

Gaur Group' recommend the following clarifications/ suggestions for consideration in the Proposed Uttar Pradesh Building Construction and Development Byelaws 2025 –
(Byelaws for Urban Development Authorities)

Ref- website- www.upgov.nic.in; Upid-232397, Dt. 15-04-2025,

Advertisement -No- I /936615 / 2025 / 8-3099/ 1710 / 2020, Lucknow; Dated 15-04-2025

SN	Clause No	Page No	Present Provision	Proposed Provision	Remarks
1	1.2 Sl.-71, 3.2.4.10 (vii), 3.3.4.9 (iv)	15, 60, 72	As per the Clause No. 1.2 Sl.-71, "Podium Parking" means the floor/floors from the floor above the ground level to the bottom surface of the beam for parking purposes under the building envelope line in which there should be provision of ramp for entry and exit of vehicles and in case of mechanized parking, there should be provision of entry and exit as per the actual design. Also as per the Clause No.- 3.2.4.10 (vii) Construction of ramp in slope is allowed for basements and podium in setbacks provided that unhindered movement of fire tender is not blocked.	Clarification needed regarding the contradictions, it is suggested that the Projects which are having plot area more than 1500 sqmt, Podium should be permitted up to the limit of 6m from plot line. Also, construction of ramp for the use of podium parking may be permissible in setbacks set-back after leaving minimum 6.0 M (for buildings height up to 20 M) to 9.0 M (for buildings height more than 50 M) wide space provided that unhindered movement of fire tender is being maintained.	Construction of ramp for the use of podium parking may be permissible in setbacks set-back after leaving minimum 6.0 M (for buildings height up to 20 M) to 9.0 M (for buildings height more than 50 M) wide space, provided that unhindered movement of fire tender is being maintained.
2	1.2 Sl.-93, 3.2.2.8- Sl.-8a & 8b, 3.3.4.8	16, 54, 72	Stilt Floor- Stilt Parking is mandatory for multi-units, while it is optional for single units. Construction of stilts for parking shall be permissible in all types of buildings, which shall not be calculated in the FAR, but shall be calculated in the height of the building. In case covered parking on stilts is used for any purpose other than parking, the same shall be calculated in the FAR.	Height of Stilt Floor is although but it should be permitted as per design and should be Free from FAR, if used for Parking , Landscaping , recreational activities etc. if not used for any commercial use in a project. Also Stilt has been made 'mandatory 'for multi-units projects which should be made 'optional'.	It suggested to permit stilt areas for non-commercial uses in Group Housing Projects like for parking / landscaping / services etc. with height up to 2.75 M (up to non habitable height as per NBC -2016) or as per actual design requirement . Such provisions are already given permissible in the Unified Building Bye Laws for Delhi 2016; Clause No-8.10.

3		Definition of Shops, Convenient Shopping, Commercial Units needs to be given	Definition of- Shops (plot area less than 100 sqmt) , Convenient Shopping (plot area 100 sqmt to 300 sqmt) , Commercial Complex (plot area 300 sqmt to 3000 sqmt) Units are required to be added in the Clause No.-1.2 as the parking requirements for these activities / uses are different as per the Clause No- 3.3.4.3 (2)	Definitions would avoid different interpretations at various levels to further clarify misunderstandings, if any.
4		Similarly, Definition of 'Building Block' or 'Block' needs to be given (Clause No- 3.2.4.9, Note -3, page No.- 60)	In Group Housing Projects, sometimes due to project design and planning reasons, two or more Building Blocks are proposed nearby with each proposed Block is having its separate staircases, lift-core areas, entrance lobbies, services, etc. based upon the prevailing Fire Regulations, it is requested that in such scenario, all the adjacently proposed Blocks (two or more) should be considered as a 'Single Building Block', for requirements of the above Block-to-Block distance criteria, as the case maybe.	Therefore, if two or more Building Blocks are proposed nearby/ adjacent/ having expansion joint in-between / having common basement (s) with each proposed Block is having its separate staircases, lift-core areas, entrance lobbies, services, etc. based upon the prevailing Fire Regulations, it is requested that in such scenario, all the adjacently proposed Blocks (two or more) should be considered as a 'Single Building Block' which needs to be clarified in the Clause No- 3.2.4.9 Note-3.
5			Further, in some cases due to structural design reasons, 'Building Expansion Joints' are required to be provided while designing a project with separate staircases, lift-core areas, entrance lobbies, services, etc. based upon the prevailing Fire Regulations, then also such adjacently proposed Building Blocks (two or more) should be considered as a Single Building Block, for requirements of the above Block-to-Block distance criteria of the minimum of 6.00 M to 16.00 M, as the case maybe.	

