

UTTAR PRADESH URBAN PLANNING AND DEVELOPMENT (ASSESSMENT, LEVY AND COLLECTION OF IMPACT FEE) RULES, 2024

1/1)3063snozs Uttar Pradesh Shasan Aawaas evam Shahri Niyoj•n Anubhag-3 In pursuance of the provisions Of clause (3) of Article 348 of Constitution, the Governor is pleased to order the publication of the following English translation of Notification no. J/i:i:3 0.63%./2025/8-3099/406/2023 Part-Idated .ø.lt..NeV.Oetebef% 2025. Notification 2025/8-3099/40612023 Part-I Lucknow; Dated: 2025. In exercise of the powers under clause (c) of sub-section (2) of section 55 read with subsection (2) of section 15 of the Uttar Pradesh Urban Planning and Development Act, 1973 (President's Act no. I I of 1973) read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. I of 1904), the Governor is pleased to make the following rules with a view to amend the Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Impact Fee) Rules, 2024 :- The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Impact Fee) (First Amendment) Rules, 2025 (1) These rules may be called the Uttar Pradesh Urban Planning and Short title, 1. commencement and a lication Amendment of 2. Rule 2 Development (Assessment, Levy and Collection of Impact Fee) (First Amendment) Rules, 2025 (2) They shall come into force with effect from the date of their ublication in the official Gazette. (3) They shall be applicable to all the development in the State of Uttar Pradesh. In the Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of [mpact Fee) Rules. 2024 (hereinafter referred to as the "said rules") for the existing rule 2 set out in Column-I below, the rule as set out in Column-II shall be substituted, namel .- Column-I Existin rule " Act" means (a) (b) (c) (d) the Uttar Pradesh Urban Planning Development and Act, 1973 (President's Act no. 11 of 1973): "Applicant" means any person or body making an application under section 15 of the Act to obtain permission referred to in section 14 of the Act; "Approval" means approved by the Authority; the "Authority!" means authority development constituted under section 4 of the Act; (a) (b) (c) (d) (e) Column-11 Rule as hereb substituted "Act" means the Uttar Pradesh Urban Development and Planning Act, 1973 (President'S Act no. 11 of "Applicant" means any person or body making an application under section 15 of the Act to obtain permission referred to in section 14 of the Act; "Approval." means approved by the Authority. "Authority" means the development authority constituted under section 4 of the Act; "Building" means a structure constructed with any materials whatsoever for any purpose, whether used for human habitadoa or not. 1 8-3099/406/2023.YTTF tnnosnoæ•. and includes: (i) foundation, plinth. walls. floors, roofs, chimneys. plumbing and building services, fixed (e) (f) (g) (h) (i) (j) "Building" includes anv structure or crection or part of a structure or erection which is intended to bc used for residential. industrial. commercial or other purposes, whether in actual use or not: "Built-up arca" means the area within a dcvelopment area as earmarked in the master plan or has been delineated as such by the Authority "Covered Area" means the total built-up arca on all the floors ofa building: "Development" grammatical variations . and connotations. means the canying out of building, engineerina. mining or other operations in. on. over or under land or the making of any material change jn any building or land, and includes re-development: "Dcvelopment the arca Arca" means declared as dcvelopment area under section 3 of the Act: "Govcmment" means the G of Uttar overnment Pradesh: "Hierarchy of platforms etc., verandahs. uses" means order of various land uses from lower to higher and Vicc- versa as determined in lhe zoning regulations: (l) "Impact Fee" means a fee levied upon a person or a body under sub-section (2) of section 15 of the Act for seeking permission for a higher use or activity in a lower land use in accordancce with the zoning regulations; (m) "Layout plan" means a sub- (f) (g) (h) 0) balconies, cornices. projections etc., (iii) parts of a building or anything affixed thereto; anv wall enclosing or intended to enclose any land or space, sign and outdoor display structures; etc., (v) tanks constructed or fixed for storage of chemicals or chemicals in liquid form and for storage of water. effluent. swimming pool, ponds etc., (vi) all types of buildings as defined under the 'use group or occupancy' or based on 'design, height or other features', except tents, shamianus and tarpaulin shelters erected temporarily for temporary purposes (for less than three months) and ceremonial occasions, shall he considered to be "buildings". (f)(i) "Built up area (Master Plan)" in the context of Master Plan means such densely populated eren situated I , within the development area. most of which has been developed as commercial, industrial, residential. or other areas. Herc, au the necessarv facilities like road, water supply, sewerage, electricity supply etc. are

available and have been demarcated as built-up area by the authority under its master plan. (ii) Built-up area (Building)" in the context of building construction refers to the total covered area on all floors of an immovable property or building. "Development" with its grammatical variations and connotations, means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in any building or land and includes re-development; "Development Area" means the area declared as development area under section 3 of the Act; "Government" means the Government of Uttar Pradesh; "Hierarchy of land uses" means order of various land uses from lower to 2 (n) (o) (p) (q) Part (i) division plan approved by the competent authority showing division of any land or portion thereof into more than one plot or parcel for the purpose of sale or otherwise; "Land use" means the use of land for which land or building is used or intended to be used as per the provisions of master plan or the zonal development plan or the layout plan; "Master Plan" means a plan for the development of land within the jurisdiction of the Authority prepared in accordance with the provisions of the Act; "Owner" includes any person whose name is recorded as owner of the land or building or part thereof in the records of the concerned Authority; "Section" means a section of the Act; "permissible conditionally" means the use or activity which may be permitted in a particular land use subject to compliance of terms and conditions laid down in the zoning regulations; "permissible" means use or activity which may be permitted in a particular land use without any condition in accordance with the zoning regulations; "Use permissible with special permission" means use or activity which may be permitted in a particular land use with the approval of the Board of the Authority; (k) (m) (n) (o) (p) (q) 1/1130635/2025 higher and vice-versa as determined in the zoning regulations; "Impact Fee" means a fee levied upon a person or a body under sub-section (2) of section 15 of the Act for seeking permission for a higher use or activity in a lower land use in accordance with the zoning regulations; "Layout plan/sub-division plan" means sub-dividing of any land or part thereof into more than one plot for sale or otherwise, in which the configuration of roads, measurement of plots along with set-back lines and method of development (e.g. row-housing, semi-detached, detached group housing) should be shown and details of size, use, area of all the plots should be given; "Land use" means the use of land for which land or building is used or intended to be used as per the provisions of master plan, the zonal development or the approved layout plan; "Master Plan" means a plan for the development of land within the jurisdiction of the Authority prepared in accordance with the provisions of the Act; "Non-Built-up area" is the area other than Built-up area (Master Plan) defined above. "Owner" means a person who has legal rights over any land or building or receives rent or is entitled to receive rent in case the premises are on rent and will also include the following: (1) Any agent or person who receives rent on behalf of the owner, (2) Any agent or person who receives rent or is entrusted with the management of any land or building for religious or charitable purposes, (3) Any receiver or manager appointed by a court of competent authority who has been given the charge/authority of exercising the rights of the owner in the premises. "Permitted" means use or activity which may be permitted in a particular land use without any condition in accordance with the 3 (u) (w) 2. (2) "Zoning regulations" means zoning of land use and regulations prescribing the uses or activities permissible in different land uses in a master plan or a zonal development plan; "Zonal Development Plan" means a plan of a prepared zone in accordance with the provisions of the Act; "Zone" means any of the divisions in which a development area may be divided for the purposes of development under the Act. Words and expressions, not defined in these rules but defined in the Act, shall have the meanings respectively assigned to them in the Act. (r) (s) (u) (v) (2) 1/1130635/2025 zoning regulations. "Permitted with conditions" means the use or activity which may be permitted in a particular land use subject to compliance of terms and conditions laid down in the zoning regulations. "Section" means a section of the Act; "Zonal Development Plan" means a Plan formulated under Section 9 of the Act for development of zones which are part of the development area under the jurisdiction of Authority. "Zone" means any of the divisions in which a development area may be divided for the purposes of development under the Act. "Zoning regulations" means zoning of land use and regulations prescribing the uses or activities permissible in different land uses in a master plan, a zonal development plan or approved layout plan. Words and expressions, not defined in these rules but defined in the Act, shall have the meanings respectively assigned to them in the Act. Amendment of Rule 3. In the said rules in sub-rule (1) of rule 3, (8) for clause (a) set out in Column-I below, the clause as set out in Column-II shall be substituted, namely:- (a) Column-I Existing clause For uses or activities which are permissible in the built-up 'generally' or

