

Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and in Deviation of the Sanctioned Plan Rules, 2015

ANDHRA PRADESH

India

Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and in Deviation of the Sanctioned Plan Rules, 2015

Rule

ANDHRA-PRADESH-REGULATION-AND-PENALIZATION-OF-BUILDING of 2015

- Published on 22 May 2015
- Commenced on 22 May 2015
- [This is the version of this document from 22 May 2015.]
- [Note: The original publication document is not available and this content could not be verified.]

Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and in Deviation of the Sanctioned Plan Rules, 2015Published vide Notification G.O.Ms.No. 128, dated 22.5.2015G.O.Ms.No. 128. - 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 unauthorisedly 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

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 "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 8;(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 blacklisted;

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. 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 - 1 to 6 : Road widening undertaking
- 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 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	Plot size	Built up area as per	Built up area	Difference in area (in sq ft)	Percentage of	Basic penal	Total penal charges as per	Market value of the land as	A

the Building (Tick therelevant Category)	(in sq m)	sanctioned plan (in sq ft)	as on ground (in sq ft)	[(5)=(4)-(3)]	violation (in case of plot areaabove 300sq m)	charges as per Annexure - II [Per Sqft in Rupees]	Basic Penal Charges(in Rupees) [(8)=(5)X(7)]	on 1.1.2015(Sub-Reg Value) (Per Sq. yd in Rupees)	of (a) A i. re L
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Individual Residential Building									
Commercial Building									
Other Building (specify the use)									
Name of the Applicant:	Signature of the Applicant:								

Annexure - I - Table - 2Self-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 therelevant Category)	Plot size (in sq m)	Built up area as on ground (in sq ft)	Basic penal charges as per Annexure - II [PerSquare 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-Reg Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalizationcharges per Annexure III i. e. with reference to Land value)	Actual penalization charges to be paid (inRupees)
(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 basic penal charges [(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 _____

_____ 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 Unauthorizedly 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 Government/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.

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 Annexure - II Basic Penalisation Charges For Individual Residential Buildings, Other Non-Commercial Uses and Commercial Uses [Per Square Feet in Rupees]

Plot Size <input type="checkbox"/>	Up	101	301 to	501 to 1000 sq m	Above
	to	to	500 sq m		1000 sq
	100	300			m
	sq	sq			

m 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
Occupancy Or Use												
1	2	3	4	5	6	7	8	9				
Individual Residential Buildings and Other noncommercial uses	40	60	80	100	100	120	150	200				
Commercial use	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. Appendix - VI -i Notarised under taking to be executed On Rs.100/- N.J. Stamp Paper Road Widening Undertaking This undertaking is executed on this the day of by W/o.....R/o..... Situated at herein after called the 1st party which term shall include their legal heirs, successors, assigns and tenants in favour of the Commissioner,(ULB), herein after called the 2nd party which term shall include his representatives, agents, officials, staff of(ULB). Whereas, the 1st party has applied to the 2nd party for permission to construct residential / commercial..... consisting offloors at Plot / H.No..... situated WHEREAS, the 2nd party has put in a condition that: The land and the existing structures are/is getting effected in road widening throughout the frontage of the plot admeasuring.....Sq.m should be surrendered to the(ULB) for road widening before releasing the approved plan 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 they are

herewith handing over the physical possession of the strip of land to the Commissioner,
.....(ULB) on this day of at free of cost before commencing the
construction without claiming any compensation towards land and structures. The above
undertaking is executed by me with free will and due consciousness for having obtained permission
for the construction of residential/commercial building in the Plot / H.No.

..... situated at

Witness: Parties of 1st part

1) 1)

2)

Sworn & signed before me. Notary Appendix - VI - 2 Notarised under taking to be executed On
Rs.100/- N.J. Stamp Paper Declaration - cum - under taking by the Owner I/We

....., S/o., D/o., W/o.,

....., aged, Occupation

R/o..... do hereby declare and solemnly affirm as follows: That I/ We are
the owners of the Site Plot/H.No....., situated at.....

bearing Sy.No....., corresponding to T.S.No....., Block No.,

Wd.No..... of Village of..... Mandal

District admeasuring Sq.m. and that we have applied for the building permission
for construction of Residential /Commercial Buildings consisting of

..... at the above said premises/site. That I am/we are taking up the
construction of the said building by myself/ourselves and that I am / we are not entrusting the work
to any builder or any other person. I/We hereby under take that I am/We are solely responsible for
execution of the building construction work according to plan sanctioned by

.....(ULB), under the strict supervision of the Architect, Structural Engineer, and Site
Engineer engaged by me/ourselves for the purpose. Hence this declaration cum under taking. In

witness therefore, I/We execute this on this the _____ day of

_____. Place: Deponent Address: Witness

1.

)

2.

) Appendix - VI - 3 Notarised under taking to be executed On Rs.100/- N.J. Stamp Paper Declaration -
cum - Under Taking by Owner and Builder I/We

....., S/o., D/o., W/o.,

....., aged, Occupation

R/o..... do hereby declare and solemnly affirm as follows: That I/ We are
the owners of the Site at Plot/H.No....., situated at.....

bearing Sy.No....., corresponding to T.S.No....., Block No.,

Wd.No..... of Village of..... Mandal

District admeasuring Sq.m. and that we have applied for the building permission

for construction of Residential /Commercial Buildings consisting of

..... at the above said premises/site. That I/we have entrusted the Construction of the said building to Builder/Construction firm, the details of which are as given below: Name of the Builder Construction Firm

..... Represented by

..... Present Address

..... Permanent Address

..... Regd. No. if any

..... That I am/We are also jointly and severally responsible along with Builders, Architect, Structural and Site Engineer, for the execution of building according to sanctioned plan. That I am/We are fully aware of the provision of the A.P. Building Rules-2012 and I/We undertake to abide by the same. Deponent (Owner) I/We being individual/firm/company/Society/represented by

..... as address

..... have been entrusted to construct the building consisting of for purpose in P.No. situated at by the owners Sri./Smt.

..... On by virtue of a Regd. Development Agreement (copy of which is enclosed herewith). We hereby undertake to carry out and complete the construction strictly according to the plan sanctioned by (ULB). We are jointly and severally responsible for the execution of building according to sanctioned plan along with owners and Architect, Structural Engineer & Site Engineer engaged by us for the purpose for the purpose of supervision. We are fully aware of all the provisions of A.P. Building Rules-2012 and hereby undertaking to abide by the same. Hence this declaration cum under taking. In witness therefore, I/We execute this on day of 20.... Deponent

1. Builders

2. Owners

Witness: Signatures of the Parties of 1st part

1) 1)

2) 2)

Sworn & signed before me. Notary Appendix - VI - 4 Notarised under taking to be executed On Rs.100/- N.J. Stamp Paper Under Taking by Owner and Builder This under taking is executed on this day of at, (ULB) Jointly by: I. Owners: Sri/Smt.

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

D/o....., Aged.....,

occupation..... R/o. P.No.,

Locality.....

..... II. Builders : (In case if it is entrusted to builder) Name of the Builder: Address:

..... Here in

after called the parties of the Ist part, which terms shall include their legal heirs successors, agents, assignees etc. In favour of the Commissioner,(ULB) here in after called the 2nd party, which term shall include their representatives, agents, officers and staff of the(ULB). Whereas the parties of the 1st party have applied for the building permission for the proposed construction of residential/commercial building consisting of at D.No.....situated atin accordance with the provisions of A.P. Building Rules-2012. Whereas the 2nd party imposed the following conditions for grant of the building permission: That the 1st party shall not deliver the possession of any part of built up area of the above said building proposed to be constructed at the above site by way of sale/lease, unless and until occupancy certificate is obtained from the 2nd party by providing all the regular service connections to each portion of the building requires for occupation. The 1st party in token of accepting the above conditions imposed by 2nd party according A.P. Building Rules- 2012 hereby undertakes and assures the 2nd party that; We will not deliver the possession of any part of the built up area of building constructed by us to any purchaser or tenant unless & until the occupancy certificate is obtained by us from this 2nd party by submitting the following: a) Building Completion Notice issued by the Architect duly certifying that the building is completed as per the sanctioned plan. b) Structural stability certificate issued by the Structural Engineer duly certifying that the building is structurally safe and the construction is in accordance with the specified design. c) An extract of the site registers containing inspection reports of Site Engineer, Structural Engineer and Architect. d) Insurance Policy for the completed building for a minimum period of three years. We the above named deponents do hereby solemnly affirm and certify that we have voluntarily executed, this undertaking with free will signed on this..... day of20.. in presence of the following witness.

Witness: Signatures of the Parties of 1st part

1) 1)

2) 2)

Sworn & signed before me. Notary Appendix - VI - 5 Notarised under taking to be executed On Rs.100/- N.J. Stamp Paper Under Taking to be Given by Owners, Builders and Licienced Technical Personnel This under taking is executed on this.....day of 20... at,(ULB) Jointly by: I. Owners: Sri/Smt.

..... S/o., W/o., D/o....., Aged....., occupation... ..R/o. P.No., Locality.....

.....II. Builders: (In case if it is entrusted to builder) Name of the Builder:Address:

.....III. Architect: Name of the Architect:Municipal Reg.No.Address:

.....IV.

Structural Engineer: Name of the Structural Engineer:Municipal Reg.No.Address:

.....Here in after called the parties of the Ist part, which terms shall include their legal heirs successors, agents,

assignees etc. In favour of the Commissioner, (ULB), here in after called the 2nd party, which terms shall include, their representatives, agents, officers and staff of the (ULB). Whereas the persons 1 & 2 being parties of the 1st party have applied for the building permission for the proposed construction of residential/commercial building consisting of floors at Plot/ H.No. situated at Whereas the 2nd party imposed the following conditions for grant of the building permission: I. That the 1st party shall employ a site Engineer, who shall maintain a register in which, the site Engineer, Architect and Structural Engineer shall record their comments at regular intervals i.e. at foundation level, and at each roof, slab level, and submit the periodical report to the 2nd party. II. That the construction work shall strictly be proceeded with under the supervision of the Architect, Structural Engineer and Site Engineer, without which it shall be treated as construction without permission. III. That in case Site Engineer/Structural Engineer/Architect is changed during the course of construction or the Architect/Structural Engineer/Site Engineer disassociates themselves with ongoing project, the fact shall immediately be reported to the 2nd party i.e. within seven days by registered post/in person along with consent of newly engaged site Engineer/Architect/Structural Engineer. V. That all the parties of the 1st part viz. Owner, Builder, Architect, Structural Engineer and Site Engineer shall jointly and severally be held responsible for the structural stability during the building construction. The 1st party in token of accepting the above conditions imposed by the 2nd party here by under takes and assures that all the above conditions will be strictly adhered too, and if the 1st party commits violation of any of the above conditions, the 2nd party is at liberty to take action deemed fit. We the above named deponent do hereby solemnly affirm and certify that we have voluntarily executed, this under taking with free will and signed this day of 20... in presence of the following witness.

Witness: Signatures of the Parties of 1st part

- 1) 1)
- 2) 2)
- 3)
- 4)

Sworn & signed before me. Notary Appendix - VI - 6 Notarised under taking to be executed On Rs.100/- N.J. Stamp Paper General Undertaking This undertaking is executed on this day i.e. of by Sri/Smt.

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

D/o..... R/o..... Situated at, herein after called the 1st Party which term shall include their Legal heirs, successors, agents assignees and tenants in favour called the 2nd party which term shall include their representatives, agents, officials, staff of (ULB). Whereas, the 1st party has applied for permission for the construction of in premises No. situated at Whereas, the 2nd party imposed the following conditions for granting the permission for the building. (A) Parking Space: The parking space is provided in the Building Cellar/Stilt floor for parking of vehicles and it should not be converted (or) misused for any other purpose other than parking of vehicles and it should be free from all cross walls/partition walls, and rolling shutters should not be erected at any time in future and the 2nd party is at liberty to

demolish (or) remove the same without any notice in case, if the 1st party violates the undertaking executed.(B)Balcony Projections: The balconies shall not be enclosed by converting them as toilets/bathrooms or including into rooms by reducing the mandatory open spaces and if any such constructions are made, the same would be removed by 2nd party without giving any notices.(C)Payment Of Special Collection Charges For Garbage: That the 1st party should pay special collection charges for garbage disposal as prescribed for garbage refuse collection.(D)Payment Of Special Sanitation Fee: That the 1st party should pay special sanitation fee for the routine clearing and desilting of storm water drain.(E)Stacking Of Building Material & Dumping Of Debris: That the 1st party should not stock the building material and dump any debris on the road margin/ footpath or on(ULB) or Government land.(F)No. Of Units: The number of units permitted should not be increased and the building should not be converted into group housing and sold at any time in future.(G)Percolation Pits & Terrace Water Collection: The paved surface around the building shall be provided with percolation pits of 4' x 4' x 4' covering at least 30% of such area and provide terrace water collection and open ground (otherwise required charges to be collected by the ULB).The 1st Party in Token of Accepting the Above Conditions Imposed by the 2nd Party Hereby Undertake that:(a)The parking space provided in the stilt/cellar for parking of vehicles in the Residential flats/Commercial complex will not be converted (or) misused for any other purpose other than parking and it will be free from any partition walls /cross and rolling shutters will not be provided at any time in future and the 2nd party is at liberty to demolish (or) remove the same if provided without any notice.(b)That the balconies will not be converted into toilets, bath & WCs, Staircase, landing or convert into rooms etc., and if any such construction is made the 2nd party is at liberty remove them without any notice.(c)That I/We or Purchaser of the flats/shops etc., will pay the special collection charges for the garbage disposal as prescribed for garbage refuse collection on demand from 2nd party.(d)That I/We or Purchaser of the flats/shops etc., will pay the special sanitation fees for the routine clearing, desilting of storm water drain on demand from 2nd party.(e)That I/We will not stock the building materials and do not dump debris on the road margin, foot-path and on Municipal Land and the 2nd party is at liberty to remove/seize such material or impose fine on 1st party.(f)The number of units permitted will not be increased and the building should not be converted into group housing and sold.(g)That he/she will provide percolation pits of size not less than 4' x 4' x 4' size in the paved surface of the building, covering at least 30% of such area and the pits shall be filed with small pebbles or brick jelly or river sand and covered with perforated concrete slabs. Further terrace water collection and open ground will be provided depending on the site conditions.If the 1st party violates any of the above condition, the 2nd party is at liberty to take any action deemed fit.First PartyWitnesses:

1.

2.

Verifications:I, the above named deponent do hereby solemnly affirm and certify that I have voluntarily executed this Affidavit/Undertaking and that its contents are true to the best of my knowledge.Verified on this day of at

.....Place:DeponentAddress:Attested By:Annexure - VIIProceedings of the Commissioner/Vice-Chairman.....Nagar

Panchayat/Municipality/Municipal Corporation/Urban Development Authority /Andhra Pradesh Capital Region Development Authority Present: Name Proceedings No. dated: . .2015 Sir,

Madam, Sub: Regulation and penalization of buildings constructed unauthorizedly and in deviation of the sanctioned plan - building bearing H. No./premises

No.....of.....Gram Panchayat/Nagar Panchayat/Municipality/Municipal Corporation/included inUrban Development Authority/Andhra Pradesh Capital Region Development Authority - Penalisation Orders - Issued - Reg.Ref: BPS Application No..... dated: . .2015 of Sri/Smt..... .The Application submitted in the reference cited for Regulation and penalization of buildings constructed unauthorizedly and in deviation of the sanctioned plan has been examined with reference to 'The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and In Deviation of the Sanctioned Plan Rules, 2015' and found to be in order. Hence the said building is penalized and regulated as per the details given below. The building plans are attested and enclosed herewith.

S. No.	Details	
1	Name of the Applicant	
2	Postal Address	
a	Door No./Plot No.	
b	Street	
c	Locality	
d	City/Town/Village	
e	PIN	
f	Email-id	
g	Phone No.	Land Line
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	Building Status [tick the applicable case]	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.....
NagarPanchayat/Municipality/ Mpl.Corporation/UDA /CRDAEnclosures:

1. Attested BPS Building Plan.

2. Occupancy Certificate.

ToSri/Smt.

.....
to the Head of the Town Planning SectionCopy to the Head of the Revenue Section