of the defect within the time fixed for the same, the Registrar for reasons to be recorded in writing, shall place it before the Appellate Tribunal for orders regarding non-compliance of office objections, immediately.
- (5) Advocate Welfare Fund Fee stamps affixed on the vakalath shall be checked by the Scrutiny Officer and after cancellation of the same affix the seal of the Appellate Tribunal.
- (6) For the purpose of reckoning the period of limitation, if the last day falls on a holiday, that day and succeeding holidays shall be excluded. It should be presented on the next working day succeeding the holidays from the last date of limitation.
7. Numbering: (1) Every appeal under sub-section (1) of Section 44 of the Act shall be numbered as Appeal Number consecutively suffixed by the respective calendar year and registered in the appropriate register maintained in this behalf.
- (2) All Interlocutory Applications shall be indicated as "I.A." and shall be consecutively numbered in each proceeding in which it is filed.
- (3) Review petition shall be numbered as R.P. Number consecutively suffixed by the respective calendar year and registered in the appropriate register maintained in this behalf.
- (4) The Tribunal will, whenever required, publish cause list monthly, weekly or daily.
- (5) Where an application for interim relief is expected to be made, or has been made in an Appeal filed or about to be filed in the Tribunal, any person claiming right to be heard before considering such an application before the Tribunal may lodge a Caveat in respect thereof, as contemplated under Section 148-A of the Code of Civil Procedure, 1908.
- (6) Such Caveat petition shall be numbered as Caveat Number consecutively suffixed by the respective calendar year and registered in the appropriate register maintained in this behalf.

CHAPTER VI REGISTRAR

8. Powers of the Registrar:

(1) The official seal shall be kept in the custody of the Registrar.

(2) Subject to any general or specific direction by the Chairperson, the seal of the Appellate Tribunal shall not be affixed to any order, summons or other process, any copy of order for certification save under the authority in writing from the Registrar ;

(3) The Registrar shall have the following powers and functions, namely:-

To register Caveats, appeals, applications, review petitions and to receive applications for amendment of appeal or the petition or application subsequent proceedings; applications for fresh summons or notices and regarding service thereof; applications for substituted service of summons or notices; application for seeking orders concerning admission and inspection of documents; to order grant of copies of documents to parties to the proceedings; to requisition records from the custody of any court or other authority; transmission of direction/ order to the civil court as directed by the Tribunal with prescribed certificate(s) for execution etc. and such other incidental matters as the Chairperson may direct from time to time.

(4) Delegation:-

The Chairperson may assign or delegate to any officer all or some of the functions required to be exercised by the Registrar under the Rules and Regulations.

CHAPTER VII

SERVICE OF PROCESS/APPEARANCE OF RESPONDENTS AND OBJECTIONS

9. Summons:

(1) Whenever summons or notice is ordered by post it may be served on other side by registered post or courier. It may also be served by e-mail to the other side, if *e-mail id* is furnished to the Tribunal. In the event of any

application filed by the appellant or the respondent after entering upon by filing vakalath, then all notices should be served in advance to the other side or to their counsel as the case may be and then file it to the Tribunal.

(2) Steps for issue of fresh notice: If any notice is returned unserved in the circumstances not specified in the Rules or Regulations, that fact and the reasons thereof shall be notified immediately by e-mail/SMS to the party. The Appellant or applicant or his authorized representative shall, within seven days from the date of such intimation, take steps to serve the notice afresh.

(3) Consequence of failure to take steps for issue of fresh notice: Where a summons or notice issued to the other side is returned as unserved, and the appellant or applicant, as the case may be, fails to take necessary steps within the period as ordered by the Tribunal, the case shall be posted before the Tribunal for further orders.

(4) Entries regarding service of notice or process : The Court Officer of the Tribunal shall record in the order sheet the details regarding completion of service of notice on the respondents, such as date of issue of notice, date of service, date of return of notice, if unserved, steps taken for issuing fresh notice and date of completion of service.

(5) Default of appearance of respondent and consequences: - Where respondent, despite effective service of summons or notice on him does not appear on the date fixed for hearing, the Tribunal may proceed to hear the appeal or application or petition *ex parte*.

(6) Filing of objections by respondent:

(a) The respondent, if so permitted, shall file objections or counter as directed by the Tribunal within seven days from the date of such order.

(b) The respondent, if permitted to file objections or counter in any proceeding shall also file three copies thereof after serving copies of the same on the appellant or their counsel on record or their authorized representative, as the case may be.

