

**ANDHRA PRADESH HOUSING BOARD (ALLOTMENT,  
MANAGEMENT AND SALE OF HOUSES FOR ECONOMICALLY  
WEAKER SECTIONS) REGULATIONS, 1975**

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**ANDHRA PRADESH HOUSING BOARD (ALLOTMENT,  
MANAGEMENT AND SALE OF HOUSES FOR ECONOMICALLY  
WEAKER SECTIONS) REGULATIONS, 1975**

In exercise of the powers conferred by Section 71 of Andhra

Pradesh Housing Board Act, 1956 (Act XLV of 1956) the Andhra Pradesh Housing Board, with the previous sanction of the Government, hereby makes the following regulations, namely

**1. . :-**

These regulations may be called the Andhra Pradesh Housing Board (Allotment, Management and Sale of houses for economically weaker sections) Regulations, 1975.

**2. . :-**

These regulations shall come into force at once.

(1) These regulations shall apply to the allotment, sale of houses and flats constructed, by the Andhra Pradesh Housing Board under schemes for economically weaker sections with the following sources:

(2)

(a) These regulations shall also apply to allotment, sale of house and flats constructed under any of the following schemes on such terms and conditions as may be specified by Government by an order the mode of allotment of houses constructed under such scheme, shall notwithstanding anything contained in this regulations also specified therein.

(i) Other special houses schemes for Economically Weaker Section entrusted to the Board by Government for execution for the exclusive benefit of members of a co operative society of Government employees or group of employees of Institutions, Corporations, or Companies; and

(ii) Any other Economically Weaker Section Housing Scheme entrusted to the Board and approved for the purpose of these regulations by the Government by an order.

(b) No scheme under clause (a) shall be taken up by the Housing Board, Unless the land on which the houses are proposed to be constructed is transferred in favour of A.P. Housing Board through a registered conveyance deed.

(3) These regulations shall also apply to allotment and sale of houses and flats constructed under:

(i) other special Housing Schemes for economically weaker sections executed by the Housing Board for exclusive benefit of members of

a co operative society of Government Employees or group of Employees of Institutions, Corporations or Companies; and

(ii) any other Housing Scheme for economically weaker sections entrusted to the Board and approved for the purpose of these regulations by the Government.

### **3. Definitions :-**

(1) In these regulations unless the context otherwise requires:

(a)"Act" means the Andhra Pradesh Housing Board Act, 1956 (Act XLVI of 1956)

(b) "Allottee" means the person to whom a house is allotted under these regulations and includes his legal heirs established by a certificate issued by a competent revenue authority not below the rank of an Executive Magistrate or by a Civil Court Decree where the Chairman deems such decree necessary declaring him the heir of the deceased allottee against the person disputing the fact or a nominee who is a member of his family.

(c) "Allotment" means allotment of a house under these regulations;

(d) "Applicant" means a person applying to the Board for allotment of a house under these regulations;

(e) "Family" means a family consisting of husband, wife and minor children and shall include parents, sisters, and brothers as are ordinarily living with the allottee as dependents.

(f) "Form" means a form appended to these regulations.

(g) "Flat" means a portion of a building which can be delineated with definite outline on a plan and which can be definitely marked on the site and which is a dwelling unit and can be allotted as such under these regulations;

(h) "Government" means the Government of Andhra Pradesh;

(i) "House" means a dwelling unit whether detached, semi detached or part of a row, which can be allotted as a unit along with its land under these regulations and shall also include a flat.

(j) "Hire purchase system" means a system in which a participant takes step to secure rights in a property under any scheme referred to in Regulation 2 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;

(k) "Hire Purchase Deposit" means non interest bearing advance payment made by the applicant in a lumpsum or in instalments for securing by hire purchase a house under a scheme on terms and conditions set out for the purpose.

(l) "Income" means the aggregate income regularly derived by the applicant from his occupation, trade business or employment or any calling or source, constituting normal means of livelihood;

(m) "Instalment" means annual instalment as payable by an allottee under these regulations.

(n) "Sale price" means the sale price of house as may be fixed by the Chairman under Regulation 24;

(o) "Scheme" means a Housing Scheme for Economically Weaker sections referred to in Regulation 2.

(p) "Estimated cost price" means the estimated cost price of a house fixed by the Chairman under Regulation 23.

(2) Words used in these regulations but not defined shall have the same meaning as assigned to them in Andhra Pradesh Housing Board Act, 1956 (Act XLVI of 1956).

#### **4. . :-**

(1) The Board may subject to the provisions of these regulations, allot houses to persons who agree to purchase them in accordance with these regulations.

(2) The disposal of the houses shall be effected on hire purchase system in the manner provided in these Regulations.

#### **5. . :-**

(1) The Board for the purpose of allotment of houses shall issue a notice published in the manner specified in sub regulation (2) for inviting applications before a date specified therein.

(i) for registration of name for allotment in case the construction of

house has yet to be taken up under a scheme;

(ii) for allotment of houses constructed by the Board under a scheme referred to in Regulation 2.

(2)

(a) Notwithstanding anything contained in these regulations the Board may for the first mentioned category referred in sub regulation [1][i] also specify the form of application and fix the fee for registering the application. The allotment of house for this category, shall be by drawal of lots from such of the applicants only, who have already got their names registered and any reference in these regulations to the application shall, mutatis mutandis means a reference to the applicants who had already registered their names and the fee for registration shall be treated as earnest money deposit for the purpose of these regulations.

(b) The notice shall specify the location of houses available for allotment either on hire Purchase system, or out right sale, the tentative cost price of the house, the amount payable as earnest money as provided in Regulation 6, the last date for submission of application and such other particulars as the Chairman or any officer authorised by him in that behalf may consider necessary. Details regarding the class of persons including persons serving in the defence and those belonging to scheduled castes and the scheduled tribes for whom the number of houses referred to in Regulation 12 are reserved and the amount of initial payment and other particulars shall be exhibited through a notice affixed on the notice board in the office of the Andhra Pradesh Housing Board. The last date for submission of applications by defence personnel shall be one month later than the date fixed for other applicants.

(c) The notice shall be published in not less than three daily news papers published in the main languages, of English, Telugu or Urdu having wide circulation in the State.

(d) A prospectus in English, Telugu or Urdu along with application form shall also be published which may be obtained by any person at the Office of the Board or any other place on payment of such cost as may be specified by the Chairman which is not refundable in which the layout plan of the area, design and specification of the house and copy of these regulations as well as the form of application and the agreement will be available.

**5A. . :-**

(1)

(a) Notwithstanding anything contained in these regulations, it shall also be open to the Board to select the applicants who have registered their names under sub regulation (i)(ii) of Regulation 5 by drawal of lots, to participate in the scheme in the manner determined in Clause (b) for such places as may be specified by the Board;

(b) Lots shall be drawn in the manner specified in Regulation 16 among such of the eligible applicants who have registered their names under Sub regulation [1][i] of Regulation 5 for participation in the scheme to the extent of the number of houses to be constructed under the scheme, keeping in view the reservation set out in the Regulation 12.

(c) After the drawal of lots under Clause [b] further lots may be drawn to an extent of 33 1/3% of the number of houses to be constructed under a particular scheme.

(2) Those applicants who have come out successfully in the lots shall within a period of one month from the date of receipt of intimation letter (which shall be issued in Form 3 and hereinafter called in these regulation as intimation letter) shall pay to the Housing Board 10% of the estimated cost of the house another 10 of the estimated cost of the house within 5 months from the date of receipt of intimation letter and further 10% of the estimated cost of the house within 9 months from the date of receipt of the intimation letter.

Provided that the Vice Chairman and Housing Commissioner may in his discretion grant extension of time normally subject to a maximum period of six months or in the case where advances are applied for from the Departments, or their employers, to the extent necessary, for the payment of 30% of cost subject however to payment a penal interest at one and a half times the rate of normal interest on the delayed payments.

