

GOVERNMENT OF TELANGANA
ABSTRACT

Municipal Administration and Urban Development-Telangana State Building Permission Approval and Self-Certification System (TSbPASS) Rules, 2020- Orders-Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (PIg.III) DEPARTMENT

G.O.Ms.No.201.

Dated: 16.11.2020.

Read the following:

1. Telangana Municipalities Act, 2019 (Act No.11 of 2019).
 2. TSbPASS ACT, 2020(Act 12 of 2020).
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ORDER:

Government vide Act No.11 of 2019 enacted the Telangana Municipalities Act, 2019 which is applicable to Municipalities and Municipal Corporations in the State other than Greater Hyderabad Municipal Corporation. The Government vide Act No. 12 of 2020 enacted the Telangana State Building Permission Approval and Self Certification System (TSbPASS) Act., 2020. In the above Acts, provisions are made for approval of Layouts /Building permissions in a transparent and time bound manner through on-line and strict enforcement against unauthorised developments/constructions. In pursuance of the same, for strict implementation of the various provisions related to Layout / Building approval and enforcement, the Government of Telangana hereby issue the following Rules in exercise of the powers conferred by Section 172, 174, 175, 176, 177, 178, 180 and 238 of the Telangana Municipalities Act, 2019 (Act No. 11 of 2019) and Section 28 (1) of TSbPASS Act, 2020 (Act 12 of 2020).

Accordingly, the following notification shall be published in an Extra-Ordinary Issue of the Telangana Gazette.

NOTIFICATION

In exercise of the powers conferred by Section 172, 174, 175, 176, 177, 178, 180 and 238 of the Telangana Municipalities Act, 2019 (Act No. 11 of 2019) and Section 28 (1) of TSbPASS Act, 2020 (Act 12 of 2020) the Governor of Telangana hereby makes the following Rules :-

1. Short Title, Extent And Commencement:

- (1) These rules may be called "Telangana State Building Permission Approval and Self-Certification System (TSbPASS) Rules, 2020".
- (2) These Rules are applicable to all Municipalities and Municipal Corporations in the State except Greater Hyderabad Municipal Corporation.
- (3) These rules shall come into force with effect from the date of publication of notification in the Telangana Gazette.

2. Definitions :

In these rules unless the context otherwise requires:

- (1) "**Act**" means the "TSbPASS Act., 2020 (Act 12 of 2020)".
- (2) "**Acknowledgement**" means the acknowledgement issued under these rules.
- (3) "**Application Form**" means the online form for submission of application for Certificate of registration / instant building approval / Building permission / approval.
- (4) "**Check List**" means the list as prescribed in the application under these rules.
- (5) "**Collector**" means the District Collector of the concerned District.
- (6) "**Local Authority / Urban Local Body**" means any Municipality , Municipal Corporation, established by Law.
- (7) "**District Level TSbPASS Committee**" is the District Level Committee Constituted by the Government under the provisions of TSbPASS Act, 2020.
- (8) "**Fee Receipts**" means online payment receipt or the original challan receipts issued by the Government Treasury as a proof of payment or demand drafts issued by a Scheduled Commercial Bank.

- (9) "Form for informing deemed approval" means the format (including online) in which the deemed approval is issued.
- (10) "Register of Applications" means the Register prescribed in these rules in which the details of the applications are entered.
- (11) "Section" means a Section of the Act.
- (12) "Time Limit" means the number of working days within which a decision has to be taken by the concerned Municipality/Municipal Corporation or any line Department involved in granting NOCs/clearances, from the date of receipt of application.

3. Administrative Setup at District Level:

(1) Constitution of District Level TSbPASS Committee:

District Level TSbPASS Committee for each District is constituted with the following Officials :-

i.	District Collector	:	Chairman
ii.	Additional Collector (Local Bodies)/ Joint Collector (wherever Additional Collector ULB is not there)	:	Member – Convener
iii.	Commissioner of Police /Superintendent of Police	:	Member
iv.	Commissioner Of Concerned Urban Local Body	:	Member
v.	Superintending Engineer/Executive Engineer R&B Dept.,	:	Member
vi.	Superintending Engineer/Executive Engineer of Irrigation Dept.,	:	Member
vii.	District Fire Officer	:	Member
viii.	Any other officer as may be nominated by the Chairman	:	Member

The District level TSbPASS Committee shall exercise the following powers and functions:

