

Uttar Pradesh Shasan
Awam 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. 367/2025-8-3099/406/2023 Part-2 dated 28 February, 2025.

NOTIFICATION

No. 367/2025-8-3099/406/2023 Part-2

Lucknow; Dated 28 February, 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 Purchasable F.A.R. Fee) Rules, 2024

The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2024

- | | | |
|---|-----------|--|
| Short title, commencement and extent | 1. | (1) These rules may be called the Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2024.
(2) They shall come into force with effect from the date of their publication in the Gazette.
(3) They shall be applicable to all the development areas in the State of Uttar Pradesh. |
| Definitions | 2. | (1) In these rules, unless the context otherwise requires;-
(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;
(c) 'Authority' means the development authority constituted under section 4 of the Act;
(d) "Basic FAR" means the FAR which is permissible without any fee as per the applicable Building Bye-laws.
(e) ¹ ["Building" means a structure constructed with any materials whatsoever for any purpose, whether used for human habitation 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. ;] |

1. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

- (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) 'Building Bye-laws' mean the bye-laws made under section 57 of the Act.;
- (g) ¹[(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 roads, water supply, sewerage, electricity supply etc. are available and have been demarcated as built-up area by the authority under its master plan;
(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;]
- (h) "Circle Rate" means the rate notified by the District Magistrate for assessment of stamp duty under the Indian Stamp Act, 1899 on the transaction of land in respective circle;
- (i) "Current rate of land" means the present circle rate of existing use of land notified by the District Magistrate.
- (j) "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;
- (k) "Developed Area" means the area within a development area where all facilities like road, water supply, drainage, sewerage, electricity, solid waste disposal, parks and open spaces and community facilities etc. have been provided in accordance with an approved layout plan and an area that has been delineated as such by the Authority;
- (l) "Development Area" means the area declared as development area under section 3 of the Act;
- (m) ²["Floor area” means the area covered on any floor of a building;]

1. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025
2. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

- (n) ¹["Floor Area Ratio (F.A.R.)" means the quotient obtained by dividing the combined covered area (plinth area) of all floors, excepting areas specifically exempted under applicable building construction and development bye-law, by the total area of the plot, viz.:
- Floor Area Ratio (F.A.R.) = Total covered area on all floors/ Plot Area.
- (i) "Basic F.A.R." or "BFAR" means the F.A.R. which is permissible without any fee;
- (ii) "Purchasable F.A.R." means the additional FAR permissible to the extent specified over the permissible FAR in the Master Plan / Regional Plan / building construction and development bye-laws, which can be purchased by the applicant on payment of prescribed fee;
- (iii) "Premium purchasable F.A.R." means the additional F.A.R. permissible to the extent specified over the purchasable F.A.R. in the Master Plan/ Regional Plan/ building construction and development bye-laws;
- (iv) "Maximum Permissible F.A.R. (MFAR)" means the sum total of Basic F.A.R. (BFAR), Purchasable F.A.R. (PFAR) and, Premium Purchasable F.A.R. (PPFAR). ;]
- (o) "Government" means the Government of Uttar Pradesh;
- (p) ²["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;]
- (q) "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;
- (r) "Mixed land use" means mixing/planning of two or more compatible uses horizontally or vertically on a land parcel in accordance with the zoning regulations;
- (s) ³["Non-Built-up area" means the area other than built-up area (Master Plan) defined above;]

1. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

2. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

3. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

- (t) "Section" means a section of the Act;
 - (u) "Undeveloped Area" means the area within a development area other than the 'built-up' and the 'developed area';
 - (v) "Vice-Chairman" means Vice-Chairman of the development authority;
- (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.

Levy of purchasable FAR fee

3. (1) ¹[Purchasable and Premium Purchasable F.A.R. fee shall be levied by the Authority in accordance with these rules where an application is submitted for obtaining building permit entailing purchase of additional F.A.R. over and above the permissible basic F.A.R.]
- (2) Where total or partial exemption from payment of Purchasable and Premium Purchasable F.A.R. fee has been granted by the Government under the Act, the Purchasable and Premium Purchasable F.A.R. Fee to the extent of such exemption shall not be leviable.]

