
**ANDHRA PRADESH HOUSING BOARD (SELF FINANCING
HOUSING SCHEME) REGULATIONS, 1975**

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**ANDHRA PRADESH HOUSING BOARD (SELF FINANCING
HOUSING SCHEME) REGULATIONS, 1975**

In exercise of the powers conferred by Section 71 of Andhra Pradesh Housing Board Act, 1956 (Act XLVI of 1956), the Andhra Pradesh Housing Board with the previous sanction of the Government hereby makes the following Regulations, namely :

1. . . :-

(a) These Regulations may be called the Andhra Pradesh Housing Board (Self Financing Housing Scheme) Regulations 1975.

(b) They shall come into force at once.

(c) They shall apply to Self Financing Housing Scheme taken up by the Andhra Pradesh Housing Board.

2. 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 selected by the Board to participate in the self Financing Housing Scheme for construction of flat house on advance payment under Regulation 10 and for whom a flat house is assigned under Regulation 25 and includes his legal heirs established by an affidavit executed by the legal heir on stamped paper (non judicial) of Rs. 5-00 duly verified by the Magistrate (the Deputy Collector having competent Jurisdiction) 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 selection of a person to participate in the self Financing Housing Scheme for construction of Flat house by Board on advance payment basis under Regulation 10 and assignment of flat house under Regulation 25.

(d) "Applicant" means a person applying to the Board under these regulations.

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

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

(g) "Form" means a form appended to those Regulations.

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

(i) " House" means a dwelling unit whether detached, semidetached or part to a row, which can be allotted as a unit along with its land under these Regulations and shall also include a

flat.

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

(k) "Final cost" of flat house means the final cost as may be fixed by the Chairman under Regulation 24.

(l) "Flat" means a portion of a building which can be delineated with a definite outline on plan and which can be marked on site and which is a dwelling unit and can be allotted as such under these Regulations.

(m) "Scheme " means of Self Financing Housing Scheme in which Andhra Pradesh Housing Board undertaken construction of flat house on interest free advance payment basis.

(n) Selection means selection of a person under regulation 13 to participate in the scheme.

(2) Words used in these Regulations but not defined shall have the same meaning as assigned to them in the Act.

(3) The Board may subject to the provisions of these Regulations select a person to participate in the Scheme.

(4)

(1) Whenever the Board has formed an extension of lay out for construction of multi storeyed building or independent houses in pursuance of any scheme, it may issue notice inviting applications from such of the persons who wish to make advance payment of the estimated cost of the flat house to be constructed for them by the Housing Board.

(2) The notice under Sub Regulation {1} shall specify :

(i) the location of flat house.

(ii) the number and size of flat house for High Income Group Middle Income Group and Low Income Group respectively.

(iii) the design of flat house which Housing Board undertake to construct under High Income Group Middle Income Group Low Income Group types respectively.

(iv) the estimated cost of flat house under High Income Group

Middle Income Group respectively.

(v) the last date for submission of application.

(vi) the amount to be paid in advance for High Income Group Middle Income Group Low Income Group respectively, which shall be equal to 10% of the estimated cost of the flat house, and

(vii) any other particulars which the Chairman may consider necessary.

3. . :-

The notice shall be published in not less than three dailies having wide circulation in the State.

4. . :-

A prospectus along with application form shall also be published which may be obtained by any person at the office of the Board or at any other place on payment of such cost as may be specified by the Chairman which is not refundable. In the prospectus, the layout plan of the area design and specification of the flat house and copy of these Regulations as well as the form of application and the agreement will be made available.

5. . :-

Every applicant shall deposit or cause to be deposited ten percent of estimated cost of the house along with the application in cash through a challan at the Extension Counter of State Bank of Hyderabad situated in Gruhakalpa, Mukarrmajahi Road, Hyderabad or some other place which the Chairman may specify in the notice. The challan or demand draft to cover ten percent of the estimated cost of the flat house shall be enclosed to the application form.

6. . :-

Application shall be presented in Form 1. The applicant shall follow instructions contained in Form 2. The application shall be accompanied by a statement containing 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 application of statement to the effect that he she does not own and house in his her name or in his her wife husband as the case may be or in the name of minor children.

7. . :-

The advance payment of ten percent of the estimated cost shall be

refunded to the applicant if no selection is made in his her favour.

8. . :-

No application shall be accepted by the Chairman unless it is received on or before the date specified in the notice and the applicant furnishes the statements referred to in Regulation 6 produces evidence in support of the aggregate income indicated in the statement and makes the advance payment of ten percent of the estimated cost of the flat house as specified in the notice published under Regulation 4.

