



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**.