- Monitoring and reviewing in District performance with respect to clearances and permissions in all ULBs within the District.
- Monitoring the disposal of all applications received under TSbPASS
- Monitoring the complaints received from the citizens and their redressal by all the line Departments / Agencies involved in issuing Building permissions or clearances.
- Keeping record of dashboard and MIS reports pertaining to all applications with respect to building permissions.
- Review of rejected cases / reasons for delay in approvals and ensuring disposals of applications in stipulated time period as per the provisions of Act, Building rules and prescribed procedures.
- Reporting to Government with respect to Status / pendency of applications received under TSbPASS.
- Constituting the Post Verification Teams by drawing the Officials from Town Planning Section of concerned Municipality / Municipal Corporation and any other officer from other Departments as decided by the District Collector to conduct post verification of title aspects, technical aspects, site verification and violations if any., with reference to the information furnished by the applicant at the time of obtaining building permission through online. The Post Verification Teams shall upload the remarks through online in the prescribed proforma within 15 days from the date of registration / instant approval as the case may be. If required, the Post Verification Teams may take the assistance of any local Revenue / Municipal officials. If no violations / discrepancies reported by the post verification teams, no further action should be taken on the building permission obtained through registration / instant approval. In case of any mis-representation or false statements, action shall be taken as per the provisions of Telangana Municipalities Act,

2019 and TSbPASS Act 2020 which includes cancellation of permission, levy of penalty, demolition or taking over or sealing of property without any notice besides cancelling the License of License Technical Personnel (LTP), imprisonment upto three years and forfeiting the mortgaged plots in case of layout or mortgaged built up area in case of buildings. Depending on the number of applications required number of teams for post verification may be constituted to ensure that the post verification is done in prescribed time limit.

- (h) Managing the activities of Post Verification Teams.
- (i) Constituting required number of enforcement teams duly evaluating the requirements depending on the quantum of construction activity in the Municipalities/ Municipal Corporations in the District.
- (j) The District level TSbPASS Committee shall meet twice in a month preferably first & third week or alternatively second & fourth week of every month as decided by the Chairman of the Committee.

(2) Constitution of District Task Force and their Functions:

The District Level TSbPASS Committee constituted under these Rules will act as a District Task Force (DTF) at District level to detect and monitor the unauthorized constructions, unauthorized layouts and take timely enforcement action.

The Task Force at District Level (DTF) shall exercise following powers and functions.

- (a) DTF shall constitute required number of Enforcement Teams, drawing officials from Revenue / Police / Fire services / R&B Departments or outsource for taking up demolitions based on the quantum of unlawful buildings / layouts. The demolition squads constituted by DTF are deemed to be have been authorized by the concerned local authority for taking up demolition of any unlawful building / layout.
- (b) Required vehicles, man power, equipment for demolition of unauthorized constructions / unauthorized developments/ Layouts shall be provided to demolish squads. They shall also be provided with tabs/cameras to take proper photographs and videos before and after demolitions, as evidence to defend in case of any future legal issues.
- (c) The DTF shall receive complaints on unlawful buildings through manually and through TSbPASS portal, grievances, call centers, Mobile app, Twitter and emails etc.,
- (d) The DTF shall conduct wide publicity and awareness regarding new building permission rules and constitution of DTF and their job description.
- (e) The complaints shall be examined within 3 days by DTF and site inspection to be carried out through Enforcement teams/Post Verification team and where ever required demolition shall be taken up through demolition squads without notice.
- (f) The DTF shall ensure proper estimation of expenditure for demolition and plan for recovery of same from the concerned owner.
- (g) Before starting the demolition or sealing of unlawful buildings /constructions / developments, a panchanama shall be conducted duly recording the stage of construction, details of permission if any, violations and proposed action under proper photography and videography. A copy of panchanama (In Annexure) prepared in this regard shall be handed over to owner of the building with proper acknowledgement.
- (h) DTF shall inform the Registration Authority giving all the details of unauthorized constructions/layouts so as to include them in the prohibitory register and shall also inform the concerned Electricity / Water supply departments not to give any service connection of temporary or permanent to the respective unauthorized building / layout.

- (i) In case of Constructions/Buildings if any portions thereof remain for un-demolished, the premises shall be sealed to avoid any accidents.
- (j) The DTF shall have random inspections and review at least once in 15 days on enforcement actions.
- (k) The DTF shall also seek the information from all Municipalities / Municipal Corporations on unlawful developments/buildings and complaints received by them on unauthorized constructions.
- (l) In special circumstances like if the owner / occupier of the unauthorized is obstructing or in case of frequent violators the DTF may also ensure levy of penalty upto 25% of value of the land / three years of imprisonment after taking proper Photographs / Video and Panchanama.

