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ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 52] HYDERABAD, SATURDAY, DECEMBER 15, 2007

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS. Etc.**

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 14th December, 2007 being published under article 348 (3) of the Constitution of India for general information:-

ANDHRA PRADESH ORDINANCE No. 15 OF 2007

Promulgated by the Governor in the Fifty-eighth Year of the Republic of India.

AN ORDINANCE FURTHER TO AMEND THE HYDERABAD MUNICIPAL CORPORATIONS ACT, 1955, THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965, THE VISAKHAPATNAM MUNICIPAL CORPORATION ACT, 1979, THE VIJAYAWADA MUNICIPAL CORPORATION ACT, 1981, THE ANDHRA PRADESH MUNICIPAL CORPORATIONS ACT, 1994 AND THE ANDHRA PRADESH URBAN AREAS (DEVELOPMENT) ACT, 1975.

[1]

O.356-1

Whereas, the Legislature of the State is not now in session and the Governor of Andhra Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

Short
title and
commen-
cement.

1. (1) This Ordinance may be called the Andhra Pradesh Municipal Laws and Urban Areas (Development) (Amendment) Ordinance, 2007.

(2) It shall come into force at once.

Amend-
ment of
Act II of
1956.

2. In the Hyderabad Municipal Corporations Act, 1955,-

(1) in section 2, after clause (22), the following clause shall be inserted, namely,-

"(22-a) 'high rise building' means and includes all buildings with 18 (eighteen) meters or more in height measured from the average level of the central line of street on which the site abuts, staircase rooms, Lift rooms, Chimneys, elevated tanks above the top most floor and architectural features are excluded from the height of such buildings."

(2) in section 220, in sub-section (3), for the words "ten percent" the words "twenty five percent" shall be substituted.

(3) after section 452, the following new section shall be inserted, namely:-

<p>"Regularisation of violation of floor area of non-High Rise Buildings.</p>	<p>452-A. Any contravention of section 452 in respect of Non-High Rise Buildings may be regularised by the Commissioner or any officer authorised by the Commissioner in this behalf to the extent</p>
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of violated floor area made to the setbacks on each side of each floor except building line upto ten percent of the permissible setbacks, on payment of fine equivalent to one hundred percent of the value of the land as fixed by the Registration Department applicable at the time of regularisation in respect of violated floor area subject to the condition that sanctioned plan has already been obtained in each case."

(4) after section 455, the following new sections shall be inserted, namely:-

*Regularisation of buildings constructed without sanctioned plan. 455-A. The Commissioner may regularise constructions made without obtaining sanctioned plan, subject to fulfilling the following conditions:-

(a) submission of building plans to the competent authority duly paying all categories of fee and charges;

(b) the construction shall be subject to the condition that all parameters laid down in relevant statutes, Master Plan, Zonal Development Plan, Building Bye-Laws, Building Rules and other relevant Government Orders including Andhra Pradesh Fire Service Act, 1999 and National Building Code are satisfied; Act No. 15 of 1999.

(c) payment of penalty equivalent to 33% of the various categories of fees and charges payable by the applicant for obtaining building permission in addition to the regular fee and other charges payable. X

Regulation and penalisation of construction of buildings in deviation of sanctioned plan. 455-AA. Notwithstanding anything in the Act, the Municipal Commissioner may regulate and penalise the constructions of buildings, made by the owner, or as the case may be, by an individual unauthorisedly or in deviation of the sanctioned plan as on the date of commencement of the Andhra Pradesh Municipal Laws and Urban Areas

(Development) (Amendment) Ordinance, 2007 as a one time measure, as per the procedure and by levying such penal amount as may be prescribed and upon payment of such amount, all pending or contemplated proceedings and action of enforcement shall be deemed to have been withdrawn and the competent authority shall issue necessary Occupancy Certificate to the owner or the individual as the case may be."

(5) in section 596, to clause (b), before the explanation, the following proviso shall be added, namely:-

"Provided that the fine imposed shall, in no case be less than fifty percent of the said amount."

(6) in section 597, to clause (b), before the explanation, the following proviso shall be added, namely:-

"Provided that the fine imposed shall, in no case be less than fifty percent of the said amount."

(7) for Schedule U, the following Schedule shall be substituted, namely:-