

**From,
Amitabh Prakash**

NO.:1241/8-3-17-34Misc./2008

**Specil Secretary
Govt. of Uttar Pradesh
To,**

**1.The Housing
Commissioner
U.P. Housing &
department Board.**

Lucknow

**2.Vice-Chairman
All Development Authorities
Uttar Pradesh**

**3.Chairman,
All Special Area Development Authorities
Uttar Pradesh**

Housing &Urban Sector-3

Lucknow Dated 31 Oct, 2017 Sub: Regarding Amendment in Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016) for implementation of Business Reform Action Plan 2017 under AMRUT Scheme and Ease of Doing Business.

Sir,

1.In regard to the subject mentioned above, it is to be informed that certain amendments are require in the Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016)for implementations of model Building bye laws-2016 issued by Government of India for Urban reforms under AMRUT Scheme and Business Reform Action Plan 2017 of Government of India under Ease of Doing Business.

2.In this regard I have been directed to state that it has been decided, after due consideration, to amend Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016), as per the Enclosure, for requirements and implementation of Model Building Bye- laws 2016 issued by Government of India for urban reforms under AMRUT Scheme and Business Reform Action Plan 2017 of Government of India under Ease of Doing Business, under Section -57 of Uttar Pradesh Urban Planning and Development Act- 1973.

Please ensure strict compliance of the above after obtaining approval of the Board and adopting the same.

Encls: As above

faithfully,

1-

Prakash)

Secretary No. 1241(1)/8-3-17-34 Misc/2008-even dated.

Copy Forwarded to following for information and necessary action:-

- 1.Chief Town and Country planner, Town and Country Planning Deptt, U.P., Lucknow
- 2.The Director, Awas Bandhu, U.P. Lucknow
- 3.Shri Anil Tiwari, Asstt Director, Systems, Awas Bandhu, U.P. with the purpose that it may be served on all concerned and uploaded on the website of the development.
- 4.Guard File

Your

Sd-

**(Amitabh
Special**

By order,
**(Sanjay
Kumar
Singh)**
Under
Secretary

Enclosure of G.O No. 1241/8-3-17-34 misc/2008, dated 31 October,2017

1.In view of Model Building Bye- laws 2016 (water re-use and recycling) issued by Government of India under AMRUT Scheme, Clause 3.1.2.3(xvi), as below, will be added to Building constructions and Development Bye- Laws 2008 (as amended 2011 and 2016):-

Clause-3.1.2.3.(xvi)

“in plots of all uses, having minimum 10 thousand liters water discharge per day, utilization of waste water Recycling System/ recycled water shall be ensured”

2.In view of Model Building Bye- laws 2016(Sustainable Waste Management) issued by Government of India under AMRUT Scheme, Clause 3.1.2.3(xvii), as below , will be added to Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016):-

Clause 3.1.2.3(xvii)

“For waste management in residential buildings(including Group housing) of the area of more than 500 sq meters and in all non- residential buildings, arrangement of two types of dust bins(biodegradable and Non- biodegradable) shall be made on the ground floor near the entrance so that it is easy to prepare fuel cake, manure, paper etc. by processing at ward or sector level after collecting garbage from the dust bin everyday by the Local Body.”

3.In view of Model Building Bye- laws 2016(climate Resilient Contraction-Integration of Environmental Clearance with Sanction) issued by Government Of India under AMRUT Scheme, Clause 3.11.10, as below, will be added to Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016):-

New Clause 3.11.10

“In Buildings of built-up area of 5000 square meter to 150000 square meter, keeping in view the environmental protection, environmental terms and conditions, mentioned in appendix-15 to appendix-17 shall be complied with compulsorily.

4.In view of stipulate that building plan approval is provided within 30 days for implementation of Business Reform Action Plan 2017 under Ease of Doing Business, in to Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016), Column-1 below is substituted by Provision of column -2:-

1	2
Clause-3.1.3.3 Other Buildings	Clause 3.1.3.3
(i) The plans of Commercial, office, Group Housing and others (except industrial) will be submitted for permission of construction; however, in case of the same not being disposed of finally with in a period of 90 days, the Building Plan shall be deemed as automatically approved, if the applicant has not given consent for extension of time, provided the plan is in accordance with Master Plan/ Sectoral Plan and Building Bye-laws.	The plans of Commercial, office, Group Housing and others will be submitted for permission of construction; however, in the event of the same not being disposed of finally with in a period of 30 days and if the consent for extension of time has not been given by the applicant himself, the Building Plan shall be deemed as automatically approved, provided that it is verified by the Permitted Technical Person on the Building Plan that the Plan is in accordance with Master Plan/ Sectoral Plan and building Bye-laws.
(ii) Even if no objection Certificate is not received within the prescribed period, the plans will be approved within 90 days with the condition that the builder can start construction, on his own risk, after 10 days of serving written notice to Development Authority and such departments, whose No objection/ Objection has not been received, but he will have to obtain No objection Certificate for no objection from remaining departments. It will be the responsibility of the Builders to obtain No objection Certificate and perform constructions as per conditions imposed	Even if no objection Certificate is not received within the prescribed period, the plans will be approved within 30 days with the condition that the builder can start construction, on his own risk, after 10 days of serving written notice to Development Authority and such departments, whose No objection/ Objection has not been received, but he will have to obtain No objection Certificate for no objection from remaining departments. It will be the responsibility of the Builders to obtain No objection Certificate and perform constructions as per conditions imposed in the same

5.In view stipulate that plinth inspection in done within 7 days of intimation for implementation of business Reform Action plan 2017 under ease of Doing Business, in Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016) Clause- 3.1.6(A), as under, will be added:-

New Clause – 3.1.6(A) Inspection/Examination of Construction work

In order to ensure construction work at the site in accordance with the plan approved at the time of construction of the building, except the Schemes of development authority and Schemes approved by the authority/ all residential plots under plotted development in lay-out plan, building owners/ builder after completion of the construction work of rest of the buildings of all categories upto the plinth level, will submit by uploading digital photographs with G.P.S Coordinates of the site, date and time to Government Agency, along with which an affidavit (appendix-18) to the effect that the construction work at the site has been done only as per the photographs will have to be submitted. In case it is found that the owner of the building/builders has done any construction beyond approved plan, work covered by permit mentioned under Clause-3.1.1 of Building constructions and Development Bye-Laws and the construction permissible under Section-52 of Uttar Pradesh Urban Planning and Development Act, 1973, he will have no objection to the sealing by the government agency and he will not claim any damages of any work for the same.

On receipt of photographs, after site inspection by Engineer- in- charge in 48 working hours in the event of any deviation /error /discrepancy found viz-a-viz details submitted by owner of the building/builder, a notice will be served on him immediately (Appendix-19). Besides the Engineer- in-charge will also submit his report to the vice-Chairman, Development Authority. The deviation/error at the site in relation to the said report will be assessed by the Vice-Chairman , Development Authority and in case of deviation being found, the construction work will be sealed . This action will be ensured in a maximum of 07 working days.

6.In view of the stipulate that Final completion Occupancy certificate is provided within 8 days for implementation of Business Reform Action plan 2017 under Ease of Doing Business, in of Building constructions and Development Bye-Laws-2008(as amended 2011 and 2016) Column -1 below is substituted by provision of column-2:-

1	2
Clause-3 of Annexure-2	Clause-3 of Annexure-2
On receipt of notice of completion the notices selected on random basis, will be examined by the vice-Chairman or the officer authorized by him, as per the procedure prescribed from time-to-time for various categories of buildings. However, the notices of all buildings of Commercial and Group Housing will be inquired/ examined and inquiry/ examination of other building, except commercial and Group Housing, will not be done till the percentage and	On receipt of application for Completion Certificate, the notices selected on random basis, will be examined by the vice-Chairman or the officer authorized by him, as per the procedure prescribed from time-to-time for various categories of buildings. However, the notices of all buildings of Commercial, multi storey and Group Housing will be inquired/ examined. Inquiry/Examination of other buildings, , except commercial and Group Housing, will not be done till the percentage and
Clause -4 Of Annexure-2	Clause -4 Of Annexure-2
In case of development work being found as per the approved plan on the basis of report of Permitted person/Architect or inquiry, completion Certificate at the prescribed place in the Form will be issued by the Vice-Chairman or officer authorized by him.	In case of development work being found as per the approved plan on the basis of report of Permitted person/Architect or inquiry, completion Certificate at the prescribed place in the Form will be issued in the 01 working day by the Vice-Chairman or officer
Clause -5 of Annexure-2	Clause -5 of Annexure-2

In case of development/construction not found in accordance with development with approved or, mitigated plain Inquiry/Examination, the approval of completion Certificate will be rejected by the Vice-Chairman or Officer authorized by him and the applicant will be informed of the same with reason there for within 60 days of the application. In case of failure to dispose of by The Authority within the said period, the applicant will be required to give a 15 days notice to the Authority to issue the completion Certificate. In case of non-disposal of Completion Certificate by the Authority after this period, the	In case of development/construction not found in accordance with development with approved or, mitigated plain Inquiry/ Examination within the maximum period 7 days from receipt of application for Completion Certificate, the applicant will be informed of the rejection of his application along with required amendments by the Vice-Chairman or Officer authorities by him in 08 working days from making the application. In case of non-disposal of Completion Certificate by the Authority after this period, the Completion Certificate will be deemed approved by
---	---

7. In order to implement Business Reform Action Plan 2017 under Ease of Doing Business, for operation of software prepared for Online building map sanction in Building constructions and Development Bye-Laws 2008 (as amended 2011 and 2016) provision of column -2 is substituted in place of column -1 below:-

1	2
Clause-3.1.3.1	Clause-3.1.3.1
(i) Under the schemes of Development Authorities and schemes approved by Authorities / lay-out Plan, on being submitted, for construction, reconstruction and renovation of residential buildings of area upto 300 square meter will be deemed automatically approved, if the plan is prepared by permitted technical person and a certificate to the effect that proposed construction/ reconstruction is as per Master plan and Building Bye-Law is recorded on it. However, it will be necessary to deposit required charges in various heads such as Debris Charge, Supervision Charge etc.	(i) In the schemes of Development Authorities and schemes approved Authorities / lay-out Plan, on being submitted, for construction, reconstruction and renovation of residential buildings will be deemed automatically approved and the document regarding approval will be made available in 02 working days. The said Building Plans will be acceptable on being in accordance with standard design downloaded from the website provided and authorized by the Authority or on being prepared by permitted technical person and a certificate to the effect that proposed construction/ reconstruction is as per Master plan and Building Bye-Law is recorded on it. For this purpose, it will be necessary to
(iii) It will be compulsory to obtain approval on the plans of residential plots of the area of more than 300 square meters. In the event of the submitted plans not being disposed of finally in the 30 days period, the same will be deemed automatically approved provided they are as per Master Plan/ Sectoral Plan and Building Bye laws and No objection Certificate from all concerned departments, as necessary, such as Fire Fighting department, Pollution Control Board, A.S.I, etc have been obtained. In the matters of automatic approval, the builders concerned will themselves be responsible.	Except in case of building plans of plotted development in Schemes of Development Authorities and Schemes approved by Authorities / Lay-out plan, it will be compulsory to obtain approval on the plans of the all other residential plots. In the event of the submitted plans not being disposed of finally in the 30 days period, the same will be deemed automatically approved provided the certificate by the permitted technical person to the effect that the plan is as per Master Plan/ Sectoral Plan and Building Bye laws and No objection Certificate from all concerned departments, as necessary, such as Fire Fighting

**APPENDIX-15 Environmental Conditions For Building and Construction
(Category "A": 5000 sqmt-20000 sqmt)**

S No.	Medium	Environmental Conditions
1.	1.Natural drainage	The inlet and outlet point of natural drain system should be maintained with adequate size of channel if ensuring unrestricted water flow of water.
2.	2.Water Conservation s - Rain Water Harvesting and ground	A rain water harvesting plan needs to be designed where the recharge bores (minimum one per 5000 sqmt of built –up area) shall be provided. The rain water harvested should be stored in a tank of reuse in household through a provision of separate water tank and pipelines to avoid mixing with potable municipal water supply. The excess rain water harvested be linked to the tube well bore in the premise through a pipeline after filtration in the
2(a)		The unpaved area shall be more than or equal to 20% of the recreational open spaces.
3.	3.Solid waste manageme	Separate wet and dry bins must be provided at the ground level for facilitating segregation waste.
4.	4.Energy	In common areas, LED/ solar lights must be provided.
5.	5.Air quality and Noise	Dust, smoke and debris prevention measures such as screens, barricading shall be installed at the site of during construction. Plastic/ tarpaulin sheet covers must be used for trucks bringing in sand and material at the site.
5(a)		The exhaust pipe of the DG set, if installed, must be minimum 10m away from the building. In case it is less than 10m away, the exhaust pipe shall be taken up to 3m above the building.
6.	6.Green Cover	A minimum of 1 tree for every 80 sqmt of land shall be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
6(a)		Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done with the obligation to provide continued maintained for such plantations

APPENDIX-16

Environmental Conditions For Building and Construction

(Category "B": 20000 sqmt-50000 sqmt)

S No.	Medium	Environmental Conditions
1.	Natural drainage	The inlet and outlet point of natural drain system should be maintained with adequate size of channel if ensuring unrestricted water flow of
2.	Water Conservation s- Rain Water Harvesting and ground Water	A rain water harvesting plan needs to be designed where the recharge bores (minimum one per 5000 sqmt of built -up area) shall be provided. The rain water harvested should be stored in a tank of reuse in household through a provision of separate water tank and pipelines to avoid mixing with potable municipal water supply. The excess rain water harvested be linked to the tube well bore in the premise through a pipeline after filtration in the installed filters.
2(a)		The unpaved area shall be more than or equal to 20% of the recreational open spaces.
3.	Solid waste management	Separate wet and dry bins must be provided at the ground level for facilitating segregation waste.
4.	Energy	In common areas, LED/ solar lights must be provided.
4(a)		At least 1% of connected applied load generated from renewable energy source such as photovoltaic cells or wind mills or hybrid should be
4(b)		As per the provisions of the Ministry of New and Renewable energy solar water heater of minimum capacity 10liters/4 persons (2.5 litres per capita) shall be installed.
4(c)		Use of fly ash bricks: Fly ash should be used as building material in the construction as per the provisions of fly ash Notification of September, 1999 and as amended from time to time.
5.	Air quality and Noise	Dust, smoke and debris prevention measures such as screens, barricading shall be installed at the site of during construction. Plastic/ tarpaulin sheet covers must be used for trucks bringing in sand and
5(a)		The exhaust pipe of the DG set, if installed, must be minimum 10m away from the building. In case it is less than 10m away, the exhaust pipe shall be taken up to 3m above the building.
6.	Green Cover	A minimum of 1 tree for every 80 sqmt. of land shall be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
6(a)		Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done with the obligation to provide continued maintenance for such plantations

APPENDIX-17

Environmental Conditions For Building and Construction

(Category "C": 50000 sqmt-150000 sqmt)

S No.	Medium	Environmental Conditions
	Natural drainage	The inlet and outlet point of natural drain system should be maintained with adequate size of channel if ensuring unrestricted water flow of water.
	Water Conservation - Rain Water Harvesting and ground	A rain water harvesting plan needs to be designed where the recharge bores (minimum one per 5000 sq mt of built -up area) shall be provided. The rain water harvested should be stored in a tank of reuse in household through a provision of separate water tank and pipelines to avoid mixing with potable municipal water supply. The excess rain water harvested be linked to the tube well bore in the premise through a pipeline after filtration in the installed filters.
2(a)		The unpaved area shall be more than or equal to 20% of the recreational open
2(b)		The ground water shall not be withdrawn without approval from the competent authority.
2(c)		Use of potable water in construction should be minimized.
2(d)		Low flow fixtures and sensors must be used to promote water conservation.
2(e)		Separation of grey and black water should be done by the use of dual plumbing
3.	Solid waste management	Separate wet and dry bins must be provided at the ground level for facilitating segregation waste.
3(a)		All non- biodegradable waste shall be handed over to authorized recyclers for which a written tie-up must be done with the authorized recyclers.
3(b)		Organic waste composter/ vermiculture pit with a minimum capacity of 0.3 kg/ tenement/ day must be installed wherein the STP sludge may be used to be converted to manure which could be used at the site or handed over to authorized recyclers for which a written tie-up must be done with the authorized recyclers
4.	Energy	In common areas, LED/ solar lights must be provided.
4(a)		At least 1% of connected applied load generated from renewable energy source such as photovoltaic cells or wind mills or hybrid should be provided.
4(b)		As per the provisions of the Ministry of New and Renewable energy solar water heater of minimum capacity 10liters/4 persons (2.5 liters per capita) shall be
4(c)		Use of flyash bricks: Fly ash should be used as building material in the construction as per the provisions of fly ash Notification of September, 1999 and as amended from time to time.
4(d)		Use of concept of passive solar design of buildings using architectural design approaches that minimize energy consumption in buildings by integrating conventional energy-efficient devices, such a mechanical and electrical pumps, fans, lighting fixtures and other equipment with the passive design elements, such as building orientations, landscaping, efficient building envelope, appropriate
4(e)		Optimize use of energy systems in buildings that should maintain a specific indoor environment conducive to the functional requirements of the building by following mandatory compliance measures(for all applicable buildings)as recommended in the energy Conservation Building Code (ECBC) 2007 of the Bureau of Energy Efficiency, Government of India.
5.	Air quality and Noise	Dust, smoke and debris prevention measures such as screens, barricading shall be installed at the site of during construction. Plastic/ tarpaulin sheet covers must be used for trucks bringing in sand and material at the site.
5(a)		The exhaust pipe of the DG set, if installed, must be minimum 10m away from the building. In case it is less than 10m away, the exhaust pipe shall be taken up to 3m above the building.
6.	Green Cover	A minimum of 1 tree for every 80 sqm of land shall be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species
6(a)		Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done with the obligation to provide continued maintainance for such plantations.
7.	Sewage Treatment Plant	Sewage treatment plant with capacity of treating 100% waste water shall be installed. Treated water must be recycled for gardening and flushing.

8.	Environment Management Plan	The environment infrastructure like Sewage Treatment Plants, Landscaping, Rain water harvesting. Power backup for environment, Infrastructure, Environment monitoring, Solid Waste Management and Solar and Energy Conservation, should be kept
----	------------------------------------	---



APPENDIX-18**Affidavit**

(On Non- Judicial Stamp Paper of Rupees One Hundred) **Before** _____ **Vice- Chairman, Development Authority**

I _____ son of Shri _____ Aged about _____ years, designation _____, Name and Address of the firm _____ depose on the oath as under:-

1. That the deponent is posted on the post of _____ in the firm _____

and is authorized to sign on behalf of the firm in respect of (details of plot/ name of the scheme).

2. That the buildings in _____ (details of the plot/ name of the Scheme) have _____ been construction upto plinth in proof of which digital photographs of the site along with G.P.S Co-ordinates date and time, signed by me, are being enclosed.
3. That in case it is found that the land owner/builder has done any construction beyond approved plan work covered by the permit mentioned under clause-3.1.1 of Building constructions and Development Bye-Laws and construction permissible under Section-52 of Uttar Pradesh Urban Planning and Development Act, 1973, they will have no objection to sealing by the Government Agency and he will not claim damages for any work for the same.

The deponent declares that all statements, as above, are true to his personal knowledge and no fact has been concealed in it.

(Signatures of Deponent)

Name:

Address:

Verification

I, the deponent, verify that Section-1 including upto-3 are true to my personal knowledge and reformation, nothing has been concealed in it and I affirm the same.

(Signatures of Deponent)

Name:

Address:

APPENDIX-19**To,**

**Name of
Developers
Address**

**Subject:-Notice subsequent to inspection on..... (date) of
(description of Plot/ name of Scheme.)**

Sir,

The photographs regarding construction done on _____site submitted by you on..... (date) along with the affidavit were matched with construction existing on the site on (date). On the basis of spot inspection, the details submitted by you were found correct/ following deviation(s)/ error(s) was/were found:-

- 1.
- 2.
- 3.
- 4.

Yours faithfully,

**(Engineer-
in-Charge)**
(with Stamp)

CC: The Vice-Chairman _____Development Authority for information / with the request that the orders for sealing the construction done on the site may please be passed. (Strike out which is not applicable)

**(Engineer-
in-Charge)**
(with Stamp)