

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

Municipal Administration and Urban Development Department – Revised Common Building Rules, 2006 – Orders – Issued

**MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (M) DEPARTMENT**

G.O.Ms.No. 86.

Dated the 3<sup>rd</sup> March, 2006

Read the following

1. G.O.Ms.No.423 M.A. & U.D. Department, dated 31.07.1998
2. Government Memo No 19048/M/2004-4 M A dated 15.01.2005
3. A.P Extra Ordinary Gazette No.4, dated 22.01.2005.

-- ooo --

**ORDER:**

In the reference 1<sup>st</sup> read above Government have issued Comprehensive Building Rules which are applicable to Municipal Corporations, Municipalities and areas covered by Urban Development authorities. Since then these Building Rules have governed building activities in urban areas.

2. It has been brought to the notice of the Government that the above building stipulations are cumbersome with too many parameters for regulating and controlling developments and building activities and there is a need for simplifying the building stipulations by stipulating minimal parameters. Further due to changes in building technologies, massive and rapid urbanization, escalating land prices, and certain shortcomings experienced relating to the existing building stipulations Government have decided to review the building stipulations and come out with comprehensive building rules thereby, making the building stipulations clear, easy to comprehend, user-friendly, promoting various types of development and building activities, besides giving design freedom and choice with optimum usage of land on one hand, and reducing the trend of violations and unauthorized constructions on the other, without compromising on the community good.

3. Initially a draft was prepared in consultation with experts from various fields and the same was notified in the Andhra Pradesh Extraordinary Gazette No. 4, dated 22.01.2005 for inviting public objections and suggestions. A number of objections and suggestions were received from individuals, professionals Municipalities, Municipal Corporations, Urban Development authorities and other Departments. Further discussions and deliberations were held at various levels involving various groups like builders, developers, architects, engineers, town planners, representatives of Urban Development Authorities and local bodies, public representatives, academicians, officials and general public, and have received many suggestions and comments on the said draft building rules. After careful examination of all the objections and suggestions received, Government have come to the conclusion to further rationalise the standards of Building requirements for different types of buildings, uses & occupancies in the Municipal Corporation of Hyderabad, and Hyderabad Urban Development Authority, Hyderabad Airport Development Authority, Cyberabad Development Authority and Buddha Purnima Project Authority so as to have uniform application of the rules relating to regulation of building construction, etc. in the above areas. Therefore in supersession of the Rules issued vide G.O.Ms.No.423 M.A., dated 31-7-1998 and the Municipal Corporation of Hyderabad Building By-laws 1981 to the extent specified in these Rules Government hereby issue the following Notification and the same will be published in Andhra Pradesh Extraordinary Gazette dated 04.03.2006.

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

## NOTIFICATION

*In exercise of the powers conferred under Section 585 read with 592 of the Hyderabad Municipal Corporation Act, 1955 and proviso under Sub Section (1) read with sub section (2) of Section 14,32,46 and 58 of the Andhra Pradesh Urban Areas (Development) Act,1975 , the Government of Andhra Pradesh hereby issue the following rules applicable to Municipal Corporation of Hyderabad and other areas covered by Urban Development Authorities, viz Hyderabad Urban Development Authority, Hyderabad Airport Development Authority, Cyberabad Development Authority and Buddha Purnima Project Authority, as appended to this Notification Any inconsistency or contradiction or conflict that may arise in the said existing rules / by-laws / regulations, etc. such inconsistency, contradiction or inconsistency shall stand modified and to that extent, the provisions in these rules shall apply.*

## APPENDIX\*

### **1 Short Title, Applicability & Commencement:**

- a) These Rules may be called Hyderabad Revised Building Rules, 2006
- b) These rules shall be applicable to Municipal Corporation of Hyderabad area, rest of Hyderabad Urban Development Authority area, Hyderabad Airport Development Authority area, Cyberabad Development Authority area and Buddha Purnima Project Authority area and shall come into force from the date of publication of the Notification in the Andhra Pradesh Gazette.
- c) These rules shall apply to all building activity. All existing rules, regulations, bylaws, orders that are in conflict or inconsistent with these Rules shall stand modified to the extent of the provisions of these rules.

### **2 Definitions:**

- (i) **'Competent Authority'** means.
  - (a) the Vice Chairman of the Hyderabad Urban Development Authority / Hyderabad Airport Development Authority / Cyberabad Development Authority/ Buddha Purnima Project Development Authority in the case of areas outside Municipal Corporation of Hyderabad area,
  - (b) the Commissioner, in the case of Municipal Corporation of Hyderabad area.
- (ii) **Enforcement Authority** means the Commissioner of the Municipal Corporation of Hyderabad, the Commissioner of the Municipality or the Executive Authority of the Gram Panchayat in case of areas outside the municipal areas of the Development Authority or a Special Unit created for the purpose of sanctioning and monitoring building and development activity.
- (iii) **Parking Complex/Parking Lot** means a premises either built or open which is utilized purely for parking of vehicles and where parking fees is collected by the owner and permitted in specific areas. The minimum site shall be 300 square meters.
- (iv) **Transferable Development Right (TDR)** means an award specifying the built up area an owner of a site or plot can sell or dispose or utilize elsewhere, whose site or plot is required to be set apart or affected for a community amenity or development for public purpose in the Master Plan or in road widening or covered in recreational use zone, etc. The award would be in the form of a TDR Certificate issued by the Competent Authority

(v) **High-Rise building** means a building 18 meters or more in height. However, chimneys, cooling towers, boiler rooms/ lift machine rooms, cold storage and other non-working areas in case of industrial buildings and water tanks, and other architectural features in respect of other buildings may be permitted as a non-High Rise building. Buildings less than 18 m including stilt floor/parking floor stand excluded from the definition of high-rise buildings.

(vi) **Height of building** means height measured from the abutting road and in case of undulated terrain height can be considered as average of the corresponding ground level or formation level of proposed site.

(vii) **Sanctioning Authority** means the Commissioner of the Municipal Corporation of Hyderabad, the Commissioner of the Municipality or the Executive Authority of the Gram Panchayat in case of areas outside the municipal area of the Urban Development Authority or a Special Unit created for the purpose of sanctioning and monitoring building and development activity.

*Terms and expressions which are not defined in these Rules shall have the same meaning as in the respective rules / regulations - by laws of the respective local authorities and as defined in the National Building Code as the case may be, unless the context otherwise requires.*

### 3. Restriction on Minimum Building Plot Size along abutting roads in new developments and layouts:

There shall be restriction on the minimum building plot size along the abutting roads in all new developments areas and layouts.

TABLE I

Abutting road Right-of-way (in Mts.)	Minimum plot size allowed (in sq. m)	Max. Plot size allowed (in sq m)
9 and below 12.2	100	2000
12.2 and below 18	200	No Restriction
18 and below 30	500	No Restriction
30 and above	1000	No Restriction

- *Road Right-of-way means the total land width reserved for the road in the layout / Master Plan / Development Plan / Development Scheme whether the road is developed/formed or otherwise and includes the service road, if any, to be provided.*

#### 4.1 Minimum Approach road requirement for sites in new areas/layout areas

No site or parcel of land shall be used for building activity unless it has a clear and established approach road of minimum 9 m. Black topped Road is provided by the developer/builder/owner at his own cost or deposits the necessary cost for laying of the road by the sanctioning authority.

**4.2 Access conditions & Requirements for plots/sites abutting Ring roads / Highways / Bypass Roads of 30 m and above Identified in the Master Plan / Zonal Development Plan:**

In addition to the requirement of confirmation to the minimum plot size along the abutting roads, height and other requirements stipulated in the se rules, buildings abutting major roads of 30 M and above width shall be permitted only after black topped service road of 7 M width with two-lane carriageway is provided to the extent of the building in question within the defined Right-of way. It will be the responsibility of the developer / builder / owner to provide the above service road of the standards fixed by the Sanctioning Authority at his own cost. The Sanctioning Authority may consider sanctioning building permission if the developer / builder / owner deposits the full cost for laying such service road to the Sanctioned Authority

**4.3** The money so levied and collected under Rule 4.1 and 4.2 above shall be maintained in a separate exclusive account by the sanctioning authority and utilised only for this purpose.