6		Completion-cum-Occupancy Certificate needs to be defined	There is need to define 'Completion Certificate' and 'Occupancy Certificate' as usually Development Authorities are issuing 'Completion Certificate' whereas in the Apartment Act and UPRERA 'Occupancy Certificate' also being required, therefore suggested to use the term 'Completion-cum-Occupancy Certificate' while issuing the Completion Certificate for a project.	It is suggested to use the term 'Completion-cum-Occupancy Certificate' while issuing the prescribed Completion Certificate for a project.
7	1.3	17 Applicability of byelaws	Clarification required regarding applicability of these Byelaws 2025 even for the approved Hi-tech Township and Integrated Township projects for all types of plots i.e. Residential (including EWS / LIG Group Housing, Plotted Development), Commercial, Institutional, facilities, etc.	Clarification required regarding Applicability of these Byelaws-2025
8	2.2.3 (iii)	21 No Objection Certificates (NOCs) required to be attached: total 15 Nos	Only project related NOCs should be required at the time of approval otherwise different interpretations at various levels may unnecessarily create hindrances in the process of project approval.	Need Clarification otherwise different interpretations at various levels of approvals may unnecessarily create hindrances and may delay the project approval.

9	2.2.3 (x) and 2.9.3.5	23, 35	Deemed Sanction' and 'Deemed Completion' of projects	It is suggested to issue online system generated Deemed project Sanction Letter (in 15 Days of application submission) / Deemed Completion Certificate or occupancy Certificate (in 9th working days of application submission) automatically, if in the concerned matter all prescribed regulations are complied.	1- Online auto-generated project Sanction/ completion Certificates should be issued. 2- A self / deemed approval provision should also be introduced for licensed Architects / Engineers / Town Planners for various types of buildings / layout Plans to the extent possible as part of 'Promoting Ease of Doing Business' as MoUD present policies. 3- Similar system like the Passport Authority issuing the passport and IRCTC is issuing Railway Tickets, online portal service should also be initiated for issuing the prescribed project Sanction/ Completion/ Occupancy Certificates.
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10 2.8.2.1	33 Deviations During development, if there is any deviation from the approved plan or it is intended to be done, permission shall be obtained from the authority before executing the proposed deviation.	It is suggested that due to various reasons, during project development process, which usually takes 3 to 5 years time or more, due to change in building regulations, design development, change in specifications, involvement and change in manpower, change in construction agencies etc.; sometimes a few unavoidable changes took place which may change minor changes in project which ultimately may change overall technical parameter like change in FAR, Ground Coverage, Building height etc. Therefore, if such changes are in the category of 'permissible but not sanctioned', then these changes should be incorporated at the time of project completion by the respective building plan approving authority, and there should not be any need to obtain separate permission for such changes.	Therefore, if changes are in the category of 'permissible but not sanctioned', then these changes should be incorporated at the time of project completion by the respective building plan approving authority, and there should not be any need to obtain separate permission for such changes.
11 3.2.2.8 - Sl.- 27 / 4.2.8 Note-4	55, 78 Services such as air conditioning equipment and other machines, DG set room, meter room and electric panel room, Effluent Treatment Plant, suction tank, pump room – maximum up to 5% of permissible FAR or 50sqm (in case of Plot Area <= 4000 sqm) / 100 sqm (in case of Plot Area > 4000 sqm), air-conditioned plants, in front of the lift (except corridor outside the lift), up to 10 square meters shall be allowed for lobby, machine room for lift, mummy, Almira's and bay-windows (maximum 0.60 m depth and 1.80 m length), refuse area (as per NBC), service duct and community centre	Exemption from FAR for services requirement purposes should be at least 15% of permissible total FAR i.e. including BFAR+ PFAR+ PPFAR+ MFAR+ Green Building FAR	These provisions of 15% Services FAR are already permissible in the BBL of various Authorities like NIODA, GNIDA, YEIDA etc.

