

# RBO Regulations, 1960

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- In Exercise Of The Powers Conferred By Section 19 Of The U.P. (Regulation Of Building Operations)Act, 1958 (U.P. Act No.XXXIV Of 1958),The Governor Has Been Pleased To Issue The Following Regulations For All Regulated Area:

## CHAPTER I

### General

#### SHORT TITLE - (1)

- These Regulations May Be Called The U.P. (Regulations Of Building Operations) Regulations, 1960.
- They Shall Come Into Force With Effect From August 1, 1960.

#### DEFINITION -

- In These Regulations, Unless The Context Otherwise Requires.
- 'Act' Means Uttar Pradesh (Regulation Of Building Operations) Act, 1958.
- 'Colony' Means An Area Of Land Which Is Developed Or Proposed To Be To Be Developed By A Colonizer For The Purpose Of Sub-Dividing It Into Plots For Residential, Commercial, Industrial And Other Uses.
- 'Colonizer' Means An Individual Or Company, Association Or Body Of Individuals, Whether Incorporated Or Not (Including A Cooperative Society) Owning Or Acquiring, Whether By Purchase Or Otherwise, Any Area Of Land For Sub Division Into Plots For Sale Or Lease For Construction Of Buildings Thereon Or Erecting Buildings On These Plots And For Selling Or Leasing Out Such Plots With The Buildings.

#### CONDUCT OF BUSINESS BY THE AUTHORITY

- (1) The Controlling Authority Shall Meet And Shall From Time To Time Make Such Arrangements, Not Inconsistent With The Act, With Respect To The Place, Day, Hour. Notice, Management And Adjournment Of Its Meetings And Generally With Respect To The Transaction Of Business, As It May Think Fit. Subject To The Following Provisions Namely:
- An Ordinary Meeting Shall Be Held At Least Once In Every Quarter:
- The Chairman May, Whenever He Thinks Fit, And Shall, Upon The Written Request Of Not Less Than Two Members, Call On Extraordinary Meeting,
- Four Members Shall Continue The Quorum For The Transaction Of Business At Any Meetings:
- [Provided That When A Meeting Is Adjourned For Want Of Quorum No Quorum Shall Be Necessary In The Adjourned Or Further Adjourned Meeting For The Transaction Of The Business Which Could Not Be Taken Up For Want Of Quorum):

- The Meeting Shall Be Presided Over By The Chairman, Unless Absent And In That Case By One Of The Members Present Who May Be Chosen At The Meeting:
- (E) All Questions Shall Be Decided By A Majority Of Votes Of The Members Present And Voting. The Person Presiding Having A Second Or Casting Vote In All Cases Of Equality Of Votes:
- If A Poll Be Demanded, The Names Of The Members Voting And The Nature Of Their Vote Shall Be Recorded By The Person Presiding:
- Minute Shall Be Kept Of The Names Of The Members Present And Of The Proceedings At Each Meeting, In Book To Be Provided For This Purpose, Which Shall Be Signed At The Next Meeting. By The Person Presiding At Such Meeting And Shall Be Open To Inspection By Any Member During The Office Hours;
- All Orders And Other Instruments Made And Executed In The Name Of The Controlling Authority Shall Be Authenticated By The Signature Of The Prescribed Authority Or By Any Other Member Of The Controlling Authority Authorized By It In This Behalf.
- (2) No Person Shall Be Entitled To Object To The Minutes Of A Meeting Unless He Was Present At Such Meeting.

## **CHAPTER II**

### **Permission For Development of Land**

- Application For Permission.-(1)
- An Application Referred To In Section 7 Of The Act, Shall Be Made In Form 'A' Of Schedule 1 To These Regulations To Be Obtained From The Prescribed Authority On Payment Of Such Charge Not Exceeding Re 1 Per Form As The Controlling Authority May Fix.
- (2) The Application Shall Be Accompanied By Such Plans And Statements As May Be Required By The Prescribed Authority For The Proper Consideration Of The Application.
- The Applicant Shall Pay The Following Fee Along with The Application.