**5 Restrictions of building activity in vicinity of certain areas:**

(a) No building/ development activity shall be allowed in the bed of water bodies like river, or nala, and in the Full Tank Level (FTL) of any lake, pond, cheruvu or kunta / shikam lands.

(b) The above water bodies and courses shall be maintained as recreational/Green buffer zone, and no building activity other than recreational use shall be carried out within:

(i) 30 meters from the boundary of Lakes of area 10 Ha and above;

(ii) 9 meters from the boundary of lakes of area less than 10 Ha / kuntas / shikam lands;

(iii) 9 meters from the boundaries of Canal, Vagu, etc

(iv) 2 meters from the defined boundary of Nala

the above shall be in addition to the mandatory setbacks.

Unless and otherwise stated, the area and the Full Tank Level (FTL) of a lake / kunta shall be reckoned as measured or given in the Survey of India topographical maps/Irrigation Dept.

(c) Unless and otherwise specified in the Master Plan / Zonal Development Plan,

- the space to be left in and around the Canal / Vagu (including the actual Canal / Vagu bed width and alignment) shall be minimum 15 m. This may be developed as Green Buffer/recreational and/or utilised for road of minimum 9m width, wherever feasible.
- In case of (b) (i) above, in addition to development of recreational/green belt along the foreshores, a ring road or promenade of minimum 12.2 m may be developed, wherever feasible.
- The above greenery/landscaping and development shall conform to the guidelines and provisions of the National Building Code of India,2005

(d) For Building activity within the restricted zone near the airport or within 500 m distance from the boundary of Defence areas / Military establishments, necessary clearance from the concerned Airport Authority / Defence Authority / shall be obtained. For sites located within the Air Funnel zone, prior clearance from the Airport Authority shall be obtained.

(e) In case of sites in vicinity of High Tension Electricity transmission lines besides taking other safety precautions, a minimum safety distance (both vertical and horizontal ) of 3 m (10 ft.) shall be maintained between the buildings and the High Tension electricity lines, and 1.5 m for Low Tension Electricity lines.

(f) In case of sites in the vicinity of oil/gas pipelines, clearance distance and other stipulations of the respective authority shall be complied with.

(g) In case of Banjara Hills-Jubilee Hills area covered by Block 1 & 2 , and part of Block No. 3 of ward no. 8, Municipal Corporation of Hyderabad area, the building restrictions imposed vide G.O.Ms.No.601 MA dated 5-11-1988 read with G.O.Ms.No.423 M.A., dated 31-7-1998, would be applicable.

(h) For areas covered under G.O.Ms.No.111 MA dated 08.03.1996 (protection of Catchment area of Osmansagar and Himayatsagar lakes), the restrictions on building and development activity imposed in the said Government order would be applicable.

500 m in the  
disturbed

parking provision  
in part II 2 &  
the mode applicable

## 6. REQUIREMENTS OF APPROACH ROAD FOR BUILDING SITES / PLOTS:

TABLE II

Type/ Use of Building plot permissible	Minimum abutting road width required (in meters)
<b>A) SITES IN OLD/EXISTING BUILT-UP AREAS/CONGESTED AREAS/SETTLEMENT (GRAM KHANTAM/ABADI) (as listed in Category I of Annexure I)</b> <ul style="list-style-type: none"> <li>Residential Buildings – maximum permissible upto 10m height</li> <li>Non-residential buildings and mixed occupancies maximum permissible up to 12 m height</li> </ul>	6 *
<b>In Category II Areas of Annexure I</b> <ul style="list-style-type: none"> <li>Residential Buildings – maximum permissible up to 15 m height</li> <li>Non-residential buildings and mixed occupancies maximum permissible below 18 m height</li> </ul>	6 *

Type/ Use of Building plot permissible	Minimum abutting road width required (in meters)
<b>B) SITES IN NEW AREAS/ APPROVED LAYOUT AREAS</b> The type of buildings & intensity of development shall be w.r.t. the abutting road width, viz.,	
<b>B 1</b> Non-High Rise Residential Buildings including Apartment Complexes; Buildings with shopping on GF and residences on upper floor; Basic level social amenities like Nursery School / Religious Place / Public Health Center / Dispensary / Diagnostic Laboratory/ Police outpost/Post Office/ Neighbourhood Library cum Community Center and all buildings up to 15 m height	9 *
<b>B 2</b> In addition to B 1 above, High Rise Building/ Complex of height above 18 m and up to 24 m; Group Housing Scheme; Primary School, Middle school / Tutorial institution / General Industry / Godown / Petrol/diesel Filling station; High School, Junior College / Commercial Complex, Computer units/ Office Building, ITES Complex, Nursing Home / Community Hall / Function/Marriage Hall / Assembly Hall/Cinema Theater; Service establishment/ Workshop; Others not specified in the Table and all non high-rise buildings up to 18 m height	12.2 <i>3 meters of 24 m to be made 30 meters</i>
<b>B 3</b> In addition to B 1 & B 2 above, High Rise buildings above 24 m and up to 30 m height; General Degree and other non-professional College / Polytechnic, ITI, Professional College Campus; Multiplex Complexes, Shopping Malls, Hospitals and all non high-rise buildings up to 18 m height	18 <i>above 30 meters, up to 45 meters</i>
<b>B 4</b> In addition to B 1 to B 3 above, High Rise Buildings above 30 m height	24 and above <i>above 45 meters</i>

\* Provided in case of single plot sub-division approved by the sanctioning authority, a means of access of minimum 3.6 m pathway may be considered for individual residential building and 6m for Apartment Complexes / Commercial Complexes and other non-high rise buildings

- (i) In case of (A) above, where the existing road is less than 6 m, building in the site would be allowed after setting back the building 4.5 m from the center line of such existing road.
- (ii) In case of existing buildings approved prior to these Rules, further additions of floors on the earlier permitted building may be considered either as per these rules or the then rules in force in respect of setbacks; whichever is the applicant opts for. This will not apply for building extensions or redevelopment ventures in such sites.
- (iii) Building line is from the edge of the Road Right-of-way (whether existing or proposed)

## 7.0 PERMISSIBLE HEIGHT & SETBACK REQUIREMENTS:

There are no plot size stipulations based on use or occupancy of the building. The setbacks and height stipulations given hereunder are applicable for all types of buildings.

## 7.1 MINIMUM SETBACKS & HEIGHT STIPULATIONS FOR ALL TYPES OF NON-HIGH RISE BUILDINGS

### (BUILDINGS BELOW 18 m height inclusive of stilt / parking floor):

(i) The height of buildings permissible in a given site/plot shall be subject to restrictions given in **Annexures I to III**.

(ii) There are no specific Floor Area Ratio and plot coverage stipulations. The permissible coverage would be as per the minimum setbacks to be left within the given site. The minimum setbacks and permissible height would be as per **Table III** below.

TABLE III

Plot Size (in Sq. Mts.)	Parking provision	Maximum Height of building permissible (in Mts.)	Building Line or Minimum Front Setback (in Mts.)				Minimum Setbacks other sides (in Mts.)			
			Abutting road width							
			Less than 12.2 Mts.	12.2 Mts. and below 18 Mts.	18 Mts. & less than 30 Mts.	30 Mts. & above				
(1)	(2)	(3)	(4a)	(4b)	(4c)	(4d)	(5)	(6)		
<b>(A) OLD CITY / CONGESTED AREAS (Category-I as given in Annexure-I)</b>										
Less than 100	-	7					1.0			
100 & upto 200	-	10					1.5	1.5		
Above 200 & upto 300	-	10					2.0	1.5		
Above 300 & upto 400	Stilt floor allowed *	12	1.5	3.0	4.5	6.0	2.5	2		
Above 400 & upto 500	Stilt floor allowed *	12					3	3		
Above 500 & upto 750	Stilt floor allowed *	12					4	4		
Above 750	Stilt + upto 2 Cellars allowed **	15					5	5		

Table III (a)  
to be deleted  
there is no FAR  
concept.  
this rule would  
result in huge  
reduction in  
open space

