

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Municipal Administration and Urban Development Department – Andhra Pradesh
Municipalities Development Control Rules 2008 - Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (M1) DEPARTMENT

G.O.Ms.No.569

Dated: 23-8-2008
Read the following: -

1. G.O.Ms.No. 422 MA&UD (M1)Dept Dated 31-07-1998
2. G.O.Ms.No.737 M.A & U.D (M1) Dept Dated 3-10-2007
3. Objections and Suggestions called for vide Memo No. 24282/M1/2007 dated 10-12-2007, and published in the A.P. Extraordinary Gazette, dated 10-12-2007

<<>><<>>

ORDER: -

In exercise of the powers conferred under Section 326 of the A.P. Municipalities Act 1965 and Sub Section (1) of Section 44 of the A.P. Town Planning Act, 1920, and in supersession of the orders issued in the G.O. 1st read above and as amended from time to time, the Government of Andhra Pradesh hereby issue the following Development Control Rules for Municipalities in the State. Any inconsistency, contradiction or conflict that may arise in the said existing rules/ bylaws/ regulations, etc., such inconsistency/ contradiction or conflict shall stand modified and to that extent, the provisions in these rules shall apply.

1. Short Title, Applicability & Commencement:

- a. These Rules may be called “A.P. Municipalities Development Control Rules,2008.”
- b. These rules shall be applicable to all the Municipalities/ Nagar Panchayaths constituted under the provisions of A.P. Municipalities Act, 1965 and excluding the Municipalities, which are within the jurisdiction of any Urban Development Authority and shall come into force from the date of publication of the Notification in the Andhra Pradesh Gazette.
- c. These rules shall apply to all building activity. All existing rules, regulations, bylaws, orders that are in conflict or inconsistent with these Rules shall stand modified to the extent of the provisions of these rules.
- d. In case of Multiplex complexes, the Rules issued vide GO. Ms. No. 486 MA & UD (M1) Department dated 07-07-2007, shall be applicable.

2. Definitions:

1. In these Rules unless the context otherwise requires;
 - (i) ‘Competent Authority’ means the Director of Town & Country Planning,
 - (ii) “Enforcement Authority” means the Commissioner of the Municipality/ Nagar Panchayath or the Executive Authority of a Special Unit created for the purpose of monitoring and enforcement of building and development activity.
 - (iii) “Height of building” means height measured from the abutting road and in case of undulated terrain height can be considered as average of the corresponding ground level or formation level of proposed site.
 - (iv) “High-Rise building” means a building 18 meters or more in height. However, chimneys, cooling towers, boiler rooms/ lift machine rooms, cold storage and other non-working areas in case of industrial buildings and water tanks and architectural features in respect of other buildings may be permitted as a non-High Rise building. Buildings less than 18 m including stilt floor/parking floor stand excluded from the definition of high-rise buildings.

- (v) “Parking Complex/Parking Lot” means premises either built or open which is utilized purely for parking of vehicles and where parking fees is collected by the owner and permitted in specific areas. The minimum site shall be 500 sq.meters
- (vi) “Sanctioning Authority” means the Commissioner of the Municipality or a Special Unit created for the purpose of sanctioning and monitoring building and development activity.
- (vii) “Transferable Development Right” (TDR) means an award specifying the built up area an owner of a site or plot can sell or dispose or utilize elsewhere, whose site or plot is required to be set apart or affected for a community amenity or development for public purpose in the Master Plan/statutory plan or in road widening or covered in recreational use zone, etc.. The award would be in the form of a TDR Certificate issued by the Competent Authority, only after such lands vest with Local authority.
3. Terms and expressions which are not defined in these Rules shall have the same meaning as in the respective rules / regulations / by-laws of the respective local authorities and as defined in the National Building Code as the case may be, unless the context otherwise requires.
4. Restriction on Minimum Building Plot Size along abutting roads in new developments and layouts:

There shall be restriction on the minimum building plot size along the abutting roads in all new development areas and new layouts as indicated in Table-I.

TABLE – I

Abutting road Right-of-way (in Meters)	Minimum plot size allowed (in sq. m)	Max. Plot size allowed (in sq m)
9 and below 12	100	2000
12 and below 18	200	No Restriction
18 and below 30	300	No Restriction
30 and above	400	No Restriction

- Road Right-of-way means the total land width reserved for the road in the layout / Master Plan / Development Plan / Development Scheme whether the road is developed/formed or otherwise and includes the service road, if any, to be provided.
 - Further in all such new approved layouts, the minimum width of roads other than cul-de-sac shall be 12 meters(40ft)
- 4.1 Minimum Approach road requirement for sites in new areas/layout areas:
No site or parcel of land shall be used for building activity unless it has a clear and established approach road of minimum 9 meters WBM provided by the developer/builder/owner at his own cost or deposits the necessary cost for laying of the road by the sanctioning authority.
- 4.2 Access conditions & Requirements for plots/sites abutting Ring roads / Highways / Bypass Roads of 30 meters and above identified in the Master Plan / Zonal Development Plan:

In addition to the requirement of confirming to the minimum plot size along the abutting roads, height and other requirements stipulated in these rules, buildings abutting major roads of 30 meters and above width shall be permitted only after black topped service road of 7 Meters width with two-lane carriageway is provided to the extent of the building in question within the defined Right-of way. It will be the responsibility of the developer / builder / owner to provide the above service road of the standards fixed by the Sanctioning Authority at his own cost. For the purpose of height of proposed buildings, the total Right-of-way including the service road shall be taken as the Road width.
- 4.3 The money so levied and collected under Rule 4.1 and 4.2 above shall be maintained in a separate exclusive account by the sanctioning authority and utilised only for this purpose.

5. Restrictions of building activity in vicinity of certain areas:

- (a) No building/ development activity shall be allowed in the bed of water bodies like River or nala and in the Full Tank Level (FTL) of any lake, pond, cheruvu or kunta /shikam lands.
- (b) The above water bodies and courses shall be maintained as recreational/Green buffer zone and no building activity other than recreational use shall be carried out within:
 - (i) The Coastal Regulation Zone (CRZ) restricted area in case of areas along the sea coast.
 - (ii) 100 meters from the River edge outside Municipal limits and 50 meters within Municipal limits. No permanent constructions/structures will be permitted within the above-mentioned buffer zone.
 - (iii) 30 meters from the boundary of Lakes of area 10 Hectares and above;
 - (iv) 9 meters from the boundary of lakes of area less than 10 Hectares / kuntas / shikam lands;
 - (v) 9 meters from the boundaries of Canal, Vagu, etc.
 - (vi) 2 meters from the defined boundary of Nalas, storm water drains etc.

Unless and otherwise stated, the area and the Full Tank Level (FTL) of a lake / kunta shall be reckoned as measured or given in the Survey of India topographical maps/Irrigation Dept. records.

- (c) Unless and otherwise specified in the Master Plan / Zonal Development Plan,
 - The 9 metre buffer along the canal/ vagu may be developed as Green Buffer/recreational and /or utilised for road of minimum 9 meters width, wherever feasible.
 - In case of (b) (iii) above, in addition to development of recreational/green belt along the foreshores of lake, a ring road or promenade of minimum 12 meters may be developed, wherever feasible; while in respect of foreshores of River a river drive road of minimum 18 meters may be developed in the said 30 meters buffer zone.
 - The above greenery/landscaping and development shall conform to the guidelines and provisions of the National Building Code of India, 2005.
 - The above buffer zone to be left at (b) and (c) above may be reckoned as part of the building setback.
- (d) For Building activity within the restricted zone near the airport or within 500 meters distance from the boundary of Defence areas / Military establishments, necessary clearance from the concerned Airport Authority / Defence Authority / shall be obtained. For sites located within the Air Funnel zone, prior clearance from the Airport Authority shall be obtained.
- (e) In case of sites in vicinity of High Tension Electricity transmission lines besides taking other safety precautions, a minimum safety distance (both vertical and horizontal) of 3 meters shall be maintained between the buildings and the High Tension electricity lines and 1.5 meters for Low Tension Electricity lines.
- (f) In case of sites in the vicinity of oil /gas pipelines, clear distance and other stipulations of the respective authority shall be complied with.
- (g) Distance shall be maintained between Railway boundary and building line in accordance with Railway Manual.

