

<p><b>DRAFT</b></p> <p><b>THE UTTAR PRADESH STATE CAPITAL REGION AND OTHER REGIONS DEVELOPMENT AUTHORITY BILL, 2023</b></p> <p>(Act No.....of 2023)</p>			
<p>A Bill to provide for the establishment of Uttar Pradesh State Capital Regional Development Authority and other Regional Development Authority for the preparation of Regional Plan for the development of the Uttar Pradesh State Capital Region and other regions of the State for the purpose of coordinating and supervising the proper, orderly and rapid development of the areas in that Region and of executing plans, projects and schemes for such development, and to provide for matters connected therewith, or incidental thereto.</p>			
<b>Preamble</b>	<p>Whereas it is expedient in the public interest to provide for the establishment of Uttar Pradesh State Capital Regional Development Authority and other Regional Development Authority for the preparation of such Regional Plan for the development of such Region and purpose of coordinating and supervising the proper, orderly and rapid development of the areas in that Region and of executing plans, projects and schemes for such development, and to provide for matters connected therein or incidental thereto;</p> <p>It is hereby enacted in the seventy-fourth year of the Republic of India as follows:-</p>		
<p><b>CHAPTER-I</b></p> <p><b>PRELIMINARY</b></p>			
<b>Short title extent and commencement</b>	1.	(1)	This Act may be called the Uttar Pradesh State Capital Region and other Regions Development Authority Act, 2023
		(2)	It extends to the Uttar Pradesh State Capital Region and other Regions as notified by the Government.
		(3)	It shall come into force on such date as the State Government may, by-notification in the Official Gazette, appoint.
<b>Definitions</b>	2.		In this Act, unless there is anything repugnant in the subject or the context, -
		(a)	'Agriculture' includes horticulture, poultry farming, the raising of crops, fruits, vegetables, flowers, grass or trees of any kind, breeding of livestock including cattle, horses, donkeys, mules, pigs, breeding of fish and keeping of bees, the use of land for grazing cattle and for any purpose which is ancillary to its cultivation or other agricultural purpose; but does not include the use of land as a garden which is an appendage to a building and the expression "agricultural" shall be construed accordingly;
		(b)	'Amenity' includes roads, bridges, any other means of communication, transport, supply of water and electricity, any other source of energy,

			street lighting, drainage, sewerage and conservancy, and any other convenience as the State Government in consultation with Authority, may from time to time, by notification in the official Gazette, specify to be amenity for the purposes of this Act;
		(c)	'Authority' means the Uttar Pradesh State Capital Region Development Authority or ----- (name) Region Development Authority constituted under subsection (1) of section 3;
		(d)	'Committee' means the Executive Committee constituted under subsection (1) of section 5;
		(e)	'Development', with its grammatical variations, means the carrying out of building engineering, mining or other operations in, or over, or under any land (including land under river, lake or any other water) or the making of any material change in any building of land, or in the use of any building or land and includes redevelopment and layout and sub-divisions of any land and also the provisions of amenities and projects and schemes for development of industrial, agriculture, horticulture, floriculture, forestry, dairy development, poultry, farming, piggery, cattle breeding, fisheries and other similar activities and the words 'to develop shall be construed accordingly;
		(f)	'Development authority' means
		(i)	an authority constituted under section 4 of the Uttar Pradesh Urban Planning and Development Act, 1973
		(ii)	an authority constituted under section 4 of the Uttar Pradesh Special Area Development Authority Act, 1986
		(iii)	a Controlling Authority constituted under section 4 of the Uttar Pradesh (Regulation of Building Operations) Act, 1958
		(g)	'Development Scheme' means a scheme to implement one or more elements of the Functional Plan or Regional Plan:
		(h)	'Functional Plan' means a plan prepared to elaborate one or more elements of the Regional Plan:
		(i)	'Government' means Government of Uttar Pradesh;
		(j)	'Land' includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;
		(k)	'Local Authority' means-

		(i)	A Municipal Corporation constituted under the Uttar Pradesh Municipal Corporation Act, 1959
		(ii)	A Nagar Palika Parishad or Nagar Panchayat constituted under the Uttar Pradesh Municipalities Act, 1916;
		(iii)	A Kshetra Panchayat or Zila Panchayat constituted under the Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961, or
		(iv)	any local authority constituted under any law by State Government
		(l)	'Master Plan' means a master plan prepared by development authorities in accordance with the provisions of their respective Acts. for the development of land within their jurisdiction;
		(m)	'Prescribed' means prescribed by rules made under this Act;
		(n)	'Project Plan' means a detailed plan prepared to implement one or more elements of the Regional Plan, District Plan, Functional Plan, Master Plan, Development scheme as the case may be;
		(o)	'Regional Plan' means plan prepared under the provisions of this Act for the development or redevelopment of Region as defined in this Act, or for any part thereof and includes a draft or final plan prepared for the said region or any part thereof;
		(p)	'Regulations' means regulations made by the Authority under this Act;
		(q)	'Rule' means rule made under this Act:
		(r)	'Sub-Region' means such part of the region as falls entirely within the limits of a particular development authority or local bodies, and
		(s)	'Uttar Pradesh State Capital Region' or 'Other Region' means the area notified by the Government under section 3:
<b>CHAPTER-II</b>			
<b>STATE CAPITAL REGION AND OTHER REGIONS</b>			
<b>Establishment of State Capital Region and other Regions and alteration of their limits</b>	3.	(1)	Government may establish a State Capital Region comprising of such area in and around state capital as Government may determine by notification and other regions comprising of such other area in the State as Government may determine by notification by defining their limits and such regions shall be a Region for the purposes of this Act, and may name and alter the name of any such Region. In any case, where any Region is renamed, then all references in any law or instrument or other document

			to the Region shall be deemed to be a reference to the Region as renamed, unless expressly otherwise provided or the context so requires. Lucknow shall be the headquarter of the State Capital Region whereas, headquarters of other regions shall be determined by the Government.
		(2)	The Government may, by notification in the Official Gazette-
		(a)	alter the limits of a Region, so as to include therein or to exclude therefrom, such area as may be specified in the notification; or
		(b)	amalgamate two or more Regions so as to form one Region; or
		(c)	split up any Region into two or more Regions; or
		(d)	declare that the whole or part of the area comprising a Region shall cease to be a Region or part thereof.
<b>CHAPTER-III</b>			
<b>THE UTTAR PRADESH STATE CAPITAL REGION/OTHER REGION DEVELOPMENT AUTHORITY</b>			
<b>Constitution and incorporation of the Authority</b>	4.	(1)	the State Government may, by notification in the Official Gazette, constitute for the purposes of this Act a Regional Development Authority known as Uttar Pradesh State Capital Region Development Authority for State Capital Region and Regional Development Authority for other regions.
		(2)	The Authority shall be a body corporate, by the name aforesaid, having perpetual succession and a common seal with power, subject to the provisions of this Act, to contract and shall, by the said name, sue and to acquire hold and dispose the property, both movable and immovable and to contract and may sue or be sued by its corporate name aforesaid.
		(3)	The Authority shall consist of such numbers as may be prescribed, and unless the rules made in this behalf otherwise provide, the Authority shall consist of the following members, namely:-
		(a)	The Chief Minister to be Chairman of the authority;
		(b)	Chief Secretary to Government as Vice Chairman;
		(c)	Additional Chief Secretary/Principal Secretary/Secretary to the Government heading department of Housing and Urban Planning as member and convener of the Authority;
		(d)	Additional Chief Secretary/Principal Secretary/Secretary to the Government heading departments of Finance, Law, Revenue, Planning, Urban Development, Industrial and Infrastructure Development, Namami Gange, Public Works Department, Tourism, Forest, Rural Development, Panchayati Raj Development, Agriculture,

			Irrigation, and Transport, ex-officio;
		(e)	Divisional Commissioner having their headquarter in the region;
		(f)	District Magistrates having their headquarter in the region;
		(g)	the Vice Chairman of the concerned development authorities functioning in the whole or part of the Region;
		(h)	the Chief Town and Country Planner, Uttar Pradesh, ex-officio;
		(i)	such number of expert persons not exceeding five appointed by the Government who in the opinion of the Government have special knowledge or practical experience of matters relating to urban and Regional Development, engineering, transport, industry and environment;
		(j)	Managing Director or their representatives of UP Metro Rail Corporation or any other transit authority by whatever name they are known;
		(k)	Representatives of Railways and Defence, nominated by Government of India;
		(l)	There shall be a Chief Executive Officer appointed by the Government not below the rank of Principal Secretary to the Government. Unless appointed otherwise by the Government, Additional Chief Secretary, Housing and Urban Planning Department will be the Chief Executive Officer.  Chief Executive Officer shall perform such functions and exercise such powers as assigned by the Authority.
		(m)	Member Secretary to the Regional Development Authority;
		(4)	No Act or proceeding of the Authority or of any Committee or other body thereof shall be deemed to be invalid at any time merely on the ground that,-
		(a)	any of the members of the Authority or its Committee or body are not duly elected, nominated or appointed or for any other reason are not available to take office at the time of the constitution or any meeting of the Authority or of Its Committee or body or there is any defect in the constitution thereof, or any person is a member in more than one capacity or there are one or more vacancies in the offices of any such member.
		(b)	there is any irregularity in the procedure of the Authority or such Committee or Body, affecting the merits of the matter under consideration.

		(5)	The Authority shall meet at least once in three months, in such place and at such time as the Chairman may decide and observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum thereat) as may be laid down by regulations
		(6)	The Authority may utilize the services of following institutions/organizations in discharging of preparation of plans and development of infrastructure:-
		(a)	Development Authorities constituted under the Uttar Pradesh Urban Planning and Development Act, 1973, Special Area Development Authorities Act, 1986 and the controlling authorities constituted under Uttar Pradesh (Regulations of Building Operations) Act, 1958.
		(b)	All municipal bodies falling under such region.
		(c)	Other Government and Semi-Government departments, as the case may be:
			Provided that Authority may, by a resolution add any other institutions/ organizations as the case may be, and delegate to them powers.
<b>Composition of the Executive Committee.</b>	5.	(1)	The Authority shall as soon as may be, after the commencement of this Act, constitute a Committee, to be called the Executive Committee, for assisting the Authority in the discharge of its functions.
		(2)	The Executive Committee shall consist of such members as may be prescribed and unless the rules made in this behalf otherwise provide, the Committee shall consist of the following members, namely:-
		(a)	Chief Executive Officer of the Authority shall be the Chairman of the Executive Committee;
		(b)	Representative of Urban Development department not below the rank of Secretary to the Government;
		(c)	Representative of Urban Development department not below the rank of Secretary to the Government;
		(d)	Managing Director of UP Metro Rail Corporation;
		(e)	Representative of Public Works Department not below the rank of Chief Engineer;
		(f)	Representative of Transport, Rural Development and Panchayati Raj Department not below the rank of Special Secretary;
		(g)	Representative of Town and Country Planning Department not below the rank of Senior Town Planner;

		(h)	All Vice-chairman of Development Authorities falling under the region;
		(i)	Member Secretary of the Authority as member and convenor of the Executive Committee;
		(j)	One member who is expert in the field of urban planning and development to be appointed by the Government;
		(3)	The Executive Committee shall meet at such place and at such time as may be determined by its Chairman, and shall observe such rules of procedure as it may determine or frame In this regard.
	6.	(1)	The Authority or the Committee may, at any time and for such period as it thinks fit, co-opt any person or persons as a member or members of the Authority or of the Committee.
		(2)	A person co-opted under sub-section 5(1) shall exercise and discharge all the powers and functions of a member of the Authority or of the Committee, as the case may be, but shall not be entitled to vote.
<b>Vacancies, etc. not to Invalidate proceedings of the authority of the Committee</b>	7.		No act or proceeding of the Authority or of the Committee shall be Invalid merely by reason of,-
		(a)	the existence of any vacancy in or any defect In the constitution of the Authority or the Committee; or
		(b)	any irregularity in the procedure of the Authority or of the Committee not affecting the merits of the case.
<b>CHAPTER-IV</b>			
<b>FUNCTION AND POWERS OF THE AUTHORITY AND OF THE EXECUTIVE COMMITTEE</b>			
<b>Functions of the Authority</b>	8.		The main object of the Authority shall be to secure the development of the Region according to the Regional Plan, and for that purpose the functions of the Authority shall be, —
		(a)	prepare the Regional Plan for the area under Region;
		(b)	co-ordinate the preparation of Functional Plans, Master Plans, Development Schemes and Project Plans in close coordination with concerned Development Authority, Corporation, local bodies, Panchayat and various Government Departments;
		(c)	to ensure that infrastructure projects in the region in private sector and public sector are in consonance with the regional plan;

		(d)	to arrange for, and oversee, the financing of selected development projects in the Region through Government fund and other sources of revenue, and
		(e)	to perform any other duties or functions as are supplemental, incidental or consequential to any of the foregoing duties, or as may be prescribed by regulations
<b>Powers of Authority</b>	9.		The powers of the Authority shall include the powers to, -
		(a)	seek information from the Development Authorities and local bodies and Department of Government within Region with regard to preparation and implementation of Functional Plans and Development Schemes and Project Plans;
		(b)	indicate the stages for the implementation of the Regional Plan,
		(c)	review the implementation of the Regional Plan, Functional Plan, Development Schemes and Project Plan;
		(d)	select and approve comprehensive projects, call for priority development and provide such assistance for the implementation of those projects as the Authority may deem fit;
		(e)	to give such directions to the local bodies, development authorities and other government departments, which are essential for implementation of objectives of regional plan,
		(f)	to exercise the powers of Government for development authorities lying within the region for declaration of development areas, and approval/amendment/revision of master plan,
		(g)	entrust to the Executive Committee such other functions as it may consider necessary to carry out the provisions of this Act.
<b>Function of the committee</b>	10.	(1)	The functions of the Executive Committee shall be to assist the Authority in,-
		(a)	the preparation and coordinated implementation of the Regional Plan and the Functional Plan;
		(b)	coordinate implementation of the Regional Plans and all Project Plans to ensure that the same are in conformity with the Regional Plan;
		(c)	appointment of staff;
		(d)	planning and implementation of projects and schemes of the Authority, including approval or rejection of such projects and schemes;



		(e)	approval or rejection of tenders for projects and schemes of the Authority;
		(f)	investment of surplus money of Authority in any manner with approval of Government;
		(g)	the institution, conduct and withdrawal of any legal proceedings on behalf of the Authority;
		(2)	The Committee may also make such recommendation to the Authority as it may think necessary to amend or modify any Functional Plan, Development Scheme or any Project Plan.
		(3)	The Committee shall perform such other functions as may be entrusted to it by the Authority.
		(4)	Subject to the general superintendence and control of the Authority, the management of the affairs of the Authority shall vest in the Executive Committee.
<b>Officers and Staff</b>	11.	(1)	Government shall appoint an officer not below the rank of Secretary to Government as full time Member Secretary of the Authority who shall exercise all the executive powers of the Authority and all officers and staff of the Authority shall work under his administrative control.
		(2)	The Authority may appoint Deputy or Assistant Regional Development officers, Urban Planners, Engineers, Law-Officer, Accounts Officer, and other officers either on deputation or on appointment.
		(3)	The Authority may, from time to time, issue sanction for creation of posts of officers, staffs as may be necessary for the efficient performance of the functions of the Authority. The condition of recruitment, appointment and service and the powers and duties of such officers, and staff shall be such as may be prescribed.
<b>Contents of the Regional Plan</b>	12.	(1)	The Regional Plan shall be a written statement and shall be accompanied by such maps, diagrams, illustrations, and descriptive matters as the Authority may deem appropriate for the purpose of explaining or illustrating the proposals contained in the Regional Plan and every such map, diagram, illustration, and descriptive matter shall be deemed to be a part of the Regional Plan
		(2)	The Regional Plan shall indicate the manner in which the land in the Region shall be used, including green belts, urban forests and recreational areas whether by carrying out development thereon or by conservation or otherwise. and such other matters as are likely to have any Important Influence on the development of Region and every such Plan shall include the following elements needed to promote growth and balanced development of the Region, namely:

		(a)	the policy in relation to land-use and the allocation of land for different uses
		(b)	the proposals for major urban settlement pattern;
		(c)	the proposals for providing suitable economic base for future growth;
		(d)	the proposals regarding transport and communications including roads, railways, waterways, metro rail, bus rapid transit system and arterial roads serving the Region;
		(e)	the proposals for the supply of drinking water, drainage and sewerage;
		(f)	indication of the areas which require immediate development as "priority areas";
		(g)	regional plan proposals for industrial corridor and industrial park;
		(h)	such other matters as may be included by the Authority with the concurrence of the State Government and local authorities for the proper development of the growth and balanced development of the Region
<b>Surveys and studies</b>	13.		For the preparation of the Regional Plan, the Authority may cause such surveys and studies, as it may consider necessary to be made by such persons or group of persons as it may appoint in this behalf and may also associate such experts or consultants for carrying out studies in relation to such specific matters as may be determined by the Authority.
<b>Procedure to be followed for the preparation of the Regional Plan</b>	14.	(1)	before preparing any Regional Plan, finally, the Authority shall prepare with the assistance of the Committee, a Regional Plan in draft and publish it by making a copy thereof available for inspection and publishing a notice in such form and in such manner as may be prescribed inviting objections and suggestions from any person with respect to the draft Regional Plan before such date as may be specified in the notice.
		(2)	The Authority shall also give reasonable opportunities to every local authority within whose local limits any land touched by the Regional Plan is situated to make any representation with respect to the draft Regional Plan.
		(3)	After considering all objections, suggestions and representations that may have been received by the Authority, the Authority shall finally prepare the Regional Plan.
<b>Date of coming into operation of the Regional Plan</b>	15.	(1)	Immediately after the Regional Plan has been finally prepared, the Authority shall publish in such a manner as may be prescribed, a notice, stating that the Regional Plan has been finally prepared by it and naming the places where a copy of the Regional Plan may be inspected at all

			reasonable hours and upon the date of first publications of the aforesaid notice, the Regional Plan shall come into operation.
		(2)	The Publication of the Regional Plan, after previous publication, as required by section 14, shall be conclusive proof that the Regional Plan has been duly prepared.
<b>Amendment of Regional Plan</b>	16.	(1)	The Authority may, subject to the provisions of sub-section (2) make such amendment in the regional plan as finally prepared by it, as it may think fit, being amendments which, in its opinion, do not effect important alterations in the character of the Regional Plan and which do not relate to the extent of land-uses or the standard of population density
		(2)	Before making any amendments in the finally prepared Regional Plan, the Authority shall publish a notice, in such form and in such manner as may be prescribed, indicating there in the amendments which are proposed to be made in the finally prepared Regional Plan, and inviting objections and suggestions from any persons with respect to the proposed amendments before such date as may be specified in the notice and shall consider all objections and suggestions that may be received by it on or before the date so specified
		(3)	Every amendments made under this section shall be published in such a manner as the Authority may specify and the amendments shall come into operation either on the date of such publication or on such later date as the Authority may fix
		(4)	If any question arises whether the amendments proposed to be made are amendments which effect important alterations in the character of the Regional Plan or whether they relate to the extent of land-uses or the standard of population density, it shall be decided by the Authority, whose decision thereon shall be final
<b>Revision of Regional Plan</b>	17.	(1)	After every ten years from the date of coming into operation of the finally prepared Regional Plan, the Authority shall review such Regional Plan in its entirety and may, after such review, substitute it by fresh Regional Plan or may make such amendments or alterations therein, as may be found by it to be necessary
		(2)	Where it is proposed to substitute a fresh Regional Plan in place of the Regional Plan which was previously finally prepared or where It is proposed to make any amendments or alterations in the finally prepared Regional Plan, such fresh Plan or, as the case may be, amendments or alterations in the finally prepared Regional Plan, shall be published and dealt with in the same manner as if it were the Regional Plan referred to in section 14 and 15 or as they were the amendments or alterations in the Regional Plan made under section 16

<b>CHAPTER-V</b>			
<b>FUNCTIONAL PLANS, PROJECT PLANS, DEVELOPMENT SCHEME AND MASTER PLANS</b>			
<b>Preparation of Functional Plan</b>	18.		After the Regional Plan has come into operation, the Authority may prepare, as many Functional Plans as may be necessary for the proper guidance of the other authorities and local bodies concerned with their consultation.
<b>Preparation and execution of the Project Plans</b>	19.		The Authority, by themselves or in collaboration with one or more of the participating authorities and local bodies concerned, as the case may be, prepare Project Plans for one or more elements of the Regional Plan and execution of such project plan shall be undertaken by the Authority itself or shall be assigned to any suitable agency, local body, development authority or a Government department by the Authority for execution.
<b>Preparation of Development Scheme Plans</b>	20.		The Authority, by themselves or in collaboration with one or more of the participating authorities and local bodies concerned, as the case may be, formulate development scheme for one or more elements of the Regional Plan or functional plan and the Authority may either execute the scheme itself or assign execution to any suitable agency, local body, development authority or a Government department.
<b>Preparation of Master Plan</b>	21.		Each development authority, local authorities or local body concerned, as the case may be, shall be responsible for preparing and implementing their Master Plan in conformity with the Regional Plan.
<b>CHAPTER-VI</b>			
<b>FINANCE, ACCOUNTS AND AUDIT</b>			
<b>Funds of the Authority</b>	22.	(1)	Every Regional Development Authority shall have and maintain its own fund to which shall be credited-
		(a)	all moneys received by the Regional Development Authority from the Government by way of grants, loans, advances or otherwise
		(b)	all moneys borrowed by the Regional Development Authority from sources other than the Government by way of loans or debentures
		(c)	all fees, tolls and charges received by the Regional Development Authority under this Act;
		(d)	all moneys received by the Regional Development Authority from the disposal of lands, buildings and other properties, movable and immovable; and
		(e)	all moneys received by the Regional Development Authority by way of rents and profits or in any other manner or from any other source,
		(2)	The fund shall be applied towards meeting the expenses incurred by the Regional Development Authority in the administration of this Act and for

			no other purpose.
		(3)	Subject to any directions of the Government, the Regional Development Authority may keep in current account of any Scheduled Bank such sum of money out of its fund as it may think necessary for meeting its expected current requirements and invest any surplus money in such manner as it thinks fit.
		(4)	The Government may, after due appropriation made by Legislature by law in that behalf, make such grants, advances and loans to the Regional Development Authority as the Government may deem necessary for the performance of the functions of the Regional Development Authority under this Act and all grants, loans and advances made shall be on such terms and conditions as the Government may determine.
		(5)	The Regional Development Authority may borrow money by way of loans or debentures from such sources (other than the State Government) and on such terms and conditions as may be approved by the Government.
		(6)	The Regional Development Authority shall maintain a sinking fund for the repayment of moneys borrowed under sub-section (5) and shall pay every year into the sinking fund such sum as may be sufficient for repayment within the period fixed of all moneys so borrowed.
		(7)	The sinking fund or any part thereof shall be applied in, or towards, the discharge of the loan for which such fund was created, and until such loan is wholly discharged it shall not be applied for any other purpose.
<b>Budget</b>	23.		The Regional Development Authority shall prepare in such form and at such time every year as the Government may prescribe, a budget in respect of the financial year next ensuing, showing the estimated receipts, and expenditure of the Regional Development Authority.
<b>Accounts and Audit</b>	24.	(1)	Every Regional Development Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as the Government may prescribe
		(2)	The accounts of every Regional Development Authority shall be subject to audit annually by the Examiner, Local Fund Accounts
			Provided that in place of or in addition to the Examiner, Local Fund Accounts, the Government may entrust the audit to the Accountant General, Uttar Pradesh or Comptroller and Auditor General of India or to any other Auditor on such terms and conditions, in such manner, for such period and at such times as may be agreed upon between him and the Government.
		(3)	The rights, authority and privileges of any person conducting audit under sub-section shall-
		(a)	in the case of Examiner, Local Fund Accounts, be the same as he has

			in connection with the audit of the accounts of local authority;
		(b)	in the case of the Accountant General, Uttar Pradesh or as the case may be, the Comptroller and Auditor General of India, be the same as he has in connection with the audit of Government accounts, and
		(c)	in the case of any other auditor, be as prescribed; and, in particular, he shall have the right to demand production of books, accounts, connected vouchers, papers and other documents and to inspect the office of the Regional Development Authority.
		(4)	The accounts of the Regional Development Authority, as certified by the Auditor or any person appointed by him in that behalf, together with audit report thereon shall be forwarded to the Government annually or at such times as may be directed by it. The Government may issue such directions to the Regional Development Authority as it may deem fit and the Regional Development Authority shall be bound to comply with such directions.
		(5)	Any expenditure, incurred by the Auditor in connection with the audit shall be payable by the Regional Development Authority to the auditor.
<b>Annual Report</b>	25.		The Regional Development Authority shall prepare for every year a report of its activities during that year and submit the report to the Government in such form and on or before such date as the Government may prescribe and such report shall be laid before both houses of the Legislature.
<b>Pension and Provident Funds</b>	26.	(1)	The Regional Development Authority may constitute for the benefit of its whole-time paid members and of its officers and other employees in such manner and subject to such conditions, as the State Government may specify, such pension or provident funds as it may deem fit.
		(2)	Where any such person or provident fund has been constituted, the Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund as if it were Government Provident Fund.
<b>Power of Authority to finance projects and schemes and impose conditions thereof</b>	27.		The Authority shall be Competent to give grants, advances or loans to, or to share expenses with, any local authority or other authority In the State Capital region, for any of the purposes of section 12, and notwithstanding anything contained in any law for the time being In force, but subject to the restrictions, if any, contained therein, it shall be lawful for such other authority to accept such grants, advances or loans or share in the expenses, subject to such terms and conditions as the Authority may, from time to time, in consultation with such other authority, specify.
<b>State Guarantee to loans taken or given by Authority</b>	28.		The State Government may guarantee repayment of the principal of, and Interest on, any loan raised or given by the Authority or transferred to it for the purposes of this Act, subject to such conditions as the State Government may think fit to Impose.

<b>CHAPTER-VII</b>		
<b>LAND AND PROPERTY RELATED PROVISIONS</b>		
<b>Acquisition of Property by the Authority</b>	29.	The Authority may acquire any movable or immovable property by purchase, exchange, gift, lease, mortgage, negotiated settlement, or by any other means permissible under any law.
<b>Power to acquire Land</b>	30.	Any land required, reserved or designated in any plan shall be deemed to be the land needed for public purpose within the meaning of the Right to Fair Compensation and Transparency in Land Acquisition, under prevailing Rehabilitation and Resettlement Act, 2013; and may be acquired by the Government on the request by the Authority.
<b>Creation and Management of Land Development Bank</b>	31.	The Authority shall create and maintain a Region Land Development Bank in which all lands acquired, allotted, purchased or obtained through any mode shall be maintained, protected and used for the furtherance of the objectives of the Act.
<b>Transfer of Government land to the Authority</b>	32.	The Government by specific orders and on such terms and conditions as may be agreed upon between the Government and the Authority, place at the disposal of the Authority any developed and undeveloped Government lands situated within the region for the purposes of this Act.
<b>Disposal of Land and other property by the Authority</b>	33. (1)	The Authority shall use land available at its disposal only for purposes of execution of project plan or development scheme. However, subject to any directions given by the State Government in this behalf and subject to terms and conditions of grant or acquisition of such land, the Authority may dispose of any land at its disposal, without undertaking or carrying out any development thereon; or any such land after undertaking or carrying out such development as it thinks fit to such persons, in such manner and subject to such terms and conditions as it considers expedient for fulfilling the purposes of this Act.
	(2)	Nothing in this Act shall be construed as enabling the Authority to dispose of land by way of gift, but subject thereto, references in this Act, to the disposal of land shall be construed as references to the disposal thereof in any manner, whether by way of sale, exchange or lease or by the creation of any easement, right or privilege or otherwise.
<b>CHAPTER-VIII</b>		
<b>MISCELLANEOUS</b>		
<b>Act to have overriding effect.</b>	34.	The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any Instrument having effect by virtue of any law other than this Act; or in any decree or order of any court, tribunal or other authority.
<b>Power of the State Government to give</b>	35.	The State Government may, from time to time, give such directions to the Authority as it may think fit for the efficient administration of this Act and

<b>directions</b>		when any such direction is given, the Authority shall carry out such directions.
<b>Violation of Regional Plan</b>	36.	(1) On and from the coming into operation of the finally publishable Regional Plan, No Development Plans shall be made in the region which is inconsistent with the Regional Plan as finally published.
		(2) Where the Authority is satisfied that any local authority, Government Departments and persons has carried out, or is carrying out, any activity which amounts to a violation of the Regional Plan, it may, by a notice in writing, direct the concerned participating local Authority and government departments and persons as the case may be, to stop such violation of the Regional Plan within such time as may be specified in the said notice and in case of any omission or the refusal on the part of the concerned local authorities, government departments and persons to stop such activity, withhold such financial assistance to the concerned local authorities as the Authority may consider necessary and take any other action as per rule framed in this regard.
<b>Power of delegation</b>	37.	The Authority may, by resolution, delegate, from time to time, any power (except the power to make regulation) exercisable by it or any function to be discharged or any duty to be performed by it, by or any this Act to the Executive Committee subject to such terms and conditions as may be specified in such resolution.
<b>Power of entry</b>	38.	Subject to any rules made in this behalf, any person generally or specially authorized by the Authority in this behalf, may at all reasonable times, enter upon any land or premises and do such things thereon as may be necessary for the purpose of lawfully carrying out any works or for making any survey, examination or investigations, preliminary or incidental to the exercise of any power or performances of any function by the Authority under this Act;  Provided that no such persons shall enter any building, or any enclosed courtyard or garden attached to a dwelling-house without previously giving the occupier thereof at least three days' notice in writing of his intention to do so.
<b>Member Secretary, officers and other employee to be public servants</b>	39.	The Member-Secretary, Officers and other employees of the Authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.
<b>Protection of action taken in good faith</b>	40.	No suit, prosecution or other legal proceeding shall lie against the Authority or any member or any officer or any other employee of the Authority including any other person authorized by the Authority to exercise any power or to discharge any function under this Act, or for anything which is in good faith done or intended to be done under this Act.
<b>Power to make rules</b>	41.	(1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
		(2) Without prejudice to the generality of the foregoing power, such rules



			may provide for all or any of the following matters, namely:-
		(a)	the composition and number of the members of the Authority and of the Committee, as required by sub-section (3) of section 3 and sub-section (2) of section 4, respectively, to be prescribed.
		(b)	the terms and conditions of the office of the members as required by sub section (4) of section 3, to be prescribed;
		(c)	the form and manner in which notice under sub-section (1) of section 13 and subsection (2) of section 14 shall be published;
		(d)	the manner In which notice under sub-section (1) of section 13 shall be published:
		(e)	the from in which and the time at which the Authority shall prepare its budget under section 22 and its annual report under section 24 and the manner in which the accounts of the Authority shall be maintained and audited under section 23.
		(f)	The conditions and restrictions with respect to the exercise of the Powers to enter under section 28 and others matters relating thereto; and
		(g)	the form and manner in which notice under section 36 (2) are to be issued for taking action under it;
		(h)	any other matter which is to be, or, may be prescribed or in respect of which provision is to be, or may be, made by rules.
<b>Power to make regulations</b>	42.	(1)	The Authority may, with the previous approval of the State Government, by notification in the Official Gazette, make regulations not inconsistent with this Act and the rules made there under to carry out the provisions of this Act
		(2)	In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-
		(a)	the manner in which and the purposes for which the Authority may associate with itself any person under section 10;
		(b)	the terms and conditions of service of the Officers and Employees of the Authority under sub-section (3) of section 10; and
		(c)	any other matter in respect of which provisions is to be, or may be, made by regulation.
<b>Dissolution of the Authority</b>	43.	(1)	Where the State Government is satisfied that the purposes for which the Authority was established under this Act, have been substantially achieved or the Authority has failed in its objectives, so as to render the continued existence of the Authority unnecessary, in the Official Gazette,

			declare that the Authority shall be dissolved with effect from such date as may be specified in the notification and the Authority shall be deemed to be dissolved accordingly.
		(2)	From the said date,-
		(a)	all properties, funds and dues which are vested in or realizable by the Authority shall vest in, or be realizable by, the State Government.
		(b)	all liabilities which are enforceable against the Authority shall be enforceable against the State Government.
		(c)	for the purpose of carrying out any development which has been carried out by the Authority and for the purpose of realizing properties, funds and dues referred to in clause (a) the functions of the Authority shall be discharged by the State Government.
		(3)	Nothing in this section shall be construed as preventing the State Government from reconstituting the Authority in accordance with the provisions of this Act.

आवास एवं शहरी नियोजन विभाग, उ.प्र. शासन  
प्रेस-नोट

‘उ.प्र. स्टेट कैपिटल रीजन एण्ड अदर रीजन्स डेवेलपमेन्ट अथॉरिटी विधेयक-2023’ के ड्राफ्ट पर जनसामान्य/हित धारको से आपत्ति एवं सुझाव आमंत्रण।

आवास एवं शहरी नियोजन विभाग द्वारा लखनऊ तथा इसके आस-पास के जिलों को सम्मिलित करते हुए स्टेट कैपिटल रीजन के गठन तथा उत्तर प्रदेश में अन्य रीजन्स के रीजनल डेवेलपमेन्ट हेतु उ.प्र. स्टेट कैपिटल रीजन एण्ड अदर रीजन्स डेवेलपमेन्ट अथॉरिटी विधेयक-2023 का ड्राफ्ट तैयार किया गया है।

यह ड्राफ्ट पर जनसामान्य/हित धारको से आपत्ति एवं सुझाव आमंत्रित किये जाने हेतु आवास एवं शहरी नियोजन विभाग की वेबसाइट <https://awas.upsdc.gov.in> तथा आवास बन्धु <https://www.awasbandhu.in> की वेबसाइट पर दिनांक 11.11.2023 से उपलब्ध होगा।

केवल उन्हीं आपत्ति एवं सुझावों पर विचार किया जायेगा, जो कि दिनांक 30.11.2023 तक मुख्य नगर एवं ग्राम नियोजक, उ.प्र. को उनके ई-मेल [ctcpup@gmail.com](mailto:ctcpup@gmail.com) पर प्रेषित किये जायेंगे।

नितिन रमेश गोकर्ण  
अपर मुख्य सचिव