Plot Size (in Sq. Mts.)	Parking provision	Maximum Height of building permissible (in Mts.)	Building Line or Minimum Front Setback (in Mts.)				Minimum Setbacks other sides (in Mts.)	
			Abutting road width					
			Less than 12.2 Mts.	12.2 Mts. and below 18 Mts.	18 Mts. & less than 30 Mts.	30 Mts. & above	Rear side	Other sides
(1)	(2)	(3)	(4a)	(4b)	(4c)	(4d)	(5)	(6)

**(B) EXISTING AREAS/ NEW DEVELOPMENT AREAS/LAYOUT AREAS (including Category II \*\*\* of Annexure I)**

100 & up to 200	-	10	3.0	4.5	6.0	9.0	1.5	1.5
Above 200 & upto 300	-	10	3.0	4.5	6.0	9.0	2.0	1.5
Above 300 & up to 400	Stilt floor allowed	12	3.0	4.5	6.0	9.0	2.5	2.5
Above 400 & upto 500	Stilt floor allowed	12	3.0	4.5	6.0	9.0	3	3
Above 500 & upto 750	Stilt + Cellar allowed	12	3.0	4.5	6.0	9.0	4	4
Above 750 & upto 1500	Stilt + 2 Cellars allowed	15	3.0	4.5	6.0	9.0	5	5
Above 1500 & upto 2500	Stilt + 2 or more Cellars allowed	Below 18	3.0	4.5	6.0	9.0	6	6
Above 2500	Stilt + 2 or more Cellars allowed	Below 18	3.0	4.5	6.0	9.0	7	7

*Stilt parking floor permissible is exclusive of height of building up to 15 m. Height of stilt floor shall not exceed 2.5 m*

*Cellars where permissible are excluded from height of Building*

*\*\*\* For Plots less than 100 sq m. in case of Category II of Annexure I areas, the setbacks and height given in (A) above shall be applicable*

- (iii) The setbacks are to be left after leaving the affected area of the plot/site, if any, for road widening.
- (iv) Building line is from the edge of the Road Right-of-way (whether existing or proposed)

- (v) Where the lighting and ventilation of a building is through the means of a chowk or inner courtyard or interior open space/duct, such open space shall be open to sky and of area at least 9.0 sq m and no side shall be less than 2 m.
- (vi) A strip of at least 1.0 m greenery/lawn along the frontage of the site within the front setback shall be compulsorily developed and maintained with greenery.
- (vii) For plots above 200 sq m, in addition to (vi) above, a minimum 1 m wide continuous green planting strip in the periphery on remaining sides are required to be developed and maintained within the setback
- (viii) For all residential/institutional/industrial plots above 750 sq m, in addition to (vi) and (vii) above, 5 % of the site area has to be developed as tot-lot/landscaped area and trees planted and maintained. Such organized open space could be in more than one location and shall be of regular shape.
- (ix) To enhance the streetscape in respect of 18 m and above roads, no front compound wall is recommended along the front setback. Only iron grill or low height green hedge and / or with sloping type planters is recommended along such roads.
- (x) In all plots 750 sq m and above, provision shall be made for earmarking an area of 3m X 3m for the purpose of siting of public utilities like distribution transformer, etc. within the owner's site subject to mandated public safety requirements.
- (xi) If the above greenery mentioned at (iv) to (vii) above and Rule 9.9 is not maintained, 10% of additional Property tax every year would be imposed as penalty by the sanctioning authority till the condition is fulfilled.
- (xii) In case of plots 300 sq m and upto 750 sq m, it is permitted to transfer up to one metre of setback from one side to the other side, and in case of plots above 750 sq m, it is permitted to transfer up to 2 m of setback, which needs to be uniform at any given point, subject to maintaining of minimum building line in the front.
- (xiii) In case of corner plots, the front setback shall be as per the building line for the respective abutting road width.
- (xiv) For narrow plots, the setbacks on sides may be compensated in front and rear setbacks so as to ensure that the overall aggregate setbacks are maintained in the site, subject to maintaining a minimum of 1m on each side.
- (xv) The space between 2 blocks shall be as given Table-V.
- (xvi) The height of the building will be calculated after excluding the parking floors for the purpose of computation of minimum setbacks to be left.

## 7.2 OTHER REQUIREMENTS FOR BUILDINGS ABOVE 10 M HEIGHT

- (i) The building requirements and standards other than heights and setbacks specified in the National Building Code of India, 2005 shall be complied with.
- (ii) Such buildings shall be undertaken by owners by engaging registered architects/licensed builders/developers and licensed structural engineers. The designs and building plans shall be countersigned by the owner, licensed developer, registered architect, licensed engineer and a qualified & licensed structural Engineer who shall be responsible for the supervision, structural safety, earthquake safety, fire safety and specifications compliance of such buildings. Buildings shall be designed for compliance with earth quake resistance and resisting other natural hazards. The Completion Certificate shall contain mention that the norms have been followed in

the design and construction of buildings for making the buildings resistant to earthquake, compliance with structural safety and fire safety requirements.

- (iii) The work of the building services like sanitation, plumbing , fire safety requirements, lifts, electrical installations, and other utility services shall be executed under the planning, design and supervision of qualified and competent technical personnel.
- (iv) The parking requirements shall comply as given in these rules. The parking facilities and vehicles driveways etc. shall be maintained to the satisfaction of the sanctioning Authority.
- (v) Provide for solar water heating system in the building and solar lighting in the site for outdoor lighting within the site, etc. and give a bank guarantee to this effect to the sanctioning authority for compliance of the same
- (vi) All Public and semi-public buildings with covered area above 300 sq m shall be designed and constructed to provide facilities to the physically handicapped persons as prescribed in the National Building Code of India,2005.
- (vii) In all buildings Irrespective of above height provisions, the requirements of parts of the building like size and area requirements of habitable rooms, kitchen, bathrooms and Water closets, other areas, corridor and staircase widths, service ducts, etc. shall conform to the National Building Code of India,2005.

#### **8. ENCOURAGEMENT FOR BUILDINGS WITH CENTRAL COURTYARDS:**

As an encouragement for developing 'U' type buildings with central courtyards, the setbacks of sides and rear, except the front setback, can be reduced provided:

- (a) the area so saved is transferred to the central area/space or court yard;
- (b) the minimum open space on sides and rear except front, shall be 1.5 m for normal buildings, & 6 m in case of high rise buildings up to 21 m height and 7 m in respect of buildings 21m – 30 m height. Such high rise buildings need to obtain prior clearance from the Fire Services Department;
- (c) the depth of such courtyard shall be at least 50% of the average building depth.

#### **9. REQUIREMENTS FOR HIGH RISE BUILDINGS:**

- 9.1 High Rise buildings / Complexes shall be permissible only in areas other than those given in Annexure I and II. High Rise buildings shall not be allowed in Congested areas/existing areas and settlement areas/ Abadi /Gram khantam areas
- 9.2 The minimum size of plot for High Rise building shall be 2000 sq. m. For buildings in the Skyscraper zone as given in Annexure III, the minimum plot size shall be 4000 sq m
- 9.3 The building bulk, coverage and height shall be governed by the minimum alround setbacks to be left, the organised open spaces to be left and the height restrictions imposed by the Airport authority (if applicable) / Defence authorities (if applicable) and Fire Services Department and the City-level Impact fee on built up area required to be paid, as applicable

#### 9.4 Prior Clearance From Airport Authority:

For any High Rise building located in vicinity of airports as given in the National Building Code, the maximum height of such building shall be decided in consultation with the Airport Authority and shall be regulated by their rules/requirements. Interstitial sites in the area which are away from the direction of the Airport Funnel zone and already permitted with heights cleared by the Airport Authority, shall be permitted without referring such cases to the Airport Authority.

9.5 Every application for approval of a site and for permission to construct or reconstruct or alteration of a building with High Rise building or alteration to existing High Rise building shall be made in the prescribed form and accompanied by detail plans floor plans of all floors, complete set of structural drawings and detail specifications duly certified by a qualified structural engineer, necessary prior clearance from the Airport Authority (if applicable), Directorate of Fire services, APTRANSCO and its subsidiaries and Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) / Local Authority (as the case may be), along with other particulars and details as may be required by the sanctioning Authority.