6. REQUIREMENTS OF APPROACH ROAD FOR BUILDING SITES / PLOTS:

TABLE – II

Type/ Use of Building plot permissible		Minimum abutting road width required (in meters)
A) SITES IN OLD/EXISTING BUILT-UP AREAS/CONGESTED AREAS/SETTLEMENT (GRAM KHANTAM/ABADI) (as listed in Annexure I)		
<ul style="list-style-type: none"> Residential Buildings – maximum permissible upto 10 meters height Non-residential buildings and mixed occupancies – maximum permissible up to 12 meters height 		6
B) SITES IN NEW AREAS/ APPROVED LAYOUT AREAS The type of buildings & intensity of development shall be w.r.t. the abutting road width, viz.,		
B 1	Non-High Rise Residential Buildings including Apartment Complexes; Buildings with shopping on GF and residences on upper floor; Basic level social amenities like Nursery School / Religious Place / Public Health Center / Dispensary / Diagnostic Laboratory/ Police outpost/Post Office/ Neighbourhood Library cum Community Center and all buildings up to 15 meters height	9
B 2	In addition to B 1 above, High Rise Building/ Complex of height above 18 meters and up to 24 meters; Group Housing Scheme; Primary School, Middle school / Tutorial institution / General Industry / Godown / Petrol/diesel Filling station; High School, Junior College / Commercial Complex, Computer units/ Office Building, ITES Complex, Nursing Home / Community Hall / Function/Marriage Hall / Assembly Hall/Cinema Theater; Service establishment/ Workshop; Others not specified in the Table and all non high-rise buildings up to 18 meters height	12
B 3	In addition to B 1 & B 2 above, High Rise buildings above 24 meters and up to 30 meters height; General Degree and other non-professional College / Polytechnic, ITI; Professional College Campus; Multiplex Complexes, Shopping Malls, Hospitals and all non high-rise buildings up to 18 meters height	18
B 4	In addition to B 1 to B 3 above, High Rise Buildings above 30 meters height	24

- The sites in old/existing built-up areas/congested areas/settlement (Gram Khantam/Abadi) shall be as notified by the Local bodies in consultation with the Competent Authority including list of areas prohibited for High-rise buildings.
 - In case of single plot sub-division approved by the sanctioning authority, a means of access of minimum 3.6 meters pathway may be considered for individual residential building and 6 meters for Apartment Complexes / Commercial Complexes and other non-high rise buildings.
- (i) Where the existing road is less than 6 meters, building in the site would be allowed after setting back 4.5 meters from the center line of such existing road and after leaving the front setback.
- (ii) In case of existing buildings approved prior to these Rules, further additions of floors on the earlier permitted building may be considered either as per these rules or the then rules in force in respect of setbacks, whichever the applicant opts for. This will not apply for building extensions or redevelopment ventures in such sites.

- (iii) Building line is from the edge of the Road Right-of-way (whether existing or proposed). In individual plots where a plot abuts two or more roads, the setbacks shall be as per the building line for the road having maximum width
- (iv) All buildings shall be constructed in conformity with the zoning regulations.

7.0 PERMISSIBLE HEIGHT & SETBACK REQUIREMENTS:

There are no plot size stipulations based on use or occupancy of the building. However, the sites shall conform to the statutory Development Plan and Zoning Regulations for permitting the building activity. The setbacks and height stipulations given hereunder are applicable for all types of non-High Rise buildings.

7.1 MINIMUM SETBACKS & HEIGHT STIPULATIONS FOR ALL TYPES OF NON-HIGH RISE BUILDINGS

(BUILDINGS BELOW 18 meters height inclusive of stilt / parking floor):

- (i) The permissible coverage would be as per the minimum setbacks to be left within the given site. The minimum setbacks and permissible height would be as per Table – III given below and shall be permissible subject to the following conditions:
 - a) Buildings of height above 15 meters and below 18 meters in Sl. No. 8 of Table – III, shall be permitted only if such plots abut roads of 12 meters minimum width.
 - b) Stilt parking floor permissible is exclusive of height of building up to 15 meters. Height of stilt floor shall not exceed 2.75 meters. In case of non-residential occupancies on sites below 750 sq. meters, for parking a semi-basement of 3 meters height and with such height not exceeding 1.5 meters above ground level may be considered. In case of parking floors where mechanical system and lift are provided, height of such parking floor upto 4.0 meters could be considered.
 - c) Wherever cellars/sub-basements are permissible, these are excluded from height of Building
 - d) No Balcony projection shall be allowed to extend on to the minimum setbacks. These if provided, shall be within the minimum setback required to be left. However, a portico without access to the top may be considered in the front open space.
 - e) In case of Sl. Nos. 4 to 8 of Table – III, stepped type buildings or incremental type buildings may be allowed only in respect of individual residential or educational / institutional buildings and such incremental development would be considered only after a minimum time period of 5 years.
 - f) As per the provisions of the AP Fire Service Act, 1999, commercial buildings of height 15 meters and above, and buildings of public congregation like schools, cinema theatres, function halls and other assembly buildings on plot area of 500 sq. meters and above or of height above 6 meters are required to obtain prior clearance from Fire Department from fire and life safety point of view.
 - (g) The setbacks are required to be left after leaving the affected area of the plot / site, if any, for road widening. In respect of owners who surrender land affected in road widening free of cost, would be eligible for concessions in setbacks under G.O. Ms. No.15 M.A., dt.15-01-1998 and instructions issues by the Government from time to time.
 - (h) Building line is from the edge of the Road Right-of-way (whether existing or proposed).
 - (i) Where the lighting and ventilation of a building is through the means of a chowk or inner courtyard or interior open space/duct, such open space shall be open to sky and of area at least 9.0 sq. meters and no side shall be less than 1.5 meters in case of buildings of height up to 12 meters and in case of buildings of height above 12 meters no side shall be less than 2 meters.
 - (j) A strip of at least 1.0 meters greenery/lawn along the frontage of the site within the front setback shall be compulsorily developed and maintained with greenery and trees.