4. Constitution of State Level Committee:

State Level Committee is constituted with the following Officials:

i.	The Principal Secretary MA&UD Department	:	Chairman
ii.	Commissioner and Director of Municipal Administration	:	Member - Convener
iii.	Member Secretary, Telangana State Pollution Control Board	:	Member
iv.	Secretary to Chief Commissioner, Land Administration	:	Member
v.	Commissioner, P.R & R.D.	:	Member
vi.	Director General Disaster Response & Fire Services	:	Member
vii.	Engineer in Chief, Irrigation and CAD	:	Member
viii.	Engineer in Chief, Roads and Buildings	:	Member
ix.	Director of Town and Country Planning	:	Member
x.	Chief Information Officer TSbPASS	:	Member
xi.	OSD TSbPASS Chasing Cell	:	Member
xii.	Any other member as may be nominated by the Chairman	:	Special Invitee

The State Level Committee shall exercise the following powers and functions:

- (a) Monitoring and reviewing Departmental performance with respect to clearances / permissions and issue necessary instructions to the District Level TSbPASS Committee / ULBs to expedite the approvals under TSbPASS.
- (b) Review the functioning of the District Level TSbPASS Committees, District Task Force (DTF), PMU & Chasing Cell.
- (c) The State Level Committee shall meet at least once in three months.

5. Constitution of State Level Nodal Agency:

- (1) The Commissioner and Director of Municipal Administration shall be the Nodal Agency at the State Level for implementation of TSbPASS to coordinate with District Collectors, Members of TSbPASS Committee and to provide necessary logistic support / secretarial support / administrative clearances for implementation of TSbPASS.
- (2) The Director of Town & Country Planning shall provide all technical support in respect of Software development, Technical guidance etc., for implementation of TSbPASS.

6. Project Monitoring Unit :

- (1) "Project Monitoring Unit (PMU) is constituted with the following officials:
 - (a) Town planning officials

- (b) Staff from NIUM Hyderabad (National Institute of Urban Management)
- (c) Representatives from TSbPASS Software Development Team

(2) The PMU is assigned with the following functions:

- (a) PMU shall provide hand-holding support in terms of e-services and any specific requirement of the State Level Committee/Nodal Agency /District Level TSbPASS Committee for implementation of TSbPASS across the State of Telangana.
- (b) The PMU shall provide hand-holding support in terms of e-services to all line departments and ULB's on day to day basis for disposal of applications received under TSbPASS.

7. Chasing Cell :

(1) The Chasing Cell at State Level under the control of Principal Secretary MA&UD is constituted with the following officials:

- (a) Officials from the Town Planning Department / NIUM Hyderabad.
- (b) Officials drawn from other Departments like Industries Department who have earlier worked in Chasing Cells.
- (c) Representative from TSbPASS Software Development Team.

(2) The Chasing Cell is assigned with the following functions:

- (a) The Chasing Cell shall follow-up with the all line departments officials on day to day basis for disposal of applications received under TSbPASS with in prescribed time periods and shall send alerts to the concerned officials/agencies to avoid delays.
- (b) Preparing and providing status reports on applications received under TSbPASS to the TSbPASS Committees / State Level Committee / Nodal Agencies.
- (c) Provide effective facilitation to implement "Right to Clearance"
- (d) Address all issues and operational challengers reported by user groups and public in accessing and processing TS-bPASS applications
- (e) Identify process constraints at various stages of setting up of new building and layout permissions, occupancy and enforcement module operations etc., and make recommendations for streamlining.\
- (f) Monitoring the compliance of officers and applicants to various rules.
- (g) Document the best practices across the Globe and provide high quality inputs in policy and practice to Telanagna state.
- (h) Any other job as assigned from time to time towards effective implementations of Telangana State Building Permissions Approvals and Self -Certification System(TS-bPASS).
- (i) Monitoring central support services/System.

8. Process of Scrutiny for Applications Under TSbPASS:

(1) Building permissions will be done in 3 categories:

- (a) Upto to 75 sq yds (63 sq mts) and height upto 7mts --(Instant Registration).
- (b) Above 75 sq yds and upto 600 sq yds (500 sq mts) --(Instant Approval)
- (c) Above 600 sq yds (500 sq mts) --(Single Window).

(2) For Building Permission in plot size upto 75 Sq. Yds (63 Sq. Mts) and Height up to 7 mts (parking floor if provided is excluded from the height) - No Building permission is required for construction of Individual Residential Buildings with a height upto 7 Mts., (i.e. Ground + First Floor) (parking floor if provided excluded from the height). Instead of building permission an instant Building Registration will be issued.

1	Permission	Not required. Only Registration. Registration Certificate will be issued instantly
2	Submission of Plan	Not Required
3	Fee	Rs.1 Only which can be paid at the time of Property Tax
4	Document to uploaded	Owner ship documents, GIS location of the site.
5	Mortgage of 10% built up area	Not required
6	Occupancy Certificate	Not required

The above facility is not applicable if the site/plot of bigger than 75 Sq. yds (63 Sq.mts) is subdivided for this purpose.

