

The U.P. Avas Evam Vikas Parishad (Raising of Loans) Rules 1972

UTTAR PRADESH

India

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Rule

THE-U-P-AVAS-EVAM-VIKAS-PARISHAD-RAISING-OF-LOANS-RULES of 1972

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The U.P. Avas Evam Vikas Parishad (Raising of Loans) Rules 1972Vide Notification No. 1404/XXXVII-2-28 (HB)-65. dated 11th March, 1972, published in U.P. Gazette, Extraordinary, dated 11th March, 1972, pp. 11-19.

072.

In exercise of the powers under clauses (v), (w) and (y) of sub-section (2) of section 94, read sub-section (3) of section 58 and sections 59 and 60 of the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965 (U.P. Act No. I of 1966) the Governor is pleased to make the following rules regarding raising of loans by the Board.

1. Short title and commencement.

(1)These rules may be called the U.P. Avas Evam Vikas Parishad (Rising of Loans) Rules, 1972.(2)They shall come into force with effect from the date of their publication in the Gazette.

2. Definitions.

- In these rules unless there is anything repugnant in the subject or context,(a)'Act' means the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965, as amended from time to time.(b)'Board' means the Uttar Pradesh Avas Evam Vikas Parishad established under the Act.

3. Powers of the Board to raise loans.

(1)The Board may, in pursuance of a resolution passed by it and subject to the provision of section 31 of the Reserve Bank of India Act, 1934, from time to time, raise a loan, by the issue of debentures or otherwise on the security of any immovable property vested in the Board or proposed to be acquired by it under the Act or of all or any of the duties, fees and dues authorised by or under the Act, of any sum of money which may be required -(a)for acquiring any land which it has power to acquire;(b)for erecting any building which it has power to erect;(c)for the execution of any permanent work, the provision of any plant, or the doing of any other thing which it has power to execute, provide or do if the cost of carrying out the purpose in question ought to be spared over a term of years;(d)to pay off any debt due to the State Government;(e)to repay a loan previously raised under the Act;(f)for any other purpose for which the Board is, by virtue of the Act, authorised to borrow:Provided that no loan shall be raised unless the State Government has approved the purpose and amount of the loan, the rate of interests and other terms thereof including the date of flotation and the period and method of repayment.(2)When any sum of money has been borrowed under sub-rule (1) -(a)no portion thereof shall without the previous sanction of the State Government be applied to any purpose other than that for which it was borrowed; and(b)no portion of any sum of money borrowed for any of the purposes referred to in clause (c) of sub-rule (1) shall be applied to the payment of salaries and allowances to any officers or servants of the Board other than those exclusively employed in connection with the carrying out of that purpose.(3)The debentures shall be of one hundred rupees or in such multiples of one hundred rupees as may be determined by the Board.

4. Time for repayment of money borrowed under Rule 3.

- The time for repayment of any money borrowed under rule 3 shall in no case exceed thirty years and the time for repayment of any money borrowed for the purpose of discharging any previous loan shall not, except with the express sanction of the State Government extend beyond the unexpired portion of the period for which such previous loan was sanctioned.

5. Borrowing in credit from bank or corporation by the Board.

- Whenever the borrowing of any sum of money has been approved by the State Government under sub-section (3) of section 58 of the Act, the Board may instead of borrowing such sum or any part thereof from the public, take credit from any bank or any Corporation owned or controlled by the Central Or State Government on a cash account to be kept in the name of the Board to the extent of such sum or part thereof, and may with the previous sanction of the State Government grant mortgages of all or any of the properties vested in the Board by way of security for such credit.

6. Limit or borrowing Powers.

- The maximum amount of loan which the Board may raise shall not exceed such amount as may be fixed by the State Government in this behalf from time to time.

7. Financial arrangement with any bank or other financial institutions.

(1) Notwithstanding anything contained in rule 3 the Board may in pursuance of a resolution passed by it and with the previous approval of the State Government enter into financial arrangement with any bank or other Financial institution approved by the State Government or with the Life Insurance Corporation of India established under section 3 of the Life Insurance Corporation Act, 1956, for the promotion and execution of any housing or improvement scheme under the Act. (2) The conditions and limitations subject to which the Board shall enter into financial arrangement under sub-rule (1) shall be such as may be determined by the State Government at the time of granting of approval.

8. Repayment of loans.

- Every loan raised by the Board shall be repaid in the stipulated manner within the time approved therefor.

9. Debentures.

- Whenever the borrowing of any sum of money has been approved by the State Government by the issue of debentures, the Board shall issue debentures of such amount as may be fixed by the State Government within the limit under rule 6.

10. Form, signature, exchange, transfer and effect of debentures.

(1) Whenever money is borrowed by the Board on debentures the debentures shall be in Form A appended to these rules. (2) All debentures shall be signed by the Adhyaksh and either by the Housing Commissioner or by any one of the ex officio members of the Board. (3) Every debenture issued by them Board shall be transferable by endorsement. (4) All coupons attached to debentures issued under the Act shall bear the signature of the Adhyaksh, and such signature may be engraved lithographed or impressed by any mechanical process. (5) The right to payment of the moneys secured by any of such debentures and to sue in respect thereof shall vest in the holder for the time being without any preference by reason of some such debentures being prior in date to others.

11. Registration and transfer of debentures.

(1) The Board may for maintaining a register of debentures appoint an officer on such terms as it may determine, who shall be called the Registrar of Debentures, hereinafter referred to as the Registrar. (2) The Registrar shall maintain a register relating to debentures containing the name, address and occupation of each holder of debenture, the amount, the period and the date of redemption. Such register shall, at all reasonable time during office hours, be open to inspection of the registered holder thereof or his legal representative or any person authorised in writing by him in this behalf. (3) Every transfer of debentures shall be in writing under the hand of the registered holder thereof or his legal representative. The instrument of transfer shall be delivered at the Board

Office duly stamped and such evidence of identity or title shall be given as the Housing Commissioner may require and thereupon the transfer shall be registered and note of such registration endorsed thereon.(4)Except as otherwise provided by the condition on which any debenture is issued, the Registrar shall be entitled to charge a fee not exceeding Rs. 3, as the Board may from time to time specify, in respect of the registration of each one of the following:(a)any transfer,(b)probate of will of latters of administration,(c)change of name,(d)power of attorney,(e)order of Court, and(f)any other document affecting the registration of a debenture.If any such registration affects more than one class of debentures, a separate fee may be charged in respect of each class.

12. Debentures issued to two or more persons jointly.

(1)Notwithstanding anything contained in section 45 of the India Contract Act, 1872, where any debenture or security issued under the Act is payable to two or more persons jointly and either or any of them dies, the debenture or security shall be payable to the survivor or survivors of such persons:Provided that nothing in this sub-rule shall affect any claim by the legal representative of a deceased person against such survivor or survivors.(2)When two or more persons are joint-holders of any debenture or security issued under the Act, any one of such persons may give an effectual receipt for interest or dividend payable in respect of such debenture or security unless notice to the contrary has been given to the Board by any other of such persons.

13. Receipt by joint-holder for interest or dividend.

- Where two or more persons are joint-holders of any debenture or security issued or granted under the Act, any payment made to any one of such person therein of any dividend or interest payable in respect of such debenture or security shall be a full discharge of the liability of the Board in respect of such dividend or interest.

14. Issue of duplicate debentures.

(1)When a debenture issued under the Act is lost, stolen or destroyed either wholly or in part or has been defaced or mutilated and a person claims to be the person to whom but for the loss, theft, destruction, defacement or mutilation it would be payable, he may, on application to the Housing Commissioner and on producing proof of his satisfaction of the loss, theft, destruction, defacement or mutilation and of the justice of the claim, obtain from him order -(a)if the debenture alleged to have been lost, stolen, destroyed, defaced or mutilated is payable more than six years after the date of publication of the notification referred to in sub-rule (2) -(i)for the payment of interest in respect of the debenture pending the issue of a duplicate debenture; and(ii)for the issue of a duplicate debenture payable to the applicant; or(b)if the debenture alleged to have been lost, stolen, destroyed, defaced or mutilated is payable not more than six years after the date of publication of the notification referred to in sub-rule (2);(i)for the payment of interest in respect of the debenture, without the issue of a duplicate debentures, and(ii)for the payment to the applicant of the principal sum due in respect of the debenture on or after date on which the payment becomes due.(2)An order shall not be passed under sub-rule (1) until after the issue of a notification of the loss, theft,