- (k) For plots above 200 sq. meters, in addition to (vi) above, a minimum 1 meter wide continuous green planting strip in the periphery on remaining sides are required to be developed and maintained within the setback.
- (l) For all residential / Institutional / Industrial plots above 750 Sq. meters, in addition to (vi) and (vii) above, 5% of the site area has to be developed as tot-lot / landscaped area and trees planted and maintained. Such organised open space could be in more than one location and shall be open to sky and shall be of a minimum width of 3 meters.
- (m) To enhance the streetscape in respect of 18 meters and above roads, no front compound wall is recommended along the front setback. Only iron grill or low height green hedge and / or with sloping type planters is recommended along such roads.
- (n) In all plots 750 sq. meters and above, provision shall be made for earmarking an area of 3 meter x 3 meter for the purpose of setting of public utilities like electricity distribution transformer, etc. within the owner's site and located in a corner splay of setback subject to mandated public safety requirements, ensuring turning radius for vehicles etc.
- (o) If the above greenery mentioned at (j) to (l) above and Rule 9.10 is not maintained, 10% of additional Property tax every year would be imposed as penalty by the sanctioning authority till the condition is fulfilled.
- (p) In case of plots above 300 sq. meters and upto 750 sq. meters, it is permitted to transfer up to one meter of setback from one side to the other side, and in case of plots above 750 sq. meters, it is permitted to transfer up to 2 meters of setback, which needs to be uniform at any given point, subject to maintaining of minimum building line in the front.
- (q) In case of corner plots or plots abutting two or more roads, the front setback shall be as per the building line for the road having maximum width.
- (r) For narrow plots where the length is 4 times the width of the plot or more, the setbacks on sides may be compensated in front and rear setbacks so as to ensure that the overall aggregate setbacks are maintained in the site, subject to maintaining a minimum of 1 meter on each side.
- (s) The space between 2 blocks shall be as given in Table-V.
- (t) The height of the building will be calculated after excluding the parking floors for the purpose of computation of minimum setbacks to be left.
- u) Where all the owners of sites along the abutting road come forward for widening of the road by undertaking preparation of a Road Development Plan which would improve circulation in the area and duly approved by the competent authority, and by leaving the area affected in the widening of such road free of cost and implement it within one year, then higher height of the corresponding widened road width would be considered for such sites.
- (v) Splay at road junctions, including Y-junctions shall be provided as follows:
- 3.0 meters x 3.0 meters offset/splay if the width of the road is 12 meters or less;
 - 4.5 meters x 4.5 meters offset/splay if the width of the road is above 12 meters but less than 24 meters in width;
 - 6.0 meters x 6.0 meters offset/splay if the width of the road is above 24 meters;
 - In case of road junctions of different widths, a combination of the above as the case may be shall be ensured;
 - The area of such splay would be deemed to form part of the road junction. No compound wall or any structure shall be allowed to be constructed in the splay area.
- ii) For the purpose of these Rules, the following conversion from M.K.S. and F.P.S. system shall be reckoned:

(i) 3 meters= 10 ft	(ii) 6 meters= 20 ft	(iii) 7.5 meters= 25 ft
(iv) 9 meters= 30 ft	(v) 12 meters= 40 ft	(vi) 15 meters= 50 ft
(vii) 18 meters= 60 ft	(viii) 24 meters= 80 ft	(ix) 30 meters= 100 ft
(x) 45 meters=150 ft	(xi) 60 meters= 200 ft.	

TABLE – III

Sl No	Plot Size (in sq meters)	Parking provision	Height permissible (in meters)	Building line or minimum front setback (in meters) to be left					Minimum setbacks on remaining sides (in meters)
				Abutting road width					
				Up to 12	Above 12 & up to 18	Above 18 & up to 24	Above 24 & upto 30	Above 30	
1	2	3	4	5	6	7	8	9	10
1	Less than 100	-	7	1	1	3	3	3	-
2	100 & upto 200	-	10	1.5	1.5	3	3	3	1.0
3	Above 200 & upto 300	Stilt parking floor allowed	Upto 7	2	4	5	6	7.5	1.0
			Upto 10	3	4	5	6	7.5	1.5
4	Above 300 & upto 500	Stilt parking floor allowed	Upto 7	3	4	5	6	7.5	2.0
			Upto 12	3	4	5	6	7.5	2.5
5	Above 500 & upto 1000	Stilt parking + One Cellar floor allowed	Upto 7	3	4	5	6	7.5	3.0
			Upto 12	3	4	5	6	7.5	3.5
			Below 15	3	4	5	6	7.5	4
6	Above 1000	Stilt parking+ 2 Cellar floors allowed	Upto 7	3	4	5	6	7.5	3.5
			Upto 12	3	4	5	6	7.5	4
			Below 15	3	4	5	6	7.5	5
			Below 18*	3	4	5	6	7.5	6

7.2 OTHER REQUIREMENTS FOR BUILDINGS ABOVE 10 METER HEIGHT

(a) Provision of Joint Open Space in certain cases:

With a view to facilitating fire and emergency operations in a building site and adjoining sites, the Fire Service Department, in addition to the minimum setbacks to be left, may insist on the owner for providing Joint Open space between the proposed site and adjoining sites for mutual use during fire and emergencies. The Joint open space shall be reckoned from building edge to building edge (inclusive of any type of projections). Such Joint open space shall not be less than 6metersin respect of non-high rise buildings and not less than 9metersin respect of high-rise buildings.

Such Joint open space shall be kept un-obstructed and open to sky and no permanent compound wall of masonry or civil construction would be allowed. The compound wall, if any, shall be of fencing type or collapsible type. The greenery and landscaping shall be of soft type with lawns, grass, creepers and climbers and shrubs variety of plants and mountable in cases of emergencies. The Joint open spaces shall be maintained to the satisfaction of the Fire Service Department.

Clearance would be considered only after the Builder/Developer/Owners provide an Undertaking to this effect.

- (b) The building requirements and standards other than heights and setbacks specified in the National Building Code of India, 2005 shall be complied with.
- (c) Such buildings shall be undertaken by owners by engaging registered architects/licenced builders/developers and licenced structural engineers. The designs and building plans shall be countersigned by the owner, licenced developer, registered architect, licenced engineer and a qualified & licenced structural Engineer who shall be responsible for the supervision, structural safety, earthquake safety, fire safety and specifications compliance of such buildings. Buildings shall be designed for compliance with earth quake resistance and resisting other natural hazards. The Completion Certificate shall contain that the norms have been followed in the design and construction of buildings for making the buildings resistant to earthquake, compliance with structural safety and fire safety requirements.
- (d) The work of the building services like sanitation, plumbing, fire safety requirements, lifts, electrical installations, and other utility services shall be executed under the planning, design and supervision of qualified and competent technical personnel.
- (e) The parking requirements shall be complied as given in these rules. The parking facilities and vehicles driveways etc. shall be maintained to the satisfaction of the sanctioning Authority.
- (f) Shall provide solar water heating system in the building and solar lighting in the site for outdoor lighting within the site, etc. and give a bank guarantee to this effect to the sanctioning authority for compliance of the same.
- (g) All Public and semi-public buildings including Assembly Buildings/Commercial complexes and other Public Congregation Buildings with covered area above 300 sq m shall be designed and constructed to provide facilities to the physically handicapped persons as prescribed in the National Building Code of India, 2005.
- (h) In all buildings irrespective of above height provisions, the requirements of parts of the building like size and area requirements of habitable rooms, kitchen, bathrooms and Water closets, other areas, corridor and staircase widths, service ducts, etc. shall conform to the National Building Code of India,2005.
- (i) All environmental aspects like provision of Rain water harvesting structures, greenery, solar heating and area lighting systems, Andhra Pradesh Water, Land & Tree Act provisions, etc., shall be complied with in such of the sites and Schemes where these are applicable.

8. ENCOURAGEMENT FOR BUILDINGS WITH CENTRAL COURTYARDS :

As an encouragement for developing 'U' type buildings (in respect of non-residential buildings only) with central courtyards, the setbacks of sides and rear, except the front setback, can be reduced provided:

- (a) the area so saved is transferred to the central area/space or court yard;
- (b) the minimum open space on sides and rear except front, shall be
 - 1.5 meters for building height upto 12 meters;
 - 2.0 meters for building height upto 15 meters;
 - 3.0 meters for building height upto 18 meters;
 - 6.0 meters in case of high rise buildings up to 21 meters height and buildings coming under purview of AP Fire Services Act, 1999 and
 - 7 meters in respect of buildings 21 meters to 30 meters height.

Such high rise buildings and buildings coming under purview of AP Fire Services Act,1999 need to obtain prior clearance from the Fire Services Department;

- (c) The depth of such courtyard shall be at least 50% of the average building depth.