12	3.2.4.1 / 4.1.2	57	Residential – Plotted Development (Single / Multi units up to 15-meter height), Under plotted development, for all single/multi-units less than 300 square meters plot size , three floors, with stilts up to 15 meter is allowed and on plots above 300 square meters, four storeys with stilts up to 17.5-meter height is allowed.	There is contradiction in the minimum plot size for multi units, according to the Clause no. 4.1.2 ; minimum required plot size for multi units is only 150 sqmt whereas as per the clause no 3.2.4.1 minimum required plot size for multi units is 300 sqmt .	It is recommended to remove the ambiguity by keeping minimum plot size for multi units, according to the clause no. 4.1.2 with minimum required plot size for multi units is only 150 sqmt and four storeys residential multi units building with stilts up to 17.5-meter height should be allowed.
13	3.2.4.1	57	Note-1 : Construction shall be permitted on 40 percent of the rear setback up to 7 meter height , in semidetached buildings. But in corner plots the said covering shall be permissible only after leaving the side set back. In case of stilt floor, construction on 40 percent area of the rear setback shall not be allowed.	In residential plots up to 150 sqm, as there is no rear Setback is required then in such cases construction should be permitted if stilt is proposed. Also as in commercial use relaxation in rear and side set backs given up to 500 sqm plots therefore similar it is suggested to provide similar relaxation to residential plots.	As predominantly land needs to be used for residential purposes for the people therefore this land use should be given priority to the extent possible for human habitation purposes, accordingly relaxation in rear and side set backs should also be given up to 500 sqmt plots like commercial plots.
14	3.2.4.3	58	Note-1: In commercial building with covered area on ground floor up to 500 sqm , if lighting and ventilation requirements are ensured, then setbacks shall not be mandatory along the rear and the side edges, whereas in the corner plots, side setback equal to the front set-back shall be mandatory.	In commercial plots up to 500 sqm, as there is no rear Setback is required then in such cases construction should be permitted if stilt is proposed.	Similar provisions should be permitted for Residential Plotted Development.
15	3.2.4.9	60	Note-3: The margin between two blocks shall be the required setback based on the height of the higher block or 6m whichever is higher	Distance between Blocks needs to be rationalised as the Setbacks are already defined in the Clause No-3.2.4	Required peripheral plot Setbacks should be according to the Clause No-3.2.4 and Block-to-Block distance may be defined.

16	3.2.4.10	60	Exemption in Setback		Besides the Guardroom, 'Architectural Elevation Features including entrance Gates, Security Posts, ATM, Toilets / Wash Rooms should also be permitted at in setback area within the plot line of a project.	Such provisions are already permissible in the Unified Building Bye Laws for Delhi 2016; Clause No-12.2, 12.5, 12.6 12.7 & 12.9, Copy enclosed.
17	3.3.1.8 / 3.2.4.1	63, 57, 58, 60	Balcony- Depth of an unenclosed balcony shall be between 0.90 m to 2.0 m. Also in residential buildings, balcony of maximum width up to 2.0 meters can be constructed in the setback open space, which shall not be more than the half of the width of the setback open space, which shall not be counted in the FAR. Above mentioned terrace / balcony shall be permissible to a maximum extent of 10% of the area of the entire open space. Also, for distance between buildings less than 9m, 2 meters wide balcony shall not be allowed.	According to the Clause No 3.3.1.8 (i) Depth of an unenclosed balcony shall be between 0.90 m to 2.0 m which contradict with the Clause No. 3.2.4.1, where for Residential plots up to 1200 sqmt plot area, required Front Setback is 1.00 meter to 6.00 meters and but the maximum balcony width permitted is only up to 10% of the area of the entire open space; therefore permitted Balcony width is limited up to 0.10 M to 0.60 M only, also appears impractical. Also, in the case of plotted Development up to 150 sqmt plot size, no rear setback is required therefore in such cases there is no meaning of keeping restrictions of Balcony width. Further, if distance between buildings less than 9m, then limit of the width of permitted balcony needs to be specified.	It is recommended to permit balcony width as permitted in the Clause 3.3.1.8 (i) between 0.90 M to 2.0 M or up to the plot line for plotted developments and the limit of permitted Balcony width of "maximum extent of 10% of the area of the entire open space" should be removed, so that the end-users of these residential units may be able to not only efficiently use the residential building properly but also may be able to have access to fresh air ventilation and light, to live in a human habitable space, as defined in the NBC-2016. Further, if Balcony is having wall of any surrounding structure around it, then in such cases, due to practical, structural, maintenance etc. reasons, it should not be necessary to provide cut/ gap between Balcony and surrounding wall.	
18	3.2.4.1	57	Note-1: Construction shall be permitted on 40 percent of the rear setback up to 7 meter height, in semidetached buildings. But in corner plots the said covering shall be permissible only after leaving the side set back. In case of stilt floor, construction on 40 percent area of the rear setback shall not be allowed.	As only 1.0 M Front Set Back is required for residential plots up to 150 M then there is no relevance to permit only 40 % area at Rear Setback, it should be permitted 100 % at Rear Setback as practically this would be covered from all the other sides otherwise.	Rear Setback area should be permitted to cover 100 % at Rear Setback as practically this would be covered from all the other sides otherwise.	

19	3.3.3.1 (i), (iii) / 3.2.2.8-SI-7	68, 69, 53	A- According to the Clause 3.3.3.1 (i), Basement shall generally be constructed within the prescribed setbacks with maximum up to three levels. 3.2.2.8- SI- 7, Basement(s) within the setback line, if used for: Parking lot and garages then exempted from FAR, B- In the clause 3.3.3.1 (iii) Construction of basement shall be permitted only after leaving a minimum of 2 meters from all boundaries of the plot while ensuring the structural safety of the adjacent properties. C- In the Clause No.- 3.3.3.3 (i) SI.- 2, in Residential plots of 100 sqmt (which require only 1.0 M front set Back as per the Clause No.- 3.2.4.1) Basement permitted Equal to building envelope . D- In the Clause No 3.3.3.3 (ii), Basement is permitted in the residual area after leaving an area of 6.0 meters around the boundaries of the plot.	There should not be any limit on number of Basements; number of basements may be permitted up to the requirement of required parking / services of a projects. Even NBC-2016 permits Basements up to required parking requirements. There are also contradiction in these clauses regarding permit of Basement limits- 1- Up to Building Envelope (Clause No- 3.3.3.3 (i) SI.- 2) 2- Up to 2.0 M from plot Line (Clause No.- 3.3.3.1 (iii)) 3- Up to 6.0 M from Plot Line (Clause No 3.3.3.3 (ii) ,) 4- Up to Set Back line (Clause No.- 3.2.2.8- SI-7) ; which needs to be clarified based upon type of plot use and it's size.	There should not be any limit on number of Basements; number of basements may be permitted up to the requirement of required parking / services of a projects based upon the prevailing regulations. Also, the should be permitted up to building envelop, for plots up to 300 sqmt and for the plots more than 300 sqmt, it should be permitted up to 2 M from plot line if structural stability report is provided; for optimal use of space.
20	3.3.1.8	63	Balcony (for non residential uses)	In the proposed Byelaws 2025, there are no provisions are described regarding permissible Balconies width in uses other then Residential i.e. like- Commercial, Office, Industrial, Facilities etc. Buildings, which also needs to be defined.	Needs to be clarified as these buildings also require Balconies to get adequate light and ventilations at the same time for Fire Rescue purposes these are mandatorily required as defined in the NBC -2016.
21	3.3.4.3 (1)	70	Parking Standards- Residential- Note : In group housing, additional 10% parking shall also be provided for visitors	In the present scenario, as due to permitting comparatively higher FAR (up to 9.00 and above) in the 2025 BBL for group housing projects, therefore additional parking for visitors should be limited maxim. up to 5% of basic parking limit.	Due to comparatively higher FAR and development cost, it should be limited up to 5% additional parking against only proposed FAR only.

