

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

M.A. & U.D. (M1) Department - The Andhra Pradesh Regulation and Penalization of Unauthorizedly constructed buildings and buildings constructed in deviation of the Sanctioned Plan Rules 2007- Notification - orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M1) DEPARTMENT

G.O.Ms.No.901

Dated:31.12.2007

Read the

following:

Ordinance No. 15 of 2007

* * *

ORDER:

In the Ordinance read above, the Government have amended the H.M.C. Act 1955, A.P. Municipalities Act, 1965, A.P. Municipal Corporation Act, and A.P. Urban areas (Development) Act 1975, duly authorizing the Municipal Commissioners / Vice chairmen of all Urban Development Authority areas (in case of gram panchayats falling under Urban Development Authorities) to penalize the unauthorized constructions/deviations as a one time measure. Consequently Government hereby issue the Andhra Pradesh Regulation and Penalization of Unauthorizedly constructed buildings and buildings constructed in deviation of the Sanctioned Plan Rules 2007.

2. Accordingly the following Notification shall be published in the Extraordinary Gazette of Andhra Pradesh Dated: 31.12.2007

NOTIFICATION

In exercise of the powers conferred by Section 455AA of the Hyderabad Municipal Corporations Act, 1955, Section 218(A) of the AP Municipalities Act, 1965, Section 46 (A) of the AP Urban Areas (Development) Act, 1975, the Government hereby makes the following Rules, viz.,

1. Short Title, Application and Commencement:

- (1) These Rules may be called "The Andhra Pradesh Regulation and Penalization of Unauthorizedly constructed buildings and building constructed in deviation of the Sanctioned Plan Rules, 2007"
- (2) They shall be applicable to existing buildings in the jurisdiction of all Municipal Corporations, Urban development Authorities and

Municipalities in the State of Andhra Pradesh constructed after 1-1-1985 and before 15-12-2007.

- (3) They shall come into force from the date of publication of the Notification in the Andhra Pradesh Gazette.

2. Definitions:

- (1) **"Authorized technical personnel"** means professionals authorized by the Competent Authority to take up scrutiny of the Application made for regulation and Penalization under these Rules.
- (2) **"Competent Authority"** means the Municipal Commissioner in case of areas falling in the Municipal Corporation and Municipal limits; the Vice Chairman of the Urban Development Authority in case of area falling outside Municipal Corporation or Municipality in the Urban Development Authority area.
- (3) **"Total Built up area"** means the entire built up area covered in the building including common areas and balconies on all floors.
- (4) **"Unauthorized construction"** means any building that has been constructed in violation of the sanctioned building plan or without obtaining a building permission from the sanctioning authority.

3. Compulsory Application for Penalization:

An Application for regulation and penalization of existing unauthorizedly constructed buildings shall be compulsorily made by the owner/GPA/Registered Association to the Competent Authority or officer authorized by him in the prescribed Proforma along with Declaration, Self Assessment, copy of sanctioned building plan, if any, a clear latest photograph of the building, copy of document of ownership title, Indemnity Bond and two sets of drawings showing the sanctioned area and violated area of the building/Complex and in case of totally unauthorized constructions the total built up area along with the site plan. It shall be filed within sixty days from the date of Notification of these Rules along with full penal amount as given in Rule 5. If any owner/individual does not apply within the stipulated time, he shall be liable for enforcement action under the law and his building shall not be taken up for regulation and penalization under these Rules.

4. Prior clearance from other Authorities/Departments in certain cases:

(1) In the following cases, prior clearance shall be ensured by the Competent Authority before considering the application under these Rules:

(a) In respect of cases of residential buildings 18 m and above in height, Commercial buildings 15mts. and above in height, and buildings of public congregation like schools, Cinema theatres, function halls and other assembly buildings on plot area of 500 sq. mts. and above or of height above 6mts as stipulated in Section 13 of the Andhra Pradesh Fire Service Act, 1999 from Fire Service Department.

(b) From Airport Authority of India wherever applicable.

(c) In case of buildings of height above 15 mt, necessary certificate from licensed structural engineer with regard to structural safety compliance of such buildings needs to be submitted.

(2) Applicants shall submit such application along with the above details within the stipulated time. However, an additional time period of three months will be allowed for filing the Clearances as required under Rule 4 (1) (a) and Rule 4(1) (b).

5. Payment of Penal Charges:

(1) The owner/applicant shall pay the Penal Charge as given in Annexure-I and II along with the Application for Penalization and other details. The Penal Charges are levied for the total violated built up area on all floors. The Penal Charges include Building permit fee, Development Charges, Betterment charges, Impact Fees, etc. No other fees and charges shall be levied and collected.

(2) The above fees and charges shall be remitted by way of Demand Draft drawn in favour of the Competent Authority.

(3) The Penal amount paid are not refundable. However, in cases of rejection, the Competent Authority may refund the amount after retaining 10% of the Penal amount towards scrutiny and processing charges. In case of bonafide error in calculation, the excess amount paid may be refunded.

6. Scrutiny, Rejection and Approval by the Competent Authority:

After receipt of the Application for Penalization in the prescribed Format along with required documents and plans, the Competent Authority shall scrutinize the applications and after carrying out necessary site inspections, communicate it's approval or rejection to the applicant as early as possible but not beyond six months from the last date of receipt of Applications. The Competent Authority may engage the services of licensed

technical personnel for scrutiny of the applications and for field inspections. Mere receipt of application or any delay in communication of final orders in the matter will not imply the approval of the application.

7. Violation after submission of Application:

During verification, if it is found that the applicant has undertaken further additions or extensions to the existing building, then such application shall be summarily rejected duly forfeiting the entire penal amount and necessary action shall be taken against the unauthorized building including demolition as per the law.

8. Exemption:

Huts, semi-permanent houses (other than RCC structure) of single storey in sites up to 100 sq yards are not covered under these Rules.

9. Penalization not to apply to certain sites:

Penalization of unauthorized constructions shall not be considered in the following cases and in cases where public interest and public safety are likely to be adversely affected, viz.

- (a) Encroachment on Government land or property belonging to Public undertakings, Andhra Pradesh Housing Board, Andhra Pradesh Industrial Infrastructure Corporation, Urban Development Authority, Local body, Endowments, Wakf Board, etc.;
- (b) Land for which the applicant has no title;
- (c) Surplus land declared under Urban land Ceiling / Agriculture Land Ceiling/ lands resumed under Andhra Pradesh assigned Lands (PO T) Act;
- (d) Buildings affected under alignment of any road or proposed road under Master Plan/Zonal Development Plan/Road Development Plan or any other public roads/MRTS/BRTS;
- (e) Tank bed and Sikham lands;
- (f) Areas prohibited for construction under GOMs No. 111 MA&U.D.Dept., dated 8-3-1996 (protection of Catchment area of Osmansagar and Himayatsagar lakes);
- (g) Prohibited areas under the Coastal Regulation Zone and such other environmentally restricted zones as may be prescribed;

- (h) Layout/Master Plan open spaces/ Areas earmarked for Recreation Use in Master Plan/ Zonal development Plan;
- (i) Buildings that are not in conformity with land use approved in Master Plan/ Zonal development Plan;
- (j) Sites under legal litigation/ disputes regarding ownership of the site / building;
- (k) Area earmarked for parking as per sanctioned plan;
- (l) Unauthorized constructions without any building sanction in unapproved /unauthorized layouts, for which prior approval of site/plot under regulation of unapproved/unauthorized layouts rules shall be obtained;

However in case of Rule 9 (l), applications for penalization will be accepted if the applicant encloses the Acknowledgment of the Application made for regulation of the unauthorized site/plot under the relevant rules to the competent authority.

- (m) Regulation and penalization shall not be done for the constructions made within the building line of major roads of width 80 feet and above within the limits of Greater Hyderabad Municipal Corporation, Greater Visakhapatnam Municipal Corporation, Vijayawada Municipal Corporation and roads of width 60 feet and above in rest of the urban areas as per Master Plan / Zonal Development Plan.

10. Issue of Occupancy certificate:

In case of approval, the local authority shall issue a Proceeding to the effect that all proceedings and action of enforcement initiated or contemplated against the said construction are withdrawn and then issue Occupancy Certificate to the applicant.

11. Appeal:

(1) Any applicant aggrieved by an order passed by the Competent Authority under Rule 6, may prefer an appeal to the Committee constituted by the Government within thirty days from the date of receipt of the order provided the applicant has paid the necessary charges and submitted documents as specified in Rule 3 of these rules.

(2) All the appeals shall be disposed off within 3 months.

12. Failure to come forward for penalisation of unauthorized constructions:

Where an application for regulating and penalizing the unauthorizedly constructed building has not been made as per rule 3:

- (1) Such unauthorized constructions would be treated as continuing offence and Penalty as per law would be levied.
- (2) Other enforcement action including demolition shall be initiated by the local authority as per law.
- (3) No further building approvals shall be considered by the building sanctioning authority in the said site.

13. Amount levied kept in separate account:

(1) The amount collected by the Competent Authority under these rules shall be kept and maintained under the control of the Competent authority in a separate escrow account and utilized only for improvement of amenities in the area.

(2) In respect of Gram Panchayat areas falling in the Urban Development Authority areas, the penal amount so collected will be shared in equal proportion between Urban Development Authority and Gram Panchayat concerned. In respect of Corporation and Municipalities falling in Urban Development Authority areas, the penal amount will be shared between the concerned Corporation/Municipality and Urban Development Authority in the ratio of 70 : 30.

14. Constitution of Committee:

Government will issue separate orders constituting appellate Committees for examining appeals under rule 11.

15. Government may issue guidelines to operationalize these rules.

16. All existing rules, regulations, bye-laws and orders that are in conflict or inconsistent with these rules shall stand modified to the extent of the provisions of these rules.

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

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

To

The Commissioner and Director, Printing , Stationery and Stores Purchase
A.P. Hyderabad (in duplicate, with a request to publish the Notification in
the Extraordinary Gazette of A.P. dated 31.12.2007, and furnish 1000 copies
to Government)

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

The Commissioner and Director of Municipal Administration, A.P.
Hyderabad.

The Commissioners of all Municipal Corporations/ Municipalities in the
State, through CDMA.

The Vice chairman of all Urban Development Authorities in the State

All Departments of Secretariat

All Heads of Department.

The Director General Fire Services.

The Chairperson, AP Transco.

The Managing Director, H.M.W.S&S.B, Hyderabad.

The Engineer in Chief (Public Health) Hyderabad.

The Commissioner & Inspector General of Registration & Stamps.

The Managing Director, AP Housing Board.

The District Collectors of all Districts.

Copy to :

The Special Secretary to Chief Minister.

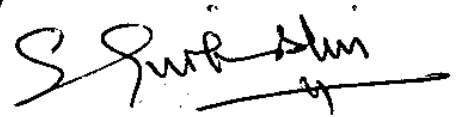
The P.S. to Minister (M.A).

The P.S. to Principal Secretary to Government (MA&UD Dept)

The P.S. to Secretary to Government (M.A&U.D.Dept)

S.F/S.C.

// FORWARDED :: BY ORDER//


SECTION OFFICER

ANNEXURE - I
RATES OF PENALISATION (See Rule 9)

Sl No	Category/ Sub-category	Rate in Rupees per sq feet of violated built up area					
		Cases where building permission was obtained but deviated from the sanctioned plan, and where violation of permitted built up area including setbacks, Balcony projections and balcony areas converted into other built up area /uses is up to 30%			1. Cases where building permission was obtained but where violation of permitted built up area including setbacks, Balcony projections, balcony areas converted into other built up area /uses is more than 30% 2. Cases where no permission was obtained (in this category entire built up area will be treated as violated area)		
		3(i)			3 (ii)		
(1)	(2)	GHMC/ GVMC & VMC	Other Municipal Corporations	Municipalities & rest of UDA area	GHMC/ GVMC & VMC	Other Municipal Corporations	Municipalities & rest of UDA area
		3(i) (a)	3(i)(b)	3(i)(c)	3 (ii)(a)	3 (ii)(b)	3 (ii)(c)

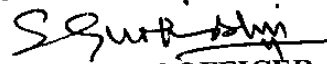
1	Commercial buildings/Usage						
a	Upto G+1 Floor height	200	150	100	300	200	150
b	Above G+1 & below 15 m height	400	300	200	500	400	300
c	15 m and above in height	500	400	300	600	500	400
2A	Individual Residential buildings						
a	up to G+2 floors or 10 m height	60	40	30	100	60	50
b	Above G+2 floors or 10 m height	100	60	50	200	150	100

2 B	Multiple dwellings/Flats/Apartment Complexes (See Annexure II Below)						
3	Other Non-Residential Buildings (Institutional/Educational/Industrial, etc.)						
	i) Height up to 15 m height	60	40	30	100	60	50
	ii) Height above 15 m height	100	60	50	200	150	100

ANNEXURE II
RATES OF PENALISATION FOR MULTIPLE DWELLING UNITS/ FLATS/
APARTMENT COMPLEXES WHICH ARE IN VIOLATION/ INDIVIDUAL BUILDINGS
CONVERTED INTO APARTMENTS

SlNo	Multiple dwelling units/Flats/ Apartment Complexes	Cases where building permission was obtained but deviated from sanctioned plan including Balcony projections/areas converted into other built up area/Individual buildings converted into Apartments (3)			Cases where no building permission was obtained from the sanctioning Authority/ Additional floors constructed over the permitted floors (4)		
		Penalisation Charge in Rupees			Rate in Rupees per sq feet of violated built up area on each floor		
		GHMC/ GVMC & VMC	Other Municipal Corporations	Municipalities & rest of UDA area	GHMC/ GVMC & VMC	Other Municipal Corporations	Municipalities & rest of UDA area
(1)	(2)	3(a)	3(b)	3(c)	4(a)	4(b)	4(c)
(i) Height below 18 mtr.	Plinth area upto 1000 sft	20,000 per flat /dwelling unit	15,000 per flat /dwelling unit	10,000 per flat /dwelling unit	Rs 100 per sq ft of plinth area	Rs 75 per sq ft of plinth area	Rs 50 per sq ft of plinth area
	Plinth area of more than 1000 sft	30,000 per flat /dwelling unit	20,000 per flat /dwelling unit	15,000 per flat /dwelling unit			
(ii) Height 18 meters and above		80,000 per flat /dwelling unit	50,000 per flat /dwelling unit	30,000 per flat /dwelling unit	Rs 200 per sq ft of plinth area	Rs 150 per sq ft of plinth area	Rs 100 per sq ft of plinth area

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT


SECTION OFFICER

GUIDELINES FOR COMPULSORY DISCLOSURE SCHEME RELATING TO PENALISATION AND REGULATION OF UNAUTHORISEDLY CONSTRUCTED BUILDINGS AND BUILDINGS CONSTRUCTED IN DEVIATION TO THE SANCTIONED PLAN IN MUNICIPAL AND URBAN DEVELOPMENT AUTHORITY AREAS

1. Introduction:

Andhra Pradesh has experienced rapid growth of urbanization during the last four decades. The urban population has increased from 62 lakhs in 1961 to 205 lakhs in 2001 registering a growth close to 230 percent. As per 2001 census the percentage of population living in urban areas in the state stood at 27.08 compared to 27.78 for the country. Andhra Pradesh is the sixth most major urbanized state in the country. Andhra Pradesh has been making rapid strides in economic development in the recent past. Consequently the migration to urban areas from villages has increased manifold. There is a great spurt in construction activity to meet the increased demand for buildings due to general economic development and migration from rural areas. In this process of development, it is noticed that large number of unauthorized layouts and unauthorized buildings are cropping up in all urban areas.