9. REQUIREMENTS FOR HIGH RISE BUILDINGS:

- 9.1 High Rise buildings / Complexes shall not be allowed in Congested areas/existing areas and settlement areas / Abadi /Gram khantam areas.
- 9.2 The minimum size of plot for High Rise building shall be 2000 sq. m.
- 9.3 In respect of sites proposed for high rise buildings and affected in road widening where there is shortfall of the net plot size, upto 10% of such shortfall in net plot area would be considered with the proposed height and corresponding minimum all round setbacks.
- 9.4 The building bulk, coverage and height shall be governed by the minimum all-round setbacks to be left, the organised open spaces to be left and the height restrictions imposed by the Airport authority (if applicable) / Defence authorities (if applicable) and Fire Services Department and the City-level Impact fee on built up area required to be paid, as applicable.
- 9.5 Prior Clearance From Airport Authority:
For any High Rise building located in vicinity of airports as given in the National Building Code, the maximum height of such building shall be decided in consultation with the Airport Authority and shall be regulated by their rules/requirements. Interstitial sites in the area which are away from the direction of the Airport Funnel zone and already permitted with heights cleared by the Airport Authority shall be permitted without referring such cases to the Airport Authority.
- 9.6 Every application to construct or reconstruct a High Rise building or alteration to existing High Rise building shall be made in the prescribed form and accompanied by detail plans floor plans of all floors, complete set of structural drawings and detail specifications duly certified by a qualified structural engineer. Necessary prior NOC shall be submitted from the Airport Authority (if applicable) and Directorate of Fire services, along with the application.
- 9.7 The minimum abutting road width and all round open space for High rise Building / Complex shall be as follows:

TABLE – IV

Height of building(in meters)	Minimum abutting road width required (in meters)	Minimum alround open space on remaining sides (in meters) *
(1)	(2)	(3)
Up to 21	12	7
Above 21 & up to 24	12	8
Above 24 & up to 27	18	9
Above 27 & up to 30	18	10

For heights above 30 meter specific approval from the Government shall be required.

The front open space shall be on the basis of the abutting road width and shall be either as given in Col. 3 of above Table-IV or the Building line given in Table-III whichever is more and shall be permissible subject to the following conditions:-

- (i) The abutting road has to be black-topped with minimum 2-lane carriageway. Service roads where required as per these Rules shall be minimum 7 meters wide with minimum 2-lane black topped carriageway.
- (ii) For upper floors from 2nd floor onwards, the balcony projection of up to 2 meters may be allowed projecting onto the open spaces.
- (iii) The open space to be left between two blocks shall be equivalent to the open space mentioned in Column (3) of above Table IV.
- (iv) It is permitted to transfer upto two meters of setback from one side to the other side, which needs to be uniform at any given point, subject to maintaining of minimum setback of 7 meters on all sides.

- (v) Where the lighting and ventilation of a building is through the means of a chowk or inner courtyard or interior open space/duct, such open space shall be open to sky and of area at least 25 sq. meters and no side shall be less than 3 meters.

9.8 TOWER AND PODIUM TYPE HIGH RISE STRUCTURE MAY BE ALLOWED WITH THE FOLLOWING:

- (a) For podium, i.e., Ground plus first floor: all-round setbacks shall be 7 meters all-round
- (b) For the Tower block: The coverage and around setbacks shall be minimum 50 % of the Podium Block, and shall be at least 3 meters from the Podium edge on all sides,
- (c) the fire safety and fire escape measures for the Tower Block shall be independent of the Podium Block.

9.9 "STEPPED TYPE" OR "PYRAMIDAL TYPE" HIGH RISE STRUCTURE

Such type of high rise building blocks may be allowed with the following open space requirements:

- (a) At ground level : minimum 9 meters all round open space for the first five floors
- (b) At upper floors : increase of 3 meters all round open space or more, for every 5 upper floors or 15 meters height or part thereof, over and above the ground level open space of minimum 9 mt.

9.10 Provision of greenery

- a) In every high rise building site, an organised open space which shall be utilised as greenery, tot lot or soft landscaping, etc. shall be provided over and above the mandatory open spaces to be left in and around the building. This space shall be at least 10% of total site area and shall be of regular shape with a minimum width of 2 Meters. This may be in one or more pockets and shall be open to sky.
- (b) In addition to the above, a minimum 2 meter wide green planting strip in the periphery on all sides within the setbacks are required to be developed and maintained in all high rise building sites.
- (c) Rain water harvesting structures shall be provided in the prescribed manner within the setbacks.

9.11 COMPLIANCE OF NATIONAL BUILDING CODE PROVISIONS FOR AMENITIES AND FACILITIES IN ALL HIGH RISE BUILDINGS

- (i) The building requirements and standards other than heights and setbacks specified in the National Building Code, 2005 shall be complied with.
- (ii) Such buildings shall be undertaken by owners by engaging registered architect, licenced builders/developers and licenced structural engineers. The designs and building plans shall be countersigned by the owner, licenced developer, registered architect, licenced engineer and a qualified & licenced structural Engineer who shall be responsible for the supervision, structural safety, fire & life safety and specifications compliance of such buildings. Buildings shall be designed for compliance with earth quake resistance and resisting other natural hazards.
- (iii) The Completion Certificate issued by the registered architect and licenced engineer and structural engineer shall certify that the norms have been followed in the design and construction of buildings for making the buildings resistant to earthquake, compliance with structural safety, fire and life safety requirements, and that the building is constructed in accordance with the sanctioned drawings.
- (iv) The work of the building services like sanitation, plumbing, fire & life safety requirements, lifts, electrical installations, and other utility services shall be executed under the planning, design and supervision of qualified and competent technical personnel.

- (v) In addition to the required staircases and lifts, there shall be at least one fire escape staircase and lift. These lifts shall be got certified from the manufacturer's authorised Service technical personnel from time to time.
- (vi) Provision for power generator shall be made in all high-rise buildings.
- (vii) All high-rise buildings shall be planned, designed and constructed to ensure fire & life safety requirements are met and maintained and shall comply in accordance with the Fire Protection Requirements of National Building Code of India.
- (viii) The facilities for providing fire protection and fire fighting facilities in such buildings should be in compliance with the stipulations laid down and clearance issued by the Fire Department from time to time. NOC from the Fire Department shall be obtained from time to time regarding the fire safety requirements, equipment and facilities installed. The designs and installations regarding fire protection and safety measures including exit requirements and smoke containment and smoke management measures shall be undertaken through a fire engineer/ fire consultant.
- (ix) The parking requirements shall comply as given in these rules. The parking facilities and vehicles driveways etc. shall be maintained to the satisfaction of the sanctioning Authority.
- (x) All high-rise buildings shall be provided with solar water heating system in the building and solar lighting in the site for outdoor lighting, etc. and give a bank guarantee to this effect to the sanctioning authority for compliance of the same.
- (xi) All high-rise public and semi-public buildings/ Assembly buildings/ Commercial complexes and such other public congregation buildings shall be designed and constructed to provide facilities to the physically handicapped persons and elderly persons as prescribed in the National Building Code of India, 2005.
- (xii) In all high rise buildings, the requirements of parts of the building like size and area requirements of habitable rooms, kitchen, bathrooms and Water closets, , corridor and staircase widths, service ducts, and other areas shall be designed and conform to the provisions of the National Building Code of India.
- (xiii) All environmental aspects like provision of Rain water harvesting structures, greenery, solar heating and area lighting systems, Andhra Pradesh Water, Land and Tree Act provisions, etc., shall be complied with.

10. REQUIREMENTS OF GROUP DEVELOPMENT, GROUP HOUSING/ CLUSTER HOUSING/ RESIDENTIAL ENCLAVES AND ROW HOUSING SCHEMES:

10.1 Such developments shall be considered where the site is developed together with buildings and all amenities and facilities are provided, and not disposed as open plots.

10.2 All Group Development Schemes, Group Housing Scheme / Cluster Housing Scheme applications shall in addition to the requirements under these Rules, be accompanied by:

- i) A Services and Utilities Plan as per standards for provision of water supply system, drainage and storm water disposal system, sewerage system, rain water harvesting structures, and for other utilities.
- ii) A landscaping plan including rain water harvesting/ water recycling details.
- iii) Parking & internal Circulation Plan along with Common pool parking area plan, if any.

The above shall be drawn on suitable scale with relevant details.

10.3 The minimum plot size for Group Housing Schemes and Group development Schemes shall be 2000 sq.meters and the minimum abutting road width shall be 12 meters wide and black topped. The internal roads may be of 9 meters width in case of non-high rise blocks.

10.4 In case of housing in large plots or blocks, the proposals should be promoted with the immediate improvement of the accessibility of the site from the nearest main road by way of an approved Road Development Plan with a minimum width of 12 meters which should be implemented by the licenced developer within a period of three years. Any road widening required shall be deemed to be approved under

these Rules and has to be adhered to by all the owners / local body / licenced developer.

- 10.5 All Group Housing Schemes/ Group Development Schemes/ Cluster housing / Residential Enclaves and row type development schemes shall be developed with complete infrastructure facilities and amenities as stated at (i) and (ii) above.
- 10.6 These shall not be applicable in case of Government sponsored Housing Scheme/ approved NGOs or private schemes, and the guidelines and requirements as given in the National Building Code for Low Cost Housing / Government orders issued from time to time shall be followed.
- 10.7 No additional or proportionate open space charge need to be levied in such schemes.
- 10.8 GROUP DEVELOPMENT SCHEMES & GROUP HOUSING SCHEMES

Group Housing Schemes include Apartments in two or more blocks, cluster housing, row housing/semi-detached type housing, residential enclaves or a combination/mix of the above type of housing units. These could be high-rise or simple walk-up units.

Group Development Schemes (for non-residential category of development) are reckoned as Building in two or more blocks in a campus or site, and could be normal height buildings or high-rise blocks or combination of both.

The open spaces/setbacks for such type of development shall be as follows:

TABLE – V

Height of building block(in meters)	Distance to be maintained from periphery to building block (in meters)	Distance between two blocks (in meters)
Up to 10 mtrs.	3	2
Above 10 mtrs. & up to 15 mtrs.	4	3
15 mtrs. & below 18 mtrs.	6	6
18 and Above	As per around setbacks required under High-rise buildings given in Table IV	

and are permissible subject to the following conditions:

- (a) (i) Stilt floor permissible and is exclusive of height of building up to 15 meter Height of stilt floor shall not exceed 3.0 meters.
- (ii) Where cellars are permissible these are excluded from height of Building.
- (iii) No Balcony projection shall be allowed to extend onto the minimum distances to be maintained & other open spaces.
- b) Common amenities and facilities like shopping center, community hall or center / club house etc. are required to be provided in up to 5 % of the total built up area and shall be planned and are required to be developed in cases where the units are above 100 in number and not be part of the residential blocks.
- c) A through public access road of 9 meters width with 2-lane black-topped is to be developed on any one side at the periphery/ as per suitability and feasibility for the convenience of accessibility of other sites and lands located in the interior. This may not be necessary in case where a peripheral road of minimum 9 meters width already exists.
- d) In case of blocks up to 12 meters height, access through pathways of 6 meter width branching out from the internal roads/loop road would be allowed. All internal roads and pathways shall be developed as per standards.
- e) Minimum of 10 % of total site area shall be earmarked for organised open space and be utilised as greenery, tot lot or soft landscaping, etc. and shall be provided over and above the mandatory open spaces. This may be in one or more pockets and shall be open to sky.

- f) All the roads and open spaces mentioned in various schemes in Rule 10 shall be handed over to the local authority at free of cost through a registered gift deed before the issue of Occupancy Certificate. The local authority may in turn enter in to an agreement with the Society/ Association for utilizing, managing and maintaining the roads and open spaces. In case of any violation or encroachment, the local authority has the power to summarily demolish the encroachments and resume the roads and open spaces and keep it under its custody.

10.9 ROW TYPE HOUSING / ROW TYPE SHOPPING PRECINCTS:

- a) Minimum site area : 1000 sq m
- b) Minimum size of individual plots for row houses / Row shops: 50 sq m.
Not more than 8 plots shall be developed in a row.
Separation between two blocks shall not be less than 6 mt, which may be an open space or an alley/pedestrian plaza.
Only internal staircase would be allowed.
- c) Minimum width of internal roads: 9 m ;
Internal cul-de-sac road 6m with max. length 50 meters is allowed
- d) Minimum open space : 10 % of site area
- e) Height permissible: 2 floors or 6 m for plots up to 125 sq m
Stilt + 2 floors for plots above 125 sq m for row houses
- f) Minimum setbacks: Front 3m ; Rear 1.5 m
The setbacks in a row can be interchangeable.
In case of row type shopping precincts, back to back shops with above front setback of 3m would be allowed.
- g) In case of very large projects, i.e., more than 5 acres, additional common amenities and facilities like shopping center, community hall/club house etc. are required to be provided in 5 % of the area.
- h) In case of Row Type Shopping Precincts, common basement parking in one or more levels would be permissible subject to conditions mentioned in Rule (11).

10.10 CLUSTER HOUSING

- (a) Minimum site area: 1000 sq m
- (b) Minimum plot size for cluster house: 25 sq m with maximum number of 20 houses in a cluster
- (c) Minimum size of cluster open space: 36 sq m with a minimum width of 6m
- (d) Height permissible: 2 floors or 6 m
- (e) Minimum access road to the Cluster Housing Complex: 9 m
- (f) Internal access may be through pedestrian paths of 6 m
- (g) Minimum space between two clusters: 6m which may be utilised as pathway/alley
- (h) Building setbacks: No setbacks are needed for interior clusters as the lighting and ventilation is either from the central open space of cluster and the surrounding pedestrian pathway/ access road of the cluster. However, interior courtyards may be provided for larger plots and building areas to facilitate lighting and ventilation. For end clusters sides that are abutting peripheral thoroughfare roads, setback shall be as per the Building line given in Table-III.

10.11 RESIDENTIAL ENCLAVES:

- (a) These would be allowed as gated developments that are exclusive housing areas with common compound wall with access control through gates and having their own facilities and amenities. The housing units may comprise of row houses, semi-detached, detached or Apartment blocks or a mix or combination of the above. The building requirements would be as per the given type of housing.
- (b) Residential enclaves would be permitted only in those sites that give through access of minimum 9 m peripheral road for the neighbouring plots or lands that are located in the interior. They would be governed by good design standards and not impinging on the overall accessibility and circulation network of the area.
- (c) Minimum size of site: 4000 sq mt.
- (d) Size of plots and height permissible: as per type of housing and requirements as given above for the respective type of housing.
- (e) Minimum Common Open space : 10 % of site area.
- (f) Building setbacks: As per type of housing & requirements given above for the said type of housing and as per Table III.
- (g) Internal Road requirements:
 - 9.0 to 18 m for main internal approach roads;
 - 9 m for other internal roads and
 - 8 m for cul-de-sacs roads between 50-100 m length
 - 9 m for looped roads

11. PARKING REQUIREMENTS:

11.1 In all Complexes including Residential Complexes, Hotels, restaurants and Lodges, business buildings, commercial buildings, Institutional buildings like hospitals, Educational buildings like schools and colleges, high-rise buildings/Complexes, and for all other non-residential activities provision shall be made for parking spaces as per the following requirements:

TABLE – VI

Category of building/activity	Parking area to be provided as percentage of total built up area	
	Special Grade / Selection Grade Municipalities	Other Municipalities
Shopping Malls*, Information Technology Enabling Services Complexes	30 %	25 %
Hotels, restaurants, lodges, Cinema halls, business buildings, other commercial buildings, Kalyana Mandapams, Offices, & Non Residential High-rise Buildings / Complexes	25%	20 %
Residential Apartment Complexes including High-rise Buildings. Hospitals, Institutional buildings, Industrial buildings, Schools, Colleges and other educational buildings, Godowns & Other uses.	20 %	20 %

*Parking and other requirements in case of Multiplex Complexes shall be governed by the provisions of Multiplex Rules

11.2 The parking spaces may be provided in (for all Schemes):

- (i) In basements or cellars allowed upto 3.25 meter., in one or two level and such cellars shall be allowed for plots 750 sq m and above; or
- (ii) On stilt floor or in upper parking floors (at any level) – the height of such parking floors shall be allowed upto 2.75 meter height;
- (iii) in the open space over / setbacks (except the front setback) to be left around the building with adequate vehicular access, aisle, drives, ramps required for maneuvering of vehicles; or
- (iv) Common pool parking area (in the case of Group Housing Scheme/Residential enclave/Cluster housing/Row housing schemes); or
- (v) Combination of any or all the above;
- (vi) In case of non-residential occupancies on sites below 750 sq. meters for parking a semi-basement of 3 meter height and with such height not exceeding 1.5 meter above ground level may be considered.

