



U.P. ARCHITECTS ASSOCIATION®

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

📍 A2304, Charms Castel, Raj Nagar Extension, Ghaziabad-201017 ✉ info@uparchitects.org 🌐 www.uparchitects.org

PATRON

Ar. Yogesh Chandra
Ghaziabad
(+91-9897177196)

I.P.P.

Ar. Jagesh Kumar
Meerut
(+91-9837393793)

VICE PRESIDENT

Ar. Ankur Bansal
Meerut
(+91-9837081156)

Ar. N. K. Sharma
Ghaziabad
(+91-9810200635)

Ar. Vinayak Gupta
Moradabad
(+91-9359438900)

Ar. Ashwani Shiromani
Agra
(+91-9759658915)

TREASURER

Ar. S.K. Gautam
Ghaziabad
(+91-9717303330)

JOINT SECRETARY

Ar. Vipin Goel
Mathura
(+91-8755422111)

CO-ORDINATOR

Ar. Chirag Gupta
Meerut
(+91-8923712131)

PRESIDENT

AR. ANKIT AGARWAL

1st Floor, S2S, Nirmal Arcade 47,
Garh Road, Meerut-250002

Mob.: +91-9997847510

President@uparchitects.org

GENERAL SECRETARY

AR. AKSHAT GARG

144, Prakash Enclave,
Kanth Road, Moradabad-244001

Mob.: +91-9927208888

Email: generalsecretary@uparchitects.org

UPAA/CM/ L-328

दिनांक: 12 जून, 2026

सेवा में,

माननीय मुख्य अभियन्ता,

उत्तर प्रदेश आवास एवं विकास परिषद,

लखनऊ, उत्तर प्रदेश

विषय: CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024 – Scheme-7, शास्त्री नगर, मेरठ (उत्तर प्रदेश) से संबंधित प्रकरण में माननीय उच्चतम न्यायालय के समक्ष सही तथ्यात्मक एवं विधिक स्थिति प्रस्तुत किए जाने हेतु अनुरोध।

संदर्भ: (i) दिनांक 06.04.2026 का आदेश तथा (ii) दिनांक 09.04.2026 का आदेश, माननीय उच्चतम न्यायालय (न्यायमूर्ति जे.बी. पारदीवाला & न्यायमूर्ति के.वी. विश्वनाथन); अगली सुनवाई: 14.07.2026।

आदरणीय महोदय,

यह अभ्यावेदन हमारे द्वारा अत्यंत विनम्रतापूर्वक प्रस्तुत किया जा रहा है। उत्तर प्रदेश के विकास प्राधिकरणों हेतु मॉडल भवन निर्माण एवं विकास उपविधि तथा मॉडल ज़ोनिंग विनियम, 2025 (इसके पश्चात "यू.पी. भवन उपविधि, 2025") के कुछ महत्वपूर्ण प्रावधान आपके संज्ञान में लाना चाहते हैं, जो माननीय न्यायालय के समक्ष अभी तक सही रूप से प्रस्तुत नहीं हुए हैं।

हम वास्तुकार के रूप में भवन विनियमों एवं शमन ढांचे पर पेशेवर रूप से कार्य करते हैं, अतः इन तकनीकी एवं विधिक पहलुओं को सामने लाने में सक्षम हैं। हमारा संगठन गैर लाभकारी है और इस अभ्यावेदन के पीछे कोई व्यक्तिगत या वाणिज्यिक स्वार्थ नहीं है। हमारा एकमात्र उद्देश्य यह है कि दिनांक 14.07.2026 की सुनवाई में सही तथ्यात्मक एवं तकनीकी स्थिति अभिलेख पर रखी जाए, जिससे सैकड़ों परिवारों को अपरिवर्तनीय ध्वस्तीकरण से बचाया जा सके।

for U.P. ARCHITECTS ASSOCIATION

PRESIDENT



1. माननीय न्यायालय द्वारा 'अनधिकृत' के रूप में सूचीबद्ध गतिविधियाँ वस्तुतः यू.पी. भवन उपविधि, 2025 के अंतर्गत अनुमान्य उपयोग हैं

आवास एवं विकास परिषद् द्वारा स्कीम 7, शास्त्री नगर की 44 संपत्तियों के विवरण के अनुसार, दिनांक 06.04.2026 के आदेश (पैरा 8) में माननीय न्यायालय ने संपत्तियों के चार्ट के आधार पर अनेक भूखंडों के 'वर्तमान उपयोग' को 'पूर्णतः अवैध एवं अनधिकृत' अभिनिर्धारित किया — जिसमें विद्यालय, चिकित्सालय, बैंक एवं होटल/बैंक्रेट सम्मिलित हैं। हम सम्मानपूर्वक निवेदन करते हैं कि इस अभिलक्षण में तथ्य एवं विधि दोनों दृष्टि से सुधार आवश्यक है:

क्र.	गतिविधि / मुद्दा	न्यायालय के समक्ष वर्तमान स्थिति	उपविधि अनुसार सही स्थिति
1	चिकित्सालय (बिना-शय्या व 50 बेड तक)	'पूर्णतः अवैध एवं अनधिकृत' घोषित	Sl. 5.6 व 5.7 (पृ. 159-160) — आवासीय (R) क्षेत्र में स्पष्ट रूप से अनुमान्य
2	विद्यालय	'अनधिकृत उपयोग' के रूप में चिह्नित	Sl. 5.2 (पृ. 161) — शर्तों सहित अनुमान्य; संरचना-नियमितीकरण का प्रश्न, गतिविधि का नहीं
3	बैंक (कार्यालय उपयोग)	'अनधिकृत भवनों से संचालन' पर चिंता	Sl. 4.1 — आवासीय क्षेत्र में अनुमान्य; अनेक शाखाएं अनुमान्य प्रतिशत के भीतर
4	होटल/बैंक्रेट	'अनधिकृत' सूची में सम्मिलित	Sl. 5.10 (पृ. 162 व पृ.-91) — शर्तों सहित मान्यता प्राप्त अनुमान्य उपयोग
5	मिश्रित उपयोग (24 मी. व अधिक चौड़ी सड़कें)	तथ्य न्यायालय के संज्ञान में नहीं लाया गया	अध्याय 8, उपखंड 8.1.2(d) व 8.1.3 — 33-67% तक वाणिज्यिक/अन्य उपयोग अनुमान्य
6	25% तक व्यावसायिक उपयोग	इस तरह की आवासीय संपत्तियों को नोटिस आया	उपखंड 2.5.1(iv) — किसी पृथक अनुमति की आवश्यकता नहीं
7	वाणिज्यिक घटक की कमी (योजना सं. 7)	निवासियों की वाणिज्यिक गतिविधियों को दोष माना गया	उप-खंड 3.1.4.1 — मात्र 2% क्षेत्र वाणिज्यिक; अनुमान्य 10% था — परिषद की योजना-त्रुटि

For U.P. ARCHITECTS ASSOCIATION
PRESIDENT

8	सार्वजनिक/अर्ध-सार्वजनिक सुविधाओं हेतु भूखंड न होना	निवासियों के उपयोग को 'अनधिकृत' माना गया	उप-खंड 3.1.4.1 — अनिवार्य भूखंड परिषद द्वारा कभी आवंटित नहीं किए गए
---	---	--	---

उपरोक्त प्रत्येक बिंदु का प्रावधान-वार विवरण निम्नानुसार है:

सार्वजनिक उपयोगिताएँ और सामुदायिक सुविधाएँ

यू.पी. भवन उपविधि, 2025 के उपखंड 15.3.2 की अनुमान्यता मैट्रिक्स के अंतर्गत, प्रमुख भू-उपयोग क्षेत्रों में गतिविधियों की अनुमान्यता के संदर्भ में, विद्यालय, 50 बेड तक के अस्पताल/क्लीनिक/नर्सिंग होम, बैंक/कार्यालय उपयोग, होटल तथा विवाह/बैक्रेट हॉल को आवासीय (R) क्षेत्रों में निर्धारित शर्तों के अधीन स्पष्ट रूप से अनुमान्य उपयोगों के रूप में मान्यता दी गई है। ये गतिविधियाँ निवासियों की शैक्षणिक, स्वास्थ्य, वित्तीय, सामाजिक एवं सामुदायिक आवश्यकताओं की पूर्ति करने वाली सार्वजनिक उपयोगिता एवं सामुदायिक सुविधाएँ हैं, अतः इन्हें किसी आवासीय क्षेत्र का स्वरूप निर्धारित करते समय सामान्य व्यावसायिक गतिविधि के समकक्ष नहीं माना जा सकता। ये प्रावधान भारत सरकार द्वारा जारी URDPFI दिशा-निर्देशों में निहित नियोजन सिद्धांतों के भी अनुरूप हैं।

1. चिकित्सालय - प्रमुख भू-उपयोग क्षेत्रों में गतिविधियों की अनुमान्यता मैट्रिक्स(permissibility matrix) (यू.पी. भवन उपविधि, 2025 क्रम सं. 5.6 एवं 5.7, पृष्ठ 162) के अंतर्गत, बिना-शय्या की मेडिकल सर्विसेज, 50 बेड तक के छोटे अस्पताल, चिकित्सालय/क्लीनिक एवं नर्सिंग होम आवासीय (R) क्षेत्रों में स्पष्ट रूप से अनुमान्य हैं। 50 बेड तक के छोटे चिकित्सालय के लिए 12-24 मीटर चौड़ी सड़क की अनिवार्यता है। इन्हें आवासीय क्षेत्रों में अनुमान्य किया जाने का प्रावधान है।
2. विद्यालय: उसी मैट्रिक्स की क्रम सं. 5.2 (पृष्ठ 161) आवासीय (R) क्षेत्रों में विद्यालयों की अनुमति देती है। अतः इस क्षेत्र में विद्यालयों की उपस्थिति स्वयं में 'अनधिकृत उपयोग' नहीं है। पृष्ठ 101 के अनुसार नर्सरी से सेकेंडरी स्कूल के लिए 9-12 मीटर रोड की अनिवार्यता है। इन्हें आवासीय क्षेत्रों में अनुमान्य किया जाने का प्रावधान है।
3. बैंक (कार्यालय उपयोग): मैट्रिक्स के साथ पठित क्रम सं. 4.1, पृष्ठ 161 (कार्यालय उपयोग) आवासीय क्षेत्रों में बैंकों की अनुमति देती है। अनेक शाखाएं भूखंड के अनुमान्य प्रतिशत के भीतर ही संचालित हैं — यह तथ्य माननीय न्यायालय के समक्ष नहीं रखा गया था। इन्हें आवासीय क्षेत्रों में अनुमान्य किया जाने का प्रावधान है।
4. होटल क्रम सं. 2.5 एवं 2.6 (पृष्ठ 160) के अंतर्गत होटल एक मान्यता प्राप्त अनुमान्य उपयोग है, जो निर्धारित शर्तों के अधीन है। उपखंड 5.3.2, पृष्ठ 91 के अनुसार 20 कमरों तक के होटल हेतु कोई न्यूनतम भूखण्ड क्षेत्रफल अनिवार्य नहीं है। उपखंड 5.3.3 के अनुसार 2000 वर्ग मीटर तक के भूखण्ड के लिए न्यूनतम 9 मीटर तथा 2000 वर्ग मीटर एवं उससे अधिक के भूखण्ड के लिए न्यूनतम 12 मीटर चौड़े पहुँच मार्ग की आवश्यकता है। होटल को आवासीय क्षेत्रों में अनुमान्य उपयोग के रूप में प्रावधानित किया गया है। उक्त प्रावधानों के अनुसार होटल/बैक्रेट को आवासीय क्षेत्रों में अनुमान्य किए जाने की व्यवस्था विद्यमान है।
5. बैक्रेट/विवाह हॉल: क्रम सं. 5.10 (पृष्ठ 163) के अंतर्गत विवाह हॉल/बैक्रेट हॉल को सार्वजनिक एवं अर्ध-सार्वजनिक/सामुदायिक सुविधा उपयोग के रूप में वर्गीकृत किया गया है और यू.पी. भवन उपविधि, 2025 के अंतर्गत लागू

