

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

Municipal Administration and Urban Development Department - Amendments to Revised Common Building Rules, 2006 - Orders Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M) DEPARTMENT

G.O. Ms.No.171

Dated: 19th April, 2006

Read the Following:-

1. G.O.Ms.No.86 MA&UD Department., dt:3.3.2006

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ORDER:

In the reference 1st read above, Revised Common Building Rules were issued which are applicable to the areas covered by Municipal Corporation of Hyderabad, Hyderabad Urban Development Authority, Hyderabad Airport Development Authority, Cyberabad Development Authority and Buddha Purnima Project Authority.

After issue of above orders, the Builders Association, the Fire Service Department and various other bodies and organizations have given certain suggestions for making certain minor amendments to the said revised building rules so as to make these rules more clear, easy to comprehend, user-friendly, promoting various types of development and building activities, besides giving design freedom and choice with optimum usage of land on one hand, and reducing the trend of violations and un-authorized constructions on the other, without compromising on the community good.

After careful examination of all the suggestions made by the Builders Association, the Fire Service Department and other bodies and organizations, Government hereby issue the following notification amending the Revised Common building Rules, 2006 to the extent given below and the same will be published in Andhra Pradesh Extraordinary Gazette dated 20.4.2006.

A copy of this Order is available on the Internet and can be accessed at the address <http://apts.gov.in/apgos>.

NOTIFICATION
AMENDMENT TO G.O.Ms.No.86 MA, dt:3.3.2006

1. Rule 5 (g) of G.O.Ms.No.86 MA, dt:3.3.2006 shall be read as follows :
"In case of Banjara Hills, Jubilee-Hills area covered by Block 1 & 2, and part of Block No.3 of Ward No.8, Municipal Corporation of Hyderabad area, the building restrictions imposed vide GOMs.No.601 MA, dt:5.11.1988 read with GOMs.No.423 MA, dt:31.7.98 would be applicable. The set-backs and Parking requirements shall be as per these Rules in such areas".
2. The foot note 1 of Table III under Rule 7 shall be read as follows :
"Stilt parking floor permissible is exclusive of height of building upto 15 m height of stilt floor shall not exceed 3.0 mts."
3. Part of the Table III in (A) OLD CITY / CONGESTED AREAS [Category-I as given in Annexure-I] under plot range "Above 750 sq.mts." shall read as follows:

Above 750	Stilt + Upto 2 Cellars allowed **	12	1.5	3.0	4.5	6.0	6	6
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And in (B) EXISTING AREAS / NEW DEVELOPMENT AREAS / LAYOUT AREAS (including Category-II *** of Annexure-I) under plot range "Above 750 & upto 1500" shall read as follows:

Above 750 & Upto 1500	Stilt + 2 Cellars allowed **	15	3.0	4.5	6.0	9.0	6	6
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4. Rule 7.1 (iii) shall be read as follows:
The set-backs are to be left after leaving the affected area of the plot / site, if any, for road widening. In respect of owners who surrender land affected in road widening free of cost under GOMs.No.483 MA dt:24.8.1998 would be eligible for concessions in set-backs other than the front set-back.
5. Rule 7.1 (viii) shall be read as follows:
"For all residential/institutional/industrial plots above 750 sq.mts. in addition to (vi) and (vii) above, 5% of the site area has to be developed as tot-lot /landscaped area and trees planted and maintained. Such organized open space could be in more than one location and shall be of a minimum width of 3 m".
6. Rule 7.2 (v) shall be read as follows:
"The applicant / builder / developer may provide (optional) for solar water heating system in the building and solar lighting in the site for outdoor lighting within the site".
7. Rule 9.2 shall be read as follows:
"The minimum size of plot for High Rise building shall be 2000 sq.mts. for buildings in the Skyscraper zone, High Rise buildings between 18 mts. to 36 mts. height shall not be permitted. Normal buildings below 18 mts. height would however be allowed".
8. Rule 9.5 shall be read as follows:
"Every application to construct or reconstruct a High Rise building or alteration to existing High Rise building shall be made in the prescribed form and accompanied by detailed plans and floor plans of all floors, along with complete set of structural drawings and detailed specifications duly certified by a qualified structural engineer. Necessary prior No Objection Certificate shall be submitted from the Airport Authority (if applicable), and Directorate of Fire Services along with the application".
9. Rule 9.9 (a) shall be read as follows:
"In every high rise building site, an organized open space shall be utilized as greenery, tot-lot or soft landscaping, etc. shall be provided over and above the mandatory open spaces to be left in and around the building. This space shall be at least 10% of total site area and shall be of a minimum width of 3 mts. This may be in one or more pockets".
10. Rule 10.7(b) shall be read as follows:
"Common amenities and facilities like shopping center, community hall or center / club house etc., are required to be provided in up to 5% of the area and shall be planned and developed in cases where the units are above 100 in number and not be part of the residential blocks".
11. Rule 10.8(e) shall be read as follows:
"Height permissible : 2 floor or 6mt. for plots upto 125 Sq.mts.
Ground + 2 floors for plots above 125 Sq.mts. for row houses".