11.3 The other aspects for providing parking spaces are:

- (i) Common and Continuous cellar parking floors between adjoining buildings would be allowed depending upon structural safety aspects, mutual agreement between owners, etc.
- (ii) The parking spaces should be efficiently designed and clearly marked and provided with adequate access, aisle, drives and ramps required for maneuvering of vehicles.
- (iii) Stilt floor /Cellar parking floor shall be used only for parking and not for any habitation purpose. Misuse of the area specified for parking of vehicles for any other use shall be summarily demolished / removed by the Enforcement Authority.
- (iv) For parking spaces in basements and upper storeys of parking floors, at least two ramps of minimum 3.6 meters width or one ramp of minimum 5.4 meters width and adequate slope shall be provided. Such ramps may be permitted in the side and rear setbacks after leaving sufficient space for movement of fire-fighting vehicles. Access to these may also be accomplished through provisions of mechanical lifts.
- (v) Basement/cellar shall be set back at least 1.5 meters from the property line and in case of more than one cellar 1 meter additional setback for every additional cellar floor shall be insisted.
- (vi) Up to 10% of cellar may be utilized for utilities and non-habitation purpose like A/C Plant room, Generator room, STP, Electrical installations, Laundry, etc,
- (vii) Space over and above 6 meter in front setback may be considered as off-street parking space.
- (viii) Visitors parking to be provided shall be 10 % of the area mentioned in Table VI, and may be accommodated in the mandatory setbacks other than the front setback, wherever such setbacks are more than 6 meters. The Visitors Parking facility shall be open to all visitors.
- (ix) In respect of Apartment Complexes / Building / Block, in sites up to 750 sq. meters. The Parking requirement shall be deemed to be met if the entire stilt floor is left for parking.
- (x) A WC / Toilet facility shall be provided for watch and ward in the stilt floor.

11.4 Encouragement for provision of Parking Complexes

To encourage parking complexes, Parking lots and enclaves, owners who develop parking complexes / Parking lots, the following incentives would be considered:

- (a) equivalent built up area of such Parking Complex / or area of Parking lot as the case may be would be considered as Transferable Development right by the sanctioning authority.

- (b) In an existing area/locality where an owner or two or more owners come together and develop combined or common parking Complex, pedestrian plaza/ subway, or improve/facilitate additional access by linking with surrounding roads etc for public usage are provided, as part of their premises / land development/improving the urban design aspects, additional bonus built up area /TDR would be considered by the sanctioning authority.
- (c) The setbacks for Parking Complexes shall be as follows:
 - front – as per building line
 - setbacks on remaining sides – 50% of setbacks given in Table III
- (d) No fees and other charges shall be charged by the Sanctioning Authority for the area/floors developed as Parking Complex / Parking lot;
- (e) A moratorium on property tax for 5 years would be considered;
- (f) For the next 5 years – Property tax shall be levied on the lowest slab of residential category.
- (g) Such parking complexes may be permitted along or off main commercial roads, city center, near public congregation buildings/places, close to Bus stations, Railway Stations and any public transport system so as to encourage use of public transport, etc. Access to these parking spaces in such Complexes may be accomplished through provision of mechanical lifts. Such areas may be identified by the sanctioning authority and notified to public every year by 1st April.

12. RESTRICTIONS ON PROJECTIONS ALLOWED IN MANDATORY OPEN SPACES:

Only the following Projections shall be allowed in the mandatory open spaces / setbacks / interior open spaces:

- (i) No balcony projections or corridor shall be permitted beyond the setbacks i.e., projecting within the mandatory open spaces in case of non-high rise buildings. These, if provided for, shall be set back as per the minimum mandatory open spaces and the setback shall be clear from the edge of the balcony or corridor.
- (ii) Cornice, Chajjas / weather shades only of width not exceeding 60cm shall be allowed in the mandatory setbacks.
- (iii) In case of plots more than 300 sq m:
 - a. Sump, septic tank, well and a servant quarter may be allowed in the rear and side open spaces. These shall need to be setback at least 1.5 m from the property or boundary line of the plot.
 - b. Parking sheds, generator room may be allowed in the rear and side open spaces.
 - c. In the front setback only a security guard booth of 2 sq.mt may be allowed.
The height of the above-mentioned accessory buildings shall not be more than 2.50 m and shall not occupy more than 1/4th of the plot width. These shall be so located so they do not hinder the fire safety measures and operations.

13. TECHNICAL CLEARANCE FROM COMPETENT AUTHORITY.

- 13.1 Commissioners concerned are empowered to directly sanction the applications for building permission up to 10 meters height in plot area upto 300 Sq. Meters, and in those sites where the proposed activity are permissible in normal course as per Zoning Regulations.
- 13.2 For the buildings above 10 Meter Height and up to 15 Meter Height and on plot area up to 1000 Sq. Meters, and permissible in normal course as per zoning regulations, the Commissioner shall obtain prior technical clearance from the Regional Deputy Director of Town Planning concerned.

- 13.3 For buildings in sites above 1000 Sq. Meters and those which are permissible under “Appeal Clause” under the zoning regulations, prior technical clearance shall be obtained from the competent authority.
- 13.4 For the proposals in respect of Group Development, Group Housing Schemes like Cluster housing/ Residential enclaves/ Row Housing/Semi detached housing schemes and Gated Community, technical approval from the competent authority is required to be obtained.

In case of the proposals in respect of High Rise Buildings prior technical clearance by the Committee consisting of the following members shall be obtained by the Commissioner:

- a) Municipal Commissioner – Member
- b) Regional Deputy Director of Town Planning – Member
- c) Superintending Engineer, Public Health Dept. – Member
- d) A Senior practicing Architect (to be nominated by DTCP) – Member
- e) City Planner/Town Planning Officer of local body --Member-Convener

The Committee shall give its clearance within one week and the building drawings shall be sanctioned by the Commissioner based on the clearance given by the Committee.

14. URBAN DESIGN AND ARCHITECTURAL CONTROL

For certain areas as well as sites abutting major roads of 30 meters and above, the Sanctioning Authority may enforce urban design and architectural control. These shall be detailed out keeping in view the development conditionalities and requirements given in these Regulations and the National Building Code norms. For this purpose, urban design and architectural control sheets/Plans approved by the Sanctioning Authority shall be complied with.

15. OBLIGATIONS OF THE OWNER AND LICENCED DEVELOPER/BUILDER / LICENCED TECHNICAL PERSONNEL TO IMPLEMENT AND DEVELOP THE MASTER PLAN/STATUTORY PLAN CIRCULATION NETWORK AND SPECIFIC LAND USES:

- (1) Where any land or site or premises for building is affected in the statutory plan/ Master Plan road or circulation network or an road required to be widened as per a Road Development Plan, such area so affected in the road or circulation network shall be surrendered to the Sanctioning Authority by the owner of land. No development permission shall be given unless this condition is complied with.
- (2) Upon surrendering such affected area and vesting it with the local authority, the owner of the site would be entitled to a Transferable Development Right (TDR) as given in Rule 16 below

OR

The owner shall be allowed to construct an extra floor with an equivalent built area for the area surrendered subject to mandated public safety requirements

OR

The owner shall be allowed to avail relaxations as per GO Ms No. 15 MA&U.D Deptt. Dt 15.01.1998 (incentives to owners who surrender land affected in road widening free of cost) and concessions in setbacks including the front setback subject to ensuring a building line of 6 meters in respect of roads above 30 meters, 3 meters in respect of roads from 18 meters and up to 30 meters and 2 meters in respect of roads less than 18 meters and a minimum of 7 meters, around setbacks in respect of high rise buildings.