9. . :-

On receipt of the application under Regulation 6, 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.

10. . :-

The Chairman may select the person for participation in the scheme by drawal of lots among the eligible applicants as provided for these Regulation.

11. . :-

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

12. . :-

(a) The Secretary shall have power to make enquires, 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.

13. . :-

(a) The Chairman shall make arrangements for drawal of lots among all the eligible applicants if their number exceeds the number of flats houses notified for construction. 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 inadvertent omission to send the notice or non receipt of notice by any

applicant shall not vitiate due drawal of lots.

(b) Lots shall be drawn separately for high Income Group, Middle Income Group, Low Income Group Schemewise in the presence of such of the members of Housing Board and the eligible applicants who may be present at the time of drawal of lots.

(c) After the drawal of lots further lots may be drawn to an extent of 33 1/3% of the number of flats houses for the purpose of preparing the waiting list.

(d) The Chairman shall prepare a register and enter the names of the persons selected by drawal of lots.

14. . :-

The list of persons as per the lots drawn up shall be published at the Office of the Board or such other place as may be specified by the Chairman.

15. . :-

The following principles shall be observed in selecting the applicants for participation in the Scheme. No selection shall be made if the applicant :

(i) owns a house within the limits of the Municipal Corporation of Hyderabad concerned Municipality 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 minor children.

(ii)

(a) has an annual income of less than Rs. 18,00,000 in case of high Income Group.

(b) has an annual income exceeding Rs. 18,00,000 or less than Rs. 7,20,000 in case of Middle Income Group.

(c) has an annual income exceeding Rs. 7,20,000 in case of low Income Group.

Provided that the Chairman may in his discretion for sufficient reasons relax any of the provisions of this Regulation in favour of any applicant.

Provided further that in case of High Income Group and Middle Income Group preference shall be given to applicants who make payment in foreign currency and in which case applicant shall

enclose an undertaking along with application to make payments in foreign currency.

16. . :-

After selection is finalised the Chairman shall issue an intimation letter in Form 3, informing the allottee that he has been selected to participate in the scheme on the terms and conditions specified in the letter and asking him to call at the Office of the Andhra Pradesh Housing Board or any other place specified in the letter.

17. . :-

(a) On receipt of an intimation letter in Form 3, the allottee shall within the period specified in the letter accept the allotment in Form 4, and shall comply with all the requirements mentioned therein, In case, the allottee does not communicate the acceptance of allotment within the specified period mentioned in the intimation letter it shall be deemed that he has accepted the allotment.

(b) If the allottee withdraws prior to the selection and also in case of non acceptance of allotment within the time specified in the intimation letter the advance payment will be refunded.

18. . :-

The allottee shall pay 30% of the estimated cost of the house and shall execute an agreement in Form 5, on a non judicial stamp paper of value of Rs.5

provided for the agreement within thirty days from the date of receipt of intimation letter.

19. . :-

If the the allottee fails to make the required payment and execute an agreement in Form 5 as required under Regulation 18 his allotment shall be cancelled and the advance payment will be forfeited to the Board.

20. . :-

(1) After the required payment has been made and the agreement in Form 5 has been executed under Regulation 18 the Housing Board shall commence the construction.

(2) The Flat house shall be completed in all respect within a period of eighteen months from the date of execution of agreement in Form 5, unless circumstances beyond the control of the Board

Warrant extension of the period which shall not exceed two years.

21. . :-

(1) The Allottee shall within six months from the date of execution of agreement in Form 5, pay further 30 of the estimated cost of the flat house.

(2) The allottee shall pay within twelve months from the date of execution of agreement in Form 5 the balance 30 of the estimated cost of the flat house.

(3) It shall be in the discretion of the Vice Chairman and Housing Commissioner to grant extension of time for payment of second and third instalments for a period not exceeding three months for each of the instalments and in case of request for grant of extension beyond three months the matter shall be placed before the Board for its consideration.

22. . :-

If the allottee fails to make the required payments as specified in sub regulation (1) or (2) of Regulation 21 of the allotment shall be cancelled (and all payments made to Housing Board upto the date of cancellation shall be forfeited to the Housings Board) and the flat house shall be re allotted to the person next in the waiting list drawn up under Clause (d) of Regulation 13 on the conditions that he ;

(a) makes payment of the amount equal, to the amount already paid by the former allottee;

(b) make payment of the amount due from the former allottee.

(c) undertakes to make the subsequent payments as per these regulations and.