'conditionally' or special permission' of the Authority. are area •with Column-II clause as hereb • substituted (R) For uses or activities which are pennissible in the built-up area 'generally' or 'conditionally'. for clause (t) set out in Column-I below, the clause as set out in (b) Column-II shall be substituted, namely:- Column-I Existin clause Areas or land parcels which do not form pan of any layout plan sanctioned by the competent authority (f) Column-n clause as herebv substituted Omitted Amendment of 4. Ruic 4 In the said rules for rule 4 set out in Column-I below. the lille as set out in Column-II shall be substituted. namelv:- 4 Column-I Existin rule 4(1) Where an application is submitted mnder rule 3, the impact fee shall be assessed and collected on the gross area of the land parcel on the basis Of present circle rate of existing use of land issued by the District Magistrate. (2) Assessment of impact fee for different uses or activities shall be carried out on the basis of 'impact fee co-efficient' prescribed for various land uses as given in the table below:- Land use Zones (Lower to Higher) 5 Column-II Rule as hereb substituted 4(1) Where an application is submitted under rule 3, the impact fee shall be assessed and collected on the gross area of the land parcel on the basis of present circle rate of existing use of land issued by the District Magistrate. Where such rate is not available, the current residential rate deErmined by the Authority, shall be applicable. (2) Assessment of impact fee for different uses or activities shall be carried out on the basis of 'impact fee co-efficient' prescribed for various land uses as given in the table below:- 11 C.eux-rcia I OJO OSO • NA: Not Not Payable 0.75, D.73 NP 0.5 Where: # Not.tlon 4 6 7 8 9 10 12 13 16 ou PSP GA A L•nd use Zooe Mtxed L!" 1 IREtütV CBD'Sub CBDT' Siret ComtXftia1 2 Stora SEN)' Office Public Semi. tlblc Facilities TW mc ond Ttatw tion Fbrclsl Green BCR Gt•emeetl Abeadi A ulluN Hi hwa Facilities Exemption from Impact fee Non-commercial and Qaritable Activities," uses eli 'ble under Encome Tax Act) Service aid Cotta Industries Gt Housin for related use u uses Symbol 1m act fgcnota licable 1m act fec not unds (2) 3) (3)' Impact fee shall be calculated in accordance with the following formulae: (a) for uses or activities which are permissible •generally' or 'conditionally': Plot Area X Circle Rate X Impact Fee co- emcientX 0.25 (b) for uses. or activities Which arc pennissible with special permission with the approval of the Board of the Authority: Plot Arca X Circle Rate X Impact Fee co- emcient x o.so (3) Impact fee for uses or activities which are permissible 'generally' or 'conditionally' shall be calculated in accordance With the following formula: Plot Area X Circle Rate X Impact Fee co-emcient x 0.25 5 Amendment of Rule S l/'13063st2025 5, In the said rules, in rule 5.- (B) for sub-rule(l) set out in Column-I below. the sub-rule as set out in Column-II shall be substituted, namely:- Column-I Existin sub-rule For ail types of uses or activities, whether pennissible 'generally! or 'conditionally' or 'with special permission', the Authority shall publish a notice in at least two newspapers having circulation in the development area inviting objections and suggestions from the public. The minirnum duration for subtnission of objections and suggestions shall bc 30 days from lhc date or publication of the notice. Column-II sub-rule as herebv substituted (1) For all types of uses or activities. whether permissible generally or •conditionally'. the Authority shall publish a notice in at least two newspapers having circulation in the development area inviting objections and suggestions from the public. The minimum duration for submission of objections and suggestions shall be 15 days from the date of publication of the notice. (b) for sub-rule(3) set out in Column-I below: the sub-rule as set out in Column-II shall be substituted. nametv:- (3) Column-I Existin sub-rule case of approval in respect of the uses permissible 'generally' or 'conditionally' the Vice-Chairman and for the uses 'permissible with special permission' the Authority. as the case may be. shali calculate the amount of impact fee and issue demand notice within 15 days to the applicant for payment of the same. Column-It sub-rule as hereby substituted (3) In case of approval in respect of the uses "pcrmitted" or "permitted with conditions". the Vicc-Chnicman. shall calculate the amount of impact fec and issue demand notice within 15 days to the applicant for payment of the same

6. In the said rules.for sub-rule(1) of rule 6 set out in Column-I below. Amendment of Rule 6 (hc sub-rule as set out in Column-II shall be substituted, namely:- (1) Column-I Existin sub-rule Subject to che provisions of the Act and these rules. the applicant shall pay the full amount of impact fee upfront as per the demand notice issued by the Vice. Chairman or the Authority. as the case may bc. prior to grant of approval. Column-II sub-rule as hereby substituted (1) Subject to the provisions of the .Act and these rules. the applicant Shail pay the full amount of impact fec upfront as per the demand notice issued by the Vice-Chairman, prior to grant of approval. Bv Order, bigitally signed by Guru Prasad Porala 6