2. Background:

In order to regulate such type of constructions and to bring them into the main stream of planned development, the Government have already taken measures and brought out Revised Building Rules in the year 2006-2007 wherein effective enforcement systems and mechanisms have been created such as mortgaging 10% of built up area as surety, making Occupancy Certificate mandatory for obtaining electricity and water & sewerage connections, severe penalties for building violations, registration of buildings to be done only as per sanctioned plans etc. While the Revised Building Rules take care of regulating the present and future developments, there is a felt need for finding a pragmatic solution for certain types of constructions in deviation of sanctioned plan or unauthorised constructions that have come up in large numbers over a period of time.

3. Amendments to Municipal Laws:

Government with a view to regulate the unauthorized constructions has come up with a pragmatic solution namely Penalisation of unauthorized constructions and constructions in deviations of the sanctioned plan in order to help the people to bring unauthorized constructions into planning fold and also to remove the threat or fear of demolition.

It is a one-time opportunity for the public for their benefit to get their unauthorized constructions regulated, To give effect to the above policy relevant Municipal Laws have been amended for this purpose and Statutory Rules have been issued for implementation of Compulsory Disclosure Scheme for Penalisation and Regulation of Unauthorizedly Constructed Buildings and Buildings constructed in deviation to the sanctioned plan.

4. Objectives of Compulsory Disclosure Scheme:

- I. To penalize each and every building constructed unauthorisedly or in deviation of the sanctioned plan so as to create deterrence against any such practice.
- II. To bring all the unauthorized constructions into planning fold and to regulate the development in urban areas.
- III. To provide an opportunity to the owners of the buildings to regulate their unauthorized constructions and deviations made to the sanctioned plan.
- IV. To provide relief to several persons who have purchased buildings without any knowledge about the building regulations.

5. Applicability:

Building Penalisation Scheme (herein after called BPS) envisages the penalization and regulation of certain categories of buildings. The scheme is applicable to the following cases in the jurisdiction of all Municipal Corporations, Municipalities and Urban Development Authorities in A.P

- a) Existing Buildings constructed in violation of the sanctioned plan approved by the competent authority from 1-1-85 till the date of publication of A.P Municipal Laws and Urban areas(Development) (Amendment) Ordinance, 2007 in A.P Gazette i.e 15-12-2007
- b) Existing Buildings constructed without obtaining sanction from the competent authority from 1-1-85 till the date of publication of A.P Municipal Laws and Urban areas(Development) (Amendment) Ordinance, 2007 in A.P Gazette i.e 15-12-2007

Explanation: Existing Building means a building with a Property Tax Assessment or a Building which has been purchased prior to the date of notification of the Rules by way of a Registered Deed or a Building with roof slab as on date of notification of the rules.

6. BPS is not applicable in the following cases:

- i) Encroachment on Government lands or property belonging to public undertakings.
- ii) Land for which the applicant has no title.
- iii) Surplus land declared under Urban Land Ceiling / Agricultural Land Ceiling / Lands resumed under Andhra Pradesh assigned lands (POT) Act
- iv) Buildings affected under alignment of any road or proposed road under Master Plan / Zonal Development Plan / Road Development Plan or any other public roads / MRTS / BRTS.
- v) Tank bed and Sikham lands.
- vi) Areas covered under G.O. Ms No. 111 MA dated 8-3-1996 (protection of Catchment area of Osmansagar and Himayatsagar lakes).
- vii) Prohibited areas under the Coastal Regulation Zone and such other environmentally restricted zones as may be prescribed.

- viii) Layout open spaces / Master Plan open spaces / Areas earmarked for Recreation Use in Master Plan / Zonal Development Plan;
- ix) Buildings that are not in conformity with land use approved in Master Plan / Zonal Development Plan
- x) Sites under litigation / legal disputes regarding ownership.
- xi) Area reserved for parking in the sanctioned plan / area meant for parking purposes in the building.
- xii) Unauthorized constructions without any building sanction in unapproved/unauthorized layouts, for which prior approval of site/plot under regulation of unapproved / unauthorized layouts rules is required to be obtained. However applications for building penalisation would be accepted if the applicant applies for regulation of the unauthorized site / plot and encloses the acknowledgement to that effect.
- xiii) Penalisation shall not be done for the constructions made within the building line of major roadwidths of 80 feet and above within the limits of Greater Hyderabad Municipal Corporation, Greater Visakhapatnam Municipal Corporation, Vijayawada Municipal Corporation and roads of 60 feet width and above in rest of the urban areas as per Master Plan / Zonal Development Plan.

7. Exemptions from BPS:

Huts, Semi-permanent houses (other than RCC structure) of single storey in sites up to 100 sq. yards are exempted from the operation of the scheme.

8. Compulsory Submission of applications:

Applications under BPS shall be filed compulsorily in the prescribed form with all enclosures by the owners of the buildings mentioned in Para 5 in the office of the Municipal Corporation / Municipality / Urban Development Authority as the case may be within 60 days from the date of publication of the Rules in question in A.P. Gazette.

9. Who can apply under BPS:

The following persons can apply under BPS:

1. Owner of the building
2. Registered G.P.A. Holder
3. Developer / Builder/ Association who has developmental rights

10. Services of Technical Personnel:

In every Municipality, Municipal Corporation, Urban Development Authority licensed technical personnel will be authorized by the Municipal Commissioner /Vice Chairman as the case may be to assist citizens in filling up the application form and preparation of building and site plan. In addition, the citizens can utilise the services of Registered Architects for filling up the application form and preparation of plans.

11. Prior clearances in certain cases:

Prior clearances are required in the following cases:

1. NOC from Fire Services Department is required in the following cases:
 - a) Residential Buildings with height of 18m and above
 - b) Commercial Buildings with height of above 15m
 - c) Buildings of Public congregation like schools, cinema theatres, function halls and other assembly buildings on plot area of 500 sq.mts and above or of height above 6mts.
2. NOC from Airport Authority of India for all multi-storied buildings and also sites falling in Air funnel zone.
3. Certificate from Licensed Structural Engineer in case of building with height above 15m.

Note: The application in such cases shall be submitted along with the penal amount & other documents within the prescribed time. However an additional time period of 3 months will be allowed for submitting the NOCs from Fire Services Department and Airport Authority of India.

12. Payment of Penalisation charges:

The owner / applicant shall pay the penalization charges as given in Annexure-I and II of the Rules. The penalization charges are levied for the total violated built up area of all floors. The penalization charges include the following:

1. Building permit fee
2. Development charges
3. Betterment charges
4. Other charges

The penalization charges shall be remitted by way of demand draft or bank pay order in favour of the competent authority. After the payment of penalization charges, no other charges will be levied and collected by the Competent Authorities. The penal charges paid are not refundable. However in cases of rejection, penal amount will be refunded after retaining 10% of the penal amount towards scrutiny and processing charges. In case of bonafide error in calculation, the excess amount may be refunded after issue of proceedings.

13. Categories of Penalisation Charges:

Penalisation charges shall be levied under BPS as per the following categories:

- 1) Building permission obtained but deviated from the sanctioned plan wherein the violated built up area is up to 30%.
- 2) Building permission obtained but deviated from the sanctioned plan wherein the violated built up area is more than 30%.
- 3) Buildings constructed without obtaining sanction for the building plan.
- 4) Apartments / Flats constructed in deviation from the sanctioned plan

5) Apartments / Flats constructed without sanctioned plan.

The details of the penalisation charges are given in Annexure-I and II of the Rules in question.

Note: Deviation means deviated from the sanctioned plan within the permissible floors. An additional floor constructed would construe violation of the sanctioned plan, i.e., additional construction over and above the sanctioned plan will be treated as unauthorised construction and penalty for this additional floor will be levied as per the relevant category rates.

14. Scrutiny and timeline for disposal of applications:

All the applications received under BPS would be disposed off within 6 months from the last date for receipt of applications.

15. Competent Authorities:

The following are the Competent Authorities for disposal of applications.

1. Municipal Commissioner in the respective areas falling in the Municipal Corporations and Municipalities.
2. Vice-Chairman of Urban Development Authority in case of areas falling outside the Urban Local Bodies in the respective UDA area.

16. Violation after submission of application:

During verification, if it is found that the applicant has constructed further additions or extensions to the existing building, then such application shall be summarily rejected duly forfeiting the entire penal amount and necessary enforcement action shall be taken against the said owner including demolition of the building.

17. Issue of Orders and Occupancy Certificate:

After receipt of the application along with the necessary documents and plans, the Competent Authority shall scrutinize the applications and after carrying out necessary site inspections shall communicate Proceedings regulating the building constructed in violation of sanctioned plan or regulating the building constructed without obtaining sanction from the competent authority or rejecting the application within six months from the last date for receipt of the applications under this scheme. Further the proceedings issued will also mention that all earlier proceedings and action of enforcement initiated or contemplated against the said construction are withdrawn.

Occupancy Certificate shall be issued by the Competent Authority in case of approval of the application.

Mere receipt of application or any delay in communication of final orders will not be construed as automatic regulation of unauthorizedly constructed building.

18. Disposal instructions:

Each Application for Building Penalisation shall be maintained as a separate File Year-wise, area-wise and category –wise with distinct number for a period of 10 years (D.Dis disposal).

The Competent Authority shall update their records relating to all buildings and layouts approvals and maintain these Year-wise, area-wise and category –wise, so as to facilitate people to apply for true copy of sanctioned plan under the RTI Act.

19. Appeal:

Any applicant aggrieved by an order passed by the Competent Authority may prefer an appeal to the Appellate Committee constituted by the Government within thirty days from the date of receipt of the order if he has paid the necessary charges and submitted documents as specified in Rule 3 of the Rules in question.

20. Consequences in case of failure to apply:

Where an application for regulating and penalizing the unauthorisedly constructed building has not been made, the following consequences have to be faced :

- a) The unauthorized construction would be treated as continuing offence and exemplary penalty would be levied as per Municipal Laws amended recently.
- b) A penalty of 25% on Property Tax shall be levied till the unauthorized construction is demolished or regulated.
- c) Other enforcement action including demolition of the building will be initiated.

INSTRUCTIONS TO THE APPLICANTS UNDER BPS

1. Read the Guidelines, FAQs and other details provided in the Hand Book carefully.
2. Ensure that your building falls in the applicable categories for penalization and regulation of unauthorized constructions.
3. Read the Application Form carefully and fill up all the columns correctly.
4. Read the Penalization Charges payable as provided in the Rules and correctly fill up the concerned Self-Computation Table for payment of penalization charges.
5. The Application requires a list of documents to be enclosed. Ensure that all the documents required are enclosed to the Application.
6. If you need any assistance, you may take the help of the Licensed Technical Personnel authorized by the Competent Authority or Registered Architects to guide you in filling up the Application Form, calculation of the penalization charges payable and preparation of the required plans.
7. In respect of buildings with a height of above 15m, a certificate from Licensed Structural Engineer shall be submitted.
8. Prior clearance is required from Fire Services Department and Airport Authority of India as per para 10 of the Guidelines. Ensure that these NOCs are submitted within the stipulated time.
9. Enclose the Demand Draft/Bank Pay Order obtained from any one of the schedule Banks in favour of the Competent Authority to the Application.
10. Fill up the Acknowledgement & Check List in duplicate by ticking the list of documents enclosed.
11. Ensure that the Application is submitted before the last date fixed for receipt of Applications.
12. Before submitting the Application at the places designated by the Competent Authority make sure that you have made a photostat copy of filled in Application Form for your record.
13. Submit the filled in Application in the Counters set up in the Circle /Zone /Head Office of the concerned Municipal Corporation /Municipality /UDA and obtain and retain the Acknowledgement.
14. For future Correspondence with the Competent Authority the File Number on the Acknowledgement may be quoted.

FREQUENTLY ASKED QUESTIONS UNDER BPS

Q1. What are the advantages of Penalisation of Unauthorised_Constructions?