(3) The balance 70% of the estimated cost of the house shall be paid in equated instalments spread over a period specified by the Board under Sub regulation [3] of Regulation 24.

(4) After the flat house is completed and ready for occupation, the

chairman shall;

(a) assign the flat house by drawal of lots from among the participants selected under Sub Regulation [1];

(b) intimate the allottee to make payments as specified in Regulation 22 and execute Lease cum sale agreement as specified therein.

(5) The allotment made under Sub regulation [4] shall be deemed to be an allotment under these regulations.

**5B. . :-**

Notwithstanding anything contained in Regulation 5-A (2), the Board shall be competent to collect 30% of the estimated cost in respect of houses whose construction is completed as follows, namely;

(i) 10% of the estimated cost within 30 days from the date of receipt of the allotment letter.

(ii) Another 10% of the estimated cost within 2 months from the date of receipt of the above referred intimation letter.

(iii) Further instalment of 10% of the estimated cost of the house within 30 days from the date of receipt of the letter intimating the allottee that the house is fit for occupation and offering possession of the same.

**6. . :-**

Every applicant shall deposit or cause to be deposited an earnest money amount equivalent to 10% of the notified cost of the house flat applied for, as may be specified in the notice by the Chairman, according to the type design and cost of the house, through a challan at the extension counter of the State Bank of Hyderabad situated in Gruhakalpa, Mukarramjahi Road, Hyderabad, or some other place which the Chairman may specify in notice. The earnest money can also be remitted by means of a Demand Draft in favour of the Secretary, Andhra Pradesh Housing Board, Mukarramjahi Road, Hyderabad obtained from any Scheduled Bank in Andhra Pradesh. The Challan or Demand Draft obtained to cover up the earnest money may be enclosed to the application form. The earnest money as so deposited shall be adjusted towards the first instalment.

**7. . :-**

Application for allotment shall be presented in Form 1. The applicant shall follow the instructions contained in Form 2. The application shall be accompanied by a statement containing the names of family members, the aggregate annual income of the applicant, the present address where the applicant and the members of his family reside. The applicant shall also send along with the application a statement to the effect that he does not own a house plot within the limits of the concerned Municipality, in his name or in the name of his wife or minor children.

**8. . :-**

The earnest money shall be refunded to the applicant if no allotment is made in his favour.

**9. . :-**

No application shall be accepted by the Chairman or any officer authorised by him in that behalf unless it is received on or before the date specified in the notice and applicant furnishes the statements referred to in Regulation 7, produce evidence in support of the aggregate income stated in the statement and pays the earnest money as provided in the notice published under Regulation 5.

**10. . :-**

On receipt of the application under Regulation 7, the Secretary shall enter each application in a register maintained for the purpose, in the order in which each application is accepted and shall pass receipt to the applicant in token of having received the application.

**11. . :-**

(1) The Chairman may select the applicant for allotment of house advertised by drawing lots as per the procedure detailed below. The decision of the Chairman shall be final.

(2) Notwithstanding anything contained in these regulations, the Chairman may, in special and deserving cases, recommend to the Government which shall be supported by a resolution of the Board, for allotment of certain houses constructed under the scheme referred to in sub regulation (1) of Regulation 2 in favour of the occupants of the houses which were demolished for purposes of development of housing schemes in the lands acquired from them including their old houses. The decision of the Government is final in such matters and any allotment done based on Government



orders, shall be deemed to be an allotment under this regulation.

**12. . :-**

The following principles may be observed, while making the allotment of houses by drawal of lots among the eligible applicants for a particular design of house in any particular locality.

(a) 4% of the houses offered for sale by hire purchase shall be reserved for the Defence and Border Security force personnel and allotted in the following order of priority namely.

(i) Widows or other dependents of the defence and border security force personnel who have been killed in action,

(ii) disabled service and border security force personnel who are invalidated and out of service:

(iii) Gallantry Award Winners of the Defence and B.S.F. personnel.