<b>Use</b>	<b>Description</b>	<b>Rate of Fee</b>
(i) Residential building	(a) For a building having total covered area up to 2000 sq ft. on all the floors	10
	(b) For a building having a total covered area of more than 2,000 sq ft. on all the floors.	20
(ii) Commercial building	(a) For building having total covered area up to 1250 sq ft. on all the floors	30
	(b) For every additional 1,000 sq ft. or part thereof of covered area on all the floors.	15
(iii) Residential-cum-Commercial Building	The fee shall be determined according to the rates prescribed in items (I) and (ii) above on the basis of the area proposed to be used for any of the two purposes.	
(iv) Building to be used for religious, educational or charitable purposes.	(a) For a building having a total covered area of more than 2,000 sq ft on all the floors	15
	(b) For a building having total covered area of more than 2,000 sq ft on all the floors	20
(v) Industrial building	(a) For a building having a total covered area up to 2,000 sq ft on all the floors	20
	(b) For every additional 1,000 sq ft. or part thereof of covered area on all the floors.	5
(vi) Plan for development of site	(a) For an area up to 50 acres covered in the layout.	50
	(b) For every additional 50 acres of part thereof covered in the layout.	25

- Provided That In The Areas Where A Total Authority Charges A Fee For The Grant Of Permission To Undertake Or Carry Out The Development Of Site Or To Erect, Re-Erect Or Make Any Material Change In Any Building No Fee Shall Be Charged For The Purpose Under These Regulations.
- Provided Further That The Government Departments And Local Authorities Shall Be Exempt From The Payment Of The Above Fee).

#### **PRINCIPLES UNDER WHICH APPLICATIONS FOR PERMISSION UNDER THE ACT ARE TO BE GRANTED**

- (1) The Prescribed Authority While Granting Or Refusing Permission For Development And Construction Within The Regulated Areas Shall, As Far As May Be, Guided By The Following Principles:
  - Where An Application Is Made By An Individual Owner Of Land For Construction Of A Building On A Plot Of Land Included Within A Colony-
  - I) In Areas Which Have Been Surveyed And Of Which A Accepted By The Prescribed Authority Has Been Prepared And/Or Where In The Opinion Of The Controlling Authority There Is Otherwise, No Objection To The Grant Of Permission For Erecting A Building May Be Granted Subject To The Condition-
    - That It Shall Follow The Architectural Standard. If Any, Fixed For The Purpose:
    - That The Building Plans Are Passed As Required By The Appropriate Local Authority Having Jurisdiction Over That Ar Land Under Its Building By-Laws; And
    - That The Building To Be Constructed Shall Be Used For The Specific Purpose For Which The Permission Is Granted.
  - (Ii)(A) When An Application As Aforesaid Is For Construction Of A Building On A Plot Of Land Included Within A Colony No Permission Shall Be Granted To Erect A Building. Unless The Coloniser Has Executed An Agreement Referred To In Clause(I) Of Sub-Regulation (2) For The, Internal Development Of The Land And Also For The External Development In Connection Therewith:
    - Provided That In Cases Where The Colonizer Has Not Executed The Agreement. Permission To Erect Building Within Colony May Be Granted To Individual Owners Of Plots On The Condition That They Deposit With The Local Body Concerned Such Amount As May Be Specified By The Controlling Authority To Cover The Proportionate Cost Of Internal Development Of The Land Within The Colony And Proportionate Costs Of External Development In Connection Therewith)
    - (B) Permission For Erecting Building In Areas Which Have Not Been Surveyed And For Which Lay Out Plans Have Not Been Prepared, Shall Not Ordinarily Be Granted Unless The Area Is A Compact Area And It Is Possible In The Opinion Of The Prescribed Authority To Accommodate It In The Lay-Out -Plan Of The Locality If And When It Is Prepared. In All Such Cases, The Decision Of The Prescribed Authority Shall Be Final.
    - (C) An Application For Permission To Erect A Building On An Area Which Does Not Conform To The Lay-Out Or Where The Site Earmarked For Roads, Parks Or Other Public Utility Services Or Any Area Which Is In The Opinion Of The Prescribed Authority Not Capable Of Fitting In General Lay Out Of The Locality Shall Be Rejected.
  - An Application From Any Individual For The Use Of Land Other Than For The Erection Of A Building Shall State The Specific Purpose For Which The Land Will Be Used And Will Be Sanctioned Or Rejected By The Prescribed Authority In Its Direction.
  - An Application For Permission To Develop An Area Of Land As A Colony May Be Granted Subject As Far As May Be, To The Following Conditions-
  - He Enters Into An Agreement With The Local Body Concerned For Such Internal Development Of The Land And External Development In Connection Therewith To The Satisfaction Of The Prescribed Authority As The Controlling Authority May Require).

#### **EXPLANATION I.-**

- The Internal Development Of The Land Includes-
  - Leveling Of Land
  - Roads.
  - Stream Water Drains.
  - Street Lighting.
  - Water Supply.
  - Provision Of Open Spaces For Parks, Playgrounds And The Like.
  - Sewerage
  - Earmarking And Leaving Out Open Site For Schools, Dispensaries, Community Centres And Other Public Utility Services

#### **EXPLANATION II.-**

- The External Development Means The Works, Within Or Beyond The Limits Of The Colony, Required To Be Done For The Satisfactory Completion And Functioning Of Any Of The Items Of Internal Development Of The Colony).
- If So Required By The Controlling Authority He Deposits A Sum Specified By The Local Body As A Guarantee For The Carrying Out Of Development In Accordance With The Standard Laid Down By The Controlling Authority Provided That This Sum May Be Refunded Either In A Lump Sum Or By Installment As And When The Controlling

Authority Is Satisfied That The Various Items Of Internal Development And External Development Have Been Carried Out.

- He Undertakes To Transfer To The State Government Free Of Cost The Total Land In The Colony Under Roads, Public Parks And Other Public Utility Services Including The Land Set Apart For Schools, Hospitals, And Similar Public Institutions. Provided That In The Case Of Land Set Apart For Schools, Hospitals, Community Centres And Other Public Utility Services, The Controlling Authority May Require The Coloniser To Transfer Such Land To A Person Or Institution Including Local Body, On Such Terms And Conditions As The Controlling Authority May Lay Down.
- He Undertakes To Be Responsible For The Maintenance Of Services Including Sanitations Of The Colony Until Such Time As The Prescribed Authority Or The Local Body Takes Over Such Services.

### **EXPLANATION III**

- Normally The Period, For Which The Coloniser May Be Required To Be Responsible For The Maintenance Of The Services, Will Not Exceed Twelve Months After The Issue Of The Completion Certificate By The Prescribed Authority.
- He Ensures That The Deed Of Sale Or Lease Entered Into By Him With The Purchaser Of A Plot Of Land In The Colony Shall Include Amongst Its Terms Such Term Or Terms As The Controlling Authority May Lay Down.
- An Application Referred To In Regulation 4 (1) Of The Regulation Shall Be Rejected If The Proposed Lay-Out Is Not Considered Suitable Or If The Area Proposed To Be Developed Is Not Considered Suitable For A Residential Colony.

## **CHAPTER III**

### **Permission for Development of Erection, etc. Guidance to Prescribed Authority.-**

- In Deciding Applications Under Section 7 Of The Act, The Prescribed Authority Shall Generally Be Guided By Such Directions As May Be Given By The Controlling Authority And The State Government. From Time To Time Under Sections 5 And 14 Of The Act, Respectively.

## **CHAPTER IV**

### **Service of Notices And Procedure For Communication, etc. Grant or refusal of permission to be communicated.-**

- (1) The Grant Or Refusal Of Permission Shall Be Communicated To The Applicant In Writing By Personal Service Or By Post Under Certificate Of Posting. At The Address Given In His Application.
- (2) A Notice Under Section 10 Of The Act For The Party To Appear And Show Cause As To Why The Unauthorised Construction Should Not Be Demolished Shall Be Given In Form 'B' Appended With Schedule 1.
- When A Notice Under Any Of The Provisions Of The Act Is To Be Given Or Served On The Owner Or Occupier Of Any Property And He Is, Unknown, It Shall Be Given Or Served-
- By Delivering A Written Notice To Some Person In The Property, Or Should There Be No Such Person To Whom It Can Be Delivered, By Affixing It At Some Conspicuous Part Of The Property; Or
- By Putting Into The Post A Pre-Paid Letter Containing A Written Notice And Addressed By The Description Of The 'Owner' Or 'Occupier' Of The Property (Naming It) In Respect Of Which The Notice Is Given Without Any Further Name Or Description, And By Publication In A Local-Newspaper.
- (4) Notice Of Demolition Shall Be Given In Form 'C' Appended To Schedule 1.
- The Owner Shall Be Deemed To Have Been Given An Opportunity Of Hearing If He Or His Authorised Agent Fails To Appear Despite Services Of Notice In One Of The Modes Provided In Foregoing Clauses Of The Regulation.

## **CHAPTER V**

### **Grant of Copies of Records Grant of Copies**

- The Prescribed Authority May In Its Discretion, Allow The Issue Of Copies Of Documents On Payment Of Fees Specified In Schedule 111.

## **CHAPTER VI**

### **Fee on Appeal Preferred to Controlling Authority**

#### **Rate of fees on Appeal**

- The Rate Of Fees On An Appeal Preferred To Controlling Authority Under Sub-Section (2) Of Section 15 Of The Act Shall Be Half The Fee Prescribed In Sub-Para (2) Of Para 4 Under Chapter 11 Of The Regulations.

# SCREDULE I

FORM 'A'

FORM OF APPLICATION UNDER SUB-SECTION (1) OF SECTION 7 OF THE U.P

[REGULATION OF BUILDING OPERATIONS) ACT. 1958

**(See Chapter II-Regulation 4 (1)**

To  
The Prescribed Authority,

Regulated Area

Dated 19

Sir,

We beg to apply for permission (a) to undertake or carry out the development of the site described below (b) to erect building/buildings on the site described below, (c) to make or extend any excavation on the site described below (d) to lay out any means of access to the road described below.

I/We attach a site plan in triplicate (blue prints or regular plans on oil cloth) showing the position of the site proposed to be developed or excavated or the plot proposed to be built upon the relation to its surroundings and the sanctioned layout, if any.

I/We submit a site plan in triplicate (blue prints or regular plans on oil cloth), showing elevations, and specifications of the proposed building as required by the Municipal by-laws applicable to my/our area.

I am/We are the owner/owners, lessee/lessees of the land for which I am/We are applying

**Description of the land:**

- Area Of The Plot In Square Yards
- Its Municipal Number Or Details And Description. If Rural Area, The Khasra Number Etc.
- Purpose For Which The Building Would Be Used E.G. The Uses Of The Land
- If Plans Sanctioned By The Local Body (Give True Copy Of Sanction Order With A Copy Of The Sanctioned Plan).
- Yours Faithfully,

Signature

## FORM "B" SHOW CAUSE NOTICE

Prescribed Authority,

Regulated Area..

No. the 198

To

**Notice under provision to Section 10 of the Uttar Pradesh**

**(Regulation of building Operations) Act, 1958**

Where as you have commenced/are carrying on/have completed the erection of a building consisting of & help;. And situate at & help; .without permission of the Controlling Authority/Prescribed Authority as required under Section 6 of the U.P. (Regulation of Building Operations) Act, 1958.

You are hereby required to show cause on at & help;..in the office of the Prescribed Authority as to why an order of demolition of the aforesaid construction be not made, you may appear personally or through your duly authorised agent.

**Note:** Your attention is also drawn to Section 9(1) of the said Act under which you are liable to punishment (for constructing without permission of the Authority as required under section 6 of the said Act) with fine which may extend to Rs. 10,000 (ten thousand rupees) and in the case of a continuing offence, with a further fine which may extend to Rs.500 (five hundred rupees) for every during which such offence continues after conviction for the first commission of the offence.

FORM 'C'  
DEMOLITION NOTICE

Prescribed Authority,

Regulated Area..

No. 198 & help;.

To

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**Order of demolition of building under Section 10 of the U.P.**

**(Regulation of Building Operations) Act, 1958**

Whereas you have commenced/are carrying on/have completed the erection of building consisting of & help;..and situate at & help;..

And whereas you were given an opportunity to be heard and show cause on & help;. as to why an order of demolition of the aforesaid erection be not made.

And whereas you failed to show cause/or have shown no sufficient cause against the issue of such an order. You are hereby required to demolish the aforesaid erection within a period of seven days from the date of receipt of this order, failing which this authority may itself cause the erection to be demolished and the expenses of such demolition shall be recoverable from you as arrears of land revenue.

Prescribed

Regulated Area..

FORM 'D'

Prescribed Authority

Regulated Area...

**Report regarding unauthorised construction**

Probable date of commencement of work.

Date when detected.

Locality.

Description of construction taken on hand.

Name and address of lessee or builder.

Action proposed.

Recommendation with designation of the reporting agency.

When notice under Section 10 of the U.P. (Regulation of Building Operations) Act is to issue, the notice should be attached for signature and orders

solicited for pasting the notice at site if notice is evaded.

Signature of the Reporting Agency.

Orders of the Prescribed Authority.

Prescribed Authority.

## **14 SCHEDULE 111**

**(See CHAPTER V)**

### **Fees of Plans:-**

- (I) For Ordinary Copy Of A Plan For Which A Tracing Has To Be Prepared.
- On Ferro Paper - At A Rate Of Rs.5 Per Square Foot Of Ferro Paper Or Part Thereof For The First Copy Of Rs.0.75 Per Square Foot Or Part Thereof For Every Subsequent Copy.
- On Ozalid Paper - At A Rate Of Rs. Per Square Foot Of Ozalid Paper Or Part Thereof For The First Copy And Re.1 Per Square Foot Or Part Thereof For Every Subsequent Copy.
- For A Copy Of A Plan For Which A Tracing Exists In The Authorities Office
- On Ferro Paper - Rs.0.70 Per Square Foot Of Ferro Paper Or Part Thereof.
- On Ozalid Paper- Re. 1 Per Square Foot Of Ozalid Paper Or Part Thereof.
- Where A Person Presents An Exact Copy Of A Plan On The Record Of The Authority And Desires It To Be Attested As A True Copy Of The Plan - Rs. 5 Per Plan.
- In Case An Applicant Wants The Copies Of The Plans Urgently In Addition To The Copying And Other Charge Listed Above, An Additional Fee Of Rs.5 Per Plan In Case Of (I) Above And Re 1 Per Plan In Case Of (Ii) And (Iii) Above Would Be Leviable.
- Fees For Copying Of English, Hindi Or Urdu Records-
- For Every 200 Words Or Under Re.0.75
- For Every Additional 100 Words Or Fraction Thereof Re.0.37
- In Case, An Applicant Desires A Copy Of The Above Documents Urgently He Shall Be Charged Twice The Normal Rates:-
- Preparation Of Copies Of Documents Shall Be Undertaken Unless The Prescribed Fee Has Deposited By The Applicant In The Office Of The Prescribed Authority.
- Copying Fee Once Paid Shall Not Be Refunded Unless An Application For Refund Is Made Before Arrangements To Make The Copy Of The Document Have Been Made.
- An Urgent Copy Should Ordinarily Be Made Available Within Two Days Of The Receipt Of The Application And Deposit Of Prescribed Fees.