
**BANGALORE DEVELOPMENT AUTHORITY (BULK ALLOTMENT)
RULES, 1995**

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In exercise of the powers conferred by Section 69 of the Bangalore Development Authority Act, 1976 (Karnataka Act No.12 of 1976), the Government of Karnataka hereby makes the following Rules, namely:-

1. Title and commencement :-

- (1) These rules may be called the Bangalore Development Authority (Bulk Allotment) Rules, 1995.
- (2) They shall come into force at once.

2. Definitions In these rules, unless the context otherwise requires :-

- (a)"Act" means the Bangalore Development Authority Act, 1976;
- (b)"Committee" means 'bulk allotment of land' Committee constituted under Rule 9;
- (c)"Form" means, a Form appended to these rules;
- (d)"Section" means, the section of the Act.

3. Offer of Land for Bulk Allotment :-

(1) Whenever the Authority proposes to make bulk allotment of any land it may reserve such extent of land out of the lands so proposed for the purpose of allotment in favour of the categories falling under clauses (i), (ii) and (iii) of Section 38-B.

(2) After making such reservation under sub-rule (1), the Authority may, subject to Section 38-B and the general or special orders of the Government, offer the remaining extent of land for the purpose of allotment in favour of categories falling under clauses (iv), (v) and (vi) of Section 38-B.

(3) Due publicity shall be given in respect of lands so offered specifying their location, dimension, last date for submission of application and such other particulars as the Commissioner may consider necessary by affixing a notice on the notice board of the Office and also by publishing in not less than two daily newspapers in English and Kannada having wide circulation in the City of Bangalore.

4. Disposal of Land Reserved :-

Notwithstanding anything in these rules, the land reserved under sub-rule (1) of Rule 3 may be allotted by the Authority to the categories referred to there in subject to such terms and conditions as may be specified in it.

5. Eligibility :-

(1) Where the applicant is either a Society or Trust falling under clauses (iv) to (vi) of Section 38-B, the Authority may make Bulk allotment of land only to a Society or Trust which is registered under Rule 6.

(2) Bulk allotment of land shall not be made unless such Society or Trust has capacity to develop the land for the purpose for which the allotment is sought.

6. Registration :-

(1) A Society or trust mentioned in clauses (iv) to (vi) of Section 38-B of the Act which desires to apply for allotment under these rules shall get itself registered in the Office of the Authority in Form I. Every application shall be accompanied by a fee specified in the table below. If the applicant withdraws the registration, the Authority shall refund the registration fees, after deducting ten per

cent of the registration fees towards service charges.

| TABLE | |
|-------------------------------|------------------|
| Extent of the Land | Registration Fee |
| (a) Upto One Acre | Rs. 1,000 |
| (b) One Acre to Two Acres | Rs. 1,500 |
| (c) Two Acres to Three Acres | Rs. 20,000 |
| (d) Three Acres to Four Acres | Rs. 25,000 |
| (e) Four Acres to Five Acres | Rs. 30,000 |

(2) The registration once made shall be valid for subsequent allotment unless registration is withdrawn.

(3) The registration fee paid shall not be refundable or adjustable if allotment is made.

7. Restrictions :-

(1) The extent of land allotted under these rules shall not exceed five acres:

Provided that the Government may, for reasons to be recorded in writing accord approval for allotment of land exceeding five acres but not exceeding One Hundred acres and the Authority may in turn make allotment accordingly.

(2) The land allotted shall be used only for the purpose for which it is allotted.

8. Application for Allotment :-

(1) Every society or trust registered under Rule 6 which desires an allotment under these rules, shall make an application in Form II to the Authority. Application in the case of categories falling under clauses (i) to (iii) of Section 38-B shall be made in such form as may be specified by the Authority.

(2) The application may be presented in person or sent by registered post so as to reach the office of the authority.

9. Principles of Selection :-

(1) The authority shall consider the case on its merits and in the case of applicants referred to in clauses (iv) to (vi) of Section 38-B,

it shall have regard to the following principles in making selection.

(a) the objectives and activities of the society or Trust and the public cause served by it since its establishment;

(b) the financial position;

(c) the present location;

(d) the benefit likely to accrue to the general public of the locality by allotment;

(e) the bonafide and genuineness of the society or Trust as made out in the annual report, audit report etc.

(2) For the purpose of sub-rule (1), the Authority may constitute a separate committee to be called "Bulk Allotment of Land Committee" consisting of three official members and three non-official members. The Chairman of the authority shall be the Chairman of the Committee.

(3) Subject to the approval of the authority, the decision of the Committee shall be final.

(4) The authority or the Committee may call for further information or records for the purpose of satisfying itself on any matter, relating to such Society or Trust.

(5) The authority shall obtain the approval of the Government before making any allotment of land under these rules.

10. Conditions of Allotment :-

The Bulk allotment under these rules shall be subject to the following conditions.

(a) An allottee shall, in the case of sale, pay twenty-five per cent of the value of land, immediately within forty-five days from the receipt of the order of allotment of land and the balance amount shall be paid within a further period of forty-five days;

(b) The value of the land per acre shall be fixed by the authority having regard to the prevailing market value;

(c) An allottee shall, in the case of lease, pay the lease amount as may be fixed by the authority, within ninety days from the date of receipt of the letter of allotment;

(d) If the allottee fails to pay the balance amount within the

stipulated time, the allotment shall stand cancelled without prior intimation;

(e) Where allotment is by way of sale, and all payments are made, the allottee shall get executed a sale deed in its favour at its own cost. The sale deed shall be in such form as may be specified by the authority. On the execution of the sale deed, the authority shall deliver the allottee the possession of the land so allotted;

(f) Where the allotment is by way of lease, the lease period shall not exceed thirty years and allottee shall on payment of the lease amount get executed a lease deed in such form and within such date as may be specified by the authority in its favour and at its own cost. The Authority shall on execution of the lease deed deliver possession of the land so allotted. The lessee shall pay the rent and such other charges as may be fixed by the authority;

(g) The land allotted shall be utilised for the purpose for which it is allotted, and in case of breach of any of the conditions, the lease stands cancelled and the initial deposit shall be liable to forfeiture;

(h) With effect from the date of taking possession, the lessee shall be liable to pay taxes, fees and cess payable in respect of land allotted and any building constructed thereon;

(i) The lessee shall not become the owner of, or derive any title to the land allotted during the lease period;

(j) If the lease is not renewed or has been terminated before the expiry of the lease, the land leased shall vest in the authority free from encumbrance;

(k) The lease amount may be paid in one lumpsum or in annual instalments, as may be specified by the Authority.

11. Voluntary Surrender :-

An allottee may at any time after allotment, surrender the land allotted under these rules and on such surrender, the authority shall refund the amount paid by the allottee to the authority.

12. Surrender of sites in certain Cases :-

In the case of bulk allotment of land to the allottees falling under clauses (iv) and (v) of Section 38-B, the Government or the authority may direct that such allottees shall be required to surrender, certain number of sites not exceeding thirty per cent of the total number of sites formed in the land allotted under these

rules at such rate as may be fixed by the Government or the authority for allotment to persons belonging to economically weaker sections. For the purpose of this rule a personnel shall be considered to be belonging to the economically weaker section if.

(i) his total income including that of any member of his family does not exceed Rupees Six Thousand per Annum; and

(ii) he is a domicile of Karnataka for not less than ten years:

Provided that such person shall have to produce a Certificate from the employer or from the Revenue Officer not below the rank of a Tahsildar in respect of Income.