(iv) ex-service personnel and ex-border security force personnel.

(v) serving defence and border security force personnel.

(b) 18% of the houses offered for sale either by hire purchase or outright sale shall be reserved for allotment by lots amongst applicants as follows, namely;

(i) Schedule Castes 14%

(ii) Schedule Tribes 4%

(c) 18% of the houses offered for sale either by hire purchaser or outright sale shall be reserved for allotment by drawal of lots to applicants belonging to the Backward class.

(d) 5% of the houses offered for sale either by hire purchase or outright sale shall be reserved for allotment by drawing of lots among State Government Servants, and such of the retired Government Servants who have retired on or after the first April, 1976, including Employees of local bodies and other public in the following order of priority namely;

(dd) 2% of the houses offered for sale either by hire purchase or on outright sale shall be reserved for each of the following categories of applicants

(1) Physically handicapped persons (2) Freedom Fighters.

(a) Retired government servants who have retired on or after 1st

April, 1976.

(b) Government servants.

**13.** . :-

Houses constructed under the scheme not allotted as per the above reservations shall be left open to all the applicants.

**14.** . :-

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

**15.** . :-

(a) The Secretary shall have power to make enquiries, call for information from any person whomsoever demand documents and evidence in form of an affidavit or otherwise from the applicant and do any other thing which he considers necessary to scrutinise the application.

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

**16.** . :-

(a) The Chairman or any officer authorised by him in that behalf shall make arrangements for drawal of lots among all the eligible applicants. A notice of not less than seven days, specifying the date, time and venue of the drawal of lots shall be given to all eligible applicants. Any avertant omission to send the notice or non receipt of notice by any applicant, shall not vitiate due draw of lots.

Provided that it shall be competent to the Chairman to dispense with such individual notices being sent in case the applications received are in large numbers and give notice atleast 7 days in advance through a notification specifying a date, time and venue of the drawal of lots in not less than 3 daily news papers published in the main language viz., Telugu, Urdu and English having wide circulation in the State and by making announcements on the All India Radio and Television Stations in the State

(b) Lots shall be drawn separately design wise and locality wise in respect of their Scheme in presence of such of the Members of the Housing Board and the eligible applicants who may be present at the time of drawals of lots.

(c) Lots shall be simultaneously drawn in respect of houses and applicants and the number of applicants who have succeeded in the Lots shall be arranged indicating the house number which has been drawn by lots against that applicant.

Provided that the V.C. and H.C. shall have powers to permit mutual exchange of same category of houses flats in exchange of same category of house flats in particular scheme in furtherance of request for exchange made by the respective allottees.

(d) After the lots are drawn as in (c) there shall be drawn by lots applicants names 33-1/3% in excess of the number of houses available for allotment in the respective categories. The excess number of applicants so drawn by lots shall be kept under reserve.

(e) After the allotments are finalised, the Chairman shall prepare an allotment register and enter the names of allottees according to the number of houses allotted to them.

**17. . :-**

(i) Lots shall be drawn in respect of reserved quota first and applications remaining after drawal of lots shall be added to the general pool and lots drawn for the general pool.

(ii) Houses set apart for reserved quota as referred in regulations [12] and which remain surplus after allotment shall be added to the general pool.

**18. . :-**

The lists as per lots drawn up shall be published at the office of the Board or such other places as may be specified by Chairman.

**19. . :-**

No allotment shall be made if the applicant:

(i) Owns a house any where in the urban areas and urban agglomerations in the State of A.P. either in his or her own name or in the name of his her husband wife as the case may be, or in the name of his or her minor children.

(ii) has monthly income exceeding Rs.701 or

(iii) has not got the requisite paying capacity:

(iv) has previously taken a house constructed by the Housing Board provided that the Chairman in his discretion for sufficient reasons

relax any of the provisions of this regulation in favour of any applicant.