For U.P. ARCHITECTS ASSOCIATION
PRESIDENT

ज़ोनिंग शर्तों एवं विकास मानकों के अधीन इसे आवासीय (R) क्षेत्र में स्पष्ट रूप से अनुमान्य किया गया है। उपखंड 6.3.2 एवं 6.3.3 (पृष्ठ 103) के अनुसार विवाह हॉल/बैंक्रेट हॉल/बहुउद्देशीय हॉल के लिए न्यूनतम 750 वर्ग मीटर भूखण्ड तथा न्यूनतम 12 मीटर चौड़े मौजूदा मार्ग की आवश्यकता है, जबकि 3000 वर्ग मीटर से अधिक के भूखण्ड के लिए 24 मीटर चौड़े मार्ग की अनिवार्यता है। बैंक्रेट हॉल निवासियों की सामाजिक एवं सामुदायिक आवश्यकताओं की पूर्ति करने वाली एक महत्वपूर्ण सुविधा है। आवासीय क्षेत्रों में होटल अनुमन्य है और होटल में बैंक्रेट की सर्विसेज अनुमन्य है।

6. मिश्रित उपयोग (24 मी. व अधिक चौड़ी सड़कें): अध्याय 8, उपखंड 8.1.2(d) के अंतर्गत इन सड़कों से सटे भूखंडों पर 33-67% तक वाणिज्यिक उपयोग अधिकार स्वरूप अनुमान्य है (पैरा 8.2.2.1)। स्कीम 7, शास्त्री नगर की सड़कें इसी श्रेणी में आती हैं — यह तथ्य भी माननीय न्यायालय के संज्ञान में नहीं लाया गया। मेरठ महानगर की जनसँख्या 10 लाख से ज्यादा है और खण्ड 8.1.2(डी) के अनुसार 24 मीटर या ज्यादा चौड़ी सड़क पर मिश्रित उपयोग की अनुमति है जिसके अनुसार 67% दुसरे किसी उपयोग में लिया जा सकता है। इसमें से स्कीम 7 की कुछ सड़कों पर मिश्रित उपयोग अनुमन्य किया जा सकता है और ये तथ्य माननीय न्यायालय के आगे प्रस्तुत नहीं किया गया।

7. 25% तक व्यावसायिक उपयोग: उपविधि उपखंड 2.5.1(iv), पृष्ठ 30 के अंतर्गत वास्तुकार, चार्टर्ड अकाउंटेंट, डॉक्टर, अधिवक्ता आदि द्वारा आवासीय भवन के 25% FAR तक व्यावसायिक उपयोग हेतु किसी पृथक अनुमति की आवश्यकता ही नहीं है। इन्हें आवासीय क्षेत्रों में अनुमान्य किया जाने का प्रावधान है।

8. वाणिज्यिक घटक की कमी — परिषद की योजना-त्रुटि: उप-खंड 3.1.4.1(5(a)) पृष्ठ 44 के अनुसार योजना क्षेत्र के अधिकतम 10% तक वाणिज्यिक उपयोग अनुमान्य है। परंतु योजना संख्या 7 में केवल 2% वाणिज्यिक क्षेत्र आवंटित किया गया — 8% की कमी। यह निवासियों की गलती नहीं, परिषद की योजना-त्रुटि है।

9. अनिवार्य सुविधा भूखंड न होना — परिषद का दायित्व-भंग: उप-खंड 3.1.4.1, पृष्ठ 43 के अंतर्गत परिषद का यह अनिवार्य दायित्व था कि वह विद्यालयों, चिकित्सालयों, सामुदायिक केंद्रों, खेल सुविधाओं तथा अन्य सार्वजनिक/अर्ध-सार्वजनिक सुविधाओं हेतु समर्पित भूखंड आवंटित करे — परंतु यह दायित्व कभी पूरा नहीं किया गया। ऐसी सुविधाओं का प्रावधान भारत सरकार के URDPFI दिशा-निर्देशों में निहित नियोजन सिद्धांतों के अनुरूप भी है। परिणामस्वरूप, निवासियों ने इन आवश्यक शैक्षणिक, स्वास्थ्य एवं सामुदायिक जरूरतों की पूर्ति मौजूदा भूखंडों पर की, जो स्वाभाविक एवं अपरिहार्य था। दोष नियोजन प्राधिकरण का है, निवासियों का नहीं।

संक्षेप में, जिन गतिविधियों को 'अवैधता' के साक्ष्य के रूप में माननीय न्यायालय के समक्ष रखा गया है, वे उपविधि के अंतर्गत अनुमान्य उपयोग हैं — या तो पूर्णतः, या प्रभाव/परिवर्तन शुल्क के भुगतान पर, जिसे चुकाने हेतु निवासी इच्छुक हैं।

नोट-स्कीम 7, शास्त्री नगर, इनमें से अधिकतर सभी आवश्यकताओं की सूची को पूरा करती है।

II. अनधिकृत निर्माणों के संबंध में माननीय न्यायालय के अवलोकन एवं प्राधिकरणों की भूमिका

विनम्रतापूर्वक निवेदन है कि स्कीम-7, शास्त्री नगर में अनधिकृत निर्माणों के प्रश्न पर विचार करते हुए माननीय न्यायालय ने यह अभिलक्षित किया कि यह समस्या विभिन्न प्राधिकरणों के बीच दीर्घकालिक निष्क्रियता एवं प्रभावी समन्वय के अभाव के कारण और गहरी हुई। न्यायालय ने राज्य प्राधिकरणों, यू.पी. आवास एवं विकास परिषद, विद्युत प्राधिकरणों, अग्नि सुरक्षा

For U.P. ARCHITECTS ASSOCIATION
PRESIDENT

प्राधिकरणों, जिला प्रशासन तथा विद्यालयों, चिकित्सालयों, बैंकों एवं वाणिज्यिक प्रतिष्ठानों के नियमन हेतु उत्तरदायी अन्य विनियामक निकायों की भूमिका पर चिंता व्यक्त की। माननीय न्यायालय ने यह भी अभिलक्षित किया कि वर्षों तक अनधिकृत निर्माण बिना किसी रुकावट के होते रहे, और यह प्रश्न उठाया कि ऐसे भवनों को आवश्यक सेवाएँ, अनुमतियाँ एवं उपयोगिता संयोजन किस प्रकार प्रदान किए जाते रहे। इन टिप्पणियों से यह स्पष्ट है कि यह मामला केवल व्यक्तिगत उल्लंघनों तक सीमित नहीं था, बल्कि इसमें अनेक सार्वजनिक प्राधिकरणों की ओर से विनियामक एवं प्रवर्तन स्तर पर प्रणालीगत चूक भी सम्मिलित थी।

III. सेटबैक के शमन पर विरोधाभासी निवेदन — उपविधि इसकी स्पष्ट अनुमति देती है

दिनांक 06.04.2026 के आदेश (पैरा 9) में प्रत्यर्थी संख्या 10 के विद्वान वरिष्ठ अधिवक्ता ने स्वीकार किया कि शमन की एक योजना विद्यमान है। परंतु दिनांक 09.04.2026 के आदेश (पैरा 2) में उन्होंने निवेदन किया कि 'सेटबैक का शमन विधि में अनुमान्य नहीं है' — और ठीक अगले पैरा (पैरा 3) में यह भी कहा कि 'कुछ भाग उपविधि के अनुसार शमित किए जा सकते हैं।' यह आंतरिक रूप से विरोधाभासी स्थिति है।

विधि की दृष्टि से स्थिति स्पष्ट है: यू.पी. भवन उपविधि का खंड 16.3.3, प्रष्ट 167 सामने, पीछे एवं बगल के सेटबैक उल्लंघनों के शमन हेतु स्पष्ट प्रावधान करता है — उदाहरणार्थ, 500 वर्ग मीटर तक के आवासीय भूखंडों हेतु पिछला सेटबैक 100% तक, बगल का 25% तक, सामने का 25% तक (अधिकतम 1 मीटर) शमन-योग्य है। ये उल्लंघन खंड 16.3.2 के अंतर्गत गैर-शमन-योग्य श्रेणी में नहीं हैं।

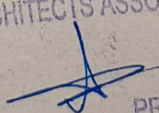
माननीय न्यायालय ने स्वयं, इस अस्पष्टता को पहचानते हुए (पैरा 4, दिनांक 09.04.2026 का आदेश), शमन प्रावधानों पर एक स्थिति रिपोर्ट(status report) दाखिल करने का निर्देश दिया है। यही वह अवसर है जब सही विधिक स्थिति माननीय न्यायालय के समक्ष रखी जानी चाहिए।

IV. निवासी शमन प्रक्रिया का अनुपालन करने हेतु इच्छुक एवं सक्षम हैं- अनेक निवासियों ने प्रभाव/परिवर्तन एवं शमन शुल्क हेतु यू.पी. आवास एवं विकास परिषद को पहले ही आवेदन कर दिया है, और कई ने भुगतान भी कर दिया है। इसके बावजूद शमन आवेदनों का निस्तारण नहीं किया गया — यद्यपि उपविधि (खंड 16.3.3 एवं permissibility मैट्रिक्स पृष्ठ 159-163) ऐसे निर्माणों को शमित/नियमित किए जाने का अधिकार देती है। यदि यह स्थिति माननीय न्यायालय के समक्ष सही ढंग से रखी जाए, तो स्कीम 7 के बड़े हिस्सों के ध्वस्तीकरण की आवश्यकता ही नहीं होगी।

V. प्रार्थना

उपरोक्त के आलोक में, दिनांक 14.07.2026 की अगली सुनवाई से पूर्व निम्नलिखित के संबंध में आवश्यक कार्यवाही हेतु निवेदन है:

1. राज्य सरकार/प्राधिकरण दिनांक 09.04.2026 के आदेश के पैरा 4 के अनुपालन में दाखिल की जाने वाली स्थिति रिपोर्ट में सही तथ्यात्मक एवं विधिक स्थिति माननीय न्यायालय के समक्ष रखे — विशेष रूप से: (क) आवासीय क्षेत्रों में विद्यालयों, क्लीनिक/नर्सिंग होम, बैंकों एवं होटल/बैक्रेट की अनुमान्यता; (ख) 24-मीटर चौड़ी सड़कों से सटे भूखंडों हेतु

For U.P. ARCHITECTS ASSOCIATION

PRESIDENT

मिश्रित-उपयोग अधिकार (अध्याय 8); (ग) व्यावसायिक-उपयोग छूट (पैरा 2.5.1(iv)); तथा (घ) सेटबैक उल्लंघनों की शमन-योग्यता (खंड 16.3.3)।

