

No. 153/XXXVI(3)/2025/11(01)/2025

Dated Dehradun, April 11, 2025NOTIFICATIONMiscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Uttarakhand Urban and Country Planning and Development (Amendment) Act, 2025' (Act No. 08 of 2025).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 9th April, 2025.

THE UTTARAKHAND URBAN AND COUNTRY PLANNING AND DEVELOPMENT (AMENDMENT) ACT, 2025

(Uttarakhand Act No. 08 of 2025)

Further to amend The Uttarakhand Urban and Country Planning and Development Act, 1973, to the context of State of Uttarakhand.

An

Act

Be it enacted in the Seventy sixth Year of the Republic of India by the Uttarakhand Legislature as follows: -

Short Title and commencement	1.	(1) This Act may be called The Uttarakhand Urban and Country Planning and Development (Amendment) Act, 2025.
		(2) It shall come into force at once.

Insertion of Section 2-A	2. In The Uttarakhand Urban and Country Planning and Development Act, 1973 to the context of state of Uttarakhand (hereinafter referred to as Principal Act), in section 2 of the Principal Act- (i) for clause (o), the following clause shall be substituted; namely:- “(o) “Land Pooling Scheme” means the Land Pooling Scheme or Land Pooling Policy made under Section 9-A of this Act;” (ii) After clause (p), the following clause shall be inserted; namely :- “(q) “Land Procurement Rules” means the procurement /purchase of land by the State Authority and/or by the Local Development Authority as the case may be, as per rules under section 55”
Amendment of Section 4	3. In Section 4 of Principal Act:- (a) clause (h), (i), (j), (l), (m) and proviso of sub section 2-A (1) shall be omitted. (b) in clause (a) of sub section 3- (i) after the words “a Chairman” the words “not below the rank of Secretary” shall be inserted. (ii) for clause (c), the following clause shall be substituted namely; “(c) the Secretary to the State Government in-charge of the Department of Housing or any officer nominated by him not below the rank of Joint Secretary” (iii) for clause (d), the following clause shall be substituted namely; “(d) the Senior Superintendent of Police or Superintendent of Police (Traffic) as the case may be of every district or any part of which is included in the development area or any other officer nominated by him not below the rank of Dy. SP ex-officio” (iv) for clause (f), the following clause shall be substituted namely; “(f) the Regional Transport Officer or any other officer nominated by him not below the rank of Dy. Regional Transport Officer ex-officio” (v) for clause (g), the following clause shall be substituted namely; “(g) the Municipal Commissioner of the Municipal Corporation or Executive Officer of the Urban Local Body of the respective district or any officer nominated by him ex-officio”

		(vi) in clause (h), after the words "any person nominated by him" the words "not below the rank of Deputy Collector" shall be inserted (vii) clause (i) & (j) of sub section (3) shall be omitted.
Amendment of Section 6	4.	In section 6 of Principal Act, in sub-section (2) after clause (d), the following clause shall be inserted namely; "(dd) the Managing Director of the Jal Nigam established under the Uttar Pradesh Water Supply and Sewerage Act, 1975 or any person nominated by him ex-officio"
Amendment of Section 7-A	5.	In section 7-A of Principal Act after clause (xiii), the following clause shall be inserted namely: - "(xiii-a) to hear revision against the orders passed under sub-section 4 of Section 18"
Amendment of Section 9-A	6.	For section 9-A, of the Principal Act, the following section shall be substituted namely: - "9-A Town Planning Scheme and Land Pooling Scheme: - (1) The State Authority and/or Local Development Authority may make one or more Town Planning Scheme and/or Land Pooling Scheme in respect of any area within its development area, as prescribed in the rules framed by the State Government. (2) The Town Planning Scheme and/or Land Pooling Scheme so made shall be submitted to the State Government for its approval. (3) If any area not included, within the development area of the Local Development Authority and where the Town Planning Schemes and Land pooling Scheme has to be framed and implemented then the said area will be declared as the development area of the Local Development Authority by the State Government for the purpose of implementation of the Town Planning Scheme and/or Land Pooling Scheme: Provided that the State Government may get the work of construction and implementation of Town Planning Scheme and Land Pooling Scheme from any other agency other than the State Authority or the Local Development Authority. (4) Notwithstanding anything contained in any other provisions of this Act, the Town Planning Scheme and Land Pooling Scheme shall have an overriding effect over the Master Plan or Zonal Development Plan prevalent for the time being"

Insertion of new section 9-B and 9-C	7.	After section 9-A, the following sections shall be inserted; namely: - “9-B Notification of Influence area by State Authority and Local Development Authority: - (1) The State Authority and/or Local Development Authority may notify after the approval of Draft of Town Planning Scheme, or Land Pooling Scheme as the case may be, the influence area in the periphery of the respective schemes, as the residents there shall be getting the benefits of the infrastructure development in these schemes. Such influence area shall not exceed 500 mts. from the boundary of respective schemes. (2) The development proposed in the influence area shall attract development charges and other levies as prescribed in the rules 9-C Restrictions on Development- (1)The Local Development Authority may freeze any development or construction in the area proposed in the draft of Town Planning Scheme and/or Land Pooling Scheme as prescribed in the rules. (2)The State Authority may direct the Local Development Authority to freeze any development or construction in the area proposed in the draft of Town Planning Scheme and/or Land Pooling Scheme so issued by it”.
Amendment of Section 17 Insertion of new section 17-C	8. 9.	In section 17 of the Principal Act- (i) In clause (c), for the words “ Policy, ” the words “Land Pooling Scheme” shall be substituted. (ii) for clause (d), the following clause shall be substituted namely: - “(d) Procurement/purchase of land through negotiation, from any private person/agency/company, private or public, as prescribed by rules” After section 17-B, the following section shall be inserted namely:- “17-C Land Bank of the Local Development Authority- (1) The Local Development Authority shall have the power to create its own land bank through- (a) the State Government under the Land Acquisition Act, prevalent at the time of land acquisition Rules or (b) Surplus land received from the State Government, or, (c) The Land Acquisition/Land Pooling Scheme, or,

		(d) Procurement/purchase of land/ purchase of land through negotiation, from any private person/agency/company, private or public, as prescribed by rules. (2) The Local Development Authority shall have the power to dispose of/transfer any land of its land bank to the State Authority/any Local Development Authority/ Company/ Agency/ Person, Private or Public, in such manner and subject to the terms and conditions as it considers expedient"
Amendment of Section 18	10.	In sub section (6) of section 18 of Principal Act, for the words "an appeal to the District Judge" the words "a revision before the State Authority" shall be substituted.
Amendment of Section 55	11.	In section 55 of the Principal Act – (a) in sub-section (1), the words "or State Authority" shall be omitted. (b) clause (c) of sub-section (2) shall be renumbered as clause (g), and the following clauses shall be inserted; after clause (b), namely: - "(c) the manner for implementation of 'Land Pooling Scheme' by the State Authority and /or Local Development Authority under Section 9-A; (d) the manner for implementation of 'Town Planning Scheme' by the State Authority and /or Local Development Authority under Section 9-A; (e) the levy of development charges in the development areas and in the influence areas; (f) the manner for procurement/ purchase of land through negotiation, from any private person(s) /agency/company, private or public by the State Authority and/or Local Development Authority;"
Amendment of Section 59	12.	In clause (a) of sub-section (1) of section 59 of the Principal Act after the words and bracket "Special Avas Evam Vikas Parishad Schemes)" the words "the Uttar Pradesh Area Development Act, 1976, the Uttarakhand Special Area (Planned Development and Promotion of Tourism) Act, 2013, clause (A) of sub-section 2 of Section 106, sections 106 (d), 106 (e), 106 (f), 106 (g), 106 (h), 106 (i), 106 (j) and 106 (k) of Uttarakhand Panchayati Raj Act, 2016" shall be inserted.

By Order,

DHANANJAY CHATURVEDI,

Principal Secretary.

Statement of objectives and reasons

Keeping in the view the trend of urbanization due to the ever-increasing population the State Government is taking serious actions in the directions to give the concrete shape to the concept of planned development. Development Authorities has been constituted in every district of the State to ensure the planned development. In the process of the planned development, it is inevitable to establish better coordination between authority and the general public and for the inclusive development it is necessary too. Keeping the public interest paramount, it is proposed to introduce a bill establishing the balance between convenience and interests of the general public, establishing the process of Town Planning Scheme and Land Pooling Scheme for well planned development, making authorities stronger and more active by establishing a land bank.

2. The proposed Bill fulfills the above objectives.

Prem Chand Agarwal
Minister