12. Rule 14(2) shall be read as follows:

“Upon surrendering such affected area, the owner of the site would be entitled to a Transferable Development Right (TDR) as given in Rule 15 below.

OR

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

OR

the owner shall be allowed to avail relaxations as per G.O.Ms.No.483, M.A., Dt:24.8.1998 (incentives to owners who surrender land affected in road widening free of cost) and concessions under this G.O. shall not be considered for the front setback or building line. In respect of High-Rise Buildings, the concessions in setbacks other than the front setback would be considered subject to maintaining a clear setback of 6mts. on remaining sides as required by the Fire Services Department”.

13. Rule 17 shall be read as follows:

CITY LEVEL INFRASTRUCTURE IMPACT FEES APPLICABLE IN CERTAIN CASES:

a. With a view to ensuring development of City Level Infrastructure facilities and levy of Impact Fees, buildings are categorized as follows:

Type I : Building up to height 15mt. excluding stilt parking floor.

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

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

?? First 15mts. or 5 floors (whichever is less) : No levy of Impact fee

?? For any additional floors or part thereof : at differential rates specified in Table below:

Occupancy / Use	Height of Building (in meters) and rate in Rs. per Sq.mts. of built up area			
	Above 15m & upto 21m	Above 21m & upto 30m	Above 30m & upto 50m	Above 50m
Residential	Municipal Corporation Areas			
	500	750	1500	3000
Commercial, Offices, ITES	Other areas of UDA Area			
	250	500	1000	2000
	Municipal Corporation Areas			
	1000	1500	2500	5000
Institutional, Educational & others (except Industrial Sheds)	Other areas of UDA Area			
	500	1000	2000	4000
	Municipal Corporation Areas			
	300	500	1000	2000
	Other areas of UDA Area			
	100	200	400	800

(1) In MCH and CDA area Impact Fee shall be collected as per the above rates. In case of HADA area 50% of the above rates shall be levied while in respect of HUDA area i.e. other than MCH and CDA area 75% other above rates shall be levied.

- (2) Alternatively, the owner may be allowed to utilize TDR given in Rule 14 above, for such built up area to the extent permissible wholly or use the same in combination of both TDR and the differential Impact fee for the proposed additional builtup area that is permissible under these Rules / Provisions. The Government may revise the above rates from time to time.
- (3) The above rates shall not be applicable for Government Departments and public agencies like Urban Development Authority, APIIC, Local Bodies and HMWS&SB.
- (4) The amount levied and collected under above Rule shall be credited and maintained in a separate escrow account by the concerned sanctioning authority and 50 utilised for development of infrastructure in the area. In Infrastructure Plan and Action Plan for implementation is required to be undertaken by the Competent authority and the said Fund utilized accordingly.
- (5) The Premium on F.A.R. charges leviable in CDA area is dispensed with.]

(14) Rule 19(b) shall be read as follows:
 “No fees and charges would be levied for parking spaces provided in any floor”.

(15) Rule 20(a) shall be read as follows:
 “The owner and builder / developer shall give an Affidavit duly notarized to the effect that in the case of any violation from the sanctioned building plan, the Enforcement Authority can summarily demolish the violated portion. In respect of Apartment Buildings, the owner or builder shall give a Declaration duly specifying the number of floors permitted, along with the extent of each floor. In case of any violation with regard to the Declaration, the Enforcement Authority can demolish the violations”.

(16) Rule 20(c), shall be read as follows:
 “The owner is required to hand over the ground floor area or first floor or the second floor area, as the case may be, to the sanctioning authority by way of a Notarised Affidavit and after the setbacks and open spaces are demarcated on the site. The Notarised Affidavit shall be got entered by the sanctioning authority in the Prohibitory Property Watch Register of the Registration Department. Then only the Building sanction will be released and the owner shall be allowed to commence the construction.

The system of taking a Security Deposit is dispensed with.

?? However, in respect of gated development schemes like row houses / independent houses / cluster housing / residential enclaves, 5% of the Units shall be handed over to sanctioning authority.

?? Individual buildings in plots upto 200Sq.mts. height up to 6mts. and industrial buildings are exempted from the above condition.

(17) Rule 21(i) shall be read as follows:
 “Occupancy Certificate shall be mandatory for all buildings. No person shall occupy or allow any other person to occupy any building for any purpose

unless such building has been granted an Occupancy Certificate by the Sanctioning Authority. Partial Occupancy Certificate may be considered by the sanctioning authority on merits i.e. flats / units or area within a Complex which have fulfilled all the requirements in addition to basic facilities like lifts, water supply, sanitation, drainage, roads, common lighting, etc.

However, in respect of individual buildings in plots upto 200 Sq.mts. with height upto 6mts. and industrial buildings obtaining Occupancy Certificate is optional.

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

T. Chatterjee,
Principal Secretary to Government

To

The Commissioner, Printing, Stationary and Stores, Purchase, Hyderabad.

(with a request to public in the extraordinary Gazette of AP on 4.3.06 and furnish 1000 copies to Government).

The Commissioner, Municipal Corporation of Hyderabad, Hyderabad.

The Vice Chairman, Hyderabad Urban Development Authority, Hyderabad.

The Vice Chairman, Cyberabad Development Authority, Hyderabad.

The Vice Chairman, Hyderabad Airport Development Authority, Hyderabad.

The Vice Chairman, Buddha Purnima Project Authority, Hyderabad.

The Director of Town and Country Planning, Hyderabad.

All Departments of Secretariat.

All Heads of Department.

The Director General, Fire Services, Hyderabad.

The Chairman and Managing Director, APTRANSCO, Hyderabad.

The Managing Director, HMWS&SB, Hyderabad.

The Managing Director, APIIC, Hyderabad.

The Engineer-in-Chief (Public Health), Hyderabad.

The Commissioner, L.B. Nagar / Kukatpally / Malkajgiri / Kapra / Uppal Kalan /
Qutubullapur / Alwal / Rajendranagar / Serilingampally / Gaddiannaram /
Ramachandranpuram / Patancheru.

The Commissioner and I.G. of Registration and Stamps, Hyderabad.

The Managing Director, A.P.Housing Board, Hyderabad.

The District Collector, Hyderabad District, Hyderabad.

The District Collector, Ranga Reddy District, Hyderabad.

The District Collector, Medak District, Sangareddy.

Copy to:

The Special Secretary to Hon'ble Chief Minister.

The P.S. to M (MA & UD).

The P.S. to Secretary to Government, MA. & UD.

Sf/Sc

//Forwarded By Order //

Section Officer