

## **Uttar Pradesh (Regulation Of Building Operations) Rules, 1985**

### **CONTENTS**

#### **CHAPTER 1 :- CHAPTER I**

1. Short Title And Commencement
2. Definitions

#### **CHAPTER 2 :- CHAPTER II**

3. Development Permit
4. Information Accompanying Application For Development Permit
5. Fees For Development Permit
6. Principles For Grant Or Refusal Of Development Permit
7. Duration Of Sanction Of Development Permit
8. Notice For Commencement Of Development Work
9. Deviation During Development
10. Fees And Procedure
11. Building Permit
12. Information Accompanying Application Of Building Permit
13. Fee For Building Permit
14. Principles For The Grant Or Refusal Of Building Permit
15. Duration Of Sanction Of Building Permit
16. Notice For Commencement Of Building Work
17. Deviation During Building Construction

#### **CHAPTER 3 :- CHAPTER III**

#### **CHAPTER 4 :- CHAPTER IV**

18. Fee On The Memorandum Of Appea
19. Grant Of Copies Of Records

#### **SCHEDULE 1 :- SCHEDULE I**

## **Uttar Pradesh (Regulation Of Building Operations) Rules, 1985**

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution. the Governor is pleased to order the publication on the following English translation of Notification No. 404/37-3-85-68/KNV / 78-VPA-34/1958-Rule/1983. dated January 28.1985.  
NOTIFICATION No. 401/37.:...3-85 68N.K. V./78 VPA-34/1958-

Rule/ 1983 Dated January 28. 1985 In exercise of the powers under Sub-section (1) and Clauses (d), (e), (f) and (g) of Sub-section (2) of Section 19 of the Uttar Pradesh (Regulation of Building Operations) Act, 1958 (U.P. Act No. XXXIV of 1958), the Governor is pleased to take the following rules.

## **CHAPTER 1** CHAPTER I

### **1. Short Title And Commencement :-**

- (i) These rules may be called the Uttar Pradesh (Regulation of Building Operations) Rules, 1985.
- (ii) They shall come into force with effect from the date of their publication in the Gazette.

### **2. Definitions :-**

In these rules, unless the context otherwise requires;

- (a) alteration means any structural change such as an addition to the area or height, or the removal of part of a building, or the construction or cutting or removal of any wall, partition, column, beam, joint, floor or other support, or arranging to or closing of any means of ingress or egress or a changing equipment, drainage or ventilation.
- (b) approval means approved by the Prescribed Authority.
- (c) permit means permission or authorization in writing by the Prescribed Authority to carry out the work.
- (d) Form means a Form appended to these rules.

## **CHAPTER 2** CHAPTER II

### **3. Development Permit :-**

- (1) The application for permission to develop or redevelop any piece of land in the Regulated Area shall be given to the Prescribed Authority in Form A.
- (2) Such application shall be accompanied by plans and statements in quadruplicate, as required under Sub-rule (1) of Rule 4.
- (3) The plans may be of ferro print, ammonia print, scmidry or photographic prints of which at least one set shall be cloth mounted. The mounted set shall be retained in the office of the Prescribed Authority for record after issue of a permit or a refusal.

### **4. Information Accompanying Application For Development Permit :-**

( I ) The following plans and statements shall accompany the application for development permit in the case of development or redevelopment of land into plots, sub-divisions or colonies :-

(i) Key Plan.- This shall show the location of land proposed to be subdivided. This shall also show the North Point and scale used.

(ii) Site Plan.- This shall be drawn on a scale of not less than 1: 1000 for plots upto 10 hectares and not less than 1 : 2000 for plots above 10 hectares and shall show:

(a) the boundaries of the site with dimensions and the details of any contiguous land indicating the shajra numbers or any other equivalent local denomination. and in case, the contiguous land owned by the applicant had been subdivided earlier, public facilities provided in it and all streets within it opening out in the site for which the permission is being sought;

(b) the means of access from existing street (name and width of the street is to be mentioned) to the land which the applicant intends to sub-divide:

(c) the position of all existing structures and features like high tension lines. telegraph and electrical poles. underground pipe lines. trees. graveyards. religious buildings. railway lines etc.. within a distance of 30 meters from the nearest edge of the. site:

(d) all major physical characteristics of land proposed to be developed which include the approximate location and size of any water body. flood-affected areas and contours at an interval of 0.3 meters in case of the site which has a slope of more than 1 centimeter in 20 meters:

(e) location of the site in Master Plan/Zonal Development Plan;

(f) present and proposed use of land: and

(g) scale used and North Point.

(iii) Lay-out Plan.- This shall be drawn on a scale of not less than 1 : 500 for plots upto 10 hectares and not less than 1 : 1000 for plots above 10 hectares containing the following:

(a) scale used and North Point.

(b) the location of all proposed and existing roads with their widths within the land:

(c) building lines showing the set-backs with dimensions within each plot:

(d) the location of drains. sewers. public facilities and services and electrical lines etc. :

(e) an analysis indicating; size, area, and use of all the plots in the lay-out plan:

(f) a statement indicating the total area of the site, area utilized under roads, open spaces, schools, shopping and other public places along with their percentage with reference to the total area of the site proposed to be divided or subdivided: and

(g) in case of plots which are sub-divided in built up areas in addition to the above, the means of access to the sub-division from existing streets.

(iv) Statements.- Application for permission for sub-divisions of land shall also be accompanied by the following statements:-

(a) statement containing general specifications of all improvements proposed to be made within the area e.g., grading and paving roads and lanes, provision for gutters, side drains, provision for sufficient, safe and assured water supply, arrangement of sewage disposal, street lighting and development of parks and play-fields and public utilities;

(b) the purpose for which the land is to be used and written analysis of distribution of land under different uses;

(c) general specifications of the materials to be used and estimated cost of the proposed development of the area;

(d) the quality and quantity of effluents in respect of industrial units; and

(e) any other statement required by the Prescribed Authority.

(v) Documents of Ownership and Title.-The application for development permit shall further be accompanied by the following for verifying ownership and title:-

(a) certified copy of the original sale/lease deed; or

(b) certified copy of the shajra plan along with Khatauni record; or

(c) affidavit or other documents of title acceptable to the Prescribed Authority .

(2) (a) Size of Drawing Sheets.- The size of the drawing sheets of key plan, site plan, layout plan etc., shall be any of those specified in Table No. 1 Table of Drawing Sheet Sizes

(b) Recommended Notation for Colouring Plans.-The plans shall be coloured as specified in Table no. 2 below-

(3) The Colouring notations used for items of work not specified in Table No.2 shall be indexed.

(4) Preparation and signing the plans:- All the plans shall be prepared and signed by qualified technical hands and shall indicate their names, addresses and qualifications. The plans shall also be signed by the applicant.

(5) The application for development permit shall further be accompanied by a certificate in Form B for undertaking the

supervision by the qualified technical hands.

(6) The application for development permit for land above one hectare shall also be accompanied by a No objection certificate of the Chief Town and Country Planner, Uttar Pradesh or his nominee duly authorised by him in this behalf.

### **5. Fees For Development Permit :-**

(1) Application for development permit referred to in Sub-rule (I) of Rule 3 shall be accompanied by the fee receipt as per scale specified in Sub-rule (2).

(2) Development Permit Fee.-The scale of fees for development permit shall be as follows :-

(i) For development of area up to I hectare. Rs.500/ -

(ii) For development of area above I hectare and upto 2.5 hectares. Rs.1000/-

(iii) For development of area above 2.5 hectares and upto 5 hectares....Rs. 1500/-

(iv) For every additional 5 hectares or part thereof. Rs.600/-

(3) Withdrawal of Application.-The applicant may withdraw his application and plans at any time prior to the sanction. and such withdrawal shall terminate all proceedings with respect to such application but the fees paid shall not be refundable.

5.(4) In the event of a development permit not being issued on account of any defect and shortcomings in the application, the fee paid shall not be refunded to the applicant but he shall be allowed to resubmit the plans without any additional fee after complying with all the objections of the Prescribed Authority within one year from the date of receipt of the objection/rejection order, by the applicant, after which fresh fees shall have to be paid.

