

(Published in the Dhaka Gazette, Part 1, dated the 15th January, 1970)

GOVERNMENT OF EAST PAKISTAN
BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

SECTION VI
NOTIFICATION

No. S-VI/2R-43/69/I - 1st January 1970 - In exercise of the power conferred by section 102 of the Town Improvement Act, 1953 (East Bengal Act XIII of 1953), the Governor of East Pakistan is pleased to make the following rules, namely :-

THE DHAKA IMPROVEMENT TRUST (ALLOTMENT OF LANDS) RULES, 1969.

1. Short title, application and commencement - (I) These rules may be called the Dhaka Improvement Trust (Allotment of lands) Rules, 1969.
 2. They shall apply to allotment of plots of lands, development by the Dhaka Improvement Trust under their different schemes, for residential, commercial and industrial purposes.
 3. They shall come into force at once.
2. Definitions) (1) In these rules, unless there is anything repugnant in the subject or context, -
- (i) "Act" means the Town Improvement Act . 1953 (East Bengal Act XIII of 1953) : and
 - (ii) "Trust" means the Dhaka Improvement Trust
- (2) All other words and expressions used in the rules shall have the same meanings as assigned to them in section 2 of the Town improvement Act, 1953 .

CHAPTER I

ALLOTMENT OF LAND FOR RESIDENTIAL PURPOSE

3. The Chairman shall, in accordance with the provision of section 177 of the Act, cause notice of the availability of lands for housing and residential purposes, published in local Newspapers, as and when such plots are ready for allotment. The notice shall contain detailed information regarding the type and size of plots of land available for allotment and the manner of submission of the application.
4. The Trust shall prescribe the form of application and shall fix the price thereof. The Chairman shall cause printed copy of the form to be supplied to any intending applicant on payment of the requisite price.
5. No application other than in the prescribed form against specific advertisement, shall be entertained. Any application received otherwise casually and intermittently shall not be entertained and not intimation shall be given to the applicant in this respect.

6. All applications duly received shall be entered in a register, category wise, according to the size of plots available. Applications received from persons, affected by the Improvement and re-housing schemes of the Trust shall be entered in a separate register.
7. Applicants will receive all reasonable assistance in filling up their respective application forms from the Trust.
8. Allotment of each and size or plots to the deserving and genuine applicants will be made by a Committee to be constituted for the purpose by the Trust. The provisional list of successful candidates shall be published in Daily Newspapers of Dhaka for public information. In case, the number of valid applicants for and type or size of plot is more than the number of plots available the excess applications after allotment made by the Committee shall be carried forward for consideration in the batch of similar plots to be developed, provided that the initial deposits made with the applications are not withdrawn by the applicants.
9. No persons, who has already been allotted a plot for residential purpose, in his/her name or in the name of his/her, wife/husband or in the name of dependent children or any other dependent, by the Trust or the Government in any Housing Estate or by the Board of Revenue of any khas land or any person who has already a house within the jurisdiction of Dhaka and Narayanganj Municipal Committee or suburb of these Municipal areas within the jurisdiction of the Trust, shall be allotted a plot. All applicants shall have to file an affidavit to be signed by a 1st Class Magistrate to the effect that neither he nor any one of his dependents as specified above possesses any residential plots within the aforesaid jurisdiction.
10. Any application received with false shall be summarily rejected. In case, an allotment is made to any one on the basis of false information in the application and the information is subsequently found incorrect, the allotment shall stand cancelled.
11. Subject to the provision of clause (b) of sub-section (2) of section 101 of the Act, the valid applications of the persons who had either land or residential house in the areas acquired for the development of the township, shall have first preference for allotment provided they apply and fulfill the other conditions.
12. The Government by order may direct the Trust to reserve certain number of plots for the members of the Armed Services, ex-Servicemen and Officers and staff of Pakistan Foreign Service in East Pakistan.
13. All plots made available as a result of cancellation of allotments either for reasons mentioned in rule 10, or for non-fulfillment of the terms of lease shall be described according to the procedure laid down in rule 8 subject to the conditions that the persons considered and found unsuitable in the first instance shall not be reconsidered in this case.

CHAPTER II LEASING OUT OF LAND FOR COMMERCIAL, PURPOSE

14. All commercial plots available for allotment shall be leased out gradually by public auction to the highest bidders after fixing the basic minimum price by the Trust. The public auction of such plots shall be advertised by the Trust in local Newspapers in accordance with the provisions in Section 177 of the Act.

15. All commercial plots will be divided in each area into two groups one restricted to the original owners of the lands acquired for the development of the commercial area and the other, general. In one group, auction will be restricted, only to the persons of the first category as mentioned above had subject to the provisions of section 101 of the Act. Any plot, not purchases in auction by the original owners, will be carried over to the general group for general auction.
16. All intending bidder for a commercial plot in either group shall have to -
 - (a) furnish a security in Bank Draft.
 - (b) file all affidavit to be signed 1st Class Magistrate that he or she has not been allotted any plot for commercial purpose either by the Trust or Government in any other commercial states in his or her name or in the name of his/her wife/husband or dependent children.