A: *The constructed building will get formal orders of regulation which will remove the uncertainty and threat of demolition and will get the occupancy certificate which is mandatory as per Municipal Laws.*

Q2. Is it compulsory to apply for penalisation of Unauthorised_Constructions?

A: *Yes.*

Q3. What are the consequences if I do not apply?

A: *Action will be taken against such unauthorised construction as per the provisions of the Municipal Laws for levy of exemplary fines including demolition of the unauthorised constructions.*

Q4. Unauthorised construction made before 1.1.1985 can be penalised if applied?

A: *Persons who have made unauthorised constructions before 1.1.1985 need not apply. However, if persons apply under this scheme, it will be considered subject to verification of structural stability and heritage angle.*

Q5. Whether the time prescribed for filing the applications for penalisation of unauthorised constructions Scheme will be extended?

A: *No*

Q6. My neighbour has complained against me on building setbacks violation and a case is pending in the court. Can I apply for building regularisation?

A: *Yes, provided there are no specific court orders/directions in this matter.*

Q7. Whether unauthorised construction made in a parking area which was in excess of the required parking area, can be penalised under these rules?

A: *No. The said area has to be utilised for parking only.*

Q8. Permission has been obtained for one use (e.g. residential use) and constructed as per plan but the use of the building is changed (e.g. for commercial use), can it be penalised?

A: *If the present usage of the building is in accordance with Zoning Regulations such cases are eligible for penalisation.*

Q9. Sanction for construction of the building is obtained but the sanctioned copy is not available. How the penalisation charges will be levied?

A: The concerned Municipality shall assist the applicant to trace out the copy of sanctioned plan from the Municipal records. If it is found that there is no sanction for the said construction, the entire building will be treated as unauthorized and penalisation charges will be levied accordingly.

Q10. Permission is obtained for 3 floors but constructed 4 floors. What penalisation charges will be levied?

A: If the permitted 3 floors are constructed as per plan no penalisation charges will be collected for the 3 floors. If there are deviations in the permitted floors, the penalisation charges will be collected as per that rate. But the entire 4th floor will be treated as unauthorized construction and penalisation charges will be collected as per that category.

Q11. Permission was obtained for individual residential building but converted in to Apartment Complex. Whether such apartments are eligible for penalisation?

A: Yes, Penalisation charges will be levied as applicable in the case of apartment complexes.

Q12. Whether Constructions made in parks, green areas and layout open spaces are eligible for Penalisation?

A: No.

Q13. Permission was obtained for stilt for parking + 5 floors for apartments but converted the stilt floor for other purposes (flats/shops/office etc). Whether the apartments in the upper 5 floors are eligible for penalisation?

A: Constructions made in the stilt floor are not eligible for penalisation. However apartments in upper floors are eligible for penalisation. Prompt action will be taken for removal of structures in the parking area.

Q14. Whether the pent houses constructed over Stilt + 5 floors Apartment Complex can be penalised?

OR

I have a flat on the 3rd floor of an Apartment Complex with sanctioned plan of 5 floors which has balcony violations. In addition to these violations, the owner/builder constructed a pent house on the 6th floor and sold off the pent house. What penalties do I need to pay under these Rules?

A: *Pent houses in buildings of height less than 18 meters are eligible for penalisation, In cases where penthouse construction is making the building height more than 18 meters then the penthouses can be penalised provided these are below 25% of the covered area of the floor and height is average floor height and would be considered subject to production of No Objection Certificate (NOC) from Fire Services Department and Airport Authority of India. In respect of flats on other floors, the pro-rata charges as applicable for an Apartment Complex would be levied without insisting on such NOCs.*

Pent Houses exceeding the above stated limits would be treated as High Rise Buildings and all provisions of High Rise Buildings for the entire building shall be applicable in such cases.

Q15. Whether the constructions affected in road widening are eligible for penalisation?

A: *Constructions/buildings falling in the road widening portion are not eligible for penalisation. However the remaining portion is eligible for penalisation after handing over the affected portion to the Urban Local Body.*

Q16. Whether the constructions made in the area earmarked for Tot-lot are eligible for penalisation?

A: Yes.

Q17. Whether the constructions made in deviation to the Special Regulations applicable to the Banjara Hills / Jubilee Hills are eligible for Penalisation?

A: Yes

Q18. There are cases where certain builders are constructing additional floors during the interregnum period. Will these be covered under these Penalisation Rules?

A: *No. Such additional constructions are liable to be demolished besides taking penal action against the builders including black-listing.*

Q19. A Builder has taken approval under the new Revised Building Rules, 2006 mortgaging the area as required under the said rules. He is constructing in violation of the sanctioned plan. Whether he is eligible for penalisation under these Rules?

A: No, since he has already mortgaged certain area which would be forfeited in case of violations.

Q20. My builder has unauthorisedly constructed an additional cellar for parking. Will the parking floor be considered for penalisation?

A: Yes.

Q21. Whether the penalisation charges can be paid in installments?

A: No, All penalisation charges have to be paid along with the application.

Q22. Whether Penalisation charges paid in excess will be refunded?

A: Yes, refunded after issue of the proceedings.

Q23. If the application is rejected, whether the penalisation charges paid are returned?

A: Yes, 10% of penalisation charges will be deducted towards processing fee.

In case of false declaration/misrepresentation of facts penalisation charges will not be refunded.

Q24. Permission is taken in two plots by amalgamating them but constructed in one plot only, what would be the penalisation charges?

A: The penalisation charges will be levied on excess built up area i.e, difference between the proportionate permitted area on the extent of plot applied for regularisation and the total area constructed.

Q25. A person has constructed 3 floors with extra balconies and a 4th floor which is not permitted as per the sanctioned plan. What penalties would be levied?

A.: He has to apply for penalisation for both deviations in the permitted floor (extra balconies) and unauthorized 4th floor, as given in the Application Form, viz., the penal charges for the extra balconies which are deviation to the sanctioned plan; and

separate penal charges for the additional floor which is totally unauthorized shall have to be paid as per relevant category. .

Q 26. My builder has taken sanctioned plan from the Gram Panchayat with stilt+ 5 upper floors and constructed according to the sanctioned plan only. I have purchased a flat in the said building. Am I liable for any penalisation?

A.: *Yes, and all the flat owners are required to pay penalisation since the sanctioned plan of the Gram Panchayat is not valid as they are not empowered to approve such type of constructions as per delegation of powers without prior technical approval from UDAI DTCP as per the Gram Panchayat Building Rules, 2002. This is clearly indicated on the plans.*

EXTRACT OF ORDINANCE OF 2007

Regularisation of Buildings constructed without sanctioned plan.

455-A. The Commissioner may regularize constructions made without obtaining sanctioned plan, subject to fulfilling the following conditions:-

- (a) submission of building plans to the competent authority duly paying all categories of fee and charges;
- (b) the construction shall be subject to the condition that all parameters laid down in relevant statutes, Master Plan, Zonal Development Plan, Building Bye-Laws, Building Rules and other relevant Government Orders including Andhra Pradesh Fire Service Act, 1999 and National Building Code are satisfied;
- (c) payment of penalty equivalent to 33% of the various categories of fees and charges payable by the applicant for obtaining building permission in addition to the regular fee and other charges payable.

Act No 15
of 1999

"Regulation and penalization of construction of buildings in deviation of

455-AA. Notwithstanding anything in the Act, the Municipal Commissioner may regulate and penalise the constructions of buildings, made by the owner, or as the case may be, by an individual unauthorisedly or in deviation of the sanctioned plan as on the date of commencement of the Andhra Pradesh Municipal Laws and Urban Areas (Development) (Amendment) Ordinance, 2007 as a one time measure, as per the procedure and by levying such penal amount as may be prescribed and upon payment of such amount all pending or contemplated proceedings and action of enforcement shall be deemed to have been withdrawn and the competent authority shall issue necessary Occupancy Certificate to the owner or the individual as the case may be."

3. In the Andhra Pradesh Municipalities Act, 1965, after section 218, the following new section shall be inserted, namely, -

Amendment
of Act No.6
of 1965

"Regulation and penalisation of construction of buildings in deviation of sanctioned plan.

218-A. Notwithstanding anything in the Act, the Municipal Commissioner may regulate and penalise the constructions of buildings, made by the owner, or as the case may be, by an individual unauthorisedly or in deviation of the sanctioned plan as on the date of commencement of the Andhra Pradesh Municipal Laws and Urban Areas (Development) (Amendment) Ordinance, 2007 as a one time measure, as per the procedure and by levying such penal amount as may be prescribed and upon payment of such amount all pending or contemplated proceedings and action of enforcement shall be deemed to have been withdrawn and the competent authority shall issue necessary Occupancy Certificate to the owner or the individual as the case may be. "

**"Regulation and
penalisation of
construction of buildings
in deviation of
sanctioned plan**

46-A. Notwithstanding anything contained in the Act, in the case of Gram Panchayats falling in Urban Development Authority areas the Vice-Chairman may regulate and penalise the construction of buildings, made by the owner, or as the case may be, by an individual unauthorisedly or in deviation of the sanctioned plan as on the date of commencement of the Andhra Pradesh Municipal Laws and Urban Areas (Development) (Amendment) Ordinance, 2007 as a one time measure, as per the procedure and by levying such penal amount as may be prescribed and upon payment of such amount, all pending or contemplated proceedings and action of enforcement shall be deemed to have been withdrawn and the competent authority shall issue necessary Occupancy Certificate to the owner or the individual as the case may be. "

INSTRUCTIONS TO THE COMPETENT AUTHORITIES FOR IMPLEMENTATION OF COMPULSORY DISCLOSURE SCHEMES RELATING TO:

- 1. Penalization and Regulation of Unauthorizedly constructed buildings and buildings constructed in deviation to the sanctioned plan.**
- 2. Regulation of Unapproved and illegal Layouts.**

Municipal Administration and Urban Development Department

Government of Andhra Pradesh

January 2008

INSTRUCTIONS TO COMPETENT AUTHORITIES

Municipal Administration & Urban Development Department, Government of A.P has formulated two schemes namely:-

- (1) Compulsory disclosure scheme for Regulation and Penalization of Unauthorizedly constructed buildings and buildings constructed in deviation of the sanctioned plan in the areas of Municipalities, Municipal Corporations and Urban Development Authorities.
- (2) Compulsory disclosure scheme for Regulation of unapproved and illegal layouts falling in the areas of Municipalities, Municipal Corporations and Urban Development Authorities.

1. To implement the above schemes, Government have initiated the following actions:-

- i. Promulgation of A.P Municipal Laws and Urban areas (Development) (Amendment) Ordinance 2007 on 15-12-2007.
- ii. Issue of the Andhra Pradesh Regulation and Penalisation of Unauthorizedly constructed Buildings and Buildings Constructed in deviation of the Sanctioned Plan Rules, 2007.
- iii. Issue of the Andhra Pradesh Regulation of Unapproved and Illegal Layout Rules, 2007.
- iv. Issue of a Hand Book containing guidelines for implementation of the schemes.

2. Competent Authorities

2.1 The following are the Competent Authorities for disposal off applications under Compulsory disclosure scheme for Regulation and Penalization of Unauthorizedly constructed buildings and buildings constructed in deviation of the sanctioned plan (herein after called **Building Penalisation Scheme (BPS)**)

- i. Municipal Commissioner in case of areas falling in the Municipal Corporations and Municipalities.

- ii. Vice-Chairman of Urban Development Authority in case of areas falling outside the Urban Local Bodies and within UDA Limits.

2.2 The following are the Competent Authorities under Compulsory disclosure scheme for Regulation of unapproved and illegal layouts (herein after called **Layout Regulation Scheme (LRS))**

- i. The Vice - Chairman of the Urban Development Authority in case of areas falling in UDA area.
- ii. The Commissioner of Municipal Corporation in case of areas falling in Municipal Corporations and not covered by Urban Development Authorities.
- iii. Municipal Council in case of Municipalities and Nagar Panchayats.
- iv. Gram Panchayat in case of areas falling in Master Plan limits of respective Urban Local Bodies.

3. Familiarization with amended Municipal Laws and Statutory Rules

The Competent Authorities i.e Commissioner of Municipalities and Municipal Corporations and Vice Chairmen of Urban Development Authorities have to play a well defined and vital role in the effective implementation of the above two schemes. Hence it is necessary for the Competent Authorities to acquaint themselves with amended Municipal Laws, relevant Statutory Rules, Hand Book for implementation of two schemes and existing up-to-date Building Rules and procedures connected with the implementation of the two schemes.

4. Training of Officers and Staff

Competent Authorities shall utilize the services of officers and staff working in Engineering and Revenue Sections in addition to officers and staff of Town Planning section for implementation of the schemes. All the officers and staff drafted for the implementation of the schemes shall be provided with Hand Book on the schemes. The Competent Authority shall conduct orientation training for officers and staff drafted for implementation of the above schemes.

5. Awareness Campaign

The Competent Authority shall hold awareness campaign on the schemes with the following groups to make them pro-active in the successful implementation of the schemes

- i. Municipal Councilors / Corporators
- ii. Resident's Welfare Associations, Organizations, NGOs, Builders Associations, Plot Owners Associations and other stakeholders.

6. Publicity

The Competent Authority shall give wide publicity about the guidelines of the schemes in the following manner

- i. Distribution of Leaflets detailing salient features of the schemes
- ii. Brief advertisement in local newspapers
- iii. Hoardings, Cinema slides

Advertisements in T.V in respect of major Municipal Corporations

The Competent Authority should make the Hand Book available at a price of Rs.25/- at convenient places namely Circle Offices, Municipal Office, E-seva centers. The hand book may be made available in Website of the respective Urban Local Body / Urban Development Authority. In addition, the Hand Book may be made available at Post Offices, Nationalized Banks and other places as determined by the Competent Authority.

