

GOVERNMENT OF TELANGANA
ABSTRACT

Municipal Administration and Urban Development Department – Amendments to Building Rules 2012 – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (M1) DEPARTMENT

G.O.MS.No. 7

Dated: 05-01-2016
Read the following:

- 1) G.O.Ms.No.168, MA&UD, dt:07.04.2012.
- 2) G.O.Ms.No.245, MA&UD, dt:30.06.2012.

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After the formation of State of Telangana various Real Estate development agencies have been representing to the Government that some of the existing building rules framed by the State are not conducive to reach the real estate growth potential of urban areas in the State. They therefore requested in the interest of and to facilitate 'Ease of Doing Business' to simplify the existing building rules, give some concessions and remove certain bottle necks in the existing building rules to promote investment in Real Estate Sector in the State of Telangana.

Government after careful examination of the matter have felt that there is a need to take some steps to reform real estate sector in 'Ease of Doing Business' to encourage this sector to provide employment and economic growth. Therefore, to encourage the real estate sector to provide employment and economic growth Government hereby issues the following amendments to the Building Rules 2012 which were issued in G.O.Ms.No.168, MA, dt:07.04.2012 read with G.O.Ms.No.245, MA, dt:30.06.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

M.G. GOPAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner, Printing, Stationery & Stores Purchase Department, Hyderabad
for Publication of the Notification in the next issue of Gazettee and furnish 1000
copies.

The Commissioner & Director of Municipal Administration, Hyderabad.

The Director of Town & Country Planning, Hyderabad,

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad,

The Metropolitan Commissioner,

Hyderabad Metropolitan Development Authority, Hyderabad,

All Vice Chairmen of Urban Development Authorities,

All Municipal Commissioners in the State through Director of Municipal

Administration, Hyderabad, Hyderabad,

The Chairman & Managing Director, TSTRANSCO, Hyderabad,

The Commissioner & Inspector General of Registration & Stamps, Telangana
Hyderabad.

Copy to:

The Managing Director, Hyderabad Metro Water Supply & Sewerage, Hyderabad.

The Director General, Disaster Response & Fire Services, Hyderabad

The Law Department,

The Revenue (R&S) Department,

The Energy Department.

The P.S to Special Chief Secretary to Government, MA&UD Dept.,

The P.S to Principal Secretary to C.M

All the Section of MA&UD

SF/SC.

//FORWARDED ::BY:: ORDER//

SECTION OFFICER.

NOTIFICATION

In exercise of the powers conferred by section 585 read with section 592 of the Greater Hyderabad Municipal Corporation Act, 1955; proviso under sub-section (1) read with sub-section (2) of sections 14, 32, 46 and 58 of the Telangana Urban Areas (Development) Act, 1975, section 56(1) of the Hyderabad Metropolitan Development Authority Act, 2008, section 18 of the Telangana Municipal Corporations Act, 1994; section 326 of the Telangana Municipalities Act, 1965, the Government of Telangana hereby makes the following amendments to the Building Rules 2012 which were issued in G.O.Ms.No.168, MA&UD (M) Dept., dt:07.04.2012 read with G.O.Ms.No.245, MA, dt:30.06.2012.

AMENDMENT - 1

In Rule 3, the sub rule (ii)(1) shall be substituted with the following:

(ii)(1) 50 m from the boundary of the river within the Municipal Corporation / Municipality / Nagara Panchayat / HMDA / UDA limits. The boundary of the river shall be as fixed and certified by the Irrigation Department and Revenue Department.

AMENDMENT - 2

In Rule 3, in sub rule (a)(iii)(2) following shall be added after the words 'wherever feasible':

12 feet walking/ cycling track within the 30 m buffer strip may be provided.

AMENDMENT - 3

In Rule 3, in sub rule (c)(ii) following shall be added after the words 'as defined in the Master Plan':

Wherever the road is not feasible below the HT line, green belt can be provided below the HT line and this will be in addition to 10% open space to be provided as per rules and for such cases, TDRs as applicable to road widening cases shall be given.

AMENDMENT - 4

In Rule 3, sub rule (b) and (f) shall be substituted with the following:

- (b) In case of sites abutting to railway property, NOC from Railway authorities need not be insisted. However it will be the responsibility of the applicants to follow the applicable rules as prescribed by the Railway authorities in their rules.**
- (f) In case of sites abutting to Defence establishments, NOC from Defence authorities need not be insisted. However it will be the responsibility of the applicants to follow the applicable rules as prescribed by the Defence authorities in their rules.**

AMENDMENT - 5

In Rule 3, under sub rule (j) after the clause (v) following shall be added as clause (vi):

- (vi) In case of plots abutting to the road existing all around KBR park there would be no height restriction subject to conforming to abutting road width requirement and all round open spaces prescribed for High Rise Buildings**

and subject to handing over required land for road widening / SRDP project of GHMC.

