



U.P. ARCHITECTS ASSOCIATION[®]

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UPAA/CTP/2026/L-308

Date-28.02.2026

To,
The Chief Town Planner,
Awass evam Vikas Parishad,
Government of Uttar Pradesh,
Lucknow(U.P)

Subject- Request for 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 pedestrian-friendly 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, 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 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.

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For U.P. ARCHITECTS ASSOCIATION
PRESIDENT

4. Amalgamation Charges - Applicability in Layout Areas

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 Housing and Urban Planning Department through earlier representations, including **Letter No. UPAA/2025/L-267 and UPAA/2025/L-296**. 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.

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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 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.

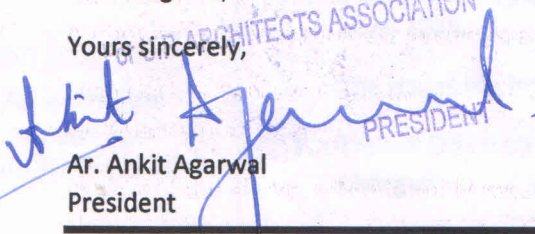
Such clarification would ensure fair and consistent application of planning provisions relating to corner plots.

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.

With Regards,

Yours sincerely,


Ar. Ankit Agarwal
President

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