(d) executes an agreement to comply with these regulations.

22A. . :-

Notwithstanding anything contained in Regulations 19 and 22, the Vice-Chairman and Housing Commissioner 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.F.D. deposited by the allottees in respect of applicantts who have refused the allotment within the time

prescribed in the allotment letters.

(iii) deduct in case of- High income group -- a sum of Rs.2000/-
Middle income group -- a sum of Rs.1,000/- Low income group -- a
sum of Rs. 200/- E.W.S. -- a sum of Rs.100/- or two percent of the
amounts paid whichever is more in case the allottee either fails to
pay the instalments in time or requests for refund of the amounts
paid by him.

23. . :-

(1) The estimated cost of flat house shall comprise of :

(i) The cost of land ;

(ii) the cost of development which shall include external amenities
such as laying of water supply mains, drainage main, street lights
and formation of roads provision of dust proof Surfacing;

(iii) the cost of civil works ;

(iv) the cost of internal amenities such as water supply and
electricity ;

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

(2) Notwithstanding anything contained in the notice inviting
applications or the agreement executed by the allottee if after
receipt of final bills for construction of flat house or after final
determination of the cost of land and development of land or for
expenditure incurred for supervision, the Chairman considers
necessary to review the estimated cost already specified in the
notice or arrangement he may do so and determine the final cost of
the house after intimating the same do so and determine the final
cost of house after intimating the same to the allottee who shall be
bound by such determined and shall pay the differences if any
between the final cost as determined and the estimated cost
already fixed.

Provided that it shall be open to the Vice-Chairman and Housing
Commissioner, A.P. Housing Board to call upon the allottee,
through a notice to pay a particular amount over and above the
initial deposit or instalment already paid or payable to meet the
escalation in the cost price (either due to increase in the cost,
labour or material etc., or due to delay in execution of the scheme

or even otherwise) pending the determination of the 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 the 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

(3) The final determination of the cost should be done within two years from the date of execution of agreement under Regulation 20. The said period may, however, be extended by the Government in the case of such of the houses where final cost cannot be fixed within two years because the matter relating to land compensation or the payment of final bills to the Contractors are pending in the court.

24. . :-

The Final cost of the house shall comprise of:

- (a) the estimated cost as fixed under sub regulation (1) of Regulation 23 :
- (b) enhanced amount if any sub regulation (2) of Regulation 23 ;
- (c) contingencies at such rates as may be fixed by the Board ;
- (d) incidental charges at such rates ;
- (e) in case final cost is more than the estimated cost interest on difference of final cost and estimated cost to be calculated from the date of last payment made under sub regulation (2) of Regulation 21 at such rates as may be fixed by the Board.

25. . :-

(1) 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 Regulation 10.

(b) Intimate the allottee to pay the difference if any between the estimated cost and final cost and to take possession.

(2)

(a) for the purpose of para (a) of sub regulation I the Chairman shall make arrangements for drawal of lots among the participants.

A notice of not less than seven days specifying the date, time and venue of the drawal of lots shall be given to all participants. Any inadvertant omission to send the notice or non receipt of notice by any participant shall not vitiate the due drawal of lots.

(b) Lots shall be drawn in respect of each participant and the number of flat house which has been drawn by lots against that participant shall be recorded.

(3) On payment of the difference of cost under sub regulation (1) If any ;

(a) Possession of the flat house shall be given to the allottee and a letter in Form 6 shall be issued to the allottee for receiving the possession ; and

(b) the flat house shall be transferred in the name of the allottee by duly executing a conveyance deed. The expenses on account of stamp duty, registration fee and other incidental charges shall be borne by the allottee.

Nothing contained in sub-regulation (3) shall prevent the Government Servant, who is an allottee to mortgage the said house/flat in favour of Central Government/State Government, Life Insurance Corporation of India or any loan advancing institution as the case may be, immediately on payment of last instalment and after assignment of the house in his/her favour under sub-regulation (1) even before the transfer of house in his/her name and before taking possession flat/house subject however to the prior permission of the Chairman of the Housing Board. In case the final cost has not been finally determined, the Government Servant shall give an undertaking to pay the A.P. Housing Board excess amount after determination of the final cost of the flat/house and with the interest thereon calculated at the rate specified in Regulation 24(e) and shall pay either a sum of Rs.3,000/- in cash or furnish a bank guarantee to the extent of Rs.3000/- besides furnishing security from two permanent employees of the same department of equal or higher status, where the allottee is employed, in support of the undertaking.