9. How to file an application under TSbPASS

- (1) The applicant shall register his intention to construct the building through one of the following means.
 - (a) TSbPASS website,
 - (b) TSbPASS mobile apps,
 - (c) Mee Seva Center,
 - (d) Citizen Services Center located in respective local body.
- (2) The applicant shall fill the application in online and upload the ownership documents along with the link documents of the site at the time of Registration.
- (3) The applicant shall self-certify the size of the Plot and Number of Floors (i.e. Ground or Ground + First Floor) to be constructed by submitting the Form of Self-Certification online.
- (4) The applicant shall ensure complying of the provisions of the Master Plan, Detailed Planning Scheme, and Local Area Plan and Building Rules.
- (5) As soon as applicant uploads the required documents the registration certificate will be generated.
- (6) The District Level TSbPASS Committee shall review all the instant online generated permissions and shall ensure that the post verification is done by the post-verification teams within 10 days of receipt of the Application and shall submit their recommendations into the web based Online Approval system within 15 days of receipt of the Application.
- (7) The Construction shall not be commenced within 15 days from the date of online registration
- (8) No Completion Certificate or Occupancy Certificate is required:
 - (a) For Individual Residential Buildings in plot area up to 75 sq yds (63 sq.mts) and height upto 7 mts (ground plus one floor).
 - (b) For Individual Residential Buildings in plot area above 75 Sq yds (63 Sq.mtrs and up to 240 sq yds (200 sq.mts) and height upto 7 mts Occupancy Certificate is not required. However the applicant shall inform the completion of building.
- (9) The onus to ensure authenticity of Self Certification and compliance with the self-certification lies with the applicant, who shall be held personally accountable and liable for punishment in case of false declaration/misrepresentation, if any.
- (10) The misrepresentation and false declaration is liable for punishment which includes imprisonment up to 3 years, levy of penalty which may extend to 25% of the value of land or value of land and building as fixed by the Registration Dept., or Demolition or taking over or sealing of property without issuing any notice as per section 177 and 180 of the Telangana Municipalities Act 2019, duly recording the misrepresentations & false declarations

- (11) LRS approval / Layout approval shall not be insisted for instant registration.
- (12) Exemption from obtaining building permission under the above Rule is not applicable for plots falling in restricted areas viz Government or Prohibited or Disputed lands, Municipal lands, Layout Open spaces, sites earmarked for Parks /Playgrounds/buffer zone, shikam land / FTL of any water body as per Master Plan.

10. Individual Residential buildings in plot size above 75 sq yds to 600 sq yds(500 sq.mts) and height up to 10 mts (parking floor if provided excluded from the height)(Ground + 2 Floors) – Instant online approval.

1	Permission	Instant approval after filling up the application and uploading all documents
2	Submission of Plan	Optional
3	Fee	To be paid online
4	Document to uploaded	Ownership documents, GIS location of the site
5	Mortgage of 10% built up area	Not required for Buildings of height upto 7 mts and plot area upto 200 Sq mts. Required for Buildings of height above 7 mts and plot area above 200 Sq mts
6	Occupancy Certificate	(a) For Individual Residential Buildings in plot area up to 75 sq yds (63 sq mts) and height upto 7 mts (ground plus one floor) Occupancy Certificate is not required. (b) For Individual Residential Buildings in plot area above 75 Sq yds (63 Sq.mtrs and up to 240 sq.yds (200 sq.mts) and height upto 7 mts Occupancy Certificate is not required. However the applicant shall inform the completion of building .

The applicants shall comply with the following conditions for availing **Instant Online approval**.

- (1) The applicant shall submit proposals online through TSbPASS website / TSbPASS mobile app / Meeseva Center with a Self-Certification as prescribed along with the prescribed documents and payment of prescribed fee.
- (2) The proposal shall be in conformity with the land use, zoning regulations of the sanctioned Master Plan and building rules.
- (3) The Applicant shall submit an Undertaking stating that if the actual construction is made in violation of building permission, the same is liable for demolition without issuing any notice.
- (4) The applicant is required to mortgage 10% of total built up area in any floor (other than parking floor) as the case may be to the Municipality by way of registered deed as prescribed, before release of permission. The individual residential buildings in plots up to 200 sq.mts with height up to 7 Mts area exempted from the mortgage clause. The mortgage will be released after issue of occupancy certificate.
- (5) The Instant Approval system based on Self-Certification is not applicable for plots falling in unauthorized layouts and restricted areas.
- (6) Upon uploading all required documents, mortgage deed (wherever required) and payment of fee the building permit order shall be generated online instantly.

