

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

**M.A& U.D(M)Dept - A.P.Regulation of Unapproved and Illegal Layout Rules  
2007- Orders – Issued.**

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**MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M1) DEPARTMENT**

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**G.O.Ms. No.902  
2007.**

**Dated : 31 - 12-**

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**ORDER :**

The Government of Andhra Pradesh with a view to promoting planned development of urban areas in the State are encouraging development through approved layouts and development of integrated townships through both public and private initiative. However, Government has observed that there are many unapproved and illegal layouts which are not only in violation of the Statutory Development Plan/Master Plan and Layout Rules but also deficient in layout norms and development standards and lacking in basic civic infrastructure facilities like proper roads, street lights and drainage. On account of the above, frequent complaints are being received from the public. Such substandard and unapproved sub-divisions of land into building plots is not only defeating the very objective of planned development but also affecting the planned extension of services and amenities by the local bodies. Government have in the past brought out a scheme of regularization of such unapproved layouts but they met with limited success since it was a voluntary scheme with onus on plot owners to come forward for regularization and there were no deterrent provisions against the owners who did not come forward for regularization. Therefore in order to bring all these unplanned areas into the fold of planned development and to provide basic facilities in these areas so as to promote an overall and integrated area and city level development and a better quality of life for the citizens, Government hereby issue the Rules for Regulation of Unapproved and Illegal Layouts.

**2.** Accordingly, the following notification shall be published in the Extraordinary Gazette of Andhra Pradesh dated: 31 -12-2007

**NOTIFICATION**

In exercise of powers vested in Section 58 of the AP Urban Areas (Development) Act, 1975 , Section 585 of the HMC Act, 1975, Section 44 (2) (v) of the AP Town Planning Act, 1920, and Section 326 (1) of the AP Municipalities Act, 1965, the Government Andhra Pradesh hereby issue the following Rules, viz.:

**1.** These Rules may be called “The Andhra Pradesh Regulation of unapproved and illegal layout Rules, 2007 “ and they shall come into force from the date of publication in A.P Gazette.

## 2. **Applicability:**

- (i) These Rules shall be applicable to all Urban Development Authorities, Municipal Corporations, Municipalities and Gram Panchayats falling in the Master Plan limits in the State of Andhra Pradesh.
- (ii) These Rules and conditions herein shall be applicable to all existing unapproved sub-division of plots, existing unapproved layouts or ventures promoted by land owners/ private developers/ firms/ companies/ property developers /Societies where the plots have been sold by registered sale deed before the date of notification of these rules.
- (iii) These Rules are only intended for regulating the unplanned development and shall be applicable to all unapproved layout areas which have clearance from the competent authorities under the Urban Land Ceiling and Regulation Act 1976, AP Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 wherever required and which have not been entered in the Prohibitory Register of lands maintained by the Revenue Department. The Regulation measure would not absolve the plots or layout from the application of Land ceiling Laws, land disputes or claims over title, boundary disputes, etc. In respect of assigned lands, prior clearance from the District Collector shall be obtained.
- (iv) In the event of only some plot holders coming forward for regulation in an unapproved layout, the layout pattern as approved by the competent authority shall be applicable to the entire layout area. The local authority shall be responsible for enforcing such approved layout pattern.

## 3. **Definitions:**

- (i) **“unapproved/Illegal layout”** means sub-division of land into plots with or without developed roads, open spaces and amenities and without the approval of the competent authority.
- (ii) **“Competent Authority”** means
  - a) the Vice Chairman of the Urban Development Authority in case of areas falling in UDA area;
  - b) The Commissioner of Municipal Corporation in case of areas falling in Municipal Corporations and not covered by Urban Development Authorities;
  - c) Municipal Commissioner in case of Municipalities and Nagar Panchayats not within the jurisdiction of Urban Development Authorities.
  - d) The Gram Panchayats in respect of Gram Panchayat areas covered by Master Plan and falling outside Municipal limits and UDA areas .
- (iii) **“Minimum standards of layout development”** means the standards of facilities and amenities as prescribed by the competent authority in approving such unapproved layouts
- (iv) **“Minimum standards of layout norms”** means the standards of layout norms and pattern as prescribed by the competent authority in approving such unapproved layouts

- (v) **“Plot holder”** means a person on whose name the plot is registered with a registered sale deed prior to the notification of these rules

Terms and expressions which are not defined in these Rules shall have the same meaning as in the respective Rules / Regulations / Bye-laws of the respective local authorities and as defined in the National Building Code or relevant Acts as the case may be, unless the context otherwise requires.

#### 4. Cut-off date for considering regulation of unapproved layouts:

Only those unapproved layouts and sub-division of plots with registered sale deed/title deed existing prior to the date of notification of these rules, shall be considered for regulation under these rules. As proof and evidence, the plot holder/Land owner/ Association/ Society/Colony developer is required to furnish copies of the sale deed/title deed. Agreement of sale or General Power of Attorney shall not be considered as evidence.

#### 5. RESTRICTIONS ON APPROVAL IN VICINITY OF CERTAIN AREAS:

- (a) No layout/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 and in shikam lands.
- (b) The above water bodies and courses shall be maintained as recreational/Green buffer zone, and no layout development activity other than recreational use shall be carried out within:
  - (i) 30 m from the boundary of river course/ Lakes of area of 10 Ha and above;
  - (ii) 9 m from the boundary of lakes of area less than 10 Ha/ kuntas/shikam lands;
  - (iii) 9 m from the boundaries of Canal, Vagu, etc.
  - (iv) 2 m from the defined boundary of Nala
- (c) Unless and otherwise stated, the area and the Full Tank Level (FTL) of a lake/kunta shall be reckoned as per the master Plan/Revenue Records/Irrigation records.
- (d) Unless and otherwise specified in the Master Plan/Zonal Development Plan,
  - (i) In case of (b) (i) above, in addition to development of recreational/green belt along the foreshores, a ring road or promenade of minimum 12m width may be developed, wherever feasible.
  - (ii) The above greenery/landscaping and development shall conform to the guidelines and provisions of the National Building Code of India,2005.
- (e) For layout development 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.
- (f) In case of sites in the vicinity of oil/gas pipelines, clear distance and other stipulations of the respective authority shall be complied with.
- (g) For areas covered under GOMs 111 M.A & U.D Dept., dated 8-3-1996 (protection of Catchment area of Osmansagar and Himayatsagar lakes), apart from the provisions of statutory Master Plan of HUDA/ HADA, the restrictions on layout and development activity imposed in the said Government orders would be applicable.
- (h) No approval shall be considered in sites which are earmarked for Industrial Use Zone/Recreational Use Zone/Water Body in notified Master Plans/Zonal Development Plans.
- (i) Open Spaces earmarked in any approved layout shall not be considered for regulation under these Rules.

## **6. Compulsory Application for Regulation**

It shall be compulsory for all plot owners in unapproved layouts to file an application in the prescribed format for regulation of the plot/layout before the Competent Authority to apply for regulation for plots having registered sale deed executed prior to date of notification of these rules within 60 days from the date of notification of these rules duly enclosing the following documents:

I. Copy of registered sale deed/title deed executed prior to the date of notification of these rules duly attested by a gazetted officer.

II. Location Plan

III. Detailed Layout Plan drawn to scale showing plotted area, open area, area under roads and the plot/ plots applied for regulation.

IV (a) Urban land Ceiling Clearance Certificate in case the extent of land exceeds the ceiling limit or

(b) An affidavit in case the extent of land is less than the ceiling limit or

(c) ULC Regularisation order from Government issued under GOMs 455 and 456 Revenue dt. 29-7-2002

V. Indemnity Bond in the format prescribed

VI. NOC from Defense Authority/Airport Authority of India (wherever applicable)

VII. Any other document as required by the Competent authority

Application for regulation of unapproved layout and subdivision of plots can also be made by a society/association/colony developer representing the plot owners in unapproved layout. In such cases the said association/colony developer representing the plot owners in unapproved layout, shall be wholly and severally responsible for undertaking the deficiencies in such unapproved layouts, undertaking to comply with the conditions and pay the requisite fees and charges as prescribed in these rules to the competent authority. The society/association/colony developer representing the plot owners in unapproved layout shall select any of the three members among themselves called "Resource persons" who would be responsible for all dealings on behalf of the society/association/colony developer representing the plot owners in an unapproved layout.

7. In cases where an application is received in a site that is contrary to the land use stipulated in the statutory plan, the competent authority shall have the power of approving the case except those specified in Rule 5 above by levying the necessary conversion charges.

#### 8. Payment of Penalisation charges

- (i) The applicant shall pay the fees and charges as detailed below:
- a) Pro rata charges which are inclusive of betterment charges, development charges and layout scrutiny charges, penalty and other charges, at the following rates:

S.No	Location of Site in	Pro rata Charge at Rs. Per sq. metre (of individual plot/ layout plotted area)
1	2	3
a	Greater Hyderabad Municipal Corporation, Greater Visakhapatnam Municipal Corporation, Vijayawada Municipal Corporation limits.	600
b	Other Municipal Corporations	400
c	Panchayats falling in UDA area	250
d	Municipalities and Gram panchayats falling in Master plan limits (other than UDA areas)	200

- b) Pro-rata open space charges as prescribed in Rule 9 (b) of the Rules.  
c) Conversion charges as prescribed in Rule 7 of the Rules.

- (ii) The above fees, charges shall be remitted in full by way of Demand Draft in favour of the Competent Authority.

**9. Scrutiny by the Competent Authority:**

- (i) After receipt of an application for regulation of layout in Annexure-I with necessary documents and plans, the Competent Authority in respect of areas falling in the limits of Urban Development Authority shall scrutinize application as per these Rules, carry out necessary inspections and in case the application is found in accordance with these Rules and after the owner hands over the open spaces if any to the concerned Municipality/Municipal Corporation/local body, the Competent Authority communicate it's approval to the applicant as early as possible but not beyond six months from the last date of receipt of Applications fixed.
- (ii) In case of applications which are found to be not in accordance with these Rules, orders shall be issued rejecting such applications as early as possible but not beyond six months from the last date of receipt of Applications fixed.
- (iii) In case of Municipalities/Municipal Corporations falling outside UDA area, or in case of Gram Panchayats covered in Master Plan limits of non-UDA areas, the Competent Authority after scrutiny with respect to Master Plan and as per these Rules and after carrying out necessary site inspection shall submit remarks to the Director of Town and Country Planning for technical approval or the official authorized by the Director of Town & Country Planning in this behalf. After receipt of technical approval, the Competent Authority shall communicate it's approval or rejection to the applicant as early as possible but not beyond six months from the last date fixed for receipt of Applications.
- (iv) In case of application for individual plot which is not affected by any Change of Land Use or Master Plan roads, such cases may be processed and disposed at level of Competent Authority only.
- (iv) The Competent Authority may engage the services of licensed technical personnel, namely architects and graduate engineers, for scrutiny of the applications and for field inspections. Mere receipt of application or any delay in communication of final orders in the matter will not imply the approval of the application.

**10. Norms to be insisted for regulation of unapproved layouts:**

The Competent authority shall ensure the following minimum norms of layout for such layouts:

- a) The road width shall be minimum 9 m. In case of weaker section layouts or plots less than 100 sq m, the road width may be 6 m.
- (b) 10 % Open space to be insisted or reserve equivalent land within their site by readjusting the plots. Where such open space is not provided in such unapproved layout sites, pro rata open space charge as per the present prevailing market value based on sub-registrar records shall be collected.
- (c) Shall ensure overall connectivity and integration with surrounding infrastructure and road pattern

- (d) Where an unapproved layout site is affected in the Statutory Master Plan road network, the competent authority shall retain the alignment in the said layout and if not feasible, he is authorized to suitably modify the alignment within the layout site but in no case the alignment is to be dropped.
- (e) The layout pattern as far as possible shall be retained *ipso facto* and only in exceptional cases like need for connectivity, integration with surrounding network, etc. modifications may be considered by the Competent authority.
- (f) Private water bodies if any shall be preserved in the layout. Such water bodies may be considered as part of open spaces as required under (b) above, subject to taking up protection and improvement of foreshores of such water bodies

**11. Minimum Standards of layout facilities and development to be undertaken:**

- a) All roads to be developed and black-topped
- b) Drainage works including rain water harvesting facilities
- c) Water supply and sewerage facilities
- d) Street Lighting
- e) Fencing of open spaces

**12. Individual plot regulation:**

Where an individual comes forward for regulation of a single plot, the Competent authority may consider the same subject to the condition in Rule 2 (iv) and Rule 5 to 8 regarding payment of fees, penalty and charges including the open space charge and betterment charges payable on pro rata basis.

**13. Failure to come forward for regulation of unapproved layouts/plots:**

Where an application is not filed for regulation of unapproved layout/plot, the following consequences have to be faced by the plot owners:

- (a) Such unapproved layouts/plots would be treated as continuing offence and exemplary penalty as per law would be levied.
- (b) No regular water supply connections and services like drainage and sewerage would be extended.
- (c) Such unapproved layouts shall be recorded in the Prohibitory Register of the Registration Department and no sale /disposal or transactions shall be allowed in such sites.
- (d) No building approvals shall be considered by the building sanctioning authority in such unapproved layouts/plots
- (e) Other enforcement action including demolition of the building if any on such plot/plots shall be initiated.

**14. Amount levied kept in separate account:**

The amount collected by the Competent Authority under these Rules shall be kept and maintained under the control of the Competent authority in a separate escrow account and utilized only for improvement of amenities in the area.

The competent authority shall review the development works undertaken by the UDA/ local authority relating to such unapproved layouts on a quarterly basis and shall have the power to issue necessary instructions and directions in this regard.

**15. Appeal:**

(1) Any applicant aggrieved by an order passed by the Competent Authority under Rule 9, may prefer an appeal to the Appellate Committee constituted by the Government within thirty days from the date of receipt of the order provided the applicant has paid the necessary charges and submitted documents as specified in Rule 6 of these rules.

(2) All the appeals shall be disposed off within six months.

16. The Government may issue guidelines to operationalise these Rules as deemed fit.

17. All existing Rules, Regulations, Bye laws and orders that are in conflict or inconsistent with these rules shall stand modified to the extent of the provisions of these rules.

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

**S.P. SINGH**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

*The Commissioner and Director, Printing , Stationery and Stores Purchase A.P. Hyderabad ( in duplicate, with a request to publish the Notification in the Extraordinary Gazette of A.P. dated 31-12-2007, and furnish 1000 copies to Government)*

*The Director of Town and Country Planning, A.P. Hyderanbad.*

*The Commissioner and Director of Municipal Administration, A.P.Hyderabad.*

*The Commissioners of all Municipal Corporations/ Municipalities in the State, through CDMA.*

*The Vice chairman of all Urban Development Authorities in the State*

*All Departments of Secretariat*

*All Heads of Department.*

*The Director General Fire Services.*

*The Chairperson, AP Transco.*

*The Managing Director, H.M.W.S&S.B, Hyderabad.*

*The Engineer in Chief (Public Health) Hyderabad.*

*The Commissioner & Inspector General of Registration & Stamps.*

*The Managing Director, AP Housing Board.*

*The District Collectors of all Districts.*

*Copy to :*

*The Special Secretary to Chief Minister.*

*The P.S. to Minister( M.A).*

*The P.S. to Principal Secretary to Government (MA&UD Dept)*

*The P.S.to Secretary to Government (M.A&U.D.Dept)*

*S.F/S.C.*

*//FORWRDED BY ORDER//*

SECTION OFFICER