**20.** . :-

After the allotment of houses finalised, the chairman or any officer authorised by him in that behalf shall issue an allotment letter in Form 3, informing the allottee that the house is allotted to him on the terms and conditions specified in the letter and asking him to call at the office of the Housing Board or any place specified therein and complete the formalities within the period specified in the letter.

**21.** . :-

On receipt of allotment letter, the allotment shall within the period specified in the letter, comply with the requirements as mentioned therein, in case the allottee seeks cancellation or refuses the allotment, the earnest money deposit shall be forfeited.

**22.** . :-

(1) The allottee shall pay 30 percent of the estimated cost and also execute lease cum sale agreement with the Board in Form 5 on a non judicial stamp paper prescribed for agreements within 30 days from the date of receipt of the allotment letter.

(2) After the required payment as specified in Sub regulation (1) of Regulation 22 is made and the required agreement in form 5 as also been duly executed possession of the houses shall be given to the allottee and a letter in Form 6 shall be issued to the allottee for receiving possession of the house.

(3) If the allottee fails to make the required payment as specified in Regulation 22(1) and also to execute the required agreement in Form 5 the allotment, shall be cancelled and the earnest money deposited by him shall be forfeited to the Board.

Provided that the Chairman may in his discretion grant extension of time for the required payment and also for execution of the house agreement normally subject to a maximum period of six months or in cases where advances applied for from the departments or their employers to the extent necessary subject, however, to payment of penal interest at one and a half times the rate of normal interest on delayed payments.

**22A.** . :-

Notwithstanding any thing contained in Regulations 19 and 22, the VC and HC shall be competent to -

(i) Refund the E.M.D. (advance payment) in full without any deduction to the applicants who are in waiting list.

(ii) Refund in full the E.M.D. (advance payment) deposited by the allottees in respect of applicants who have refused the allotment within the time prescribed in allotment letters.

(iii) Deduct in case of: H.I.G. a sum of Rs.2000/- M.I.G. a sum of Rs. 1000/- L.I.G. a sum of Rs. 200/- E.W.S. a sum of Rs. 100/- or 2% of the amounts paid whichever is more in case the allottee either fails to pay instalment or instalments in time or requests for the refund of the amounts paid by him

**23. . :-**

(1) The estimated cost price of a house shall comprise of -

(i) The cost of land,

(ii) the cost of development which shall include external amenities such as formation of roads, provision of dust proof surfacing, open space, parks, playgrounds, etc., and laying of mains for water supply, drainage and electricity and places for community use, etc.

(iii) The cost of civil works.

(iv) The cost of internal amenities such as water supply, drainage and electricity.,

(v) Supervision charges on construction and provision of amenities etc., at such rates as the Board may fix from time to time; and

(vi) Interest at such rate and period as may be fixed by Board to the total of clauses (i) to (iv) from the date of drawal of loan for construction of the houses.

(2) Notwithstanding anything contained in the notices inviting applications or the agreement executed by the allottee, if after receipt of final bills for the construction of houses or payment of interest on the amount of loans taken for the construction of such houses or after final determination of the cost of land, and development of land or for expenditure incurred for supervision, the Chairman or any officer authorised by him in that behalf considers it necessary to revise the estimated cost price, already specified in

the notice or agreement, he may do so and determine the final cost price payable on allotment and all allottees in relation to the houses aforesaid shall be bound by such determination and they shall pay the difference if any between the final cost price as determined and the price paid by them including price paid in lump sum.

Provided that it shall be open to the Vice Chairman and Housing Commissioner, Andhra Pradesh Housing Board to call upon the allottee, through a notice to pay a particular amount, over and above the initial deposit or instalments already paid or payable to meet the escalation in the cost price (either due to increase in the cost of labour or materials etc. or due to delay in the execution of the scheme or even otherwise) pending the determination of final cost price before a particular date specified in the notice. The Vice Chairman and Housing Commissioner shall have the discretion to issue, any such notice, at any time either during execution or after the completion of the scheme. Any failure to pay the amount specified in the notice shall entail cancellation of the allotment and resumption of the premises.