### **6. Principles For Grant Or Refusal Of Development Permit :-**

( 1 ) On receipt of the application for the development or redevelopment of the land the Prescribed Authority shall :-

(a) verify the facts mentioned in the application and its annexures and satisfy that it contains these required particulars, and is in proper form.

(b) satisfy about the title of the applicant over the land and about his ability and capacity, to carry out the development activity as per specifications: and

(c) judge the propriety of the matter from technical, and administrative point of view. and that it does not violate any legal

provisions.

(2) Thereafter the Prescribed Authority may either accord preliminary sanction or refuse the proposals or may accord preliminary sanction with such modifications or direction as it may deem necessary and thereupon shall communicate the decision to the applicant in Form :C

(3) In the case of refusal the Prescribed Authority shall state the reasons and relevant provisions of the Act or the Rules which the plans contravene. The Prescribed Authority shall as far as possible, point out all objection to the plans and statements in the first instance itself.

(4) The applicant may then resubmit the plans, statements modified in the light of the objections raised. The procedure for according preliminary sanction or refusal as laid down for the first submission of plans/statements shall mutatis mutandis apply.

(5) The preliminary sanction under Sub-rule (2) or Sub-rule (4) shall be subject to the compliance of the conditions laid down in Classes (a) and (b) of Sub-section (2-c) of Section 7 of the Act by the applicant within a period of sixty days from such communication or within the period extended by the Prescribed Authority.

(6) As soon as the conditions of Sub-rule (5) are fulfilled the final sanction shall be accorded and development permit issued in Form-D.

## **7. Duration Of Sanction Of Development Permit :-**

(1) The final sanction once accorded shall remain valid for a period of three years during which period the applicant shall complete the work and submit a completion certificate duly countersigned by the qualified technical hand.

(2) The Prescribed Authority may however, on sufficient grounds in this behalf extend this period of three years and may revalidate the permit for one year at a time subject to a maximum of three years.

## **8. Notice For Commencement Of Development Work :-**

The applicant upon commencement of the work for development of land shall give notice in Form-E to the Prescribed Authority, and the Prescribed Authority shall cause inspection of the work to be made within fourteen days following the receipt of notice to verify that the development work is being carried out in accordance with the sanctioned plans. If, however, the Prescribed Authority fails to make the inspection within the specified period it shall be

presumed that the Prescribed Authority has no objection to the starting of the development work according to the notice.

**9. Deviation During Development :-**

During the course of development work if any deviation from the sanctioned plan is intended to be made, permission of the Prescribed Authority shall be obtained before the proposed deviation is executed. It shall be incumbent upon every person, whose plans have been approved to submit amended plans or any deviation, he proposes to make.

**10. Fees And Procedure :-**

The fee and procedure laid down for original application for development permit here-to-fore shall mutatis mutandis apply to all such amended plans.

**11. Building Permit :-**

(1) The application for permission to erect, re-erect, demolish, make any material change, or alteration in any place in a building or part thereof within the jurisdiction of the Prescribed Authority shall be given to the Prescribed Authority in the Form F .

(2) Such application shall be accompanied by plans and statements in quadruplicate as required under Sub-rule (1) of Rule 12.

(3) The plans may be of ferro-print; ammonia print semi-dry or photographic prints of which at least one set shall be clothmounted. The mounted set shall be retained in the office of the Prescribed Authority for record after issue of a permit or a refusal.

(4) No application for building permit is necessary for the following alteration provided they do not violate any provisions regarding general building requirements, structural stability and fire safety requirements ;-

(a) Providing or closing of a window or door or ventilation not opening towards others property;

(b) providing intercommunication doors;

(c) gardening;

(d) painting;

(e) white washing;

(f) re tiling and re-terracing;

(g) plastering and patch work;

(h) re-flooring

(i) construction of sun shades on ones own-land; and

(j) providing partitions.