(7) During the hearing of the appeal, after the parties were given sufficient opportunities, if either appellant or the respondent does not appear personally or represent through their counsel/authorized representatives, then the appeal may be disposed on merit after hearing the available parties based on the available records.

CHAPTER VIII HEARING OF APPEAL

10. The appellant shall not, except by leave of the Tribunal, urge, or be heard in support of any grounds of appeal not set forth in the memorandum of appeal.

CHAPTER IX
CALENDER, WORKING HOURS AND SITTING

11. (1) The Calendar of days of working of the Tribunal in a year shall follow that of the Calendar of the Karnataka High Court.
- (2) The office of the Tribunal on all working days shall be from 10.00 a.m. to 5.00 p.m., with lunch break from 2.00 p.m. to 3.00 p.m., except on Saturdays. On Saturdays, the office hours shall be between 10.00 a.m. and 2.00 pm.
- (3) The sitting hours of the Tribunal on the days of working i.e., from Monday to Friday shall be from 11.00 a.m. to 2.00 p.m. and 3.00 p.m. to 5.00 p.m.
- (4) The sitting of the Tribunal shall be at Bengaluru or such other places within its jurisdiction as may be decided by the Chairperson.
- (5) The sitting of the Tribunal as and when necessary shall be convened by the Chairperson.
- (6) Only during the summer vacation, if need be, a vacation bench shall be constituted by the Chairperson. Such vacation bench shall be sitting once a week as may be decided by the Chairperson.
- (7) During the vacation, only the matters which are required to be urgently dealt with, shall be received in the Registry and the Registrar, with the permission of the Chairman about the urgency of matter, shall register and post the matter before the vacation Bench of such cases.
- (8) During the vacation, the office of the Tribunal shall remain open on all sitting days from 10.00 a.m. to 5.00 p.m., with lunch break from 2.00 p.m. to 3.00 p.m., and on Saturdays from 10.00 a.m. to 2.00 p.m.
- (9) During the vacation on non-sitting days, the Office of the Tribunal shall be open on all working days from Monday to Saturday from 10.00 a.m. to 2.00 p.m.
- (10) (a) In the absence or vacancy of the Chairperson, the other two Members shall conduct the proceedings of the Tribunal and in such cases, amongst the two Members, the Judicial Member will act as Chairperson as provided under the Act.
- (b) In the absence or vacancy of either of the Members (Judicial or Administrative), the Chairperson and the other Member shall conduct the proceedings of the Tribunal.

CHAPTER X
MAINTENANCE OF REGISTERS AND RECORDS

12. The following Registers shall be maintained and necessary entries shall be posted on day to day basis by an official as the Registrar may nominate, subject to any order of the Chairperson :-

(1) **Register of Appeals;** (a) An Appeal Register shall be kept by the pending Clerk and it shall be written legibly. The diary in the main file shall contain a concise history of the appeal or application, the substance of the orders passed thereon and it shall contain a complete record of all proceedings and shall be checked by the Registrar and initialled once in a fortnight ;

(b) Register of Interlocutory Applications;

(c) Register of Caveats lodged; and

(d) Register of Review Petitions;

(2) **Contents of file:** - The file shall be kept in the following order and it shall be maintained as material record till ordered to be destroyed under the Regulations :-

(a) Index;

(b) Order Sheet;

(c) Memo of appeal together with any schedule annexed thereto;

(d) Counter or reply or objection, if any;

(e) Copy of documentary evidence as produced in the Authority;

(f) Written arguments, if any;

(g) Miscellaneous

(3) All records of the Tribunal shall be made digitalized within 2 months from the date of disposal.

13. **Destruction of records :** (1) Records of the Appellate Tribunal, except material record, shall be ordered to be destroyed by the Registrar after three years from the final conclusion of the proceedings of the Tribunal and if any appeal is filed the same shall be destroyed after 2 years from the date of disposal of such appeals.

(2) All material records shall also be destroyed after 5 years from final conclusion of the proceedings or 2 years from the date of disposal of appeals.

(3) The destruction of such record shall be effected in a manner to render it unfit for reuse.

(4) The destroyed record may be disposed by following prescribed Government procedure and the proceeds shall be credited into the prescribed current account of the Tribunal.

(5) Entry regarding destruction: Entries regarding destruction shall be made in the relevant columns of the destruction register.

