



# U.P. ARCHITECTS ASSOCIATION<sup>®</sup>

Regd. under the Societies Registration (Uttar Pradesh Amendment) Act, 1975 since 1987.

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UPAA/PS/2026/L-306  
Date-11.02.2026

To,  
Principal Secretary,  
Department of Housing and Urban Development,  
Lucknow(U.P)

**Subject: Submission of Ongoing File – Mixed Use Development – Applicability of Impact Charges**

Respected Sir,

This is with reference to our earlier representation vide **Letter No. UPAA/2025/L-299** dated **07.01.2026**, and further to the discussion held with your good self, wherein it was advised that issue-wise submissions be made along with ongoing cases.

Accordingly, we are placing before you the issue relating to **Mixed Use Development – Applicability of Impact Charges**, along with a current file for ready reference.

Mixed Use Development has been introduced under the Model Building Construction and Development Byelaws and Model Zoning Regulations for Development Authorities of Uttar Pradesh, 2025 to promote efficient land utilization, functional integration of activities, and reduction in travel demand by permitting compatible residential, commercial, and institutional uses within a planned framework.

**Clause 15.4** of the Model Building Bye-laws provides that commercial development undertaken as part of mixed-use development is not subject to levy of impact fees. Further, the Housing and Urban Planning Department, vide **Government Order No. I/1130634/2025-8-3099/406/2023 Part-1** dated **4th November, 2025**, has clarified under Column II(2) that commercial development carried out within mixed-use developments is not applicable for impact charges.

However, at the implementation level, impact charges are still being levied in such cases.

For U.P. ARCHITECTS ASSOCIATION

  
PRESIDENT

**Current Ongoing Case for Reference:**

Client Name: Shri Amit Agarwal  
File No.: MDA/BP/24-25/1199  
Challan No.: CH/MDA/BP/25-26/7420  
Authority: Meerut Development Authority  
Nature of Proposal: Mixed Use Development

In the above case, impact charges have been imposed on the commercial component of a mixed-use proposal, despite the clear position under the Bye-laws and the above Government Order. A copy of the challan is enclosed for your kind perusal.

This situation is creating confusion at the authority level and discouraging properly planned mixed-use projects, which the policy itself seeks to promote.

A clear reiteration from the State level would ensure uniform practice across Development Authorities and prevent such avoidable disputes in ongoing and future cases.

We therefore request your kind intervention in the matter.

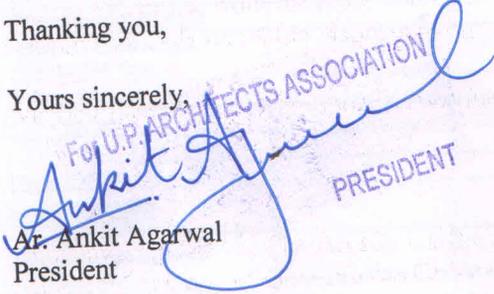
**Enclosures:**

- Annexure-1: Copy of Challan No. CH/MDA/BP/25-26/7420
- Annexure-2: Copy of Government Order dated 4th November, 2025
- Annexure-3: Copy of earlier representation dated 07.01.2026

We shall be grateful for your consideration.

Thanking you,

Yours sincerely,

  
Ar. Ankit Agarwal  
President

For U.P. ARCHITECTS ASSOCIATION

PRESIDENT

Mixed  
Annexure -1



**Meerut Development Authority**  
**Demand Note (Challan/ Invoice)**

**Challan No. :** CH/MDA/BP/25-26/7420  
**Plot/Khasra Number :** KHASRA NO.-1950 AND 1956

**Issue Date :** 07 Nov 2025

**File Number :** MDA/BP/24-25/1199\_Reject3  
**Plot Area (In Sq. Mt.) :** 1468.04  
**Scheme Name :** NA  
**Owner Name :** AMIT AGARWAL

**Application Type :** New  
**Plot Sub Use :** Commercial Building

**Owner Communication Address :** A-42, SAKET, MEERUT, MEERUT, Uttar Pradesh, 250001

Sr. No.	Particulars	Remarks	Area (m2)/ Estimated Cost	Rate	Total Fees	Previously Paid Amount	Balance
1	Site Inspection Fees		3227.9	20.00	64,558.00	00.00	64,558.00
2	Stacking Charges		0	46.00	1,48,483.00	00.00	1,48,483.00
3	Strengthening Charges		0	00.00	00.00	00.00	00.00
4	External Development Charges		1317.04	1,317.00	17,34,542. 00	00.00	17,34,542. 00
5	Water Charges		0	00.00	00.00	00.00	00.00
6	Development Charges		0	00.00	00.00	00.00	00.00
7	Building Construction Permission fees		3227.9	00.00	00.00	00.00	00.00
8	Other Charges		0	00.00	00.00	00.00	00.00
9	Shelter fees		0	00.00	00.00	00.00	00.00
10	Purchasable FAR		0	00.00	00.00	00.00	00.00
11	Compounding Charges		0	00.00	00.00	00.00	00.00
12	Impact Fees		1317	25,000.00	3,29,26,000. 00	00.00	3,29,26,000. 00
13	Sub-division Charges		1317	2,000.00	26,34,080. 00	00.00	26,34,080. 00
14	City Development Charges		0	00.00	00.00	00.00	00.00
15	License Fee for Integrated Township		0	00.00	00.00	00.00	00.00
16	Village Development Charges		0	00.00	00.00	00.00	00.00
17	Sewer Charges		0	00.00	00.00	00.00	00.00
18	Maintenance Charges		0	00.00	00.00	00.00	00.00
19	Mela Shulk		0	00.00	00.00	00.00	00.00

**Note : Amount calculated is based on the formula followed by authority.**

*This Document is not valid for the purpose of any Bank Loan and Registration under Real Estate (Regulation and Development) Act. 2016 (RERA)*

For U.P. ARCHITECTS ASSOCIATION

PRESIDENT

**Uttar Pradesh Shasan  
Aawaas evam Shahri Niyojan Anubhag-3**

In pursuance of the provisions of clause (3) of Article 348 of Constitution, the Governor is pleased to order the publication of the following English translation of Notification no. U.P. 130634/2025/8-3099/406/2023 Part-1 dated 04.10.2025.

**Notification**

No. U.P. 130634/2025/8-3099/406/2023 Part-1

Lucknow; Dated: 04.10.2025.

In exercise of the powers under clause (c) of sub-section (2) of section 55 read with sub-section (2) of section 15 of the Uttar Pradesh Urban Planning and Development Act, 1973 (President's Act no. 11 of 1973) read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. 1 of 1904), the Governor is pleased to make the following rules with a view to amend the Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Impact Fee) Rules, 2024 :-

**The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Impact Fee) (First Amendment) Rules, 2025**

Short title, commencement and application	1:	(1)	These rules may be called the Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Impact Fee) (First Amendment) Rules, 2025
		(2)	They shall come into force with effect from the date of their publication in the official Gazette.
		(3)	They shall be applicable to all the development areas in the State of Uttar Pradesh.

Amendment of Rule 2	2.	In the Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Impact Fee) Rules, 2024 (hereinafter referred to as the "said rules") for the existing rule 2 set out in Column-I below, the rule as set out in Column-II shall be substituted, namely:-	
		<b>Column-I</b>	<b>Column-II</b>
		<b>Existing rule</b>	<b>Rule as hereby substituted</b>
2(1)	(a)	"Act" means the Uttar Pradesh Urban Planning and Development Act, 1973 (President's Act no. 11 of 1973);	2(1) (a) "Act" means the Uttar Pradesh Urban Planning and Development Act, 1973 (President's Act no. 11 of 1973);
	(b)	"Applicant" means any person or body making an application under section 15 of the Act to obtain permission referred to in section 14 of the Act;	(b) "Applicant" means any person or body making an application under section 15 of the Act to obtain permission referred to in section 14 of the Act;
	(c)	"Approval" means approved by the Authority;	(c) "Approval" means approved by the Authority;
	(d)	"Authority" means the development authority constituted under section 4 of the Act;	(d) "Authority" means the development authority constituted under section 4 of the Act;
	(e)	"Building" means a structure constructed with any materials whatsoever for any purpose, whether used for human habitation or not.	(e) "Building" means a structure constructed with any materials whatsoever for any purpose, whether used for human habitation or not.

(e)	"Building" includes any structure or erection or part of a structure or erection which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not;	and includes: (i) foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms etc., (ii) verandahs, balconies, cornices, projections etc., (iii) parts of a building or anything affixed thereto; (iv) any wall enclosing or intended to enclose any land or space, sign and outdoor display structures; etc., (v) tanks constructed or fixed for storage of chemicals or chemicals in liquid form and for storage of water, effluent, swimming pool, ponds etc., (vi) all types of buildings as defined under the 'use group or occupancy' or based on 'design, height or other features', except tents, shamianas and tarpaulin shelters erected temporarily for temporary purposes (for less than three months) and ceremonial occasions, shall be considered to be "buildings".
(f)	"Built-up area" means the area within a development area as earmarked in the master plan or has been delineated as such by the Authority;	
(g)	"Covered Area" means the total built-up area on all the floors of a building;	
(h)	"Development" with its grammatical variations and connotations, means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in any building or land, and includes re-development;	
(i)	"Development Area" means the area declared as development area under section 3 of the Act;	
(j)	"Government" means the Government of Uttar Pradesh;	
(k)	"Hierarchy of land uses" means order of various land uses from lower to higher and vice-versa as determined in the zoning regulations;	
(l)	"Impact Fee" means a fee levied upon a person or a body under sub-section (2) of section 15 of the Act for seeking permission for a higher use or activity in a lower land use in accordance with the zoning regulations;	(f) (f)(i) "Built up area (Master Plan)" in the context of Master Plan means such densely populated area situated within the development area, most of which has been developed as commercial, industrial, residential, or other areas. Here, all the necessary facilities like road, water supply, sewerage, electricity supply etc. are available and have been demarcated as built-up area by the authority under its master plan.
(m)	"Layout plan" means a sub-	(ii) Built-up area (Building)" in the context of building construction refers to the total covered area on all floors of an immovable property or building.
		(g) "Development" with its grammatical variations and connotations, means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in any building or land, and includes re-development;
		(h) "Development Area" means the area declared as development area under section 3 of the Act;
		(i) "Government" means the Government of Uttar Pradesh;
		(j) "Hierarchy of land uses" means order of various land uses from lower to

	division plan approved by the competent authority showing division of any land or portion thereof into more than one plot or parcel for the purpose of sale or otherwise;		higher and vice-versa as determined in the zoning regulations;
(n)	"Land use" means the use of land for which land or building is used or intended to be used as per the provisions of master plan or the zonal development plan or the layout plan;	(k)	"Impact Fee" means a fee levied upon a person or a body under sub-section (2) of section 15 of the Act for seeking permission for a higher use or activity in a lower land use in accordance with the zoning regulations;
(o)	"Master Plan" means a plan for the development of land within the jurisdiction of the Authority prepared in accordance with the provisions of the Act;	(l)	"Lay-out plan/sub-division plan" means sub-dividing of any land or part thereof into more than one plot for sale or otherwise, in which the configuration of roads, measurement of plots along with set-back lines and method of development (e.g. row-housing, semi-detached, detached group housing) should be shown and details of size, use, area of all the plots should be given
(p)	"Owner" includes any person whose name is recorded as owner of the land or building or part thereof in the records of the concerned Authority;	(m)	"Land use" means the use of land for which land or building is used or intended to be used as per the provisions of master plan, the zonal development plan or the approved layout plan.
(q)	"Section" means a section of the Act;	(n)	"Master Plan" means a plan for the development of land within the jurisdiction of the Authority prepared in accordance with the provisions of the Act;
(r)	"Use permissible conditionally" means the use or activity which may be permitted in a particular land use subject to compliance of terms and conditions laid down in the zoning regulations;	(o)	"Non-Built-up area" is the area other than Built-up area (Master Plan) defined above.
(s)	"Use permissible generally" means use or activity which may be permitted in a particular land use without any condition in accordance with the zoning regulations;	(p)	"Owner" means a person who has legal rights over any land or building or receives rent or is entitled to receive rent in case the premises are on rent and will also include the following: (1) Any agent or person who receives rent on behalf of the owner, (2) Any agent or person who receives rent or is entrusted with the management of any land or building for religious or charitable purposes, (3) Any receiver or manager appointed by a court of competent authority who has been given the charge/authority of exercising the rights of the owner in the premises.
(t)	"Use permissible with special permission" means use or activity which may be permitted in a particular land use with the approval of the Board of the Authority;	(q)	"Permitted" means use or activity which may be permitted in a particular land use without any condition in accordance with the

	(u)	"Zoning regulations" means zoning of land use and regulations prescribing the uses or activities permissible in different land uses in a master plan or a zonal development plan;			zoning regulations.
	(v)	"Zonal Development Plan" means a plan of a zone prepared in accordance with the provisions of the Act;		(r)	"Permitted with conditions" means the use or activity which may be permitted in a particular land use subject to compliance of terms and conditions laid down in the zoning regulations
	(w)	"Zone" means any of the divisions in which a development area may be divided for the purposes of development under the Act.		(s)	"Section" means a section of the Act;
				(t)	"Zonal Development Plan" means a Plan formulated under Section 9 of the Act for development of zones which are part of the development area under the jurisdiction of Authority.
				(u)	"Zone" means any of the divisions in which a development area may be divided for the purposes of development under the Act.
2.	(2)	Words and expressions, not defined in these rules but defined in the Act, shall have the meanings respectively assigned to them in the Act.		(v)	"Zoning regulations" means zoning of land use and regulations prescribing the uses or activities permissible in different land uses in a master plan, a zonal development plan or approved layout plan.
				(2)	Words and expressions, not defined in these rules but defined in the Act, shall have the meanings respectively assigned to them in the Act.

**Amendment of Rule 3** 3. In the said rules in sub-rule(1) of rule 3,-  
(a) for clause (a) set out in Column-I below, the clause as set out in Column-II shall be substituted, namely:-

Column-I		Column-II	
Existing clause		clause as hereby substituted	
(a)	For uses or activities which are permissible in the built-up area 'generally' or 'conditionally' or 'with special permission' of the Authority.	(a)	For uses or activities which are permissible in the built-up area 'generally' or 'conditionally'.

(b) for clause (f) set out in Column-I below, the clause as set out in Column-II shall be substituted, namely:-

Column-I		Column-II	
Existing clause		clause as hereby substituted	
(f)	Areas or land parcels which do not form part of any layout plan sanctioned by the competent authority	(f)	Omitted

**Amendment of Rule 4** 4. In the said rules for rule 4 set out in Column-I below, the rule as set out in Column-II shall be substituted, namely:-

For U.P. ARCHITECTS ASSOCIATION  
4  
PRESIDENT

Column-I Existing rule		Column-II Rule as hereby substituted																																																																																																																																																																																																																																																																										
<p>4(1) Where an application is submitted under rule 3, the impact fee shall be assessed and collected on the gross area of the land parcel on the basis of present circle rate of existing use of land issued by the District Magistrate.</p> <p>(2) Assessment of impact fee for different uses or activities shall be carried out on the basis of 'impact fee co-efficient' prescribed for various land uses as given in the table below:-</p> <p>Land Use Zones (Lower to Higher)</p> <table border="1"> <thead> <tr> <th rowspan="2">Use Category (Lower to Higher)</th> <th colspan="2">Specialized &amp; other uses as per section 11</th> <th rowspan="2">Public and Semi-public Facilities</th> <th rowspan="2">Traffic and Transport</th> <th rowspan="2">Industry</th> <th rowspan="2">Residential</th> <th rowspan="2">Office</th> <th rowspan="2">Commercial</th> </tr> <tr> <th>1</th> <th>2</th> </tr> </thead> <tbody> <tr> <td>1 Agriculture &amp; Green belts/verge, parks &amp; playgrounds</td> <td>NA*</td> <td>NP**</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>2 Public &amp; Semi-public facilities</td> <td>0.25</td> <td>NA</td> <td>NP</td> <td>NP</td> <td>0.25</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>3 Traffic &amp; Transport</td> <td>0.30</td> <td>0.10</td> <td>NA</td> <td>NP</td> <td>0.30</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>4 Industrial</td> <td>0.40</td> <td>0.25</td> <td>0.25</td> <td>NA</td> <td>0.40</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>5 Residential</td> <td>0.50</td> <td>0.40</td> <td>0.40</td> <td>0.25</td> <td>NA</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>6 Offices</td> <td>1.00</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.50</td> <td>NA</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>7 Commercial</td> <td>1.50</td> <td>1.25</td> <td>1.25</td> <td>1.00</td> <td>1.00</td> <td>0.5</td> <td>NA</td> <td>NA</td> </tr> </tbody> </table> <p>* NA: Not Applicable ** NP: Not Payable</p>		Use Category (Lower to Higher)	Specialized & other uses as per section 11		Public and Semi-public Facilities	Traffic and Transport	Industry	Residential	Office	Commercial	1	2	1 Agriculture & Green belts/verge, parks & playgrounds	NA*	NP**	NP	NP	NP	NP	NP	NP	2 Public & Semi-public facilities	0.25	NA	NP	NP	0.25	NP	NP	NP	3 Traffic & Transport	0.30	0.10	NA	NP	0.30	NP	NP	NP	4 Industrial	0.40	0.25	0.25	NA	0.40	NP	NP	NP	5 Residential	0.50	0.40	0.40	0.25	NA	NP	NP	NP	6 Offices	1.00	0.75	0.75	0.75	0.50	NA	NP	NP	7 Commercial	1.50	1.25	1.25	1.00	1.00	0.5	NA	NA	<p>4(1) Where an application is submitted under rule 3, the impact fee shall be assessed and collected on the gross area of the land parcel on the basis of present circle rate of existing use of land issued by the District Magistrate. Where such rate is not available, the current residential rate determined by the Authority, shall be applicable.</p> <p>(2) Assessment of impact fee for different uses or activities shall be carried out on the basis of 'impact fee co-efficient' prescribed for various land uses as given in the table below:-</p> <table border="1"> <thead> <tr> <th>Impact Fee Co-efficient</th> <th>Residential Use Category</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> <th>7</th> <th>8</th> <th>9</th> <th>10</th> <th>11</th> <th>12</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>(When found to be used)</td> <td>NP</td> <td>NA</td> <td>NP</td> </tr> <tr> <td>2</td> <td>Agriculture, Greenbelts, Parks, Playgrounds</td> <td>NP</td> <td>0.25 (1)</td> <td>NA</td> <td>NP</td> <td>NP</td> <td>0.30 (1)</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>3</td> <td>Public &amp; Semi-public Facilities</td> <td>NP</td> <td>0.25</td> <td>0.1</td> <td>NA</td> <td>NP</td> <td>0.30</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>4</td> <td>Traffic and Transport</td> <td>NP</td> <td>0.3</td> <td>0.1</td> <td>NA</td> <td>NP</td> <td>0.30</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>5</td> <td>Industrial</td> <td>NP</td> <td>0.4</td> <td>0.25 (2)</td> <td>0.25 (2)</td> <td>NA</td> <td>0.40</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>NP</td> </tr> <tr> <td>6</td> <td>Residential (incl. 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FOR U.P. ARCHITECTS ASSOCIATION

PRESIDENT

- Amendment of Rule 5
5. In the said rules, in rule 5,-  
 (a) for sub-rule(1) set out in Column-I below, the sub-rule as set out in Column-II shall be substituted, namely:-

Column-I		Column-II
Existing sub-rule		sub-rule as hereby substituted
(1)	For all types of uses or activities, whether permissible 'generally' or 'conditionally' or 'with special permission', the Authority shall publish a notice in at least two newspapers having circulation in the development area inviting objections and suggestions from the public. The minimum duration for submission of objections and suggestions shall be 30 days from the date of publication of the notice.	(1) For all types of uses or activities, whether permissible 'generally' or 'conditionally', the Authority shall publish a notice in at least two newspapers having circulation in the development area inviting objections and suggestions from the public. The minimum duration for submission of objections and suggestions shall be 15 days from the date of publication of the notice.

- (b) for sub-rule(3) set out in Column-I below, the sub-rule as set out in Column-II shall be substituted, namely:-

Column-I		Column-II
Existing sub-rule		sub-rule as hereby substituted
(3)	In case of approval in respect of the uses permissible 'generally' or 'conditionally' the Vice-Chairman and for the uses 'permissible with special permission' the Authority, as the case may be, shall calculate the amount of impact fee and issue demand notice within 15 days to the applicant for payment of the same.	(3) In case of approval in respect of the uses "permitted" or "permitted with conditions", the Vice-Chairman, shall calculate the amount of impact fee and issue demand notice within 15 days to the applicant for payment of the same.

- Amendment of Rule 6
6. In the said rules, for sub-rule(1) of rule 6 set out in Column-I below, the sub-rule as set out in Column-II shall be substituted, namely:-

Column-I		Column-II
Existing sub-rule		sub-rule as hereby substituted
(1)	Subject to the provisions of the Act and these rules, the applicant shall pay the full amount of impact fee upfront as per the demand notice issued by the Vice-Chairman or the Authority, as the case may be, prior to grant of approval.	(1) Subject to the provisions of the Act and these rules, the applicant shall pay the full amount of impact fee upfront as per the demand notice issued by the Vice-Chairman, prior to grant of approval.

By Order,  
 Digitally signed by  
 Guru Prasad Porala  
 (P. 020225)  
 Principal Secretary.

For U.P. ARCHITECTS ASSOCIATION

PRESIDENT



# U.P. ARCHITECTS ASSOCIATION<sup>®</sup>

Regd. under the Societies Registration (Uttar Pradesh Amendment) Act, 1975 since 1987.

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Email: generalsecretary@uparchitects.org

UPAA/2025/L-299

Date-07.1.2026

To  
The Principal Secretary  
Housing & Urban Planning Department  
Government of Uttar Pradesh  
Lucknow

**Subject-** Request for State-level clarifications to facilitate uniform implementation of the Model Building Construction & Development Bye-laws and Model Zoning Regulations, 2025

Respected Sir,

The Uttar Pradesh Architects Association (UPAA) respectfully places on record its appreciation for the Model Building Construction & Development Bye-laws and Model Zoning Regulations, 2025, notified for Development Authorities across the State (hereinafter referred to as the **Model Building Bye-laws, 2025**). The Bye-laws reflect a progressive and forward-looking approach aimed at promoting planned urban growth, sustainability, efficient land utilization, and ease of doing business.

During the course of their implementation by various Development Authorities, certain aspects have come to light where the availability of uniform State-level guidance may further strengthen consistent and effective application of the provisions, in alignment with the intended objectives of the Model Building Bye-laws, 2025.

The issues are briefly outlined below for kind consideration:

### 1. Transit Oriented Development (TOD) – Applicability of Impact Charges

For U.P. ARCHITECTS ASSOCIATION

PRESIDENT

The Model Building Bye-laws, 2025 promote Transit Oriented Development (TOD) as an important planning approach to encourage compact, high-density, and walkable development along mass transit corridors and major arterial roads, with the objective of promoting vertical growth, optimizing public transport infrastructure, and supporting sustainable urban mobility.

It is observed that developments opting for TOD provisions are, in some cases, being subjected to impact charges. It may also be noted that, as per **Clause 8.1.3** of the Model Building Bye-laws, 2025, Transit Oriented Development forms part of Mixed Use Development, which is being promoted to achieve an integrated and efficient urban development.

In this context, a State-level clarification on the applicability of impact charges for TOD projects would further support the intended objectives of TOD and encourage wider adoption of TOD-compliant development.

## **2. Mixed Use Development – Applicability of Impact Charges**

Mixed Use Development has been introduced under the Model Building Bye-laws, 2025 to promote efficient land utilization, functional integration of activities, and reduction in travel demand by permitting compatible residential, commercial, and institutional uses within a planned framework.

As per **Clause 15.4** of the Model Building Bye-laws, commercial development undertaken as part of mixed-use development is not subject to levy of impact fees. Further, the Government of Uttar Pradesh, through the Housing and Urban Planning Department, vide Government Order No. I/1130634/2025-8-3099/406/2023 Part-1 dated 4th November, 2025, has clarified under Column II(2) that commercial development carried out within mixed-use developments is not applicable for impact charges, despite that impact charges are being taken by certain Development Authorities.

A clear State-level reiteration of the above provisions would assist Development Authorities in adopting a consistent approach and would further encourage planned mixed-use development across urban areas.

## **3. Sub-Division Charges – Applicability in Approved Layouts**

Clause **3.1.1.4** of the Model Bye-laws, 2025 provides that sub-division of plots shall be applicable within layouts approved or developed by the Development Authority, where planning controls and infrastructure are already sanctioned.

However, it has been observed that sub-division charges are being sought in areas not forming part of any approved or Authority-developed layout, resulting in differing interpretations .

A clarification confirming that sub-division charges are applicable only within such approved or Authority-developed layouts would support uniform implementation of the Bye-laws and provide clarity to stakeholders.

## **4. Amalgamation Charges – Applicability in Layout Areas**

For U.P. ARCHITECTS ASSOCIATION  
PRESIDENT

Similarly, the provisions relating to amalgamation under **Clause 3.1.1.4** appear to be intended for layouts approved or developed by the Development Authority, where amalgamation has implications on overall planning, circulation, and access.

In certain instances, amalgamation charges are also being applied in unapproved areas where plots are not part of any sanctioned layout. In the absence of an approved layout plan, this has led to uncertainty in assessment.

A clarification on the applicability of amalgamation provisions would assist in consistent interpretation and application across different planning areas.

## **5. Maximum Permissible Height for Commercial Buildings with Stilt Parking**

An ambiguity exists in the Model Building Construction and Development Bye-laws, 2025 regarding the inclusion of stilt parking within the prescribed maximum permissible height for commercial buildings. Under **Clause 3.2.4.3**, the maximum height for commercial buildings—including shops, hotels, and mixed-use buildings—is specified as 15.0 meters, without explicit guidance on whether a stilt floor for parking may be included or excluded.

In contrast, for multi-unit residential buildings, the Bye-laws permit a maximum height of 17.5 meters, expressly incorporating a mandatory stilt floor of up to 2.5 meters. This differential treatment, in the absence of specific clarification for commercial buildings where parking requirements are often significantly higher—has led to varied interpretations and inconsistent application by Development Authorities across the State.

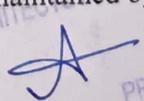
The matter has previously been brought to the attention of the Department through earlier representations, including **Letter Nos. UPAA/2025/L-267** and **UPAA/2025/L-296** (enclosed). However, a formal clarification is still awaited. In the absence of uniform and authoritative guidance, uncertainty continues to arise at the planning, sanction, and compliance stages, often resulting in avoidable objections, redesigns, and disputes.

A clear and definitive clarification on whether commercial buildings may be permitted a maximum height of 17.5 meters inclusive of stilt parking, in line with the provisions applicable to residential buildings, is therefore essential. Such guidance would ensure uniform interpretation and implementation of the Bye-laws, thereby assisting architects, planners, and allied professionals across the State in effective project planning and compliance.

## **6. Clarification regarding minimum road width and ownership in the definition of “Corner Plot”**

Under the Model Building Construction and Development Bye-laws, 2025, a “Corner Plot” is defined as a plot situated on two or more intersecting or meeting roads. However, the Bye-laws do not presently specify the minimum width, legal status, or ownership of the secondary road for the purpose of such classification.

In practice, instances are being observed where a plot legitimately abuts a wide public road—such as a major arterial road (for example, a 76-meter-wide road) owned and maintained by a

For U.P. ARCHITECTURAL REGULATION  
  
PRESIDENT

recognized Government authority such as NHAI, PWD, the Development Authority, or the Municipal Corporation—while on another side it abuts a much narrower passage of limited width, for instance, a 2.6-meter-wide passage. Such narrow passages may have come into existence subsequently, often through private action or unapproved sub-division, and may not have clearly established public ownership or formal sanction.

In the absence of specific guiding criteria, such narrow, private, or unauthorized passages are, in some cases, being treated as roads for the purpose of corner plot classification. Consequently, the plot comes to be categorized as a corner plot, even though no alteration or modification has been initiated by the plot owner. This classification results in the application of additional setbacks and side road widening provisions, which directly affect the permissible buildable area and overall project planning parameters. In the absence of clearly defined parameters, similar plots may also be assessed differently across jurisdictions.

In this context, a suitable clarification may kindly be considered to facilitate uniform and predictable application of the Bye-laws. If deemed appropriate, the definition of “Corner Plot” may specify that, for the purpose of such determination:

- (a) only roads meeting a prescribed minimum width are to be taken into consideration; and
- (b) such roads are public roads legally owned and maintained by a recognized Government authority, such as PWD, NHAI, Nagar Nigam, Development Authority, or any other Government department.

Additionally, clarification on whether private access ways, internal service passages, unauthorized cuts, or roads without established public ownership are to be considered or excluded for the purpose of corner plot determination would greatly assist Development Authorities and stakeholders in consistent interpretation and application of the provisions.

Such clarification would ensure fair and consistent application of planning provisions relating to corner plots.

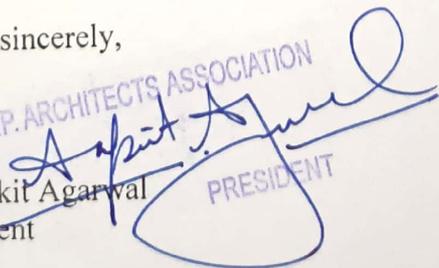
In view of the above, UPAA humbly requests your kind guidance and suitable State-level clarifications on the aforesaid points. This would greatly assist Development Authorities, architects, planners, and stakeholders in implementing the Model Building Bye-laws, 2025 in a consistent, transparent, and effective manner across Uttar Pradesh.

UPAA shall be grateful for your kind consideration and continued support.

Thanking you,

Yours sincerely,

For U.P. ARCHITECTS ASSOCIATION  
Ar. Ankit Agarwal  
President



Copy to:

Vice Chairman, Lucknow Development Authority  
Chief Town and Country Planner  
Director, Awas Bandhu

For U.P. ARCHITECTS ASSOCIATION  
PRESIDENT





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UPAA/2025/L-296

Date-19.12.2025

To,  
The Principal Secretary,  
Housing and Urban Planning Department,  
Government of Uttar Pradesh,  
Lucknow, Uttar Pradesh.  
Pin-226001

**Subject: Request for Clarification on Building Height Regulations for Commercial Buildings with Stilt Parking in the Model Building Construction and Development Byelaws and Model Zoning Regulations for Development Authorities of Uttar Pradesh, 2025**

Respected Sir,

We respectfully request an official clarification regarding the maximum permissible building height for commercial properties, specifically concerning the inclusion of a stilt floor for parking. Our members require your guidance to ensure consistent and compliant building design across the state.

An ambiguity exists within the **Uttar Pradesh Model Building Byelaws, 2025**, which specifies differing maximum height limits without clear provisions for stilt parking in commercial structures. As we understand it, the regulations currently state:

- **Commercial Buildings (Section 3.2.4.3, Page 61):** The maximum height for Commercial-hotel,shop, and mixed-use buildings is limited to **15 meters**. This section does not explicitly mention any additional height allowance for a stilt floor.
- **Residential Buildings (Section 4.1.4, Page 80):** Multi-unit residential buildings are permitted a maximum height of **17.5 meters**, which includes a mandatory stilt floor of up to 2.5 meters.

For U.P. ARCHITECTS ASSOCIATION

PRESIDENT



The current drafting appears to permit a height advantage for stilt parking in residential buildings, but not in commercial ones, where the demand for parking is often significantly higher. This lack of clarity for commercial buildings creates potential for misinterpretation and inconsistent application of the byelaws.

We kindly request a definitive clarification on whether commercial buildings, including hotels, shops, and mixed-use properties, are permitted a height of up to 17.5 meters with the inclusion of a stilt floor for parking, consistent with the provisions for multi-unit residential buildings.

Your prompt and clear response will be invaluable in ensuring strict adherence to the regulations and will prevent potential legal and design complications for architects and developers across the state.

Thanking you in anticipation.

With warm regards,

Ar. Ankit Agarwal

President

Copy to:

1. Vice Chairman, Lucknow Development Authority
2. Chief Town and Country Planner, UP
3. Chief Town Planner, UP Awas Evam Vikas Parishad (UPAVP)
4. Executive Director, Awas Bandhu