9.6 The minimum abutting road width and all round open space for High rise Building / Complex shall be as follows:

TABLE - IV

Height of building (1)	Minimum abutting road width required ( in metres) (2)	Minimum alround open space on remaining sides (in metres) * (3)
Up to 21 mt.	12.2	7
Above 21 mt. & upto 24 mt	12.2	8
Above 24 m & up to 27 m	18	9
Above 27 m & upto 30 m	18	10
Above 30 m & up to 35 m	24	11
Above 35 m & upto 40 m	24	12
Above 40 m & up to 45 m	24	13
Above 45 m & upto 50 m	30	14
Above 50 m	30	16

(i) The front open space shall be on the basis on the abutting road width and shall be either as given in shall be either as given in Col. 3 of above Table IV or the Building line given Table III whichever is more.

(ii) The abutting road has to be black-topped with minimum 2 -lane carriageway. Service roads where required as per these Rules shall be minimum 7 m wide with minimum 2-lane black topped carriageway.

(iii) For upper floors from 2nd floor onwards, the balcony projection of up to 2 m may be allowed projecting onto the open spaces.

- (iv) The open space to be left between two blocks shall be equivalent to the open space mentioned in Column (3) of above Table IV.
- (v) In case of high rise buildings upto 30 m height, it is permitted to transfer upto two metres of setback from one side to the other side, which needs to be uniform at any given point, subject to maintaining of minimum setback of 7 m on all sides.
- (vi) Where the lighting and ventilation of a building is through the means of a chowk or inner courtyard or interior open space/duct, such open space shall be open to sky and of area at least 25 sq m and no side shall be less than 3 m.

**9.7 TOWER AND PODIUM TYPE HIGH RISE STRUCTURE UPTO 50 M may be allowed with the following:**

- (a) For podium, i.e., Ground plus first floor alround setbacks shall be 7 m alround
- (b) For the Tower block. The coverage and alround setbacks shall be minimum 50 % of the Podium Block, and shall be atleast 3m from the Podium edge on all sides,
- (c) the fire safety and fire escape measures for the Tower Block shall be independent of the Podium Block.

**9.8 "STEPPED TYPE" OR "PYRAMIDAL TYPE" HIGH RISE STRUCTURE**

Such type of high rise building blocks may be allowed for heights above 30 m with the following open space requirements:

- (a) **At ground level :** minimum 8 m all round open space for the first five floors
- (b) **At upper floors :** increase of 1 m all round open space or more, for every 5 upper floors or 15 m height or part thereof, over and above the ground level open space of minimum 8 m.

- 9.9 (a) In every high rise building site, an organised open space shall be utilised as greenery, tot lot or soft landscaping, etc. shall be provided over and above the mandatory open spaces to be left in and around the building. This space shall be at least 10% of total site area and shall be of regular shape. This may be in one or more pockets.
- (b) In addition to the above, a minimum 2 m wide green planting strip in the periphery on all sides within the setbacks are required to be developed and maintained in all high rise building sites.

**9.10 COMPLIANCE OF NATIONAL BUILDING CODE PROVISIONS FOR AMENITIES AND FACILITIES IN ALL HIGH RISE BUILDINGS**

- (i) The building requirements and standards other than heights and setbacks specified in the National Building Code, 2005 shall be complied with.
- (ii) Such buildings shall be undertaken by owners by engaging registered architect, licenced builders/developers and licenced structural engineers. The designs and building plans shall be countersigned by the owner, licenced developer,

registered architect, licenced engineer and a qualified & licenced structural Engineer who shall be responsible for the supervision, structural safety, fire safety and specifications compliance of such buildings. Buildings shall be designed for compliance with earth quake resistance and resisting other natural hazards. The Completion Certificate shall contain mention that the norms have been followed in the design and construction of buildings for making the buildings resistant to earthquake, compliance with structural safety and fire safety requirements.

- (iii) The work of the building services like sanitation, plumbing, fire safety requirements, lifts, electrical installations, and other utility services shall be executed under the planning, design and supervision of qualified and competent technical personnel
- (iv) In addition to the required staircases and lifts, there shall be at least one fire escape staircase and lift. These staircases and lifts shall be got certified from the manufacturer's authorised Service technical personnel from time to time.
- (v) Provision for power generator shall be made in such buildings.
- (vi) These buildings shall be planned, designed and constructed to ensure fire safety requirements are met and maintained and shall comply in accordance with the Fire Protection Requirements of National Building Code of India.
- (vii) The facilities for providing fire protection and fire fighting facilities in such buildings should be in compliance with the stipulations laid down and clearance issued by the Fire Department from time to time. NOC from the Fire Department shall be obtained from time to time regarding the fire safety requirements and facilities installed.
- (viii) The parking requirements shall comply as given in these rules. The parking facilities and vehicles driveways etc. shall be maintained to the satisfaction of the sanctioning Authority.
- (ix) Provide for solar water heating system in the building and solar lighting in the site for outdoor lighting, etc. and give a bank guarantee to this effect to the sanctioning authority for compliance of the same.
- (x) All Public and semi-public buildings shall be designed and constructed to provide facilities to the physically handicapped persons as prescribed in the National Building Code of India.
- (xi) In all high rise buildings, the requirements of parts of the building like size and area requirements of habitable rooms, kitchen, bathrooms and Water closets, other areas, corridor and staircase widths, service ducts, etc. shall conform to the National Building Code of India.

#### 10. REQUIREMENTS OF GROUP DEVELOPMENT, GROUP HOUSING/ CLUSTER HOUSING/ RESIDENTIAL ENCLAVES AND ROW HOUSING SCHEMES:

- 10.1 Such developments shall be considered where the site is developed together with building constructions and all amenities and facilities and not disposed as open plots.
- 10.2 All Group Development Schemes, Group Housing Scheme / Cluster Housing Scheme applications shall in addition to the requirements under these Rules, be accompanied by:

- a) A Services and Utilities Plan as per standards for water supply system, drainage and storm water disposal system, sewerage system, rain water harvesting structures, and for other utilities.
- b) A landscaping plan including rain water harvesting/ water recycling details.
- c) Parking & internal Circulation Plan along with Common pool parking area plan, if any.

The above shall be drawn on suitable scale with relevant details.

- 10.3 The minimum plot size for Group Housing Schemes and Group development Schemes shall be 4000 sq m and the minimum abutting road width shall be 12.2 m wide and black topped.
- 10.4 In case of housing in large plots or blocks, the proposals should be promoted with the immediate improvement of the accessibility of the site from the nearest main road by way of an approved Road Development Plan by the competent authority with a minimum width of 12.2 m which should be implemented by the licenced developer within a period of three years. Any road widening required shall be deemed to be approved under these Rules and has to be adhered to by the owners / local body / licenced developer.
- 10.5 All Group Housing Schemes/ Group Development Schemes/ Cluster housing / Residential Enclaves and row type development schemes shall be developed with complete infrastructure facilities and amenities as stated at (a) and (b) above.
- 10.6 These shall not be applicable in case of Government sponsored Housing Scheme/ approved NGOs or private schemes, and the guidelines and requirements as given in the National Building Code for Low Cost Housing / Government orders shall be followed.

#### 10.7 GROUP DEVELOPMENT SCHEMES & GROUP HOUSING SCHEMES

Group Housing Schemes are reckoned as Apartment blocks in two or more blocks. These could be high-rise or simple walk-up units. Group Development Schemes are reckoned as Building in two or more blocks in a campus or site, and could be normal height buildings or high-rise blocks or combination of both.

(a) The open spaces/setbacks for such type of development shall be as follows:

TABLE V

Height of building block	Distance to be maintained from periphery to building block	Distance between two blocks
Up to 10 m*	3 m	2 m
Above 10 m & up to 15 m*	4 m	3 m
15m & upto 18 m**	5 m	4 m
Above 18 m	As per alround setbacks required under High-rise buildings given in Table IV	

\* Stilt floor permissible and is exclusive of height of building up to 15 m. Height of stilt floor shall not exceed 2.5 m

\*\* Only Cellars excluded from height of Building

- b) Common amenities and facilities like shopping center, community hall or center / club house etc. are required to be provided in up to 5 % of the area and shall be planned and developed in cases where the units are above 50 in number and not be part of the residential blocks.
- c) A through public access road of 9 m width with 2-lane black-topped is to be developed on any one side at the periphery/ as per suitability and feasibility for the convenience of accessibility of other sites and lands located in the interior.
- d) In case of blocks up to 12 m height, access through pathways of 6m width branching out from the internal roads/loop road would be allowed. All internal roads and pathways shall be developed as per standards.
- e) Minimum of 10 % of site area shall be earmarked for organised open space and be utilised as greenery, tot lot or soft landscaping, etc. and shall be provided over and above the mandatory open spaces. This space may be in one or more pockets.