2. माननीय उच्चतम न्यायालय के सुस्थापित सिद्धांत — कि ध्वस्तीकरण अंतिम उपाय होना चाहिए, प्रथम नहीं — को पूर्ण प्रभाव दिया जाना चाहिए परन्तु यह तभी संभव होगा जब माननीय न्यायालय के समस्त सही तथ्य प्रस्तुत किये जायें। शमन-योग्य निर्माणों को ध्वस्त करने के बजाय देय शुल्क के भुगतान पर नियमित किया जाए।
3. हम सादर निवेदन करते हैं कि सुनवाई से पूर्व इस क्षेत्र के तकनीकी विशेषज्ञों (वास्तुकार/नगर नियोजक) (architects/town planners) से तथ्यों का सत्यापन (verification of facts) कराया जाए तथा विद्वान अधिवक्ता को सहायता प्रदान करने हेतु उन्हें संलग्न किया जाए — ताकि सत्य तथ्य माननीय उच्चतम न्यायालय के समक्ष रखे जा सकें और न्याय हो सके।

VI. निष्कर्ष

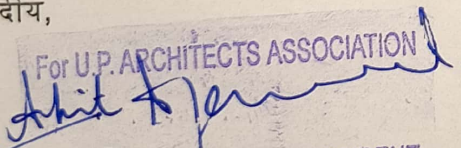
यह अभ्यावेदन सद्भावपूर्वक प्रस्तुत किया जा रहा है। हमारी एकमात्र चिंता यह है कि स्कीम-7, शास्त्री नगर के निवासियों का मामला, जिनके घर दशकों से, अक्सर राज्य की अपनी स्वीकृति एवं उपयोगिता संयोजनों के साथ, खड़े हैं — माननीय न्यायालय के समक्ष सही एवं पूर्ण रूप से प्रस्तुत हो। उपर्युक्त तकनीकी तथ्यों को यदि अभिलेख पर नहीं रखा गया, तो एक त्रुटिपूर्ण दृष्टांत स्थापित हो सकता है जो देशभर के अनेक अन्य मामलों में भी अन्याय का कारण बन सकता है।

हम आग्रह करते हैं कि माननीय न्यायालय में सुनवाई से पूर्व इस क्षेत्र के तकनीकी विशेषज्ञों - वास्तुकारों एवं नगर नियोजकों (architects and town planners) — से तथ्यों का सत्यापन (verification of facts) कराया जाए, ताकि विद्वान अधिवक्ता को उचित सहायता मिल सके और माननीय उच्चतम न्यायालय के समक्ष सत्य तथ्य रखे जा सकें तथा न्याय हो सके।

हम किसी भी अतिरिक्त जानकारी, दस्तावेज़ीकरण या तकनीकी सहायता हेतु उपलब्ध हैं।

धन्यवाद सहित,

भवदीय,

For U.P. ARCHITECTS ASSOCIATION

आर्किटेक्ट अंकित अग्रवाल PRESIDENT
अध्यक्ष

संलग्न:

1. दिनांक 06.04.2026 के आदेश की प्रति, CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024.
2. दिनांक 09.04.2026 के आदेश की प्रति, CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024.
3. यू.पी. भवन उपविधि, 2025 के संबंधित महत्वपूर्ण प्रश्न

प्रतिलिपि प्रेषितः

1. श्री योगी आदित्यनाथ जी, माननीय मुख्यमंत्री, उत्तर प्रदेश सरकार
2. श्री लक्ष्मीकांत वाजपेयी जी, माननीय सदस्य, राज्य सभा
3. श्री अरुण गोविल जी, माननीय सदस्य, लोक सभा
4. श्री अरविन्द कुमार शर्मा, माननीय मंत्री, नगर विकास एवं ऊर्जा विभाग, उत्तर प्रदेश सरकार
5. श्री सोमेन्द्र तोमर जी, माननीय राज्य मंत्री (स्वतंत्र प्रभार), उत्तर प्रदेश सरकार
6. श्री दिनेश खटीक जी, माननीय राज्य मंत्री (स्वतंत्र प्रभार), उत्तर प्रदेश सरकार
7. प्रमुख सचिव, आवास एवं नगर नियोजन विभाग, उत्तर प्रदेश सरकार
8. मण्डलायुक्त, मेरठ मण्डल
9. आवास आयुक्त, उत्तर प्रदेश आवास विकास परिषद, उत्तर प्रदेश
10. मुख्य नगर नियोजक, उत्तर प्रदेश आवास विकास परिषद, उत्तर प्रदेश
11. अधीक्षण अभियन्ता, उत्तर प्रदेश आवास विकास परिषद, उत्तर प्रदेश
12. अधिशासी अभियन्ता, उत्तर प्रदेश आवास विकास परिषद, उत्तर प्रदेश
13. जिलाधिकारी, मेरठ
14. माननीय अतिरिक्त सॉलिसिटर जनरल (ASG), भारत सरकार, सर्वोच्च न्यायालय
15. वरिष्ठ अधिवक्ता राजीव शाकधर फॉर प्रतिवादी संख्या 10

For U.P. ARCHITECTS ASSOCIATION
 PRESIDENT

ITEM NO.1

COURT NO.7

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 595/2025 in C.A. No. 14604/2024

BIMALENDU PRADHAN

Petitioner(s)

VERSUS

STATE OF ODISHA

Alleged Contemnor(s) Respondent(s)

[ONLY CONMT.PET.(C) No. 877/2025 and MA Diary No. 7071 of 2026 in C.A. No. 14604/2024 IS LISTED UNDER THIS ITEM]...[TO BE TAKEN UP AS FIRST MATTER ON BOARD]

WITH

CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024 (III-A)

(FOR INTERVENTION APPLICATION ON IA 13767/2026, FOR APPLICATION FOR PERMISSION ON IA 13768/2026, FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 13769/2026 FOR EXEMPTION FROM FILING O.T. ON IA 13770/2026, FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 92488/2026

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 93584/2026

FOR EXEMPTION FROM FILING O.T. ON IA 93586/2026

IA No. 13768/2026 - APPLICATION FOR PERMISSION

IA No. 13769/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 93586/2026 - EXEMPTION FROM FILING O.T.

IA No. 13770/2026 - EXEMPTION FROM FILING O.T.

IA No. 13767/2026 - INTERVENTION APPLICATION

IA No. 93584/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 92488/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 7071/2026 (III-A)

IA No. 38684/2026 - EXEMPTION FROM FILING O.T.

IA No. 49582/2026 - EXEMPTION FROM FILING PAPER BOOKS

IA No. 38683/2026 - RECALLING THE COURTS ORDER

Date : 06-04-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE K.V. VISWANATHAN

Validity unknown

Digitized by
VISHVA KANT
Date: 2024-04-11
15:42:08
Reason:

Petitioner(s) : Mr. Karan Verma, AOR

Mr. Tushar Jain, AOR

Mr. Pradul Singhal, Adv.

Mr. Kanika Gupta, Adv.



Mr. Mukesh Kumar, Adv.
 Mr. Srajan Shankar Kulshrestha, Adv.
 Mr. Akash, Adv.
 Mr. Anurag Pandey, Adv.
 Mr. Amit Kumar, Adv.
 Mr. Ashish Pandey, AOR
 Mr. Ali Mohammed Khan, Adv.

For Respondent(s) : Ms. Mithu Jain, AOR

Ms. Aishwarya Bhati, ASG
 Mr. Tanmaya Agarwal, AOR
 Mr. Wrick Chatterjee, Adv.
 Mr. Aditi Agarwal, Adv.
 Mr., Udit Bhardwaj, Adv.

Mr. Rajiv Shakdher, Sr. Adv.
 Mr. P.n. Misra, Sr. Adv.
 Mr. Abhishek Kumar Singh, AOR
 Mr. Abhinav Jaganathan, Adv.
 Mr. Ashkrit Tiwari, Adv.
 Mr. Karan Khetani, Adv.
 Ms. Pallavi Baghel, Adv.

Mr. Shaurya Sahay, AOR
 Mr. Aman Jaiswal, Adv.
 Ms. Sharvi Sharma, Adv.
 Mr. Ashish Singh, Adv.

Mr. Kanhaiya Singhal, AOR
 Mr. Kanhaiya Singhal, Adv.
 Ms. Vani Singhal, Adv.
 Mr. Bhavishya Makhija, Adv.
 Mr. Prasanna, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

CONMT.PET.(C) No. 877/2025:-

1. Our order dated 2nd April, 2026 speaks for itself.
2. By our order dated 2nd April, 2026, we had directed Mr. Rishikesh Bhaskar Yashod, the Former Commissioner, Meerut, District, Meerut, U.P. who personally present before us so as to explain in what circumstances, he proceeded to pass an Order dated 27th October, 2025. Mr. Guru Prasad is also personally present in the Court today. According to Mr. Yashod, the Former Commissioner, no order was passed on 27th October 2025 but only a review was conducted as regards the demolition of building number

661/6 located in Sector 6 of Shastri Nagar, Scheme No.7, District Meerut, U.P.

3. However, we brought it to the notice of Mr. Yashod that whether he would term as Minutes/Review or order. There is a specific direction that the other shops of the Central Market would not be demolished at present. It has been stated in this order of 27th October, 2025 that the status of a market/street will be accorded to it through Master Plan Amendment, subject to payment of land use conversion charges and setback requirements and for this purpose, the Awas Evam Vikas Parishad would submit the proposal within three days.

4. This is something highly deplorable and we do not approve of the same. This stance or rather the action on the part of the Former Commissioner is nothing but absolute defiance of the Order passed by this court.

5. We had also directed by our Order, referred to above, to furnish us with the following information:-

1. Whether the sanctioned plan was in accordance with law?
2. Whether the buildings were in accordance with the sanctioned plan?

6. Today, a fresh affidavit has been filed and placed before us by Mr. Guru Prasad dated 4th April 2026. The facts and figures disclosed in the fresh affidavit, referred to above, are shocking and highly disturbing. We are out of words to express our dismay. Mr. Rajiv Shakdar, learned Senior counsel appearing for the Respondent No.10, and Ms. Aishwarya Bhati, the learned Additional Solicitor General appearing for the State, has provided us with a list of 44 properties out of 859 properties. The chart of these 44 properties indicates the following:-

Report of 860 concerned property as per Hon'ble Supreme Court's order dated 02.04.2026

S.N o.	Se ct or No	Propert y Number	Area (Sq. Mtr.)	Prescrib ed Use	Map sanctioned As per Law			Whether building is in accordance with sanctioned Plan		No. of Floor s const ructe d	If No as per column 10, then type of violation		Compoun ding Applied	Compoundable			Structure To be demolished even after compounding	Current Use
					Yes	No	Not Traceab le	Yes	No		SetBack	Extra Storey/F loor		(Yes/No)	As per presen t status	Post removal of Set back etc (Yes/No)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

24	6	657/6	288.00	Resident ial	Yes				No	G+2	Yes	2	Yes	No	Yes		Setback	Commercial
25	6	660/6	366.63	Resident ial	Yes				No	G+2	Yes	2	Yes	No	Yes		Setback	Commercial
26	6	663/6	288	Resident ial	Yes				No	G+1	Yes	1	Yes	No	Yes		Setback	Commercial
27	6	666/6	288.00	Resident ial	Yes				No	G+1	Yes	1	Yes	No	Yes		Setback	Commercial
28	6	670/6	391.2	Resident ial	Yes				No	G	Yes	0	Yes	No	Yes		Setback	Commercial
29	6	681/6	373.6	Resident ial				Not Tracea ble	No (as per Byelaws)	G	Yes	0		No	Yes		Setback	School
30	6	682/6	438.02	Resident ial				Not Tracea ble	No (as per Byelaws)	G+1	Yes	1		No	Yes		Setback	School
31	7	126/7	263.22	Resident ial	Yes				No	G+2	Yes	2	Yes	No	Yes		Setback	Commercial
32	7	127/7	317.2	Resident ial				Not Tracea ble	No (as per Byelaws)	G+1	Yes	1		No	Yes		Setback	Commercial
33	7	170/7	512	Resident ial	Yes				No	G	Yes	0		No	Yes		Setback	Banquet
34	7	171/7	471.25	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	Banquet
35	7	172/7	373.75	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	Banquet
36	7	187/7	321.64	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	Banquet
37	7	188/7	287.21	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	Hospital
38	7	190/7	258.32	Resident ial	Yes				No	G+1	Yes	1	Yes	No	Yes		Setback	Hospital
39	8	41/8	242	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	School
40	8	42/8	242	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	School
41	9	5/9	127.5	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	Commercial
42	9	212/9	391.97	Resident ial	Yes				No	G	Yes	0		No	Yes		Setback	Commercial
43	11	357/11	116.62	Resident ial	Yes				No	G+2	Yes	2		No	Yes		Setback	School
44	13	465/13	191.2	Resident ial	Yes				No	G+1	Yes	1		No	Yes		Setback	School

7. The chart, referred to above, is startling. It reflects how the authorities have proceeded in the matter over a period of time. Rule of Law has been given a go by. What we have been given to understand is

that all these plots were originally allotted for residential purpose. On some of the plots, residential houses were constructed and over a period of time, additional construction was put up in each of these properties for the purpose of utilising it for commercial purpose. It is not in dispute that no plans for the additional constructions were sanctioned, no permission was obtained and at the same time, nobody paid heed to all these unauthorized constructions.