7. Licensed Technical Personnel

The Competent Authority shall publish the list of Licensed Technical Personnel and inform the public about utilization of their services for filling up of the application form, preparation of plans etc. The Competent Authority shall enclose list of Licensed Technical Personnel to the application for the convenience of the public. In addition, the public may be informed that they can utilize the services of Registered Architects for filling up the application form and preparation of plans.

8. Constitution of Teams

The Competent Authority shall constitute required number of teams for attending to the following activities:

- i. Issue and Receipt of applications.
- ii. Maintenance of Registers.

- iii. Scrutiny and site Inspection of Unauthorized Buildings and Layouts.
- iv. Issue of proceedings and Occupancy certificates

9. Reception centers

The Competent Authority shall set up adequate number of receiving centers at convenient locations for issue and receipt of applications and ensure that adequate number of application forms and hand books are available at the receiving centers. The applications downloaded from the Website or the photostat copies of the applications shall also be accepted.

Building Penalization Scheme (BPS)

10. Maintenance of Registers

The Competent Authority shall ensure maintenance of the following registers for receipt and disposal of applications under BPS.

- 10.1 Register showing receipt of the application at the receiving center under BPS **(Annexure-I)**
- 10.2 Register showing disposal of applications under BPS **(Annexure-II).**

11. Scrutiny and Inspection of the applications under BPS.

The Competent Authority shall undertake the scrutiny of the applications on day-to-day basis without waiting for the last date. Depending on the necessity and workload, the Competent Authority may engage Technical Personnel namely architects / graduate engineers to take up Scrutiny and Inspection of the applications received under the two schemes in addition to Departmental officers. The following framework is suggested for the Scrutiny and inspection of the applications under Building Penalization Scheme (BPS)

Residential Buildings:

- 11.1 In respect of G+2 residential buildings, scrutiny and inspection may be taken up at least to the extent of the 10% of the applications as selected by the competent authority by Departmental Officials /Technical Personnel
- 11.2 In respect of residential buildings of more than G+2 floors and G+4 floors excluding cellar and stilt, at least 50% of the applications shall be scrutinized by Departmental Officials /Technical Personnel

11.3 In respect of multi-storied buildings, all applications shall be scrutinized by Departmental officials only.

Non-Residential Buildings:

11.4 In respect of non-residential buildings , scrutiny and inspection may be taken at least to the extent mentioned below as selected by the competent authority:

Type of the Building	Percentage of Scrutiny (at random)	of (at	Inspection at the level of
G+1floors	10% of applications	the	Lower level UDA/Municipal staff
G+2 and G+3 floors	25% of applications	the	HOD of UDA/Municipal staff
G+4 floors	50% of applications	the	Dy.Commissioner/ Addl.Commissioner/ Commissioner/V.C
Multi-Storied buildings	100% of applications	the	Committee constituted by Commissioner/V.C Commissioner/VC

Ensure whether the site is getting affected in road widening or is in conformity with Master Plan and zoning regulations.

12. Penalisation and Regulation of Unauthorizedly Constructed Buildings and buildings constructed in deviation of the sanctioned plan

The Competent Authority is required to dispose off the applications within six months from the last date of receipt of applications under this scheme. In case of applications found to be in order, the Competent Authority shall communicate proceedings penalizing and regulating the unauthorized construction enclosing occupancy certificate. The proceedings shall also contain that all earlier proceedings and action of enforcement initiated or contemplated against the said construction are withdrawn. Format of the proceedings is given as annexure – III. Further the plans shall be enforced as shown below

13. Disposal instructions:

Each Application for Building Penalization shall be maintained as a separate File Year-wise, area-wise and category –wise with distinct number for a period of 10 years (**D.Dis disposal**).

The Competent Authority shall update their records relating to all buildings and layouts approvals and maintain these Year-wise, area-wise and category –wise, so as to facilitate people to apply for true copy of sanctioned plan under the RTI Act.

14. Approval proceedings:

“The Building as shown in the plans is Penalised and Regulated under Andhra Pradesh Regulation and Penalisation of Unauthorizedly constructed Buildings and Buildings Constructed in deviation of the Sanctioned Plan Rules,2007 vide Proceedings No.----- Dated ----- . This does not regulate the use/activity/trade in the said Premises for which the relevant rules /stipulations shall be applicable regulating such activity.

Commissioner
.....Municipal Corporation /
Municipality

Or

Vice Chairman
.....Urban Development Authority

13. Rejection of applications

In case of applications which are found to be not in accordance with the Rules, the competent authority shall issue proceedings rejecting the application for penalization and regulation of authorizedly constructed building in the format given in the **Annexure - IV**

14. Submission of Progress Reports

The Competent Authority shall send weekly progress report to the Commissioner and Director of Municipal Administration and the Director of Town and Country Planning for the week ending every Sunday. Format of the progress report is given as **Annexure – V**.

Layout Regulation Scheme (LRS)

15. The Competent Authority shall ensure maintenance of the following registers for receipt and disposal of applications under LRS.

15.1. Register showing receipt of the application at the receiving center under LRS **(Annexure-VI)**

15.2. Register showing disposal of applications under LRS **(Annexure-VII).**

16. Scrutiny and Inspection of the applications under LRS

16.1 After receipt of an application for regulation of layout in the limits of Urban Development Authority, the competent authority shall scrutinize application as per the Rules, carry out necessary inspections and if the application is found in accordance with Rules, shall intimate the applicant to pay the short fall of penalization charges if any as prescribed in these Rules within 30 days. Format for the intimation is given in **Annexure – VIII.**

16.2 In case of Municipalities/Municipal Corporations falling outside UDA area, the Competent Authority after scrutiny with respect to Master Plan and as per the Rules and after carrying out necessary site inspection shall submit remarks to the Director of Town and Country Planning or his delegatee for technical approval. After receipt of technical approval, the competent authority shall intimate the applicant to pay the short fall of penalization charges if any as prescribed in these Rules within 30 days.

In case of application for individual plot which is not affected by any Change of Land Use or Master Plan roads, such cases may be processed and disposed at level of Competent Authority only.

Format for intimation is as given in **Annexure - VIII.**

17.1 Regulation of unapproved layouts.

The Competent Authority is required to dispose of the applications within six months from the last date of receipt of applications under this scheme. After payment of necessary fees, charges and penalization charges as specified in the Rules and after handing over the open space if any, by the applicant as per

Layout Rules, competent authority shall issue proceedings regulating the layout. The proceedings shall also contain that all earlier proceedings and action of enforcement initiated or contemplated against the said layout are withdrawn. Format of the proceedings is given as **Annexure – IX**. Further, the plans shall be enfaced as shown below

“The layout / plot as shown in the plan is Regulated under Andhra Pradesh Regulation and Penalisation of unapproved and illegal layouts Rules,2007 vide Proceedings No.----- Dated -----“

Commissioner
.....Municipal Corporation/ Municipality/
or
Vice Chairman
..... Urban Development Authority

17.2 In case of applications which are found to be not in accordance with the Rules, the competent authority shall issue proceedings rejecting the application for regulation of unapproved layout in the format given in the **Annexure - X**.

18. Submission of Progress Reports

The Competent Authority shall send weekly progress report to the Commissioner and Director of Municipal Administration and Director of Town and Country Planning for the week ending with Sunday. Format of the progress report is given as **Annexure – XI**.

- | | |
|-----------------------|--|
| Annexure – I | Register showing receipt of the application at the receiving centre under BPS. |
| Annexure – II | Register showing disposal of applications under BPS. |
| Annexure – III | Format of the proceedings to be given for Penalization and Regulation of Unauthorizedly Constructed Building. |
| Annexure – IV | Format of the Proceedings rejecting an application for Penalization and Regulation of Unauthorizedly constructed building. |
| Annexure – V | Format of the progress report under BPS. |

- Annexure – VI** Register showing receipt of the application at the receiving centre under LRS.
- Annexure – VII** Register showing disposal of applications under LRS
- Annexure – VIII** Format for intimation to be given to the applicant to pay shortfall of charges if any under LRS.
- Annexure – IX** Format of the proceedings to be given for Regulation of Unapproved Layout.
- Annexure – X** Format of the Proceedings rejecting an application for Regulation of unapproved layout.
- Annexure – XI** Format of the progress report under LRS.

Annexure – I

Register showing receipt of the applications at the receiving centre under BPS.

.....Municipality/Municipal Corporation

.....Urban Development Authority.

Sl. No	Application No	Name & Address of the Applicant	Location of the Building with Door No.	Type of Building as per Table-I,II,III of application form	Penal Amount paid
1	2	3	4	5	6

Annexure – II

Register showing disposal of applications under BPS.

.....Municipality/Municipal Corporation

.....Urban Development Authority.

Sl.	Applicatio	Name &	Locatio	Type of	Penal	Action taken	Remarks
-----	------------	--------	---------	---------	-------	--------------	---------

No	n No	Address of the Applicant	n of the Building with Door No.	Building as per Table-I,II,III of application form	Amount paid, D.D.No . Dt: with name of the Bank	Penalisation Proc. No. & DT.	Returned Proc. No. DT.	
1	2	3	4	5	6	7(a)	7(b)	8

Annexure – III

Format of the proceedings for Penalization and Regulation of Unauthorizedly Constructed Building / Building Constructed in deviation of the sanctioned plan.

Proceedings of the Vice ChairmanUDA

Proceedings of the CommissionerMunicipality / Municipal Corporation

Present:.....

Proceedings No:dt.....

Sir/Madam

Sub: Regulation and Penalisation of Unauthorizedly Constructed Buildings - Building bearing H.No.....of.....Municipality / Municipal Corporation / Gram Panchayat - Penalisation Orders issued.

Ref: ApplicationNo..... dt:.....of
Sri/Smt.....

An application has been filed in the reference cited, for penalization and regulation of Unauthorizedly constructed building / building constructed in deviation of the sanctioned plan as per the details shown hereunder:

1	Location of the Building	:	
	T.S.No /Door No./ Plot No.		

	Layout/Sub Division No.		
	Street and Locality		
	City/Town/Village & mandal		
2	Status of the Building	:	Unauthorizedly constructed building / Building constructed in deviation of the sanctioned plan.
3	Type of Building as per table 1,2,3 of the application.	:	
	<i>Tick the applicable column from column No.4 to 9</i>		
4	Total built up area as per sanctioned plan in Sft.	:	
5	Total built up area as on site in Sft	:	
6	Extent of built up area in deviation to sanctioned plan in Sft	:	
7	Total built up area with out obtaining building permission.	:	
8	Apartment complex with sanction / individual building converted in to apartments.	:	
	1). Height less than 18 Mts a. Apartment area upto 1000 Sft., b. Apartment area more than 1000 Sft.,	:	
	2). Height 18 Mts and above a. Flat	:	
9	Apartment complex with out permission.	:	
	1). Height less than 18 Mts Total built up area	:	
	2). Height 18 Mts and above Total built up area	:	

The above said application has been examined with reference to the A.P. Regulation and Penalization of Unauthorizedly constructed buildings and Buildings constructed in deviation of the sanctioned plan Rules, 2007 and found to be in order. Hence the said building is penalized and regulated under the said Rules as shown here under:

1	Total built up area penalized and regulated		
2	Penal Amount Paid	:	Rs.....
3	D.D.No. with date and name of the Bank		

Further, all proceedings and action of enforcement initiated or contemplated against the said building are withdrawn. The Plans showing the Building Penalized and Regulated is herewith enclosed along with the Occupancy Certificate..

Enclosures: As above..

Vice Chairman

.....Urban Development Authority.

Commissioner

..... Municipality/Municipal Corporation.

To

Sri/Smt.....

.....

.....

Copy to Assistant City Planner, Circle No.....Municipal Corporation

Copy to Deputy Commissioner, Circle No..... Municipal Corporation

Copy to Town Planning officer, Municipality

Copy to TPS / TPBO Municipality

Copy to Revenue officer/Revenue Inspector, Municipality

Annexure – IV

Format of the proceedings showing the rejection of an application for penalization and regulation of unauthorizedly constructed building / building constructed in deviation of the sanctioned plan.

Proceedings of the Vice ChairmanUDA

Proceedings of the CommissionerMunicipality / Municipal Corporation

Present:.....

Proceedings No:dt.....

Sir/Madam

Sub: Regulation and Penalisation of Unauthorizedly Constructed Buildings -
Building bearing H.No.....of.....Municipality / Municipal
Corporation / Gram Panchayat - Penalisation refused - Orders issued.

Ref: Application No.....dt:.....of
Sri/Smt.....

An application has been filed in the reference cited, for penalization and regulation of unauthorisedly constructed building / building constructed in deviation of the sanctioned plan as per the details shown here under:

1	Location of the Building	:	
	T.S.No /Door No./ Plot No.		
	Layout/Sub Division No.		
	Street and Locality		
	City/Town/Village & mandal		

2	Status of the Building	:	Unauthorizedly constructed building / Building constructed in deviation of the sanctioned plan.
3	Type of Building as per table 1,2,3 of the application.	:	
	<i>Tick the applicable column from column No.4 to 9</i>		
4	Total built up area as per sanctioned plan in Sft.	:	
5	Total built up area as on site in Sft	:	
6	Extent of built up area in deviation to sanctioned plan in Sft	:	
7	Total built up area with out obtaining building permission.	:	
8	Apartment complex with sanction / individual building converted in to apartments.	:	
	1). Height less than 18 Mts c. Apartment area upto 1000 Sft., d. Apartment area more than 1000 Sft.,	:	
	2). Height 18 Mts and above a. Flat	:	
9	Apartment complex with out permission.	:	
	1). Height less than 18 Mts Total built up area	:	
	2). Height 18 Mts and above Total built up area	:	

The above said application has been examined with reference to the A.P. Regulation and Penalization of Unauthorizedly constructed buildings and Buildings constructed in deviation of the sanctioned plan Rules, 2007 and found to be not in

accordance with the Rules. Hence the application is rejected for penalization and regulation for the reasons mentioned below (Tick the appropriate item):

- i. Encroachment on Government lands or property belonging to public under takings.
- ii. The applicant has no title over the land
- iii. Surplus land declared under Urban Land Ceiling / Agricultural Land Ceiling / Lands resumed under Andhra Pradesh assigned lands (POT) Act
- iv. Building affected under alignment of proposed road under Master Plan / Zonal Development Plan / Road Development Plan or public roads / MRTS / BRTS.
- v. Tank bed and Sikham lands.
- vi. Areas covered under G.O. Ms No. 111 MA dated 8-3-1996 (protection of Catchment area of Osmansagar and Himayatsagar lakes).
- vii. Prohibited areas under the Coastal Regulation Zone
- viii. Layout open spaces / Master Plan open spaces / Areas earmarked for Recreation Use in Master Plan / Zonal Development Plan;
- ix. Building is not in conformity with land use approved in Master Plan / Zonal Development Plan
- x. Sites under litigation / legal disputes regarding ownership.
- xi. Area reserved for parking in the sanctioned plan / area meant for parking purposes in the building.
- xii. Unauthorized construction is in unapproved layout.