16. GRANT OF TRANSFERABLE DEVELOPMENT RIGHT:

Grant of Transferable Development Right (TDR) may be considered by the Competent Authority for the following areas subject to the owner complying with the conditions of development and, as per the following norms:

- (a) For the Master Plan road network undertaken and developed: equivalent to 100 % of built up area of such area surrendered.

- (b) For conservation and development of lakes / water bodies / nalas foreshores & Recreational buffer development with greenery, etc: equivalent to 50 % of built up area of such recreational buffer area developed at his cost.
- (c) For Heritage buildings and heritage precincts maintained with adaptive reuse: equivalent to 50 % of built up area of such site area.

The TDR may be arrived at on the basis of relative land value and equivalent amount in both export and import areas, as per the Registration Department records. The competent authority shall have the discretion in the matter of applicability of TDR. The TDR shall not be allowed in unauthorized buildings/structures/constructions. The TDR Certificate would be issued by the competent authority and shall be valid or utilized/ disposed only within the concerned local body area and as per guidelines and conditions prescribed by the competent authority.

17. LEVY OF SPECIAL FEES AND OTHER PROVISIONS FOR CERTAIN AREAS:

The Sanctioning Authority with the specific approval of the Government, when implementing such Projects, may levy Special fees and other fees / charges for lands / sites / premises abutting or in the vicinity of the Ring Road or implementing any other scheme/road as indicated in the Master Plan, at the rates and procedure prescribed by the Government.

18. TOWN LEVEL INFRASTRUCTURE IMPACT FEES APPLICABLE IN CERTAIN CASES:

- (1) With a view to ensuring development of Town Level Infrastructure facilities and levy of Impact Fees, buildings are categorized as follows:

Type I : Buildings up to height 15 m excluding stilt parking floor

Type II : Buildings of height above 15 m (excluding stilt floor)

The Town level Infrastructure Impact Fees would be levied for Buildings under Type II above as follows:

- First 15 m or 5 floors (whichever is less): No levy of Impact fee
- For any additional floors or part thereof: at differential rates specified in Table below:

TABLE – VII

Occupancy / Use	Height of Building (in meters) and rate in Rs. per sq m of built up area							
	Above 15 m & up to 21 m		Above 21 m & up to 30 m		Above 30 m & up to 40 m		Above 40 m	
	Selection /Special/ 1 st Grade Municipalities	2 nd /3 rd Grade Municipalities /Nagar panchayaths	Selection /Special/ 1 st Grade Municipalities	2 nd /3 rd Grade Municipalities /Nagarp anchayaths	Selection /Special/ 1 st Grade Municipalities	2 nd /3 rd Grade Municipalities /Nagarp anchayaths	Selection /Special/ 1 st Grade Municipalities	2 nd /3 rd Grade Municipalities /Nagarpanchayaths
Residential	150	100	250	200	400	300	800	500
Commercial, Offices, ITES	300	200	400	300	600	400	1200	800
Institutional, educational &	100	75	200	150	300	200	800	500

	<i>Height of Building (in meters) and rate in Rs. per sq m of built up area</i>							
<i>Others (except Industrial sheds)</i>								

- In case of Multiplexes, instead of the above, the rates given in the Multiplex Rules shall be applicable.

(1) Alternatively, the owner may be allowed to utilize TDR given in Rule 15 above, for such built up area to the extent permissible wholly or use the same in combination of both TDR and the differential impact fee for the proposed additional built up area that is permissible under these Rules / Provisions.

(2) The Government may revise the above rates from time to time.

(3) The above rates shall not be applicable for Schemes/ buildings of Government Departments and public agencies like, APIIC and local bodies.

(4) The amount levied and collected under above Rule shall be credited and maintained in a separate escrow account by the concerned sanctioning authority and 50% of such funds shall be utilised for development of infrastructure in the same area and balance shall be utilised towards improvement of town level critical infrastructure in the area. An Infrastructure Plan and Action Plan for implementation is required to be undertaken by the sanctioning authority and the said fund shall be utilised accordingly.

19. INCENTIVES FOR OWNERS LEAVING MORE SETBACKS / INSTALLING SOLAR HEATING SYSTEM / LIGHTING / RAIN WATER HARVESTING / RECYCLING OF WASTE WATER:

The following incentives in terms of rebate in Property tax will be given by the local authority for owners or their successors-in-interest who:

- (a) Construct the building /blocks by leaving more setbacks than the minimal stipulated in these Rules, viz.,:

Leaving 1.5 times the minimum setbacks in all sides: 10% rebate*

Leaving 2.0 times and above than the minimum setbacks on all sides: 20 % rebate*

- * The setbacks have to be on all sides to qualify for the rebate. Leaving more on one side and the minimum on other sides would not qualify for such rebate.

- (b) Install and use solar heating and lighting system: 10% rebate.
- (c) Undertake the recycling of waste water, rain water harvesting structures and plantation of trees and greenery: 10% rebate
- (d) Where owners provide at least 25% additional parking space over and above the minimum specified in Rule 11, they would be allowed for a rebate of 10% in property tax.

20. BUILDING PERMIT/LICENSE FEES & UNDERTAKING:

- a) The Sanctioning Authority shall along with the Building Application collect only the Building Permit / License fees. The balance fees and Charges shall be levied and collected before the issue of permission/sanction. In case of rejection of application, the above initial fees would be forfeited.
- b) No fees and charges would be levied for parking spaces provided in stilt/cellar or any other parking floors.

21. COMPLIANCE BY OWNER FOR ENSURING THAT CONSTRUCTION IS UNDERTAKEN AS PER SANCTIONED PLAN:
- a) The owner and builder / developer shall give an Affidavit duly Notarised to the effect that in the case of any violation from the sanctioned building plan, the Enforcement Authority shall summarily demolish the violated portion. In respect of Apartment Buildings, the owner or builder shall give a Declaration duly specifying the number of floors permitted, along with the extent of each floor. In case of any violation with regard to the Declaration, the Enforcement Authority shall summarily demolish the violations.
 - b) Before the release of the building sanction by the sanctioning authority, the owner of the plot/site is not only required to produce the original registered Sale Deed, and also required to demarcate the setbacks and open spaces on the site. The original sale deed is required for the perusal of the sanctioning authority and cross verification with the attested copy submitted with the building application.
 - c) The owner is required to hand over the ground floor area or first floor or the second floor area, as the case may be, or 10% of the total built-up area, whichever is less, to the sanctioning authority by way of a Notarised Affidavit and after the setbacks and open spaces are demarcated on the site. The Notarised Affidavit shall be got entered by the sanctioning authority in the Prohibitory Property Watch Register of the Registration Department. Only after compliance of the above and (b), the Building sanction will be released by the sanctioning authority and the owner shall be allowed to commence the construction.
 - d) In respect of gated development schemes like row houses / independent houses / cluster housing / residential enclaves, instead of the condition at c) above, 5% of the built units shall be handed over to sanctioning authority by way of a Notarised Affidavit.
 - e) Individual residential buildings in plots upto 500 sq.meters with height upto 7 Mts, and industrial buildings are exempted from the above condition.
 - f) The system of taking a Security Deposit is dispensed with.
 - (g) The built up area handed over to the sanctioning authority at c) and d) shall be relinquished along with the issue of occupancy certificate.
22. OCCUPANCY CERTIFICATE:
- (i) Occupancy Certificate shall be mandatory for all buildings. No person shall occupy or allow any other person to occupy any building or part of a building for any purpose unless such building has been granted an Occupancy Certificate by the Sanctioning Authority. Partial Occupancy Certificate may be considered by the sanctioning authority on merits, i.e. flats / units or area within a Complex which have fulfilled all the requirements in addition to basic facilities like lifts, water supply, sanitation, drainage, roads, common lighting, etc.
 - (ii) The owner shall submit a notice of completion through the registered architect and licenced builder/developer along with prescribed documents and plans to the Sanctioning Authority. The Sanctioning Authority on receipt of such notice of completion shall undertake inspection with regard to the following aspects:
 - (a) Number of floors
 - (b) External setbacks
 - (c) Parking space provision
 - (d) Abutting road width
 and shall communicate the approval or refusal of the Occupancy Certificate within 15 days or may issue the same after levying and collecting compounding fee, if any, as follows:
 - (iii) The sanctioning authority is empowered to compound the offence in relation to setbacks violations (other than the front setback) upto 10%, duly recording thereon the deviations in writing. This provision is made to take care of unintentional and minor violations in setbacks by the individual plot owners. The rate of Compounding fee shall be a minimum rate of Rs.500 per sq mt, and the Government may revise this rate from time to time. Compounding of such

