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GOVERNMENT OF ANDHRA PRADESH
DIRECTOR OF TOWN AND COUNTRY PLANNING

From
The Director of Town and
Country Planning,
H.No.241, N.H.16, MGM Capital
Near NRI Fly over, Chinakakani,
Mangalagiri - 522508.

To
The Metropolitan Commissioner,
VMRDA, Visakhapatnam
The Commissioner,
APCRDA, Vijayawada
The Vice-chairman, All UDAs
The Commissioners,
All Corporations/Municipalities &
Nagar Panchayats.

Lr.Rc.No.750/2019/P, dated: -07-2020

Sir,

Subject: O/o DT&CP., A.P, Guntur. – Building Penalization Scheme – 2019 – Speedy disposal of pending BPS applications – Instructions – Regarding.

- Ref:
1. G.O.Ms.No.14 MA&UD Department Dt.4.1.2019 and its amendments
 2. T/o Lr.No.750/2019/P, dt.5.8.2019 add. to all ULBs/UDAs/CRDA
 3. T/o Lr.No.750/2019/P, dt.24.12.2019 add. to all ULBs
 4. T/o Lr.No.750/2019/P, dt.22.1.2020 add. to all ULBs/UDAs/CRDA
 5. T/o Lr.No.750/2019/P, dt.26.02.2020 add. to all ULBs/UDAs/CRDA
 6. T/o Lr.No.750/2019/P, dt.24.03.2020 add. to RDDTPs/DTCPs
 7. Video conference conducted by Hon'ble Minister of MA&UD, Secretary to Government MA&UD, CDMA, and DTCP on 29-01-2020, 20-02-2020, 19-05-2020, 26-05-2020 and 03-06-2020 with all Commissioners of ULBs.
 8. T/o Lr.Roc.No.750/2019/P, Dt.13-06-2020 add. To all ULBs / UDAs / CRDA.
 9. Instructions of the Hon'ble Minister and the Secretary, MA& UD during the meeting held on 02-07-2020 at CRDA, Office, Vijayawada.

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Kind attention is invited to the references cited. Wherein it was requested to dispose all pending BPS applications before the due date and same instructions were issued to all the T.P. Staff of local bodies through teleconferences in many times.

The Hon'ble Minister for MA&UD Dept. during the video conferences with all Municipal Commissioners on 29.1.2020 & 20.2.2020 and in the review meeting held on 27.1.2020 with all UDAs has also issued instructions to dispose all the pending BPS applications within the due date.

Further it is observed that there are still large number of BPS files are pending in various ULBs and hence it is requested to dispose all the pending and also to see that shortfall information is furnished by the applicants. Further requested to utilize the services of WPRS who were recruited in large number.

Further, recently vide reference this office letter 8th cited requested all the V.C's of UDAs and M.C's of all ULBs to dispose the all pending BPS applications including pending with the LTPs for submission of shortfall information or balance payment. But as seen from the disposal of BPS applications, there is no much progress observed after 15-06-2020 till 02-07-2020.

Further, the Hon'ble Minister for MA & UD Dept., and Secretary to Government, MA & UD Department vide reference 9th cited have reviewed the progress of the BPS applications and issued instructions to take stern action against the applicants who are not coming forward to pay balance penal amount and also not submitting shortfall information inspite of issuing notices for payment of balance penal amount and shortfall information.

Further, the Government Vide Memo.No.3181961/M1/2019, Dt.07-02-2020 of MA & UD dept., have issued directions to dispose all the pending applications filed under BPS by conducting Melas at designated places in ULBs and UDAs and accordingly action shall be initiated for disposal of pending applications.

Therefore, all the V.C's of UDAs and M.C's of all ULBs are requested to take stern action against the unauthorized constructions as per rules and see that all pending BPS applications are disposed by 31-07-2020, since the Government is not going to extend further time for disposal of pending applications. The relevant enforcement provisions are noted below for your reference and taking further action in the matter apart from **“PUTTING STAMP IN RED LETTERS AS UNAUTHORIZED CONSTRUCTIONS”**.

SI.No	Enforcement Action	Sections
1	Sealing of Unauthorized Constructions in the Municipalities (In Municipalities)	Section 340-A(1) of APM Act, 1965
2	Imprisonment of for a term which may extend to three years or with fine which may extend to ten percent of the value of the land or building including land (in Municipalities)	Section 340(1) of APM Act, 1965
3	Sealing of Unauthorized Constructions in the Municipalities (In CRDA)	Section 116(4) of APCRDA Act, 2014

4	Sealing of Unauthorized Constructions in the Municipalities (In UDAs)	Sect 90(4) of APMR&UDA Act, 2016.
4	Sealing of Unauthorized Constructions in the Municipalities (In Municipal Corporations)	Section 461-A of APMC Act, 1955
5	Imprisonment of for a term which may extend to three years or with fine which may extend to ten percent of the value of the land or building including land (in Municipal Corporations)	Section 461(4) of APMC Act, 1955
6	Demolition (in Municipalities)	Section 228(3) of APM Act, 1965
7	Demolition (in Municipal Corporation)	Section 636 of APMC Act, 1955)
8	Demolition (in CRDA)	Section 116(4) of APCRDA Act, 2014.
9	Demolition (in UDAs)	Section 90(4) of APMR&UDA Act, 2016.
10	Property Tax	Every year two times the property tax as penalty Under Rule 3(33)(j) of AP Building Rules, of G.O.Ms.No.119, MA, Dt.28-03-2017.
11	Electricity Power and Water Supply Charges	Charges 3 times the tariff as per Rule 3(33)(j) of AP Building Rules, of G.O.Ms.No.119, MA, Dt.28-03-2017.

The above instructions shall be followed scrupulously and see that all the pending BPS applications are disposed immediately. After cutoff date responsibility will be fixed on the concerned official for failure in disposal of BPS application and for not initiating enforcement action.

Failure in BPS compliance will be treated as causing financial loss to ULB.

Yours faithfully,

Director of Town and
Country Planning

Copy submitted to: The Secretary to Government,
MA&UD Department, Govt. of A.P., A.P. Secretariat,
Velagapudi.

Signature valid

Digitally signed by
VEEPANAGANDLA RAMUDU
Date: 2020.07.06 11:32:19 IST
Reason: Approved