The applicant is informed that the unauthorized construction would be treated as continuing offence and action will be taken to levy exemplary penalty including demolition of the building.

Vice Chairman

.....Urban Development
Authority./

Commissioner

.....Municipality /Municipal
Corporation.

To

Sri/Smt.....

.....

Copy to Assistant City Planner, Circle No..... Municipal Corporation

Copy to Deputy Commissioner, Circle No..... Municipal Corporation

Copy to Town Planning officer, Municipality

Copy to TPS/TPBO Municipality

Copy to Revenue officer/Revenue Inspector, Municipality

Annexure – V

(Format of the progress report under BPS for the week ending.

.....)

.....Municipality/Municipal Corporation

.....Urban Development
Authority.

Total No. of applicatio ns	Total No. of applicati ons	Cumula tive No. of applicat	Type of Building (Nos) out of column No.3	No. of cases disposed during the week	Total No. of cases dispo	Total No. of cases dispo	Balan ce No. of applic	Pen al amo unt	Tot al pen al	Re mar ks
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received upto the beginning of the week	received during the week	Applications received	Individual residential building	Commercial building	Other non residential building	Apart ment complexes	Penal ised	Returned	received during the week	received upto the end of the week	Applications pending.	collected during the week	amount collected	
1	2	3	4(a)	4(b)	4(c)	4(d)	5(a)	5(b)	6	7	8	9	10	11

Annexure – VI

Register showing the receipt of applications at Receiving Center under LRS

.....Municipality/Municipal Corporation

.....Urban Development Authority.

Sl. No.	Application No	Name & address of the applicant	Location Details i.e Revenue Village, Sy.No, Locality etc.,	Total Plot area / layout area	Area of open space available	Remarks
1	2	3	4	5	6	7

Annexure – VII

(Register showing the disposal of applications under LRS)

.....Municipality/Municipal Corporation

.....Urban Development Authority.

Sl.	Applic	Name &	Locatio	Total	Area	Penal	Action taken	Re
-----	--------	--------	---------	-------	------	-------	--------------	----

No.	ation No.	address of the applicant	n of Plot / Layout Sy.No. Localit y, Village	Plot area / layout area	of open space available	Amount paid, D.D.N o. Dt: with name of the Bank.	Area of open space provided if any	No. of Plots regulated	Regulation Proceedings No./Dt	Returned Proceedings No.	marks
1	2	3	4	5	6	7	8(a)	8(b)	8(c)	8(d)	9

Annexure – VIII

(Intimation to the applicant to pay shortfall of charges if any under LRS)

From

Commissioner,Municipality/Municipal Corporation

Vice Chairman,Urban Development Authority,

Endorsement No.dated:.....

Sub: UDA / Municipal Corporation / Municipality - Regulation of unapproved layout/plots in Sy.No.....of.....Village, Municipality/Municipal Corporation - Regarding.

Ref: Your Application No.....dated:.....

1. In response to the application cited, the applicant is informed that the competent authority has scrutinized your application and it is proposed to regulate the unapproved layout/plot in the site mentioned above.
2. It is noticed that the applicant has paid the fees and charges which is less than the required levy. Accordingly, the applicant is required to remit the following shortfall of fees and charges so as to enable the competent authority to take further action in the matter:

(i)	Shortfall of pro-rata charges	Rs.....
(ii)	Shortfall of pro-rata open space charges:	Rs.....
(v)	Shortfall of conversion charges	Rs.....
	Total	Rs.....

(Rupees in words)

The applicant is required to remit the said amount through a D.D. or Pay order from a scheduled bank in favour of the competent authority **within 30 days** from the date of receipt of this intimation. In case the above amount is not remitted within the stipulated time, the matter will be closed at this end and necessary action will be taken as per Rules.

Vice Chairman

..... Urban Development Authority.

Commissioner

.....Municipality/Municipal Corporation

To

Sri/Smt.....

Annexure – IX

(Format of the proceedings to be given for regulation of unapproved layout/plot)

Proceedings of the Vice ChairmanUDA

Proceedings of the CommissionerMunicipality / Municipal Corporation

Present:.....

Proceedings No:dt.....

Sir/Madam

Sub: Regulation of unapproved layout/plot in Sy.No..... of..... village,localityof Municipality / Municipal Corporation / Gram Panchayat - Regulation Orders issued.

Ref: 1. Application No.....dt:.....of Sri/Smt.....

2. Letter No.....dt:.....from Director of Town and Country Planning, according technical approval for the layout.

An application has been filed in the reference cited, for regulation of unapproved layout/plot as per the details shown here under:

1	Location of the layout/plot	:	
	T.S.No /Door No./ Plot No./Sy No.		
	Layout/Sub Division No.		
	Street and Locality		
	City/Town/Village & Mandal		
2	Total extent of the Layout/Plot	:	
3	No. of plots	:	
4	Extent of open space already available in the layout if any	:	

In the reference second cited, the Director of Town and Country Planning, has accorded technical approval (wherever applicable) for the layout subject to compliance of the certain conditions. The applicant has paid the following charges in D.D.No.....dt:.....ofBank:

1. Pro - rata charges (towards betterment/scrutiny /layout/development charges) :

(towards betterment/scrutiny /layout/development charges/penalty)

2. Pro - rata open space charges

3. Conversion charges

Total Amount : Rupees

The above said application has been examined with reference to the A.P. Regulation of unapproved and illegal layout Rules 2007 and found to be in order.

Hence the said layout/plot is regulated under the said Rules as shown here under subject to following conditions:

1. The above regulation orders are subject to the conditions that may be applicable under the Urban Land Ceiling and Regulation Act, 1976 and A.P Agriculture Land Ceiling Act.
2. The owners /applicants are solely responsible for any misrepresentation with regard to ownership/ title, Urban Land Ceiling Clearance etc. The owners /applicants are responsible for any damage claimed by any one on account of regulation of the above layout / plot.
3. The regulation orders shall not be used as the sole reason for obtaining exemption from the provisions of Urban Land Ceiling and Regulation Act, 1976 and A.P Agriculture Land Ceiling Act.
4. The regulation of layout /plot does not confer ownership on the applicant or alter the ownership of the land.
5. The regulation orders shall not be used as proof of any title of the land.
6. The regulation of layout /plot does not bar the Government or any public agency from acquisition of the above land for any public purpose.
7. All developments/construction activity shall be taken up as per the layout pattern regulated by these orders.
8. The roads and open spaces as per the layout pattern regulated by these orders are deemed to be handed over to the ----- Municipal Corporation /Municipality /Gram Panchayat and no claims / counter claims on the said roads and open places will be entertained in future.
9. The boundaries, dimensions and layout pattern of the regulated layout /plot shall not be altered except with the previous approval of the Competent Authority.

1	Total extent of the layout / plot area regulated	:	
2	No. of plots in the layout.	:	
3	Extent of area occupied by the roads	:	
4	Percentage of the area occupied by the roads	:	
5	Extent of open space provided if any in the layout	:	
6	Percentage of the open space provided if any in the layout	:	
5	Penal Amount Paid	:	Rs.....
6	D.D.No. with date and name of the Bank	:	

Further, all proceedings and action of enforcement initiated or contemplated against the said layout/plot are withdrawn. The plan showing Layout/Plot regulated is herewith enclosed.

Enclosures: 1.

Vice Chairman

.....Urban Development
Authority.

Commissioner

.....Municipality/Municipal Corporation.

To

Sri/Smt.....

.....

.....

Copy to Assistant City Planner, Circle No..... Municipal Corporation

Copy to Deputy Commissioner, Circle No..... Municipal Corporation

Copy to Town Planning officer, Municipality

Copy to TPS/TPBO Municipality

Copy to Revenue officer/Revenue Inspector, Municipality

Annexure – X

(Format of the proceedings for rejection of regulation of unapproved layout/plot)

Proceedings of the Vice ChairmanUDA

Proceedings of the CommissionerMunicipality / Municipal Corporation

Present:.....

Proceedings No:dt.....

Sir/Madam

Sub: Regulation of unapproved layout/plot in Sy.No..... of.....
village,localityof Municipality / Municipal
Corporation / Gram Panchayat - Regulation Refused -Orders issued.

Ref: 1. Application No.....dt:.....of
Sri/Smt.....

2. Letter No.....dt:.....from Director of Town and Country
Planning, according technical approval for the layout.

An application has been filed in the reference cited, for regulation of
unapproved layout /plot as per the details shown here under:

1	Location of the layout/plot	:	
	T.S.No /Door No./ Plot No./Sy No.		
	Layout/Sub Division No.		
	Street and Locality		
	City/Town/Village & mandal		
2	Total extent of the Layout/Plot	:	
3	No. of plots	:	
4	Extent of open space already available in the layout if any	:	

The above said application has been examined with reference to the A.P. Regulation of unapproved and illegal layout Rules 2007 and found to be not in accordance with the said Rules. Hence the application is rejected for regulation for the reasons mentioned below (Tick the appropriate item/items).

- i. Encroachment on Government Land.
- ii. Property belongs to public under takings.
- iii. Surplus land declared under Urban Land Ceiling / Agricultural Land Ceiling / Lands resumed under A.P. assigned lands (POT).
- iv. Tank beds and Sikham lands.
- v. Areas covered under GO. MS. No. 111 MA dt. 8.3.1996.
- vi. Prohibited area under the Costal Regulation Zone and such other environmentally restricted zones as may be prescribed.
- vii. Earmarked for Industrial use in the sanctioned Master Plans.
- viii. Site is under legal litigations/disputes.
- ix. Layout /plot is in the bed of water bodies viz., river, nala, pond, cheruvu, kunta / shikam lands and in Full Tank Level(FTL) of a lake
- x. Within 30 Mts. from the boundary of river course/Lakes of area 10 Ha and above
- xi. Within 9 Mts. from the boundary of Lakes/ Kuntas / Shikam lands of area less than 10 Ha
- xii. Within 9 Mts. from the boundary of Canal, Vagu etc.
- xiii. Within 2 Mts. from the defined boundary of nala

The applicant is informed that the unauthorized layout / plot would be treated as continuing offence and action will be taken to levy exemplary penalty.

Vice Chairman

.....Urban Development
Authority.

Commissioner

.....
Municipality/Municipal
Corporation.

To

Sri/Smt.....

.....

.....

Copy to Assistant City Planner, Circle No..... Municipal Corporation

Copy to Deputy Commissioner, Circle No..... Municipal Corporation

Copy to Town Planning officer, Municipality

Copy to TPS/TPBO Municipality

Copy to Revenue officer/Revenue Inspector, Municipality

Annexure –XI

(Format of the progress report under LRS for the week ending.)

.....Municipality/Municipal Corporation

.....Urban Development
Authority.

Total No. of applications received upto the beginning of the week	Total No. of applications received during the week	Cumulative No. of applications received	No. of cases disposed during the week		Total No. of cases disposed during the week	Total No. of cases disposed upto the end of the week	Balance No. of applications pending.	Penal amount collected during the week	Total penal amount collected	Remarks
			Regulated	Returned						
1	2	3	4(a)	4(b)	5	6	7	8	9	10

APPLICATION NUMBER	BPS/.....
-------------------------------	------------------

**APPLICATION FOR PENALISATION OF UNAUTHORISEDLY CONSTRUCTED
BUILDING / BUILDING CONSTRUCTED IN DEVIATION OF THE SANCTIONED PLAN**

-----**MUNICIPAL CORPORATION / MUNICIPALITY**

-----**URBAN DEVELOPMENT AUTHORITY**

1	Name of the Applicant		
2	Postal Address		
3	Building Location		
i	T.S. No.		
ii	Door No.		
iii	Plot No.		
iv	Layout / Sub Divn. No.		
v	Street		
vi	Locality		
vii	City/Town/ Village		
4	Furnish the following		
i	Copy of latest Property Tax receipt	YES	NO
ii	Copy of Registered document duly attested by Gazetted Officer	YES	NO
iii	One Photograph showing the Elevation and roof slab	YES	NO
5	Details of Site & Building		
i	Plot Area (in Sq.m)		
ii	Building Permit No. & Date if any		
iii	Sanctioned Plan copy enclosed		
iv	No. of Floors Sanctioned and height of building		
iv	No. of Floors and height of building from the road level as on site		

v	Total Built Up Area Sanctioned (in Sq m)	
vi	Total Built Up Area as on site (in Sq m)	
vii	Additional built up area built - Area in deviation to sanctioned plan within permitted floors - Area constructed without any permission or over and above the permitted floors	

6 Road Access Details

i Existing Road Width of abutting road

7 Usage of the building as per approved plan (if any)

As per Sanctioned Plan

As on ground

	(if any) a. Individual Residential Building		
	b. Commercial Building		
	c. Non-Residential Building		
	d. Apartment complex		
8	Total Penalisation charges payable (as per Self Computation Table duly filled in)		
9	Demand Draft / Pay Order		
i	Amount:		
ii	D.D.No.		
iii	Date		
iv	Name of the Bank & Branch		
10	Any court case is pending regarding ownership of the site	YES / NO	
11	If yes details may be enclosed separately		
12	Certificate to be submitted by the Applicant:		

✓	I hereby certify that the Building Plans, Site Plan and the particulars furnished above are true and correct.
✓	I declare that the property for which I am applying for penalisation is not a public property and I further declare that there are no disputes/ legal cases pending in court of law regarding ownership of the site/ building.
✓	I also declare that my application is not in contravention of land use as per the Master Plan.
✓	In the event of the particulars furnished in the application are found to be not true , my application may summarily be rejected duly forfeiting the entire penal charges paid and I am liable for enforcement action by the Competent Authority as per the law.

