

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

Memo No.26270/M1/2005

Date : 17.06.2009

Sub : BPS Scheme – The Andhra Pradesh Regulation and Penalisation of Un-authorisedly 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. GOMs.No.901 MA&UD (M1) Deptt., dt:1.12.2007
2. GOMs.No.112 MA&UD (M1) Deptt., dt:1.1.2008
3. GOMs.No.02, MA&UD (M1) Deptt. Dt:2.1.2008
4. Hon'ble High Court Ordes in W.P.No.1069 of 2008 and batch cases dated :8.6.09
5. GOMs.No.395, MA&UD (M1) Deptt., dt:17.6.2009

In the reference 5th cited above, Government have issued orders amending the Andhra Pradesh Regulation and Penalisation of Un-authorisedly 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 dt:8.6.09.

Accordingly, Government hereby issue the following instructions and guidelines to process and for the disposal of BPS applications pending with the competent authority 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 / UDAs 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 benefits of public.
 4. The Building Penalisation Scheme shall not be applicable to certain sites as per Rules amended vide GO 5th 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 there 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 5th 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 Penalisation 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, HMDA, Hyderabad.
The Commissioners of all Municipal Corporations / Municipalities in the State, through CDMA, AP.
The Vice Chairmen's of all Urban Development Authorities in the State.
The Director General Fire Services.
The Chairperson, A.P. TRANSCO
The Managing Director, HMWS & SB, Hyderabad.
All members of Appellate Committees.
The Engineer in Chief (Public Health), Hyderabad.
The Commissioner & Inspector General of Registration & Stamps.
The Managing Director, A.P.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 Department)

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

SF / SC

Forwarded by Order

SECTION OFFICER

ANNEXURE
(To the Memo No.26270/M1/2005 Dated:17.6.2009)

1. I have inspected the building in Premises No.....
of and found that the building has
..... number
of floors and a height ofmeters.

2. I have thoroughly inspected the said building and found that no
adverse indications about the structural weakness or impairment in the
building.

3. I therefore hereby certify that the said building is structurally safe as on
date.

Date :
.....
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