



The Municipal Corporations, the Andhra Pradesh Municipalities, the Andhra Pradesh Capital Region Development Authority Pradesh Metropolitan Region and Urban Development Authorities (Amendment) Act, 2018.

Act 34 of 2018

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No. 34

AMARAVATI, MONDAY, 12th NOVEMBER, 2018.

**ANDHRA PRADESH ACTS, ORDINANCES AND
 REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 1st November, 2018 and the said assent is hereby first published on the 12th November, 2018 in the Andhra Pradesh Gazette for general information :-

ACT No. 34 of 2018

AN ACT FURTHER TO AMEND THE MUNICIPAL CORPORATIONS ACT, 1955, THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965, THE ANDHRA PRADESH CAPITAL REGION DEVELOPMENT AUTHORITY ACT, 2014 AND THE ANDHRA PRADESH METROPOLITAN REGION AND URBAN DEVELOPMENT AUTHORITIES ACT, 2016.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Municipal Corporations, the Andhra Pradesh Municipalities, the Andhra Pradesh Capital Region Development Authority and the Andhra Pradesh Metropolitan Region and Urban Development Authorities (Amendment) Act, 2018.

Short title and
Commencement.

(2) It shall come into force on such date, as the Government may by notification, appoint.

2. In the Municipal Corporations Act, 1955 in Section 455-AA, for the expression "as on 31.12.2014", the expression "as on 31.08.2018" shall be substituted.

Amendment of
section 455-AA,
Act No. II of 1956.

Amendment of
section 218-A.

Act No.6 of 1965.

3. In the Andhra Pradesh Municipalities Act, 1965, in section 218- A, for the expression "as on 31-12-2014", the expression "as on 31.8.2018" shall be substituted.

Amendment of
Section 108-A.

Act No.11 of 2014.

4. In the Andhra Pradesh Capital Region Development Authority Act, 2014, in Section 108-A, for the expression "as on 31st day of December 2014", the expression "as on 31st day of August 2018" shall be substituted.

Insertion of new
Section.

Act No.5 of 2016.

5. In the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016, after Section 90, the following Section shall be inserted, namely,-

**"Regulation and
Penalization of
buildings
constructed
without
sanctioned plan.**

90-A. (1) It is open to the Metropolitan Commissioner or Vice-Chairman to regularize constructions made without obtaining sanctioned plan subject to fulfilling the following conditions:-

- (a) Submission of building plans to the competent authority duly paying all categories of fees and charges.
- (b) The construction shall be subject to the condition that all parameters laid down in relevant statutes, Master plan, Zonal Development Plan, Building Bye-Laws, Building Rules and other relevant Government Orders including Andhra Pradesh Fire Service Act, 1999 and the National Building Code are satisfied.
- (c) Payment of penalty equivalent to Thirty Three Percent (33%) of the various categories of fees and charges payable by the applicant for obtaining building permission in addition to the regular fee and other charges payable."

(2) Any offence made punishable under this Act in respect of Non-High Rise buildings may be regularized by the Metropolitan Commissioner or Vice-Chairman or any officer authorized by the Metropolitan Commissioner or Vice-Chairman in this behalf to the extent of violations made to the setbacks on each side of each floor except building line up to 10% of the permissible setbacks, on payment of fine equivalent to one hundred percent of the value of the land as fixed by the Registration Department applicable at the time of regularization in respect of violated floor area, subject to the condition that the sanctioned plan has already been obtained in each case.

(3) Notwithstanding anything contained in the Act, in the case of Gram Panchayats falling in the Metropolitan Region or Urban Development Authority areas, the Metropolitan Commissioner or Vice- Chairman may regulate and penalize the construction of buildings, made by the owner, or by an individual as the case may be, unauthorizedly or in deviation of the sanctioned plan as on 31st day of August, 2018 as a onetime measure as per the procedure and by levying such penal amount as may be prescribed and upon payment of such amount, all pending or contemplated proceedings and action of enforcement shall be deemed to have been withdrawn and the competent authority shall issue necessary occupancy certificate to the owner or the individual as the case may be."

DUPPALLA VENKATARAMANA,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.