Date		Name	
Place		Signature	

14	Certificate to be signed by the Licensed Technical Personnel:
-----------	--

✓	I hereby certify that the Building Plans and Site Plan are prepared by me duly taking the measurements on ground. The technical data with regard to the permitted built up area, as per sanctioned plan and actual built up area existing at site, extent of built up area in deviation to sanctioned plan and total built up area without any building permission is true and correct.
✓	

Signature				
Name				
License No. and Stamp				
Category	Architect	Surveyor	Engineer	Others (specify)
Address with Contact Numbers				

15	Certificate to be signed by the Structural Engineer: (Certificate to be submitted in case of the buildings of height above 15 m or above)
-----------	--

✓	I hereby certify that the building is structurally safe and the construction is in accordance with the specified designs and that I will be held responsible if the same are not in order at a later stage.
---	---

Signature				
Name				
Licence No.				
Address with Contact Numbers				

16.1. Fill up the table applicable

TABLE-1

Self Computation Table showing Penalisation Charges for Individual Residential Buildings / Commercial Buildings / other Non-Residential Buildings for the cases where Building Permission was obtained but deviated from the sanctioned plan

Sl. No	Category / Sub-category	Built Up Area as per sanctioned plan (in sft)	Built Up Area as on site (in sft)	Difference of area in (in sft)	% of violation	Rate per sft as per Annexure-I of the Rules	Total penal amount to be paid
(1)	(2)	(3)	(4)	(5) = (4) - (3)	(6) = (5) / (3) x 100	(7)	(8) = (5) x (7)
A. INDIVIDUAL RESIDENTIAL BUILDINGS:							
1	Upto G+2 floors or 10m height						
2	Above G+2 floors and upto G+4 floors or above 10m and upto 15m height						
B. COMMERCIAL BUILDINGS:							
1	Up to G+1 floor						
2	Above G+1 floor and up to G+4 floors and upto 15m Height						
3	Above 15 m in height						
C. Other Non-Residential Buildings (Institutional / Educational / Industrial, etc.):							
1	upto 15m height						
2	above 15 m in height						

Signature:

Name :

16.2. Fill up the table applicable

TABLE-2

Self-Computation Table showing Penalisation Charges for Individual Residential Buildings / Commercial Buildings /Other Non- Residential Buildings for the cases where No Building Permission was obtained

Sl. No.	Category / Sub-category	Built Up Area as on ground (in sft)	Rate per S. ft as per Annexure-I of the Rules (in Rs.)	Total Penal Amount to be paid (in Rs.)
1	2	3	4	5 = 3x4
A	INDIVIDUAL RESIDENTIAL BUILDINGS:			
1	Up to G+2 floors or 10m height			
2	Above G+2 floors and up to G+4 floors and above 10m and up to 15m			
B	COMMERCIAL BUILDINGS			
1	Up to G+1 floor			
2	Above G+1 floor and up to G+ 4 floors and up to 15m Height			
3	Above 15 m in height			
C	OTHER NON-RESIDENTIAL BUILDINGS (Institutional / Educational / Industrial, etc.)			
1	Up to 15m height			
2	Above 15 m in height			

Signature

Name

16.3 Fill up the table applicable

TABLE-3

Self computing Table showing Penal Charges for Multiple Dwelling Units / Flats / Apartment Complexes

Sl. No.	Category	Permitted by Sanctioning Authority but deviated		Building Constructed Without permission /Unauthorised Floor		
		Sub-category	Penalisation Charges to be paid	Built Up Area of Apartment (in Sq. ft.)	Penalisation Charges per sft	Penalisation Charges to be paid
1	2	3(a)	3(b)	4(a)	4(b)	4(c) = 4(a)x4(b)
1	Height less than 18 mtrs	Apartment Plinth Area up to 1000 sft				
		Apartment Plinth Area more than 1000 sft				
2	Height 18 mtrs & above					

Signature:

Name:

17. INDEMNITY BOND & UNDERTAKING

(On Non-Judicial Stamp paper of Rs. 100 & Notarised)

(To be submitted along with Application Form)

This Indemnity Bond and Undertaking executed on this _____ day of _____ 200- by Smt./Sri

S/o/W/o _____ Age _____

Occupation _____

R/o _____

Herein after called the **FIRST PARTY** which term shall include their legal heirs, successors, assignees, agents, representatives and tenants.

IN FAVOUR OF

The Commissioner of _____/

Vice-Chairman _____ Urban Development Authority

herein after called the **SECOND PARTY**, which term shall include all officials and staff of _____ the _____ Municipal Corporation/Municipality/Urban Development Authority.

Whereas the **FIRST PARTY** has applied for the penalisation of the unauthorized construction in Premises No. _____ of _____, _____/Sy. No. _____ of _____ Mandal, _____ District in the site / plot covering an extent of _____ sq m.

Whereas the **SECOND PARTY** has agreed to consider penalisation of the unauthorized construction in the said site/ plot in terms of 'the Andhra Pradesh Regulation and Penalisation of Unauthorisedly Constructed Buildings and Buildings constructed in deviation of the Sanctioned Plan Rules, 2007' and made it a condition that there shall not be any defect/litigations/Land Acquisition over the said site/land and the same shall be free from all claims of Govt./Banks/and attachments of Courts, and the **FIRST PARTY** has to indemnify the **SECOND PARTY** to this effect.

Whereas the **FIRST PARTY** having agreed to the aforesaid condition hereby indemnifies the **SECOND PARTY** with the above assurance and hereby solemnly declare that the above said site/land is the property of the **FIRST PARTY** which is

possessed by him/her since the date of purchase and the same is free from all defects, litigations, claims and attachments from any courts, etc. and in case of any disputes/litigations arises at any time in future the **FIRST PARTY** will be responsible for the settlement of the same and the **SECOND PARTY** will not be a party to nay such disputes/litigations.

Hence this Indemnity Bond.

FIRST PARTY _____

WITNESSES:

1. _____ Name _____ and
address _____

1. _____ Name _____ and
address _____

Sworn and signed before me on this ----- day of ----- 200 in presence of
above witnesses.

PUBLIC NOTARY

18. List of documents to be enclosed along with the application:		Submitted	
1	Sanctioned Plan copy	YES	NO
2	Copy of Ownership document / Title Deed attested by Gazetted Officer	YES	NO
3	3 sets of Plans (one original on Tracing Paper / Cloth + 2 ammonia prints) as stated below drawn by Licensed Technical Person and signed by applicant and LTP	YES	NO
	<u>a.</u> Site Plan	YES	NO
	<u>b.</u> Location Plan	YES	NO
	<u>c.</u> Detailed Plan	YES	NO
	<u>d.</u> Section	YES	NO
	<u>e.</u> Elevation	YES	NO
4	Self computation table for the penalization charges	YES	NO
5	Demand Draft / Pay Order drawn in favour of the Competent Authority towards the penalization charges	YES	NO
6	Copy of latest Property Tax Receipt	YES	NO
7	One Photograph showing the Elevation	YES	NO
8	One Photograph showing the Roof Slab	YES	NO
9	Indemnity Bond	YES	NO
10	Affidavit as required under Urban Land Ceiling Act in case the total extent of the land held by the applicant does not exceed ceiling limit.	YES	NO
11	Urban Land Ceiling Clearance Certificate in case the extent of plot / site exceeds the ceiling limit	YES	NO
12	NOC from Fire Services Department (where ever applicable)	YES	NO
13	NOC from Airport Authority of India (where ever applicable)	YES	NO
14			
15			
Total No. of Documents			

19. CHECK LIST & ACKNOWLEDGEMENT

(To be submitted in duplicate - one to be retained in file and another to be given to applicant as acknowledgement)

**APPLICATION
NUMBER**

BPS/.....

**APPLICATION FOR PENALISATION OF UNAUTHORISEDLY CONSTRUCTED
BUILDING /BUILDING CONSTRUCTED IN DEVIATION OF THE SANCTIONED
PLAN**

-----MUNICIPAL CORPORATION / MUNICIPALITY

-----URBAN DEVELOPMENT

AUTHORITY

1	Name of the Applicant		
2	Building Location		
i	T.S. No.		
ii	Door No.		
iii	Plot No.		
iv	Layout / Sub Divn. No.		
v	Street		
vi	Locality		
vii	City/Town/Village		
List of documents to be enclosed along with the application:			
		Submitted	
1	Copy of Sanctioned Plan	YES	NO
2	Copy of Ownership document / Title Deed attested by Gazetted Officer	YES	NO
3	3 sets of Plans (one original on Tracing Paper / Cloth + 2 ammonia prints) as stated below drawn by Licensed Technical Person and signed by applicant and LTP	YES	NO
a	Site Plan	YES	NO
b	Location Plan	YES	NO
c	Detailed Plan	YES	NO
d	Section	YES	NO
e	Elevation	YES	NO
4	Self computation table for the penalization charges	YES	NO
5	Demand Draft / Pay Order drawn in favour of the Competent Authority towards the penalization charges	YES	NO
6	Copy of latest Property Tax Receipt attested by Gazetted Officer	YES	NO
7	One Photograph showing the Elevation	YES	NO
8	One Photograph showing the Roof Slab	YES	NO
9	Indemnity Bond	YES	NO
10	Affidavit as required under Urban Land Ceiling Act in case the total extent of the land held by the applicant does not exceed ceiling limit.	YES	NO
11	Urban Land Ceiling Clearance Certificate in case the extent of plot / site exceeds the ceiling limit	YES	NO
12	NOC from Fire Services Department (where ever applicable)	YES	NO
13	NOC from Airport Authority of India (where ever applicable)	YES	NO
	Total No. of Documents		

20. ACKNOWLEDGEMENT

Received the application and documents as stated above.

OFFICE SEAL

**Application
Number for
future reference**

BPS/.....

SIGNATURE OF THE RECEIVER

DESIGNATION

ఆంధ్రప్రదేశ్ ప్రభుత్వం

సంక్షిప్త

మునిసిపలు పరిపాలన, పట్టణాభివృద్ధి (ఎం1) శాఖ - 2007 ఆంధ్రప్రదేశ్ అనధికారికంగా నిర్మించిన భవనాలు, మంజూరు చేసిన ప్లానును అతిక్రమించి నిర్మించిన భవనాల క్రమబద్ధీకరణ, జరిమానావిధింపు - ప్రకటన - ఉత్తరువులు - జారీచేయడమయింది.

మునిసిపలు పరిపాలన, పట్టణాభివృద్ధి (ఎం1) శాఖ

జి.ఓ.ఎంఎస్.నెం.౨౦1

తేదీ: 31-12-2007

ఈ క్రింది వానిని చదవండి:-

2007 లోని 15 వ ఆర్డినెన్స్

ఉత్తరువు:-

పైన పేర్కొన్న ఆర్డినెన్స్ లో ఒకే పర్యయచర్యగా అనధికారికంగా నిర్మించిన నిర్మాణాలు/ అతిక్రమణలపై జరిమానా విధించడానికి మునిసిపలు కమీషనర్లు పట్టణాభివృద్ధి సంస్థ ప్రాంతాలన్నింటి పట్టణాభివృద్ధి సంస్థల క్రింద వచ్చే గ్రామ పంచాయతీల విషయంలో వైస్ చెయిర్మన్లకు అధికారమిస్తూ, 1955, హెచ్ఎంసి చట్టాన్ని, 1965 ఆంధ్రప్రదేశ్ మునిసిపాలిటీల చట్టాన్ని, 1975, ఆంధ్ర ప్రదేశ్ మునిసిపలు కార్పొరేషను చట్టాన్ని, ఆంధ్రప్రదేశ్ పట్టణప్రాంతాల (అభివృద్ధి చట్టాన్ని) సవరించింది. పర్యవసానంగా ప్రభుత్వం 2007, ఆంధ్రప్రదేశ్ అనధికారికంగా నిర్మించిన భవనాలు, మంజూరుచేసిన ప్లానును అతిక్రమించి నిర్మించిన భవనాల క్రమబద్ధీకరణ జరిమానా విధింపు, నియమావళిని ఇందుమూలంగా జారీ చేస్తున్నది.

2. తదనుసారంగా, ఈ క్రింది ప్రకటనను 31-12-2007 తేదీనాటి ఆంధ్రప్రదేశ్ అసాధారణ గేజిటులో ప్రచురించాలి.

ప్రకటన

1955, హైదరాబాదు మునిసిపలు కార్పొరేషన్ల చట్టంలోని 455 ఎ,ఎ, విభాగం, 1965 ఆంధ్రప్రదేశ్ మునిసిపాలిటీల చట్టంలోని 218(ఎ) విభాగం , 1975, ఆంధ్రప్రదేశ్ పట్టణ ప్రాంతాల (అభివృద్ధి) చట్టంలోని 46(ఎ) విభాగం ద్వారా లభ్యమైన అధికారాలను పరుస్కరించుకొని, ప్రభుత్వం ఈ క్రింది నియమావళిని ఇందుమూలంగా చేస్తున్నది. అవేవంటే:-

సంగ్రహనామము , వర్తింపు, ప్రారంభం:

- (1) ఈ నియమావళిని ‘‘ 2007 ఆంధ్రప్రదేశ్ అనధికారికంగా నిర్మించిన భవనాలు, మంజూరు చేసిన ప్లానును అతిక్రమించి నిర్మించిన భవనాల క్రమబద్ధీకరణ, జరిమానా విధింపు, నియమావళి’’ అని పేర్కొన వచ్చును.
- (2) ఈ నియమావళి ఆంధ్రప్రదేశ్ రాష్ట్రంలోని అన్ని మునిసిపల్ కార్పొరేషన్లు, పట్టణాభివృద్ధి సంస్థలు మునిసిపాలిటీల అధికార పరిధిలో 1-1-1985 తేదీ తరువాత, 15-12-2007 వ తేదీకి ముందు నిర్మించగా ప్రస్తుతం వున్న భవనాలకు వర్తిస్తుంది.
- (3) ఈ నియమావళి, ఆంధ్రప్రదేశ్ గేజిటులోని ప్రకటన ప్రచురితమైన తేదీ నుండి అమలులోకి రావాలి.

నిర్వచనాలు:

- (1) ‘‘అధీకృత సాంకేతిక సిబ్బంది’’ అంటే ఈ నియమావళి క్రింద క్రమబద్ధీకరణ జరిమానా విధింపు కోసం పెట్టుకొన్న దరఖాస్తులు పరిశీలన చేపట్టేందుకు సమర్థ అధికారి చే అధికారం పొందిన ప్రాఫెషనల్ అని అర్థం.
- (2) ‘‘సమర్థ అధికారి’’ అంటే మునిసిపల్ కార్పొరేషను, మునిసిపల్ పరిధులలోకి వచ్చే ప్రాంతాల విషయంలో మునిసిపల్ కమీషనర్లు; పట్టణాభివృద్ధి సంస్థ ప్రాంతంలోని మునిసిపల్ కార్పొరేషను లేదా మునిసిపాలిటీ వెలుపల వుండే ప్రాంతం విషయంలో పట్టణాభివృద్ధి సంస్థ వైస్-చేయిర్మను అని అర్థం.
- (3) ‘‘ మొత్తం నిర్మాణ ప్రదేశం’’ అంటే అన్ని అంతస్తులలో వుండే కామన్ ఏరియాస్, బాల్కనీలతో సహా భవనంలో కవరైన మొత్తం నిర్మాణ ప్రదేశం అని అర్థం.
- (4) ‘‘అనధికార నిర్మాణం’’ అంటే మంజూరు చేసిన బిల్డింగు ప్లానును అతిక్రమించి, లేదా మంజూరు అధికారి నుండి భవనానికి అనుమతిని పొందకుండా నిర్మించిన ఏదైన భవనం అని అర్థం.

3. జరిమానా విధింపు కోసం తప్పనిసరిగా దరఖాస్తు చేసుకోవడం:

అనధికారికంగా నిర్మించి, ప్రస్తుతంవున్న భవనాల యజమాని /జి.పి.ఎ/రిజిస్టరైన అసోసియేషను, డిక్లరేషను, స్వీయపన్ను వర్తింపు, ఏదైన వుననట్లయితే మంజూరు చేసిన

బిల్డింగుప్లాను ప్రతి బిల్డింగు స్పష్టమైన తాజా ఫోటో గ్రాఫ్, యాజమాన్యపు హక్కు దస్తావేజు ప్రతి నష్టపరిహారహామీ పత్రం భవనం/ భవన సముదాయం మంజూరుచేసిన ప్రదేశం, అతిక్రమించి ప్రదేశాన్ని సుచిస్తూన్నట్టి డ్రాయింగుల రెండు సెట్లు, మొత్తం అనధికార నిర్మాణాల విషయంలో స్థలం ప్లానుతో సహా మొత్తం నిర్మాణం చేసిన ప్రదేశం సుచిస్తూన్నట్టి డ్రాయింగులతోపాటు, నిర్దిష్టనమూనాలో క్రమబద్ధీకరణ జరిమాన విధింపు కోసం దరఖాస్తు ను సమర్థ అధికారికి లేదా ఆయన అధికారం పొందిన అధికారికి తప్పనిసరిగా పెట్టుకోవాలి. దీనిని 5వ నియమంలో ఇచ్చినట్లుగా పూర్తి జరిమాన మొత్తంతో పాటు ఈ నియమావళి ప్రకటన తేదీ నుండి 60 రోజుల లోపల దాఖలు చేయాలి. ఎవరైన యజమాని / వ్యక్తి నిబంధన చేసిన సమయంలోపల దరఖాస్తు చేయనట్లయితే, ఈయన చట్టం క్రింద అమలు చర్యకు బాధ్యుడైవుంటాడు. అతని భవనాన్ని ఈ నియమావళి క్రింద జరిమానా విధింపు, క్రమబద్ధీకరణ చేపట్టరాదు.

4. కొన్ని కేసుల విషయంలో ఇతర సంస్థలు/ శాఖల నుండి పూర్వామోదం పొందడం:

(1) ఈ క్రింది కేసులలో, ఈ నియమావళి క్రింద దరఖాస్తు పరిశీలించడానికి ముందు సమర్థ అధికారిచే పూర్వామోదం పొందేటట్లు చూడాలి.

(ఎ) 1999 ఆర్డ్రప్రదేశ్ అగ్నిమాపక చట్టంలోని 13వ విభాగంలో విధించినట్లుగా 18 మీటర్లు అంతకు పై బడిన ఎత్తుగల నివాస భవనాలు, 15 మీటర్లు అంతకు పైబడిన ఎత్తుగల వాణిజ్య భవనాలు, 500 చదరపు మీటర్లు అంతకు ఎక్కువ విస్తీర్ణంగల ప్లాటు పై నిర్మించు పాఠశాలలు, సినిమా థియేటర్లు ఫంక్షను హాల్లు, తదితర సమావేశా భవనాలు వంటి ప్రజాసమావేశ భవనాల లేదా 6 మీటర్లకు పైబడిన ఎత్తుల గల భవనాల కేసుల విషయంలో అగ్నిమాపక శాఖ నుండి .

(బి) వర్తించిన కేసులలో ఎయిర్పోర్ట్ అథారిటీ ఆఫ్ ఇండియా నుండి

(సి) 15 మీటర్లకు పైబడిన ఎత్తుగల భవనాల విషయంలో, అట్టి భవనాల నిర్మాణ పరమైన భద్రతంశాల పాటింపు విషయమై లైసెన్సుగల నిర్మాణ ఇంజనీరు నుండి అవసరమైన ధ్రువ పత్రాన్ని సమర్పించాల్సిన అవసరం వుంటుంది

- (2) దరఖాస్తుదారులు నిర్దిష్ట సమయంలోపల పైన తెలిపిన వివరాలతోపాటు అట్టి దరఖాస్తును సమర్పించాలి. అయితే 4(1)(ఎ) వ నియమం, 4(1)(బి) వ నియమం క్రింద కోరబడిన విధంగా ఆమోదాలను దాఖలు చేసేందుకు మరో మూడు నెలల కాలాన్ని అనుమతించడమవుతుంది.

5. జరిమానా ఛార్జీల చెల్లింపు:

- (1) యజమాని/దరఖాస్తుదారు జరిమానా విధింపు తదితర వివరాల దరఖాస్తు తోపాటు 1,2వ అనుబంధాలలో ఇచ్చినట్లుగా జరిమానా ఛార్జీలను చెల్లించాలి. అన్ని అంతస్తులపై అతిక్రమించిన మొత్తం నిర్మాణ ప్రదేశానికి జరిమానా ఛార్జీలను విధించడమయింది. ఈ జరిమానా ఛార్జీలలో భవనం అనుమతి ఫీజు, అభివృద్ధి ఛార్జీలు, బెటర్మెంటు ఛార్జీలు, ఇంఫాక్ట్ ఫీజులు మొదలైనవి చేరివుంటాయి. మరే ఇతర ఫీజులు, ఛార్జీలను విధించారాదు.
- (2) పైన పేర్కొన్న ఫీజులు, ఛార్జీలను సమర్థ అధికారి పేరిట తీసుకున్న డిమాండ్ డ్రాఫ్ట్ రూపంలో చెల్లించాలి.
- (3) చెల్లించిన జరిమానా మొత్తం తిరిగి చెల్లించబడదు. అయినప్పటికీ, నిరాకరించిన కేసులలో, సమర్థ అధికారి పరిశీలన, ప్రాసెసింగు ఛార్జీల నిమిత్తం 10 శాతం జరిమానా మొత్తాన్ని నిలిపివంచి మిగిలిన మొత్తాన్ని తిరిగి చెల్లించనగును. లెక్కింపులో యదార్థ పొరపాటు వున్నట్లయితే చెల్లించిన అధిక మొత్తాన్ని తిరిగి చెల్లించనగును.

6. సమర్థ అధికారి పరిశీలన, నిరాకరణ, ఆమోదం:

అవసరమైన షరతులు, ప్రణాళికలతోపాటు నిర్దిష్ట నమూనాలో జరిమానా కోసం చేసిన దరఖాస్తు అందిన పిమ్మట, సమర్థ అధికారి ఆ దరఖాస్తులను పరిశీలించి, అవసరమైన సైటు తనిఖీలు జరిపిన తరువాత, వాటి ఆమోదాన్ని లేదా నిరాకరణను, దరఖాస్తులు. అందిన చివరితేదీ నుండి ఆరు నెలలు దాటకుండా సాధ్యమైనంత త్వరలో దరఖాస్తుదారునికి తెలియపర్చాలి. సమర్థ అధికారి, దరఖాస్తుల పరిశీలనకు, ఫీల్డ్ తనిఖీల కోసం లైసెన్సు పొందిన సాంకేతిక సిబ్బంది సేవలను వినియోగించుకోవచ్చు. దరఖాస్తు అందినంత మాత్రాన లేక ఈ విషయంలో తుది

ఉత్తరువులు జారీచేయడంలో ఏదేని జాప్యం జరిగినట్లయితే, దరఖాస్తును ఆమోదించినట్లుగా అన్వయించుకోరాదు.

7. దరఖాస్తు సమర్పించిన తరువాత ఉల్లంఘన:

తనిఖీ సమయంలో, దరఖాస్తుదారు ప్రస్తుతమున్న భవనానికి తదుపరి చేర్పులు లేదా విస్తరణలు చేపట్టినట్లు కముగోన్నట్లయితే, అప్పుడు, పూర్తి జరిమాన మొత్తాన్ని జప్తుచేస్తూ టూకీగా అట్టి దరఖాస్తు ను తిరస్కరించాలి. చట్టం ప్రకారం కూల్చినేయడంతోపాటు అనధికార భవన నిర్మాణంపై అవసరమైన చర్యను తీసుకోవాలి.

8. మినహాయింపు:

100 చదరపు గజాలవరకు గల స్థలాలలో గుడిసెలు, ఒకే అంతస్తుగల పాక్షిక - శాశ్వత గృహాలు (ఆర్.సి.సి నిర్మాణం కానివి) ఈ నియమాళి క్రింద వర్తించవు:

9. కొన్ని స్థలాలకు వర్తించని జరిమానా:

ఈ క్రింది కేసులలో ప్రజా ప్రయోజనాలు, ప్రజల భద్రతకు ప్రతికూల ప్రభావం కలిగించే కేసులలో అనధికార నిర్మాణాలపై జరిమానా విధింపును పరిగణనలోకి తీసుకోరాదు. అవేవంటే,

ఎ) ప్రభుత్వరంగ సంస్థలు, ఆంధ్రప్రదేశ్ గృహనిర్మాణ సంస్థ, ఆంధ్రప్రదేశ్ పారిశ్రామిక మౌలిక సదుపాయాల సంస్థ, పట్టణాభివృద్ధి సంస్థ, స్థానిక సంస్థ, దేవాదాయాలు, వక్చబోర్డు మొదలైవాటికి చెందిన ప్రభుత్వ భూమి లేదా ఆస్తిపై ఆక్రమ ఆక్రమణ.

బి) దరఖాస్తు దారుకు ఎలాంటి హక్కు లేని భూమి;

సి) పట్టణ భూ గరిష్టపరిమితి/ వ్యవసాయ భూ గరిష్ట పరిమితి ప్రకటించిన మిగులు భూమి ఆంధ్రప్రదేశ్ అసైన్డ్ (పిబీటి) చట్టం క్రింద తిరిగి స్వాధీనం చేసుకున్న భూములు.

డి) మాస్టర్ ప్లాన్/ జోనల్ డెవలప్ మెంటుప్లాను/ రోడ్డు డెవలప్మెంటు ప్లాను లేదా ఏదేని ఇతర ప్రభుత్వ రోడ్లు / ఎఆర్.టి.ఎస్/బిఆర్.టి.ఎస్ క్రింద ఏదేని రోడ్డు లేదా ప్రతిపాదిత రోడ్డు అలైన్మెంటు క్రింద గురి అయిన భవనాలు;

ఇ) చెరువు గర్భం, శిఖం భూములు;

ఎఫ్) 8-3-1996 తేదీగల మునిసిపలు పరిపాలన, పట్టణాభివృద్ధి శాఖ, ఎం.ఎస్.నెం.111 జీ.ఓ. క్రింద నిర్మాణానికి నోషించిన ప్రాంతాలు (ఉస్మాన్సాగరు, హిమాయత్ సాగరు చెరువుల పరీవాహ ప్రాంతాల పరిరక్షణ);

జి) కోస్తా క్రమబద్ధీకరణ జోను క్రిందకు వచ్చే నోషిత ప్రాంతాలు, నిర్దిష్టపరచినట్టి ఇతర పర్యావరణ ప్రతిబంధక జోన్లు;

హెచ్) మాస్టర్ప్లాను/జోనల్ డెవలప్మెంటు ప్లానులో రిక్రియేషన్ కోసం కేటాయించిన లేఅవుట్/మాస్టరుప్లాను నివేశన స్థలాలు, ప్రాంతాలు.