(5) No building permit is necessary for carrying out works by any department of the Central or State Government or any local body for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus.

## **12. Information Accompanying Application Of Building Permit :-**

(I) The following plans and statements shall accompany the application for building permit in the case of permission for erection, re-erection or making material alterations :-

(I) Site Plan.-

This shall be drawn on a scale of not less than 1 : 200 for areas upto 0.25 hectare, not less than 1 : 500 for areas above 0.25 hectare and upto 5 hectare and not less than 1 : 1000 for areas above 5 hectare and shall show :-

- (a) the boundaries of the site of any contiguous land,
- (b) the position of site in relation to neighbouring street;
- (c) the name of the street in which the building is proposed to be situated;
- (d) all existing building standing on, over, or under the site;
- (e) the position of the building or of all other buildings (if any) which the applicant intends to erect upon the contiguous land referred to in (a) in relation to;
  - (i) the boundaries of the site and in case where the site has been partitioned, the boundaries of the portion owned by the applicant and also of the portion owned by others.
  - (ii) all adjacent streets buildings (With number of storeys and permises) within a distance of 15 metres of the site of the contiguous land (if any) referred to in (a); and
  - (iii) if there is no street Within a distance of 15 metres of the site, the nearest existing street;
- (f) the means of access from the street to the building and to all other buildings, which the owner intends to erect upon his contiguous land referred to in (a);
- (g) space to be left in and around the building to secure a free circulation of air, admission of light, and access for scavenging purposes and details of projections (if any) on the open spaces;
- (h) the width of the street (if any) in front and of any street (if any) at the side or near the proposed buildings;
- (i) scale used and the North Point relating to plan of the building;
- (j) any existing physical features. such as wells, drains, etc.:



(k) sewerage and drainage lines upto discharge point and water supply lines: and

(l) such other particulars as may be prescribed by the Prescribed Authority.

(II) Building Plan.-

The Plan of the building and elevations and sections accompanying the application shall be drawn on a scale of not less than 1: 100.

The plan shall :

(a) include the floor plans of all floors together with the covered area clearly indicating the size and spacings of all framing members and sizes of rooms and the position of staircases, ramps and liftwells;

(b) show the use or occupancy of all parts of the buildings;

(c) show exact location of essential services. for example. Water closet. sink, bath and the like including the water supply and drainage line;

(d) include sectional drawings showing clearly the size of footings. thickness of basement wall, construction. size and spacing of framing members. floor slab and roof slabs with their materials and size and locations of doors, windows and other openings. The section shall indicate the heights of building and rooms and also the height of the parapet and the drainage and the slope of the roof. At least one section should be taken through the staircase,

(e) show all street elevations,

(f) give dimensions of the projected portions within open spaces,

(g) include terrace plan indicating the drainage and the slope of the roof, and

(h) give North Point and scale used.

(III) Service Plan.-

Plans, elevations, and section of private water supply and sewage disposal system independent of the Municipal services. if any, shall also be indicated.

(IV) Statements.- General specifications giving type and grade of materials to be used shall accompany the application.

(V) Documents of ownership and Title.-

The application for building permit shall further be accompanied by the following for verifying ownership and title :

(a) Certified copy of original sale/lease deed. or

(b) Certified copy of the Shajra Plan alongwith the Khatauni record or

(c) Affidavit or other documents of title acceptable to the Prescribed Authority .

(2) (a) Size of Drawing Sheets -

The sizes of the drawing sheets for site plan. building plan. services plan etc., shall be any of those specified in Table No.1 in Clause (a) of Sub-rule (2) of Rule 4,

(b) Recommended Notation for colouring plans.-The site and building plans shall be coloured as specified in Table No.2 in Clause (b) of Sub-rule (2) of Rule 4.

(3) The colouring notation used for items of work not specified in the -Table No.2 mentioned in Sub-rule (2) shall be indexed.

(4) Building permit for Special Buildings.-

The proposals for building permit for all buildings more than 15 metres in height and other buildings with more than 400 square metres ground coverage and all other buildings of industrial (factory, workshop, etc .) storage (warehouse) assembly and hazardous use group shall be subjected to the scrutiny by the Prescribed Authority and Director of Fire-Services, before the building permit is given.

(5) Preparation and Signing of the Plans.-

All the plans shall be prepared and duly signed by qualified technical hands and shall indicate their names, addresses, and qualifications. The plans shall also be signed by the applicant.

(6) The application for building permit-for buildings having floor area of more than 250 square metres shall further be accompanied by a certificate in Form B for undertaking the supervision by the qualified technical hands.

(7) The application for building permitfor building having floor area of more than 250 metres shall also be accompanied by a No objection certificate of the Chief Town and Country Planner, Uttar Pradesh or his nominee duly authorised by him in this behalf.

**13. Fee For Building Permit :-**

(1) Application for building permit referred to in Sub-rule(1) of Rule II shall be accompanied by fee receipt as per scale of fee specified in Sub-rule (2).

(2) Building Permit fee- The scale of fee for building permit shall be as follows :

(i) Residential Buildings

Covered Area on all floors Fee in Rs

Upto 50 square metres 10/-

51 to 100 square metres 25/-

101 to 150 square metres 50/-

151 to 300 square metres 100/- for above 300 square metres 10/-  
(for every additional 50 square metres or part thereof plus Rs.100/-  
)

(ii) Commercial. Business and Assembly Buildings.- (i.e.. shops. show rooms. business offices. godowns. warehouses. banks.. cinemas, theatres. skating halls, clubs etc.) Covered Area on all floors Fee in Rs. Upto 20 square metres 100/- 21 to 50 square metres 200/- for above 50 square metres 200/- (for every additional 50 square metres or part thereof plus Rs.200/-)

(iii) Public Buildings for Hospital. Educational. Religious and Charitable use ; - Covered area on all floors Fee in Rs. 150 square metres 25/- - more than 150 square metres 50/-

(iv) Industrial Buildings ; -Covered area on all floors Fee in Rs. 150 square metres 200/- for above 150 square metres 100/- (for every additional 150 square metres or part thereof plus. Rs. 200/-)

(v) The fixation of these fees shall further be governed by the following;

(a) for re-erection of building, the fee chargeable shall be the same as for erection of a new building:

(b) for additions and alterations in the existing building, the fees shall be chargeable on the added portions only on the same scale as for new building:

(c) for revised plan of a building which the Prescribed Authority has already sanctioned, the fees chargeable shall be 1/4th of the fees chargeable on the original plan, subject to the condition that the covered area of the building has not increased by more than 5% than in the original sanctioned plan.

(d) in the case of additions and alterations of building if the use of the building is also changed, then the chargeable fees shall be calculated on the use proposed;

(e) in the case of basements, for the purpose of calculating fee, the area covered under the basement shall be counted towards the covered area:

(f) In the case of buildings with principal and subsidiary occupancies, In which the fees leviable are different than the fees for the total building scheme shall be calculated as per the rates for individual occupancies.

(3) Withdrawal of Application.-

The applicant may withdraw his application and plans at any time prior to the sanction and such withdrawal shall terminate all proceedings with respect to such application but the fees paid shall in no case, be refunded.

(4) In the event of a building permit not being Issued on account of any defects and shortcomings In the application. the fees paid shall not be refunded to the applicant. but he shall be allowed to resubmit the plans without any additional fees after complying with all objections of the Prescribed Authority within a period of one year from the date of receipt of the objection/rejection order by the applicant after which fresh fees shall have to be paid.

#### **14. Principles For The Grant Or Refusal Of Building Permit :-**

(1) On receipt of the application for erection, re-erection making material change or alteration of the building the Prescribed Authority shall

(a) verify the facts mentioned in the application and in its annexures and satisfy that it contains the required particulars and is in proper form.

(b) satisfy about the title of the applicant over the land and the building as the case may be: and

(c) judge the propriety of the matter from technical and administrative point of view and that it does not violate any legal provisions.

(2) Thereafter the Prescribed Authority may either sanction or refuse the proposals or may sanction them with such modification or directions as it may deem necessary and thereupon shall communicate the decision to the applicant in Form G .

