



# New Rules For Demolishing Unauthorised Constructions

## 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**.

