

**ANDHRA PRADESH HOUSING BOARD (ALLOTMENT OF
GARAGES) REGULATION, 1980**

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**ANDHRA PRADESH HOUSING BOARD (ALLOTMENT OF
GARAGES) REGULATION, 1980**

In exercise of the powers of the powers conferred under Section 71 of Andhra Pradesh Housing Board Act 1956 (ActXLVI of 1956) and

with the previous sanction of Government the Andhra Pradesh Housing Board makes the following regulations namely ;

1. . :-

These regulation may be called the Andhra Pradesh Housing Board (Allotment of garages) Regulation 1980.

2. . :-

These regulation shall apply to such of the garages ; which have been constructed owned or managed by A.P. Housing Board.

3. . :-

(1) in these regulations, unless the context otherwise requires. "Act" means Andhra Pradesh Housing Board Act 1956. "Board" means Andhra Pradesh Housing Board. "Government" means Government of Andhra Pradesh. "Garage" means Garage, constructed owned or managed by Andhra Pradesh Housing Board. "Allottee" means the person to whom a house is allotted on rent under these regulations. "Allotment" means allotment of a garage on rental basis or on outright sale or on hire purchase system under these regulations. "Hire purchase system" means system in which a participant takes steps to secure rights in property under any scheme referred to in Regulation 22 by payment of hire purchase deposit and also a specified number of equated instalments, spread over a period of specified number of years during which he remains a tenant on terms and conditions set out for that purpose and on the expiry of the said period and after complying with other terms and conditions under these regulations ceases to be a tenant and becomes an owner on payment of all dues". " Family" means family of allottee consisting of husband, wife and children and including parents, sisters and brothers as are ordinarily living with the allottee as dependent. " FORM " means a form appended to these regulations. "RENT" means the monthly rent payable by an allottee towards hire charges of the garage as may be fixed and revised by the Chairman from time to time having due regard to the cost of construction or the proper return due on the market value of the garage or any other principle which the Board may lay down from time to time and to the charges involved for the maintenance, taxes and management of the garage.

(2) Words used but not defined shall have the same meaning as assigned to them under Andhra Pradesh Housing Board Act 1956.

(3) (Omitted as per G.O. Ms. No. 24 Housing M.A.U.D. (H) dt. 13th June, 1985)

4. . :-

Whenever any garage is ready or vacant, the Board may notify it for allotment on rent if the garage is located in a commercial complex or in an institutional complex and on out right sale basis or on hire purchase system if the garage is located in a residential colony of the Board.

5. . :-

The Board shall issue a notice in the manner specified in Regulation 6 and 6-A for inviting applications from the persons in need of garages from among the persons who are holding the Housing Board houses flats of H.I.G. or M.I.G. Category only on out right sale or on hire purchase system in respect of colonies and from the tenants in respect of commercial complexes institutional complexes".

6. . :-

The notice shall specify the location of the garage available for allotment, the amount payable as earnest money, the last date for submission of application and such other particulars as the Chairman may consider necessary.

6A. . :-

The publication of notice shall be made in three News papers having wide circulation one each in Telugu, Urdu and English.

7. . :-

(1) Printed or Cyclostyled copies as the case may be of these regulations and Lease Deed attached thereto will be made available separately if demanded, to the public at a price fixed by the Chairman.

(2) A person desirous of securing allotment shall apply in the Form obtained from the Office of the Board or any other place and on payment of such cost as may be fixed by the Chairman which is not refundable.

(3) "Every applicant shall satisfy the Chairman by furnishing necessary particulars and proof that he needs a garage for an automobile owned by him".

8. . :-

(1) A person who is already an allottee of a garage on rental basis on hire purchase system in the city or town where the garage is located and whose allotment has not been cancelled shall not be eligible for allotment.

(2) A person who owns a garage in his her name or in the name of his wife husband or minor children in the city or town where the garage is situated shall not be eligible for allotment.

9. . :-

Every applicant shall deposit or cause to be deposit

(i) the earnest money of Rs. 1,000 in respect of garages located in residential colonies or

(ii) earnest money of two months rent as may be specified in the notice in respect of garages located in commercial complexes, institutional complexes or

(iii) such amount as may be specified in the notice through a challan at the State Bank of Hyderabad, Gruhakalpa Branch, Mukarramjahi Road, Hyderabad. The applicant should produce evidence of having vehicle of his own along with the C Book. The earnest money can also be remitted by means of a demand draft in favour of the Secretary, Andhra Pradesh Housing Board in the case of garages in the twin Cities or in favour of the Regional Housing Engineer concerned in case of garages in the districts obtained from any Scheduled Bank in Andhra Pradesh. The challan or demand draft may be enclosed to the application form.]

10. . :-

On receipt of the applications, the Secretary shall enter each application in a register maintained for these purposes in Form 2 in order in which each application is received and shall pass a receipt to the applicant in token of having received the application.

11. . :-

The Chairman may select the applicant for allotment of Garage advertised by drawal of lots. *[.....]

Proviso omitted as per U.D. 24H, 2 M.A, G.O. Dt. 13th June 85.

11A. . :-

The garage allotted shall be used exclusively for the purpose of keeping motor vehicles only;]

12. . :-

The decision of the Chairman in respect of allotment shall be final.

13. . :-

On request by the applicant, the Earnest Money Deposit may be refunded at any time before the drawal of lots and his name shall be deleted from the register of applications.

14. . :-

The Earnest Money Deposit shall be refunded to the applicant if no allotment is made in his favour.

15. . :-

The Secretary shall first scrutinise the applications and list out the applications forms the total number of applications received and registered before the specified date.

16. . :-

The Secretary, shall have power to make enquiries, call for informations from any person whosoever, demand document or evidence in the form of an affidavit or otherwise from the applicant and do any other thing which he considers necessary to scrutinise the applications.

17. . :-

Any application which is incomplete in any respect is liable to be rejected.

18. . :-

(a) The Chairman shall make arrangements for drawal of lots from among such of the eligible applicants who are owners or allottees of the Housing Board houses on hire purchase basis in the Housing Board colony where the garage is located. After list of such candidates is exhausted, lots will be drawn among other eligible applicants.

(b) The lots shall be drawn 33 1/2% excess of garages available from allotment.

(c) Lots shall be simultaneously drawn in respect of garages and applicants and the number of applicants who have succeeded in the lots shall be arranged indicating the garage which has been drawn by lots against that applicant. The excess number of applicants drawn by lots shall be kept under reserve.

(d) The Lists as per the lots drawn up shall be published at the Office of the Board or such other places as may be specified by the Chairman.

19. . :-

In case no application is received in response to the notification, the Chairman, at his discretion may allot the garage to any one of the applicants who may come forward to take the garage on rent, on terms and conditions notified dispensing with drawal of lots or re notify the garage for inviting applications under Regulation (4).

20. . :-

After the allotment of garages is finalised, the Chairman will issue an allotment letter in Form 3 informing the allottee, that the garage is allotted to him/her on the terms and conditions specified in the letter asking him to call at the office of Housing Board or any other place as may be specified therein and complete the formalities within the period specified in the letter.

21. . :-

The allottee shall not be eligible for allotment of another garage except in exchange which the Chairman may permit at his discretion and subject to such conditions as he may specify.

22. . :-

(1) Within 15 days from the date of receipt of allotment letter the allottee shall:

(i) Deposit or cause to be deposited at the office of the Chairman or any other place that may be specified by him a sum equal to 4 months rent of the garage allotted as security deposit inclusive of the earnest money deposit already made; and

(ii) furnish such additional security as the Chairman may demand for the payment of rent and.

[(iii) Execute the rental deed in Form 4 in respect of garages allotted on rental basis and execute the agreement for sale, lease cum sale in the form prescribed under hire purchase regulations for houses;

(iv) In case of allotment by outright sale or hire purchase, the allottee shall pay the estimated cost in full or 30% of the estimated cost on allotment and in the latter case the balance of 70% in twelve yearly instalments"

(2) If the allottee fails to make the required payment and also to execute the rental deed as specified in sub regulation (1) of the Regulation 23; the allotment shall be cancelled and the earnest money deposited by him shall be forfeited to the Board.

