

THE UTTAR PRADESH (REGULATION OF BUILDING  
OPERATIONS) ACT, 1958<sup>1</sup>

**[U. P. Act No. XXXIV of 1958]**

*Amended by*

U. P. Act No. 11 of 1960

U. P. Act No. 26 of 1961

U. P. Act No. 02 of 1964

U. P. Act No. 01 of 1966

U. P. Act No. 29 of 1966

U. P. Act No. 41 of 1976

**[Passed in the Hindi by the Uttar Pradesh Legislative Council on October 9, 1957, and by the Uttar Pradesh Legislative Assembly on August 11, 1958.]**

**Received the assent of the President on October 8, 1958, under Article 201 of the Constitution Of India and was published in the *Uttar Pradesh Gazette Extraordinary*, dated October 16, 1958. ]**

**[Authoritative English <sup>2</sup>Text of the Uttar Pradesh (Nirman Karya Viniyaman) Adhiniyam, 1958 ]**

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**AN**

**ACT**

*to provide for the regulation of building operations in Uttar Pradesh*

WHEREAS It is expedient to provide for the regulation of building operations with a view to prevent haphazard development of urban and rural areas ;

It is hereby enacted in the Ninth Year of the Republic of India as follows :

**Short title,  
extent and  
commencement**

**1.** (1) This Act may be called the Uttar Pradesh (Regulation of Building Operations) Act, 1958.

(2) It extends to the whole of Uttar Pradesh ;

(3) It shall come into force at once.

**2.** In this Act, unless the context otherwise requires—

(a) “amenity” includes roads, water-supply, street lighting, drainage, sewerage, public parks and any other convenience which the

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1. For Statement of Objects and Reasons please see U. P. *Gazette Extraordinary*, dated August 29, 1957.

2. Published in the *Uttar Pradesh Gazette Extraordinary*, dated October 16, 1958.

State Government may, by notification in the official *Gazette*, specify to be an amenity for the purposes of this Act ;

<sup>1</sup>[ (b) “building” has the same meaning as in the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 ; ]

(c) <sup>2</sup>[ \* \* \* \* ]

<sup>3</sup>[(d) “regulated area” means an area in respect of which a declaration under sub-section (1) of section 3 is for the time being in force. ]

(e) “development” with its grammatical variations and cognate expressions, 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 ;

(f) “prescribed” means prescribed by <sup>4</sup>[rules] made under this Act ;

(g) “Prescribed Authority” means a person or body of persons appointed as such by the State Government in respect of a regulated area by notification in the official *Gazette* ;

(h) “to erect” in relation to a building means to construct a building for the first time or to reconstruct an existing building after demolishing it according to some fresh or revised plan ;

(i) “to re-erect” in relation to a building means the construction for a second or subsequent time of a building or part of a building after demolishing it on the same plan as has been previously sanctioned ;

(j) “to make material change” in relation to a building means to make any modification in any existing building by way of addition or of any other change in the roof, window or door if such window or door adversely affects light and ventilation of any room, or in any compound wall, or in the sanitary and drainage system in any respect, whatsoever and includes :-

(i) Increasing or decreasing the height or area covered by, or cubical capacity of any room in the building ;

(ii) Conversion of a building or its part originally constructed as one dwelling house into more than one dwelling house and *vice versa* ;

(iii) Conversion of a building or a part thereof meant for human habitation in general into a dwelling house or *vice versa* ;

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[1. Subs. by sec. 44\(i\) of U. P. Act no. 41 of 1976.](#)

[2. Omit. by sec. 2 of U. P. Act no. 11 of 1960.](#)

[3. Subs. by sec. 14 of U. P. Act no. 29 of 1966.](#)

[4. Subs. by sec. 44\(ii\) of U. P. Act no. 41 of 1976.](#)

(iv) Conversion of a dwelling house or a part thereof into a shop, warehouse or factory or *vice versa* ;

(v) Conversion of a building used or intended to be used for one purpose such as shop, warehouse or factory, *etc.*, into one for another purpose ;

(vi) Conversion of a building or a part of a building into a brothel, a bar or a gambling den and the like ; and

(vii) Constructing in a wall adjoining any street or land not vested in the owner of the wall a door or window opening on such street or land or permanently closing any door or window in an external wall.

but does not include modifications in respect of gardening, whitewashing, painting, plastering, pointing and other specifications.

**Declaration  
of regulated  
area**

**3.** (1) If, in the opinion of the State Government any area within U. P. requires to be regulated under this Act with a view to the prevention of bad laying cut of land, haphazard erection of buildings or growth of sub-standard colonies or with a view to the development and expansion of that area according to proper planning, it may, by notification in the official Gazette, declare the area to be regulated area.

<sup>1</sup>[ (2) The operation of Chapter XIII of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959, <sup>2</sup>[sections 178, 179, 180, 180-A, 181, 182, 183, 184, 185, 186, 203, 204, 205, 206, 207, 208, 209, 210 and 222 of the United Provinces Municipalities Act, 1916] (or the said sections as extended under section 338 thereof or under section 38 of the U. P. Town Areas Act, 1914), sections 29, 30 and 32 of the U. P. Town Improvement Act, 1919, or as the case may be of, sections 162 to 171 of the Uttar Pradesh Kshettra Samities and Zila Parishads Adhiniyam, 1961, shall in respect of a regulated area remain suspended for the period during which the declaration relating to it under sub-section (1) remains in force, and the provisions of section 6 of the U. P. General Clauses Act, 1904, shall apply in relation to such suspension as if the suspension amounted to repeal of the said enactments by this Act. ]

**Controlling  
Authority**

**4.** (1) The State Government shall as soon as may be after any area is declared as regulated area under this Act constitute for such area an authority hereinafter called the Controlling Authority for the discharge of functions assigned to such authority under this Act.

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[1. Ins. by sec. 15 of U. P. Act no. 29 of 1966.](#)

[2. Subs. by sec. 45 of U. P. Act no. 41 of 1976.](#)

<sup>1</sup>[ (2) The Controlling Authority shall, subject to the provisions of sub-section (2-A), consist of the following members not exceeding nine, namely —

(a) the <sup>2</sup>[ \* \* \* ] Commissioner of the Division in which the regulated area is situate, or any other officer, not below the rank of a Sub-Divisional Magistrate, appointed by the State Government, who shall also be the Chairman ;

(b) Nominees of the State Government who among others may be ;

(i) the President of the District Board of the district in which the regulated area or any portion thereof is situate ;

(ii) the President of the Municipality or Notified Area, if any, in which the regulated area is situate or which is adjacent to it ;

Provided that if the regulated area lies within the limits of more than one local body, the Controlling Authority may co-opt may other President/Presidents of such local body/bodies.

**U.P. Act No.  
10 of 1922**

**U.P. Act No.  
2 of 1916**

**Explanations—** “President” for the purposes of this section includes any person exercising the powers of a President under the provisions of the U. P. District Boards Act, 1922, or the U. P. Municipalities Act, 1916, as the case may be. ]

<sup>3</sup>[ (2-A) The Controlling Authority shall have the power to co-opt as members one or two other persons. ]

(3) The number of members necessary to form a quorum and the procedure to be followed by the Controlling Authority in the conduct of its business shall be such as may be prescribed.

(4) The functions of the Controlling Authority may be exercised notwithstanding any vacancy therein.

(5) <sup>4</sup>[x x x]

(6) All action taken by the Controlling Authority shall be expressed to be taken in the name of that Authority; and orders and other instruments made and executed in the name of the said Authority shall be authenticated in such manner as may be prescribed and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Controlling Authority.

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[1. Subs. by sec. 3\(a\) of U. P. Act no. 11 of 1960.](#)

[2. Omit. by sec. 46 of U. P. Act no. 41 of 1976.](#)

[3. Ins. by sec. 3\(b\) of U. P. Act no. 11 of 1960.](#)

[4. Omit. by sec. 3\(c\) of U.P. Act no. 11 of 1960.](#)

**Power to  
issue  
directions in  
respect of  
Regulated  
Area**

**5.** <sup>1</sup>[The State Government may, by notification in the Official Gazette, issue in relation, to any regulated area such regulations, not inconsistent with this Act or with the rules, as it may consider necessary regarding any one or more of the following matters] namely ;

(a) the division of any site into plots for the erection of buildings and the manner in which such plots may be allotted to intending purchasers or lessees ;

(b) the allotment or reservation of land for roads, open spaces, gardens, recreation grounds, schools, markets and other public purposes ;

(c) the development of any site into a town-ship or colony and the restrictions and conditions subject to which such development may be undertaken or carried out ;

(d) the erection of buildings on any site and the restrictions and conditions in regard to the open spaces to be maintained in or around buildings and the height and character of buildings ;

(e) the alignment of buildings on any site ;

(f) the architectural features of the elevation or frontage of any building to be erected on any site ;

(g) the number of residential buildings which may be erected on any site ;

(h) the amenities to be provided in relation to any site or buildings on such site whether before or after the erection of buildings and the person or authority by whom such amenities are to be provided ;

(i) the prohibition or restrictions regarding erection of shops, workshops, warehouses or factories or buildings of a specified architectural feature or buildings designed for particular purposes in any locality ;

(j) the maintenance of walls, fences, hedges or any other structural or architectural construction and the height at which they shall be maintained ;

(k) the restrictions regarding the use of any site for purposes other than the erection of buildings ;

(l) any other matter which is necessary for the proper planning of any regulated area and for preventing buildings being erected haphazardly in such area.

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[1. Subs. by sec. 47 of U. P. Act no. 41 of 1976.](#)

**Master Plan  
for the  
regulated  
area**

<sup>1</sup>[ **5-A.** (1) If in the opinion of the State Government any regulated area requires to be developed according to a Master Plan it may cause such a Plan to be prepared either through the Controlling Authority or through such other agency as it may think fit.

(2) Every such plan shall conform to any rules or regulations made in that behalf.

(3) A Master Plan shall be revised at the end of every ten years, and may be revised earlier if the State Government so think fit. ]

**Control of  
development  
and building  
operations in  
regulated  
area**

**6.** No person shall undertake or carry out the development of any site in any regulated area or <sup>2</sup>[erect, re-erect or make any material change in] any building or make or extend any excavation or lay out any means of access to a road in such area except in accordance with the <sup>3</sup>[regulations] if any, issued under <sup>4</sup>[this Act] and with previous permission of the prescribed authority in writing.

**Application  
for  
permission**

**7.** (1) Every person desiring to obtain the permission referred to in section 6 shall make an application in writing to the prescribed authority in such form and containing such information as may be prescribed in respect of the development, building, excavation or means of access to which the application relates.

<sup>5</sup>[ (2) On receipt of such application the prescribed authority, after making such inquiry as it considers necessary, shall by order in writing either grant the permission subject o such conditions, if any, as may be specified in the order or refuse to grant such permission.

(2-A) The only grounds on which permission may be refused are the following, namely :—

(a) that the work or the use of the site for the work or any of the particulars comprised in the site-plan, ground-plan, elevations, sections or specifications would contravene the provisions of any law or any order rule or regulation made under this Act or any other law ;

(b) that the application for such permission does not contain the prescribed particulars or is not made or signed in the prescribe manner ;

(c) that nay information or document required by the prescribed authority under the rules or regulations has not been duly furnished ;

(d) that the proposed building would be an encroachment upon any public premises as defined in the Uttar Pradesh Public Premises (Eviction of Unauthorized Occupants) Act, 1972.

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[1. Ins. by sec. 48 of U. P. Act no. 41 of 1976.](#)

[2. Subs. by sec. 3 of U. P. Act no. 26 of 1961.](#)

[3. Subs. by sec. 49 of U. P. Act no. 41 of 1976.](#)

[4. Subs. by sec. 4 of U. P. Act no. 11 of 1960.](#)

[5. Subs. by sec. 50\(i\) of U. P. Act no. 41 of 1976.](#)

(e) that the size of such building does not abut on a street, and there is no access to such building from any such street by a passage or pathway not less than twelve feet wide appertaining to such site ;

(f) that the site for the work forms part of the area, the lay-out plan of which has not been sanctioned ;

(g) that the use of the proposed building or the plan is not in conformity with the Master Plan.

(2-B) Where the application does not contain the prescribed particulars or is not made or signed in the prescribed manner, the prescribed authority may, instead of rejecting it, return it to the applicant for making it in conformity with the relevant rules and regulations.

(2-C) In particular and without prejudice to the generality of the provisions contained in sub-section (2), the prescribed authority may, while granting under section 6 the permission to develop an area of land as a colony, impose all or any of the following conditions, namely:—

(a) that the applicant shall arrange for the development of such area and the provision of amenities therein, in accordance with the prescribed standards through the local authority concerned or through such other agency as may be specified and enter into an agreement with or furnish adequate security to such Authority or other agency in that behalf, or undertake to carry out such development and to provide such amenities himself and execute a bond in that behalf in favour of the Governor, with or without sureties, to the satisfaction of the prescribed authority ;

(b) that the applicant shall transfer to the State Government or to the local authority concerned the land earmarked for roads, public parks and other public utility services either free of cost or on such terms and conditions as may be specified.

(2-D) The provisions of sections 445, 446, 447 and 449 of the Code of Criminal Procedure, 1973, shall *mutatis mutandis* apply in relation to any bond executed by an applicant under sub-section (2-C), with the substitution of references to a Magistrate or Magistrate of the First Class by reference to the prescribed authority, and of references to the Sessions Judge by references to the Controlling Authority. ]

<sup>1</sup>[ (3) Where permission is refused, the grounds of such refusal shall be communicated to the applicant in such manner as may be prescribed, within 90 days of the receipt of such application. ]

(4) Where no orders are communicated within the period sectioned in sub-section (3) granting or refusing the permission, the

applicant may by a written communication call the attention of the prescribed authority to the omission or neglect, and if such omission or neglect continues for a further period of 30 days, the prescribed authority shall be deemed to have permitted the proposed work :

Provided that nothing in this sub-section shall be construed to authorize any person to act in contravention of the <sup>1</sup>[regulations] issued under section 5.

**Cancellation  
of permission  
obtained  
under fraud**

<sup>2</sup>[ **7-A.** If at any time, after a permission has been granted under sub-section (2) of section 7, the prescribed authority is satisfied that such permission was granted in consequence of any material misrepresentation made or any fraudulent statement or information furnished, the prescribed authority may cancel such permission, for reasons to be recorded in writing, and any work done thereunder shall be deemed to have been done without such permission. ]

**Powers of  
entry in  
buildings**

**8.** The prescribed authority may authorize any person to enter into or upon any site or building with or without assistants or workmen for the purpose of —

(a) making any enquiry, inspection, measurement or survey or taking levels of such site or buildings ;

(b) examining works under construction or ascertaining the course of sewers or drains ;

(c) ascertaining whether any site is being or has been developed or any building is being or has been erected in contravention of <sup>3</sup>[any regulation made under this Act] or without the permission referred to in section 6 or in contravention of any condition subject to which such permission has been granted :

Provided that no entry shall be made except between the hours of sun-rise and sun-set and without giving not less than twenty-four hours written notice to the occupier or if there be no occupier, to the owner of the building or land.

<sup>4</sup> [**8-A.** The prescribed authority may, after obtaining the sanction of the State Government, delegate all or any of its powers and functions to an officer or authority subordinate to it. ]

**8-B.** <sup>5</sup>[ X X X X ]

**Penalties**

**9.** (1) Any person who undertakes or carries out the development of any site or erects <sup>6</sup>[, re-erects or makes any material

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[1. Subs. by sec. 50\(2\) of U. P. Act no. 41 of 1976.](#)

[2. Ins. by sec. 4 of U. P. Act no. 02 of 1964.](#)

[3. Subs. by sec. 51 of U. P. Act no. 41 of 1976.](#)

[4. Ins. by sec. 5 of U. P. Act no. 11 of 1960.](#)

[5. Omit. by sec. 52 of U. P. Act no. 41 of 1976.](#)

[6. Ins. by sec. 7 \(1\) of U. P. Act no. 02 of 1964.](#)



change in] any building or makes or extends any excavation or lays out any means of access to a road in contravention of <sup>1</sup>[any regulations made under this Act] or without the permission referred to in section 6 or in contravention of any condition subject to which such permission has been granted, <sup>2</sup>[or in violation of any action taken under sub-section (2) of section 10 to stop the erection or re-erection of any building or the execution of any work] shall be punishable with fine which may extend to ten thousand rupees and in the case of a continuing offence, with a further fine which may extend to five hundred rupees for every day during which such offence continues after conviction for the first commission of the offence.

(2) Any person who obstructs the entry of a person authorized under section 8 to enter into or upon any building or land or molests such person after such entry shall be punishable with fine which may extend to one thousand rupees.

(3) If the person committing an offence under this Act is a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(4) Notwithstanding anything contained in sub-section (3), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

**Explanation**—For the purposes of this section—

(a) “company” means a body corporate and includes a firm or other association of individual ; and

(b) “director” in relation to a firm means a partner in the firm.

**Order of  
demolition of  
buildings in  
certain cases**

**10.** (1) Where the <sup>3</sup>[erection or re-erection of or material <sup>4</sup>[change] material <sup>4</sup>[change] in] any building has been commenced or is being carried on or has

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1. [Subs. by sec. 53\(i\) of U. P. Act no. 41 of 1976.](#)

2. [Ins. by sec. 53\(ii\) of U. P. Act no. 41 of 1976.](#)

3. [Subs. by sec. 6\(a\) of U. P. Act no. 11 of 1960.](#)

4. [Subs. by sec. 8 of U. P. Act no. 02 of 1964.](#)

been completed in contravention of <sup>1</sup>[any regulation made under this Act] or without the permission referred to in section 6 or in contravention of any condition subject to which such permission has been granted, the prescribed authority may, <sup>2</sup>[without prejudice to the provisions of section 9] make an order directing that such erection, re-erection or material <sup>3</sup>[change] shall be demolished by the power thereof within such period not exceeding two months as may be specified in the order, and on the failure of the owner to comply with the order the prescribed authority may itself <sup>4</sup>[through the local authority concerned or through such other agency as it thinks fit] cause the erection to be demolished and the expenses of such demolished shall be recoverable from the owner in the same manner as an arrear of land revenue :

Provided that no such order shall be made unless the power has been given an opportunity of being heard.

<sup>5</sup>[ (2) If the prescribed authority is satisfied that the erection or re-erection of any building or the execution of any such work as is referred to in section 6 has been unlawfully commenced or is being unlawfully carried on it may by written notice require the person directing or carrying on such erection or re-erection or execution, to stop the same forthwith and on his failure to so do, cause the carrying on of such erection or re-erection or execution to be stopped and, use or employ such reasonable force as may be necessary therefor. ]

**Jurisdiction  
of Courts**

**11.** No court inferior to that of a magistrate of the first class shall try an offence punishable under this Act.

**Previous  
sanction of  
the  
prescribed  
authority for  
prosecution**

**12.** (1) No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the prescribed authority.

<sup>6</sup>[(2) The prescribed authority may, and if required by the Controlling Authority shall, compound any offence punishable under this Act, either before or after the institution of the prosecution, on such terms (which may include payment of a sum of money by way of composition for the offence) as it or the Controlling Authority, as the case may be, thinks fit.]

**Magistrate's  
power to  
impose  
enhanced  
penalties.**

**13.** Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any court of a magistrate of the first class to pass any sentence authorized by this Act in excess of its powers under the said section.

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[1. Subs. by sec. 54\(1-a\) of U. P. Act no. 41 of 1976.](#)

[2. Subs. by sec. 54\(1-b\) of U. P. Act no. 41 of 1976.](#)

[3. Subs. by sec. 8 of U. P. Act no. 02 of 1964.](#)

[4. Ins. by sec. 54\(1-c\) of U. P. Act no. 41 of 1976.](#)

[5. Subs. by sec. 54\(ii\) of U. P. Act no. 41 of 1976.](#)

[6. Ins. by sec. 55 of U. P. Act no. 41 of 1976.](#)

**14.** <sup>1</sup>[ X X X X ]

**Orders  
granting or  
refusing  
permission to  
be final**

**15.** (1) Any order made under sub-section (2) of section 7 refusing or granting any permission shall, subject to the provisions of sub-section (2) be final and shall not be questioned in any court.

(2) Any person aggrieved by an order under section 7 refusing or granting permission <sup>2</sup>[or by an order under section 7-A cancelling a permission] <sup>3</sup>[or by an order under section 10 directing demolition of any construction or by the initiation of prosecution for any offence punishable under this Act] may, within thirty days from the date of such order, prefer an appeal to the Controlling Authority and the order of the Controlling Authority shall be final and shall not be called in question in any court.

<sup>4</sup>[ (3) The Controlling Authority may, pending the decision of an appeal filed under sub-section (2), stay the operation of the order appealed against.]

<sup>5</sup>[ (4) An order under sub-section (3) may be passed on behalf of the Controlling Authority by its chairman and such order shall be deemed to have been passed by the Controlling Authority, anything to have been passed by the Controlling Authority, anything to the contrary contained in section 4 notwithstanding. ]

**Revisional  
powers of the  
State  
Government**

<sup>6</sup>**[15-A.** (1) The State Government may, at any time either of its own motion or on an application made to it in this behalf, call for the record of any case disposed of by the Controlling Authority for the purpose of satisfying itself as to the legality or propriety of any order passed under this Act and may pass such orders in relation thereto as it may think fit :

Provided that the State Government shall not pass an order prejudicial to any person without affording such person a reasonable opportunity of being heard.

(2) The State Government may, by notification in the *Gazette*, delegate the powers conferred upon it by sub-section (1) to nay officer or authority who shall not be inferior to the Chairman of the Controlling Authority. ]

**Protection of  
action taken  
in good faith**

**16.** No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or the regulations made thereunder.

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[1. Omit. by sec. 56 of U. P. Act no. 41 of 1976.](#)

[2. Ins. by sec. 9\(1\) of U. P. Act no. 2 of 1964.](#)

[3. Ins. by sec. 7 of U. P. Act no. 11 of 1960.](#)

[4. Ins. by sec. 9\(2\) of U. P. Act no. 02 of 1964.](#)

[5. Ins. by sec. 9\(2\) of U. P. Act no. 02 of 1964.](#)

[6. Sub. by sec. 57 of U. P. Act no. 41 of 1976.](#)

**Crediting of fees etc. in the funds of local authority**

<sup>1</sup>**16-A.** (1) All fees realised under this Act and all sums realised under sub-section (2) of section 12, in relation to the performance of the functions of the prescribed authority or the Controlling Authority within the limits of a City (as defined in the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959) shall be credited to the fund of the Nagar Mahapalika concerned.

(2) The State Government may by notification in the *Gazette* extend the provisions of sub-section (1) to any Municipality as defined in the United Provinces Municipalities Act, 1916, with effect from such date as it may direct, and thereupon the references in that sub-section to a City shall in relation to that Municipality, be construed as including references to that municipality.

(3) The State Government may by notification in the *Gazette* direct that the provisions of sub-section (1) shall cease to apply to any City and thereupon the provisions of sub-section (1) shall cease to apply to such City and likewise may rescind any notification under sub-section (2) and thereupon the provisions of sub-section (1) shall cease to apply to the municipality concerned.

(4) Every Nagar Mahapalika or Municipal Board to which the provisions of sub-section (1) for the time being apply shall, when so requested by the prescribed authority or the Controlling Authority, make available to it such staff as may be necessary for the performance of the functions of that authority within the limits of the City or the municipality, as the case may be. ]

**Effect of provisions of the Act inconsistent with other laws**

**17.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in <sup>2</sup>[any other law in force at the commencement of this Act].

**Savings**

**18.** Nothing in this Act shall apply to—

(a) the carrying out of works for the maintenance, improvement or other alteration of any building being works which affect only the interior of the building or which do not materially affect the external appearance of the building ;

(b) the carrying out by any department of the State Government of any works for the purpose of inspecting, repairing, or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose ;

(c) the erection of a building, not being a dwelling house if such building is required for the purposes subservient to agriculture ;

(d) <sup>3</sup>[ \* \* \* \* ]

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[1. Ins. by sec. 58 of U. P. Act no. 41 of 1976.](#)

[2. Subs. by sec. 59 of U. P. Act no. 41 of 1976.](#)

[3. Omit. by sec. 4 of U. P. Act no. 26 of 1961.](#)

(e) the erection of a place of worship or a tomb or cenotaph or of a wall enclosing a graveyard, place of worship, cenotaph or *samadhi*, on land which at the commencement of this Act is occupied by, or for the purposes of such place of worship, tomb, cenotaph, graveyard or *samadhi* ;

(f) excavations (including wells) made in the ordinary course of agricultural operations ;

(g) the construction of unmetalled road intended to give access to land solely for agricultural purposes.

**Power to  
make Rules**

**19.** (1) The State Government, may by notification in the official Gazette, make <sup>1</sup>[rules] to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such <sup>2</sup>[rules] may provide for all or any of the following matters, namely :-

(a) the summoning and holding of meetings of the Controlling Authority, the time and place where such meetings are to be held, the procedure to be followed by the Controlling Authority, the conduct of all business to be transacted by the Controlling Authority and the number of members necessary to form a quorum ;

(b) the procedure to be observed by the Prescribed Authority in the discharge of its functions under this Act ;

(c) the manner of authentication of orders and other instruments of the Controlling Authority and of the Prescribed Authority ;

(d) the form in which an application under sub-section (1) of section 7 shall be made and the information to be furnished in such application ;

(e) the regulation of the laying out of means of access to roads ;

(f) the principles on which applications for permission under this Act may be granted ;

(g) the manner of filing appeal under section 15 and the procedure of the Controlling Authority in appeal ;

<sup>3</sup> [ (gg) for the levy of fee on an application for grant of permission under section 7 (1) of this Act in respect of matters specified in sections 5 and 14 thereof and for <sup>4</sup>[inspection or obtaining copies of] documents and maps, etc., and on a memorandum of appeal filed under sub-section (2) of section 15 of this Act. ] <sup>5</sup>[; and]

(h) any other matter which may be prescribed.

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[1. Subs. by sec. 60\(i\) of U. P. Act no. 41 of 1976.](#)

[2. Subs. by sec. 60\(ii\) of U. P. Act no. 41 of 1976.](#)

[3. Ins. by sec. 9 of U. P. Act no. 11 of 1960.](#)

[4. Subs. by sec. 16 of U. P. Act no. 29 of 1966.](#)

[5. Ins. by sec. 10 of U. P. Act no. 02 of 1964.](#)

[The Uttar Pradesh (Regulation of Building Operations) Act, 1958]

(ज) कोई अन्य विषय जो नियत किया जाय ।

**Laying of  
regulations  
before  
Legislature**

<sup>1</sup>[ **20.** All regulations made under this Act shall, as soon as may be, after they are made, be laid before each House of the State Legislature, while it is in session, for a total period of thirty days, which may be comprised in its one session or in two or more successive sessions, and shall, unless some later date is appointed, take effect from the date of their publication in the Gazette subject to such modifications or annulments as the two Houses of the Legislature may, during the said period, agree to make, so however, that any such modifications or annulment shall be without prejudice to the validity of anything previously done thereunder. ]

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[1. Ins. by sec. 61 of U. P. Act no. 14 of 1976.](#)

