
URBAN DEVELOPMENT AUTHORITY (HYDERABAD) RULES, 1977

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URBAN DEVELOPMENT AUTHORITY (HYDERABAD) RULES, 1977

In exercise of the powers conferred by sub-section (1) of Section 58 of the Andhra Pradesh Urban Areas (Development) Act, 1975), the Governor of Andhra Pradesh hereby makes the following rules, namely

1. Short title, commencement and application :-

- (a) These rules may be called the Urban Development Authority (Hyderabad) Rules, 1977.

(b) They shall come into force with effect from the date of publication of these rules in the Andhra Pradesh Gazette.

(c) They shall apply to the Development areas as notified under sub-section (1) of Section 13 of the Andhra Pradesh Urban Areas (Development) Act, 1975.

2. Definitions :-

In these rules, unless the context otherwise requires

(a) 'Act' means, the Andhra Pradesh Urban Areas (Development) Act, 1975;

(b) 'Authority' means, the Urban Development Authority for the Hyderabad Development Area constituted under sub-section (1) of Section 3 of the Act;

(c) 'Commerce' means carrying on any trade or business, sale or exchange of goods of any type whatsoever, and includes the running, with a view to make profit, of hospitals, nursing homes, infirmaries and educational Institutions, and running of eating and lodging houses, and sarais not attached to any educational institution, and the word 'Commercial' shall be construed accordingly;

(d) 'Commercial use' in relation to land and building includes the use of such land or building or a part thereof for storage of goods, or as an office in connection with commerce and for other purposes of commerce;

(e) 'form' means the form appended to these rules;

(f) 'Fund of the Authority' means and includes all moneys received in any manner on behalf of the Authority for the time being or held by the Authority in cash on hand or in Bank, or funds in the name of the Urban Development Authority;

(g) 'industrial use' includes use of any land or building or part thereof for purpose of industry;

(h) 'industry' includes the carrying on of any manufacturing process as defined in the Factories Act, 1948 (Central Act 63 of 1948), and the word 'industrial' shall be construed accordingly;

(i) 'plan' means the Master Plan or Zonal Development Plan prepared under the provisions of the Act;

(j) 'prescribed' means prescribed by regulations made by the Authority under the Act;

(k) 'Regulation' means a regulation made under the Act by the Authority and includes zoning and other regulation made as part of a plan.

(l) 'Vice-Chairman' means the Vice-Chairman of the Urban Development Authority, Hyderabad, or the acting Vice-Chairman of the authority;

(m) 'year' means the financial year beginning with the 1st of April, and ending with the 31st March following. The words used but not defined in these rules shall have the meaning assigned to them in the Act.

2A. :-

The terms of office of the members including the Chairman, who are appointed or nominated as the case may be, under sub-section (3) of Section 3 of Andhra Pradesh Urban Areas (Development) Act, 1975, shall be one year initially from the date of such appointment or nomination, which may be extended by the Government from time to time.

3. Powers and Functions of the Chairman and Vice-Chairman :-

(1) The Chairman shall be member and Chairman of all committees or sub-committees and in the absence of the Chairman, Vice-Chairman shall so preside. In case of equality of votes, the Chairman or Vice-Chairman, whosoever presides shall have a casting vote in all the meetings of the Authority or its committees or sub-committees.

(2) In the absence of the Vice-Chairman on account of leave or any other cause, the Chairman may, in exercise of the powers under Section 4(1) of the Act, delegate the powers and functions of the Vice-Chairman to such other officer of the Authority or may himself assume the said functions till the Vice-Chairman joins duty or till the Government make alternative arrangements.

(3) The Chairman shall have overall supervision over the affairs of the Authority; and Vice-Chairman shall, subject to the overall supervision of the Chairman, exercise all the executive functions of the Authority.

4. Conditions of Service of Chairman and Vice-Chairman :-

(1) Chairman;

(i) When a Chairman is appointed on payment of remuneration, he/she shall be paid such salary and allowances as may be determined by the Government.

(ii) The Chairman shall not undertake any work unconnected with his/her office without the prior sanction of the Government.

(iii) If the Chairman is in the service of the Government, the Authority shall make such contribution towards his/her leave, allowances, pension and provident fund of the Chairman, as may be determined by the Government. If the Chairman is not in the service of the Government, the conditions of service of the Chairman in regard to leave, provident fund, discipline and conduct shall be regulated by the Government.

(2) Vice-Chairman

(i) The Vice-Chairman shall not engage, his term of office, in any paid employment outside the duties of his office, without the prior sanction of the Government.

(ii) The Government may, from time to time grant leave of absence to the Vice-Chairman for such period as they deem fit.

(iii) The emoluments to be paid to the Vice-Chairman during his leave of absence shall not exceed his last drawn pay or remuneration. The details of the emoluments payable shall be laid down in the regulations, consistent with the Act and rules made thereunder under Section 59 of the Act.

(iv) Any person appointed as acting Vice-Chairman shall be paid such extra allowances as may be prescribed. He shall exercise the powers conferred and perform the functions imposed on the Vice-Chairman by or under the Act and shall be subject to the same liabilities, restrictions and conditions as the Vice-Chairman.

(v) When the Vice-Chairman is granted leave of absence, the Authority may make additional charge arrangement by an officer of the Authority to act as Vice-Chairman in his place during the period of leave granted:

Provided that the Vice-Chairman may nominate an officer of the Authority to hold charge of the post of Vice-Chairman. In case it is

not practicable to obtain the prior approval of the Authority, such additional charge arrangement shall be subject to ratification by the Authority.

5. Disqualifications for membership :-

(1) A person other than a person appointed as a member by virtue of his office, shall be disqualified for being chosen as, or for being a member of the Authority

(i) if he holds any office of profit under the Authority; or

(ii) if he is of unsound mind and stands so declared by a competent court; or

(iii) if he is an undischarged insolvent; or

(iv) if he has been convicted by a Criminal Court of an offence involving moral turpitude punishable with imprisonment for a period exceeding six months.

(2) If any member of the Authority other than a person appointed as a member virtue of his office, during the terms for which he has been appointed or nominated shall be disqualified for being a member of the Authority

(i) if he becomes subjected to any disqualification specified in Rule 6; or

(ii) if he votes or takes part as a member in the discussion of any matter--

(a) in which he has directly or indirectly by himself or his partner, any share or interest, irrespective of the value of such share or interest; or

(b) where he is professionally interested; or

(c) where he is engaged at the time in any proceeding against the Authority.

(3) The Government either suo motu or on a report made to them and after giving a reasonable opportunity to the member concerned to represent his case, shall, on being satisfied that a vacancy has arisen under sub-rule (2) of Rule 5 declare the seat of the person concerned to be vacant.

6. Attendance at meetings of the Authority :-

(1) The quorum for meetings of the Authority shall be one-third of the number of members of the Authority or five, whichever is less.

(2) Every member of the Authority is expected to attend every meeting, unless prevented from doing so due to unavoidable reasons.

(3) The Authority may permit any member other than the Vice-Chairman or acting Vice-Chairman to absent himself from meetings of the Authority for bona fide reasons to be recorded, while granting such permission.

(4) If any member absents himself for three executive meetings over a period of three months, without being permitted to do so by the authority he shall cease to be a member of the Authority:

Provided that any such member may be restored to membership of the Authority by resolution of the authority for reasons to be recorded.

7. Minimum number of members required for enabling the authority to function :-

In case the Government do not find it possible to nominate all the members of the Authority as prescribed in sub-section (3) of Section 3 of the Act, or to fill casual vacancies which may have arisen, the Authority may still function, provided there are at least five members of the Authority at the time of the meeting.

8. Filling of casual vacancies :-

Any casual vacancy in the composition of the Authority shall be filled by nomination or appointment by the Government in the manner provided in sub-section (2) of Section 3 of the Act, within two months from the date of such vacancy, or as soon as possible, thereafter. Any person so appointed to fill a vacancy shall hold office for the remainder of the term of the member in whose place he is appointed or nominated.

9. Powers of the Authority in relation to creation of posts, appointment of officers and other employees and incurring of non-recurring expenditure :-

(1) The posts of Secretary, Chief Accounts Officer, Town Planner and Engineer shall be filled by such persons as may be selected by the Authority with the prior approval of the Government.

(2) The Authority may create such posts as it considers necessary

for the efficient performance of its functions and may abolish any posts so created:

Provided that the scales of pay and allowances of all the posts in the Authority shall be fixed by the Authority only with the concurrence of the Government, that for the creation of and appointments to posts the minimum of the scale of which is above is Rs.430 p.m the Authority shall obtain the prior sanction of the Government.

(3) Appointment to the posts under the Authority, whether part-time or full time, shall be governed by the recruitment rules to be made by the Authority with the previous approval of the Government.

(4) The Authority shall not incur any non-recurring expenditure exceeding Rs.2.5 lakhs (Rupees two lakhs and fifty thousand) in each case without the previous sanction of the Government, even if provision is made for such expenditure in the approved budget of the Authority.

10. The stages by which the development of any particular feature of a zone may be carried out :-

As soon as possible after the preparation of the Zonal Development Plan under Section 7, the Authority shall fix priorities for development of the planning zone, the agency or agencies which shall be responsible for the development of the planning zone, and the order or stage in which the development should take place.

11. Procedure for preparation of present Land Use Map :-

(1) The civic survey to be carried out by the Authority under subsection (1) of Section 6 of the Act may include survey and analysis of the Hyderabad Development area and its vicinity areas with reference to physical and socio-economic aspects.

(2) As soon as may be, the authority shall prepare a present Land Use Map and a Land Use Register in the form prescribed below indicating the present use of every piece of land in the development area

Sl.No.	Name of ward locality	Block No. Street	Survey No.	Nature of use	Approximate extent of land	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

12. Procedure for preparation and publication of Master Plan :-

(1) As soon as may be, after the declaration of the development area, the Authority shall prepare a Master Plan for the development area or any part thereof.

(2) The Master Plan shall

(i) indicate broadly the manner in which the lands covered under development area are proposed to be used;

(ii) allocate areas or zones of land--

(a) for residential, commercial, industrial and agricultural use or purposes;

(b) for public and semi-public open spaces, parks and playgrounds;

(c) for such other purposes as the Authority may think fit;

(iii) indicate, define and provide for--

(a) the proposed National Highways, arterial roads, ring roads and major sheets;

(b) other proposed lines of communication including railways, tramways, airports and canals;

(c) such other items, and purposes as the Authority may think fit.

(3) Any such plan shall include such maps and descriptive matter as may be necessary to explain and illustrate the proposals in the Master Plan and shall include a present Land Use Map referred to in Rule 12 above.

(4) Soon after the preparation of the draft (Master) Plan for the development area or any part thereof, the Authority shall publish a notice in Form No.1 appended to these rules in a prominent place in at least three local daily newspapers inviting objections and suggestions allowing a period not less than 15 days from any person or local authority. The said notice shall also indicate the place and time where copies of the draft Master Plan may be inspected; Any person residing or owning property within the inspected area or local Authority operating within the affected area will be entitled to represent in writing to the Authority any objections and suggestions which they may have in regard to the Land Use Map or the draft Master Plan.

(5) After expiry of the said period, the Authority shall prepare a list of objections and suggestions in Form No.11 appended to these rules, to consider the representations so made within the time specified and any other information available to it, and finalise the present Land Use Map and the draft Master Plan as it thinks fit.

(6) the Authority will then submit the Land Use Map and the draft Master Plan to the Government, as required under Section 9 of the Act for their final approval.

(7) After the Government's approval, the Authority shall publish a notice in a prominent place in atleast three local daily news papers indicating the fact of the final approval of the Land Use Map and the Master Plan and the place (s) and time (s) where a copy of each of the said Land Use Map and the Master Plan can be inspected.

(8) A Land Use Map and Master Plan published by the Authority under Section 10 of the Act shall be conclusive proof of their having been duly made and approved. Such Land Use Map and Master Plan shall have effect from the date of publication of such notice and be conclusive proof of their contents. The execution of the plan shall be commenced forthwith.

13. Modifications to the Master Plan :-

(1) In case the Authority desires to make any modification in the Land Use Map or Master Plan under sub-section (1) of Section 12 of the Act, a public notice shall be issued in a prominent place in atleast three local Telugu, Urdu and English newspapers by the Authority.

(2) The Authority shall invite, in Form No.III appended to these rules objections and suggestions to be given in Form No.IV appended to these rules from any person or local authority affected directly or indirectly with respect to the Master Plan Land Use Map proposed to be modified.

(3) Soon after the objections and suggestions are received by the Authority, the Authority shall conduct local enquiries and other hearings, if necessary, and given an opportunity to the person affected (whether directly or otherwise) to be held on a specified date or dates before the modifications are finally approved.

13A. Modifications to the Master Plan by the Government :-

(1) In case the Government desire to make any modification to the Master Plan under sub-section (2) of Section 12 of the Act, a notification shall after consultation with the authority be published in the Andhra Pradesh Gazette in such form as the Government may deem fit inviting objections and suggestions from any person or local authority affected directly or indirectly with respect to the Master Plan proposed to be modified giving fifteen days time for the receipt of such objections and suggestions.

(2) Soon after the objections and suggestions are received by the Government, the Government may, if necessary, have local enquiries conducted and give an opportunity to the persons affected to state their objections before the modifications are approved and published in the Andhra Pradesh Gazette.

14. Procedure for preparation and notification of Zonal Development Plans :-

The Procedure laid down in Rules 12 and 13 for the preparation, approval and publication of the draft Master Plan modifications, thereto, shall also be applicable in respect of the preparation, approval and publication of the draft Zonal Development Plan and the modifications thereto.

15. Fee payable on application for permission of the Development of land :-

(1) No application for permission under Section 14 (except under the proviso to sub-section (2) of Section 14 of the Act shall be deemed valid unless the person giving an application has paid to the Authority, in advance the fees determined by the Authority from time to time for the grant of permission, and a receipt in token of payment of such fee is attached to the application.

(2) The factors and circumstances to be taken into consideration in determining such fee shall be prescribed by regulations made under the Act from time to time.

(3) Any Government vacant lands which have been developed by the Authority or by any local authority under Chapter V of the Act may be handed over for maintenance either to the local authority concerned or to some other organisation or body. The said local authority or other organisation or body shall maintain the said lands in accordance with the Master Plan, and the directions of the Authority. The detailed terms and conditions on which the land shall be maintained shall be as prescribed (by the Authority) from time

to time.

(4) Where in the opinion of the Authority or Director of Town Planning, any development has been carried out contrary to the Master Plan or the Zonal Development Plan and attracts the provisions of Section 42 (1) (i) or (ii) of the Act, the Authority may call for the records and reports of the respective local Authority or other organisation or body Where either the Authority or the Director of Town Planning has sufficient reason to believe, after examining such records as may be available that unauthorised developments taking place within their respective jurisdiction in the development area or the vicinity area which require immediate stoppage, they may direct the local authority or any officer of the local authority to take immediate action to stop the unauthorised development with immediate effect.

(5) Any person who intends to develop or change any use of any land or building under the provisions of the Act shall, along with the application for permission on a prescribed form, pay the development charges levied at the rates specified in the Table under sub-rule (6) of this rule to the Authority, or to the local authority if powers have been delegated to the latter by the Authority under Section 56 of the Act:

Provided that such development charges shall be levied only with effect from such date as the Government may by notification specify in that behalf.

