



## New Rules For Demolishing Unauthorised Constructions | Uttar Pradesh | 31 Jan 2025

### Why in News?

**Uttar Pradesh government** has issued **guidelines for agencies** before demolishing unauthorised constructions.

- Notices must be served, and an opportunity for a **personal hearing** must be provided before finalising demolition.

### Key Points

- **New Rules for Demolition:**
  - **Mandatory Show Cause Notice & Waiting Period:**
    - No demolition should occur without issuing a show cause notice.
    - Agencies must wait **15 days** from the date of notice receipt before ordering demolition. The rules provides **an appellate opportunity**, demolition must be delayed for **15 days** after the final order.
    - Owners/occupants should be given **15 days** to remove or demolish unauthorised structures themselves.
  - **Transparency Measures:**
    - A **digital portal** must be set up within three months to document all actions, including **notices, replies, and orders**.
    - Notices should be sent to the **District Magistrate's (DM) office via email**, with automated acknowledgment.
    - Minutes of personal hearings must be recorded.
  - **Demolition Orders & Compliance:**
    - Final orders should specify:
      - Whether the structure is **compoundable** (can be regularised by paying fees).
      - Details of the **unauthorised/non-compoundable** portions.
      - Why demolition is necessary.
    - Non-compliance with these rules may result in **contempt proceedings** and **prosecution** of officials.
  - **Legal & Administrative Observations:**
    - Many steps in the new rules already exist under different Acts.
    - New features aim to **improve transparency and consistency** in demolitions.
    - Issues of **hasty demolitions** and **pending old demolition orders**, leading to **malpractice** and **unauthorized constructions**.
    - Municipal officials confirm compliance and clarify that temporary encroachments are handled under the **UP Municipal Corporation Act, 1959**.