ఐ) మాస్టరు ప్లాను/జోనలు అభివృద్ధి ప్లానులో ఆమోదిత భూమి వినియోగంతో అనుగుణంగా లేని భవనాలు;

జె) స్థలం/భవన యాజమాన్యాత్మానికి సంబంధించి న్యాయవ్యాజ్యాలు/వివాదాల క్రింద వున్న స్థలాలు;

కె) మంజూరైన ప్లాను ప్రకారం పార్కింగు కోసం కేటాయించిన ప్రాంతం;

ఎల్) ఆమోదం పొందని/అనధికార లేఅవుట్లో ఎలాంటి భవన మంజూరులేని అనధికార నిర్మాణాలకు ఆమోదం పొందని/అనధికార లేఅవుట్ల క్రమబద్ధీకరణ నియమావళి క్రింద ముందుగా సైటు/ప్లాటు ఆమోదం పొందాలి;

అయినప్పటికీ, 9(1) నియమం విషయంలో, తత్సంబంధ నియమావళి క్రింద అనధికార సైటు/ప్లాటు క్రమబద్ధీకరణ కోసం సమర్థ అధికారికి చేసిన దరఖాస్తుకు ఒప్పుకోలును దరఖాస్తుదారు జతపరచినట్లయితే, జరిమానా విధింపు కోసం చేసిన దరఖాస్తులను ఆమోదించడం జరుగుతుంది.

ఎం) మాస్టరు ప్లాను/జోనలు అభివృద్ధిప్లాను ప్రకారం, గ్రేటర్ హైదరాబాదు మునిసిపలు కార్పొరేషను, గ్రేటరు విశాఖపట్టణం మునిసిపలు కార్పొరేషను, విజయవాడ మునిసిపలు కార్పొరేషను, పరిమితులలో 80 అడుగులు, అంతకు పైబడిన వెడల్పుగల ప్రధాన రోడ్లు మిగిలిన పట్టణ ప్రాంతాలలో 60 అడుగులు అంతకుపైబడిన వెడల్పుగల రోడ్ల నిర్మాణ రేఖ లోపల చేసిన నిర్మాణాలకు క్రమబద్ధీకరణ, జరిమానా విధింపు చేయరాదు.

10. స్వాధీన ధవపత్రం జారీ:-

ఆమోదించినట్లయితే, సదరు నిర్మాణంపై ప్రారంభించిన లేదా ఉద్దేశించిన అన్ని ప్రాసీడింగులను, అమలు చర్యను ఉపసంహరించి, స్థానిక అధికారి ప్రాసీడింగును జారీ చేయాలి. అప్పుడు దరఖాస్తుదారుకు స్వాధీన ధవపత్రాన్ని జారీ చేయాలి.

11. అప్పీలు :-

6వ నియమం క్రింద సమర్థ అధికారి జారీ చేసిన ఉత్తరువు వల్ల నష్టపోయిన ఎవరేని దరఖాస్తుదారు, ఉత్తరువు అందిన తేదీ నుండి ముప్పది రోజుల లోపల ప్రభుత్వం నియమించిన కమిటీకి అప్పీలు చేసుకోవచ్చు. అయితే, దరఖాస్తుదారు అవసరమైన ఛార్జీలు చెల్లించి ఈ నియమావళిలోని 3వ నియమంలో నిర్దిష్టపరచినట్లుగా ప్రత్యేకాలను సమర్పించాలి.

(2) అన్ని అప్పీళ్లను 3 నెలల లోపల పరిష్కరించాలి.

12. అనధికార నిర్మాణాలపై జరిమానాల విధింపు నిమిత్తం ముందుకు రాకపోవడం:-

3వ నియమం ప్రకారం నిర్మించిన అనధికార భవనాల క్రమబద్ధీకరణకు, జరిమానా విధింపుకు దరఖాస్తుచేయకుండా ఉన్న సందర్భంలో,

(1) అట్టి అనధికార నిర్మాణాలను నిరంతర నేరంగా పరిగణించి, చట్ట ప్రకారం జరిమానాను విధించడమవుతుంది.

(2) చట్ట ప్రకారం కూల్చివేతతోపాటు ఇతర అమలు చర్యను స్థానిక అధికారి ప్రారంభించాలి.

(3) సదరు స్థలంలో భవన నిర్మాణ మంజూరు అధికార వర్గం తదుపరి భవన నిర్మాణ ఆమోదాలను పరిశీలించకూడదు.

13. పన్ను విధించిన మొత్తాన్ని ప్రత్యేక ఖాతాలో వుంచడం:-

(1) ఈ నియమావళి క్రింద సమర్థ అధికారి వసూలు చేసిన మొత్తాన్ని ఒక ప్రత్యేక ఎస్కో ఖాతాలో సమర్థ అధికారి నియంత్రణ క్రింద ఉంచి, నిర్వహించాలి. ఆ మొత్తాన్ని ఆ ప్రాంతంలో సౌకర్యాల మెరుగుదలకు మాత్రమే వినియోగించాలి.

(2) పట్టణాభివృద్ధి సంస్థ ప్రాంతాలలోకి వచ్చే గ్రామ పంచాయతీ ప్రాంతాల విషయంలో, ఆ విధంగా వసూలు చేసిన జరిమానా మొత్తాన్ని పట్టణాభివృద్ధి సంస్థ, సంబంధిత గ్రామ పంచాయతీ మధ్య సమాన దామాషాలో పంచడమవుతుంది. పట్టణాభివృద్ధి

సంస్థ ప్రాంతాల క్రిందికి వచ్చే కార్పొరేషను, మునిసిపాలిటీల విషయంలో జరిమానా మొత్తాన్ని సంబంధిత కార్పొరేషను/మునిసిపాలిటీ, పట్టణాభివృద్ధి సంస్థ మధ్య 70:30 దామాషాలో పంచడమవుతుంది.

1 4. కమిటీ ఏర్పాటు:-

11వ నియమం క్రింద అప్పీళ్ళను పరిశీలించడం కోసం ప్రభుత్వం అప్పీలేటు కమిటీలను ఏర్పాటుచేస్తూ ప్రత్యేక ఉత్తరువులు జారీ చేస్తుంది.

1 5. ఈ నియమావళి అమలు కోసం ప్రభుత్వం మార్గదర్శకాలు జారీ చేయవచ్చు:-

1 6. ఈ నియమావళికి విరుద్ధంగా లేదా అసంగతంగా వున్న ప్రస్తుతమున్న నియమావళి, రెగ్యులేషన్లు, నిబంధనావళి, ఉత్తరువులన్నింటినీ ఈ నియమావళి నిబంధనల మేరకు మార్పు చేయాలి:-

(ఆంధ్రప్రదేశ్ గవర్నరుగారి ఉత్తరువు క్రింద వారి పేరిట)

ఎస్.పి. సింగ్,

ప్రభుత్వ ముఖ్య కార్యదర్శి

అనుబంధం - I

జరిమానా రేట్లు (అవ నియమం చూడండి)

వరుస వర్గం/
సంఖ్య ఉపవర్గం

ఉల్లంఘించిన నిర్మాణ ప్రాంతం చ.అడుగులకు రూపాయలలో రేటు

భవననిర్మాణ అనుమతిని పొంది మంజూరు చేసిన ప్లానును అతిక్రమించినట్టి, సెట్ సెట్ బ్యాక్స్, బాల్కనీ ప్రాజెక్షన్లు, బాల్కనీ బ్యాక్స్, బాల్కనీ ప్రాజెక్షన్లు, బాల్కనీ ప్రాంతాలను ఇతర నిర్మిత ప్రాంతాలుగా ప్రాంతాలను ఇతర నిర్మిత ప్రాంతాలుగా మార్చడం/30 శాతం కంటే ఎక్కువ మార్చడం/30 శాతం వరకు వినియోగాలతో వినియోగాలతో సహా అనుమతించిన సహా అనుమతించిన నిర్మాణ ప్రాంత నిర్మాణ ప్రాంత ఉల్లంఘన కేసులు.
ఉల్లంఘన కేసులు.

2. అనుమతి పొందని కేసులు (ఈ కేటగిరీలో నిర్మాణప్రాంతం మొత్తాన్ని ఉల్లంఘన ప్రాంతంగా పరిగణించడమవుతుంది.)

3(i)

3(ii)

1.	2.	జోహచ్ ఎంసి ఇతర మునిసిపాలిటీలు	జోహచ్ ఎంసి ఇతర మునిసిపాలిటీ
		/జివిఎంసి/ మునిసిపలు మిగిలిన	/జివిఎంసి, మునిసిపలు లు, మిగిలిన
		విఎంసి కార్పొరేషన్లు పట్టణాభివృద్ధి ప్రాంతం	విఎంసి కార్పొరేషన్లు పట్టణాభివృద్ధి ప్రాంతం

3(i)(ఎ)

3(i)(బి)

3(i)(సి)

3(ii)(ఎ)

3(ii)(బి)

3(ii)(సి)

1. వాణిజ్య భవనాలు/వాడుక

ఎ) గ్రౌండ్ +1 200 150 100 300 200 150

అంతస్తు

ఎత్తు వరకు

బి) గ్రౌండ్ +1 400 300 200 500 400 300

కు పైన 15

మీ. ఎత్తుకు

తక్కువ

సి. 15మీ. ఆ పై 500 400 300 600 500 400

ఎత్తు వరకు

2ఎ. వ్యక్తిగత నివాస భవనాలు

ఎ. గ్రౌండ్ +2 60 40 30 100 60 50

అంతస్తులు

లేదా 10 మీ.

ఎత్తు వరకు

బి. గ్రౌండ్ +2 100 60 50 200 150 100

అంతస్తుల

పైన లేదా 10

మీ. ఎత్తు

2 బి) బహుళ నివాసాలు/ఫ్లాట్లు/అపార్ట్మెంట్ కాంప్లెక్సులు (అనుబంధం-II చూడండి.)

3. ఇతర నివాసేతర భవనాలు (సంస్థాగత/విద్య/పారిశ్రామిక మొ.)

i) 15 మీ. ఎత్తు 60 40 30 100 60 50

వరకు

ii) 15మీ. పైన 100 60 50 200 150 100

ఎత్తు వరకు

అనుబంధం - II

ఉల్లంఘనలో వున్నట్టి బహుళ నివాస యూనిట్లు/ప్లాట్లు/అపార్టుమెంటు

కాంప్లైక్సులకు/అపార్టుమెంటులుగా మార్చిన విడివిడి భవన నిర్మాణాలకు జరిమానా రేట్లు

వరుస సంఖ్య	బహుళ నివాస యూనిట్లు/ ప్లాట్లు/ అపార్టుమెంటు కాంప్లెక్సులు	భవననిర్మాణ అనుమతిని పొంది బాల్కనీ ప్రాజెక్షన్లు/ప్రాంతాలను ఇతర నిర్మిత ప్రాంతాలుగా మార్చడంతో సహా అంతస్తులపై అదనపు అంతస్తులు నిర్మించిన మంజూరు చేసిన ప్లానును కేసులు	అతిక్రమించిన/విడివిడి భవన నిర్మాణాలను అపార్టుమెంటుగా మార్చిన కేసులు	జరిమానా ఛార్జ్ రూపాయలలో	ఒక్కొక్క అంతస్తులో ఉల్లంఘించే నిర్మిత ప్రాంతం చ.అ.కు రూపాయలలో రేటు.		
		జోహిచ్ఎంసి/ ఇతర జిఎంసి/ విఎంసి	ఇతర మునిసిపల్ కార్పొరేషన్లు	మునిసిపాలిటీలు, మిగిలిన పట్టణాభివృద్ధి సంస్థ ప్రాంతం	జోహిచ్ఎంసి/ జిఎంసి/ విఎంసి	ఇతర మునిసిపల్ కార్పొరేషన్లు	మునిసిపాలిటీలు, మిగిలిన పట్టణాభివృద్ధి సంస్థ ప్రాంతం
1.	2.	3 (ఎ)	3(బి)	3(సి)	4(ఎ)	4(బి)	4(సి)
18	1000	20,000	15,000	10,000	100/- ప్లంట్	75/-	రూ.50/-
మీటర్ల లోపు ఎత్తు	చ.అ. ప్లాటు/ నివాస	ప్లాటు/ నివాస	ప్లాటు/ నివాస	ప్లాటు/ నివాస యూనిటుకు	ఏరియా చ.అ.కు	ప్లంట్ ఏరియా చ.అ.కు	ప్లంట్ ఏరియా చ.అ.కు
	1000	30,000/-	20,000/-	15,000			
	చ.అ. కంటే ఎక్కువ ప్లంట్ ఏరియా	ప్లాటు/ నివాస	ప్లాటు/ నివాస	ప్లాటు/ నివాస యూనిట్కు			

1.	2.	3 (ఎ)	3(బి)	3(సి)	4(ఎ)	4(బి)	4(సి)
18 మీ. ఆ	80,000	50,000	30,000	స్టింట్ ఏరియా	స్టింట్	స్టింట్ ఏరియా	
పైన ఎత్తు	పొట్టు/ నివాస	పొట్టు/ నివాస	పొట్టు/ నివాస	చ.అ.కు	ఏరియా	చ.అ.కు	
	యూనిటుకు	యూనిటుకు	యూనిటుకు	రూ.200	చ.అ.కు	రూ.100	
					రూ.150/-		

ఎస్.పి.సింగ్

ప్రభుత్వ ముఖ్య కార్యదర్శి