(6) The rates of development charges levied under Section 28 of the Act shall be calculated and assessed so as not to exceed the rates prescribed in the Table hereunder in different parts of the development area for different uses.

TABLE

For Change of land use or institution of use	Inside the core area within the proposed loop road and central business area of Hyderabad and Secunderabad		Within urbanisable limits outside to loop road (area within the inner ring road).		Outside the inner ring road and the area without the development area	
	Per Sq. Mtr. of land	Per Sq. Mtr. of built up space	Per Sq. Mtr. of lands	Per sq. Mtr.	Per Sq.Mtr. of land	Per Sq. built up space

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Vacant to residential	2.5	7	2	6	1	3
Vacant to commercial	4	10	4	10	4	10
Vacant to Industrial	4	10	4	--	4	10
Vacant to Miscellaneous	--	--	--	10	1	3
Change of Use :						
Agricultural to Residential	2.5	7	2	6	4	10
Agricultural to Commercial	4	10	4	10	--	--
Agricultural to Industrial	4	10	4	10	4	10
Agricultural to Miscellaneous	--	--	--	--	1	--
Residential to Commercial	4	10	4	10	4	10
Residential to Industrial	4	10	4	10	4	3
Commercial to Industrial	4	10	4	3	2	3
Commercial to Residential	2.5	6	2.5	7	2	6
Industrial to Commercial	4	10	4	10	4	10
Industrial to Residential	2	3	2	3	1	3
Miscellaneous to Residential	2	3	2	3	1	3
Miscellaneous to Commercial	4	10	4	10	4	10
Commercial to Miscellaneous	2	3	2	3	2	3
Residential to Commercial	4	10	4	10	4	10
Industrial to Miscellaneous	2	3	2	3	1	3
Miscellaneous to Industrial	4	10	4	10	4	10

Exemptions Residential houses for weaker sections of the society on plots with an area of 80 Sqyds or less, or houses having 260 sqft or less are exempt from payments of the fee.

(7)

(i) The Authority may, as and when the developments are completed call upon the local authority to assume responsibility for maintenance of amenities which have been provided by the Authority such as roads, water supply and sewage. The Authority

may also develop or require to be developed by the local authority amenities such as parks, play fields, community halls, local shopping centres, etc., on terms and conditions to be settled by the Government in consultation with the local authorities and the Authority.

(ii) The authority may; if it considers necessary, entrust the development of any scheme or part thereof and maintenance of the amenities provided therein to any organisation or body on such terms and conditions as it deems fit.

(iii) In case of non-response from the local authority or other organisation or body to which the work has been entrusted in a reasonable period not exceeding three months, the Authority or the Government may at its instance take such steps as may be necessary to direct the local authority or other organisation or body to take up the work without delay.

16. Maintenance of Bank Accounts :-

(1) There shall be kept in a current account with any State owned Bank to be opened in the name of the "Vice-Chairman Urban Development Authority, Hyderabad" such sum of money out of the Fund of the Authority as shall not ordinarily exceed rupees five lakhs at any one time.

(2) The Accounts shall be operated upon either by the Vice-Chairman or by any two whole time paid officers of the Authority, who may be nominated by the Vice-Chairman from time to time.

(3) Any sum of money in the Fund of the Authority as it found surplus to the requirements, on a reasonable forecast over the sum referred to sub-rule (1) shall be invested by the Vice-Chairman (or any officer of the Authority, authorised by the Vice-Chairman in this behalf) in such manner as the Authority may think fit.

17. Form of the Budget of the Authority and annual report and the manner of the preparing the same :-

The Budget Estimates and the Annual Reports of the Authority shall be prepared in such form as is considered appropriate by the Authority till such time as a separate manual indicating the procedure to be followed for preparing the Budget estimates and Annual report is finalised

Provided that the manual shall be submitted to the Government for

approval within a period of one year from the date of which these rules come into force.