Assessment of purchasable FAR fee

4. (1) ²[Where an application is submitted under rule 3 to the Authority, the purchasable F.A.R. fee shall be assessed and collected on the total floor area proposed as purchasable F.A.R.]
- (2) (2) Purchasable and Premium Purchasable F.A.R. fee shall be calculated as per the following formula:-
 $C = Le \times Rc \times P \text{ or } Pp$
 C = Charge
 Le = Proportional land requirement for purchasable/
 Premium Purchasable F.A.R. (sqm)
 i.e. $Fp \div F.A.R.$
 Fp = Permissible Additional Floor Area (sq.m.) as per PFAR or PPFAR, as the case may be
 FAR = Permissible Floor Area Ratio as per Master Plan/Building Byelaws (Base FAR)
 Rc = Current rate of land
 P/Pp = Factor Co-efficient for various land use categories.
 Note: *The current rate of land refers to the circle rate determined by the District Magistrate. Where such rate is not available, the current residential rate determined by the Authority, shall be applicable.*]

1. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025
 2. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

(3) ¹[Factor coefficients as per land use shall be as follows:-

Sl. No.	Land use Category	Factor Co-efficient (P) Purchasable F.A.R.	Factor Co-efficient (Pp) Premium Purchasable F.A.R.
1.	Commercial	0.50	1.0
2.	Mixed Use	0.45	0.9
3.	Office Buildings/ Institutional	0.45	0.9
4.	Hotels	0.40	0.8
5.	Residential (Plotted)	0.40	-
6.	Residential (Group Housing)	0.40	0.8
7.	Industrial	0.40	0.8
8.	Community Facilities and Infrastructure	0.20	0.4

²[Payment of purchasable and premium purchasable F.A.R. fee

5. (1) (1) Subject to the provisions of the Act and these rules, the applicant shall pay the full amount of Purchasable and Premium Purchasable F.A.R. fee as levied by the Authority prior to grant of permission under section 15 of the Act:

Provided that in case the floor area of Purchasable and Premium Purchasable F.A.R. is more than 1000 square meters, 25 percent of the fee shall be paid upfront and the balance amount may be deposited in quarterly instalments along with simple interest at the rate of 12% per annum subject to the condition that the applicant shall have to deposit the entire sum within a period of two years:

Provided further that the applicant shall furnish a bank guarantee against the total amount due or alternatively mortgage the land equivalent to the amount due as security in favour of the Authority through a registered deed. The bank guarantee or the mortgaged land shall be released after the payment of full amount of Purchasable and Premium Purchasable F.A.R. fee.]

(2) In case of default in the timely payment of installments, the applicant shall be liable to pay a penal interest at the rate of 3 percent per annum.

(3) 90 percent of the money received by the Authority on account of purchasable FAR fee, shall be credited to the infrastructure development fund of the Authority whereas, remaining 10 percent shall be Authority's share.

1. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025
2. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

- Recovery of arrears** 6. ¹[Any amount due to the Authority on account of Purchasable and Premium Purchasable F.A.R. fee under these rules shall be recovered in accordance with the provisions of section 40 of the Act.]
- Annual statement of purchasable FAR fee** 7. ²[The Vice-Chairman shall furnish to the Board of the Authority, a written statement in respect of Purchasable and Premium Purchasable F.A.R. fee for the preceding year which shall contain information regarding the total amount collected by the Authority. Such statement shall be furnished as F.A.R. as possible in the first meeting of the Board of the Authority to be held every financial year and its copy shall also be sent to the Government.]

(P. Guruprasad)
Principal Secretary

1. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025

2. Substituted by The Uttar Pradesh Urban Planning and Development (Assessment, Levy and Collection of Purchasable FAR Fee) Rules, 2025 dated 06-11-2025