AMENDMENT - 6

In Rule 5, under TABLE-III in Column-3 (viz., parking provision) against Rows 1,2 & 3 (viz., plot sizes less than 50 Sqm; 50-100; 100-200) following shall be added namely:

'Stilt floor'

AMENDMENT - 7

In Rule 5, in sub rule (c) after the words "shall not be less than 4.5 m" following shall be added namely:

'Stilt floor shall be exclusively utilized for parking purpose only and in case of any violation or construction in the parking area the local authority shall summarily demolish the constructions made in the parking area and impose maximum penalties as per law'.

AMENDMENT - 8

In Rule 7, the sub rule (viii) shall be substituted with the following namely:

(viii) In addition to the above a minimum of 2m wide green planting strip in the periphery on all sides within the setbacks where the setback is 9m and above has to be developed and maintained.

AMENDMENT - 9

In Rule 7, after sub rule (xv) the following shall be added namely:

(xvi) Where parking floors are provided above ground floor, the height of the parking floors shall be excluded while reckoning the height of the building for the purpose of deciding the setbacks as per the Table IV.

AMENDMENT - 10

In Rule 8, the sub rule 8(k) shall be substituted with the following namely:

8(k) A thorough public access road of 12m width with 2 lane black-topped is to be developed within the applicant's site 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. This condition would not apply if there is an existing abutting peripheral road on any side. Concessions applicable to road widening cases i.e., grant of TDR / setback relaxations / additional floors shall be considered by the Competent Authority / Sanctioning Authority in lieu of providing the above said road.

AMENDMENT - 11

In Rule 8, the sub rule 8(n) shall be substituted with the following namely:

8(n) 10% of the site area earmarked for organized open space shall be handed over to local body at free of cost through a registered gift deed before issue of occupancy certificate and same shall be utilized as such by the respective resident society / association only. For this purpose the society / association may enter into an agreement with the local authority for utilizing, managing and maintaining the open spaces.

AMENDMENT - 12

The Rule 11 shall be substituted with the following namely:

11. PAYMENT OF SHELTER FEE:

- i) In case of Group Housing / Group Development Schemes whose land extent is more than 3000 Sq.mtrs, shelter fee shall be collected as given below. This facility will be applicable to ongoing projects also, if the developer / builder opts for it :

Area	Rate per Sq. Meter
Greater Hyderabad Municipal Corporation, Hyderabad	Rs.750
Other Municipal Corporations	Rs.600
Selection & Special Grade Municipalities	Rs.500
Other Municipalities, Nagar Panchayats and other Rural local bodies falling in HMDA area/ UDA area/ Master Plan areas	Rs.400

- ii) The shelter fee shall be collected on 20% of total site area of the project.
- iii) The shelter fee so collected shall be utilized for construction of EWS housing under Urban Housing Scheme meant for EWS categories (2 bed room houses) for which a separate account shall be maintained by the local body / Hyderabad Metropolitan Development Authority / UDAs.

AMENDMENT - 13

In Rule 12, the sub rule (a) shall be substituted with the following namely:

- (a) **‘U’ type commercial buildings with central courtyard are allowed with a minimum plot area of 1000 Sqm with the following conditions:**

AMENDMENT - 14

In Rule 14, after sub rule (g) following shall be added namely:

14-A Encouragement for amalgamation of plots in old city / congested areas / slums.

To encourage amalgamation of plots in old city / congested areas / slums, the following incentives would be considered by the Competent Authority subject to condition that the maximum plot size before amalgamation shall be 100 Sqm and minimum plot size after amalgamation shall be 300 Sqm.

- (a) One additional floor **or** TDR equivalent to one additional floor
- and**
- (b) 75% discount in building permit fee in slums and 50% discount in congested / old city areas.

AMENDMENT - 15

In Rule 15, the sub rule 15(x) shall be substituted with the following namely:

- 15(x) In case of Group Housing Buildings where there are 100 units and above, upto 3% of the total built up area (or) 50,000 Sft. whichever is lower shall be**

planned and developed for common amenities and facilities like convenient shopping, committee hall/ club house, crèche, gymnasium etc. as per National Building code of India (NBC) – 2005. Amenities block shall not be part of the residential blocks. However in case of single apartment block, amenities can be provided in the same block.

AMENDMENT - 16

In Rule 16, the sub rule (e) is deleted and the sub rules (b) and (f) shall be substituted with the following namely:

- (b) Upon surrendering such affected area the owner of the site would be entitled to a Transferable Development Right (TDR) as given in Rule-17.

OR

The owner shall be allowed to construct additional floors with an equivalent built-up area for the area surrendered subject to mandated public safety requirements.

OR

The owner shall be allowed to avail concessions in setbacks including the front set-back (subject to ensuring a building line of 6 m in respect of roads 30m and above; 3m in respect of roads 18m and below 30m and 2m in respect of roads less than 18m and subject to ensuring minimum side and rear setback of 2m in case of buildings of height up to 12m and 2.5m in case of buildings of height above 12m and upto 15m and 3m for buildings of height above 15m and up to 18m).

In case of High Rise Buildings the concessions in all round setbacks would be considered subject to maintaining minimum clear setback of 7m on all sides and such minimum setback area shall be clear without any obstructions, except 2 mts wide green planting strip (where the setback is 9 m and above), which shall be soft green planting, to facilitate movement of fire fighting vehicles and effective fire fighting operation

OR

Adjustment of land value towards building permit fee and charges (only in cases where road widening is in progress).

OR

Adjustment of city level infrastructure impact fee towards value of the land surrendered for formation of new Master Plan roads / link roads.

OR

Combination of above.

- (f) The above concessions shall be considered at the level of Sanctioning Authority / Competent Authority i.e., ULB / UDA level as the case may be.

AMENDMENT - 17

In Rule 17, the sub rule 17(b)(i) shall be substituted with the following namely:

- 17(b)(i) For the Master Plan road / Road Development Plan undertaken and developed/ peripheral road provided in Group Development schemes: equivalent to 250% of built up area of such area surrendered. For conservation and development of lakes/ water bodies/ Nalas foreshores & Recreational buffer development with greenery, etc:**

equivalent to 100% of built up area of such recreational buffer area developed at his cost.

AMENDMENT - 18

In Rule 19, the sub rule 19(d) shall be substituted with the following namely:

19(d) The permission is valid for 6 years for all buildings, i.e., Non High Rise buildings / High Rise buildings / Group Development schemes subject to the condition that the construction shall be commenced within 18 months. The permission can be revalidated for another 2 years on payment of building permit fee. This facility will be applicable to the permissions already given in the past.

AMENDMENT - 19

In Rule 21, the Table-VI shall be substituted with the following table:

TABLE - VI

Areas	Height (No. of Floors), Use of the Building and Rate in Rs. per sqm of Built Up Area			
	Above 15 m & up to 17 floors		Above 17 floors	
	Residential	Commercial, Offices, ITES, Institutional, Educational & Others (except Industrial)	Residential	Commercial, Offices, ITES, Institutional, Educational & Others (except Industrial)
<i>1</i>	<i>2(a)</i>	<i>2(b)</i>	<i>3(a)</i>	<i>3(b)</i>
HMDA Area				
GHMC	500	1000	750	1500
Municipalities	250	500	500	1000
G.P Areas	175	250	350	500
UDA Areas				
Municipal Corporations	350	500	500	1000
Rest of the UDAs	175	350	350	500
Other than UDA Areas				
Municipal Corporations	350	500	500	800
Municipalities Sel/Spl/1 st grade	150	350	250	500
2 nd /3 rd /N.Ps/G.Ps	100	200	200	300

AMENDMENT - 20

In Rule 23, after the sub rule (b) following shall be added namely:

(c) Compliance of public safety measures:

- (i) The Competent Authority while issuing building permission shall make it binding on the developer / builder for compulsory implementation of public safety measures as stipulated in AP Public Safety (Measures) enforcement Act, 2013 & Rules 2014.
- (ii) The Competent Authority shall, at the time of issue of Occupancy Certificate ensure that the developer / builder has implemented the public safety measures without any violation, as stipulated in AP Public Safety (Measures) enforcement Act, 2013 & Rules 2014.

AMENDMENT - 21

In Rule 26, in the sub rule (c) after the words "*the responsibility shall be fixed with the concerned officer who fails to process the file*" following shall be added namely:

'and for every one day of delay a penalty of Rs.500/- shall be levied on the concerned staff for delay'.

All existing rules, regulations, byelaws, orders that are in conflict or inconsistent with the above amendments shall stand modified to the extent of the provisions of these amendments.

**M.G. GOPAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER.