
**BANGALORE DEVELOPMENT AUTHORITY (INCENTIVE
SCHEME FOR VOLUNTARY SURRENDER OF LAND) RULES,
1989**

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**BANGALORE DEVELOPMENT AUTHORITY (INCENTIVE
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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 (Incentive Scheme for Voluntary Surrender of Land) Rules, 1989.
- (2) They shall be deemed to have come into force with effect from the First day of April, 1989.

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) "Authority" means the Bangalore Development Authority;
- (c) "Form" means a form appended to these rules; and
- (d) All other words and expressions used herein but not defined shall have the meaning respectively assigned to them in the

Bangalore Development Authority Act, 1976 (Karnataka Act 12 of 1976).

3. Allotment of sites :-

Notwithstanding anything to the contrary contained in the Bangalore Development Authority (Allotment of Sites) Rules, 1984, and subject to the provisions of Rule 4, the Authority, with a view to facilitating expeditious acquisition of land, may as per Annexure appended to these rules, allot sites as incentives to an owner of land.

(i) if, in response to the notice given under Section 9 of the Land Acquisition Act, 1894, he voluntarily hands over to the Deputy Commissioner possession of the land, which is being acquired from him under the said Act on behalf of the authority, free from any objection whatsoever and from any unauthorised construction and the said land has vested in the Authority; or

(ii) where his land has been acquired by the authority under Section 35 of the Act:

Provided that where two or more persons jointly own such land, unless all such persons have voluntarily handed over possession in accordance with these rules, no eligibility for allotment shall accrue to any one of them.

Explanation. A person who had not handed over possession of the land before the commencement of this rule, shall be deemed to have voluntarily handed over possession of such land if immediately after such commencement, he hands over possession of the same free from all unauthorised constructions and after withdrawing all objections relating to possession, whether such objections have been preferred before a Court of law or not.

4. Conditions of allotment :-

The allotment under Rule 3 shall be subject to the following conditions.

(a) The allottee shall be liable to pay the value of the site fixed by the Authority and shall also be liable to pay any other charges which the Authority may levy in this behalf from time to time;

(b) The site shall be allotted at the discretion of the Authority but preferably in the layout for the formation of which the land is acquired and if such allotment in the said layout is impracticable, in

any other layout formed subsequent to the said layout;

(c) The allottee shall not be entitled to get allotment under these rules unless he proves to the satisfaction of the authority that he has got absolute title over the land the possession of which is handed over to the Deputy Commissioner;

(d) If two or more persons jointly own such a land, they shall together be entitled to the site allotted under these rules;

(e) The total extent of land allotted under Rule 3 together with land already held by an allottee, if any, shall not exceed the ceiling limit specified under Section 4 of the Urban Land (Ceiling and Regulations) Act, 1976;

(f) The allotment shall be on out-right sale basis. The allottee shall meet necessary registration and other expenses for obtaining the sale deed.

5. Application for allotment :-

(1) Application for allotment under these rules shall be in Form I and shall be accompanied by a fee of one hundred rupees in the form of a Demand draft in favour of the Authority.

(2) If the particulars furnished by the applicant in the said application are found to be incorrect or false in any material respect, the sital value deposited shall be forfeited and the site, if allotted, shall be resumed by the Authority.

6. Payment of sital value :-

The allottee shall, within a period of ninety days from the date of receipt of notice of allotment, pay to the Authority the full sital value. If the said value is not paid in full within a period of ninety days, the Commissioner may, on the application of the allottee, extend the time for payment for a further period not exceeding two hundred and ten days and the allottee shall pay, in addition, interest at the rate of twelve per cent per annum on the balance of the sital value for the first sixty days of the extended period and at the rate of eighteen per cent per annum for the next hundred and fifty days of the extended period. If the full amount is not paid before the end of such extended period also, the allotment shall be cancelled without further intimation and the allotment shall be canceled without further intimation and the amounts, if any, deposited by the allottee towards the sital value shall be refunded

to him.

7. Execution of conveyance deed :-

(1) After payment of the full sital value, the Commissioner shall, at the request of the allottee, execute a deed of conveyance in Form II subject to the restrictions, conditions and limitations specified therein.

(2) The site shall be used for residential purposes only. For any change of land use, prior permission of the appropriate authority under the Karnataka Town and Country Planning Act, 1961 shall be necessary.

(3) No permission from the Authority shall be necessary for alienation of the site, as long as it continues to be used for the same purpose for which it was originally allotted.

8. Voluntary surrender :-

An allottee may, at anytime, after allotment, surrender the site allotted to him by the authority. On such surrender, the Authority shall, with the least possible delay, refund all amounts paid by the allottee to the Authority towards the cost of the said site.