



The Uttar Pradesh (Regulation of Building Operations) (Amendment) Act,
1963
Act 2 of 1964

Keyword(s):

Building, Erect, Make Material Change

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THE UTTAR PRADESH (REGULATION OF BUILDING OPERATIONS) (AMENDMENT) ACT, 1963*

[U. P. ACT No. II OF 1964]

†[Authoritative English text of the Uttar Pradesh (Nirman-Karya Viniyaman) (Sanshodhan) Adhiniyam, 1963.]

**AN
ACT**

to amend the Uttar Pradesh (Regulation of Building Operations) Act, 1958, for certain purposes

U. P. Act
XXXIV of 1958.

IT IS HEREBY enacted in the Fourteenth Year of the Republic of India as follows :

1. This Act may be called the Uttar Pradesh (Regulation of Building Operations) (Amendment) Act, 1963.

Short title.

2. In clause (b) of section 2 of the Uttar Pradesh (Regulation of Building Operations) Act, 1958 (hereinafter called the principal Act), for the colon (:), a semi-colon (;) shall be substituted.

Amendment of section 2.

3. In section 7 of the principal Act—

Amendment of section 7.

(1) in sub-section (2), for the word and figure "section 5" the words "this Act" shall be substituted ; and

(2) for the existing sub-section (3), the following shall be substituted :

"(3) Where permission is refused, the grounds of such refusal shall be communicated to the applicant in such manner as may be prescribed, within 90 days of the receipt of such application."

4. After section 7 of the principal Act the following shall be added as a new section 7-A :

Addition of a new section 7-A.

"7-A. If at any time, after a permission has been granted under sub-section (2) of section 7, the prescribed authority is satisfied that such permission was granted in consequence of any material misrepresentation made or any fraudulent statement or information furnished, the
Cancellation of permission obtained under fraud.

(*For Statement of Objects and Reasons, please see *Uttar Pradesh Gazette Extraordinary*, dated September 9, 1963.)

(Passed in Hindi by the Uttar Pradesh Legislative Council on September 26, 1963 and by the Uttar Pradesh Legislative Assembly on December 9, 1963.)

(Received the Assent of the Governor on January 25, 1964 under Article 200 of the Constitution of India and was published in the *Uttar Pradesh Gazette Extraordinary*, dated January 28, 1964.)

(†Published in the *Uttar Pradesh Gazette Extraordinary*, dated January 28, 1964.)

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prescribed authority may cancel such permission, for reasons to be recorded in writing, and any work done thereunder shall be deemed to have been done without such permission."

Amendment of section 8.

5. In clause (c) of section 8 of the principal Act, for the word and figure "section 5", the words "this Act" shall be substituted.

Amendment of section 8-B.

6. For the existing section 8-B of the principal Act, the following shall be substituted :

"8-B. (1) The prescribed authority may institute or defend any legal proceeding under this Act.

(2) The prescribed authority shall not, except with the prior approval of the controlling authority, and shall, when so required by the controlling authority—

(a) withdraw any legal proceeding under this Act ;

(b) compound any offence under this Act or under a regulation made or direction issued thereunder ; and

(c) admit, compromise or withdraw any claim made under this Act."

Amendment of section 9.

7. In sub-section (1) of section 9 of the principal Act—

(1) between the word "erects" and the words "any building" a comma and thereafter the words "re-erects or makes any material change in" shall be substituted ; and

(2) for the word and figure "section 5", the words "this Act" shall be substituted.

Amendment of section 10.

8. In section 10 of the principal Act, for the word "alteration" wherever it occurs, the word "change" shall be substituted.

Amendment of section 15.

9. In section 15 of the principal Act—

(1) in sub-section (2) between the words "granting permission" and the words "or by an order", the words "or by an order under section 7-A cancelling a permission" shall be inserted.

(2) after sub-section (2) the following new sub-sections (3) and (4) shall be added:

"(3) The Controlling Authority may, pending the decision of an appeal filed under sub-section (2), stay the operation of the order appealed against.

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

Amendment of section 19.

10. After clause (gg) of sub-section (2) of section 19 of the principal Act, a semi-colon (;) and thereafter the word "and" shall be added.