(3) In the case of refusal. the Prescribed Authority shall state the reasons and relevant provisions of the rules which the plans contravene. The Prescribed Authority shall, as far as possible, point out all the objections to the plans and statements in the first instance itself.

(4) The applicant may then re-submit the plans/statements modified in the light of the objection raised. The procedure for according sanction or refusal as laid down for the first submission of the plans/statements shall then mutatis mutandis apply.

#### **15. Duration Of Sanction Of Building Permit :-**

(1) The sanction once accorded shall remain valid for a period of three years during \which period the applicant shall complete the work and submit a completion certificate, duly countersigned by the qualified technical hand.

(2) The Prescribed Authority, may, however, on sufficient grounds

in this behalf extend this period of three years and may revalidate the permit for one year at a time subject to a maximum of three years.

**16. Notice For Commencement Of Building Work :-**

The applicant, upon commencement of his work under building permit shall give notice in Form H to the Prescribed Authority and the Prescribed Authority shall cause inspection of the work to be made within fourteen days following the receipt of notice to verify that the building work is being carried out in accordance with the sanctioned plans/ statements. If, however, the Prescribed Authority fails to make the inspection within the specified period, it shall be presumed that the Prescribed Authority has no objection to the starting of the construction work according to the notice.

**17. Deviation During Building Construction :-**

During the course of construction of the building, if any deviation from the sanctioned plan/statement is intended to be made, permission of the Prescribed Authority shall be obtained before the proposed deviation is executed, subject to the exceptions given in Sub-rule (4) of Rule II. It shall be incumbent upon every person whose plans have been approved, to submit amended plans / statements for any deviation, he proposes to make. The procedure laid down for original application for building permission here-to-force shall apply to all such amendments in the plans and the fee payable shall be as per Sub-clause (c) of Clause (v) of Sub-rule (2) of Rule 13.

**CHAPTER 3** CHAPTER III

**CHAPTER 4** CHAPTER IV

**18. Fee On The Memorandum Of Appeal :-**

In case, an appeal is filed under Sub-section (2) of Section 15 of the Act before the Controlling Authority against the refusing, granting or cancelling the development permit or the building permit as the case may be a fee equal to fifty per cent of the fee required for the development permit or the building permit shall be paid alongwith the memorandum of appeal.

**19. Grant Of Copies Of Records :-**

The Prescribed Authority may, in its discretion allow the issue of copies of documents on payment of fees specified in Schedule I.

**SCHEDULE 1**

## SCHEDULE I

(See Rule 19)

### 1. Fee for copying of plans.-

For ordinary copy of a plan in which a tracing has to be prepared-On ferro paper - at a rate Rs. 5/-per square foot of ferro paper or part thereof for the first copy and Rs. 0.75 per square foot or part thereof for every subsequent copy. On ozalid paper -at a rate of Rs. 5/- per square foot of ozalid paper or part thereof or the first copy and Re. 1/- per square foot or part hereof for every subsequent copy.

2. For a copy of a plan for which a tracing exists on the following paper in the office of Prescribed Authorities-On ferro paper- Rs. 0.75 persquare foot of ferro paper or part thereof. On ozalid paper- Rs. 1/- per square foot of ozalid paper or part thereof.

3.Where a persons presents an exact copy of a plan on the record of the Prescribed Authority and desires to be attested as a true copy of the plan Rs. 5/-per plan.

4.In case an applicant wants the copies of the plans urgently, then in addition to the copying and other charges quoted above, an additional fee of Rs.5/-per plan in cases of item No.1 above and Re. 1/- per plan in cases of item Nos. 2 and 3 above would be chargeable. Fees for copying of English. Hindi or Urdu records

5. Fee for first 200 words or under Rs.5./-

6. Fee for every additional 100 words or fraction thereof Re. 1.00.

7. In case an applicant desires a copy of the above documents urgently, he shall be charged at twice the normal rates.

8. An urgent copy should ordinarily be made available within two the receipt of the application and deposit of prescribed fee.