23. . :-

(1) After the required payment as specified in Regulation 22 has been made and the required agreement in Form 4 or other prescribed form also has been duly executed, possession of the garage shall be given to the allottee and the allottee shall be issued handing over letter in form (5) for receiving possession as set out in the said letter.

*

(2) The rent or hire purchase instalment shall be charged from the date of execution of the rental deed or hire purchase agreement;

24. . :-

The allottee shall execute a rental deed in Form (6) and register it at his own cost before of the date of expiry of the period of rental deed in form (4) failing which he shall be liable for eviction apart from payment of damages and other dues with he she is liable to pay under the Act.

25. . :-

The allottee shall pay advance of one month's rent if he she takes possession of the garage on or before of the 15th of the calendar month or half a month s rent if he she takes the possession after the 15th of the said calendar Month.

26. . :-

(a) A tenant shall be liable to pay rent at such a rate as may be revised and refixed by the Chairman from time to time, but no enhancement of rent shall be given effect to by the Chairman unless a month s notice is given to the tenant of such enhancement. Every tenant shall execute a fresh rental deed whenever rent in enhanced by the Chairman, within the time specified by him in this behalf, failing which it shall be lawful to evict the tenant.

(b) A tenant shall be liable to pay interest at 12 per annum or at such rate of interest as may be revised from time to time, on over due rent.

27. . :-

Notwithstanding anything in these regulations, on a month s notice the allotment may be cancelled by the Chairman, when:

- (i) The Chairman requires the Garage to be vacated for the use of the Board.
- (ii) There is a violation of any of the regulations in force or the terms of agreement or rental deed executed under the regulations.
- (iii) The period covering the agreement under Regulation (28) executed by the tenant expires; and
- (iv) if the tenant keeps the Garage vacant or under lock for more than four months without obtaining the prior permission of the Chairman.
- (v) If the tenant dies.
- (vi) If the tenant defaults in the payment of rent lawfully due from him for a period of four months.

28. . :-

(1) On cancellation of the allotment of a garage under Clause (iv) or (v) of regulation 27, the Chairman, notwithstanding anything contained in these regulations may allot the garage to one of the members of the family of the late or extennant subject to such conditions as may be laid down regarding payment of penalty and arrears of rent.

(2) When the claimants for the transfer of allotment are parents, sisters, brothers or any of the relative they shall have to so establish.

29. . :-

On cancellation of the allotment of a garage under Clause (vi) of Regulation 27 the Chairman, not withstanding anything contained in these regulations may restore the tenancy on payment of arrears together with interest thereon subject to such conditions as he may lay down regarding payment of penalty which may extend to six months rent.

30. . :-

Notwithstanding anything contained in these regulations the Chairman may accord permission on request from tenant to fix up elec. connection, water supply connection or drainage connection in

the garage at the expense of the tenant and in which case the tenant shall execute an agreement to the effect that whenever he vacates the garage he shall not either claim ownership over these connections or remove them or claim the costs of the aforesaid connections.

31. . :-

Notwithstanding anything contained in these regulations, it shall be always open for the allottee to apply to Chairman for conversion of allotment of the garage on hire purchase basis. The Chairman, may, in case the allottee is not in arrears of rent ; at his discretion approve the allotment of the garage on hire purchase basis such application of the allottee, in which case the A.P. Housing Board (Allotment Management and Sale of Low Income Group Houses) Regulation 1975 shall, from the date of receipt of allotment letter on hire purchase basis, mutatis Mutandis apply for initial payment of the estimated cost execution of lease cum sale agreement and payment of hire purchase instalment and other matters provided therein.

32. . :-

In these regulations any reference to "rent" or "on rent." "on rental basis" shall be construed to include on hire purchase or "on out right purchase basis" unless the context otherwise requires.