

Uttar Pradesh Urban Planning And Development (Amendment) Act, 2007

1 of 2008

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An Act further to amend the Uttar Pradesh Urban Planning and Development Act, 1973 It is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:-- 1. Received the assent of the Governor on January 8, 2008 and published in the U.P. Gazelle, Extra., Part 1. Section (Ka), dated 9th January, 2008, pp. 3-5.

1. Short Title :-

This Act may be called the Uttar Pradesh Urban Planning and Development (Amendment) Act, 2007.

2. Amendment Of Section 2 Of Presidents Act No. 11 Of 1973 As Re-Enacted And Amended By U.P. Act No. 30 Of 1974 :-

In Section 2 of the Uttar Pradesh Urban Planning and Development Act, 1973, hereinafter referred to as the principal Act,--

(a) after clause (dd) the following clause shall be inserted, namely:--

"(ddd) city development charge means the charge levied on a private developer under Section 38-A for the development of land;"

(b) after clause (h) the following clauses shall be inserted, namely:-

"(hh) land use conversion charge means the charge levied on a person or body under Section 38-A for the change of land use in the Master Plan or Zonal Development Plan;

(hhh) license fee means the fee levied on a private developer under Section 39-B seeking license for assembly and development of land within the development area;"

(c) after clause (ii) the following clause shall be inserted, namely:--

"(iii) private developer means an individual, company or association, body of individuals whether incorporated or not, owning or assembling or agreeing to own or assemble, whether by purchase or otherwise, land for development and to whom a license has been granted under Section 39-B of this Act."

3. Insertion Of New Section 38-A :-

After Section 38 of the principal Act the following section shall be inserted, namely:--

"38-A. Power of Authority to levy land use conversion charge and city development charge.--

(1) Where in any development area, the land use of a particular land is changed as a result of amendment of Master Plan or Zonal Development Plan under Section 13, the Authority shall be entitled to levy land use conversion charge on the owner of such land and in such manner and at such rates as may be prescribed:

Provided that the land use conversion charge shall be recovered from the owner of land by the Authority prior to final notification under sub-section (4) of Section 13 of this Act:

Provided further that where the land use of a particular land is changed as a result of coming into operation of Master Plan or Zonal Development Plan, no land use conversion charge shall be levied upon the owner of such land.

(2) Where in any development area a license has been granted to private developer for assembly and development of land, the Authority shall be entitled to levy city development charge on the private developer of such land and in such manner and at such rates as may be prescribed."

4. Insertion Of New Sections 39-B And 39-C :-

After Section 39-A of the principal Act the following sections shall be inserted, namely:--

"39-B. License for Assembly and Development of land.--

The Authority may grant license to private developer for assembly

and development of land within its development area in such manner and for such period as may be prescribed.

39-C. Power of Authority to License fee.--

The Authority shall be entitled to levy license fee for granting license to private developer for assembly and development of land within its development area at such rates and in such manner as may be prescribed."