

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

MA & UD Department - The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and in Deviation of the Sanctioned Plan Rules, 2015 – Notification – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (M1) DEPARTMENT

G.O.Ms.No.128

**Dated:22.05.2015
Read the following:**

- 1) G.O.Ms.No.901, MA&UD (M1) Dept., Dated:31.12.2007
- 2) G.O.Ms.No.32, MA&UD (M1) Dept., Dated:23.02.2015
- 3).The Andhra Pradesh Municipalities, the Andhra Pradesh Urban Areas (Development) and the Andhra Pradesh Capital Region Development Authority (Amendment) Act, 2015 (AP.Act.No.6 of 2015)
- 4) G.O.Ms.No.87, MA&UD (M1) Dept., Dated:18.04.2015

* * *

ORDER:

1. The Government had notified the Andhra Pradesh Regulation and Penalization of unauthorizedly constructed buildings and buildings constructed in deviation of the Sanctioned Plan Rules, 2007 as in reference 1st read above.
2. Further, the Municipal Commissioners and Vice-Chairmen of Urban Development Authorities and Commissioner, Capital Region Development Authority have been mandated to regulate and penalize the buildings constructed unauthorizedly and in deviation to sanctioned plan as on 31.12.2014 as a one-time measure in reference 3rd cited.
3. Government have decided to issue the Andhra Pradesh Regulation and Penalization of Buildings Constructed unauthorizedly and in deviation of the Sanctioned Plan Rules, 2015 to implement the legislative intent in reference 3rd cited and in supersession of rules notified in G.O.Ms.No.901, MA&UD (M1) Dept., Dated:31.12.2007.
4. Accordingly, the following Notification will be published in Extraordinary issue of the Andhra Pradesh Gazette dated: 22.05.2015.

NOTIFICATION

In exercise of the powers conferred by section 455-AA of the Greater Hyderabad Municipal Corporation Act, 1955, section 218-A of the Andhra Pradesh Municipalities Act, 1965, section 46-A of the Andhra Pradesh Urban Areas (Development) Act, 1975, and section 108A of the Andhra Pradesh Capital Region Development Authority Act, 2014 and in supersession of the Andhra Pradesh Regulation and Penalization of unauthorizedly constructed building and buildings constructed in deviation of the sanctioned plan Rules, 2007 issued in G.O. Ms. No.901 MA & UD, dated 31.12.2007, the Government of Andhra Pradesh hereby make the following Rules.

1. Short Title, Application and Commencement:

- (1) These rules may be called “The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and In Deviation of the Sanctioned Plan Rules, 2015”.
- (2) They shall be applicable to the existing buildings constructed after 1-1-1985 and before 31-12-2014 in the jurisdiction of all Nagar Panchayats, Municipalities, Municipal Corporations, in the case of Gram Panchayats falling in Urban Development Authorities and in the case of Gram Panchayats falling in the ‘Capital Region’ except those included in the ‘Capital City Area’ of Capital Region Development Authority in Andhra Pradesh.
- (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 Commissioners in case of areas falling in Urban Local Bodies, the Vice Chairmen in case of Gram Panchayats falling under Urban Development Authorities and the Commissioner of the Andhra Pradesh Capital Region Development Authority in case of Gram Panchayats falling in the ‘Capital Region’ except those included in the ‘Capital City Area’ of Capital Region Development Authority;
- (3) “Total built up area” means the entire built up area covered in the building including common areas and balconies on all floors; and
- (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:

- (1) The application for Regulation and Penalization of Buildings constructed unauthorizedly shall be made through online only. The URL of the website for applying is “www.bps.ap.gov.in”.
- (2) The application shall be uploaded in the online Building Penalization Scheme Module of the respective Urban Local Body, Urban Development Authority and Capital Region Development Authority from 27.05.2015 onwards.
- (3) An Application for regulation and penalization of the existing buildings constructed unauthorizedly shall be compulsorily made by the Owner/General Power Attorney /Registered Association to the Competent Authority or officer authorized by him in the prescribed proforma along with declaration, self computing table, copy of sanctioned building plan, if any, a clear latest photograph of the building, copy of document of ownership title, Indemnity Bond and three 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.

- (4) The format of Application, self computing tables, indemnity bond and list of documents to be submitted along with application are given in Annexure-I.
- (5) The applicant shall get the plans prepared duly scrutinized by the Licensed Technical Personnel who shall undertake the field inspection for the purpose.
- (6) The application shall be filed within sixty days from the date of Notification of these rules along with the prescribed penal amount as given in rule 5.
- (7) If any owner/individual fails to apply within the stipulated time, he shall be liable for enforcement action under the law and the buildings constructed unauthorizedly and in deviation of the sanctioned plan shall also be liable for enforcement action under the Law and such buildings shall not be taken up for regulation and penalization under these rules.
- (8) Necessary certificate from the Licensed Structural Engineer with regard to structural safety compliance of all buildings shall be submitted along with the Application for regulation and penalization of the buildings.

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

- (1) In the following cases, prior clearance shall be obtained by the Applicants from the concerned Authorities before considering the application under these Rules by the Competent Authority.
 - (a) In respect of cases of residential buildings with 18 mtrs and above in height, Commercial buildings above 15 mtrs in height, and buildings of public congregation like schools, Cinema theatres, function halls and other assembly buildings on plot area of 500 sq.m. and above or of height above 6 mtrs as stipulated in section 13 of the Andhra Pradesh Fire Service Act, 1999 from the Andhra Pradesh State Disaster Response & Fire Services Department.
 - (b) From Airport Authority of India wherever applicable.
- (2) Applicants shall submit such applications 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) of these rules.

5. Payment of Penal Charges:

- (1) All Penal Charges payable under these rules shall be payable through online payment instruments such as Credit Cards, Debit Cards and Net Banking only through the website specified in rule 3(1).
- (2) The penal charges payable are specified in Annexure II to V of these Rules. 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.

- (3) The Owner / Applicant shall pay an initial amount of Rs. 10,000 [Rupees Ten Thousand Only] along with application and shall pay the balance penal charges on intimation by the Competent Authority within (30) days from the date of intimation. Alternatively, the Owner / Applicant may also pay the total penal charges in full as per the Rules along with self-computation table enclosed to the application.
- (4) The Penal amounts 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.
- (5) Buildings constructed prior to 31-12-1997 are eligible for reduction of 25% on penalization charges. In these cases property tax receipt showing payment made prior to 31-12-1997 shall be attached to the application.
- (6) In case of residential buildings falling in notified slums, only 50% of penalization charges shall be levied.

6. The procedure for submission of applications mentioned in rule 3(1) of these rules and payment of penal charges mentioned in rule 5(1) of these rules is attached in Annexure-II-A.

7. 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 the Andhra Pradesh Assigned Lands (POT) 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/Mass Rapid Transportation System (MRTS) /Bus Rapid Transportation System (BRTS) except buildings constructed in road widening areas as stated in rule 9;
- (e) Tank bed and Sikham lands;
- (f) Prohibited areas under the Coastal Regulation Zone and such other environmentally restricted zones as may be prescribed;
- (g) Layout/Master Plan open spaces/Areas earmarked for Recreation Use in Master Plan/Zonal Development Plan;
- (h) Buildings that are not in conformity with land use approved in Master Plan/Zonal Development Plan;
- (i) Sites under legal litigation/ disputes regarding ownership of the site / building;
- (j) Area earmarked for parking as per sanctioned plan;

- (k) Unauthorized constructions without any building sanction in unapproved /unauthorized layouts.
- (l) Buildings falling in 'Capital City Area' of Capital Region Development Authority Area.

8. Exemption:

Huts, semi-permanent houses and RCC houses up to two storeys (G+1) in sites up to 100 sq m are exempted from operation of these rules.

9. Buildings constructed in road widening areas:

In case of constructions made within the building line of major roads of width 80 feet and above within the limits of Greater Vishakhapatnam Municipal Corporation, and Vijayawada Municipal Corporation and roads of width 60 feet and above in rest of the urban areas as per Master Plan/Zonal Development Plan/Road Development Plan, the regulation and penalization shall be done subject to the property owner furnishing a legally enforceable undertaking as given in Annexure VI that he will surrender the land and structures falling within the building line to Local Body/Urban Development Authority /Capital Region Development Authority free of cost as and when required in future for road widening. The undertaking to be submitted is given in Annexure -VI.

10 Violation after submission of Application:

During verification, if it is found that the applicant has undertaken further additions or extensions to the existing building after submitting the application, 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

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

After receipt of the Application for penalization in the prescribed proforma along with required documents and plans, the Competent Authority shall scrutinize the application and after carrying out necessary site inspection, communicate its approval or rejection to the applicant as early as possible but not beyond six months from the last date of receipt of Applications. Mere receipt of application or any delay in communication of final orders in the matter will not imply the approval of the application.

12. Issue of proceedings showing Regulation and Penalization of the Building and Occupancy Certificate:

In case of approval, the Competent Authority shall issue proceedings to the effect that all proceedings and action of enforcement initiated or contemplated against the said construction are withdrawn and also stating that the building is regulated and penalized under these rules and also issue Occupancy Certificate to the applicant. The format of the proceedings to be issued in the matter is given in Annexure VII.

13. Appeal:

- i. Any applicant aggrieved by an order passed by the Competent Authority under Rule 11, 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.

ii. All the appeals shall be disposed off within 3 months.

14. Failure to come forward for penalization of unauthorized constructions:

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

- (a) such unauthorized constructions would be treated as continuing offence and penalty as per Law would be levied;
- (b) Other enforcement action including demolition shall be initiated by the competent authority as per law;
- (c) No further building approvals shall be considered by the building sanctioning authority in the said site;
- (d) The builder / developer responsible for constructing the building unauthorisedly or in deviation to the sanctioned plans shall be black-listed;

15. Amount collected to be kept in separate account:

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 account and utilized only for improvement of amenities.

In respect of Gram Panchayats, Nagar Panchayats, Municipalities and Corporations falling in the Urban Development Authority area or Capital Region Development Authority area, the penal amount so collected will be shared in equal proportion between Urban Development Authority/Capital Region Development Authority and Gram Panchayats, Nagar Panchayats, Municipalities and Corporations concerned.

16. Constitution of Committee:

Government will issue separate orders constituting Appellate Committee for disposal of appeals under rule 13.

17. Government may issue guidelines to operationalize these rules.

18. 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.

19. Annexure - I to VII are attached to these rules.

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

**GIRIDHAR ARAMANE
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Commissioner, Printing, Stationary & Stores Purchase, AP, Hyderabad
(for Publication of the Notification in the Gazettee and furnish 500 copies to Government)

The Commissioner & Director of Municipal Administration, AP, Hyderabad
 The Commissioner, Andhra Pradesh Capital Region Development Authority,
 Vijayawada
 The Commissioner, Greater Vishakapatnam Municipal Corporation,
 Visakhapatnam
 The Commissioner, Vijayawada Municipal Corporation, Vijayawada
 The Director of Town & Country Planning, A.P. Hyderabad
 All Vice Chairmen of Urban Development Authorities in the State of A.P
 All Commissioners of Municipalities/Corporations/Nagar Panchayats through
 C & DMA, AP, Hyderabad
 The all District Collectors
 The Managing Director, Andhra Pradesh Industrial Infrastructure Corporation,
 Hyderabad
 The Commissioner, Endowments, Department, A.P., Hyderabad
 The Chief Commissioner of Land Administration, A.P., Hyderabad
 The Engineer-in-Chief (Public Health), A.P., Hyderabad
 The Commissioner, Transport, Department, A.P., Hyderabad
 The Commissioner, Panchayatraj, Department, A.P., Hyderabad
 The Vice Chairman, Andhra Pradesh Housing Board, Hyderabad
 The Director General, Fire Services Department, A.P., Hyderabad
 The Managing Director, AP Transmission Corporation, Hyderabad
 The Airport Authority of India.

Copy to:

P.S to Prl.Secy to Hon'ble C.M
 P.S to Hon'ble Minister (MA & UD)
 P.S to Prl.Secy to Government, MA & UD Department
 P.S to Prl.Secy to Government, Revenue Department
 P.S to Prl.Secy to Government, Irrigation Department
 P.S to Prl.Secy to Government, TR & B Department
 P.S to Prl.Secy to Government, PR Department
 P.S to Prl.Secy to Government, Agriculture & Cooperation
 P.S to Prl.Secy to Government, Industries Department
 The Law Department
 Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER

List of Annexure to “The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and In Deviation of the Sanctioned Plan Rules, 2015”

- Annexure – I : Application for penalization of buildings constructed unauthorizedly and in deviation of the sanctioned plan [BPS]
- Annexure – II : Basic penalization charges for individual residential buildings other non-commercial uses and commercial uses [per square feet in rupees]
- Annexure – II-A : Procedure for submission of applications and payment of penal charges through online
- Annexure – III : Penalization charges with reference to the land value for individual residential buildings, other non-commercial uses and commercial uses
- Annexure – IV : Basic penalization charges for multiple dwelling units / flats / apartment complexes / Individual building converted into apartments
- Annexure – V : Penalization charges with reference to the land value for Multiple dwelling units / flats / apartment complexes / Individual building converted into apartments
- Annexure – VI : Road widening undertaking
- Annexure – VI A : Structural Stability Certificate
- Annexure – VII : Proceedings of the Commissioner / Vice-Chairman of Nagar Panchayat / Municipality / Municipal Corporation / Urban Development Authority / Andhra Pradesh Capital Region Development Authority

ANNEXURE - I

Building Penalization Scheme Application Details

Applicant Details

Aadhaar Number *

Aadhaar Number

PRE-FILL

Applicant Name *

Applicant Name

Father/Husband Name *

Father/Husband Name

District *

Select

Mandal *

Select

Village *

Select

Door No.

Door No.

 Male Female

Pin Code

Pincode

Locality *

Locality

Email ID

Email ID

Mobile Number *

Mobile No.

Land Line Number

Land Line No.

Building Location Details

Corporation

Municipality

UDA

CRDA

District *

Select ▼

Building Category Type *

Select ▼

Building Usage Type *

Select ▼

Building Construction Date *

DD/MM/YYYY

Survey Number *

Survey No.

Sub Division Number

Sub Division No.

Plot Number *

Plot No.

Door Number *

Door No.

Street/Colony *

Street/Colony

Locality *

Locality

Details of Site & Building

Latest Property Tax Receipt Number *

Property Tax Receipt No.

Latest Property Tax Receipt Date

DD/MM/YYYY

Property Tax Receipt Number before 31.12.1997

Property Tax Receipt No.

Property Tax Receipt Date before 31.12.1997

DD/MM/YYYY

Plot Area *

Area in Sq. meter (Sq. m)

Is This Building has Prior Permission *

Yes No

Basic Value of Site Cost Per Sq. yard *

Cost in INR (INR)

Existing Road Width *

Width in feet (meters)

Actual Usage *

Select ▼

Documents to be Uploaded

Requirement	Uploading Files
Ownership Documents Attested *	<input type="button" value="Browse..."/> No file selected.
One set Of Constructed Building Plans (Site Plan, Detailed Plan, Floor Plan, Fiction Plan, Elevation Plan) *	<input type="button" value="Browse..."/> No file selected.
Basic Value of Site Cost Per Sq.yard *	<input type="button" value="Browse..."/> No file selected.
Latest Propertytax Receipt *	<input type="button" value="Browse..."/> No file selected.
Indemnity Bond *	<input type="button" value="Browse..."/> No file selected.
One Photograph Showing Elevation *	<input type="button" value="Browse..."/> No file selected.
One Photograph Showing Roof Slab *	<input type="button" value="Browse..."/> No file selected.
Affidavit As Required	<input type="button" value="Browse..."/> No file selected.
Urban Land Ceiling Clearance Certificate *	<input type="button" value="Browse..."/> No file selected.
Undertaking for Road Affected portion on Non Judicial Stamp Paper *	<input type="button" value="Browse..."/> No file selected.
Structural Stability Certificate *	<input type="button" value="Browse..."/> No file selected.

Payment Details

Initial Amount *	User Charges
<input type="text" value="10000.00"/>	<input type="text" value="00.00"/>
Total Amount	
<input type="text" value="10000.00"/>	

[MAKE PAYMENT](#)

Annexure – I - TABLE - 1

Self-Computation table showing penalization charges for
 Individual Residential Buildings / Commercial Buildings / Other Buildings
 for the cases where building permission was obtained but deviations made to sanctioned plan

Occupancy or Use of the Building (Tick the relevant Category)	Plot size (in sq m)	Built up area as per sanctioned plan (in sq ft)	Built up area as on ground (in sq ft)	Difference in area (in sq ft) [(5)=(4)-(3)]	Percentage of violation (in case of plot area above 300sq m)	Basic penal charges as per Annexure - II [Per Sq ft in Rupees]	Total penal charges as per Basic Penal Charges (in Rupees) [(8)=(5)X(7)]	Market value of the land as on 1.1.2015 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure III i. e. with reference to Land value)	Actual Penalization Charges to be Paid (in Rupees)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Individual Residential Building										
Commercial Building										
Other Building (specify the use)										
Name of the Applicant:						Signature of the Applicant:				

Annexure – I - TABLE - 2

Self-Computation table showing penalization charges for Individual Residential Buildings / Commercial Buildings / Other Buildings
for the cases where **No building permission was obtained**

Occupancy or Use of the Building (Tick the relevant Category)	Plot size (in sq m)	Built up area as on ground (in sq ft)	Basic penal charges as per Annexure - II [Per Square feet in Rupees]	Total penal charges as per basic penal charges (in Rupees) [(5)=(3)X(4)]	Market value of the land as on 1.1.2015 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure III i. e. with reference to Land value)	Actual penalization charges to be paid (in Rupees)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Individual Residential Building							
Commercial Building							
Other Building (specify the use)							
Name of the Applicant:					Signature of the Applicant:		

Annexure – I - TABLE - 3

Self-Computation table showing penalization charges for
Multiple dwelling units / Flats / Apartment complexes /
Individual building converted into apartments

(A) Multiple dwelling unit / Flat / Apartment constructed in-deviation to sanctioned plan:				
Plinth Area (in Sq ft)	Basic penal charges as per Annexure - IV [Per Flat in Rupees]	Market value of the land as on 1.1.2015 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	Actual penalization charges to be paid (in Rupees)
(1)	(2)	(3)	(4)	(5)
Name of the Applicant:			Signature of the Applicant:	

(B) Multiple dwelling unit / Flat / Apartment constructed unauthorizedly:					
Plinth Area (in Sq ft)	Basic penal charges as per Annexure - IV [Per square feet in Rupees]	Total penal charges as per as per basic penal charges [in Rupees] [(3)=(1)X(2)]	Market value of the land as on 1.1.2015 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	Actual penalization charges to be paid (in Rupees)
(1)	(2)	(3)	(4)	(5)	(6)
Name of the Applicant:			Signature of the Applicant:		

INDEMNITY BOND & UNDERTAKING

(On Non-Judicial Stamp paper of Rs. 100 & Notarised) [To be submitted along with Application Form Given in Annexure – I]

This Indemnity Bond and Undertaking executed on this _____ day of _____ 2015 by
Smt./Sri _____
 S/W/o _____
 Age _____ Occupation _____
 R/o [Address] _____

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

IN FAVOUR OF

The **Commissioner** / **Vice-Chairman** of
 _____ **Nagar Panchayat**
 /Municipality / Municipal Corporation / Urban Development Authority / Andhra Pradesh
 Capital Region Development Authority herein after called the **SECOND PARTY**, which term
 shall include all officials and staff of the Nagar Panchayat / Municipality / Municipal
 Corporation / Urban Development Authority / Andhra Pradesh Capital Region
 Development Authority.

Whereas the FIRST PARTY has applied for the penalization of the unauthorized construction [BPS] for the building as given in the schedule below.

Whereas the **SECOND PARTY** has agreed to consider the penalization of the unauthorized construction in the said site/ plot in terms of 'The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorisedly and in deviation of the Sanctioned Plan Rules, 2015' and stipulated 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 / acquisition 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 any such disputes/litigations.

Schedule: Building location:

Name of the First Party			
T. S. No.		Street	
Door No.		Locality	
Plot No.		City/Town/ Village	
Layout / Sub. Divn. No.		Plot Area [in sq.m / sq.yd]	

Hence this Indemnity Bond.

Signature of FIRST PARTY

Name of the FIRST PARTY

WITNESSES:

1. **Signature:**
Name and address:

2. **Signature:**
Name and address:

Sworn and signed before me on this ----- day of ----- 2015 in presence of above witnesses.

PUBLIC NOTARY

A N N E X U R E - I I
BASIC PENALISATION CHARGES
FOR INDIVIDUAL RESIDENTIAL BUILDINGS, OTHER NON-COMMERCIAL USES
AND COMMERCIAL USES [Per Square feet in Rupees]

Plot Size → Occupancy Or Use	Up to 100 sq m	101 to 300 sq m	301 to 500 sq m		501 to 1000 sq m		Above 1000 sq m	
			Up to 30% deviation	above 30% deviation / totally unauthorized	Up to 30% deviation	above 30% deviation / totally unauthorized	Up to 30% deviation	Above 30% deviation/ totally unauthorized
1	2	3	4	5	6	7	8	9
<i>Individual Residential Buildings and Other non-commercial uses</i>	40	60	80	100	100	120	150	200
<i>Commercial use</i>	80	120	160	200	200	250	300	400

ANNEXURE – II - A**Procedure for submission of applications and payment of penal charges through online**

1. Building Penalization Scheme will be made as a completely online based work flow without the need for manual submission of applications, in order to accommodate the entire process starting from registration of Applicant or Licensed Technical Person to the point of issuing regularization / penalization proceedings will be made fully web based and as a centralized platform for all Urban Local Bodies, Urban Development Authorities and Capital Region Development Authority in the state of Andhra Pradesh.
2. Exclusive process will be made available where in applicant will register as a user under the Building Penalization Scheme web module, which includes registration of Licensed Technical Person with adequate due diligence will enable where registered LTPs registration numbers and validity of the license will pre-validated and ULB issued certificate will be uploaded and verified by the respective section head of Urban Local Bodies, Urban Development Authorities and Capital Region Development Authority.
3. Only registered and verified Licensed Technical Persons and Applicants will be permitted to submit applications with proper acknowledgements and in case of Licensed Technical Persons, they are permitted to submit multiple applications.
4. SMS & E-Mail based correspondence takes place for any shortfall information such as document shortfall or fee shortfall.
5. Building Penalization Scheme application scrutiny and computation of penalty based on varying parameters and pre-conditions module will be taking all parameters as specified in the Building Penalization Scheme rules and subsequent amendments and the parameters are maintained based on the category of application and the computation of penal charges will be done automatically.
6. The penal charges are going to be handled only through online payment instruments such as Credit Card, Debit Card, Net Banking.
7. The whole activity of each BPS application and its online payment transaction demand amount and subsequent payments made by the applicant will be maintained in the database along with transaction reference numbers.
8. As the proposed BPS platform will be employing the total online concept in the entire work flow and life cycle of BPS application, the scrutiny remarks captured in the note file and file movement across the hierarchy of the approval authority will be handled using exclusive work flow module where note files are circulated and monitored using complete online method, which gives the supervisory authority to have complete control over the activity.

ANNEXURE – III**PENALIZATION CHARGES WITH REFERENCE TO THE LAND VALUE
FOR INDIVIDUAL RESIDENTIAL BUILDINGS, OTHER NON-COMMERCIAL USES
AND COMMERCIAL USES**

Market Value of the land as on 1.1.2015 (Sub-Registrar value) [Per sq. yard in Rupees]	Penalization Charges (% of basic penalization amount given in Annexure – II)
1	2
Above 25,000	100%
10,001 to 25,000	80%
5,001 to 10,000	70%
1,001 to 5,000	60%
Up to 1,000	50% -

Annexure-II: Basic penalization Charges (Per S FT in rupees) for Individual Residential Buildings, Non-Commercial and Commercial Buildings.

Annexure-III: Penalization Charges to be paid with reference to the Land Value.

The above two Tables have to be read together to arrive at the Penalization Charges to be paid for Individual Residential Buildings, Other Non-Commercial Uses and Commercial Uses.

ANNEXURE – IV**BASIC PENALIZATION CHARGES
FOR MULTIPLE DWELLING UNITS / FLATS / APARTMENT COMPLEXES /
INDIVIDUAL BUILDING CONVERTED INTO APARTMENTS**

Plinth area of Flat (In Sq. ft)	Basic Penalization Charges per Flat constructed in deviation to Sanctioned Plan	Basic Penalization Charges for Unauthorized Floors [Per Sq. ft. in Rupees]
1	2	3
Up to 600	Rs. 20,000	120
601 to 1200	Rs. 40,000	150
1201 to 2000	Rs. 60,000	180
Above 2000	Rs. 80,000	200

ANNEXURE - V**PENALIZATION CHARGES WITH REFERENCE TO THE LAND VALUE
FOR MULTIPLE DWELLING UNITS / FLATS / APARTMENT COMPLEXES /
INDIVIDUAL BUILDING CONVERTED INTO APARTMENTS**

Market Value of the land as on 1.1.2015 (Sub-Registrar value) [Per sq. yard in Rupees]	Penalization Charges (% of basic penalization amount given in Annexure - IV)
1	2
Above Rs. 25,000	100%
Rs. 15,001-Rs. 25,000	80%
Rs. 5,001- Rs. 15,000	60%
Up to Rs. 5,000	50%

Annexure-IV: Basic Penalization Charges for Multiple Dwelling Units / Flats / Apartment Complexes /Individual Building Converted into Apartments.

Annexure-V: Penalization charges with reference to the land value.

The above two Tables have to be read together to arrive at the penalization charges to be paid for Multiple Dwelling Units / Flats / Apartment Complexes /Individual Building Converted into Apartments.

ANNEXURE - VI**ROAD WIDENING UNDERTAKING**

[Notarized undertaking to be executed on Rs.100/- Non-Judicial Stamp Paper]

This undertaking is executed on this the.....day of2015
by.....

.....S/W/o.....
.....

R/o.....
..... situated at herein after
called the **First Party** which term shall include their legal heirs, successors,
assignees and tenants in favour of the Commissioner/Vice-Chairman,
.....Nagar

Panchayat/Municipality/Municipal Corporation/Urban Development
Authority/Andhra Pradesh Capital Region Development Authority, herein after
called the **Second Party** which term shall include its representatives, agents,
officials and staff.

WHEREAS, the **First Party** has applied to the **Second Party** for regulating and
penalizing the building constructed unauthorizedly / in deviation to sanctioned
plan in the premises situated as given below.

Schedule: Building location:

Name of the First Party			
T. S. No.		Street	
Door No.		Locality	
Plot No.		City/Town/ Village	
Layout / Sub.Divn. No.		Plot Area [in sq.m / sq.yd]	

WHEREAS, the **Second Party** has stipulated a condition that:

The land and the existing structures which are/is getting affected due to the proposed road widening throughout the frontage of the plot as per Master Plan/Zonal Development Plan/Road Development Plan from the existing width of(mts.)[or].....(ft) to the proposed width of(m) [or].....(ft) admeasuring(sq.m) [or](sq. ft) [or].....(sq.yd) located in the premises as given in the Schedule above will be surrendered to the **Second Party** for road widening as and when required for future road widening free of cost without claiming any compensation towards the land and the structures existing on the road widening site.

The **First Party** in token of accepting the above conditions hereby undertake that the physical possession of the strip of land and structures there on will be handed over to the **Second Party** as and when required free of cost without claiming any compensation towards the said land and structures.

The above undertaking is executed by me with free will and due consciousness.

Signature of the First Party

Name of the First Party

WITNESSES:

1. **Signature:**
Name and address:

2. **Signature:**
Name and address:

Sworn and signed before me on this ----- day of ----- 2015 in the presence of above witnesses.

PUBLIC NOTARY

ANNEXURE – VI A**Certificate to be signed by the Structural Engineer:**

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.

Name

Signature

License
No.

Stamp

Address

Phone

Mobile

Land line

Signature of the Applicant**Name of the Applicant****Date****Place**

		Mobile											
3	DETAILS OF THE BUILDING APPROVED UNDER BPS												
a	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												
b	[tick the applicable case]	Building Status	Building constructed unauthorizedly										
			Building constructed in deviation of sanctioned plan										
c	Building Details												
i	Plot Area (in Sq. m)												
ii	No. of floors on site												
iii	Height of building as on site (m)												
iv	Total built up area as per sanctioned plan (in Sq m / Sq. ft)												
v	Total built up area as on site (in Sq m / Sq. ft)												
vi	Area constructed in-deviation to sanctioned plan (in Sq m / Sq. ft)												
vii	Area constructed without sanctioned plan (in Sq m / Sq. ft)												
d	Road Access Details												
i	Existing road width of abutting road (m)												
ii	Proposed road width of abutting road as per Master Plan / Zonal Development Plan / Road Development Plan (m)												
iii	Affected area in the road widening (sq m)												
iv	Whether structure is getting affected in road widening		YES				NO						

V.	If Yes, whether road widening undertaking is given	YES		NO	
e	Building Usage [tick the applicable case]	Individual residential building			
		Commercial building			
		Apartment complex			
		Other Building (specify)			
f	Penalization Charges				
i	Total penalization charges paid	Rs.(in figures)			
		Rs.(in words)			
ii	Online Remittance Number	Number	Date	Amount (in Rs.)	
(1)					
(2)					
(3)					
(4)					

2) Further all proceedings and action of enforcement initiated and contemplated against the said building are withdrawn.

3) The Occupancy Certificate is also enclosed herewith.

Commissioner / Vice-Chairman

..... Nagar
Panchayat / Municipality/ Mpl.
Corporation / UDA / CRDA

Enclosures:

1. Attested BPS Building Plan.
2. Occupancy Certificate.

To

Sri/Smt.,
.....,
.....,
.....

Copy to the Head of the Town Planning Section
Copy to the Head of the Revenue Section

GIRIDHAR ARAMANE
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER