

**GOVERNMENT OF ANDHRA PRADESH  
MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT**

**Memo No.13612/M1/2012**

**Dated: 02.11.2012**

- Sub : MA&UD Dept - G.O.Ms.No. 168, dt: 07.04.2012 - Certain requests / information sought from individuals / institutions / organizations - clarifications issued - Reg.
- Ref : 1. G.O.Ms.No. 168, MA&UD Department Dated: 07.04.2012.  
2. Representations/requests from various individuals/Institutions / organizations  
3. MemoNo.13612/M1/2012, Dated: 05.06.2012 and 03.09.2012  
4. From DTCP, Hyderabad Lr.Fc.No.8343/2011/P., Dated: 20.09.2012.

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The attention of the officers noted in the address entry are informed that, certain requests / information sought from individuals / Institutions / organizations have been received by the Government regarding newly issued Andhra Pradesh Building Rules i.e. G.O.Ms.No.168 MA Dated 07.04.2012.

2. Government have examined the matter in the light of the remarks submitted by the Director of Town & Country Planning, A.P. Hyderabad vide reference 4<sup>th</sup> cited here by issue the following clarifications regarding newly issued Andhra Pradesh Building Rules vide reference 1<sup>st</sup> cited.

Sl. No.	Rule	Subject / Issue	Clarification
1	3 (a)(i)	The FTL is to be certified by Irrigation Department 'and' Revenue Department. The word 'and' may be replaced with 'or', otherwise in every case the certificate needs to be obtained from both the departments that is likely to lead to lot of inconveniences to the common man.	NOC is required from both Irrigation (Not below the rank of Executive Engineer) and Revenue (Not below the rank of Joint Collector) departments.
2	3 (d)	Is it necessary to submit No Objection Certificate from Airport authority for a site that does not falls in air funnel zone, and if a person gets NOC from Airport authority for that particular site, is it necessary to submit NOC for other adjoining / nearby sites in which multistoried buildings were being constructed.	Yes. For every site the Owner / Builder shall submit prior NOC from the concerned Air Port Authority; wherever Civil or Defense Airport is existing
3	3 (j) (iv)	The height of building is indicated stating that "limited" to 30mts. Does it mean that any building having height either less or more is not permissible?	It is clarified that under this rule the maximum height permissible is 30m and building with lesser height can also be permitted.
4	4 (b) (c)	In the said rule it is said that for roads which are less than 9.0m width it is required to setback the property boundary at 4.5m from the center of such existing road and from there setback to be left for building line. In the cases where a plot abuts more than one road and one road is above 9.0m and the rest of abutting roads are less than 9.0m actually all the property boundaries abutting to such roads less than 9.0m width should be setback to 4.5m from the center of the road.	As per Rule-4.b & c the plot which abuts the road/roads with less than 9m width, the provisions of the said Rule shall be followed for all such roads.

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		<p>But some of the officers are misguiding that there is no need for leaving the site for the sides of the other abutting roads having less than 9.0m if one road is more than 9.0m wide.</p> <p>If this is so, the road can never become through 9.0m roads as at one or more places if the above para is applied.</p>	
5	5 (b)	<p><b>Table III</b> - If a site falls in commercial land use having an extent of less than 200 sq.mts, As per the table III in Page No.9 parking provision is not there. But if the applicant constructs a commercial building / activity as per the land use. Is It necessary to provide parking, so at what level.</p>	<p>In Table - III it is clearly mentioned in which sites the stilt/cellar floors can be allowed. The parking shall be provided as per Table - V.</p>
6	5 (f) (vii) & (ix)	<p>The provision of "Permissible Plinth Area" is given nowhere else in the rules to cross check</p>	<p>'Permissible Plinth Area' means, the plinth area permissible which is calculated as per the required setbacks without transfer of setbacks and with reference to height and plot size as given in Table-III &amp; IV of these Rules.</p>
7	5 (f) (viii) & (ix)	<p>In the said rule the minimum setback after transfer of 2mt for plots above 750 Square Meters is given as 2.5 m. This is the minimum setback available in the lower slot i.e., between 300 to 750 Square Meters, where 1 m transfer of setback allowed. This means that the minimum setback in the end of lower slot will also be the minimum in the next slot beginning. e.g. for 750 Square Meters plot side setback is 3.5m on transfer of 1m setback the minimum setback will be 2.5 meters for 751 Square Meters plot side setback is 4.0m and only 1.5m can be transferred to keep the minimum setback as 2.5m</p>	<p>Rule-5 shall be followed</p>
8		<p>For 300 Square Meters plot, the side setback is 1.5m and no transfer is allowed. For 301 Square Meters plot, the side setback is 2.0m and upto 1meter transfer is allowed. As per the rule, the correct transfer should be only 0.5m in this case to keep the side setback as 1.5m at the end of lower slot. But some of the officers are allowing to transfer 1m fully and there by the side setback on transfer of 1m is becoming 1m only in the slot of 300 to 400 Square Meters. plots. It is requested to clarify whether it is correct to adopt as the side setback for plots less than 300 Square Meters is 1.5m and for above 300 to 400 Square Meters is 1.0m.</p>	<p>Rule-5 shall be followed</p>

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9	5 (I) (xi)	What is "Made up plots."	'Made up plots' mean, the plots which are subdivided or amalgamated subsequently with an intention to exploit the provisions of narrow plots.
10	5 (f) (xv)	<p><b>18 Meters Height for Commercial Building (Non High Rise):</b> The Height of a Commercial Building for G+4 Floors exceed 15 meters due to Slab Beams, AC ducts etc., Beams &amp; AC ducts consume 1 meter, in every floor, Further, Ground Floor in Commercial Building requires min. 4.25 meters height, to make it appear attractive for Showrooms. In other states, Commercial Buildings are permitted upto a height of 19 Meters, in Non High Rise Category. To this extent, The AP Fire Services Act, 1999 may be amended.</p> <p>It is also requested to permit "Non High Rise Commercial Building" upto a Height of 18 meters, with a condition that the floors shall be restricted to G+4 with provision of following fire safety Measures.</p> <ol style="list-style-type: none"> <li>1. Provision of 5000 Liters. Over Head Tank with Booster Pump of 450 LPM / 900 LPM.</li> <li>2. Provision of 10000 Liters Sump at Ground Level.</li> <li>3. Provision of Down Comer, from roof to ground, connecting all floors.</li> </ol> <p>Provision of above facilities can be insisted on plans at the time of approval of the Building Plans itself. The Town Planning people can inspect the provision of the above Fire Fighting measures for the building while Issuing the Occupancy Certificate for the Building. By this amendment, the Developer need not approach Fire Dept. There by save time, efforts etc, while the Fire Safety measures can be enforced more effectively at the Ground Level since It is linked to Occupancy Certificate.</p>	As per the provisions of the Andhra Pradesh Fire Service Act, 1999, Residential buildings of height more than 18 m. Commercial buildings of height 15m and above and buildings of public congregation like Educational Buildings, Cinema Theatres, Function Halls and other Assembly Buildings on plot area of 500Sq.m. and above or of height above 6m are required to obtain prior clearance from Andhra Pradesh State Disasters Response & Fire Services Department from fire safety point of view.
11	7 (a) (vii)	Whether a 'basement or cellar is permissible below tot lot area is not made clear.	Basement or cellar is permissible below tot lot area.
12	11	In the said rule It is said that 20% of land to be developed for EWS & LIG Housing. Whether this is applicable to Single block Apartment Complex constructed in the sites having more than area specified at 11(a), (b) & (c). The rule is not clear, If a single apartment block is proposed then the separation	This Rule amended in G.O.Ms.No. 245, Dt.06-07-2012 shall be followed

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		<p>of 20% land and development poses problems on ground. It is requested to make this rule applicable for gated communities where there will be internal roads and separation is possible for EWS &amp; LIG housing by earmarking 20% of site for these developments.</p>	
13	11 (a)	<p>New provision was inserted for Economically Weaker Section (EWS) / Low Income Group (LIG) housing category. Rule 11(a): incase of areas falling in HMDA, VUDA, VGTM UDA where the proposed site area for residential projects is 4000 Square Meters and above the developer shall provide at least 20% of developed land for Economically Weaker Sections (EWS) and Low Income Groups (LIG) housing in such projects. It is not clear whether it is applicable for the construction projects or also for plotted development / lay out areas. Hence, Government may be requested to clarify.</p>	<p>This Rule as amended in G.O.Ms.No. 245, Dt.06-07-2012 shall be followed for housing projects and not applicable for Plotted Developments / Layouts.</p>
14	13 (c) (viii) & (ix)	<p>The 3.6mts drive way is against the minimum norm of 4.5mts wide prescribed in the same rules</p>	<p>This clear space of 3.6m proposed as per rules is for free movement of vehicles and this condition is optional in case of provision of separate drive way in the parking area.</p>
15	15 (a) (x)	<p>In case of group housing buildings having 100 units and above with more than one block, what are the setbacks required for amenities block (3% of the total built up area).</p>	<p>As per Table III and Table - IV as the case may be.</p>
16	15 (a) (xi)	<p>How to arrive the value of executing Bank guarantee.</p>	<p>The amount mentioned in the 'invoice' of the authorized dealer can be considered for insisting the Bank guarantee.</p>
17	16 (b)	<p>As per the Master Plan, if any site is effected in road widening, is the Owner entitled for Excess (Remaining balance) TDR even after availing the setback Concessions.</p>	<p>Owner entitled for Setback Concessions or TDR or extra floor and only one of them shall be considered.</p>
18	16 (b)	<p>Whether the concession is applicable while leaving Master Plan roads, etc (Where there is no RDP) in newly developing areas in such case most likely every site will get the benefit and resultant set back becomes a final one in reality.</p>	<p>Applicable to all Master Plan Roads including those in newly developed areas</p>
19	17	<p><b>TDR:</b> requested to give clarity with respect of Extension of FSI 1:2.0 benefit to unutilized TDRs issued prior to the Issuance of the G.O.No.168, it is fair and just to extend the benefit to all unutilized TDRs, as all the TDR Holders surrendered valuable land in the past.</p>	<p>The present Rules will apply only for the sites handed over after 9.4.2012.</p>

Sl. No.	Rule	Subject / Issue	Clarification		
20	17 (a)(b)(c)	<p>Transferable Development Right" (TDR) can be awarded only when such lands are transferred to the local body / Urban Development Authority as the case may be by way of registered gift deed. The award would be in the form of a TDR certificate issued by the Competent Authority / Sanctioning Authority.</p> <p>(b) Grant of TDR can be considered by the Competent Authority / Sanctioning Authority for the following areas subject to the owners complying with the conditions of development above, as per the following norms:</p> <p>(i) <b>For the Master Plan Road / Road Development Plan undertaken and developed:</b> equivalent to 200% of built up area of such area surrendered. <b>For conservation and development of lakes / water bodies / nallas foreshores &amp; Recreational buffer development with greenery, etc:</b> equivalent to 100% of built up area of such recreational buffer area developed at his cost.</p> <p>(ii) <b>For Heritage buildings and heritage precincts maintained with adaptive reuse:</b> equivalent to 100% of built up area of such site area.</p> <p>(c) The TDR may be arrived at on the basis of relative land value and equivalent amount in both export and Import areas, as per the Registration Department records. The Competent Authority shall have the discretion in the matter of applicability of TDR. The TDR shall not be allowed in unauthorized buildings / structures / constructions and shall be considered only after the land is vested with the local authority / UDA. The TDR certificate issued would be valid or utilized / disposed only within the concerned local body area and as per guidelines and conditions prescribed.</p>	<p>The Competent Authority for issue of TDR is as follows:</p>	<p>Nagar Panchayats / Municipalities / Municipal Corporations including those falling in HMDA and UDA areas</p>	<p>Concerned Municipal Commissioner</p>
			<p>Gram Panchayats falling in Urban Development Authorities</p>	<p>Vice Chairman of concerned UDA</p>	
			<p>Gram Panchayats falling in HMDA</p>	<p>Metropolitan Commissioner of HMDA</p>	
			<p>Gram Panchayats falling with in Sanctioned GTP Schemes</p>	<p>Director of Town and County Planning (DT&amp;CP)</p>	
21	17 (b) (i)	<p>Issue of TDR Bond: In the present rules [rule 17, (b) (i)] the TDR Bonds shall be issued equivalent to 200% of built up area of such area surrendered.</p> <p>The government may be requested to clarify whether this 200% ratio is applicable for the TDR Bonds which are already issued previously and so far not utilized / transferred.</p>	<p>No. These Rules will apply only for the sites handed over after 9.4.2012.</p>		

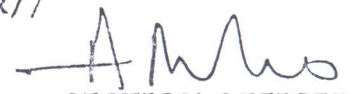
Sl. No.	Rule	Subject / Issue	Clarification
22	25 (c)	Production of Original Sale Deed before release of sanction plan for cross verification?	'Production of Original Sale Deed' may be insisted whenever required.
23	25 (e)	Individual buildings in plots up to 200 Square Meters with height up to 7 mts in respect of Municipal Corporations including GHMC and 300 Square Meters with height up to 7 mts in respect of Municipalities / Nagar Panchayats are exempted from the conditions (c) and (d) above. [Conditions (c) is for production of original document and (d) is for mortgage of 10% Built up area] The word "UDA areas / Gram Panchayat shall be included	Yes. The words "Municipalities / Nagar Panchayats" includes all Municipalities, Nagar Panchayats and Gram Panchayats falling in HMDA and UDA areas also.
24	25 (e)	Individual buildings in plots up to 200sq.m with height up to 7m in respect of Municipal Corporations including Greater Hyderabad Municipal Corporation (GHMC) and 300sq.m with height up to 7m in respect of Municipalities / Nagar Panchayats are exempted from the conditions (c) & (d) above.	This exemption is applicable for individual residential buildings only

3. The officers noted in the address entry shall take necessary action accordingly.

**B.SAM BOB**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Director of Town & Country Planning,  
Hyderabad  
The Commissioner & Director of Municipal Administration,  
Hyderabad  
The Commissioner, Greater Hyderabad Municipal Corporation,  
Hyderabad.  
The Commissioners of all Municipal Corporations / Municipalities in the State, (through Commissioner & Director of Municipal Administration, Hyderabad A.P. Hyderabad)  
The Vice chairmen of all Urban Development Authorities in the State  
The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad.

//FORWARDED BY ORDER//

  
SECTION OFFICER  