destruction, defacement or mutilation of the debenture in the Gazette and at least in one local newspaper having wide publicity and after the expiration of a period of one month from the date of publication of the notification in the Gazette nor until the applicant has given such indemnity as may be required by the Board against the claims of all persons deriving title under the debenture lost, stolen, destroyed, defaced or mutilated. The applicant shall bear the cost of publication in the newspaper.(3)A list of the debentures in respect of which an order is passed under sub-rule (1) shall be published in the Gazette.(4)If at any time before the Board becomes discharged under the provisions of rule 17 from liability in respect of any debenture the whole of which is alleged to have been lost, stolen, destroyed, defaced or mutilated, such debenture is found, any order passed in respect thereof under this rule shall be cancelled but subject to any payment of principal or interest already made.

15. Renewal of debentures.

(1)A person claiming to be entitled to a debenture issued under the Act, may on making application to the Housing Commissioner and on satisfying him of the justice of his claim and delivering the Debenture receipted in such manner and after paying such fee as may be determined by the Board from time to time obtain a renewed debenture payable to the person making the application.(2)Where there is a dispute as to the title to a debenture in respect of which an application of renewal has been made, the Housing Commissioner may -(a)where any party to the dispute has obtained a final decision from a Court of competent jurisdiction declaring him to be entitled to such debenture, issue a renewed debenture in favour of such party;(b)refuse to renew the debenture until such decision has been obtained; or(c)after such inquiry as is hereinafter provided and on consideration of the result thereof declare by order in writing which of the parties is in his opinion entitled to such debenture and may, after the expiration of three months from the date of such declaration, issue a renewed debenture in favour of such party in accordance with the provisions of sub-rule (1) unless within that period he has received notice that proceedings have been instituted by any person in a Court of competent jurisdiction for the purpose of establishing a title to such debenture.Explanation. - For the purposes of this sub-rule the expression "final decision" means a decision which is not appealable or a decision which no appeal has been filed within the period of limitation allowed by law.(3)For the purposes of the inquiry referred to in sub-rule (2) the Housing Commissioner may himself record or may request the District Magistrate to record or to have recorded by any Magistrate subordinate to him the whole or any part of such evidence as the parties may produce. The Magistrate who records the evidence shall forward the record or such evidence to the Housing Commissioner.(4)The Housing Commissioner or any Magistrate acting under this rule may, if he thinks fit, record evidence on oath.

16. Liability in respect of debenture renewed.

(1)Where a renewed debenture has been issued under rule 15 in favour of any person, the debenture so issued shall be deemed to constitute a new contract between the Board and such person and all persons deriving title thereafter through him.(2)No such renewal shall effect the rights as against the Board of any other persons to the debenture so renewed.

17. Discharge in certain cases.

(1)When a duplicate debenture has been issued under rule 14 or when a renewed debenture has been issued under rule 15 or when the principal sum due on a debenture in respect of which an order has been made under rule 14 for the payment of the principal sum without the issue of a duplicate debenture has been paid on or after the date on which such payment become due the Board shall be discharged from all liabilities in respect of the debenture in place of which duplicate or renewed debenture has been so issued or in respect of which such payment has been made, as the case may be -(a)in the case of a duplicate debenture, after the lapse of six years from the date of the publication of the notification referred to in sub-rule (3) of rule 14 or from the date of the last payment of interest on the original debenture, whichever date is later;(b)in the case of a renewed debenture after the lapse of sue years from the date of issue thereof; and(c)in the case of payment of the principal sum without issue of a duplicate debenture, after the lapse of six years from the date of the publication of the notification referred to in sub-rule (2) of rule 14.(2)The principal money and interest secured by a debenture shall be paid without regard to any equities between the Board and the original or any intermediate holder, or any set off or cross- claim, and the receipt of the registered holder for such principal money and interest shall be a good discharge to the Board for the same.(3)The Housing Commissioner may at any time give notice in writing to the registered holder of a debenture his executors or administrators, of the Board's intention to pay off the debenture, and upon the expiration of one month from such notice being given the principal money secured alongwith interest if any due, shall become payable.

18. Indemnity.

- Notwithstanding anything in rule 15 the Housing Commissioner may in any case arising thereunder -(1)issue a renewed debenture upon receiving such indemnity in favour of the Board and the Housing Commissioner as he may think fit against the claim of all persons claiming under the original debenture, or(2)refuse to issue a renewed debenture unless such indemnity is given.

19. Printing of debentures.

(1)Arrangement for the printing of debenture shall be made by the Board in consultation with the State Government.(2)The debentures shall be issued in Form 'A' appended to these rules. The Board shall make its own arrangement for the supply of paper required for printing its debenture forms.Note. - The paper used should have a special and distinctive water mark and be of a tough and durable character and all precautions shall be taken regarding security in the numbering of debentures.

20. Establishment, maintenance and application of sinking fund.

(1)Whenever a loan has to be repaid from a sinking fund the Board shall establish such a fund and shall pay into it every year until the loan is repaid a sum so calculated that if regularly paid throughout the period agreed upon by the Board it would with accumulations in the way of

compound interest, be sufficient, after payment of all expenses to pay of the loan at the end of that period.(2)The rate of interest on the basis of which the sum referred to in sub-rule (1) shall be calculated shall be such as may be determined by the State Government.(3)The Board may apply the sinking fund or any part thereof in or towards the discharge of the loan for which such fund is established and until such loan or part is wholly discharged, shall not apply the same for any other purpose provided that any loan or part thereof has been consolidated under rule 24 the Housing Commissioner shall transfer to the sinking fund of the consolidated loan such parts of the sinking funds of the original loans as may be proportionate to the amount of the original loans incorporated in the consolidated loan.

21. Power to discontinue payment into sinking fund.

- Notwithstanding anything contained in rule 20 if at any time the sum standing at credit of the sinking fund established for repayment of any loan is of such amount that if allowed to accumulate at the rate of interest determined under sub-rule (2) of rule 20 it will be sufficient to repay the loan at the end of the period agreed upon by the Board, then the Board may discontinue further annual payment into such fund.

22. Investment of Sinking Fund.

(1)All money paid into any sinking fund shall, as soon as possible, be invested by the Board in -(a)Government Securities; or(b)Securities guaranteed by the Central or State Government in the joint names of the Accountant General, U.P. and the Housing Commissioner to be held by them in trust for the repayment of the loan for which the sinking fund Was established.(2)All dividends, interest and other sums received in respect of any such investment shall, as soon as possible, after receipt, be paid into the appropriate sinking fund and invested in the manner prescribed under sub-rule (1).(3)Money standing to the credit of two or more sinking funds may, at the discretion of the Board be invested in a common fund and it shall not be necessary for the Board to allocate the securities held in such investments among the several sinking funds.(4)Any investment made under this rule may from time to time, subject to the provisions of sub-rule (1), be varied or transposed.

23. Annual examination of sinking funds.

(1)All sinking funds established or maintained under the Act shall be subject to annual examination by the Accountant General, U.P. who shall ascertain whether the cash and the value of the securities belonging thereto are actually equal to the amount which should be at the credit of such funds and investments been regularly made and had the rate of interest as originally estimated been obtained therefrom.(2)The amount which should be at the credit of a sinking fund shall be calculated on the basis of the present value of all future payment required to be made to such fund under the provisions of these rules on the assumption that all investments are regularly made and the rate of interest as originally estimated is obtained therefrom.(3)The securities belonging to sinking fund shall valued for the purposes of this rule at their current market value, except in the case of debentures issued under the Act which shall be valued at par, provided that the Board shall make good immediately any loss which may accrue on the actual sale of such debenture at the time of

repayment of the loan.(4)The Board shall forthwith pay into any sinking fund any amount which the Accountant General, U.P. may certify to be deficient, unless the State Government. specially sanctions a gradual readjustment.(5)If the cash and the value of the securities at the credit of any sinking fund are in excess of the amount which should be at its credit, the Accountant General, U.P. shall certify the amount of such excess sum and the Board may thereupon transfer the excess sum to the Board Funds.(6)If any dispute arises to the accuracy of any certificate made by the .Accountant General, U.P. under sub-rule (4) or (5) the Board may, after making the payment of transfer, refer the matter to the State Government whose decision shall be final.(7)The Accountant General, U.P. shall send his report to the Board in the following form as early as possible after the annual examination has been completed and in any case within two months after the date of examination:"Certified that the cash and value of the securities belonging to the following sinking funds are actually equal to the amount which should be at the credit of such funds."(8)Where the Accountant General, U.P. finds that the amount in any sinking fund is deficient, he shall give a certificate in the following Form:"Certified that the sinking funds relating to the loans noted below were deficient by the amount given against each."(9)Where the Accountant General, U.P. finds that the cash and the value of the securities at the credit of the sinking fund are in excess of the amount which should be at its credit he shall give a certificate in the following Form:"Certified that the sinking funds relating to the loan noted below were in excess by the amount given against each."

24. Power of Board to consolidate loans.

(1)Notwithstanding anything to the contrary contained in these rules, the Board may consolidate all or any of its loans and for that purpose may invite tenders for a new loan (to be called. "U.P. Avas Evam Vikas Parishad Consolidated Loan, 19...") and invite holders of the Board's debentures to exchange their debentures scrips of such loans.(2)The terms of any such consolidated loan and the form of its scrip and the rates at which exchange into such consolidated loan shall be subject to prior approval of the State Government.(3)The period for extending any such consolidated loan shall not, without the sanction of the State Government extend beyond the farthest date within which any of the loans to be consolidated would otherwise be repayable.(4)The Board shall provide for the repayment of any such consolidated loan by a sinking fund in the manner laid down in rule 20.

25. Priority of payments for interest and repayment.

- All payments due from the Board for interest on a repayment of Government and other loans shall be made in priority to all other payments due from the Board.

26. Attachment of Boards fund in default of repayment of loans.

(1)If any money borrowed by the Board or any interest or costs due in respect thereof are not repaid according to the conditions of the loan, the State Government, if it has itself given the loan, may after considering the explanation of the Board, if any, and in other cases shall, on the application of the tender, attach the Board fund or a portion of the Board fund.(2)After such attachment no person except an officer appointed in this behalf by the State Government shall in way deal with the attached fund or portion thereof. Such officer may do all acts in respect thereof which any authority,

officer or servant' might have done if such attachment had not taken place and may apply the proceeds in satisfaction of the arrears and of all interests and cost due in respect thereof and of all expenses caused by the attachment and subsequent proceedings. Provided that no such attachment shall defeat or prejudice any debt for which the fund or portion thereof attached was previously pledged in accordance with law, and all such prior charges shall be paid out of the proceeds of the fund Or portion thereof before any part of the proceeds is applied to the satisfaction of the liability in respect of which such attachment is made.

27. Manner of attachment of Board's fund.

- The attachment of funds under rule 26 shall be made by the State Government in the following manner: (a) The State Government shall issue a notice to the Board prohibiting the collection or management of such funds and vesting the administration thereof in such officer as they appoint. The State Government shall cause such notice to be published in the Gazette and in such other manner as it may deem fit within the area in which the Act is in force. (b) The officer appointed by the State Government shall pay the moneys collected or received to the lender or in the case of a Government loan to the Government Treasury. The said officer shall prepare accounts of money so collected and of the cost of collection. He shall deliver a copy of the Accounts to the Board and shall also cause a copy to be published in the Official Gazette.

28. Annual statement by trustees.

- The two trustees referred to in rule 22 shall at the end of every year submit to the State Government and the Board a Statement showing - (a) the amount which has been invested during the year under rule 22; (b) the date of the last investment made previous to the transmission of the statement; (c) the aggregate amount of the securities held by them; (d) the aggregate amount which has, up to the date of the statement, been applied under sub-rule (3) of rule 20 or towards repaying loans; and (e) the aggregate amount already paid into each sinking fund. (2) Every such statement shall be laid before the Board and published in the Gazette.

29. Procedure for obtaining sanction of the State Government under rule 3.

(1) Whenever the Board resolves to raise a loan under rule 3 the proposal with regard to the same shall be submitted with the following particulars to the State Government for approval: (i) the purpose of the loan in case the loan is required for the execution of any work, the copies of duly approved schemes of projects, the firm estimated cost of the scheme or project, the other sources to meet the cost and its anticipated financial return shall also be included; (ii) the amount proposed to be borrowed; (iii) the security proposed to be offered for raising the loan; (iv) the date or dates on which the loan as a whole or instalments thereof are to be received; (v) the rate of interest of the loan; (vi) the period of loan and the method of its repayment; (vii) the manner in which the loan is to be raised, that is to say, whether by issue of debentures or from the open market or Banks; (viii) the statement of cash assets and liabilities on March 31, of the previous three closed years duly certified as correct by the Accountant General, U.P.; (ix) a copy of the accounts of the Board for the previous three years as certified by the Accountant General, U.P., under sub-section (4) of section 63 of the

Act together with the annual audit report thereon;(x)a copy of the annual statement prepared by trustees under rule 23 and published in the Gazette,(xi)A statement showing -(a)the loans borrowed in previous years for which the Board is liable and which have not been completely repaid before the commencement of the year, with particulars of the amount outstanding at the commencement of the year, the date of borrowing and the annual loan charges;(b)the loans obtained by the Board in the year with particulars as to the amount and the date of borrowing and the annual loan charges;(c)in the case of every loan for which sinking fund is maintained the amount of accumulation in the sinking fund at the close of the year showing separately the amount to the credit of the fund in the year;(d)the loans repaid in the year and, in the case of the loans repaid in instalments or by the annual drawings, the amounts repaid in the year, and the balance due at the close of the year;(e)the particulars of securities in which the sinking funds have been invested of reserved therefor.(2)Wherever it appears to the State Government that the Board should raise a loan it may cause the proposal to be published in Gazette and in such other manner as it any deemed fit for inviting suggestions and objections.(3)The cost of publicity done or advertisements published under sub-rule (2) shall be paid by the Board.

30. Register of sinking fund.

- Where a sinking fund has been established under rule 20 a register of sinking fund shall be maintained in Form 'B' appended to these rules and separate pages shall be allotted for each loans.FORM A(See Rule 10)The U.P. Avas Evam Vikas ParishadIssue of.....Debentures of Rs.....each numbered to bearing interest at Rs.....percent per annum payable on the.....day of.....and the.....day of in each year.The issue is made pursuant to the provisions of the U.P. Avas Evam Vikas Parishad Adhiniyam, 1965 (Act I of 1965) and the rules made by the State Government under section 59 read with section 94 (2) (w) of the said Act published in Official Gazette on the.....day of.....DebentureNo.....Rs.....

1. The Avas Evam Vikas Parishad Incorporated under the U.P. Avas Evam Vikas Parishad Adhiniyam, 1965, will on the.....day of..... pay to.....or other the registered holder thereof (hereinafter called the debenture-holder which expression shall where the context so admits include his personal representatives) the sum of Rs.....

2. The Avas Evam Vikas Parishad will until payment of the said sum of Rs..... pay to the debenture-holder interest thereon at the rate of Rsper cent per annum by equal half yearly payments on the.....day of.....and the.....day of.....in each year, the first payment to be made on the..... day of...next and to be calculated from the.....day of.....

Interest	Payment At Rs.	Per Half Yearly	Transferred
Ending 19.....	Adhyaksh	Transferred To	This Day Of
Ending 19.....	Adhyaksh	by	
Ending 19.....	Adhyaksh	Transferred To	This Day of.....
Ending 19.....	Adhyaksh	by	

Date	Serial No. of installment	receipts	Interest received on investment	Total current	Progressive	Signature of Housing Commissioner	Investment made	Market value	Signature of Housing Commissioner
			Page No. of investment register	Current	progress	Deficit	Excess		
Voucher No.	Amount	Cost	Nominal value	Cost	Nominal value				
1	2	3	4	5	6	7	8	9	10

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October 25, 1969, p. 4509. In exercise of the powers under sub-section (3) of Section 1 of the U.P. Avas Evam Vikas Parishad Adhiniyam, 1965 (U.P. Act I of 1966) the Governor is pleased to appoint the twentieth day of October, 1969 as the date on which the said Adhiniyam shall come into force in the following areas: (1) Such of the areas of Kanpur, Agra, Varanasi, Allahabad and Lucknow as are declared as regulated areas under sub-section (1) of Section (3) of the U.P. (Regulation of Building Operations) Act, 1958 (Act No. XXXIV of 1958) but not falling in the limits of the above mentioned cities declared as such, under Section 3 of the U.P. Nagar Mahapalika Adhiniyam, 1959. (2) Area lying within the periphery of 5 kilometres beyond the municipal limits of Almora. Following Regulation was framed under section 95 (1) (n) of U.P. Avas Evam Vikas Parishad Adhiniyam, 1965: