

Suggested amendments to the Building Rules 2012 with respect to the
New Telangana Municipalities Act 2019.

The Government vide Act No. 11 of 2019 enacted the Telangana Municipalities Act, 2019 for the areas under the Municipalities other than the GHMC.

Provisions have been made for development of land and construction of building, other related town planning activities in the Municipalities vide section

172 to 193.

In exercise of the powers conferred by section **238 of the Telangana Municipalities Act, 2019**, 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.

Amendment- I

In Rule 2, the following shall be inserted after Rule 2(a) (iv):

(i) Any Department or Agency of the Government, which are entrusted with the powers and responsibilities to grant or issue clearances.

And after rule 2 (i) the following shall be added.

(j) **“Collector”** Means the District Collector in charge of a District.

(k) **“District Level TSBPASS Committee”** Means the Committee constituted by the Government.

Amendment- II

In Rule 23, the sub rule (b) shall be substituted with the following:

b) Areas covered in Municipalities / Municipal Corporations other than GHMC and HMDA.

i) Plot Size upto 75 SqYds (63 SqMts) - EXEMPTED FROM APPROVAL,

a) No Building permission is required for construction of Individual Residential Buildings with a height upto 7 Mts.

b) The applicant shall register online of his intention to construct the building.

c) The applicant shall pay Rs.1/- as token fee along with registration.

- d) The applicant shall self-certify the size of the Plot and Number of Floors to be constructed by submitting the Form of Self-Certification online as prescribed in Annexure -IA.
- e) In respect of proposals falling in plots above 500 sq.mtr and upto 1000 sq.mtr the Regional Deputy Director of Town and Country Planning shall give technical remarks to the TS b-PASS Committee within 10 days from the receipt of the proposal online.
- f) In respect of proposals falling in plots above 1000 sq.mtr the Director of Town and Country Planning shall give technical remarks to the TS b-PASS Committee within 10 days from the receipt of the proposal online.
- g) The applicant shall ensure complying of the provisions of the Master Plan, Detailed Planning Scheme, and Local Area Plan and Building Rules.
- h) No Completion Certificate or Occupancy Certificate is required
- i) The Registration is not applicable if site/plot/building of bigger than 75 Sq. yds (63 Sq.mts) is subdivided for this purpose.
- j) The applicant shall fill the application in online and upload the following documents at the time of Registration.
 - i. Online Application to be filled
 - ii. Self - Certification to be uploaded
 - iii. Ownership documents and Link documents of the site.
 - iv. Geo location of the site to identify the location.
- k) Exemption from obtaining building permission under Sub Rule (b)(i)(a) is not applicable for plots falling in
 - i. Unauthorized layouts and
 - ii. Restricted areas as specified in Rule (3).
- l) Such exemption not to be misused for taking up construction in Government or Prohibited or Disputed lands, Municipal lands, Layout Open spaces, Parks and Playgrounds.
- m) In case of violations, if any noticed at any time, the Applicant will be liable for punishment which includes imprisonment up to 3 years, or either levy of penalty which may extend to 25% of the value of land or building including land as fixed by the Registration Dept., or Demolition or taking over or sealing of property without issuing any notice as per section 177 and 180 of the Telangana Municipalities Act 2019 and duly conducting the PANCHANAMA for recording violations made.
- ii. Plot size upto 500 Sq.Mts and height upto 10 Mts - INSTANT APPROVAL ONLINE,

The applicant shall comply with the following conditions for availing INSTANT APPROVAL ONLINE

- a) It is applicable only for Individual Residential Buildings
- b) The applicant shall submit proposals online with a Self-Certification as prescribed in **Annexure -IB** along with the documents mentioned in **Annexure- IC** and Fee as prescribed.
- c) The Applicant shall submit an Undertaking in Annexure- ID stating that if the actual construction is made in violation of Sanctioned Plan, as per Section 174 the same is liable for demolition without issuing any notice.
- d) The proposal shall be in conformity with the provisions of Master Plan or Detailed Planning Scheme or Local Area Plan and the Building Rules.
- e) The Instant Approval system based on Self-Certification is not applicable for plots falling in unauthorized layouts and restricted areas as specified in rule (3)
- f) The instant approval shall comply with the following.
 - i) Land use as per the sanctioned master plan.
 - ii) Zoning regulations,
 - iii) Building rules.
 - iv) NBC norms.
- g) The building permission shall be generated online instantly, upon uploading all required, authenticated documents and payment of fee.
- h) The Member convener of District Level TS-BPASS Committee shall compile all the instant online generated permissions and place before District Level TS-BPASS Committee for post verification and the Committee shall get the post verification done for all the applications and shall submit their recommendations into the web based Online Approval system within 21 days of receipt of the Application.
- i) The onus to ensure authenticity of Self Certification and compliance with the self-certification lies with the applicant, who shall be held personally accountable and liable for punishment in case of false declaration/misrepresentation, if any.
- j) The misrepresentation and false declaration is liable for punishment against the Applicant, which includes imprisonment up to 3 years, or either levy of penalty which may extend to 25% of the value of land or building including land as fixed by the Registration Dept., or Demolition or taking over or sealing of property without issuing any notice as per section 177 and 180 of the Telangana Municipalities Act 2019 and duly recording the misrepresentations & false declarations.

- iii) All Buildings having height above 10 meters and all Non-Residential Buildings
- SINGLE WINDOW APPROVAL:
1. Residential - above 500 sq. mtrs plot area (irrespective of building height).
 2. Residential building above 10 mtrs (irrespective of plot area)
 3. For all Non-Residential buildings and all high rise buildings.
- a) One Common/Combined Application shall be submitted ONLINE to the Municipal Commissioner through web based Online Approval system duly uploading all documents as prescribed in **Annexure - IC** and Fee as prescribed.
- b) TSBPASS Committee shall also act as Single Window Committee and shall examine the Applications as per sub-section (7) of section 174.
- c) District Level TSBPASS Committee consists of the following members:
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|---|-------------------|
| i. District Collector | : Chairman. |
| ii. Commissioner of concerned Urban Local Body | : Member Convener |
| iii. Director of Town and Country Planning or his Nominee | : Member |
| iv. Superintending Engineer/Executive Engineer of Public Health Dept. | : Member |
| v. Superintending Engineer/Executive Engineer of Irrigation Dept., | : Member |
| vi. Revenue Divisional Officer / Tahsildar of Revenue Department | : Member |
| vii. District Fire Officer | : Member |
| viii. Any other officer designated by the District Collector | : Member |
- d) Functions of the District Level TSBPASS Committee (Single Window Committee):
- i) To review and monitor the following tasks
 - ii) To examine and process of fresh applications
 - iii) To give Technical clearance.
 - iv) To issue feasibility report on infrastructure facilities such as roads, water supply, drainage, street lighting, avenue plantation etc.,
 - v) To verify the proposals with respect to the boundaries of the water bodies and water courses and buffer to be maintained from water Bodies and water course. To verify the ownership aspects of the proposed site.
 - vi) To issue NOCs for building proposals which attract the provisions of Telangana Fire Services Act 1999.
 - vii) The Committee shall pass the remarks for shortfall/ rejection for approval after verification of the proposals in the above-mentioned aspects and communicate to the concerned ULB to take necessary action by commissioner.

- viii) Post verification of applications registered and permissions granted instantly by constituting post verification teams. In case of violations action shall be taken for demolition without issuing any notice under section 177 & 174(4) through the demolition squads. Further the commissioner shall be directed to revoke the permission / registration within 21 days.
- ix) To review and monitor the Enforcement activity every fortnight and also committee shall constitute required number of squads to detect and take action on unauthorized developments.
- e) The Committee members shall examine the proposals and recommend/reject or call for additional information, shortfalls or incompleteness or clarifications, if any required, within 10 days of receipt of the Application on web based Online system. The applicant shall comply with the shortfall notice within 15 days, failing which application will be auto closed.
- f) On receipt of any further information required, the Committee members shall examine and recommend for approval / rejection to the commissioner of the ULB within 5 days.
- g) Upon the recommendations of the District Level TSBPASS committee, shall intimation letter shall be auto generated in the name of commissioner and will be communicated to the applicant.
- h) Once the required fee is paid, on submission of registered mortgage deed and compliance of all conditions, the permission shall be auto generated through online web portal. The applicant shall comply with the requirements as specified in the intimation letter for payment of fee and submission of mortgage deed etc., within 15 days. If the same is not complied within 15 days, shall be allowed to pay the same within another 15 days of time on payment of 10% interest. Failure in payment of fee and submission of document the application shall be auto rejected.
- i) If no order is issued on the building application within the time prescribed i.e., 21 days i.e. from the date of application, then the application shall be “deemed” to have been issued and approval shall be generated through online web portal.
- j) The permission issued under deemed clause can be revoked by the Commissioner within 21 days from the date of deemed approval if it is found that deemed approval has been obtained by misrepresentation of the facts or false statements, and / or against the building rules, regulations and Master Plan land use provisions.

Amendment-III

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

- 19 (d) The validity of permission to complete is as given hereunder subject to commencement of the same within 6 Months from the date of approval,
Non-High Rise Buildings: 3 years,
High Rise Buildings : 5 Years
- i) If the construction or reconstruction of any building is not commenced or completed within the specified period, the permission shall stand lapsed and a fresh application shall have to be made duly paying the building permit fee.
- ii) The applicant shall upload the pictures of commencement of construction within 6 months online.
- iii) During the construction of the building the owner or builder shall upload the photographs at different stages of the construction i.e., basement level and slab of each floor and after completion.

Amendment-IV

Rule 24 (c) is deleted.

Amendment-V

In Rule 25, the sub rule (e) shall be substituted with the following namely:

- 25 (e) The individual residential buildings in plots upto 200 square meters with a height upto 7 meters are exempted from the conditions (c) and (d) above.

Amendment-VI

In Rule 26, the sub rule (a) shall be substituted with the following namely:
“100 square meters” shall be substituted by “200 square meters”.

In Rule 26, after sub rule (i) the following shall be added namely:

- 26 (j) In case of non-high rise buildings constructed in plots above 200 square meters and less than 500 square meters, the Occupancy Certificate will be issued through online, based on the Self-Certification submitted by the Owner or Builder in the prescribe proforma duly attested by the Licensed Technical Personnel, certifying that the building has been constructed as per the sanctioned plan and as per the rules and regulations in force.

- (k) The TSBPASS Committee shall verify the application and give recommendation for either approval/rejection for issuance of occupancy certificate within 7 days. The Municipal Commissioner shall release the mortgage within 15 days from the date of receipt of application and Occupancy Certificate shall be auto generated.
- (l) The onus to ensure authenticity of self-declaration and compliance with the Self-Certification for issuance of occupancy certificate under self-certification lies on the Owner, Applicant and Licensed Technical Personnel and shall be held personally responsible and accountable in case of false declaration and will be liable for punishment as indicated in section 177 and 180 of the Act.
- (m) In case of occupancy certificates for High rise buildings and buildings constructed in plots 500 square meters and above, the applicant shall submit application online with Self-Certification in the prescribed proforma duly attested by the Licensed Technical Personnel that the building has been constructed as per the sanctioned plan and as per Rules and Regulations in force and based on the Self-Certification.
- (n) The TSBPASS Committee shall verify the application and give recommendation for either approval/rejection for issuance of occupancy certificate within 7 days.
The Municipal Commissioner shall release the mortgage within 15 days from the date of receipt of application and Occupancy Certificate shall be auto generated.

Amendment-VII

In Rule 15, after sub rule (b) the following shall be added namely:

- 15 (c) All buildings of all sizes should have on-site treatment systems (septic tank with soak away / twin leach pit / decentralized treatment system / faecal sludge and seepage or connected to sewerage system, wastewater treatment and recycling system as per National Building Code 2016.
- (d) All parking places except individual independent / residential buildings shall be provided with Electric Vehicle Charging infrastructure.

Director of Town &
Country Planning