

**GOVERNMENT OF TELANGANA
ABSTRACT**

Telangana State – Panchayat Raj & Rural Development and Municipal Administration & Urban Development - Regularization of Unapproved and Illegal Layout Rules 2020 for Urban and Rural areas- Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Pig.III) DEPARTMENT

G.O.Ms.No.131

Dated: 31.08.2020

Read the following:-

1. Telangana Urban Areas (Development) Act, 1975,
2. Greater Hyderabad Municipal Corporation Act, 1955,
3. Telangana Town Planning Act, 1920;
4. Telangana Municipalities Act, 2019
5. Hyderabad Metropolitan Development Authority Act 2008
6. Telangana Panchayat Raj Act 2018
7. Memo No. G2/257/2019, Dated 26.08.2020 issued by the Inspector General of Registration and Stamps, Telangana, Hyderabad

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ORDER:

Government of Telangana, with a view to promote planned sustainable development of both in Urban and Rural areas in the State, are encouraging development through approved layouts.

2. However, Government has observed that there are still many unapproved and illegal layouts and such unauthorized layouts, because of their deficiencies in infrastructure puts extra pressure on the local bodies but more importantly, puts the plot owners in such layouts at great inconvenience. Such substandard and unapproved sub-divisions of plots defeat the very objective of planned development and severely affects the planned extension of services and amenities by the local bodies.

3. In order to ensure that planned sustainable development takes place in all such unapproved layouts, no registration of plots will be permitted henceforth in such unapproved /unauthorized/illegal layouts. In order to bring all these unplanned/ unapproved/ unauthorized layouts into the fold of planned sustainable development and to provide basic facilities in these areas and a better quality of life for the plot owners in these layouts and in the nearby areas, Government hereby issue the following Rules for Regularization of Unapproved and Illegal Layouts in the State of Telangana for both rural and urban areas.

4. Accordingly, the following notification shall be published in an Extraordinary issue of Telangana Gazette dated: **31.08.2020**

NOTIFICATION

In exercise of powers conferred in Section 58 of the Telangana Urban Areas (Development) Act, 1975, Section 585 of the GHMC Act, 1955, Section 44 (2) (v) of the Telangana Town Planning Act, 1920; Section 238 (1) of the Telangana Municipalities Act, 2019 and Section 56(1) of HMDA Act 2008 and Section 286 of Telangana Panchayat Raj Act 2018, the Government of Telangana hereby makes the following rules namely;

(1) (a) These Rules may be called “Telangana Regularization of Unapproved and illegal Layout Rules, 2020“

(b) It shall be deemed to have come in to force with effect from **31.08.2020**

(2). **Applicability:**

(a) These Rules shall be applicable to entire State of Telangana viz; areas falling in Hyderabad Metropolitan Development Authority, all Urban Development Authorities, all Municipal Corporations, all Municipalities and all Gram Panchayats.

(b) 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 (i) the plots have been sold through a registered sale deed, (ii) unauthorized layouts developed provided atleast 10% of plots are sold through Registered Deed, on or before **26.08.2020**.

- (c) 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, Telangana 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 regularization 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.
- (d) In the event of only some plot holders coming forward for regularization 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.
- (e) No registration of plots shall be done henceforth in all such unauthorized and unapproved layouts and no building permissions shall be granted under the relevant provisions in such layouts. Regularization of plots / layouts is a pre-condition for registration / sale of such plots / obtaining building approval / construction.

5. Definitions:

- (a) **“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 ;
- (b) **“Competent Authority”** means ;
 - (i) Commissioner, Greater Hyderabad Municipal Corporation in case of areas falling in GHMC limits ;
 - (ii) Municipal Commissioner in case of Municipal Corporations / Municipalities;
 - (iii) District Collector / Additional Collector (Local Bodies) in respect of Gram Panchayat areas falling in UDA areas / outside UDA areas.
- (c) **“Minimum standards of layout development”** means the standards of facilities and amenities as prescribed by the Competent Authority in approving such unapproved layouts
 - (i) **“Minimum standards of layout norms”** means the standards of layout norms and pattern as prescribed by the competent authority in approving such unapproved layouts
 - (ii) **“Plot holder”** means a person on whose name the plot is registered with a registered sale deed executed on or before **26.08.2020**.
 - (iii) **“Layout owner”** means a person who has developed the layout and sold the plots on or before **26.08.2020**.

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 2016 or relevant Acts as the case may be, unless the context otherwise requires.

6. Cut-off date for considering regularization of unapproved layouts:

- (a) Only those layouts and sub-division of plots with registered sale deed/title deed existing as on **26.08.2020**, shall be considered for regularization under these rules. The applicant shall furnish copies of the sale deed / title deed. Agreement of sale or General Power of Attorney shall not be considered as evidence. No illegal / unauthorized plots shall be permitted after the cut off date.
- (b) Unauthorized layouts which have come up on or before **26.08.2020**. The layout owner is also eligible to file application for regularization of unsold plots provided atleast 10% of plots in the said layout are sold and registered on or before the said due date.

7. 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 meters from the boundary of River Course/ Lakes of area of 10 Hectares and above;
 - (ii) 9 meters from the boundary of Lakes /Kuntas/Shikam lands of area less than 10 Hectares ;
 - (iii) 9 meters from the boundaries of Canal, Vagu, etc.
 - (iv) 2 meters 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 the cases referred in clause (b) (i) above, in addition to development of recreational/green belt along the foreshores, a ring road or promenade of minimum 12 meters 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.
- (e) For layout development activity within the restricted zone near the Airport or within 500 meters distance from the boundary of Defense areas/ Military establishments, necessary clearance from the concerned Airport Authority/ Defense 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 G.O.Ms.No.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 HMDA/ 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 / manufacturing Use Zone (viz., TSIIIC Industrial Estates / lands

allotted by the Government for industrial purpose) /Recreational Use Zone/Water Body/Open space use in notified Master Plans/Zonal Development Plans.

- (i) Open Spaces earmarked in any approved layout shall not be considered for regularization under these Rules.
- (j) Sites / Plots which are under legal disputes, ceiling surplus lands / Government lands / Endowment lands / Wakf lands / Shikam lands and entered in Prohibitory Register of lands maintained by Revenue Department shall not be considered for regularization under these rules.

8. Compulsory Application for Regularization:-

- (i) Applicant should file an online application or at mee-seva center / CSC in the prescribed format for regularization of the plot/layout before the Competent Authority by **15.10.2020** for all such plots /Layouts which are Unapproved / Unauthorized and not covered under the prohibitory category.
- (ii) Registration fee– individual plot owners shall pay registration amount of Rs.1000/ alongwith the application and the layout developers shall pay an amount of Rs.10,000/ for the entire layout (payment can be done online through any of the online payment mode).
- (iii) The applicants can file Online application through any of the following:
 1. Common web portal
 2. Mee-Seva Centre
 3. Citizen Service Centre located at local body;
 4. A smart phone based mobile app as developed for this purpose.
- (iv) Following documents shall be enclosed with the application form:
 - (a) Self attested copy of first page of the registered sale deed/title deed
 - (b) In case of unsold plots, the layout owner shall file copies of Sale Deeds (at least 10 % of total plots).
 - (c) Any other document as required by the Competent Authority will have to be submitted once an intimation is received from the concerned authority subsequent to initial registration under the scheme.
- (v) Application for regularization of unapproved layout and subdivision of plots can also be made by a society/association/colony developer representing the plot owners in unapproved layout.

- 9.** 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 7 above by levying the necessary conversion charges.

10. Payment of Regularization charges / Pro-rata open space charges

All applications which are received within the time stipulated in rule 8(1) above shall be taken up for processing and regularization amount for all such accepted applications shall be paid in the following manner:

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

TABLE – I**BASIC REGULARISATION CHARGES**

Plot Area in Sq.mt	Basic Regularization Charges Rs. per Sq.mt
Less than 100	200
101 to 300	400
301 to 500	600
Above 500	750
Slums	5 (irrespective of plot area and land value)

The actual regularization charges will be the percentage of basic regularization charges and shall be calculated based on the land value prevailing as on **26.08.2020** as given below.

TABLE – II**REGULARISATION CHARGES WITH REFERENCE TO THE LAND VALUE**

Market value of the land as on 26.08.2020(Sub Register value) in Rs per Square Yard	Regularization Charges (% of basic regularization charges as mentioned in above table)
Up to 3000	25%
3001 to 5000	50%
5001 to 10000	75%
Above 10,001	100%

(ii) Pro-rata open space charges: If 10% open space is not available in the un-approved layout pro-rata open space charges @ 14% of the plot value prevailing as on the date **26.08.2020** shall be paid.

(iii) Conversion charges as prescribed in rule 9 of the Rules.

(b) The above charges shall be remitted within three (3) months of intimation and latest by **31.01.2021**, whichever is earlier, either in instalments or in one go within this time period, failing which regularization of plot will not be considered and will be treated as unauthorized. No relaxation of time shall be granted.

11. Scrutiny and approval by the Competent Authority:

(a) After receipt of an application the Competent Authority shall scrutinize application in accordance with detailed guidelines issued for implementation of these rules;

(b) In case of applications which are found to be not in accordance with these Rules, such applications shall be rejected; mere pendency of any application with the Competent Authority beyond prescribed timelines shall not be construed as deemed approval.

(c) The Competent Authority may engage the services of third party agency including graduate Engineers for scrutiny of the applications and for field inspections.

12. Norms to be insisted for regularization 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 meters. In case of weaker section layouts or plots less than 100 sq meters, the road width may be 6 meters. In case required road width is not available required depth for widening equal on both sides shall be insisted.
- (b) Shall ensure overall connectivity and integration with surrounding infrastructure and road pattern.
- (c) 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, the Competent Authority with prior approval of Government is authorized to suitably modify the Master Plan road.
- (d) 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.
- (e) Water bodies if any shall be preserved in the layout, subject to taking up protection and improvement of foreshores of such water bodies.

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

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

- (a) No regular water supply connections and services like drainage and sewerage would be extended.
- (b) No sale /disposal or transactions shall be allowed in such sites by the Registration Department.
- (c) No building approvals shall be considered by the building sanctioning authority in such unapproved layouts/plots

14. Utilization of LRS Amount:

The LRS amount collected shall be kept in separate escrow account and separate guidelines shall be issued by the Government on utilization of LRS amount for development of infrastructure in respective local bodies

15. Appeal:

- (a) Any applicant aggrieved by an order passed by the Competent Authority under rule 11, may prefer an appeal to the Appellate Committee constituted by the Government within seven days from the date of receipt of the order provided the applicant has paid the necessary charges and submitted documents as specified in rule 8 of these rules.
- (b) All the appeals shall be disposed off within 7 days.

16. The Government shall separately issue detailed guidelines and standard formats as well to operationalize 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.**

All concerned authorities including District Collectors, Additional Collectors (Local Bodies), Municipal Commissioners, District Panchayat Officers & Panchayat Secretaries shall take necessary action immediately.

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

**SOMESH KUMAR
CHIEF SECRETARY TO GOVERNMENT**

To

The Commissioner and Director, Printing, Stationery and Stores Purchase Telangana Hyderabad (in duplicate, with a request to publish the Notification in the Extraordinary Gazette of Telangana **dated: 31.08.2020**, and furnish 1000 copies to Government)

The Principal Secretary to Government MA&UD Department

The Secretary to Government, Panchayat Raj Department

The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad.

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad

The Director of Municipal Administration, Hyderabad, Telangana State.

The Commissioner, Panchayat Raj Department

.The Commissioner and Inspector General of Registration and Stamps, Hyderabad

The Director of Town and Country Planning, Telangana. Hyderabad

The Vice chairman of all Urban Development Authorities in the State

The Commissioners of all Municipal Corporations/ Municipalities in the State of Telangana - through CDMA.

All District Collectors

All Gram Panchayats in the State of Telangana

All Departments of Secretariat

All Heads of Department.

The Director General of Fire Services.

The Chairperson, Telangana Transco.

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

The Engineer in Chief (Public Health) Hyderabad.

The Managing Director, AP Housing Board.

Copy to:

The Principal Secretary (N) to Chief Minister.

The OSD to Minister(M.A).

The P.S. to Chief Secretary to Government

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//FORWARDED ::BY:: ORDER//

SECTION OFFICER