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THE ANDHRA PRADESH GAZETTE
PART VII EXTRAORDINARY
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HYDERABAD, SATURDAY, MARCH 18, 2000.

NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.,

PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT

(RULES)

ANDHRA PRADESH PANCHAYAT RAJ ACT, (ACT No. 13/1994) 1994 RELATING TO RESTRICTIONS ON THE POWERS OF GRAM PANCHAYAT TO ALLOW CERTAIN PROJECTIONS AND ERECTIONS.

[G.O.Ms.No. 88, Panchayat Raj and Rural Development (Rules),
13th March, 2000.]

In exercise of the powers conferred under sub-section (5) of Section 99 of the Andhra Pradesh Panchayat Raj Act, 1994 (Act, 13 of 1994), the Governor of Andhra Pradesh do hereby impose the following restrictions and conditions in respect of the buildings of the owner or occupier in respect of Projections and erections while exercising the powers, by the Executive authority under sub-sections (1) and (3) of the said section and place under the control of the District Collector as specified below:-

The Gram Panchayat shall grant licence under sub-section (1) of Section 99 subject to the fulfilment of the following requirements namely:-

1. Every application for a licence under Sub-section(1) of Section 99 of the Act shall furnish information as to the materials of which it is proposed to put up any structure specified therein and the period for which a licence is required.

2. The structure shall be made of ephemeral materials such as palmyra or Coconuk leaves, hamboo of other matting or gunny cloth or other similar material, or shall be removable daily, and the period of the licence therefor shall not exceed twelve months.

3. No licence for any structure referred to in paragraph (1) which is not in accordance with the description given in paragraph (2), or for a period exceeding twelve months, shall be approved by a Gram Panchayat except with the prior sanction of the District Collector,

who, while according sanction may lay down such conditions as he may consider necessary subject to which the licence may be approved by the Gram Panchayat. The Gram Panchayat shall impose those conditions on the grant of the licence;

Provided that in the case of a licence approved under this paragraph, the sanction of the District Collector shall not be necessary for its renewal, if such renewal does not extend the duration of the licence for a period exceeding three years.

4. Licences for the construction of steps or drain coverings necessary for access to a building shall be approved subject to the following further requirement which should be specified in the licences:-

(i) The steps or slabs over drains shall not project into the road side beyond the retaining wall of the drain. The steps or slab over the drain leading to a building directly abutting on the road shall not be more than 3 feet long in the case of residential buildings and 5 feet long in the case of shops or business premises which have a frontage of less than 20 feet in length only one flight of steps shall be allowed. In the case of buildings having a compound in front, into which the vehicular traffic is likely to pass over the drain the executive authority shall fix the length of the covering.

(ii) Covering over drains shall be flushed with the top of the retaining walls of the drains.

Provided that the depth of the drain below the covering is considered sufficient by the Panchayat to carry the storm flow.

(iii) A covering slab may be laid on the top of the retaining walls in rare cases, where it may be necessary to do so in order that the waterway of the drain may not be restricted, or in cases where the licensing authority has no objection.

Provided that the previous sanction of the District Collector is obtained and that a suitable cement concrete ramp is constructed on the road side of the raised slab leading from the level of the top of the slab to the road level.

(iv) The drain covering in the case of buildings abutting on the road shall be 2 to 4 inches in thickness, for drains 6 to 36 inches according to the size of the drain. In the case of building with a compound in front where heavy vehicular traffic is likely to pass over the drain, the covering may be granite or reinforced concrete slabs of the following thickness.

Inches	Reinforced concrete slabs - Inches.	Granite slabs each 18 inches wide if no cover over inches.
Over drain 6 to 12	4	5
Over drain 15 to 24	6	7
Over drain 27 to 36	7	9

(v) In the case of larger drains the thickness and material of the covering shall be such as may be decided by the executive authority in each case, taking into consideration the following conditions:

- (a) the class of stone or other covering material used;
- (b) the width of individual slab members carrying the load;
- (c) the load concentration expected; and
- (d) the depth of fill, if any, over the slab.

Provided that the conditions may be relaxed in exceptional cases with the previous sanction of the District Collector.

- (vi) They shall be liable to be removed at the cost of the licensee whenever necessary, in order that the drain may be inspected or repaired.
- (vii) The Executive authority may, whenever he thinks fit by order in writing direct the removal of the projection or covering altogether without payment of compensation.

Provided that the order as aforesaid shall specify the reasons for the action proposed and shall not be issued without giving prior notice to the persons concerned.

- (viii) The top of the drain covering shall not be used as part of a shop or be otherwise encroached upon.

5. The District Collector shall have power to order the cancellation of any licence granted under sub-section (1) of section 99 of the Act, if, in his opinion the projection, erection or structure which has been licensed, has become objectionable, or if he considers it necessary in the public interest that the projection, erection or structure should be removed and upon such order, the Gram Panchayat shall promptly cancel the licence and shall remove the projection, erection or structure immediately.

6. It shall be a condition of every licence granted under sub-section (1) of Section 99 of the Act:

- (i) that it shall be liable to be cancelled at any time in the circumstances referred to in sub-section (5); and
- (ii) that an annual fee shall, if levied be paid to the Gram Panchayat in advance so long as the licence is in force and that in default of payment of such fee, the licence is liable to be cancelled.

7. This Act empowers the Executive authority to grant licences for temporary erections or projections on Panchayat lands and erection of pandals or other structures in a Public road vested in the Gram Panchayat. The procedure to be followed for the levy and collection of fees on such erections or projections and pandals is the same as followed in the case of licence fees on dangerous and offensive trades.

8. The Panchayat is empowered to lease road wises vested in the Gram Panchayat for occupation on such terms and conditions as the Gram Panchayat may fix.

Provided, that the Gram Panchayat shall not lease out any road wide, when it causes inconvenience to the residents or the public.

9. The collection of lease amounts is watched through the Miscellaneous Demand Register.

G. S. R. C. V. PRASADA RAO,
Secretary to Government (P.R.).