CHAPTER XI DECORUM BEFORE THE TRIBUNAL

14. (1) The party who has engaged a legal practitioner to appear for him before the Tribunal shall not be entitled to be heard in person unless permitted by the Tribunal.
- (2) Professional dress for the advocate: While appearing before the Tribunal, the Advocate shall wear the same professional dress as prescribed for appearance before the District Courts. The wearing of gown is optional.
- (3) Where other representatives like that of chartered accountant, etc. and if they have been prescribed a dress code for appearing in their professional capacity before any Court, Tribunal or Appellate Tribunal or other such authority, they may appear in that dress.
- (4) All other persons appearing before the Appellate Tribunal shall be properly dressed.
- (5) No cell phone or any other electronic gadgets shall be used or operated, in the court hall.

CHAPTER XII DISCOVERY, PRODUCTION AND RETURN OF DOUCMENTS

15. (1) **Suo motu summoning of documents** : Notwithstanding anything contained in these regulations, the Tribunal may, *suo motu*, issue summons/notices for production of public documents or other documents in the custody of any court or public officer or any other party;
- (2) Return of documents: (a) An application for return of the documents produced shall be numbered. No such application shall be entertained after the destruction of such records.
- (b) The Tribunal may, at any time, direct return of documents produced subject to such conditions as it deems fit.

CHAPTER-XIII PRONOUNCEMENT OF ORDERS

16. (1) Judgment: The final decision of the Tribunal on an appeal before the Tribunal shall be described as judgment.

- (2) Pronouncement of Judgment: When the Judgment is reserved, the date for pronouncement of Judgment shall be notified in the cause list which shall be a valid notice of intimation of pronouncement;
- (3) Reading of the operative portion of the order in the open court shall be deemed to be pronouncement of the Judgment;
- (4) Any order reserved by a Bench of the Tribunal sitting at different place/s may also be pronounced at the Principal place of sitting of the Bench in one of the aforesaid modes as exigencies of the situation require.
- (5) When an order is pronounced, the Court officer concerned shall make a note in the order sheet, and make necessary endorsement on the case file regarding the date of such pronouncement, the nature of disposal and the constitution of the Tribunal pronouncing the order and he shall also make necessary entries in the Court diary maintained by him.
- (6) Members constituting the Tribunal shall affix their signatures in the order of their seniority from top to bottom.
- (7) After communication of the order to the parties or to their legal representatives, the official concerned shall arrange the records with pagination and prepare the Index sheet. He shall affix initials and then transmit the records to the record room.
- (8) Award of costs in the proceedings:
- (a) The Tribunal may in suitable cases direct appellant or respondent to bear the cost of litigation of the other side, and in case of abuse of process of court, impose exemplary costs on defaulting party.
- (b) The cost so awarded by the Tribunal shall be deposited as directed by the Tribunal.

CHAPTER XIV

17. CERTIFIED COPIES OF JUDGMENT/ORDER:

- (1) The Tribunal shall, on such terms and conditions as it considers appropriate, provide for supply of certified copies of Judgements, Orders, documents and papers available with the Tribunal to parties by filing a Memo on payment of Rs.2/- per page of the aforesaid document.
- (2) The third parties who intend to seek certified copies of the Judgements, Orders shall file a Memo accompanying by an Affidavit narrating the reasons for such documents on payment of Rs.2/- per page of the aforesaid documents sought. However supply of any such copies is subject to approval of the Chairperson.

(3) The Tribunal shall designate an Officer for ensuring timely response for issuance of certified copies of documents who shall endeavour to dispatch the certified copies of documents as expeditiously as possible within a period of seven working days from the date of receipt of copy application.

CHAPTER XV APPEALS TO THE HIGH COURT

18. (1) A Register shall be maintained in regard to Appeals preferred against the orders of the Tribunal to the High Court and necessary entries therein be promptly made by the concerned Section.

(2) The Register shall be placed for scrutiny before the Chairperson in the first week of every month.

(3) Whenever an interim or final order passed by the concerned High Court in an appeal or other proceeding preferred against a decision of the Tribunal is received, the same shall forthwith be placed before the Chairperson / Members for information and kept in the relevant case file. Immediate attention of the Registrar shall be drawn to the directions requiring compliance.

(4) It shall be the duty of the Registrar to take expeditious steps to comply with the directions of the concerned High Court.

CHAPTER XVI REMOVAL OF DIFFICULTIES AND ISSUE OF DIRECTIONS

19. Notwithstanding anything contained in the rules, wherever the rules are silent or no provision is made, the Chairperson may issue appropriate directions to remove difficulties and issue such orders or circulars to govern the situation or contingency that may arise in the working of the Tribunal.

CHAPTER XVII CONFIDENTIALITY

20. (1) The Tribunal shall appraise and determine whether any documents or evidence provided to it by any party and claimed by that party to be of confidential in nature and shall withhold from disclosure to other parties as being confidential and shall provide brief reasons in writing for arriving at its conclusion.