22	3.3.4.3 (2)	70	Parking Standards-For Commercial Complex and Shopping Mall- 2ECS to 3 ECS / 100 sqmt of Floor Area	In the proposed Byelaws 2025, parking norms are too high. As for large commercial projects permitted FAR limit is usually about up to 9.0 or even unrestricted, therefore to build large commercial areas, comparatively significant parking would be required. Hence it is suggested to restrict parking requirements as only 1ECS / 100 sqmt of Floor Area for all type of such commercial uses. Also suggested to limit number of required parking for commercial areas up to 2500 ECS only to avoid unnecessary waste of National resources.	In the proposed Bye laws 2025, parking requirements for all type of such commercial uses should be only 1ECS / 100 sqmt of Floor Area or 2500 ECS whichever is less to avoid unnecessary waste of National resources.
23	4.1.6, 3.2.2.1	46, 76	Ground Coverage and FAR- Permitted Max. Ground Coverage up to setbacks limit and Permitted Max. FAR up to 2.0 for Residential Plotted Development	As per the Clause No.- 3.2.4.1, for residential plots up to 150 sqmt, only 1.0 M Front Setback required where three Floors are permitted therefore to construct three floors, it is recommended to permit Max. FAR limit up to 3.0 otherwise there is no significance of permitting three floors on such plots. Similarly for Multi-residential building, to develop Stilt+4 Units, Max. FAR limit should be increased up to 4.0.	Therefore for Residential Plotted Development, it is recommended to permit Max. FAR limit up to 3.0 (G+3 Floors) for Single unit and 4.0 (Stilt + 4 Floors) for Multi-residential building.
24	4.2.8	78	Group Housing- Base FAR- 2.5	Based upon the prevailing regulations, for Group housing projects 3.75 FAR is permissible, therefore is it suggested to make 3.75 as Base FAR for Group Housing Projects located at Non-Built-up Area thereafter only charges for PFAR, PPFAR and MFAR should be calculated.	Base FAR for Group Housing Projects should be 3.75 (for projects located at Non-Built-up Area) thereafter only charges for PFAR, PPFAR and MFAR should be calculated.

25	4.2.8 / 3.1.4.1.78, 42 Sl. 5 (a)	As per the Clause 4.2.8- Note-3: A maximum of 5 percent of the availed FAR will be allowed for commercial purposes within a group housing project, whereas as per the Clause No- 3.1.4.1-Sl. 5 (a)- for every 500 population only one shop of 10 sqmt area is permitted.	There is clarification is required that out of the total permissible 5% commercial FAR, one convenient shop for every 500 population would be required and the balance commercial area out of the above permissible 5% commercial FAR, may be used for other commercial purposes as per design by the promoter.	Clarification is required regarding total permissible 5% commercial FAR for Group Housing Projects.
26	Other-	Presently there is no provisions for Covered Sky Bridge / Foot-Over Bridge in High rise Buildings to connect at different nearby blocks or parking block at different levels.	Covered Sky Bridge as relief in High rise buildings should be permitted and not to be counted towards FAR and Ground Coverage. Although such 'Foot Over Bridge' or 'Under Pass' or 'Subway' are available at various places in Delhi/ NCR, where Development Agencies are developing such facilities for City Level Projects, but now the Developer Members also would like to develop the same, without financial burden on the Authority.	In a 'Township Projects', such demands are felt at a few locations which, appears to be practical and logical for comparatively better pedestrian traffic movement. Like, if a Commercial Building needs to be connected to a Parking Building or a School Building needs to be connected to Play Area etc. These are part of the public spaces for their convenience only and not for any commercial use. Pl. refer Unified Building Bye Laws for Delhi 2016; Clause No-7.17.2 (h) & 8.10 'd'
27		Development of various Physical Infrastructure Facilities and Services under jurisdictions of respective Development Authorities before issuing the prescribed Completion Certificates for projects.	It is suggested that the prevailing Master Plans/ Zoning Regulations of all the areas of Uttar Pradesh, where these Building Construction and Development Byelaws 2025 are being proposed, needs to be reviewed to accommodate significant increase in pressure on various Land uses and the existing levels of infrastructural facilities and services like Domestic Water Supply, Drainage, Sewerage, Solid Waste Disposal System, Roads, Fire Safety, Parks and Open Spaces, Social infrastructure etc. It is requested to strengthen all the resources in time, so that the end-users may able to get comparatively better services on priority.	The Company is optimistic that all the Development Authorities of the State would strengthen all the physical infrastructure and services under their jurisdictions so that the people may get fruitful results from the above proposed Building Construction and Development Byelaws 2025.