
ANDHRA PRADESH MUNICIPALITIES (LAYOUT) RULES, 1970

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ANDHRA PRADESH MUNICIPALITIES (LAYOUT) RULES, 1970

In exercise of the powers conferred by Clause (s) of sub-section (2) of Section 326 read with Section 185 of the Andhra Pradesh municipalities Act 1965 (Act 6 of 1965), the Governor of Andhra Pradesh hereby makes the following rules relating to the approval of layouts by municipal councils the same having been previously published at Pages 105-120 of Rules Supplement to Part 1 of the Andhra Pradesh Gazette, dated 3rd April, 1969, as required under Clauses (a) and (b) of sub-section (1) the said Act.

1. . :-

These rules may be called the Andhra Pradesh Municipalities (Layout) Rules, 1970.

2. . :-

In these rules

(a) "Act" means the Andhra Pradesh Municipalities Act, 1965;

(b) "General Town Planning Scheme" or " Detailed Town Planning Scheme and "Master plan" mean the General Town Planning scheme or detailed Town Planning Scheme sanctioned under the

Andhra Pradesh (Andhra Area) Town Planning Act, 1920 and the master plan sanctioned under Chapter XIV of the Andhra Pradesh (Telangana Area) District Municipalities Act, 1956 saved by sub-section (2) of Section 391 of the Act.

(c) "Government" means, the Government of Andhra Pradesh' and

(d) "Section" means, the section of the Act.

3. . :-

Every application under sub-section (1) of Section 185 of the Act, for sanction of a layout and forming a new private street or road shall be sent to the Municipal Office in the form prescribed in Appendix `A'.

4. . :-

Every such application shall bear the signature of the owner of the land and licensed surveyor and it shall be affixed with a court fee stamp of the value as may be prescribed by the Government from time to time.

5. The application shall be accompanied with the following particulars namely :-

(i) a site plan in quadruplicate which shall also be signed by a licensed surveyor and the owner of the land down to a scale of not less than 1:1000 on a tracing cloth showing the top details of the land and sanction layouts if any, within a distance of 100 metres around the proposed site clearly indicating survey numbers within and around the existing roads in and around the sites, buildings, huts, open spaces, natural water courses, big trees and permanent fetures which cannot be distrubed normally, and other developments if any taken place and the streets or roads, giving access to the site and connecting them with any existing public or private street or road.

(ii) the detailed plans in quadruplicate of the site under reference drawn to a scale not less than (1:500) accurately drawn and on tracing cloth which shall be in consonance with the particulars mentioned in sub-section (1) of Section 185 and shall also show:-

(a) the boundaries of the land based on certified survey Records and with survey number indicated;

(b) alignment of the proposed streets;

- (c) the proposed width of the streets;
- (d) the proposed building lines;
- (e) the proposed sizes and number of plots;
- (f) places set apart in the layout for the purposes mentioned in Clause (b) of Sub-section (2) of Section 184 and also places set apart for other communal and public purposes such as shops, bus-stops and parking places;
- (g) the purposes of utilisation of the plots such as pucca buildings, huts, tenements, detached, semi-detached, or row houses or for factories, shops; etc.
- (h) electric lines (high tension or low tension), water mains and sewers if any, telephone and telegraph lines, etc., alignment of National and State highways, and major and minor district roads passing through the land;
- (i) the spot levels at intervals of 15 metres for the whole area under reference and also along the existing road from which access is sought to a length of at least 100 metres; and
- (iii) a statement of the arrangements made for the whole area under reference and also along the existing road from which access is sought to a length of at least 100 metres; and (iii) a non-encumbrance certificate from the Registration Department for the lands covered by the layout together with a true copy of the title and attested by the Gazetted officer; and
- (v) a receipt of the Municipality showing the amount of non-interest bearing security deposit at the rate of Rs. 3,000 per sq. metre (total area of land covered by the layout) for the due fulfillment of the obligations imposed under Section 184 or in lieu of each deposit, a security in the shape of land of such extent equivalent to the value of cash deposit in the area covered by the layout shall be mortgaged through a registered mortgage deed in favour of the Municipality or in the form of Bank guarantee equivalent to the amount of security deposit in the Form prescribed in Appendix "G".

6. . :-

Applications not received in the prescribed form and not accompanied by the documents mentioned in Rule 5 above shall be rejected.

7. . :-

The arrangements to be made for levelling, metalling roads with approaches from the existing public or private roads under sub-section (1) of Section 185 shall be in conformity with the specifications mentioned in Appendix `B' to these rules.

8. . :-

The width to the streets and roads in the layout shall conform to the minimum requirements as indicated in Appendix `C' and also subject to the provisions of the General Town Planning Schemes or the Detailed Town planning Schemes or both or the Master plans.

9. . :-

(1) A plot intended for residential purposes shall not be less than 200 sq. metres with a minimum width of 9 metres in areas of the Town other than those set apart of

(a) hut areas declared as such under Section 205;

(b) Slum clearance and rehabilitation areas as notified under the Andhra Pradesh Slum Improvements (Acquisition of Lands) Act, 1956;

(c) areas to be developed by the Government or the Municipality or any other authority authorised by the Government or the concerned Municipality for housing harijans, persons belonging to weaker sections of the society, persons engaged in unclean occupations; and

(d) housing for Industrial workers.

(2) A plot intended for residential purposes in areas set apart or proposed by various authorities under categories (a), (b), (c), and (d) mentioned in sub-rule (1) above shall not be less than 8 Metres x 12 Meters.

(3) The size of the plots for non-residential buildings shall be fixed by the Council in consultation with Director of Town Planning.

(4) The corner plots at the junction of the roads shall be splayed off with such offset, or rounded off to such extent as may be made by the Director of Town planning while recommending the proposal under sub-section (3) of Section 185.

(5) No plot in a layout shall be sub-divided or utilised for any purpose other than the purpose for which the layout is approved

and sanctioned except with the prior approval of Director of Town Planning who will consider the need and necessity for such sub-division or such other purpose, with due regard to the changes, taking into consideration the zoning and other land use proposals or regulations.

10. . :-

(1) The area of land required to be set apart under Clause (b) of sub-section (2) of Section 184 shall not be less than 5% of the gross area covered by the layout with not more than 8 plots per gross hectare over and above this for the increase of every two plots per gross hectare, the open spaces to be provided shall increase by one more per cent. [Such open space shall, however, be limited to 10% a maximum, irrespective of the size of plots when minimum, extent and width safety as per sub-rule (1) of Rule 9].

(2) In case the area, for which a layout is sought for, falls in a Master Plan or in a Town Planning Scheme and for which a draft scheme is already furnished by the Director of Town Planning or in a sanctioned Town Planning Scheme or Master Plan, if a portion of his land falls in the area earmarked in such plan for a common public purpose in the interest of general development of that locality, the owner of such land shall transfer such percentage of the area of layout as prescribed in sub-rule (1) free of cost to the Municipality. In other cases i.e., if the area so earmarked in the layout under reference are more than such percentage as prescribed in sub-rule (1), he shall also transfer the entire area so proposed to be reserved in the layout and he is entitled to receive compensation at the prevailing market rate from the Municipality for the part of his site which is in excess of the extent of land which he has to provide as per sub-rule (1).

(3) Irrespective of the fact, whether an area lies in a notified or sanctioned Town Planning Scheme or the area covered by Master Plan, if the area of land covered by a layout is fairly small say less than half hectare in extent, the owner in such cases also should set apart and transfer such extent as prescribed under sub-rule (1) of the total extent to the Municipality. But the Council is at liberty to dispose of such land with the concurrence of the Director of Town and Country Planning provided it does not form part of compact block of open space which could be carved out with the neighbouring layout areas to any body at the rate fixed by the

District Collector.

Provided that the rate so fixed by the District Collector shall not be less than the registration rate fixed by the Registration Department for the said localities and utilise the amount so realised for acquisition and development of a larger piece of land required for community facilities in the locality as may be decided by the Council with the approval of the Director of Town and Country Planning.

(4) The Municipality shall not use the lands so transferred for any purpose other than for which it is so transferred for any purpose other than that for which it is so transferred or shall not utilise the amount for any other purpose other than the acquisition of the land for the purpose for which it is so transferred.

(5) The land to be set under Clause (b) of sub-section (2) or Section 184 as required by sub-rules (1) and (3) in respect of the size of the layout not exceeding one hectare may be provided in the areas set apart for public purpose in the sanctioned General Town Planning Scheme (Master Plan) in the vicinity of the layout areas as may be decided by the Council with the approval of the Director of Town and Country Planning so as to secure larger extents of land for public purposes].

11. . :-

The Executive Committee shall within fifteen days of the receipt the application with all the particulars communicate to the applicant conditions and modifications subject to which the layout will be considered for approval indicating the estimated cost of development and the amenities.

12. . :-

(1) The applicant shall within ten days after the receipt of communication under Rule II communicate to the Executive Committee through the Secretary of the Municipality his agreement in the form prescribed in Appendix `D' execute the works etc, as per specifications referred to in Appendix `B' and as per plans and drawings enclosed by the Secretary depending upon the nature of soil; or request the Secretary to carry out the said works on his behalf and deposit the cost thereof on a provisional basis as per the estimates furnished by the Secretary less the initial deposit already made under Rule 5(v) and also an additional non-returnable deposit of a sum equivalent to 5% of the provisional estimated cost

of works to be executed by the Municipality at the expense of the applicant towards supervision charges.

(2) If it is not possible for the applicant to deposit the amount referred to above in cash he shall furnish a guarantee from a Chartered Bank in the form prescribed in Appendix `E' or execute a Registered Mortgage deed at his cost hypothecating such extent of the land covered by the layout or the number of plots whose value is not less than the total estimated cost of the work referred to in sub-rule (1) in the form prescribed in Appendix `F' subject to the condition that any unforeseen expenditure over and above the provisional estimated cost plus supervision charges is met by the applicant by supplemental deposit to the extent necessary over and above the initial cash deposit made or a guarantee from a Chartered Bank given already.

Explanation:- The word `unforeseen' includes inter alia, administrative delay in the execution of the works by the Municipality caused due to reasons beyond its control.

13. . :-

If a reply is not received from the applicant within ten days of the receipt of the communication referred to in Rule 11 the original application shall be treated as having lapsed and the deposit amount deposited under Rule (v) shall be refunded after deducting 2 per cent towards cost of scrutiny inspection, etc., on application made by the applicant.

14. . :-

On fulfilment of the conditions laid down in Section 148 to the entire satisfaction of the Secretary, the owner of the layout shall within a reasonable period which shall not exceed one year from the date of communication of the approval of the layout under sub-section (3) of Section 185, of transfer the private streets or roads along with the lands set apart for parks, play- grounds, educational institutions or for any other public purposes under Clause (b) of sub-section (2) of Section 184 or under sub-rule (1) of Rule 10 to the municipality.