#### 10.8 ROW TYPE HOUSING / ROW TYPE SHOPPING PRECINCTS:

- a) **Minimum site area :** 1000 sq m
- b) **Minimum size of individual plots for row houses / Row shops:** 50 sq m.  
Not more than 8 plots shall be developed in a row.  
Separation between two blocks shall not be less than 6 mt, which may be an open space or an alley/pedestrian plaza.  
Only internal staircase would be allowed.
- c) **Minimum width of internal roads:** 9 m ;  
Internal cul-de-sac road 6m with max. length 50 mt. is allowed
- d) **Minimum open space :** 10 % of site area
- e) **Height permissible:** 2 floors or 6 m for plots up to 125 sq m  
Stilt + 2 floors for plots above 125 sq m for row houses
- f) **Minimum setbacks:** Front 3m ; Rear 1.5 m.  
The setbacks in a row can be interchangeable.  
In case of row type shopping precincts, back to back shops with above front setback of 3m would be allowed.
- g) In case of very large projects more than 5 acres, common amenities and facilities like shopping center, community hall/club house etc. are required to be provided in 5 % of the area.
- h) In case of Row Type Shopping Precincts, common basement parking in one or more levels would be permissible subject to conditions mentioned in Rule (11).

## 10.9 CLUSTER HOUSING

- (a) **Minimum site area:** 1000 sq m
- (b) **Minimum plot size for cluster house:** 25 sq m with maximum number of 20 houses in a cluster
- (c) **Minimum size of cluster open space:** 36 sq m with a minimum width of 6m
- (d) **Height permissible:** 2 floors or 6 m
- (e) **Minimum access road** to the Cluster Housing Complex: 9 m  
Internal access may be through pedestrian paths of 6 m
- (f) **Minimum space between two clusters:** 6m which may be utilised as pathway/alley
- (g) **Building setbacks:** No setbacks are needed for interior clusters as the lighting and ventilation is either from the central open space of cluster and the surrounding pedestrian pathway/ access road of the cluster. However, interior courtyards may be provided for larger plots and building areas to facilitate lighting and ventilation. For end clusters sides that are abutting peripheral thoroughfare roads, setback shall be as per the Building line given in Table III.

## 10.10 RESIDENTIAL ENCLAVES:

- (a) These would be allowed as gated development that are exclusive housing areas with common compound wall with access control through gates and having their own facilities and amenities. The housing units may comprise of row houses, semi-detached, detached or Apartment blocks or a mix or combination of the above. The building requirements would be as per the given type of housing.
- (b) Residential enclaves would be permitted only in those sites that give through access of minimum 9 m peripheral road for the neighbouring plots or lands that are located in the interior. They would be governed by good design standards and not impinging on the overall accessibility and circulation network of the area
- (c) **Minimum size of site:** 4000 sq m
- (d) **Size of plots and height permissible:** as per type of housing and requirements as given above for the respective type of housing
- (e) **Minimum Common Open space:** 10 % of site area
- (f) **Building setbacks:** As per type of housing & requirements given above for the said type of housing and as per Table III
- (g) **Internal Road requirements:**
  - 9.0 to 18 m for main internal approach roads.
  - 9 m for other internal roads and

- 8 m for cul-de-sacs roads between 50-100 m length
- 9 m for looped roads

#### 11. PARKING REQUIREMENTS:

11.1 In all Complexes including Residential Complexes, Hotels, restaurants and Lodges, business buildings, commercial buildings, Institutional buildings like hospitals, Educational buildings like schools and colleges, multi-storied buildings/Complexes, etc and all other non-residential activities provision shall be made for parking spaces as per the following requirements:

TABLE VI

Category of building/activity	Parking area to be provided as percentage of total built up area	
	In MCH Area	In Municipalities and rest of Development Authorities areas
Shopping Malls with Multiplexes, Multiplex Complexes, Information Technology Enabling Services Complexes	60 %	50 %
Hotels, restaurants, lodges, Cinema halls, business buildings, other commercial buildings, Kalyana Mandapams, Offices, & high-rise buildings / Complexes	40%	30 %
Residential Apartment Complexes, Hospitals, Institutional buildings, Industrial buildings, Schools, Colleges & other educational buildings	30 %	20 %
Godowns & Others	20 %	20 %

11.2 The parking spaces may be provided in (for all Schemes) :

- basements or cellars (one or more)/multi-level (allowed for plots 750 sq m and above only); or
- on stilt floor or in upper parking floors (at any level)
- in the open space over / setbacks (except the front setback) to be left around the building with adequate vehicular access, aisle, drives, ramps required for maneuvering of vehicles, or
- common pool parking area (in the case of Group Housing Scheme/Residential enclave/Cluster housing/Row housing-schemes) or
- a combination of any or all the above

11.3 The other aspects for providing parking spaces are:

- (i) Common and Continuous cellar parking floors between adjoining buildings would be allowed depending upon structural safety aspects, mutual agreement between owners, etc.
- (ii) The parking spaces should be efficiently designed and clearly marked and provided with adequate access, aisle, drives and ramps required for maneuvering of vehicles.
- (vii) Stilt floor /Cellar parking floor shall be used only for parking and not for any habitation purpose. Misuse of the area specified for parking of vehicles for any other use shall be summarily demolished / removed by the Enforcement Authority.
- (viii) For parking spaces in basements and upper storeys of parking floors, at least two ramps of minimum 3.6 m width or one ramp of minimum 5.4 m width and adequate slope shall be provided. Such ramps may be permitted in the side and rear setbacks after leaving sufficient space for movement of fire-fighting vehicles. Access to these may also be accomplished through provisions of mechanical lifts.
- (ix) Basement/cellar shall be set back at least 1.5 m from the property line.
- (x) Up to 10% of cellar may be utilised for utilities and non-habitation purpose like A/C Plant room, Generator room, STP, Electrical installations, Laundry, etc.
- (xi) Space over and above 6m in front setback may be considered as off-street parking space.
- (xii) Visitors' parking to be provided shall be 10 % of the area mentioned in Table VI, and may be accommodated in the mandatory setbacks other than the front setback; wherever such setbacks are more than 6m. The Visitors' Parking facility shall be open to all visitors.
- (xiii) In respect of Apartment Complexes / Building / Block, in sites up to 750 sq m the Parking requirement shall be deemed to be met if the entire stilt floor is left for parking. A WC/Toilet facility shall be provided for watch and ward in the stilt floor.

#### **11.4 Encouragement for provision of Parking Complexes**

To encourage parking complexes, Parking lots and enclaves, owners who develop parking complexes / Parking lots, the following incentives would be considered:

- (a) equivalent built up area of such Parking Complex / or area of Parking lot as the case may be would be considered as Transferable Development right by the sanctioning authority
- (b) In an existing area/locality where an owner or two or more owners come together and develop combined or common parking Complex, pedestrian plaza/ subway, or improve/facilitate additional access by linking with surrounding roads etc for public usage are provided, as part of their premises / land development/improving the urban design aspects, additional bonus built up area /TDR would be considered by the sanctioning authority
- (c) The setbacks for Parking Complexes shall be as follows

front – as per building line

setbacks on remaining sides – 50% of setbacks given in Table III

- (d) No fees and other charges shall be charged by the Sanctioning Authority for the area/floors developed as Parking Complex / Parking lot;
- (e) A moratorium on property tax for 5 years would be considered;
- (f) For the next 5 years – Property tax shall be levied on the lowest slab of residential category.