**24. . :-**

(1) The sale price shall comprise of:-

(i) 20% of estimated cost price.

(ii) the balance of 80% of the estimated cost price together with interest thereon at such rates as may be fixed by the Board calculated for the period specified by the Board and enhanced amount if any under Regulation 23(2).

(iii) contingencies at such rates as may be fixed by Board: and

(iv) incidental charges at such rates as may be fixed by the Board from time to time.

(3) Total of Sub clauses (ii),(iii) and (iv) of Sub regulation (2) shall be payable by the allottee in equated instalments spread over a period specified by the Board.

(4) The earnest money deposit paid along with the application shall be adjusted towards 20% of the estimated cost under Regulation 22.

(5) The final fixation of sale price should be done within 2 years from the date of allotment of houses. The above period may

however be extended by Government in the case of such of the houses whose final cost cannot be fixed within two years prescribed, because the matters relating to land compensation or the payment of final bills to the Contractor are pending in the Court.

**25.** . :-

In consonance with these regulations and in pursuance of the provisions of lease cum sale agreement in Form 5 on taking possession of the house, the responsibility for the maintenance and keeping in good condition of the house and the services shall rest with the allottee. In case the allottee fails to maintain and keep the house in good condition the maintenance shall be done by the Board at the expense of allottee.

**26.** . :-

In consonance with the regulations and in pursuance of provisions of the lease cum sale agreement in Form 5 all rates, taxes, charges assessment and other levies of whatsoever shall be paid directly by the allottee.

**27.** . :-

(1) On payment of sale price as finally fixed, the house shall be transferred in the name of the allottee or any member in his family on a request made in writing by the allottee icating the compelling reasons thereof and on acceptance of such request by the Chairman by executing a conveyance deed, provided that such member of the allottee s family is otherwise eligible for allotment of house under these regulations. On such transfer being effected the transfer shall not be eligible for allotment of a house. The expenses on account of stamp duty, registration of and any other incidental charges shall be borne by the allottee.

Provided that no such transfer shall be effected till the lapse of five years from the date of giving possession of the house to the allottee.

(2)

(i) Nothing contained in Sub regulation (1) shall prevent the Government servant, who has been allotted a house to mortgage the said houses in favour of the Central Government, State Government, Life Insurance Corporation of ia or any loan advancing institutions, as the case may be, immediately on payment of

provisional sale price of the allotted house, even before the transfer of the house in his name and before the expiry of five years from the date of taking possession of the house, subject, however, with the prior permission of the Vice Chairman and Housing Commissioner of the Housing Board.

(ii) In case the sale price has not been finally determined the allottee shall give (a) an undertaking to pay to the Housing Board such excess amount as may be determined towards final cost in terms of Sub regulation (2) of Regulation 23, (b) shall deposit in cash such amount that may become payable after determination of final cost and (c) also furnish security from two permanent employees of the Institution of equal or higher status where the allottee is employed.

(3) In case of allotment on hire purchase system the allottee shall remain a tenant of the Board, till such time as the house is conveyed in the name of the allottee and shall have no other right except that of a tenant.

**28. . :-**

Where there are no applications or in case where the Housing Board is not able to get adequate number of applications for allotment in any locality other than the cities of Hyderabad, Secunderabad in response to a notification issued under the said regulations, all such houses shall be renotified for a second time and if still no applications or adequate number of applications for all the renotified houses are received, such houses and also such of the houses in respect of which the allottees fail to complete the formalities required under the said regulations on allotment and take possession of the houses may with the previous approval of the Government be allotted to any other dispensing with the procedure prescribed in the said regulations subject to such terms and conditions as the Government may impose".

**29. . :-**

The provisions contained in these regulations shall mutatis mutandis apply to allotment of flats, provided that the lease cum sale agreement shall be executed by the allottee in Form7.