(2) If the Tribunal is of the view that the claim for confidentiality is justified the Tribunal may direct that the same be not provided to such parties as the Tribunal may deem fit. However, the party claiming the confidentiality

shall provide a brief non-confidential summary of the substance of the documents found to be confidential and the import of the same.

(3) Notwithstanding the above, it shall be open to the Tribunal to take into consideration the contents of the documents found to be confidential in arriving at its decision.

(4) The Tribunal may direct any person either to appear to give evidence or to produce any documents or books of accounts and such documents or evidence produced may be ordered to be kept in the safe custody of any one of the officers of the Tribunal.

CHAPTER XVIII

GENERAL POWER TO AMEND / RECTIFY

21. The Tribunal may, at any time and on such terms or otherwise, as it may think fit, remove any defect or error apparent on the face of the record in any proceedings before it (including any clerical or arithmetical error in any order passed by the Tribunal), either on an application filed by any aggrieved parties or *suo motu* within 30 days from the date of the order. The Tribunal shall not pass any order on the said application if entertained without giving notice to others. Provided that if the Tribunal desires to make amendments or rectifications in order to determine such issue the Tribunal shall provide an opportunity to the parties affected by such amendment or rectification touching such issue to make representations and submissions with respect to the proposed amendment or rectification.

CHAPTER XIX

COLLECTION OF INFORMATION

22. (1) The Tribunal may issue such directions to any person, Authority or Institution for the purpose of collection of any information, particulars or documents that the Tribunal considers necessary in connection with the discharge of its functions under the Act and the Rules.

(2) If any such report or information obtained appears to the Tribunal to be insufficient or inadequate, an officer of the Tribunal may be authorized for further inquiry, report and for furnishing of information.

(3) If the report or information obtained in accordance with the Regulations any part thereof is proposed to be relied upon by the Tribunal for forming its opinion or view in any proceedings, the parties to the appeal shall be given a reasonable opportunity for filing objections and making submissions on such report or information.

CHAPTER XX

SAVING OF INHERENT POWER OF THE TRIBUNAL

23. (1) Nothing in the Regulations shall be deemed to limit or otherwise affect the inherent power of the Tribunal to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Tribunal.

(2) Nothing in these Regulations shall bar the Tribunal from adopting in conformity with the provisions of the Act or Rules, a procedure, which is at variance with any of the provisions of these Regulations including summary procedures, if the Tribunal, in view of the special circumstance of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for so dealing with such a matter or class of matters.

(3) Nothing in the Regulations shall bar the Tribunal to deal with any matter or exercise any power under the Act or Rules, for which no regulations have been framed, and the Tribunal may deal with such matters, powers and functions in a manner it thinks fit.

CHAPTER XXI**CONTINUANCE OF PROCEEDINGS AFTER DEATH OF A PARTY etc.,**

24. (1) Where, in a proceeding any of the parties to the proceeding dies, the proceeding shall be continued and adjudicated with successors-in-interest in case of individual or partnership firm, as in the case of an insolvent, the official receiver or assignee, as in the case of a company under liquidation/winding up, the proceeding shall continue with, the executor, administrator, liquidator or other legal representative of the party concerned, as the case may be.

(2) In case of death of any parties to the proceedings, the application for bringing up the successors-in-interest shall be filed within the period stipulated under the provisions of Indian Limitation Act and if not filed, the Appeal shall be treated as abated.

CHAPTER XXII**EXTENSION OR ABRIDGEMENT OF TIME PRESCRIBED**

25. The time prescribed by the Regulations or by order of the Tribunal for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by an order of the Tribunal subject to the provisions of the Act and the Rules.

**CHAPTER XXIII
ADMINISTRATIVE CHARGES AND STANDARD FEES**

26. The Tribunal may, by order, fix standard fees, to be levied on inspection of documents, certified copy of documents, etc.

**CHAPTER XXIV
RESTRICTIONS**

(27) (1) The Chairperson or any other member who has a direct or indirect pecuniary or other interest in any matter including those relating to his/her immediate family, coming up for consideration in meeting of the Tribunal and he/ she shall not take part in any deliberation or decision of the Tribunal, with respect to that matter and shall recuse from the same.

(2) For the purpose of this regulation immediate family shall include wife or husband or son or daughter (whether biological or adopted), parents, brothers or sisters or any person related to any of them by blood or marriage, whether they are dependent on the Chairperson or such member or not.

BY ORDER AND IN THE NAME OF
THE GOVERNOR OF KARNATAKA

(C. SHIVANNA)
Under Secretary to Government-1,
Housing Department.