- (7) The District Level TSbPASS Committee shall review all the instant online generated permissions and shall ensure that the post verification is done by the post-verification teams within 15 days of receipt of the Application and shall submit their recommendations into the web based Online Approval system within 15 days of receipt of the Application.
- (8) The onus to ensure authenticity of Self Certification and compliance with the self-certification lies with the applicant, who shall be held personally accountable and liable for punishment in case of false declaration/misrepresentation, if any.
- (9) The misrepresentation and false declaration is liable for punishment which includes imprisonment up to 3 years, levy of penalty which may extend to 25% of the value of land or value of land and building as fixed by the Registration Dept., or Demolition or taking over or sealing of property without issuing any notice as per the provisions of Telangana Municipalities Act 2019, duly recording the misrepresentations & false declarations.
- (10) The Construction shall not be commenced within 15 days from the date of instant approval.

11. Buildings of plot size above 500 Sq.Mts or height above 10.0Mts and all non-residential buildings irrespective of plot size and height of the building.- Single window approval.

1	Permission	Single window approval in 21 days
2	Submission of Plan	Compulsory
3	Fee	To be paid online
4	Document to uploaded	all documents as prescribed in the application form
5	Mortgage of 10% built up area	Required
6	Occupancy Certificate	Required

- (1) Common/Application form shall be submitted ONLINE in the TS-bPASS web portal with all requisite documents and fee. The online application has to be submitted with all requisite documents as prescribed. The online system shall not accept the application unless all such documents are submitted.
- (2) As soon as the online application along with required documents is received in TSbPASS portal it will be sent online to the Scrutiny Officer and to other line department / agencies from which NOCs / clearances are required such as Irrigation / Revenue Department / Fire Services Department / Traffic Police / Pollution Control Board / SEIAA / Airport authority etc.,
- (3) The line Departments and scrutiny officers shall examine the proposal and communicate shortfalls or incompleteness or cases where further information or clarification required if any to the applicant within 10 days from the date of application.
- (4) Applications for building permission accompanied by all valid and required documents shall be cleared in 21 days and fee intimation letter shall be issued online. The applicant shall pay the fee within 30 days from the date of fee intimation letter and shall comply the conditions mentioned in the fee letter. If the fee is not paid within 30 days an interest @12% per annum shall be charged for the delay period. Once the fee is paid and registered mortgage is uploaded and all other conditions precedent for release of plans are complied with by the applicant approval shall be issued online within 48 hours.
- (5) The applicant shall commence the construction within 6 months from the date of issue of building permission and shall complete the same in 3 years in case of non-high rise buildings and 5 years in case of high rise buildings.
- (6) If no order is issued on the building application within 21 days from the date of application, the permission will be "deemed" to have been approved and permission proceedings shall be auto generated in online portal.

- (7) The permission issued under deemed clause can be revoked by the Competent Authority within 21 days from the date of deemed approval if it is found that deemed approval has been obtained by misrepresentation of the facts or false statements, and / or against the building rules, regulations and Master Plan land use provisions.

12. Issue of Occupancy Certificate :

- (1) For Individual Residential Buildings in plot area up to 75 sq yds (63 sq.mts) and height upto 7 mts (ground plus one floor), Occupancy Certificate is not required.
- (2) For Individual Residential Buildings in plot area above 75 Sq yds (63 Sq. mts up to 240 sq yds (200 sq.mts) and height upto 7 mts, Occupancy Certificate is not required. However the applicant shall inform the completion of building.
- (3) For residential buildings in plots of above 240 sq yds (200 sq mts) and upto 600 sq yds (500 sq mts) and buildings of height above 7 mts, Occupancy Certificate will be issued instantly, based on the Self-Certification submitted by the Owner or Builder in the prescribed proforma duly attested by the Licensed Technical Personnel, certifying that the building has been constructed as per the sanctioned approval. The post verification will be completed within 15 days from the date of issue of instant OC proceedings and mortgaged portion shall be released immediately after post verification.
- (4) Occupancy certificates is mandatory for High rise buildings and Residential buildings in plots of 500 square meters and above and all non-residential buildings in plots irrespective of size of plot. The applicant shall submit application online with Self-Certification in the prescribed proforma duly attested by the Licensed Technical Personnel that the building has been constructed as per the sanctioned approval and as per Rules. After verification by the Scrutiny officer, approval / rejection shall be given within 15 days from the date of receipt of application.
- (5) The onus to ensure authenticity of self-declaration and compliance with the Self-Certification for issuance of occupancy certificate under self-certification lies on the Owner, Applicant and Licensed Technical Personnel and they shall be held personally responsible and accountable in case of false declaration and will be liable for punishment as per the provisions of Telangana Municipalities Act 2019 and TSbPASS Act 2020.
- (6) In case of any change of use of the building after issue of building permission or occupancy certificate, the owner shall submit revised proposal to competent authority and obtain prior approval for the change of use of building as per rules and regulations in force.

13. User Charges:

The applicants shall pay the user charges as prescribed below (online payment only) and these charges are subject to revision by the Government from time to time. The user charges so collected shall be accrued in an escrow account, to be maintained by the State Level Nodal Agency and will be used for meeting the expenses for implementation of TSbPASS. The other fees and charges shall be directly transferred online to the concerned ULB / Line Departments.

TABLE-III

S.No.	Plot area	User charges
1.	Up to 75 sq.yds (63 sq.mts)	Nil
2.	Above 63 sq.mts and up 200 sq.mts	Rs.1000
3.	Above 200 sq.mts and up to 500 sq.mts	Rs.2500
4.	Above 500 sq.mts and up to 1000 sq.mts	Rs.5000
5.	Above 1000 sq.mts and up to 2000 sq.mts	Rs.10,000
6.	Above 2000 sq.mts and upto 4000 Sq. mts	Rs.20,000
7.	Above 4000 sq. mts	Rs.50,000

14. Process flow for line Departments / Agencies for Clearances required for granting Building Permissions / Layout Approvals:

- (1) The line Departments will examine the application and communicate the shortfall within 10 working days from the date of receiving application.
- (2) The citizen will respond to the Department within 30 days from the date of shortfall received.
- (3) The Department shall ensure provision of clearance within the time-limit.
- (4) In case of exceeding of time limit in provision of clearance, the application will be considered as deemed to be approved.
- (5) If the concerned Department fails to give a decision on the request for information within 10 days and clearance within the prescribed time limit from the date of receipt of application, the concerned Officer in the Department shall be levied a penalty.
- (6) The Head of the Department of respective Department will be responsible for ensuring the provision of information, communicating shortfalls within time limit, responding to the shortfalls, provision of clearance within prescribed time limit.

15. Time limits for processing and disposal of applications for issue of NOCs/Clearances with respect to various Departments is as indicated below.

Sl. No.	NOCs / Clearance	Department / Agency	Time Limits
1	Land Use Certificate as per Master Plan	Metropolitan Commissioner, HMDA	3 Days.
2	NOC for Petrol Bunk, Multiplex & Theatres	District Collector / Commissioner of Police (Traffic)	14 Days
3	Water feasibility certificate	Managing Director, HMWS&SB	7 Days
4	Provisional Fire NOC	DG, Telangana State Disaster Response & Fire Services Department	14 Days
5	LCC Proceedings as per Telangana Non-Agriculture Land Assessment Act 2006	Revenue	14 Days
6	NOC if the site is located nearby water bodies within 200 Mts. from the Boundary of the River / LAKE / Pound / Cheruvu / Kunta	Irrigation Department	10 Days
7	NOC if the site is located nearby water bodies within 200 Mts. from the Boundary of the River / LAKE / Pound / Cheruvu / Kunta	Revenue	10 Days
8	Environmental Clearance Certificate for all Building & Construction projects having built up area more than 20,000 Sq. Mts., and land development (Layouts), Town Ships & Area Development projects covering an area above 50 Ha.	Member Secretary, Telangana State Pollution Control Board / State Environmental Impact Assessment Authority (SEIAA)	14 Days
9	NOC in case of sites in the vicinity of Water Pipe line / Oil / Gas Pipe line if any	HMWSSB / Mission Bhagheeratha / Concerned Oil / Gas Company	7 Days
10	NOC in case of sites located within a distance up to 100 Mts. From protected Monuments as notified under archaeological monuments and ancient sites are remains Act 1955	State Archaeological Department	10 Days

11	NOC in case of sites located within the vicinity of any Heritage Structure notified as per the respective law, the prior clearance from the concerned Authority (Heritage Conservation Committee) shall be obtained.	Heritage Conservation Committee	10 Days
12	NOC for cutting of Trees	Forest Department / Excise Department	7 days
13	Airport Authority of India (AAI)	Airport Authority of India (AAI)	Instant
14	National Monument Authority (NMA)	National Monument Authority (NMA)	Instant
15	Technical clearance / remarks as per Building Rules 2012	Regional Deputy Director of Town Planning / Director of Town and Country Planning	7 days

16. Clearances through online by other line departments / agencies:

(1) Irrigation Department:

- (a) Application shall be referred to Irrigation Department if there is a Water body/Nala/ Water course in vicinity of the site with reference to G.O.Ms.No.168 M.A & U.D. Department, dated. 07-04-2012 (at a distance of 200 mts for lakes/ rivers and 50 mts for Nalas).
- (b) The irrigation Department shall examine and report either shortfall or clearance within the respective time limits.
- (c) No building / development activity shall be allowed in the bed of water bodies like river or nala and in the Full Tank Level (FTL) of any lake, pond, cheruvu or kunta / shikam lands. Unless and otherwise stated, the area and the Full Tank Level (FTL) of a Lake / Kunta shall be reckoned as measured and as certified by the Irrigation Department and Revenue Department.
- (d) The above water bodies and courses shall be maintained as Recreational/Green Buffer Zone and no building activity shall be carried out within
 - i. 50m from the boundary of the River outside the Municipal Corporation / Municipality limits and 50m with in the Municipal Corporation / Municipality limits. The boundary of the river shall be as fixed and certified by the Irrigation Department and Revenue Department.
 - ii. 30m from the FTL boundary of Lakes / Tanks / Kuntas of area 10Ha and above.
 - iii. 9m from the FTL boundary of Lakes / Tanks / Kuntas of area less than 10Ha / shikam lands;
 - iv. 9m from the defined boundary of Canal, Vagu, Nala, Storm Water Drain of width more than 10m.
 - v. 2m from the defined boundary of Canal, Vagu, Nala, Storm Water Drain of width up to 10m.
- (e) Unless and otherwise specified in the Master Plan / Zonal Development Plan.
 - i. In case of (d) (i) & (ii) above, the buffer zone may be utilized for road / Promenade of minimum 12m width, wherever feasible.
 - ii. The above buffer zone to be left may be reckoned as part of tot lot or organized open space and not for setback requirements

(2) Railways Department:

In case of site abutting to Railway property NOC from Railway Authorities need not to be insisted. However it will be the responsibility of the applicants to leave 30 mts buffer (which may also include road) from the railway property as prescribed by the Railway Authority in their rules.

(3) Revenue Department:

- (a) Application shall be referred to the Additional Collector (Revenue) / Joint Collector if there is a Water body within the vicinity of 200 mts of the proposed site.
- (b) The applications pertaining to lands falling in Government Lands/ULC lands will be referred to District Collector / Additional Collector for remarks.
- (c) Application without NALA certificate shall be referred to RDO concerned for issue of NALA conversion Certificate as per Land Conversion Assessment Act-2006.
- (d) The Competent Authority shall examine and report either shortfall or clearance within the respective time limits.

(4) Fire Services Department:

- (a) Application shall be referred to Director General State Disaster and Fire Services Department or his authorized officer, if the height of the building is or higher than 18 mts for residential buildings, 15 mts and above for commercial buildings (including parking floor if provided) and buildings of public congregation like Educational buildings, Cinema theatre, Function Halls and Other Assembly buildings on plot area of 500 Sqmts and above or of height 6.00 mts and above.
- (b) The Fire Services Department shall examine and report either shortfall or clearance within the respective time limits.

(5) Airport Authority of India:

- (a) Application where the site proposed for building / layout is falling in Airport Development area and in the funnel zone shall be referred to Airport Authority of India.
- (b) All the buildings of height more than 18 mts shall be referred to Airport Authority of India (including parking floor if provided).
- (c) The Airport Authority of India shall examine and report either shortfall or clearance within the respective time limits.
- (d) Irrespective of their distance from the aerodrome, even beyond 22km limit from the Aerodrome Reference Point, no radio masts or similar installation exceeding 152m in height shall be erected except with the prior clearance from Civil Aviation Authorities
- (e) For building activity within the Restricted Zone / Air Funnel Zone near the airport, necessary clearance from the concerned Airport Authority shall be obtained.

(6) Forest Department & Excise Department:

- (a) Application shall be referred to Forest Department if felling of income generating trees is required for the development.
- (b) Application shall be referred to Excise Department if felling of toddy trees is required for the development.
- (c) The Forest Department/ Excise Department shall examine and report either shortfall or clearance within the respective time limits

(7) State Environmental Impact Assessment Authority (SEIAA)

- (a) Proposal exceeding 20,000 sq.mts of built-up area in case of buildings/ 50 hectares and above in case of layouts shall be referred to the State Pollution Control Board for clearance from State Environment Impact Assessment Authority.
- (b) The State Pollution Control Board shall examine and report either shortfall or clearance within the respective time limits.

(8) Heritage Structures

- (a) In case of Sites located within the distance up to 100m from protected monuments as notified under Archeological Monuments and Ancient Sites and Remains Act 1955 and as amended no construction is allowed.
- (b) For the Sites located within distance of above 100m and up to 200m from the protected monuments, the construction is allowed only after obtaining prior permission from the National Monument Authority.
- (c) For the Sites located within the vicinity of any notified Heritage Structure, prior clearance from the concerned Authority shall be obtained.

(9) No Objection Certificate from Commissioner of Police (Traffic):

Proposals for construction of cinema theaters/ multiplexes shall be referred to Commissioner of Police (Traffic) for issue of necessary NOC. The Commissioner of Police Traffic shall examine and report either shortfall or clearance within the respective time limits.

(10) Clearance from Joint Collector / Additional Collector:

Proposals for establishment of petrol filling stations shall be referred to Joint Collector for necessary clearance who shall examine and report either shortfall or clearance within the respective time limits.

17. Notifying of clearances where the provision of deemed approval shall apply:

- (1) The provision of deemed approval shall be applicable to all applications for which clearances / NOCs were not issued by the respective departments / agencies within the time limits prescribed, provided these applications are complete in all aspects and there are no further information/query pending and where the delay in granting approval is held up for want of clearances from agencies/Departments/institutions other than those of the State Government.
- (2) If no order is issued on the building / Layout application within the time limit prescribed, then the approval will be deemed to have been issued.
- (3) The TS-bPASS approval Proceedings so issued to the layouts and building proposals after the prescribed time limits has lapsed is binding on all concerned Departments.
- (4) The permission issued under deemed clause can be revoked by the Competent Authority within 21 days from the date of deemed approval if it is found that deemed approval has been obtained by misrepresentation of the facts or false statements, and/or against the building rules, regulations and Master Plan land use provisions under Sub Section (11) of Section 6 of the Act.

18. Right to Clearances & Grievance redressal under TSbPASS:

- (1) The applicant has the right to ask for approval or seek explanation for the delay in approvals, if they are not issued within time limit as prescribed and where clearances are not pending with agencies other than the State Government. It will be incumbent upon the Concerned Department/Officer concerned to answer for such delays and respective Head of Departments shall be accountable for timely processing.
- (2) The applicant seeking information on the reasons for delay in approval shall make a request in writing/online to the Nodal Agency.
- (3) The Nodal Agency shall seek a report from the concerned Department within 2 working days. The concerned Department shall either process immediately or furnish proper reason for delay within the next 5 working days from the date of receipt of the notice.

19. Penalty for delay in scrutiny and post verification;

The delay shall be calculated by the system

- (1) If the concerned Department fails to examine and give a decision / approval on the TSbPASS application within the prescribed time limit then the delay shall be calculated automatically by the system and the penalty shall be levied on the concerned officer responsible for the delay.
- (2) In all such cases, a penalty of Rs.1000/- (Rupees one thousand only) for each day till relevant decision is given or reason for delay in approval is furnished. However, the total amount of such penalty shall not exceed Rs.25,000/- (Rupees Twenty-Five Thousand only) and all cases, where penalty exceeds this said amount shall be reported to State Level Committee. The penalty is subject to revision by Government from time to time.

20. Penalty for misrepresentation of the facts:

The onus to ensure authenticity of Self-Declaration and compliance with a Self-Certification lies with the owner, applicant and License Technical Personnel. He /She will be held personally responsible and accountable in case of false declaration, the applicant and the License Technical Personnel will be liable for punishment which includes imprisonment up to three years; levy of penalty as may be decided by the TSbPASS Committee; demolition or taking over or sealing of the property without any notice as per the provisions of Telangana Municipalities Act 2019 and TSbPASS Act 2020 besides cancelling the licenses of License Technical Personnel (LTP) and forfeiting the mortgaged built-up area.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**ARVIND KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner and Director, Printing, Stationery and Stores Purchase Telangana Hyderabad (in duplicate, with a request to publish the Notification in the Extraordinary Gazette of Telangana and furnish 200 copies to Government)

The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad.

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad

The Director of Municipal Administration, Hyderabad, Telangana State.

The Commissioner, Panchayat Raj Department

The Commissioner and Inspector General of Registration and Stamps, Hyderabad

The Director of Town and Country Planning, Telangana. Hyderabad

The Vice Chairmen of all Urban Development Authorities in the State

The Commissioners of all Municipal Corporations/ Municipalities in the State of Telangana - through CDMA.

All District Collectors

All Gram Panchayats in the State of Telangana (through Commissioner, Panchayat Raj)

All Departments of Secretariat

All Heads of Department.

The Director General of Fire Services.

The Chairperson, Telangana Transco.

The Managing Director, H.M.W.S&S.B, Hyderabad.

The Engineer in Chief (Public Health) Hyderabad.

The Managing Director, Telangana Housing Board.

The Law (A) Dept.,

Copy to:

The Principal Secretary (N) to Chief Minister.

The P.S. to Chief Secretary to Government

The OSD to Minister(MA & UD Department).

The OSD to Minister (PR & RD Department)

S.F/S.C

//FORWARDED ::BY:: ORDER//


SECTION OFFICER