Such parking facility enclaves may be permitted along or off main commercial roads, city center, close to Bus stations, Railway Stations and any public transport system so as to encourage use of public transport, etc. Access to these parking spaces in such Complexes may be accomplished through provision of mechanical lifts. Such areas may be identified by the sanctioning authority and notified to public every year by 1<sup>st</sup> April.

## 12. RESTRICTIONS ON PROJECTIONS ALLOWED IN MANDATORY OPEN SPACES:

Only the following Projections shall be allowed in the mandatory open spaces / setbacks / interior open spaces:

- (i) No balcony projections or corridor shall be permitted beyond the setbacks i.e., projecting within the mandatory open spaces in case of non-high rise buildings. These, if provided for, shall be set back as per the minimum mandatory open spaces and the setback shall be clear from the edge of the balcony or corridor.
- (ii) Cornice, Chajjas / weather shades only of width not exceeding 60cm shall be allowed in the mandatory setbacks.
- (iii) *In case of plots more than 300 sq m*
  - a. Sump, septic tank, well may be allowed in the rear and side open spaces. These shall need to be setback at least 1.5 m from the property or boundary line of the plot.
  - b. Parking sheds, generator room may be allowed in the rear and side open spaces.

In the front setback only a security guard booth of 2 sqm

The height of these accessory buildings shall not be more than 2.50 m and shall not occupy more than 1/4<sup>th</sup> of the plot width.

## 13. URBAN DESIGN AND ARCHITECTURAL CONTROL

For certain areas as well as sites abutting major roads of 30 m and above, the Sanctioning Authority may enforce urban design and architectural control. These shall be detailed out keeping in view the development conditionalities and requirements given in these Regulations and the National Building Code norms. For this purpose, urban design and architectural control sheets/Plans approved by the Sanctioning Authority shall be complied with.

**14. Obligations of the owner and licenced developer/builder / licenced technical personnel to implement and develop the Master Plan/Statutory Plan circulation network and specific land uses:**

- (1) Where any land or site or premises for building is affected in the statutory plan/ Master Plan road or circulation network or an road required to be widened as per a Road Development Plan, such area so affected in the road or circulation network shall be surrendered to the Sanctioning Authority by the owner of land. No development permission shall be given unless this condition is complied with.
- (2) Upon surrendering such affected area, the owner of the site would be entitled to a Transferable Development Right (TDR) as given in Rule 15 below

*OR*

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

**15. GRANT OF TRANSFERABLE DEVELOPMENT RIGHT:**

Grant of Transferable Development Right (TDR) may be considered by the Competent Authority for the following areas subject to the owner complying with the conditions of development above, as per the following norms:

- (a) *For the Master Plan road network undertaken and developed:* equivalent to 100 % of built up area of such area surrendered.
- (b) *For conservation and development of lakes / water bodies / nala/ foreshores & Recreational buffer development with greenery, etc:* equivalent to 50 % of built up area of such recreational buffer area developed at his cost.
- (c) For Heritage buildings and heritage precincts maintained with adaptive reuse: equivalent to 50 % of built up area of such site area.

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. The TDR Certificate would be issued by the Competent authority would be valid or utilized/ disposed only within the concerned local body area and as per guidelines and conditions prescribed by the Competent Authority.

**16. LEVY OF SPECIAL FEES AND OTHER PROVISIONS FOR CERTAIN AREAS:**

The Sanctioning Authority with the specific approval of the Government may, when implementing such Projects, levy Special fees and other fees / charges for lands / sites / premises abutting or in the vicinity of the Ring Road or other highways / major roads or the Mass Rail Transit System / Light Rail Transit / MMTS route indicated in the Master Plan, at the rates and procedure prescribed by the Government.

**17. CITY LEVEL INFRASTRUCTURE IMPACT FEES APPLICABLE IN CERTAIN CASES:**

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

**Type I :** Buildings up to height 15 m excluding stilt parking floor

**Type II :** Buildings of height above 15 m (excluding stilt floor)

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

- First 15 m or 5 floors (whichever is less); No levy of Impact fee
- For any additional floors or part thereof at differential rates specified in Table below

Occupancy / Use	Height of Building (in metres) and rate in Rs. per sq m of built up area			
	Above 15 m & up to 21 m	Above 21 m & up to 30 m	Above 30 m & up to 50 m	Above 50 m
Residential	Municipal Corporation Area			
	500	750	1500	3000
Commercial, Offices, ITES	Other areas of UDA Area			
	250	500	1000	2000
Institutional, educational & Others (except Industrial sheds)	Municipal Corporation Area			
	1000	1500	2500	5000
	Other areas of UDA Area			
	500	1000	2000	4000
	Municipal Corporation Area			
	300	500	1000	2000
	Other areas of UDA Area			
	100	200	400	800

(2) Alternatively, the owner may be allowed to utilize TDR given in Rule 14 above, for such built up area to the extent permissible wholly or use the same in combination of both TDR and the differential impact fee for the proposed additional built up area that is permissible under these Rules / Provisions. The Government may revise the above rates from time to time.

(3) The above rates shall not be applicable for Government Departments and public agencies like Urban Development Authority, APIC, local bodies and HMWSSB.

(4) The amount levied and collected under above Rule shall be credited and maintained in a separate escrow account by the concerned sanctioning authority and 50% utilised for development of infrastructure in the same area and balance utilised towards improvement of city level capital infrastructure in the area. An Infrastructure Plan and Action Plan for implementation is required to be undertaken by the Competent authority and the said Fund utilised accordingly.

(5) The Premium on F.A.R. charges leviable in CDA area and the impact fees being levied in MCH area are dispensed with.

18. **INCENTIVES FOR OWNERS LEAVING MORE SETBACKS / INSTALLING SOLAR HEATING SYSTEM / LIGHTING / RAIN WATER HARVESTING / RECYCLING OF WASTE WATER:**

The following incentives in terms of rebate in Property tax will be given by the local authority for owners or their successors-in-interest who:

- (a) Construct the building /blocks by leaving more setbacks than the minimal stipulated in these Rules
  - Leaving 1.5 times the minimum setbacks in all sides: 10 % rebate\*
  - Leaving 2.0 times the minimum setbacks on all sides : 20 % rebate\*
- \* *The setbacks has to be on all sides to qualify for the rebate. Leaving more on one side and the minimum on other sides would not qualify for such rebate.*
- (b) Install and use solar heating and lighting system : 10 % rebate.
- (c) Undertake both recycling of waste water and rain water harvesting structures: 10 % rebate
- (d) Where owners provide at least 25% additional parking space over and above the minimum specified in Rule 11, they would be allowed for a rebate of 10 % in property tax.

19. **BUILDING PERMIT/LICENSE FEES & UNDERTAKING:**

- a) The Sanctioning Authority shall along with the Building Application levy and collect 2% of the Building Permit / License fees, subject to a maximum of Rs.10,000 as initial fees. The balance building permit / License Fees together with other fees and Charges shall be levied and collected before the issue of permission/sanction. In case of rejection of application, the above initial fees would be forfeited.
- b) No fees and charges would be levied for parking spaces provided in stilt/cellar floors.

20. **COMPLIANCE BY OWNER FOR ENSURING CONSTRUCTION IS UNDERTAKEN AS PER SANCTIONED PLAN:**

- a) The owner and builder/developer shall give an Affidavit duly notarized to the effect that in the case of any violation from the sanctioned building plan, the Enforcement Authority can summarily demolish the violated portion. In respect of Apartment Buildings, the owner or builder shall give a Declaration duly specifying the number of floors permitted, the number of flats/apartments in each floor along with the extent of each flat. In case of any violation with regard to the Declaration, the Enforcement Authority can demolish the violations.

- b) Before the release of the building sanction by the sanctioning authority, the owner of the plot/site is not only required to produce the original Sale Deed, registered under the provisions of the Indian Registration Act, 1908 for the perusal of the sanctioning authority and cross verification with the attested copy submitted with the building application.
- c) The owner is required to hand over the ground floor area or first floor or the second floor area, as the case may be, to the sanctioning authority by way of a Notarised Affidavit and after the setbacks and open spaces are demarcated on the site. The Notarised Affidavit shall be got entered by the sanctioning authority in the Prohibitory Property Watch Register of the Registration Department. Then only the Building sanction will be released *and the owner shall be allowed to commence the construction*

The system of taking a Security Deposit is dispensed with.

- (i) The sale or disposal of such built up area under the said Notarised Affidavit by way of sale, lease and registration of such buildings shall be allowed by the Registration Authority only after an Occupancy Certificate is obtained from the sanctioning authority.
- (ii) In case of any violation of building construction onto the setbacks or open space or area to be left for any road widening, shall be removed by the owner within one week of issue of Notice by the Enforcement Authority.
- (iii) Upon failure to comply with the above direction of the Enforcement Authority, the Sanctioning Authority may dispose the handed over portion of the building by public auction duly removing the violated portion.
- (iv) The sanctioned plans giving other details along with sanction date, built up area permitted, area handed over to the sanctioning authority, and insurance policy details shall be displayed by the owner/builder on Board at the site.
- (v) A comprehensive building compliance insurance policy has to be taken covering aspects of building services, fire safety, maintaining mandatory setbacks /open spaces, and landscaping of the site (the terms and conditions and other details of which would be separately worked out) before commencement of construction.

## 21. OCCUPANCY CERTIFICATE:

- (i) Occupancy Certificate shall be mandatory for all buildings. No person shall occupy or allow any other person to occupy any building or part of a building for any purpose unless such building has been granted an Occupancy Certificate by the Sanctioning Authority.
- (ii) The owner shall submit a notice of completion through the registered architect and licenced builder/developer along with prescribed documents and plans to the Sanctioning Authority. The Sanctioning Authority on receipt of such notice of completion shall undertake inspection with regard to the following aspects:
  - (a) Number of floors
  - (b) External setbacks
  - (c) Parking space provision
  - (d) Abutting road width

and shall communicate the approval or refusal of the Occupancy Certificate within 15 days or may issue the same after levying and collecting compounding fee, if any, as follows:

- (iii) The sanctioning authority is empowered to compound the offence in relation to setbacks violations (other than the front setback) upto 10%, duly recording thereon the violations in writing. The rate of Compounding fee shall be a minimum rate of Rs.1000 per sq m of built up area on each floor in Municipal Corporation areas and at the rate of Rs.500 per sq m in case of other Municipal areas and UDA areas, and the Government may revise this rate from time to time. Compounding of such violation shall not be considered for buildings constructed without obtaining any sanctioned plan. This shall be maintained in a separate escrow account and utilised towards improvement of the roads and public open spaces development in the area.
- (iv) For all high rise buildings, the work shall be subject to inspection by the Fire service Department and the Occupancy Certificate shall be issued only after clearance from the Fire Services Department with regard to Fire Safety and Protection requirements.
- (v) The functional/line agencies dealing with electric power, water supply, drainage and sewerage shall not give regular connections to the building unless such Occupancy Certificate is produced, or alternatively may charge 3 times the rate in the absence of Occupation Certificate for such buildings. In addition to the above, the local body shall collect every year two times the property tax as penalty from the owner/occupier.
- (vi) The Registration Authority shall register only the permitted built up area as per the sanctioned building plan and only upon producing and filing a copy of such sanctioned building plan. On the Registration Document it should be clearly mentioned that the registration is in accordance with the sanctioned building plan in respect of setbacks and number of floors.
- (vii) The financial agencies/institutions shall extend loan facilities only to the permitted built up area as per the sanctioned building plan.

## 22. ENFORCEMENT

- A) In addition to the enforcement powers and responsibilities given in the respective laws of the local authority, in respect of these Rules:
  - (i) The Enforcement Authority concerned shall be wholly and severally responsible for ensuring and maintaining the road right of way/width and building restrictions as given in these Rules. The Enforcement Authority shall particularly check all buildings/structures for any violations along all main roads/public roads and take action to remove these.
  - (ii) The Enforcement authority shall summarily remove any violation or deviation in building construction in maintaining the road widths and building line.

- B) **Constitution of Town Planning and Building Tribunal:**

The Government shall constitute a Town Planning and Building Tribunal for dealing with all town planning, enforcement and building issues by making necessary amendment to the AP Urban Areas (Development) Act, 1975.

**C) Constitution of Building Ombudsman:**

The Government may constitute a Building Ombudsman for dealing with all complaints of building violations, shortfall in building standards, services and specifications and safety aspects. The Government shall separately work out the procedure, role and details of the functioning of the Building Ombudsman.

**23. LIMITATIONS OF BUILDING SANCTION:**

Sanction of building permission by the Sanctioning Authority shall not mean responsibility or clearance of the following aspects:

- (I) Title or ownership of the site or building
- (II) Easement Rights
- (III) Variation in area from recorded areas of plot or a building or on ground
- (IV) Structural Reports, Structural Drawings and structural aspects
- (V) Workmanship, soundness of structure and materials used,
- (VI) Quality of building services and amenities in the construction of building
- (VII) The site/area liable to flooding as a result of not taking proper drainage arrangements as per natural lay of the land, etc.
- (VIII) Other requirements or licences or clearances required for the site/ premises or activity under various other laws.

**24. LICENSING OF REAL ESTATE COMPANIES, DEVELOPERS, BUILDERS, TOWN PLANNERS, ENGINEERS & OTHER TECHNICAL PERSONNEL MANDATORY:**

- (a) No developer/builder/real estate firm or company/engineer/town planner/other technical personnel shall be allowed to undertake development/do business/ practise in a Municipal Corporation/ UDA/ Municipal area unless they are licenced with the sanctioning authority of the respective area. Architects shall be required to be registered with the Council of Architecture.
- (b) The engaging of the services of a licenced developer/builder shall be mandatory for Apartment Buildings, Group Housing Schemes, all types of gated developments mentioned in Rule 10, all High-Rise Buildings, and all commercial complexes. Developments undertaken for construction of individual residential houses, normal educational/institutional/industrial buildings and developments undertaken by public agencies are exempted from the above condition.
- (c) Any developer/builder undertaking development or any firm doing property business in any Municipal Corporation/UDA/Municipality or soliciting property sale/transactions or advertising as such in case of above, shall necessarily mention the details of its licence number, licence number of the licenced developer to whom the approval is given by the said Municipal Corporation / UDA / Municipality, together with the permit number and its validity for information and verification of public/prospective buyers.
- (d) Absence of the above or suppressing of the above facts or in the case of other licences and other technical personnel who violate the conditions would invite penal action including debarring of the real estate firm/development firm / company from practice in the local authority area for 5 years besides prosecution under the relevant laws / code of conduct by the sanctioning authority

- (e) Any licenced developer / builder / other technical personnel who undertake construction in violation of the sanctioned plans shall be warned in the first instance and in the second instance, this would entail cancellation of their licence besides being prosecuted under the relevant laws / code of conduct.
- (f) The format for application forms for licencing of developers / builders, real estate firms, town planners, architects, engineers, other personnel, and other conditions shall be as prescribed.

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

S.P. Singh,  
Secretary to Government

To

The Commissioner, Printing, Stationary and Stores Purchase, Hyderabad.  
(with a request to publish in the extraordinary Gazette of AP on 04.03.2008 and furnish 1000 copies to Government)

The Commissioner, Municipal Corporation of Hyderabad, Hyderabad.  
The Vice-Chairman, Hyderabad Urban Development Authority, Hyderabad.  
The Vice-Chairman, Cyberabad Development Authority, Hyderabad.  
The Vice-Chairman, Hyderabad Airport Development Authority, Hyderabad.  
The Vice-Chairman, Buddha Purnima Project Authority, Hyderabad.  
The Director of Town and Country Planning, Hyderabad.  
All Departments of Secretariat,  
All Heads of Departments.  
The Director General, Fire Services, Hyderabad.  
The Chairman and Managing Director, APTRANSCO., Hyderabad.  
The Managing Director, H.M.W.S. & S. Board, Hyderabad.  
The Managing Director, APIIC., Hyderabad.  
The Engineer-in-Chief (Public Health), Hyderabad.  
The Commissioner, L.B.Nagar / Kukatpally / Malkajgiri / Kapra / Uppal Kalan / Qutubullahpur / Alwal / Rajendranagar / Serilingampally / Gaddiannaram / Ramachandrapuram / Patancheru.  
The Commissioner and I.G. of Registration and Stamps, Hyderabad  
The Managing Director, A.P.Housing Board, Hyderabad.  
The District Collector, Hyderabad District, Hyderabad.  
The District Collector, Ranga Reddy District, Hyderabad.  
The District Collector, Medak District, Sangareddy.

Copy to:

The Special Secretary to Hon'ble Chief Minister  
The P.S. to M ( M A & UD).  
The P.S. to Secretary to Government, MA&UD.  
I/Sc.

// Forwarded By Order //

*S. S. Singh*  
Section Officer

## ANNEXURES

*The Government by Notification may modify, alter or add to the list of the areas given in Annexures below.*

### ANNEXURE I

#### LIST OF CONGESTED AREAS / OLD AREAS/SETTLEMENT AREAS

(See Rule 6 and 7 )

##### A. In M.C.H. Area (Ward-Wise & Block-Wise):

##### HYDERABAD DIVISION:

##### CATEGORY I

*Maximum Height Permissible For All Types of Residential Buildings / Complexes : 10 M*

*Other Occupancies : 12 M*

Ward No.	Blocks	Name of the Locality / Area
Ward 13	1, 2, 3	Mustaidpura, Dhulpet, Ziauguda, Mangalhat, Kulsumpura, Karwan.
Ward 14	1 to 22	Dhulpet, Goshamahal, Shahinyathgunj, Chudibazar.
Ward 16	3 to 9	Chanchalguda, Malakpet, Azampura, Old Malakpet, Dabirpura, Chaderghat
Ward 17	3 to 8	Saidabad, Rainbazar, Eddibazar, Madannapet, Yakutpura, Kattalmandi.
Ward 18	5 to 9	Bhavaninagar, Riasatnagar, Uppuguda, Sultanshahi, Mirzumta Tank, Aliabad.
Ward 19	1 to 2	Ghatakanipura, Doodbowli, Fateh Darwaza
Ward 20	1 to 7	Shalibanda, Hussainialam, Kazipura.
Ward 21	1 to 7	Madinabazar, Ladbazar, Petlaburz, Patelmarket, Ghansibazar.
Ward 22	1 to 8	Sultanpura, Noorkhan Bazar, Pyrani Haveli.
Ward 23	1 to 6	Mogulpura, Haribowli etc

##### SECUNDERABAD DIVISION:

Ward I	3 to 6	Kalasiguda, General Bazar etc
Ward III	1, 2, 3	Avula Mandi, Angreji Bazar.
Ward II	1, 4, 5	Ramgopalpet, Market Street.
Ward VII	1, 2, 3	Monda Market, Ghas Mandi etc
Ward - VIII	1 to 3	Sivajinagar, Second Bazar

B) All notified slum areas and EWS Housing areas

C) Outside M.C.H. Area:

i) All Village settlements / Abadi areas

ii) Moulali area Jagadgirigutta, Suraram and all other slum areas and EWS Housing areas

#### CATEGORY II

*Maximum Height Permissible For All Types of Residential Buildings / Complexes: 15 M*

*Other Occupancies: 18 M*

Ward No.	Blocks	Name of the Locality / Areas
Ward 1	3 to 9	Kavadiguda, Bholakpur, Bakaram, Musheerabad, Zamistanpur, Azamabad, Bagh Lingampally, Ramnagar, Adikmet
Ward 2	1, 2 & 4	Nallakunta, Shankermath, Bagh Amberpet, Golnaka Vidyanager, Tilaknagar.
Ward 3	1 to 5	Nimboliadda, Lingampally, Old M.L.A. Quarters, Qutbiguda.
Ward 4	2, 4, 6, 8.	Gowliguda, Sultanbazar.
Ward 5	1 to 3	Koti, Jambagh, Troopbazar.
	5 to 8	Malakunta, Goshamahal, Agapura, Mangalhat, Kazani Hospital.
Ward 6	2	Part Chintalbasti &, Khairtabad.
	3	Punjagutta
Ward 7	1	Ameerpet
Ward 10	1, 4, 5	2nd Lancer, Humayun Nagar, Ahmednagar, Masab Tank, Chintalbasti Part.
Ward 11	1 to 4	Mallepally, Bazarghat, Niloufer Hospital Shantinagar
Ward 12	1	Mehdipatnam, Guddimalkapur, Asifnagar
Ward 15	1 to 5	Afzalgunj, Begumbazar, Bus Depot.
	7 to 9	Osmanshani, Pheelkhana.

#### SECUNDERABAD DIVISION:

Ward IV	1 to 6	Chitrani Theatre/Hill Fort area
Ward V	1	James Street
Ward VIII	2, 3, 4, 5, 6	Bansilalpet, Boiguda, Kavadiguda
Ward IX	2 and 3	Regimental Bazar.
Ward X	1, 3, 5	Marredpally, Tukaram Gate, East Maredpally
Ward XI	1 to 4	Sitapalmandi, Chikalguda, Parsigutta
Ward XII	1, 2, 5, 8 & 10	Lalapet, Lalaguda, Boudhanagar, Malkajgiri Municipality, Chandanagar, Lingampally, Kukatpally APHB Phase I & II, Kamalanagar and Khusaiguda

## ANNEXURE II

### LIST OF AREAS PROHIBITED FOR HIGH RISE BUILDINGS

A) IN MCH AREA (except plots abutting 30 m and above roads – this condition will not be applicable to the areas mentioned in Sl. No. 3 below)

1. All Areas Mentioned in Annexure I.
2. Secunderabad Area Ward Nos. I (P) Blocks 1, 2, 3, 4, 5, 6 & 7  
Wards II, III, IV Complete.
3. Banjara Hills-Jubilee Hills Area Ward No. 8 Blocks 1, 2 and 3 (Part).
4. Ward Nos. 4, 5, 11, 14 and 15 (Complete).
5. Ward Nos. 1, 7 and 8 (Complete).
6. Ward No. 3 Block No. 2, 3 and 4.
7. Area around Charminar covered by Ward Nos. 20, 21, 22 and 23 Complete.
8. Falaknuma Area Covered By Ward No. 19, Block No. 4.
9. Golconda Fort Area covered by Ward No. 9 Block Nos. 1, 2, 3, 4, 6, 8, 10 and 11 (Complete).
10. Asmangadh Area covered by Ward No 16, Block No 2

B) OUTSIDE MCH AREA

1. All Village Settlement Areas.
2. Areas Covered by G.O.Ms.No.111 MA, dated 08.03.1996 (Protection of Catchment areas of Osmansagar and Himayatsagar lakes)
3. 1 km from the Boundary of Proposed International Airport, Shamsabad.
4. 1 km from boundary of all Defense Airports and Defense Establishments.

### ANNEXURE III

#### SKY SCRAPER ZONE

The Minimum Height of High Rise Buildings permissible in this Zone is 12 floors (36 Metres) and above.

The Minimum Plot Size is 4000 Sq M and the minimum approach road shall be 24 m

**Areas permissible for Sky Scraper Zone (as per HUDA / HADA / CDA Master Plan):**

- (I) All Along the Inner Ring Road outside present MCH limits.
- (II) Along River Musi outside present MCH limits as per Special Regulations of HUDA
- (III) Gachi Bowli – Raidurg – Khajaguda - Manikonda Area.
- (IV) South of International Airport – Mankhal - Bagh Mankhal – Harshagudem Area.
- (V) APHB Singapore Township – Rampally- Ghatkesar.
- (VI) Kollur – Edulanagupalli – Velimella – Nanakramguda - Gopanpalli Area.
- (VII) Nallagandla – Telliapur Area
- (VIII) Miyapur - Aminpur – Sultanpur Area.
- (IX) All sites abutting proposed 29 Radial Roads outside present MCH limits, as per Special Regulations of HUDA.
- (X) All along the Outer Ring Road up to a depth of 500 meters on either side in areas other than those covered in G.O.Ms.No.111 MA, dated 08.03.1996, as per Special Regulations of HUDA.
- (XI) 1 Km radius from MMTS Stations located in areas other than in Annexure II.

S.P. Singh,  
Secretary to Government.

  
Section Officer