

## **BANGALORE DEVELOPMENT AUTHORITY (DISPOSAL OF CORNER SITES AND COMMERCIAL SITES) RULES, 1984**

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### **SCHEDULE 1 :- SCHEDULE**

## **BANGALORE DEVELOPMENT AUTHORITY (DISPOSAL OF CORNER SITES AND COMMERCIAL SITES) RULES, 1984**

In exercise of the powers conferred by Section 69 of the Bangalore Development Authority Act, 1976 (Karnataka Act 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 (Disposal of Corner Sites and Commercial Sites) Rules, 1984.

(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 (Karnataka Act 12 of 1976);

(b) "Auction Purchaser" means the person who has purchased a corner site or a commercial site in the auction held by the Authority under these rules;

(c) "Commercial Site" means any site formed in any extension or layout earmarked for locating a cinema theatre, a hotel or restaurant, a shopping centre, a shop, a market area and includes sites for locating any business or commercial enterprises or undertaking but does not include any site earmarked for the location of any factory or any industry;

(d) "Corner Site" means the site at the junction of two roads having more than one side of the site facing the roads.

### **3. Auction of Corner Sites and Commercial Sites :-**

(1) Whenever the Authority has formed an extension of layout in pursuance of any scheme, the Authority may, subject to the general or special orders of Government dispose of any or all the corner sites or commercial sites in such extension or layout by auction in accordance with these rules.

(2) Due publicity shall be given in respect of the corner sites or commercial sites to be auctioned specifying their location, number, dimension and the percentage of the highest bid amount to be deposited and such other particulars as the Commissioner may consider necessary by affixing a notice to the Notice Board of the Office of the Authority and any other office as the Commissioner may decide from time to time and by publication in not less than two daily news papers published in the City of Bangalore in English and Kannada having a wide circulation in the City.

### **4. Reservation of Corner sites or Commercial Sites :-**

(1) The Authority may reserve corner sites or commercial sites in any area for allotment to any specified class of institution, body or corporation of the City of Bangalore at such rates as the Authority may decide.

(2) Where the corner sites or commercial sites are reserved under subrule (1) the procedure to be followed for allotment of these sites shall, subject to the general or special orders of the Government, be determined by the Authority.

#### **5. Allotment of a corner site to individuals or body of persons or institutions in special cases :-**

Notwithstanding anything in Rule 3, the Authority may allot any corner site, which has not been notified under Rule 3 or reserved under Rule 4 and which cannot on account of its size be treated as an independent site, to the owner of the adjacent site:

Provided that where the width of such site is.

(a) One-third the width of the adjacent site or less, the sale shall be at such rate as the Authority may fix;

(b) More than one-third but equal to one-half of the width of the adjacent site or less, the sale shall be for the average auction rate, the said rate being determined on the basis of the rates at which sites have been sold at three previous auctions in the locality in which such site is situated;

(c) More than one-half of the width of the adjacent site the sale shall be by auction in accordance with Rule 6 as if such site were an independent site.

#### **6. Conditions of auction sale of corner sites or commercial**

**sites :-**

(1) The Commissioner or such other Officer authorised by the Authority to conduct the auction sale, may fix the amount by which the successive bids may be raised.

(2) The Officer conducting the auction sale shall have the right to accept or refuse any bid without assigning any reasons.

(3) The auction purchaser whose bid is accepted shall deposit twentyfive per cent of the amount of his bid at once on the spot and pay the balance within forty five days from the date of receipt of intimation letter as in Form I communicating the confirmation of sale, in default of which the deposit of twenty five per cent made by such auction purchaser shall be liable to be forfeited to the Authority and the Authority shall be entitled to resell the site and in such an event of resale, the defaulting auction purchaser shall be liable to make good any loss suffered by the Authority on account of such resale.

(4) The Commissioner may grant extension of time not exceeding ninety days for depositing the balance of the bid amount. Whenever the amount is paid during such extended period the auction purchaser shall also pay interest thereon at eighteen per cent per annum and a penalty of rupees hundred and failing such payment, the Authority shall be entitled to forfeit the deposit made by the auction purchaser and resell the site at the risk of the auction purchaser.

(5) The site which has been designed and auctioned as a unit shall not be allowed to be split up into two or more sites without obtaining the previous approval of the Authority.

(6) As soon as the full amount of the purchase money is paid the auction purchaser shall execute an agreement in Form II and thereafter he shall be put in possession of the site and a possession certificate issued to him.

(7) The auction purchaser shall be bound to comply with all the conditions in the agreement.

<sup>1</sup>(8) The auction purchaser shall construct a building on the site as per plans and designs approved by the Authority and in case the site is within the limits of the Corporation, in accordance with the buildings bye-laws of the Corporation.

(9) The site shall be conveyed to the auction purchaser <sup>2</sup> [only after the possession certificate is taken]. The expenses on account of stamp duty, registration fees and any other incidental charges in respect of the conveyance shall be borne by the auction purchaser.

1. Sub-rule (8) substituted by GSR 36, dated 17-3-1995

2. Substituted for the words "only after the building is constructed" by GSR 36, dated 17-3-1995

## **7. Decision of the Authority :-**

The Authority shall have the right to confirm or cancel any sale in auction without assigning any reason and when the sale is cancelled the amount received from the auction purchaser as deposit shall be refunded to him.

## **8. Repeal :-**

The City of Bangalore Improvement (Disposal of Corner Sites and Commercial Sites) Rules, 1972 are hereby repealed:

Provided that such repeal shall not affect the previous operation of the said rules or anything duly done or any action duly taken under the said rules.

## **SCHEDULE 1**

### **SCHEDULE**

### **SCHEDULE**

**Site No. Formed by the Bangalore Development Authority in Block - in the Extension.**

**Site bounded on:**

**East by:**

**West by:**

**North by:**

**South by:**

**East to West: North to South:**

**In token thereof the First Party has affixed his signature to this agreement**

**on the day of.....19.....in the presence of the witnesses who have affixed  
their**

**signature to this agreement.**

**Witnesses:**

**Signature**

**1.**