In case of any false statement, any allotment if made, shall stand cancelled and legal, proceedings may also be initiated by the Trust against the bidder.
17. In case of commercial plots, no bid below the minimum basic price of the plot fixed by the Trust, shall be acceptable.
18. No person, who has already been successful in any auction for such a plot shall be allowed to bid for a second plot.
19. Bid in the auction for commercial plots in the name of miners shall not be allowed.
20. Successful bidders will be allowed option to pay the entire premium in lump or by installments with interest as fixed in each case according to the existing procedures followed by the Trust or to be adopted in future by the Trust.
21. All commercial plots, allotment of which will be subsequently cancelled for non-payment of premium or for any contravention of the terms of lease, shall be similarly put to auction as per the foregoing rule.
22. Commercial plots shall include plots for Cinema Halls and Petrol Pumps, in any area of the housing estates, stopping spaces in commercial area of residential area or any surplus land on the side of roads.

CHAPTER III LEASING OUT OF LAND FOR INDUSTRIAL PURPOSE

23. The Trust shall prepare block plans in each Industrial Estate after reclaiming the land, showing broadly the major road alignment and provisional internal layout plan showing different plots of vary big sizes within the frame works of major road alignments and shall give a public notice of availability of such plots for industrial purposes by advertisement in local Newspapers in accordance with the provisions of Section-177 of the Act.

The Trust shall fix the price depending on cost of acquisition and development and interest on investment and other expenditure. The price of plot in the same estate may vary from block to block according to the actual cost at different times.

24. The prospective industrialists having obtained permission for setting up a particular industry from the Department of Industry of the Provincial Government or Central Government or any other agency authorized to give such permission, shall apply to the Trust through the Director of industries, for allotment of land specifying the nature of the Industry capacity of the unit and the requirement of land.
25. The Director of Industries shall scrutinise the genuineness of the claim and minimum requirement of land for such an industry inclusive of provisions for future expansion and make specific recommendation.
26. On receipt of a specific recommendation of the Director of Industries, the Chairman shall offer a suitable compact area within the block advertised, which according to the requirements may be one or more plots together. The offer shall be provisional and the party will be asked to deposit the first installment of the premium together with the layout plan of the use of land for the industrial unit, duly approved by the Director of Industries. The case will then be placed before the Trust for final allotment and execution of the lease deed according to the stand lease agreement rules of the Trust for such purpose.
27. The Chairman, shall issue clearance certificate, for mortgaging the land by the industrialists to the Industrial Bank or to any other Bank for the sanction of loan to the unit on condition that the dues of the Trust, including the balance of premium, where lease provides for payments of premium by installments with interest, ground rent or any other dues, shall constitute the first charge on the land which includes the buildings, structures, etc. plat might be constructed by the allot in question.
28. The power of interpreting these rules is reserved to the Government in the basic Democracies and Local Government Department.

By order of the Government

KHORSHED ALAM
Secretary

No.S-VI/2R-43/69/1(3)

Dated Dhaka, the 1st January, 1970

Copy forwarded to the :-

- 1) Revenue Department, Government of East Pakistan.
- 2) Law (Legislative) Department, Government of East Pakistan.
- 3) The Chairman, D.I.T., Dhaka for information.

MD. TOUHID KHAN
Section Officer

Extraordinary
Published by Authority

WEDNESDAY, AUGUST 6, 1986

GOVERNMENT OF THE PEOPLES REPUBLIC OF BANGLADESH
MINISTRY OF WORKS
NOTIFICATION
Dhaka, the 5th August, 1986

No.S.R.O. 330-1/ 86-In exercise of the power's conferred by section 102 of the Town Improvement Act, 1953 (E.B. Act XIII of 1952), the Government is pleased to make the following amendment in the Dhaka Improvement Trust (Allotment of Lands) Rules, 1969, namely :-

In the aforesaid Rules, after rule 13, the following new rule 13A shall be inserted, namely :

“13A Notwithstanding anything contained in this Chapter but subject to the provisions of Rule 9 thereof, the Trust may allot plots to persons who have rendered remarkable contributions in Government service, public service and in such other field of national importance as the Government may determine from time to time :

Provided that no such allotment of plot shall be made by the Trust unless an application is make by the intending buyer and the Government makes a recommendation for such allotment.

By order of the President
IMAMUDDIN CHOWDHURY
Secretary

Printed by Khandker Obaidul Muqtader, Deputy Controller, Bangladesh Government Press
Dhaka

Published by Md. Rabiul Hassain, Deputy Controller, Bangladesh Terms and Publications
Office, Tejgaon, Dhaka.
(8901)

Price: 25 Paisa