

# GREATER HYDERABAD MUNICIPAL CORPORATION

From

The Chief Valuation Officer/P.I.O,  
Greater Hyderabad Municipal Corporation,  
HYDERABAD

To

The Chief City Planner,  
Greater Hyderabad Municipal Corporation,  
HYDERABAD.

Lr.No.921/CT2/CTS/GHMC/2015, Issued Dated 28-04-2015

Sir,

Sub:- GHMC – Central Tax Section – Representation under RTI Act – furnishing Information – Reg.

Ref: - Petition under RTI Act received from Sri L. Ramacharyulu, Advocate, dated: 06-04-2015.

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Please find enclosed herewith a copy of the petition received vide reference cited, for furnishing certain information under RTI Act – 2005 relating to Amenities details of Blocks. As per clause 15 (a) (x) of G.O.Ms.No.168 M.A dated:07.04.2012 incase of Group Housing Buildings where there are 100 units and above a minimum 3% of the total built up area shall be planned and developed for common amenities and facilities like convenient shopping, community hall/club house, creche, gymnasium is required to be provided. Please clarify if the amenities block that is proposed to be constructed or is constructed can be used for commercial purposes? Further can such an amenities block be sold or leased to third parties?"

The information sought by the petitioner pertains to Chief City Planner, GHMC. The Chief City Planner, GHMC is requested to furnish the information to the petitioner and send report Under Section 6 (3) of RTI Act – 2005.

As enunciated in the provisions of sub-Section(4) U/s 5 of RTI Act, 2005 you are hereby authorized to either furnish the information sought by the petitioner on payment of the prescribed fee (or) reject the request for any of the reasons specified in Sections 8 and 9 of the said Act, as expeditiously as possible within 30 days from the receipt of this endorsement. The information shall be furnished to the petitioner directly within the stipulated period and submit a copy of the same to this office.

Yours faithfully

Chief Valuation Officer/P.I.O  
GHMC 29/4

Encl: applicant Petition

Copy to:

Sri L. Ramacharyulu, Advocate,  
H.No.5-4-187/3&4, II Floor,  
Soham Mansion, M.G. Road,  
Secunderabad – 500 003.

With a request to approach  
Chief City Planner, GHMC for  
Obtaining information.

# GREATER HYDERABAD MUNICIPAL CORPORATION

O/o the Chief City Planner,  
Head office,  
GHMC, 5<sup>th</sup> floor,  
Hyderabad.

To  
Sri.L.Ramacharyulu,  
Advocate,  
H.No.5-4-187/3&4, IInd floor,  
Soham Mansion, M.G.Road,  
Secunderabad,3,

R/E-28837/TPS/HO/GHMC/2015, dt. 3.7.2015

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Sir,

Sub:- GHMC-TPS-HO- Application of Sri.L.Ramacharyulu – sought certain information under Right to Information Act, 2005- Reg.

Ref: Your application dated.06.04.2015 which was received by this office on 3.5.2015. through E-office from CVO., GHMC,Hyd.



You have sought certain information under Right to Information Act, 2005 as detailed below:

Requesting to furnish certain information of shopping centre, Community Hall or Center/Club House etc as under:

1. Can such amenities be used for Commercial purpose ?
2. Can such amenities area be sold or leased?
3. In case the amenities area is used only by the residents of residential complex and is not used for commercial purposes, is property tax leviable on such amenities? (please note that in this case such amenities are similar to common passages, lift rooms, Electrical panel rooms, open spaces parks and play grounds-on which property tax can not be levied).

In this regard, it is to inform that, as per th Building Rules 2012 at clause No.15(a)(x) of G.O.Ms.No.168 MA dated 7.4.2012 in case of Group Housing Building where there are 100 Residential Units & above, a minimum 3% of the total built up area and facilities here convenient shopping, Committee Hall/Club House, Creche, Gymnasium etc., The amenities area shall not be treated for commercial purpose and it should be kept for use occupiers of the Residential complex. Further, there is no mention in the Building Rules, 2012 that such amenities area can be sold or leased to any 3<sup>rd</sup> party.

Yours faithfully,

  
PIO/City Planner.

M  
13/7/15

o/c

Dt. 06.04.2015

From:

L. Ramacharyulu,  
Advocate,  
5-4-187/3 &4, II Floor,  
Soham Mansion, M. G. Road,  
Secunderabad - 500 003.

To

The Chief Information Officer, *Add. Commr (Renu)*  
Greater Hyderabad Municipal Corporation,  
Tankbund Road,  
Hyderabad.

Dear Sir,

**Sub: Request for information under RTI Act.**

**Ref: 1. Our letter dated 27.02.2015.**

**2. Our letter dated 27.02.2015**

**3. Your letter No. 618/CT2/CTS/GHMC/2015/348 dated 10.03.2015.**

We have requested you under RTI Act to provide information for the below mentioned two queries.

“As per clause 10.7 (b) of G.O.Ms.No.86 M.A dated 03.03.2006 common amenities and facilities like shopping centre, community hall or center/club house etc., are required for be provided up to 5% of land area and shall be planned and developed. An amenities block is required to be constructed in such an area”

“As per clause 15 (a) (x) of G.O.Ms. No. 168 M.A dated 07.04.2012 incase of Group Housing Buildings where there are 100 units and above a minimum 3% of the total built up area shall be planned and developed for common amenities and facilities like convenient shopping, community hall /club house, crèche, gymnasium is required to be provided. Please clarify if the amenities block that is proposed to be constructed or is constructed can be used for commercial purposes ? Further can such an amenities block be sold or leased to third parties”?

Also clarify if property tax is leviable on such an amenities block, If so at what rate?

In this connection you have replied to our above letter vide reference no.3 stating that as per provisions laid in GHMC Act 1955 property tax is levied on all structures constructed as per usage and area wise prescribed in as Govt. Gazette for non residential properties.

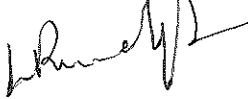


With reference to your above letter (reference No.3) we seek further clarification in this matter.

1. Can such amenities be used for commercial purposes?
2. Can such amenities area be sold or leased?
3. In case the amenities area is used only by the residents of the residential complex and is not used for commercial purposes, is property tax leviable on such amenities? (please note that in this case such amenities are similar to common passages, lift rooms, electrical panel rooms, open spaces, parks and playgrounds – on which property tax cannot be levied).

Please clarify the same at the earliest.  
Thank you,

Yours sincerely,



(L. Ramacharyulu).