

**GOVERNMENT OF ANDHRA PRADESH**  
**MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M) DEPARTMENT**

**Memo.No.26270/M1/2005**

**Dated: 17.06.2009**

Sub: - BPS Scheme - The Andhra Pradesh Regulation and Penalization of Unauthorizedly constructed buildings and buildings constructed in deviation of the Sanctioned Plan Rules 2007- Hon'ble High Court Orders in W.P.No.1069 of 2008 and batch cases dated 08.06.2009 - Implementation - Certain Instructions - Issued.

Ref: - 1. G.OMs.No.901, MA&UD (M1) Dept dt: 1.12.2007  
2. G.OMs.No.112, MA&UD (M1) Dept dt: 1.01.2008  
3. G.OMs.No.02, MA&UD (M1) Dept dt: 2.01.2008  
4. Hon'ble High Court Orders in W.P.No.1069 of 2008 and batch cases dated 08.06.2009  
5. G.OMs.No.395, MA&UD (M1) Department dated: 17.06.2009

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In the reference 5<sup>th</sup> cited above, Government have issued orders amending the Andhra Pradesh Regulation and Penalization of Unauthorizedly constructed buildings and buildings constructed in deviation of the Sanctioned Plan Rules 2007 as per the directions of Hon'ble High Court in W.P.No.1069 of 2008 and batch cases in its order dated 08.06.2009.

**2.** Accordingly, Government hereby issue the following instructions and guidelines to process and for the disposal of BPS applications pending with the competent authorities as follows:

**1.** For all category of buildings, filed under BPS, irrespective of the height, the applicant shall submit a certificate from a licensed structural engineer with regard to structural safety compliance of such buildings. The proforma of certificate is appended to this order in Annexure.

**2.** The qualifications of the structural engineer as prescribed in National Building Code, Rule A.2.3 shall be followed for issuing licenses for Structural Engineer as detailed below;

**Qualifications and Competence of Structural Engineer (A.2.3 of NBC):**

The minimum qualifications for a structural engineer shall be graduate in civil engineering of recognized Indian or Foreign university, or Corporate Member of Civil Engineering Division of Institution of Engineers (India), and with minimum 3 years experience in structural engineering practice with designing and field work.

(Note - The 3 years experience shall be relaxed to 2 years in the case of post-graduate degree of recognized Indian or foreign university in the branch of structural engineering. In case of doctorate in structural engineering, the experience required would be one year).

**3.** The Municipalities / UDA's shall take necessary steps for licensing as may qualified Engineers as possible as structural Engineers and issue license to them within their limits. They shall (i) publish a notification in the press calling for applications from eligible engineers so as to issue license to them as structural Engineer and (ii) to immediately notify, the list of licensed structural engineers for the benefit of public.

P.T.O.

4. The Building Penalization Scheme shall not be applicable to certain sites as per Rules amended vide GO 5<sup>th</sup> cited i.e.(i) layout / master plan open spaces/ areas earmarked for all open spaces for any use in master plan / zonal development plan (ii) Buildings that are not in conformity with land use approved in master plan / zonal development plan. Hence, all the BPS applications falling in the above category shall be rejected.

5. While communicating the balance penal amount to be paid, the applicants shall also be informed about the submission of structural stability certificate.

6. The sanctioning authority shall verify whether any objections has been received on the building under reference and shall consider and dispose the objections before issue of final orders.

7. As per the amendments issued vide reference 5<sup>th</sup> cited, any person can make an appeal or object to appellate authority on the orders passed by the competent authority. While issuing the orders for BPS, it shall be mentioned that the said orders are provisional and are subject to disposal of appeal / objections if any by the concerned appellate authority

3. All the Commissioners of Municipal Corporations / Municipalities Vice-Chairmen's of UDAs are instructed to follow these instructions and guidelines, strictly and dispose the applications received under Building Penalization Scheme as expeditiously as possible. .

**DR.C.V.S.K.SARMA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

All the Commissioners of Municipal Corporations / Municipalities/UDAs in the State.

The Commissioner & Special Officer, GHMC, Hyderabad.

The Director of Town and Country, Planning, A.P. Hyderabad.

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

The Metropolitan Commissioner, Hyderabad Metro Development Authority, Hyderabad

The Commissioners of all Municipal Corporations/ Municipalities in the State, through Commissioner & Director of Municipal Administration, A.P. Hyderabad.

The Vice chairman's of all Urban Development Authorities in the State

The Director General Fire Services.

The Chairperson, AP Transco.

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

All members of Appellate Committees.

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.//

**// FORWARDED BY ORDER//**

**SECTION OFFICER**