8. What is more shocking and startling is that in this particular area, there are 5 to 6 Schools and Hospitals. These Schools and Hospitals are being run in buildings/constructions which are absolutely illegal and unauthorized. We wonder how they were able to procure electricity connection for the same. We are going to inquire in the course of further hearing, who is responsible for providing electricity to these buildings, which are absolutely unauthorized. We would also like to know the basis for providing such electricity connections. We wonder whether these schools run in illegal structures, have any fire fighting appliances, whether the hospitals have any fire fighting facilities and are fire safety compliant. Unfortunately, all these schools are for tiny tots, could be small children going in nursery etc. The patients are also exposed to extreme vulnerability. Today we are much more concerned in protecting the lives of the innocent children going to schools and the patients who are taking medical treatment in the hospitals.

9. Our anxiety is to see that no untoward incident occurs in the illegal schools and the illegal hospitals. In the course of today's hearing, Mr. Rajiv Shakhdar clarified that insofar as residential houses are concerned, people have put up additional construction in the form of first floor or second floor and the setback. He made himself very clear that setback has to be demolished at any cost and at the earliest. He also made himself clear that the additional construction put up in the residential building has also to be demolished, unless it falls within the scheme of compounding. However, we should not allow all the commercial complexes to function. The photographs placed on record for our perusal are also startling. A mere glance at the photographs would indicate that the plots outright have been utilized for commercial

structures, there are no houses. There are many educational institutions. The electrification, in other words the electric lines passing through these buildings are also haphazard and they pose an inherent danger to the lives of innocent people. To put it in simple words, it is a complete deadlock which the State has created over a period of time.

10. In such circumstances, referred to above, the first thing we would like to do today is to direct that the 44 properties, referred to above, as reflected in the chart, has handed over by Mr. Shakdar to us, should be sealed at the earliest.

11. For the purpose of taking such steps, the State shall provide all facilities like police protection and such other assistance that may be required.

12. At this stage, it was also brought to our notice that there are many banks operating from these unauthorized buildings. We wonder how banks entered into lease agreements with the lessors. We wonder whether the banks inquired whether the buildings are legal and whether any completion certificate etc. has been issued by the authorities. In other words, the State authorities shall pay attention immediately to the vulnerable pockets of this area like Schools and Hospitals which are being run in buildings which are absolutely illegal and unauthorized. Over a period of time, the State could be said to have taken a huge risk in exposing this section of the society to some very serious casualties or imminent danger.

13. List this matter for further hearing on 9-4-2026 on top of the Heard as Part-heard.

14. We make it clear that tomorrow if anything untoward occurs, the authorities will be held personally responsible for the same and they will be accountable for such untoward incidents.

15. The Divisional Commissioner is also directed to extend full cooperation in giving effect to the directions issued by this Court in today's Order. Whether the patients are to be relocated at any other hospital, it will be the responsibility of the State. In the same

manner, if the students are to be readmitted in any other school, that shall be the responsibility of the State.

16. The Rule of Law also requires the Government to exercise its power in accordance with well established and clearly written Rules, Regulations and legal principles. The Rule of Law also requires the Government to exercise its authority under the law.

17. On the next date of hearing Mr. Guru Prasad, the Chairman of the Parishad shall appear online and Mr. Yashod need not appear.

18. We direct Mr. Yashod to file an appropriate affidavit explaining what transpired on 27th October 2025 and his specific stance in the matter.

(VISHAL ANAND)
DY. REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)

ITEM NO.804

COURT NO.7

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 595/2025 in C.A. No. 14604/2024

BIMALENDU PRADHAN

Petitioner(s)

VERSUS

STATE OF ODISHA

Respondent(s)

[ONLY CONMT.PET.(C) No. 877/2025 and MA Diary No. 7071 of 2026 in C.A. No. 14604/2024 IS LISTED UNDER THIS ITEM]...[TO BE TAKEN UP AS FIRST MATTER ON BOARD]

WITH

CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024 (III-A)

FOR

FOR INTERVENTION APPLICATION ON IA 13767/2026

FOR APPLICATION FOR PERMISSION ON IA 13768/2026

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 13769/2026

FOR EXEMPTION FROM FILING O.T. ON IA 13770/2026

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 92488/2026

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 93584/2026

FOR EXEMPTION FROM FILING O.T. ON IA 93586/2026

IA No. 13768/2026 - APPLICATION FOR PERMISSION

IA No. 13769/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 93586/2026 - EXEMPTION FROM FILING O.T.

IA No. 13770/2026 - EXEMPTION FROM FILING O.T.

IA No. 13767/2026 - INTERVENTION APPLICATION

IA No. 93584/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 92488/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 7071/2026 (III-A)

IA No. 38684/2026 - EXEMPTION FROM FILING O.T.

IA No. 49582/2026 - EXEMPTION FROM FILING PAPER BOOKS

IA No. 38683/2026 - RECALLING THE COURTS ORDER

Date : 06-04-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Mr. Karan Verma, AOR

Mr. K. Parameshwar, Sr. Adv.



Mr. Daksh Kadian, Adv.
 Mr. Sreekar A., Adv
 Mr. Tushar Jain, AOR
 Mr. Pradul Singhal, Adv.
 Mr. Kanika Gupta, Adv.

Mr. Mukesh Kumar, Adv.
 Mr. Srajan Shankar Kulshrestha, Adv.
 Mr. Akash, Adv.
 Mr. Anurag Pandey, Adv.
 Mr. Amit Kumar, Adv.
 Mr. Ashish Pandey, AOR
 Mr. Ali Mohammed Khan, Adv.

For Respondent(s) : Ms. Mithu Jain, AOR

Mr. Rajiv Shakdher, Sr. Adv.
 Mr. P.N. Misra, Sr. Adv.
 Mr. Abhishek Kumar Singh, AOR
 Mr. Abhinav Jaganathan, Adv.
 Mr. Ashkrit Tiwari, Adv.
 Mr. Karan Khetani, Adv.
 Ms. Pallavi Baghel, Adv.

Mr. Shaurya Sahay, AOR
 Mr. Aman Jaiswal, Adv.
 Ms. Sharvi Sharma, Adv.
 Mr. Ashish Singh, Adv.

Mr. Kanhaiya Singhal, AOR
 Mr. Kanhaiya Singhal, Adv.
 Ms. Vani Singhal, Adv.
 Mr. Bhavishya Makhija, Adv.
 Mr. Prasanna, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

1. Let Diary No.6873/2024 in C.A. No.14604/2026 be de-tagged from the main Contempt Petition No.595/2025.
2. List the matter on 17-4-2026.

(VISHAL ANAND)
 DY. REGISTRAR

(POOJA SHARMA)
 COURT MASTER (NSH)

ITEM NO.34

COURT NO.7

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 595/2025 in C.A. No. 14604/2024

BIMALENDU PRADHAN

Petitioner(s)

VERSUS

STATE OF ODISHA

Respondent(s)

[ONLY CONMT.PET.(C) No. 877/2025 and MA Diary No. 7071 of 2026 ARE
LISTED UNDER THIS ITEM]...[TO BE TAKEN UP AT TOP OF THE BOARD]

WITH

CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024 (III-A)
FOR

FOR INTERVENTION APPLICATION ON IA 13767/2026
FOR APPLICATION FOR PERMISSION ON IA 13768/2026
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 13769/2026
FOR EXEMPTION FROM FILING O.T. ON IA 13770/2026
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
92488/2026
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
93584/2026
FOR EXEMPTION FROM FILING O.T. ON IA 93586/2026
FOR EXEMPTION FROM FILING O.T. ON IA 105772/2026
FOR EXEMPTION FROM FILING O.T. ON IA 106812/2026
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 107287/2026
FOR APPLICATION FOR PERMISSION ON IA 107288/2026
FOR INTERVENTION APPLICATION ON IA 107289/2026
FOR EXEMPTION FROM FILING O.T. ON IA 107290/2026
IA No. 107288/2026 - APPLICATION FOR PERMISSION
IA No. 13768/2026 - APPLICATION FOR PERMISSION
IA No. 13769/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 107287/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 13770/2026 - EXEMPTION FROM FILING O.T.
IA No. 106812/2026 - EXEMPTION FROM FILING O.T.
IA No. 105772/2026 - EXEMPTION FROM FILING O.T.
IA No. 93586/2026 - EXEMPTION FROM FILING O.T.
IA No. 107290/2026 - EXEMPTION FROM FILING O.T.
IA No. 107289/2026 - INTERVENTION APPLICATION
IA No. 13767/2026 - INTERVENTION APPLICATION
IA No. 93584/2026 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

IA No. 92488/2026 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 7071/2026 (III-A)

IA No. 38684/2026 - EXEMPTION FROM FILING O.T.
IA No. 49582/2026 - EXEMPTION FROM FILING PAPER BOOKS
IA No. 38683/2026 - RECALLING THE COURTS ORDER

Date : 09-04-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Mr. Karan Verma, AOR
Mr. Bijender Singh, Adv.
Mr. Ashish Singh, Adv.

Mr. Tushar Jain, AOR
Mr. Pradul Singhal, Adv.
Ms. Kanika Gupta, Adv.

Mr. Mukesh Kumar, Adv.
Mr. Srajan Shankar Kulshrestha, Adv.
Mr. Akash, Adv.
Mr. Anurag Pandey, Adv.
Mr. Amit Kumar, Adv.
Mr. Ashish Pandey, AOR

For Respondent(s) : Ms. Mithu Jain, AOR

Mr. Rajiv Shakhder, Sr. Adv.
Mr. Abhishek Kumar Singh, AOR
Mr. Abhinav Jaganathan, Adv.
Mr. Ashkrit Tiwari, Adv.
Mr. Karan Khetani, Adv.
Ms. Pallavi Baghel, Adv.

Mr. Shaurya Sahay, AOR
Mr. Aman Jaiswal, Adv.
Ms. Sharvi Sharma, Adv.
Mr. Ashish Singh, Adv.

Mr. Krishan Kumar, AOR

Mr. Kanhaiya Singhal, AOR
Mr. Bhavishya Makhiya, Adv.
Ms. Vani Singhal, Adv.
Mr. Prasanna, Adv.
Mr. Ajay Kumar, Adv.
Mr. Naval Goel, Adv.

Ms Aishwarya Bhati, ASG
Mr. Tanmaya Agarwal, AOR
Mr. Wrick Chatterjee, Adv.
Mrs. Aditi Agarwal, Adv.
Ms. Gargie Boss, Adv.
Mr. Sunit Chaudhary, Adv.

Ms. Bhagyashree, Adv.

Mr. Sanjay Hegde, Sr. Adv.
Mr. Amit Dwivedi, AOR.
Mr. Shivank Agarwal, Adv.
Mr. Ankit Tiwari, Adv.
Mr. Ashish Kumar, Adv.
Mr. Sheeshpal Singh, Adv.

Mr. Raghavendra P. Shankar, Sr. Adv.
Mr. Krishnan Kumar, AOR
Mr. Seemant K. Garg, Adv.
Mr. Nitin Pal, Adv.

Mr. S. Nandakumar, Sr. Adv.
Mr. Asad Alvi, Adv.
Ms. Deepika Nandakuimar, AOR
Mr. Amit Yadav, Adv.
Ms. Kanimozhi J., Adv.

UPON hearing the counsel the Court made the following
O R D E R

CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024:-

1. In pursuance of our last order dated 6th April, 2026, Mr. Guru Prasad, the Chairman of the UP Awas Evam Vikas Parishad, appeared online and has filed an affidavit reporting compliance of our directions. The affidavit reads thus:-

"I, P. Guruprasad, son of Late Shri Narasimhulu Porala, aged 53 years, presently posted as Chairman, U.P. Awas Evam Vikas Parishad, 104, Mahatma Gandhi Marg, Lucknow, Uttar Pradesh - 226 001, do hereby solemnly affirm and state as under:

1. That the deponent has been arrayed as Respondent No. 10 (hereinafter referred to as "answering respondent") in the captioned petition. The deponent is working on the aforesaid post and has acquainted himself with the facts and circumstances of the case and has perused the record and is, therefore, competent to swear the present affidavit.

2. That the answering respondent is a law-abiding citizen and a government servant and has utmost respect for the Courts of law and as such, he can never consider committing Contempt of Court deliberately and / or willfully. Therefore, at the very outset the answering respondent with all sincerity, humility and without any demur, is tendering his unconditional apology before this Hon'ble Court for any inadvertent breach/ violation of the order passed by this Hon'ble Court and the same may kindly be pardoned being not intentional or deliberate disobedience. It is most humbly submitted that the deponent

would never commit any deliberate and / or willful disobedience of the order of the order of this Hon'ble Court.

3. That this Hon'ble Court, vide its order dated 06-04-2026, was pleased to direct that the 44 properties, as identified in the chart placed before this Hon'ble Court, be sealed at the earliest with necessary assistance from the State authorities, including Divisional Commissioner, Meerut Division, Meerut.

4. The Respondent No. 10, vide letter dated 07-04-2026, requested the Divisional Commissioner, Meerut Division, Meerut and the Senior Superintendent of Police, Meerut to provide necessary cooperation for sealing unauthorised properties in compliance with the order dated 06-04-2026 passed by this Hon'ble Court.

5. That pursuant thereto, the 44 properties referred in the order dated 06-04-2026 are sealed by the U.P. Awas Evam Vikas Parishad (hereinafter referred to as "the Housing Board") with the active cooperation and assistance of the district administration to implement the directions passed by this Hon'ble Court in letter and spirit.

It is imperative to mention that adequate police force was deployed by the district administration at all relevant locations to ensure that the sealing process was conducted peacefully and without any untoward incident. List of 44 properties referred in the order dated 06-04-2026 are sealed by the Housing Board is annexed herewith.

6. That the sealing action was carried out in a systematic and coordinated manner, ensuring maintenance of law and order, safety of the general public, and strict adherence to the directions issued by this Hon'ble Court in its order dated 06-04-2026.

7. That the Housing Board shall abide by any directions passed by this Hon'ble Court in the above- mentioned matter.

8. That the facts stated herein above are true to the best of my knowledge and belief. The deponent most humbly tenders once again his unconditional apology before this Hon'ble Court for any breach/ violation of the order passed by this Hon'ble Court and prays for being pardoned by this Hon'ble Court as the said act was neither intentional nor deliberate disobedience."

2. Along with the affidavit, the deponent has once again provided us with the description and details of the 44 properties as indicated in our order dated 6th April 2026. The affidavit also includes photographs of each and every property. The photographs are in two parts. The upper part of the photograph is before sealing, and the later part is after sealing. Mr. Shakhder, the

learned Senior counsel appearing for the Respondent No.10, submitted that the next step in the process will be to demolish all setbacks. He made himself very clear that there is no question of compounding setbacks as the same is not permissible in law.

3. We grant two months' time to demolish all setbacks. At this stage, Mr. Shakhder pointed out that there are some parts of construction which the authorities may be in a position to compound in accordance with the bylaws.

4. We make it clear that before the authorities proceed with the compounding of some portion of the construction, we must know what these bylaws are all about and whether in fact the bylaws do permit compounding or not. We shall take up this issue on the next date of hearing. We want a Status Report in this regard also.

5. We grant permission to the Parishad to first issue notice to all those occupants as regards setbacks and grant them two weeks' time to demolish/remove the setbacks themselves, failing which, the Parishad shall thereafter proceed to take appropriate action at the earliest and also recover costs incurred from the concerned occupants.

6. This litigation is an eye-opener for the State machinery of the State of U.P.,. In fact, not just the State of UP, but for all the States. Had the authorities taken appropriate action at an appropriate time, this situation would not have been brought around.

7. We are further informed by Mr. Shakhder that the students studying in different unauthorized schools have been identified and shifted to other schools and in the same manner, the patients who were admitted in different unauthorized Hospitals have also been shifted to other Hospitals.

8. Mr. Raghav Shankar, the learned Senior counsel appearing on behalf of the IDBI Bank brought to our notice that the functioning of the Bank has stopped. However, there are 300 odd lockers and the account holders would like to operate the lockers. As regards this, the Bank wants to shift the entire operation.

9. As regards the aforesaid, the Bank may prefer an appropriate representation addressed to the UP Awas and Vikas Parishad and the Parishad may take an appropriate call in that regard.
10. If any School wants to remove the furniture etc., they may prefer an appropriate representation addressed to the Parishad.
11. Post this matter on 14-7-2026 as Part-heard.

(VISHAL ANAND)
DY. REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)

15.3 Permissibility of various activities in major land use zones

15.3.1 Major Land use Zones and Notations

Standard Use Zones

The use zones of master plans have been standardized as below:

	Land Use Zone	Notation
1	Built up	BU
2	Residential	R
3	Mixed Use 1 & 2	MU
4	Commercial 1- Retail/CBD/Sub CBD/ Bazaar Street	C-1
5	Commercial 2- Wholesale/ Godown	C-2
6	Small Industries	SI
7	Large Industries	LI
8	Office Use	OU

	Land Use Zone	Notation
9	Public & Semi-public	PSP
10	Transport 1 & 2, Parking	TT
11	Forest	F
12	Recreational 1 & 2	RC
13	Green belt	GB
14	Grameen Abadi	GA
15	Agriculture	A
16	Highway Facilities	HF

Symbol	Permissibility
	Permitted
0	Permitted with conditions
	Prohibited

Provisions relating to proposed land uses in master plans of development authorities:

Since the prevailing master plans of different development authorities have use zones other than the above list, for the sake of convenience such use zones are grouped under standardized use zones as given in *Appendix-15*. It is clarified that the zoning regulations pertaining to the standardized use zones shall be applicable to those use zones grouped under respective category. For existing land uses grouped under Sl. No. 17 Other/Additional land-use in the table in *Appendix-15*, the permissibility according to the zoning regulations under master plans of the respective development authorities shall apply.

15.3.2 Matrix for permissibility of Activities in major Land use Zones

	Zoning Regulations - Activities	RW (m)	BU	R	MU	C-1	C-2	SI	LI	OU	PSP	TT	F	RC	GB	GA	A	HF
1	RESIDENTIAL																	
1.1(a)	Single Unit / Multi-Unit (<i>Built-up area</i>), Homestay, Paying Guest	4				9												
1.1(b)	Single Unit / Multi-Unit (<i>Non-Built-up area</i>), Homestay, Paying Guest	9			7	9		5	5	5								
1.2(a)	Group Housing (<i>Built-up area</i>)	9																
1.2(b)	Group Housing (<i>Non-Built-up area</i>)	12			8	8	8	5	5	5								

	Zoning Regulations - Activities	RW (m)	BU	R	MU	C-1	C-2	SI	LI	OU	PSP	TT	F	RC	GB	GA	A	HF
1.3	Related Workers/ Employees/ Staff Accommodation, Watchmen/ Guard Accommodations	#				4	4	7	7	7	4	4	4	4	4		4	5
2	COMMERCIAL																	
2.1	Shops / Convenient Shopping / Commercial Units < 100 sqm PA: Retail Shops, Daily Use Shops, PCO/ Cellular Mobile Service, Showroom (other than motor vehicle), Restaurants & Canteen	9																
2.2	Shops / Convenient Shopping /Commercial Complex Commercial Units >100: Motor Vehicle Showroom (Automobile Sales / Purchase, Workshop, Accessories Centre), Shops for sale of Motor Vehicles Spare Parts, Coal & Wood Stock	12	3	3												3		
2.3	Shopping Centre, Cinema/ Miniplex	12																
2.4	Shopping mall, Multiplex	18	2															
2.5	Hotels up to 20 rooms: Budget Hotel, Heritage Hotels, Permanent Tented Accommodation	9																
2.6	Hotels above 20 rooms: Hotel, Resort, Motel, Service Apartments, Wellness Centre/ Resort, Eco Tourism Resorts	12																
2.7	Wholesale Market / Trade/ Wholesale business, Auction Market, Wholesale centres for Agriculture produce	12			3													
2.8(a)	Petrol Pump / Filling Stations: Stations (Petrol/Diesel/CNG/ Bio-Diesel/ Biogas/ EV Charging Stations), Kisan Seva Kendra, Way-side Amenities/ Dhaba (<i>Built-up area</i>)	12																
2.8(b)	Petrol Pump / Filling Stations: Stations (Petrol/Diesel/CNG/ Bio-Diesel/ Biogas/ EV Charging Stations), Kisan Seva Kendra, Way-side Amenities/ Dhaba (<i>Non-Built-up area</i>)	18																
2.9	Gas Godown/ Combustion, Emergency Stock, Junkyard	18															2*	2*
2.10	Cold storage, Store / Godown	18															2	2
3	INDUSTRIAL																	
3.1	Industries (MSME) other than hazardous/polluting, Service / Cottage Industry, Bio Diesel Plant, Flour Mill, Milk Collection Centre	# #															1	

	Zoning Regulations - Activities	RW (m)	BU	R	MU	C-1	C-2	SI	LI	OU	PSP	TT	F	RC	GB	GA	A	HF
3.2	Labourer/ Worker Housing / Dormitory	# #			7	7	7	7	7	7	7							
3.3	Warehouse / Logistic Park	18															2	2
3.4	Data Processing Centre, Software / Information Technology Park; Service Industries	# #																
3.5	Industries (other than MSME) other than hazardous/polluting Sugar Mill, Rice Cellar, Pasteurizing Plant, Meat Processing Plant, Mining Related Industries, Brick / Lime Kiln, Crusher, Oil Depot, LPG Refilling plant, Compressed Bio-Diesel Plant, Pasteurizing Plant, Power Generation Plant,	# #															1	
3.6	Hazardous/Dangerous /Polluting Industries																	
4	OFFICE USE																	
4.1	Govt. / Local Body / Semi Govt. Office, Corporation office, Commercial / Business Office, Business Park, Bio-tech Park, Research & Development Centre / Research Centre, Labour Welfare Centre, PAC/Police lines, Weather Research Centre	12		3														
4.2	Private/ Agent Office, Bank, Cyber Café, Call Centre, BPO	12		6														
5	PUBLIC & SEMI-PUBLIC FACILITIES																	
5.1	Education: Primary Educational Institute, Sewing, Knitting, Embroidery, Painting, Computer Training, etc., Library, Reading Room, Creche and Day Care Centre and Other Skill Development Centres	9																
5.2	Education: Higher Secondary / Inter School, Music / Dance and Drama Arts Training Centre, Coaching Institutes/Centers, Indoor Sports Training Centre, Arts Gallery / Exhibition Centre, Yoga, Meditation, Spiritual, Religious Discourse Centre / Satsang Bhawan, Religious Centre, Socio-Cultural Institution / Building, Cultural Centre	12															2	2
5.3	Education: College / Degree College	18																
5.4	Education: Polytechnic / Engineering, Higher Technical/ Management Institutes, General / Specialized Educational Institute, Nursing Institute, Cottage / Industry Training	18	3	3														
5.5	Education: University	24																

	Zoning Regulations - Activities	RW (m)	BU	R	MU	C-1	C-2	SI	LI	OU	PSP	TT	F	RC	GB	GA	A	HF
5.6	Healthcare: Non-Bedded Medical Establishments, Dispensary, Health Club / Gymnasium, Clinics / Polyclinics, Veterinary clinics, Dental Clinic, Clinical Laboratory, Medical Store / Pharmacy, Senior Care Centre/ Old Age Home, Handicapped Children House	9																
5.7	Healthcare: Nursing Home, Primary / Community Health Centre, Small Hospital (Upto 50 beds), Night Shelter, Orphanage, Reformatory, Health Centre / Family Welfare Centre	12																
5.8	Healthcare: Hospital (> 50 beds), Trauma Centre, Nursing Institutes	18																
5.9	Healthcare: Medical College/ Dental College	24																
5.10	Marriage hall / Banquet Hall, Meeting Hall / Community Hall, Public Facilities Centre, Community Welfare Centre, Community Guidance Centre, Public Convenience Centre, Information Centre	18/24																
5.11	Auditorium, Theatre, Open Air Theatre, Convention Centre, Museum	18/24																
5.12(a)	Natural Therapy Centre, Dharamshala / Ashram, Boarding / Lodging House, Hostel, Working women's hostel, Dormitory, Guest Houses / Inspection House / Circuit House (up to 20 rooms)	9																
5.12(b)	Natural Therapy Centre, Dharamshala / Ashram, Boarding / Lodging House, Hostel, Working women's hostel, Dormitory, Guest Houses / Inspection House / Circuit House (above 20 rooms)	12																
5.13	Public Utilities: Post office, Post and Telegraph Office, Telephone Office / Centre, Radio and Television Centre, Police Station / Chowki, Fire Station, ATM Room	NA																
5.14	Public Utilities: Electric Crematorium / Crematorium, Cemetery / Burial Ground	NA																
5.15	Prison	NA																
5.16	Public Utilities: Tubewell, Overhead Reservoir, Electricity Station/ Substation, Water Works, Microwave and Wireless Centre, Sewage Treatment Plant, Dustbin / Garbage Collection Centre, Public / Community Toilets, Buildings / Establishments related to Public Utilities & Services	NA																
5.17	Public Utilities: Compost plant, Scientific Landfill Sites, Dumping Ground, MRF Facilities, Bio-Medical Waste Treatment Facility, Slaughterhouses	NA																

	Zoning Regulations - Activities	RW (m)	BU	R	MU	C-1	C-2	SI	LI	OU	PSP	TT	F	RC	GB	GA	A	HF
6	TRAFFIC & TRANSPORTATION																	
6.1	Parking Lot, Taxi / Tempo Rickshaw Stand, Bus Stop	NA																
6.2	Motor Garage, Service Garage / Workshop, Motor Driving School, Vehicle Scrapping Facility/ Automatic Testing Stations/ Driver Training Institutes	NA																
6.3	Transport Nagar, Bus Depot, Bus Terminal, Weighbridge / Dharmkanta, Loading-Unloading related Facility	NA																
6.4	Airport/ Flying club	NA																
7	PARKS/ OPEN SPACES/ PLAYGROUNDS																	
7.1	Park, Playground / Sports Ground, Multipurpose Open Spaces, Swimming Pool	NA																
8	RECREATIONAL																	
8.1	Shooting Range	NA																
8.2	Golf Course, Club	NA																
8.3	Helipad	NA																
8.4	Racecourse, Stadium, Sports College/ Training Centre, Caravan Park, Picnic Site / Camping Site, Traffic Park, Amusement Park, Aquarium, Zoo / Museum, Bird / Wildlife Sanctuary	NA																
9	AGRICULTURE																	
9.1	Farmhouse, Repair and Servicing Centre for Agricultural Equipment, Farm Stay	9																
9.2	Farmhouse: Horticulture, Nursery, Forest, Garden, Botanical Garden, Laundry Bay (Dhobi ghat)	9																
9.3	Dairy Farm, Pasture, Cattle Colony, Pig / Fish/ Poultry Farm/ Beekeeping, Animal Breeding Centre	9																

Note1: RW: Road Width, NA: Not Defined, PA: Plot Area, #: As per Principal Use, # #: As per Site Condition, (x) – as per paragraph 15.3.3 of this byelaws.

Note2: More than one activities which are permissible in a particular land use zone may be permitted.

In case of hospitals proposed in plots of area more than 4000 sqm, a separate building block for parking is permissible. Within the block, 10% of the ground floor is permissible to be utilized for ancillary activities (free from FAR) incidental to hospital activities (principal use).

6.1.8 Basement

The permissibility of basement in hospital and healthcare building shall be as per paragraph 3.3.3 of the building byelaws.

6.2 Educational Institutions

6.2.1 Permissibility

Permission for construction of schools and educational institutions shall be as per the master plan zoning regulations.

6.2.2 Minimum Plot Size

The minimum plot area (in layouts or in cases where plot area norms are not specified) for construction of educational institutions such as schools, colleges, technical institutions, and university buildings shall be as follows:

Sl.	Educational facility	Min. Plot area (sqm)
1	Nursery	500
2	Primary	1000
3	Secondary / High School / Intercollege/ Law College	2000
4	Degree College / Technical Institution	5000
5	Universities	20000

However, in case of spatial norms (for minimum plot areas and land requirements based on student intake and specializations covered, minimum standards for play areas, playground and open spaces) for construction of schools, colleges and universities prescribed by Central Public Works Department (CPWD) or affiliated institutions like Uttar Pradesh State Education Board (UPSEB)/ Central Board for School Education (CBSE), Indian Certificate for Secondary Education (ICSE), All India Council for Technical Education (AICTE), University Grants Commission (UGC), etc., differ from the above norms as defined by regulatory/affiliated agencies shall prevail. *For example, minimum playground area (for Class 1-8 / 10 / 12) of 1000 sqm as prescribed by CBSE norms (amended time to time) shall prevail.*

6.2.3 Means of Access

The minimum width of the access road shall be as follows:

Sl.	Educational building	Min. Road Width (m)
1	Nursery	9
2	Primary School	9 – Built-up area 12 – Non-Built-up area
3	Secondary/ High School/ Law College	12
4	Degree College/ Technical Institution	18
5	Universities	24

atrium area such that they do not hinder circulation area below atrium. area. The entry/ exits, passage areas within the shopping mall shall be free from any obstructions.

5.2.6 Minimum Setback

Minimum setbacks for commercial establishments viz., shops, commercial complexes, and shopping malls shall be per paragraph 3.2.4 of the building byelaws.

5.2.7 Parking Requirements

Parking requirements for commercial establishments viz., shops, commercial complexes and shopping malls shall be as per paragraph 3.3.4 of the building byelaws.

5.2.8 Basement

The permissibility of basement in commercial establishments viz., shops, commercial complexes and shopping malls shall be as per paragraph 3.3.3 of the building byelaws.

5.3 Hotels

5.3.1 Permissibility

Permission for construction of hotels shall be as per the provisions of Master Plan/ Zoning Regulations. 20 percent of FAR may be used for service apartments and 20 percent FAR may be used for commercial purposes for Hotels of plot size more than 4000 square meters.

5.3.2 Minimum Plot Size

The minimum number of rooms in hotel building shall be six (6). Up to 20 rooms there shall be no restriction on the minimum plot area for construction of hotels. For construction of hotels with more than 20 rooms, the minimum plot area shall be 500 sqm.

5.3.3 Means of Access

In residential areas, the minimum width of the approach road for construction of hotels shall be 9 m for plot sizes up to 2000 square meters. However, in case of plots of size >2000 square meters, the minimum road width shall not be less than 12 meters.

5.3.4 Maximum Building Height

There is no restriction on the maximum building height. However, the maximum height of the building shall be governed by distance from the protected monument/heritage site, airport funnel zone and other statutory restrictions.

5.3.5 Ground coverage and FAR.

(i) Maximum ground coverage after ensuring minimum setbacks and open space requirements, if any, shall be permissible.

(ii) Purchasable and premium purchasable FAR shall be applicable as per the requirements of Chapter 9. Basis approach road width, the maximum permissible FAR (including Base FAR) for hotels in built-up areas and the non-built-up areas shall be as follows:

FAR Hotels	BFAR	Road Width (Upto12m)			Road Width (≥12 -24m)			Road Width (≥24 -45m)			Road Width (≥45m)		
		PFAR	PPFAR	MFAR	PFAR	PPFAR	MFAR	PFAR	PPFAR	MFAR	PFAR	PPFAR	MFAR
Built-up Area													

6.2.8 Basement

The permissibility of basement in educational buildings shall be as per paragraph 3.3.3 of the building byelaws.

6.3 Marriage Hall / Banquet/ Multi-purpose Hall

6.3.1 Permissibility

Construction of Marriage Hall/ Banquet/ Multi-purpose Hall shall be permitted as per the Master Plan Zoning Regulations.

6.3.2 Minimum Plot Size

Minimum plot size for the construction of marriage hall, banquet or a multi-purpose hall shall be 750 square meters for built-up area and 1000 square meters for non-built-up area.

6.3.3 Means of Access

Minimum width of existing approach road for the construction of a marriage hall, banquet, multi-purpose hall or a banquet hall shall be based on plot size as follows:

Plot Size (sqm)	Min. Road Width (m)
750 - 3000	12
> 3000	24

6.3.4 Ground Coverage and FAR

Maximum ground coverage after ensuring minimum setbacks and open space requirements, if any, shall be permissible on plots for marriage hall/banquet/ multipurpose hall.

Purchasable and premium purchasable FAR shall be applicable as per the requirements of Chapter 9. Basis approach road width, the maximum permissible FAR (including Base FAR) for marriage hall/banquet/ multipurpose hall buildings in built-up areas and the non-built-up areas shall be as follows:

FAR	BFAR	Road Width (≥12- 24m)			Road Width (≥24 - 45m)			Road Width (≥45m)		
		PFAR	PPFAR	MFAR	PFAR	PPFAR	MFAR	PFAR	PPFAR	MFA R
Community Buildings										
Built-up Area										
Marriage hall/ Banquet Hall/ Multipurpose Hall	2.00	1.00	1.00	4.00	2.00	3.00	7.00	2.00	UR	UR
Non-Built-up Area										
Marriage hall/ Banquet Hall/ Multipurpose Hall	3.00	1.50	1.50	6.00	3.00	4.50	10.50	3.00	UR	UR

Note-1: (i) BFAR – Base FAR, PFAR – Purchasable FAR, PPFAR – Premium Purchasable FAR, MFAR – Maximum Permissible FAR including Base FAR, UR – Unrestricted

Note-2: Within the permissible FAR limit, construction of rooms shall be allowed.

Note-3: In green building, additional FAR over and above maximum permissible FAR shall be provided as per paragraph 9.3 of the building byelaws.

8 Mixed-Use and Transit-Oriented Development

8.1 Mixed Use Development

8.1.1 Definition

Mixed use development/ buildings integrate multiple uses, such as residential, commercial, institutional, and recreational spaces, within a single structure, land parcel or a neighbourhood. Mixed use development is transitioning from land-based distribution to a built-space based approach, allowing for mixing and co-location of compatible uses within a single plot/ structure.

Mixed use development/ buildings offer required flexibility to improve availability and access to facilities within existing urban areas, thereby ensuring optimal utilisation of land. Such a development also leads to reduction in trip lengths, promotes sustainable urban transport, and enables creation of vibrant and safer public areas. Mixed use buildings need to be regulated to manage and mitigate the associated adverse impact related to congestion, increased traffic, and increased pressure on civic amenities.

8.1.2 Permissible locations for mixed-use development:

- a) Mixed use zones earmarked under Master Plan.
- b) Mixed use plots identified as part of approved layouts.
- c) Notified bazaar streets less than 18 meter wide (with specified conditions).
- d) Along 18/24-meter and wider roads (including layouts approved or developed by Authority and Bazaar streets)
 - d.1 24-meter and wider roads in cities with >10 lakh population (as per 2011 census)
 - d.2 18-meter and wider roads in cities with <10 lakh population (as per 2011 census)
- e) Transit Oriented Development (TOD) Zones.

Development standards for 8.1.2 (c) regarding Bazaar Streets are covered in paragraph 5.1 of the byelaws while for 8.1.2 (e) i.e. TOD Zones, the standards are covered in paragraph 8.2 of the byelaws.

8.1.3 Development Standards for mixed-use development

Parameter/Development Standard	Mixed use zones earmarked under Master Plan	Mixed use plots as part of approved layouts	Notified bazaar streets (less than 18 meter wide)	Along 18/24-meter and wider roads including layouts approved by Authority and Bazaar Streets (based on city population and 8.1.2.d)	TOD zones
Minimum Plot Size	No restriction	No restriction	No restriction	No restriction	No restriction
Means of Access	9m (plots upto 100 sqm); 12m (other plots)	18/24m	12m	18/24m	=>12m
Building Height	Not restricted	Not restricted	Not restricted	Not restricted	Not restricted
Minimum Setbacks	As applicable for higher use	As applicable for higher use	As per para 5.1.5	As applicable for higher use	As applicable for higher use
Floor Area Ratio	As per para 8.1.3.1	As per para 8.1.3.1	As per para 5.1.4	As per Use Zone	As per para 8.2.2.2
Mixing	0-100%	0-100%	Commercial (first 2 floors); Residential on the upper floors	=>33% (principal use); =<67% (other uses) However, share of single other use shall	=>33% (principal use); =<67% (other uses) However, share of single other use shall

				not be more than principal use. For mixing in bazaar streets the predominant land use shall be Commercial	not be more than principal use.
Parking	According to percentage of mixing as per 3.3.4	According to percentage of mixing as per 3.3.4	According to percentage of mixing as per 3.3.4	According to percentage of mixing as per 3.3.4	1ECS per 100 sqm.
Ground Coverage	Subject to adherence to prescribed setbacks	Subject to adherence to prescribed setbacks	Subject to adherence to prescribed setbacks	Subject to adherence to prescribed setbacks	Subject to adherence to prescribed setbacks

Note-1: Permissible occupancies in mixed-use development shall be as per above paragraph 8.1.3. Permissibility of occupancies in mixed-use development shall be governed by the minimum standards prescribed in paragraph 3.2.1.

Note-2: The plot size shall be equal to or more than the minimum plot size requirements for higher use as defined in paragraph 3.2.1.

Note-3: For mixing in plots identified as single and multi-units, the height restrictions as defined under paragraph 4.1.4 shall prevail.

Note-4: In case of layout plots along roads of width 18/24-meter-wide or more (as per 8.1.2 (d) based on city population) on availing mixed land use and consequent FAR conditions, development fees, impact fees and other charges shall be applicable on highest category use as per provisions of 15.1.3 (iv) after inviting objections and suggestions and the relevant changes shall also be incorporated in the lease deed. Refer Appendix-16.

Note-5: Principal use or any other use allowed in the zoning regulations can be developed. In case mixing is not opted for, either the principal use or any other activity as permissible under the Zoning Regulations as per Ch-15 can be availed. Refer Appendix-16.

8.1.3.1 Floor Area Ratio (FAR):

Mixed-use buildings described in paragraph 8.1.2 (a) and (b) shall avail FAR as per table below:

Mixed Use Buildings \ FAR	BFAR	Road Width (Upto12m)			Road Width (≥12 -24m)			Road Width (≥24 - 45m)			Road Width (≥45m)		
		PFAR	PPFAR	MFAR	PFAR	PPFAR	MFAR	PFAR	PPFAR	MFAR	PFAR	PPFAR	MFAR
MU Built-up Area	2.00	NA	NA	2.00	1.00	1.00	4.00	2.00	3.00	7.00	2.00	UR	UR
MU non-built-up Area	2.50	NA	NA	2.50	1.25	1.25	5.00	2.50	3.75	8.75	2.50	UR	UR

Note-1: BFAR – Base FAR, PFAR – Purchasable FAR, PPFAR – Premium Purchasable FAR, MFAR – Maximum Permissible FAR, UR – Unrestricted

Note-2: The FAR of Bazaar Streets shall be as per paragraph 5.1.4.

Note-3: For 8.1.2 (d), base FAR of principal use shall be availed, and purchasable FAR and premium purchasable FAR conditions of the principal use shall prevail.

Licensed Technical Person (except as given in *paragraph 2.5.1* of these byelaws).

- (ii) This shall not apply in case of standard designs/ building plans as described in *paragraph 2.7.2.1*.

2.5 Application/Notice for alteration

When the application/notice is only for an alteration of the building only such plans and statement as may be necessary, shall accompany the application/notice.

2.5.1 Exemption from Building Permit

- (i) No application/application and building permit, is necessary for the following alterations, which do not otherwise violate any provisions regarding general building requirements, structural stability and fire safety requirements (as part of National Building Code, 2016) of these Bye-Laws.

a.	Plastering and patch repairs;
b.	Re-roofing, or renewals of roof including roof of intermediate floors at the same height; construction of roof on previously approved covering;
c.	Flooring and re-flooring;
d.	Opening and closing of windows, ventilators and doors not opening towards other's properties and / or public road/property;
e.	Replacing fallen bricks, stones, pillars, beams etc.
f.	Construction or re-construction of sunshade not more than 75cms. in width within one's land and not overhanging over a public street; construction of portico/porch as per standards prescribed in building byelaws,
g.	Construction or re-construction of parapet or boundary wall as permissible under these Byelaws.
h.	White-washing, painting, etc. including erection of false ceiling in any floor at the permissible clear height provided the false ceiling in no way can be used as a loft etc;
i.	Reconstruction of portions of buildings damaged due to natural disaster, such as storm, rains, fire, earthquake or any other natural calamity to the same extent and specification as existing prior to the damage provided the use conforms to provisions of Master Plan/ Zonal Plan;
j.	Erection or re-erection of internal partitions provided the same are within the purview of the Byelaws.
k.	Construction work for the purpose of inspection or renovation and repair of sewers, main streets, pipes, cables, or other plant for the implementation of any services by any Central/State Government or any local body.
l.	Construction of septic tank/soak pit.
m.	Installing hand pump
n.	Construction of temporary water tank for construction work.
o.	Construction of necessary structures (including underground water tanks) for collection, conservation and harvesting of rainwater, gardening
p.	Construction of necessary structures on rooftop to encourage alternative solar energy.
q.	Construction of temporary tents or tent cities for ceremonial/ religious purposes for a period of less than three months, provided that necessary statutory permissions have been obtained.
r.	Gardening
s.	During construction period, temporary structures such as guard rooms, construction offices, material store, labour hutment etc, without permanent roof, on vacant plots larger than 1000 sqm

- (ii) No approval shall be required for the construction/ reconstruction and renovation of residential buildings on plots up to 100 square meters for residential purposes and on plots up to 30 square meters for commercial purposes as specified in *paragraph 2.1.2*.

- (iii) An online mechanism shall be developed on online portal developed for this purpose for submission of a self-declaration in a prescribed format and an affidavit. A certificate of acceptance shall be generated automatically on submission, which shall serve as a certification from the Authority after payment of a token amount of Re. 1/-.

- (iv) No separate permission is required for Use of residential buildings (even in plots allotted by

Development Authority) by service professionals up to 25 percent FAR such as architects, chartered accountants, doctors, lawyers, etc, provided that adequate parking requirements are provisioned.

- (v) No separate permission is required for use of residential buildings (even in plots allotted by Development Authority) as creche, home-stays, paying guest accomodation, provided that adequate parking requirements are provisioned.

2.6 Permit Fees

Fees for sanction of development/ building permit shall include plan submission fees, scrutiny fees, inspection fees, betterment charges, external development fees and other charges as determined by the Authority time to time. Details related to calculation of permit fees as amended from time to time shall be made available to the applicants of development/ building permit.

2.7 Permit Process

2.7.1 Sanction of development permit

2.7.1.1 Development Permit

Development permit shall be issued to the applicant as per formats given in the online portal.

2.7.1.2 Approval

The process for approval of building permit through online portal shall be notified by the Government from time to time.

2.7.2 Sanction of building permit

2.7.2.1 Residential Buildings

- (i) The Authority shall endeavour to prepare standard building designs for all plot sizes and if the said building plan conforms to these standard designs provided by the authority (made available on authorized website, downloadable) the Authority shall automatically approve the plans on payment of fees. For residential buildings on plots up to 300 square meter can be built as per the standard designs provided by the Authority under the schemes/approved layout plans of the Authority and no separate building map approval shall be required for this. The applicant shall be able to make internal changes as per his convenience, however, no change shall be allowed in the set-back and open space.
- (ii) The maps for the construction, reconstruction and renovation of all the residential buildings up to 500 square meters under the plotted development in the schemes of development authority and the plans/ layout plans approved by the Authority on payment of fees, shall be automatically considered approved when filed, in case the plans are prepared by a licensed technical person and a certificate is printed on it that the proposed construction/ reconstruction is as per the master plan/ zonal plan and building bye-laws.
- (iii) If the submitted plan is not finalized within a period of 30 days, the same shall be considered automatically accepted, provided that a certificate is given by the licensed technical person that the map is as per the master plan/zonal plan and building byelaws and no objection certificate has been obtained from all the concerned departments as necessary like fire department, pollution control board, ASI etc.

2.7.2.2 Industrial Buildings

The maps for the construction, reconstruction and renovation of all industrial buildings (except highly polluting industries) irrespective of their size in the schemes/layouts developed or approved by the Authority on payment of fees, shall be automatically considered approved when filed, if the plans are

3.1.3.4 Block length

In plot development, the maximum length of the block shall be 300 meters.

3.1.3.5 Drainage system

For drainage system, drains shall be an integral part of the road and they shall have sufficient slope so that water can drain automatically.

3.1.3.6 Other requirements

The road margins shall be kept as unpaved as possible, or provision of pathways shall be made. Such pathways shall be made of perforated material or provision of 'brick-on-edge'/ 'loose-stone pavement' shall be made, to ensure maximum groundwater recharge.

3.1.3.7 Specifications/provisions of cycle track construction

In the layout of the schemes, provision for cycle tracks may be made on roads 18.0 meters wide and above to promote usage of sustainable modes of transport such as bicycles. The specifications/provisions of cycle track construction shall be as per IRC code (IRC-11-1962) as amended from time to time.

3.1.3.8 Specifications/provisions for Foot over-bridge/ Skywalk

Provision for elevated walkways such as sky walk/ foot over bridge (FOB) shall be permissible. Approach to foot over bridges shall comprise of ramps/elevator or inclinator and steps. A slope of 5 per cent (1 in 20) on footbridge ramps with appropriate resting places/ landings is preferable.

To assist visually impaired people, tactile paving/tiles and a colour contrast should be provided 300 mm before and after i.e. at the top and bottom of the flight of steps and these areas should be well lit. Ramp/lift is mandatory and steps/ escalators can be provided. Lift should be provided on both the entrances/exits and should have minimum internal dimensions of 1500 mm x 1500 mm. Other provisions for pedestrian facilities shall be subject to IRC: 103- 2012, 'Guidelines for Pedestrian Facilities', as amended from time to time.

The vertical clearance under an elevated walkway such as foot overbridge/ skywalk shall not be less than 5.50 m and the minimum clear width of foot overbridge/skywalk shall not be less than 3 m.

3.1.4 Standards for community and other uses/activities

3.1.4.1 Standards for community facilities

Sl.	Category	Standards	Minimum plot area
1.	Education Facilities		
(a)	Nursery School	Per 2500 population - 1	500 square meters
(b)	Primary school	Per 5000 population - 1	1000 square meters
(c)	Junior High School / High School	On 7500 population - 1	2000 square meters
(d)	Inter College	Per 10000 population - 1	2000 square meters
(e)	Degree College/Post Graduate College/ Technical Education	For population 80,000 to 1,00,000 - 1	Urban area – 5000 square meters;
(f)	Engineering College/ Universities	Per 10,00,000 population - 1	2.0 hectares.
(g)	Dental College	Per 10,00,000 population - 1	2.0 hectares
2.	Medical Services		

Sl.	Category	Standards	Minimum plot area												
(a)	Non-Bedded Medical Establishments (Diagnostic Centre / OPD clinics / dispensary / Pathology Lab / Veterinary Clinics)	Per 15000 population - 1	100 square meters												
(b)	Nursing Homes / Maternity Hospitals/ Small Hospitals/ (Up to 50 beds)/ Veterinary Hospitals	Per 45000 population - 1	300 square meters												
(c)	Hospitals (>50 beds)	Per 100000 population - 1	3000 square meters												
(d)	Medical College	Per 10,00,000 population - 1	As per MCI/ NMC norms												
3	Other services														
(c)	Police Station (including staff accommodation)	Per 50,000 population - 1	4000 square meters of which 800 square meters shall be built up area.												
(d)	Police post (including staff quarters)	Per 15000 population - 1	1500 square meters which shall have built up area as per requirement.												
(e)	Fire station (including staff accommodation)														
	(i) Category-A cities	4 lakh population and 10 square km area.	12400 square meters of which there shall be 5600 square meters of built-up area.												
	(ii) Category-B cities	2.5 lakh population and 10 square km area.	10000 sq.m. of which there shall be 4200 sq.m. built up area.												
	(iii) Category-C cities	2 lakh population and 10 square km area.	8000 sq.m. of which 3500 sq.m. shall be built up area.												
	(iv) Tehsil and other towns	For 1 lakh population and 3.00 square km area.	6000 square meters of which there shall be 2800 square meters of built-up area.												
(g)	Electric Sub-station		<table><tr><td>11 KVA</td><td>Per 15000 population - 1</td><td>500 square meters</td></tr><tr><td>33 KVA</td><td>-</td><td>1.0 acre</td></tr><tr><td>132 KVA</td><td>-</td><td>5.0 acre</td></tr><tr><td>220 KVA</td><td>Per 500000 population - 1</td><td>10.0 acre</td></tr></table>	11 KVA	Per 15000 population - 1	500 square meters	33 KVA	-	1.0 acre	132 KVA	-	5.0 acre	220 KVA	Per 500000 population - 1	10.0 acre
11 KVA	Per 15000 population - 1	500 square meters													
33 KVA	-	1.0 acre													
132 KVA	-	5.0 acre													
220 KVA	Per 500000 population - 1	10.0 acre													
4.	Social and cultural facilities														
(a)	Marriage Hall/ Community centre	Per 25000 population – 1	750 square meters												
5.	Commercial														
(a)	Commercial Use	For every 500 population – 1 shop	Minimum 10 square meters per each shop												
		For every 500 population – 1 informal sector kiosk/booth	Maximum 10% of total area (including office use) as per Chapter-5												
6.	Mixed Use		Maximum 10% of total area may be used as mixed-use plots as per Chapter-8												
7.	Sports activities														
(a)	Neighbourhood Sports Centre	For every 15000 population - 1	1.5 hectare												
(b)	Sports centres in residential units	For every 5000 population - 1	5000 square meters												
8.	Waste segregation space	Per 500 persons - 1	15 square meters												

Sl.	Category	Standards	Minimum plot area
	Public Toilet - WC seat	Per 50 persons -1	0.675 square meters (0.75x0.90)
	Public Toilet - Urinal Unit	Per 200 to 300 persons -1	0.30 square meters (0.50x0.60)
	City Bus Stop	Per 800 to 1000 m distance -1	50.40 square meters (3.6 x 14)
	Foot Over Bridge	As per local requirement	
	Vending Zone	Per 10000 persons -1 (500-1000 m distance)	1000 square meters
	Solid Waste Transfer Station	Per 200000 persons - 1	5000 square meters
	Sanitary Landfill Site	Per 100000 persons -1	10000 square meters

Note 1: The minimum plot area for the above-mentioned community facilities are indicative and governed by the norms prescribed from time to time by the concerned department.

Note 2: Areas earmarked for other services (such as police station / fire station etc.) if not used for 20 years, then it shall be returned and converted to any other public use.

Note 3: For non-residential layouts, 5 percent area to be provided as common parking provision.

Note 4: For Education facilities, the provision of primary and nursery school can be included under high school/inter college, in view of which it will not be necessary to reserve a separate plot for each level of school as per the population standards.

Note 5: For Electric Sub-stations, in cases where depending upon the technology type of the sub-station, the requirement of the land is less than the prescribed standards prior consent of the concerned department shall have to be obtained.

Note 6: For Sports activities, the provision for neighbourhood sports centre and sports centre in residential units can be made within the area of proposed parks/open spaces at the layout plan level.

3.1.4.2 Population Estimation

The population shall be estimated based on the standard of 5 persons for one residential unit (including group-housing/multi-units). Under plot development, population shall be estimated on the basis of 1 unit on a plot up to 50 square meters, 2 units on a plot of more than 50 and up to 150 square meters, 4 units on plots of area more than 150 and up to 300 square meters, one unit per 100 square meters but maximum 15 units on plots of area more than 300 square meters and up to 1500 square meters. Beyond a plot size of 1500 square meters, population shall be one unit for every 100 square meter. This is only for estimation of population and shall not determine the number of units allowed on a particular plot size.

3.2 Development Standards (Plot Size, FAR, Building Height, Setbacks)

3.2.1 Plot sizes and requirements

The plot size and requirements for various use occupancies shall be as follows.

Sl.	Use Occupancies	Min. Plot Size (sq.m.)	Min. Existing Road width (m)
I	Residential		See Chapter-4 for details
1	Plotted – Single/Multi Unit	35 (Row Housing – Single Unit) No restriction in built-up area	7.5 (plots on one side) 9 (plots on both sides) 4.0 m (Built-up area)
		150 (Row Housing – Multi Unit)	9
		500 (Semi-detached)	9
		1200 (Detached)	9
2	Group Housing	1000 (Built-up)	9 (Built-up area)

civil aviation areas or in restricted height areas.

- (ix) Construction carried out where required parking arrangement is not feasible.
- (x) Construction carried out on areas reserved for 'common areas and facilities' in group housing and other multi-storey buildings.
- (xi) Construction done on land covered by ponds/reservoirs, river, drain, etc, identified in Master Plan/Zonal Plan/ Lay-out Plan or recorded in the revenue records.
- (xii) Construction in the buildings where measures for access to differently abled persons are mandatory as per chapter 12.
- (xiii) Construction undertaken in mixed use development, which violates the criteria of pre-dominant land use.

16.3.3 Compoundable Construction

Construction permissible as per building byelaws and unauthorized construction shall be shown separately in the plan submitted with the application for compounding. Unauthorized construction in setbacks, ground coverage and FAR shall be compoundable only in contiguity of main building up to the limits prescribed as under:

Parameter	All Buildings <=15-meter and multi-units upto 17.5 meter height except Group Housing	Buildings >15-meter height and Group Housing except multi-units.
Front Setback	25% of front setback area up to a maximum of 1.0 meter	10 percent of setback area (maximum up to a width of 1-meter), subject to Fire NOC.
Rear Setback	Residential: (a) Plot Size up to 500 sqm- 100% compoundable in cases where proper provisions have been made for light and ventilation. (b) Plot Size > 500 sqm - construction up to maximum 10% of the area in rear setback (in addition to permissible 40%) Others: 10 percent of rear setback area	
Side Setback	Construction up to a maximum of 25% of width of side setback	
Ground Coverage & FAR	Construction up to a maximum of 10% of total permissible FAR, in addition to permissible ground coverage. Note: Construction in front, rear and side setbacks shall be counted while calculating the maximum permissible compoundable area.	Construction up to a maximum of 10% of total permissible FAR, in addition to permissible ground coverage. Note: Construction in front, rear and side setbacks shall be counted while calculating the maximum permissible compoundable area.
Building Height	Construction up to a maximum of 10% height from permissible limit without changing the number of floors	-
Maximum compoundable units	Maximum one unit in plotted development beyond permissible limit	In Group Housing: Proportionate units relative to percentage of compoundable additional FAR/Purchasable FAR
Basement	Up to 1.25 meter from plot boundary	Not allowed
Others	Up to 10 percent of any dimension and area of the items indicated in 16.3.8	Up to 10 percent of any dimension and area of the items indicated in 16.3.8

Note-1: Compounding shall not allow for change of category of the building.