violation shall not be considered for buildings constructed without obtaining any sanctioned plan. These fees shall be maintained in a separate escrow account and utilised towards improvement of the roads and public open spaces development in the area.

- (iv) For all high rise buildings, the work shall be subject to inspection by the Fire service Department and the Occupancy Certificate shall be issued only after clearance from the Fire Services Department with regard to Fire Safety and Protection requirements.
- (v) The functional/line agencies dealing with electric power, water supply, drainage and sewerage shall not give regular connections to the building unless such Occupancy Certificate is produced, or alternatively may charge 3 times the rate till such time Occupation Certificate is produced. This condition shall also be applicable to all unauthorized constructions and buildings constructed without sanctioned building plan. In addition to the above, the local body shall collect every year two times the property tax as penalty from the owner/occupier till such time the Occupation Certificate obtained.
- (vi) The Registration Authority shall register only the permitted built up area as per the sanctioned building plan and only upon producing and filing a copy of such sanctioned building plan. On the Registration Document it should be clearly mentioned that the registration is in accordance with the sanctioned building plan in respect of setbacks and number of floors.
- (vii) The financial agencies/institutions shall extend loan facilities only to the permitted built up area as per the sanctioned building plan.

23. ENFORCEMENT

- A) In addition to the enforcement powers and responsibilities given in the respective laws of the local authority, in respect of these Rules:
 - (i) The Licenced Technical Personnel to whom the Licence has been accorded by the Local Bodies concerned for practicing as Licenced Technical Personnel are wholly and severally held responsible for any deviations made to the sanctioned plans, since the licence accorded to them includes supervision of the work in accordance with the sanctioned plan and they should cooperate with the field staff during the inspections and removal of the deviations if any noticed and if found any breach of this rule the concerned Licenced Technical personnel shall be prosecuted besides black-listing and debarring them from practicing in the entire State for 5 years and cancellation of their licence.
 - (ii) The Enforcement authority shall summarily remove any violation or deviation in building construction in maintaining the road widths and building line.
- B) Constitution of Town Planning and Building Tribunal:
The Government shall constitute a Town Planning and Building Tribunal for dealing with all town planning, enforcement and building issues by making necessary amendment to the AP Municipalities Act, 1965.
- C) Constitution of Building Ombudsman:
The Government may constitute a Building Ombudsman for dealing with all complaints of building violations, shortfall in building standards, services and specifications and safety aspects. The Government shall separately work out the procedure, role and details of the functioning of the Building Ombudsman.

24. LIMITATIONS OF BUILDING SANCTION:

Sanction of building permission by the Sanctioning Authority shall not mean responsibility or clearance of the following aspects:

- (i) Title or ownership of the site or building
- (ii) Easement Rights
- (iii) Variation in area from recorded areas of plot or a building or on ground

- (iv) Structural Reports, Structural Drawings and structural aspects
- (v) Workmanship, soundness of structure and materials used,
- (vi) Quality of building services and amenities in the construction of building
- (vii) The site/area liable to flooding as a result of not taking proper drainage arrangements as per natural lay of the land, etc.
- (viii) Other requirements or licences or clearances required for the site/ premises or activity under various other laws.
- (ix) The permission accorded is valid for construction for a period of three years provided the commencement of work shall be made within one year from the Date of Permission duly giving commencement of work Notice, failing which the permission accorded will be deemed to have lapsed.

25. LICENSING OF REAL ESTATE COMPANIES, DEVELOPERS, BUILDERS, TOWN PLANNERS, ENGINEERS & OTHER TECHNICAL PERSONNEL MANDATORY:

- (a) No developer/builder/real estate firm or company/engineer/town planner/other technical personnel shall be allowed to undertake development/do business/ practice in a Municipal area unless they are licenced with the sanctioning authority of the respective area. Architects shall be required to be registered with the Council of Architecture.
- (b) The engaging of the services of a licenced developer/builder shall be mandatory for Apartment Buildings, Group Housing Schemes, all types of gated developments mentioned in Rule 10, all High-Rise Buildings, and all commercial complexes.

Developments undertaken for construction of individual residential houses, normal educational/institutional/industrial buildings and developments undertaken by public agencies are exempted from the above condition.

- (c) Any developer/builder undertaking development or any firm carrying out property business in any Municipality or soliciting property sale/transactions or advertising as such in case of above, shall necessarily mention the details of their licence number, licence number of the licenced developer to whom the approval is given by the said Municipality, together with the permit number and it's validity for information and verification of public/prospective buyers.
- (d) Absence of the above at c) or suppressing of the above facts or in the case of other licences and other technical personnel who violate the conditions would invite penal action including debarring of the real estate firm/development firm / company from practice in the entire State for 5 years besides cancellation of their licence and prosecution under the relevant laws / code of conduct by the sanctioning authority.
- (e) Any licenced developer / builder / other technical personnel who undertakes construction in violation of the sanctioned plans would be liable for cancellation of their licence besides facing prosecuted under the relevant laws / code of conduct.
- (f) The format for application forms for licencing of developers / builders, real estate firms, town planners, architects, engineers, other personnel, and other conditions shall be as prescribed by the Competent Authority.

26. A copy of this order is available on the internet and can be accessed at the address www.ap.gov.in.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P.SINGH,
PRINCIPAL SECRETARY TO GOVERNMENT.**

To

The Commissioner, Printing, Stationary and Stores Purchase, Hyderabad (in duplicate) with a request to publish in the Extraordinary Gazette of A.P. on 23rd August, 2008 and furnish 1000 copies to Government.

The Director of Town and Country Planning, A.P., Hyderabad.

The Commissioner and Director of Municipal Administration Hyderabad.

The Commissioners of all Municipalities in the State through CDMA.

The Vice Chairmen of all Urban Development Authorities in the State.

The Director General of Fire Emergency Services, A.P.Hyderabad
The Chairman and Managing Director, AP.TRANSCO,Hyderabad.
The Engineer –in –Chief (Public Health) Hyderabad.
The Commissioner & I.G.of Registration and Stamps, A.P. Hyderabad.
The Managing Director, A.P.Housing Board, Hyderabad.
The Vice Chairman and Managing Director,
Deccan Infrastructure and Land Holdings Limited, A.P. Hyderabad.
The District Collector and Magistrates of all Districts in the State.

Copy to :

The Special Secretary to C.M.
The P.S. to M(MA).
The P.S. to Pri.Secretary to Government (MA&UD)
The P.S.to Secretary to Government (M.A&U.D)
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER