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GUIDELINES
FOR
THE IMPLEMENTATION
OF
SLUM REHABILITATION SCHEMES
IN GREATER MUMBAI

1997

**Slum Rehabilitation Authority
Housing & Special Assistance Department
Government of Maharashtra**



Housing and Special Assistance Department,
Mantralaya, Mumbai 400032
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Secretary

FOREWORD

The National Housing Policy has clearly identified that the Government will strive to create an enabling environment to assist all people, particularly those who are shelterless or vulnerable to secure for themselves affordable shelter. In this changing scenario, where the Government would increasingly play the role of facilitator rather than provider, a need has been felt for policies to be re-oriented to take on the increased challenges.

A major challenge is the rehabilitation of slum dwellers in Mumbai. One of the promises given in the "Wachan Nama" charter of commitments of the ruling Shiv-Sena- BJP alliance in Maharashtra is the promise of providing free houses to 40 lakh hutment dwellers in Greater Mumbai.

The "Slum Rehabilitation Authority" has been constituted with the mandate to translate this vision into reality. This booklet of Guidelines for the implementation of Slum Rehabilitation Schemes in Greater Mumbai incorporates updated information on policy and procedures governing Slum Rehabilitation Schemes.

We are sure that the booklet will prove useful to entrepreneurs, developers, NGOs, bankers and the slum dwellers. We look forward to suggestions for making this publication more useful.


(V P RAJA)

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I. THE GENESIS

Mumbai, the State Capital of Maharashtra, has often been referred to as the Financial Capital of India. The citylights have offered not merely glamour, entertainment, but also wages, and much higher level of assurance of employment, not confined only to the head of the household. Over the years, it naturally has attracted a large number of people from rural and other areas, leading to large scale migration into the mega city. Needless to say that the push factors from rural areas namely drought, flood, landlessness, unemployment, caste-class violence, etc. have also largely contributed to this influx. Its area of 437 sq. km., therefore, now houses a population of around 11 million people. The pace of urbanisation has left far behind the efforts and initiative of planners, local bodies, housing authorities and formal real estate developers in providing affordable housing to a large number of its residents. As long as shelter is not affordable keeping in view the wages paid in the city, literally there is no alternative except the growth of slums, or rather squatter settlements. Today, as a result, over 50% of its residents spread over around 2500 settlements live in unhygienic, deplorable, unsafe huts or shanties called slums; sometimes termed as the low cost, affordable, self-help housing solution innovatively found by the people themselves. These slums have come up on private lands (50%), State Government lands (25%), Municipal Corporation lands (20%), Central Government lands and Housing Board lands (5%). These slum pockets, spread throughout Greater Mumbai, occupy prime real estate, have developed infrastructure in the neighbourhoods and are usually located adjacent to developed housing colonies and industries.

The Governments initial response up to the early 1970s was treating such settlements as illegal and resorting to demolition and clearance. The administration did not bother to see what happened after the slum clearance operation. In general, since their employment and social network compelled them to do so, the squatters simply moved on within the city to another place nearby, or in the most cases rebuilt the hutments in the same place soon thereafter. The demolition efforts not only proved unsuccessful but the fact that the citizens who had become an integral part of the city were being dishoused, was unequivocally termed "inhuman."

The second phase of response was to tolerate the slum structures as a housing solution and provide civic amenities to the slum-dwellers as environmental improvement works. An Act called the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 was passed and improvement works were defined therein. A census of hutments was also carried out in February, 1976 and identity cards were issued to slum families. It was accepted that when slums are to be removed for public purposes, these slums have to be relocated elsewhere. The scheme of taking up environmental improvement works in the slums still continues.

In the next phase that started during the mid-80s, there was a paradigm shift in the Government stand. A programme called slum upgradation was implemented with World Bank assistance. In this programme, the slum land was to be given on long lease of 30 years to the

co-operative society of slum-dwellers at a nominal lease rent. Government also provided upgraded civic amenities and soft loans to the slum-dwellers for renovation of their individual structures on as is where is basis. The land tenure gave the slum-dwellers the much needed sense of security but did not noticeably improve the living conditions and the hygiene of their settlements. Because of the high density of such settlements, upgradation on as is where is basis proved to be difficult. Moreover, the scheme could only be implemented on slums situated on State Government, Municipal Corporation and Housing Board lands which did not have a non-conforming reservation like playground, recreational ground, school, hospital, etc.

In the current phase, the Government of Maharashtra has launched a comprehensive slum rehabilitation scheme by introducing an innovative concept of using land as a resource and allowing incentive floor space index (FSI) in the form of tenements for sale in the open market, for cross-subsidisation of the slum rehabilitation tenements which are to be provided free to the slum-dwellers. Through necessary statutory amendments, the Government has established Slum Rehabilitation Authority (SRA) to serve as a planning authority for all slum areas in Greater Mumbai and to facilitate the slum rehabilitation schemes.

A high powered study group, popularly called the Afzulpurkar Committee, which recommended the slum rehabilitation scheme to the Government, has estimated that in around 80% of the slum settlements, in-situ rehabilitation should be feasible. The study group while recommending the scheme has stated as follows:

"The slums and hutment dwellers of unauthorised structures form an integral part of this vibrant metropolis. All of them undoubtedly have a share in the growth, status and prosperity of this great city. They have had and continue to have a share in building up and maintaining the commercial, industrial and economic importance of Brihan Mumbai. A large percentage of them belong to the scheduled castes and scheduled tribes. We cannot be oblivious of the fact that slum-dwellers have not willingly chosen their shanty structures and unhygienic environment but have been driven to this option due to compelling circumstances as they were thrown out of the formal housing sector, the latter being unaffordable and much beyond their income levels. It is imperative to enhance their standard of living and for which an authorised dwelling unit is a first step in the right direction. This, in turn, will bring about a marked improvement in their hygiene and health as well as raise the level in public hygiene which has fallen to very low ebb. For lifting them from their present levels, cross-subsidisation of the cost of their dwelling units and allotting them free of charge, though not supported by housing philosophy, had become a necessity and a cure in the given situation. The slum-dwellers deserve this preferential-probably unequal treatment to bring them into the mainstream of social, cultural and economic fabric of this pulsating City. As someone aptly put " if inequality has to be removed, there have to be unequal laws". " The study group has relied heavily on this philosophy."

II. THE CONSTITUTION, FUNCTION AND DUTIES OF SRA

The Government of Maharashtra accepted the recommendations made by the Afzulpurkar Committee, in the December Session of State Legislative Assembly in 1995 and amended the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 to provide for the creation of Slum Rehabilitation Authority (SRA) with a Chairperson, a Chief Executive Officer and fourteen other members. SRA was created by the Government Notification dated 16th December 1995 to function with effect from 25th December 1995.

The Chief Minister of Maharashtra is the Chairperson of SRA and a super time scale IAS Officer is full-time Chief Executive Officer of the Authority. The fourteen other members include Ministers, elected member of the State Legislature. Secretaries of the concerned State Government Departments and some non-official members who are experts in the field of Building Construction, Planning, Architecture, Social Services, etc. The full composition of the Authority as on today is as given below:

- 1) Shri Manohar Joshi, Chief Minister, Chairperson
- 2) Shri Sureshdada Jain, Housing Minister, Member.
- 3) Shri Ravindra Mane, Minister of State (UDD), Member.
- 4) Shri Raj Purohit, Minister of State (Housing), Member.
- 5) Shri Abhiram Singh, MLA, Member.
- 6) Shri P. Subrahmanyam, Chief Secretary, Member.
- 7) Shri K. Nalinakshan, Principal Secretary (UDD), Member.
- 8) Shri Ajit Warty, Principal Secretary (R & FD), Member.
- 9) Shri Girish Gokhale, Municipal Commissioner, MCGB, Member.
- 10) Shri V.P Raja, Secretary (H & SAD), Member.
- 11) Shri B.G More, Principal Secretary (L & JD) (Retired), Member.
- 12) Shri Shashi Prabhu, Architect, Member.
- 13) Shrimati Sheela Patel, Social Activist, Member.
- 14) Shri Shirish Patel, R.C.C Consultant, Member.
- 15) Shri Deepak Satawalekar, MD, HDFC, Member.
- 16) Shri Gautam Chatterjee, Chief Executive Officer.

SRA's Responsibilities

The powers, duties, and functions of the Slum Rehabilitation Authority are-

- a) to survey and review existing position regarding Slum areas in greater Mumbai.
- b) to formulate schemes for rehabilitation of slum areas.
- c) to get the slum rehabilitation scheme implemented.
- d) to do all such other acts and things as may be necessary for achieving the objective of rehabilitation of slums.

SRA as a Planning Authority

Slum Rehabilitation Authority has been given a status of corporate entity with effect from 3rd January 1997. It is an independent autonomous body.

By amendment carried out to the Maharashtra Regional & Town Planning (MR & TP) Act 1966, SRA has been declared as a planning authority, to function as a local authority for the area under its jurisdiction.

The Chief Executive Officer, SRA has been delegated the powers exercisable under sections 44, 45, 46, 51, 53, 54, 55, 56, 135, and 136 of the MR & TP Act, 1966 by the State Government by its notifications UDD No. TPV 4396 / 492 / CR -105 / UD-11, dated 13th September 1996.

By an amendment to the MR & TP Act 1966, SRA has been empowered under section 37 (1-B) to prepare and submit proposals for modification to the Development Plan of Greater Mumbai.

Jurisdiction of SRA

As per the parameters given under the slum rehabilitation scheme, SRA can declare any area as slum rehabilitation area for the rehabilitation of slums and in certain cases slum areas become slum rehabilitation area by means of deeming provisions. All such slum rehabilitation areas where slum rehabilitation schemes are proposed and being implemented, come under the jurisdiction of SRA.

Slum Rehabilitation Scheme

SRA as required under Sect. 3B of Slum Areas (Improvement Clearance & Redevelopment) Act, 1971 has already prepared a general slum rehabilitation scheme. The same was published for calling objections and suggestions from the general public. After hearing the objections/suggestions, the slum rehabilitation scheme is now under finalisation by SRA.

Development Control Regulation (DCR) No.33(10)

To implement the slum rehabilitation scheme, certain modifications were required to be carried out in the Development Control Regulations for Greater Bombay -1991. Accordingly a notice was published and after hearing objections and suggestions, proposal was submitted to Government in Urban Development Department for certain modifications in DCR no.33(10), 33(13) & 33(14). Accordingly, after following all legal procedures, the same has been sanctioned by Government by its notification No.DCR -1095 /1209 / CR - 273 / 95 / UD -11 dated 15th October 1997. (Appendix - A)

SRA office and Its functioning

The office of SRA, headed by Chief Executive Officer, is located on the 5th floor of Grihanirman Bhavan, Bandra (East), Mumbai 400 051. Its functions are carried out through the following operating departments:

- 1) Planning & implementation.
- 2) Building permission and supervision.
- 3) Eligibility certification, eviction of non-participants and declaration of slum areas and slum rehabilitation areas.

- 4) Registration of co-operative housing societies.
- 5) Land management (Demarcation, sub-division of plots and leasing of slum lands)
- 6) Community Development.
- 7) Accounts and Finance.
- 8) General Administration.

Implementation of the Scheme

It is the endeavour of SRA to implement the slum rehabilitation schemes by providing a single window clearance for all types of approvals that are required for the project namely formation of co-operative societies, certification of eligibility of slum-dwellers, taking punitive action on non-participating slum-dwellers obstructing the scheme, survey and measurement on slum lands, grant of building permissions, leasing of rehabilitation plots and free-sale plots and updating of property cards (PR cards). The detailed procedures to be followed in respect of the slum rehabilitation schemes have been explained in the subsequent chapters.

III. THE SLUM REDEVELOPMENT SCHEME AND SLUM REHABILITATION SCHEME

The Government of Maharashtra in Urban Development Department sanctioned the Development Control Regulations (DCR) for Greater Mumbai under MR & TP Act, 1966 and the same have been made operative with effect from 25th March 1991. Under DCR no.33(10), redevelopment of slums through promoters like owners / developers / co-operative housing societies of slum-dwellers / non-governmental organisations (NGO) was made permissible for censused slums or such slums whose structures and inhabitant's name appeared in the electoral roll of 1985, with floor space index (FSI) up to 2.5.

There were further guidelines prepared enabling the promoters to earn a profit up to 25% and incentive FSI was being allowed with a cap of 2.5, to accommodate both rehabilitation and free sale components. The area of the rehabilitation tenement was 180 sq.ft. and the slum-dwellers were required to pay Rs. 15,000 to Rs. 18,000/- per tenement as their contribution. The remaining cost of the tenement was cross subsidised from the free sale area.

Thereafter, in order to make the scheme more transparent and pragmatic and to accommodate the slum dwellers whose names appeared in the electoral roll of 1st January 1995, a study group was formed under the Chairmanship of the Ex Chief Secretary Shri Dinesh Afzulpurkar and based on the recommendations of the study group, the Government in Urban Development Department, by their Notification No. DCR-1095 / 1209 / CR-273 / 1995 / UD-11 dated 27th August, 1996, published amendments to DCR No.33(10) that have since been made final with effect from 15th October, 1997.

The major differences between the earlier Slum Redevelopment (SRD) scheme and the current SRA scheme are shown in the Table given below:-

Sr. No.	SRD	SRA
1.	Objective Basically a redevelopment of slum.	Along with redevelopment of slum, also rehabilitation of slum-dwellers.
2.	Eligibility A slum dweller who is a photopass holder or whose name has appeared in the electoral roll of 1st January, 1985 was eligible for the scheme. Slum structure only was protected.	A slum dweller whose name is in the electoral roll of 1st January, 1995 or prior electoral roll and who is presently residing in the hut is eligible for the scheme. Both the structure and the slum-dwellers are protected.
3.	Rehabilitation Tenement Density No provision.	500 tenements per net hectare, additional tenements being used as tenements for Project Affected Persons (PAP)
4.	FSI. Maximum up to 2.5 subject to condition that profit does not exceed 25%	FSI is in the form of prescribed rehabilitation to sale ratios as under : Suburbs : 1:1 City : 1:0.75 Difficult area : 1:1.33 No restriction on profit & FSI. However, in-situ consumption of FSI restricted up to 2.5.
5.	TDR No TDR.	TDR is available against free sale component. (i) As spill over i.e. above 2.5 FSI. (ii) Due to physical or economic constraints, even below 2.5 FSI.
6.	Balwadi, Welfare Centre No provision.	1 Balwadi for 100 tenements. 1 Welfare Centre for 100 tenements.
7.	A self contained tenement of 180 to 225 sq.ft. carpet area at the cost of about Rs. 15000/- per slum dwellers.	A self contained tenement of 225 sq.ft. carpet area free of cost.
8.	Deposit & Infrastructural Charges No provision.	Rs. 20,000/- per rehabilitation tenement and Rs. 840/- per sq.m. on additional built up area as development charges (i.e. above permissible FSI of the zone.)
9.	Construction of Permanent Transit Tenements. No provision.	Additional FSI of 1.5 over and above permissible FSI of the zone on a vacant plot in suburbs subject to handing over 50% tenements to S.R.A.
10.	Provision of Clubbing of Two Different Schemes No provision.	Provision for clubbing two SRA schemes having the same rehabilitation to sale ratio.
11.	Approval The proposal was approved by SRD Committee.	The proposal is approved by CEO, SRA as a single window scheme as per transparent norms laid down by DCR No. 33(10).

Other Sallent features of final DCR 33(10) & 33(14)

- i) A provision is also made in the regulation for construction of transit accommodation, by sanctioning additional FSI on open lands to the owner/ developer so as to increase the availability of transit accommodation.
- ii) The commercial users in the slum who have document of proof to prove their existence as on 1st January, 1995 have been given protection and they are being offered existing area or 225 sq. ft. carpet area, whichever is less, free of charge. Any area in excess of 225 sq.ft to the extent of existing area may, if required, be sold on preferential basis at the rate of commercial area in the free-sale component.
- iii) The residential tenements, balwadis and welfare centres have to be of uniform sizes of 225 sq. ft. carpet area.
- iv) There is no limit on FSI to be permitted for the scheme as it depends on the number of slum dwellers to be accommodated on a given site. The Built-Up Area to be consumed on site is , however, restricted to 2.5. FSI. The remaining Built- Up Area can be taken as Transferable Development Rights (TDR).
- v) The entire sale Built-Up Area need not be constructed in-situ and full sale component or part thereof can be taken as TDR, if there are physical or economic constraints.
- vi) If the slum is spread on part or parts of C.S No. or CTS No. or S.No. it shall be treated as natural sub-division.
- vii) The clubbing of two slums in the same ratio zone is made permissible i.e. where ratio of rehabilitation sale is the same. Thus any non workable scheme in the northern limits of Greater Mumbai can be clubbed with workable scheme in the southern side of the slum under reference but in the same ratio zone.
- viii) The applicability of the infrastructural charge of Rs.840/- per sq.m. has been modified so that the same is now chargeable only on additional Built-Up Area over the permissible FSI of the zone. Suitable instalments have been given in respect of the amount to be paid to SRA upfront viz. Rs. 20,000/- per rehabilitation tenement as deposit and Rs.840/- per sq.m. as infrastructural charges.
- ix) Slum pockets on Municipal Corporation/MHADA lands, if found adjoining a non slum land, can be taken up for joint development under DCR 33(7) & 33(10).
- x) When slum situated on a reserved plot owned by a public authority and needed for vital public purpose is rehabilitated on an unencumbered plot by a developer, he will be entitled to get the benefit of TDR of slum rehabilitation and TDR for the plot which he surrenders.
- xi) Slum rehabilitation schemes can also be taken up of slums situated on lands falling under various reservations / zones in the Development Plan of Greater Mumbai as per Government Notification dated 3rd June, 1992. (Appendix B).
- i) The TDR generated from the slum rehabilitation schemes can be used

- (a) On any plot in the same ward in which TDR has originated, but not in Island City.
 - (b) On any plot towards the north of the plot but not in the Island City.
 - (c) In any zone without any restriction of zone from which it is generated
- However, it cannot be used on .*
- (i) Areas in the coastal regulation zone, no development zone, tourism development zone and areas where Mumbai Metropolitan Regional Development Authority is a Special Planning Authority.
 - (ii) On plots where slum rehabilitation scheme has been taken up or is possible.
 - (iii) Area where the permissible FSI is less than 1.00 except in 'M' Ward.
 - (iv) Heritage building and precincts notified under DCR No.67.
- xiii) **Conversion of SRD Scheme to SRA Scheme:-** DCR 33(10) has also provided for conversion of old SRD Scheme to new SRA scheme in clause 10.1. As per this provision, conversion is permissible provided full occupation certificate has not been given in the SRD scheme and conditions relating to payment of Rs.20,000 per rehabilitation tenement and Rs.840 per sq.m for the Built-Up area above the permissible FSI, is complied with.

IV. PROCEDURE FOR SUBMISSION, PROCESSING AND APPROVAL OF SLUM REHABILITATION SCHEMES

- 1 All slums and pavements whose inhabitants' names and structures appear in the electoral roll prepared with reference to 1st January, 1995 or a date prior thereto and who are actual occupants of the hutments are eligible for the slum rehabilitation scheme.
- 2 70% or more of the eligible hutment-dwellers in a slum or pavement in a viable stretch at one place have to show their willingness to join slum rehabilitation scheme and come together to form a co-operative housing society of all eligible hutment-dwellers through a resolution to that effect. The following resolution should be adopted :
 - (a) Resolution electing a chief promoter.
 - (b) Resolution giving the chief promoter authority to apply for reservation of name for co-operative housing society.
 - (c) To collect share capital (Rs.50/- per member for slum societies) and Re.1/- as entrance fee and to open account in Mumbai District Central Co-operative/ Maharashtra State Co-operative Bank Ltd (any branch)
3. The chief promoter, office bearers and the members of the proposed society should collect the documents such as 7/12 extract and the PR card of the plot on which the slum is situated. They should then get the plot surveyed/measured and prepare map of the plot showing slum structures therein with the help of surveyors attached to the office of Additional Collector (Encroachment) or the Deputy Collector (Encroachment) of the zone.
- 4 While undertaking the survey, they should collect the information of the proposed members/ slum-dwellers and fill up Annexure-II prescribed by SRA. Annexure-II gives the details of

land occupied by the slum-dwellers, number and type of structures such as residential, industrial, commercial, amenity structures etc. and the list of eligible and ineligible occupants and consent of slum-dwellers to join the scheme. Earlier the promoter / co-operative housing society had to first approach the different Competent Authorities namely Additional Collector for the slums on government and private lands and the land owning authorities for the slums on different public authority lands, for obtaining certified Annexure-II, before they could put in application for slum rehabilitation scheme to SRA. As a simplification measure, this procedure is now discontinued and Annexure-II format is now required to be filled up by the promoter / co-operative housing society itself for submitting building proposal to SRA, so that the scrutiny of the proposal and certification of Annexure-II can start simultaneously. Annexure-II needs to be submitted in duplicate. As a measure of further simplification, Additional Collector (Encroachment) is being designated as the sole Competent Authority for deciding eligibility and for taking eviction action against non-participants in slum rehabilitation schemes.

5. The chief promoter and the office bearers of the proposed society should then apply for name reservation of the proposed co-operative housing society along with the self-prepared Annexure-II and the required resolutions to the Assistant Registrar of Co-operative Societies. To facilitate this, office of the Assistant Registrar has been started in SRA itself. It is no longer necessary to approach different offices of the Co-operation Department for this purpose. The Assistant Registrar / SRA will issue a letter reserving the name for the proposed co-operative housing society and permission to open a bank account in the proposed society's name.
6. While the above steps are being taken, the decision to search a competent developer to act as a promoter has to be taken up by the proposed co-operative housing society of slum-dwellers. The society itself or an NGO / developer / owner can take up slum rehabilitation scheme as a promoter.
7. The promoter so chosen has to enter into agreement with every eligible slum-dweller while putting up slum rehabilitation proposal to SRA for approval. SRA is in the process of trying to evolve standard formats for the following four types of agreements required in the schemes, with the approval of the State Government.
 - a) Consent-cum-agreement between the promoter and the slum-dwellers.
 - b) Development rights / Agreement to lease between the promoter and the land owning authority.
 - c) Lease agreement between the land owning authority and the co-operative society of slum-dwellers.
 - d) Lease agreement between the land owning authority and the co-operative society of free-sale tenement buyers.
8. The promoter has also to appoint an architect in consultation with the proposed co-operative housing society of slum-dwellers to prepare the plans of development of the slum area as per the DCR-33(10). It is expected that the architect ensures community participation in preparation of the building plans. All required documents such as building plan, layout plan, PR Card etc.

along with Annexure-I, Annexure-II and Annexure-III are to be submitted to SRA by the architect along with an application for the slum rehabilitation scheme. A check list of all such documents required for submission is available in SRA office.

9. Annexure-I gives details about ownership of land, details of plot area, details of existing hutments and their type, computation of tenement density, extent and type of reservations, amenities, FSI available, number of tenements to be constructed including calculation of TDR etc.
10. Annexure-III is prescribed to assess the financial capability of the promoter. The items contained in Annexure-III are self explanatory. Keeping in view the sensitivity of this information, it is kept strictly confidential by SRA. (The formats of Annexure-I, II and III at **Appendix - C**).
11. After a pre-scrutiny by a designated engineer of SRA, to ensure completeness of the proposal submitted, so far as documents are concerned, proposals are accepted. Then a computerised file number is allotted to the scheme on payment of scrutiny fees which are charged at half the rate of the Municipal Corporation's general building permission fees. Upon acceptance, the scrutiny of Annexures, I, II and III start simultaneously in the Building Permission Wing, Eligibility Certification Wing and Accounts & Finance Wing respectively.
12. Earlier, Letter of Intent conveying approval to the scheme, approval to the Layout, building-wise plan approval (Intimation of Approval) and Commencement Certification were different stages of approval in the scheme, each having a long validity period. To speed up the actual commencement of building construction work on site, architects have been advised to submit slum rehabilitation proposals complete in all respects to enable SRA to give all the four approvals, at least for the first rehabilitation building, at one go. The validity period of the approval has been reduced from one year to 3 months. Circular number 4 dated 27th August, 1997 has been issued by SRA detailing the simplified procedure. (**Appendix-D**)
13. In the slum rehabilitation scheme, the promoter is required to deposit Rs. 20000 per rehabilitation tenement with SRA as per the time-schedule laid down by Chief Executive Officer of SRA. The promoter is also required to pay an amount of Rs. 840 per sq. m. for the built-up area over and above the normally permissible FSI, for the rehabilitation and free-sale tenements. After elaborate discussions with all concerned, suitable deferments on the statutory payments and flexibility in the instalments of such payments have been provided by SRA. (Circular No 7 dated 25th November, 1997 is at **Appendix - E**)
14. Providing temporary transit accommodation to the slum-dwellers, during the construction of rehabilitation and free-sale tenements, is the responsibility of the promoter. SRA facilitates obtaining constructed transit tenements, if available, by recommending the same for allotment to MHADA. SRA also helps in getting no objection certificates from public authorities on nearby identified public authority lands, for putting up temporary transit structures. These structures are required to be demolished and cleared after completion of the slum rehabilitation scheme.
15. While applying for occupation certificate of rehabilitation building, the architect is expected to give the details of tenement allotments, done by the co-operative society by drawing lots, in the joint names of the head of the household (pramukh) and his/her spouse. SRA will

generate computerised identity cards in the joint names of pramukh and spouse and hand over the same to each allottee family. The card will clearly mention that the rehabilitation tenements cannot be sold/leased/assigned or transferred in any manner for ten years (except to legal heirs) and tenements illegally transferred will be taken over by SRA. Any change of allotment within the members of the co-operative society, has also to be with the prior permission of SRA.

V. OTHER FACILITATION MEASURES

Registration of Co-operative Societies :- The office of the Assistant Registrar of Co-operative Societies / SRA will be responsible for the registration of co-operative societies of slum-dwellers as well as the free-sale tenement buyers. A checklist of documents required to be submitted with the application for registration can be obtained freely from the SRA office. Once the scheme has been approved by SRA and the construction work of rehabilitation building has started, the promoter should take steps for registration of the co-operative society of the slum-dwellers.

Final demarcation and change in record of rights :- The land management wing of SRA will assist in the demarcation of plot boundaries, land lease and change in the record of rights. While implementation of the scheme (obtaining commencement certificate, arranging for transit tenements, construction of buildings, etc.) is in progress, the promoter should arrange to get the plot / land finally surveyed and measured through the concerned Superintendent of Land Records. This survey alone would be considered valid for finally calculating and granting the permissible FSI on the plot and also for the purpose of land lease to the co-operative society of slum-dwellers and free-sale buyers. In case of any difficulty in this regard, the City Survey Officer / SRA in the land management wing, would help to follow up the matter with the Superintendent of Land Records and his field staff in the respective Collectorates of Mumbai Island City and Mumbai Suburban District.

Leasing of land and transfer in record of rights :- When the rehabilitation component is nearing completion, the promoter should apply through SRA to the land owning authority for the lease of land. Slum lands belonging to the State Government, Municipal Corporation, MHADA and other public bodies under the State Government, will be leased initially for 30 years, to be renewed for another 30 years, at a nominal lease rent of Rs. 1001 for 4000 sq. m. of land for both the rehabilitation and free-sale components. The question of lease in case of private lands would not arise. The promoter, however, has to obtain the consent of the private land owner before taking up a rehabilitation scheme and get the land transferred in the name of the co-operative societies of the slum-dwellers and free sale buyers once the scheme is completed. Once lease deed in respect of the public slum-lands or transfer in respect of private slum-lands is completed, the society will apply to the Superintendent of Land

Records of Mumbai Island City and Mumbai Suburban District for change in the record of rights i.e., in the property card. City Survey Officer/SRA will provide necessary guidance, assistance and follow-up in this matter and will also ensure that the FSI used and TDR taken on the plots (both rehabilitation and free-sale plots) are correctly reflected in the PR cards.

Reduction in Stamp Duty :- As pointed out earlier, there are four types of agreement documents that need to be executed in the implementation of slum rehabilitation schemes. All these documents attract the provisions of Bombay Stamp Act. The general rate of stamp duty for these documents would turn out to be a substantial amount. Since the slum-dwellers get the allotment of tenement free of cost, it would be unfair to expect them to pay stamp duty at the prevailing rates.

In order to reduce the burden of stamp duty, the State Government has accepted the proposal of SRA, used its powers under section 9 of the Bombay Stamp Act, 1958 and decided to reduce the stamp duty on the Instruments executed for the purposes of rehabilitation of slum-dwellers to Rs. 100 only.

Reduction in Property taxes :- Once the rehabilitation building is complete, the Municipal Corporation assesses the building for levy of property tax, water tax, education cess, tree tax, street tax, etc. These taxes at the general prevailing rates would have required the slum-dwellers to shell out substantial money. It would have been quite difficult for the slum-dwellers to bear this burden. While slum rehabilitation schemes will make slum-dwellers responsible tax paying citizens of Bombay, it is the responsibility of SRA to see that the tax burden does not become unbearable for the slum-dwellers who would then be compelled to illegally sell off their tenements. Due to SRA's Initiative, the State Government has now taken a decision to reduce the rates of property taxes on the buildings constructed under the slum rehabilitation schemes to 20% of the prevailing rates of property taxes. (Copy of Government Notification dated 7th November, 1997 at APPENDIX - F)

Eviction of eligible but non-participant slum-dwellers :- A special wing has been started in SRA under the Additional Collector to tackle and remove the hurdles and obstructions being created sometimes by a few slum-dwellers with vested interests. There is already a legal procedure laid down for taking action against such non-participants in the DCR 33 (10). SRA assures the promoters of slum rehabilitation schemes with prompt action, in such eventualities.

The measures adopted by SRA are steps towards simplification, transparency and expedient facilitation. In the true spirit of a facilitator, SRA continuously welcomes suggestions from architects/developers/NGOs/co-operative societies of slum-dwellers and all well wishers, in order to help SRA in the successful implementation of the slum rehabilitation schemes.

VI. CONCLUSION

No human being willingly lives in filth. Therefore, SRA firmly believes that getting the willingness of 70% of the slum-dwellers in any viable stretch of slum land, to join the scheme, should not be difficult especially since the rehabilitation tenements are given free to the slum-dwellers.

Mumbai, we all know, has one of the highest real estate prices in the world. Although the conditions in the real estate market currently are depressed, the slum rehabilitation schemes are still, not only economically viable but assure the promoters handsome profits. The scheme will usher in better health, cleaner environment, a new self respect for the people and last but not the least social justice for the downtrodden. *In short, it is a win-win situation for everyone.*

Up to 1st December, 1997, SRA has approved 316 proposals which when completed would rehabilitate 67,400 slum-dwellers families and also create equivalent free-sale housing stock. The commencement certificate have been given at 135 locations in respect of about 14,000 rehabilitation tenements out of which actual construction work has begun at 101 locations. SRA is confident that the series of facilitation measures it has taken, would speed up the pace of implementation of the slum rehabilitation schemes in Greater Mumbai. Let us all come together to make it successful.





महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

बुधवार, ऑक्टोबर १५, १९९७/आधिन २३, शके १९१९

स्वतंत्र, संकलन म्हणून फाईल करण्यासाठी प्रत्येक विभागाच्या पुरवणीला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग एक - कोकण विभागीय पुरवणी

अधिसूचना

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400032, Dated 15th October, 1997.

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966

No. DCR -1095/1209/CR -273/95/UD - 11 :- Whereas Government of Maharashtra vide Notification of Urban Development Department No. DCR -1090 RDP, dated 20th February, 1991 sanctioned the "Development Control Regulations for Greater Mumbai, 1991" (hereinafter referred to as "the said regulation") as part of Development Plan for Greater Mumbai which came into force with effect from 25th March 1991;

And whereas, Government of Maharashtra vide Notification of Housing and Special Assistance Department No. SRP. 1095/CR37/Housing Cell, dated 16th December, 1995 has appointed "Slum Rehabilitation Authority" (hereinafter referred to as "the said Authority") under the provisions of section 3-A of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971;

And whereas, according to the provision of Chapter III of the Mumbai Municipal Corporation and the Maharashtra Regional and Town Planning (Amendment) Act, 1995 the said Authority has been granted the status of Planning Authority for the purpose of slum rehabilitation in Brihan Mumbai;

And whereas, the said Authority has been empowered to initiate modification to the said Regulation under the provisions of sub-section (I-B) of section 37 of the said Act and to submit the same to the Government for final sanction;

And whereas, the Government vide Memorandum of Urban Development Department No. DCR-1095/1209/CR-272/95/UD-11 dated 14th March, 1996 under sub-section (I) of section 37 of the said Act has directed the said Authority to initiate a proposal for modification, (hereinafter referred to as "the said modification") in regard to slum redevelopment;

And whereas, the said Authority vide Resolution No. 1/6 dated 15th March 1996 has decided to initiate the said modification to the said Regulations under section 37 (1B) of the said Act;

And whereas, the said Authority has published a Notice for inviting suggestions / objections on the said modification from the public in the Maharashtra Government Gazette, dated 25th April, 1996 and in the Marathi daily 'Loksatta', dated 3rd May 1996 and in the "Times of India", dated 7th May 1996;

And whereas, after considering the suggestions /objections received within the prescribed time limit the said Authority in its meeting held on 20th July 1996 has approved the said modification with some amendments and submitted the revised modification to the state Government for final sanction on 25th July, 1996;

And whereas, the revised modification as submitted to it by the Slum Rehabilitation Authority was published for inviting suggestions/objections from the public as laid down in the section 37 (2) of the said Act by Government of Maharashtra in Urban Development Department by a notice of even No. dated 27th August 1996 appeared in Maharashtra Government Gazette, Extraordinary, part-I, (Konkan Divisional supplement), Page no. 158-169 of 28th August 1996 (hereinafter called as "the said revised modification");

And whereas, considering the urgency, Government in Urban Development Department brought the said revised modification into operation with effect from 15th October, 1996 as per the Government order No. DCR -1095/1209/CR - 273/95/UD-11, dated 15th October, 1996, and further order dated 6th February, 1997 till the final sanction is accorded by Government to the said revised modification;

And whereas, after considering the objections/suggestions and the report of Director of Town planning on the said revised modification, Government is of the opinion that except the provisions regarding "relaxation in building and other requirements " in clause No. 6.1 to 6.26 of the Annexure-IV annexed to DCR No:33(10) of the said revised modification rest of the provisions contained in the said revised modification be sanctioned with some amendments and sanction to the provisions contained in Clause No. 6.1 to 6.26 of the Annexure-IV annexed to the DCR No.33(10) of the said revised modification shall be kept pending for further enquiries and till then, the provisions contained in Clause No. 6.1 to 6.26 of the Annexure-IV of the said revised modification published on 27th August 1996 appeared in Maharashtra Government Gazette, dated 28th August, 1996 shall remain in operation as per the directives given by Government in Urban Development Department under its Order of Even No. dated 15th October, 1996 and further Order dated 6th February, 1997.

Now therefore, in exercise of power conferred by sub-section (2) of section 37 the said Act, the Government of Maharashtra hereby-

- (a) sanctions the said revised modification as specified in the Annexure appended hereto except the provisions contained in Clause 6.1 to 6.26 of Annexure -IV of DCR No. 33(10) of the said revised modification, subject to the condition that the provision of Clause 6.1 to 6.26 of the Annexure IV of DCR No. 33(10) published on 27th August, 1996 and appeared in Maharashtra Government Gazette, dated 28th August, 1996 shall remain in the operation as per Government directives dated 15th October, 1996 and further Order dated 6th February, 1997 till final sanction to the same is accorded, and

- (b) fixes this day to be the date on which these revised modified regulations shall come into force.

Note :- Copies of the modified DCR Greater Mumbai 1991, as sanctioned by the Government are kept for sale at the Government Printing, Stationary, and Publication Branch, Netaji Subash Road, Charni Road Mumbai 400004 and shall be kept open for inspection by the public during working hours for a period of one year at the office of the Chief Engineer (Development Plan), Municipal Corporation of Greater Mumbai, Head Office Deputy Director of Town Planning, Greater Mumbai, ENSA Hutment 'E' Block, Azad Maidan, Mahapalika Marg, Mumbai - 400001. Collector, Mumbai Island City, Old Custom House, Mumbai - 400023, Collector, Mumbai Suburban District, Mumbai Metropolitan Region Development Authority Building, Bandra (East) Mumbai - 400051; Additional Collector (ENC), Old Custom House, Mumbai - 400023, Chief Executive Officer, Slum Rehabilitation Authority, 5th floor, MHADA Building, Bandra (East) Mumbai - 400051.

ANNEXURE

Development Control Regulation No. 33 (10)

I Eligibility for redevelopment scheme :

- (a) For redevelopment of slums including pavements, whose inhabitants' names and structures appear in the electoral roll prepared with reference to 1st January, 1995 or a date prior thereto, but where the inhabitants stay at present in the structure, the provisions of Appendix IV shall apply on the basis of a tenement in exchange for an independently numbered structure.
- (b) Subject to the foregoing provisions, only the actual occupants of the hutment shall be held eligible, and the so called structure-owner other than the actual occupant if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.

II Definition of Slum, Pavement, and Structure of hut :

- (i) For this purpose, slums shall mean those censused, or declared and notified, in the past or hereafter under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. Slum shall also mean area / pavement stretches hereafter notified as Slum Rehabilitation Areas.
- (ii) If any area fulfils the condition laid down in section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 to qualify as slum area and has been censused or declared and notified shall be deemed to be and treated as Slum Rehabilitation Areas.
- (iii) Slum rehabilitation area shall also mean any area declared as such by the Slum Rehabilitation Authority though preferably fulfilling conditions laid down in section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 to qualify as slum area and/or required for implementation of any slum rehabilitation project.

- (iv) Any area required or proposed for the purpose of construction of temporary or permanent transit camps and so approved by the Slum Rehabilitation Authority shall also be deemed to be and treated as Slum Rehabilitation Areas, and projects approved in such areas by the Slum Rehabilitation Authority shall be deemed to be Slum Rehabilitation Projects.
- (v) A pavement shall mean any Municipal / Government / Semi-Government pavement, and shall include any viable stretch of the pavement as may be considered viable for the purpose of Slum Rehabilitation Scheme.
- (vi) A structure shall mean all the dwelling areas of all persons who were enumerated as living in that one numbered house in the electoral roll of the latest date, upto 1st January, 1995 and regardless of the number of persons, or location of rooms or access.
- (vii) A composite building shall mean a building comprising both rehab and free-sale components or part thereof in the same building.
- (viii) Censused shall mean those slums located on lands belonging to Government, any undertaking of Government, or Brihan Mumbai Municipal Corporation and incorporated in the records of the land owning authority as having been censused in 1976, 1980, or 1985 or prior to 1st January, 1995.

III Joint ownership with spouse : The reconstructed tenement shall be of the ownership of the hutment dweller and spouse conjointly, and shall be so entered and be deemed to be so entered in the records of the co-operative housing society, including the share certificates or all other relevant documents.

IV Denotification as Slum Rehabilitation Area : Slum Rehabilitation Authority on being satisfied that it is necessary so to do, or when directed by the State Government, shall denotify the slum rehabilitation area.

APPENDIX IV

1. Applicability of the provisions of this Appendix : The following provisions will apply for redevelopment/construction of accommodation for hutment/pavement-dwellers through owners/ developers/co-operative housing societies of hutment/pavement-dwellers/public authorities such as MHADA, MIDC, MMRDA etc./ Non-Governmental Organisations anywhere within the limits of Brihan Mumbai. However, NGO should be registered under the Maharashtra Public Charitable Trusts Act, 1961 and the Societies Registration Act, 1960 at least for the last five years or be certified by Nirmala Niketan College of Social Work. Notwithstanding anything contained above, the said NGO's name should also be got approved by SRA.

RIGHT OF THE HUTMENT DWELLERS :

1.1 Hutment-dwellers, in the slum or on the pavement, eligible in accordance with the provisions of Development Control Regulation 33(10) shall in exchange for their structure, be given free of cost a residential tenement having a carpet area of 20.90 sq.m. (225 sq.ft.) including balcony, bath and water closet, but excluding common areas.

- 1.2 Even those structures having residential areas more than 20.90 sq.m will be eligible only for 20.90 sq.m of carpet area. Carpet area shall mean exclusive of all areas under walls including partition walls if any in the tenement. Only 20.90 sq.m carpet area shall be given and if proposal contains more area, it shall not be taken up for consideration.
- 1.3 All eligible hutment dwellers taking part in the slum rehabilitation scheme shall have to be rehabilitated according to the provisions in this Appendix. It may be in-situ and in the same plot as far as possible.
- 1.4 Pavement-dwellers and hutment dwellers in the slum on lands required for vital urgent public utility/purpose or on the hazardous location shall not be rehabilitated in-situ but in other available plots and in accordance with these Regulations.
- 1.5 A certified extract of the relevant electoral roll shall be considered adequate evidence to establish the eligibility of a person provided he is found residing in the structure. This is to avoid the possibility of persons who have left the structure coming back to claim free tenement under the scheme even though they have in the normal course left the slum and gone away into a proper non-slum area or out of Brihan Mumbai. If hutment dwellers are found resident in the structure, but the names are on the electoral roll on or prior to 1st January, 1995 at another slum/pavement site in Brihan Mumbai, they shall be considered eligible but only at the place of present residence. In case of doubt or dispute, the decision of the Competent Authority to be appointed by the Government in Housing and Special Assistance Department shall be final and binding on all the parties concerned.
- 1.6 An individual agreement shall be entered into by the owner/developer/co-operative housing society/NGO with the eligible hutment-dwellers of each structure in the slum/pavement.
- 1.7 The individual agreement entered into between hutment-dweller and the owner/developer/co-operative housing society/NGO shall be in the joint names of pramukh hutment-dweller and spouse for every structure.
- 1.8 Hutments having a physically handicapped person, or female headed households shall be given first preference in allotment of tenements. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the other hutment-dwellers. The details about the specific tenement allotted should be given to the hutment-dwellers preferably before shifting them to the transit tenement.
- 1.9 **Transfer of Photopasses** - Since only the actual occupant at present will be eligible for redevelopment, there shall be no need to regularise the transfers of photopasses that have occurred so far. A photopass will be given after the new tenement has been occupied.
- 1.10 Any person whose name is enrolled in a non-slum area in Brihan Mumbai but has purchased a hutment and therefore got his name also included in electoral roll for the slum area, i.e. he has his name in the electoral roll at two places, he shall not be held eligible for the scheme.
- 1.11 **Ownership and Terms of Lease** - The part of Government / MCGM / MHADA land on which the rehabilitation component of the Slum Rehabilitation Scheme will be constructed shall be leased to the Co-operative Housing Society of the slum-dwellers on 30 years lease at the lease rent of Rs.1001 for 4000 sq.m. of land or part thereof and renewable for a further period of

30 years. The same conditions shall prevail for the land under the free sale component and the land shall be leased directly to the Society/Association of the purchasers in the free sale component and not through the society of hutment dwellers, and pending the formation of the Society/Association of the purchasers in the free sale component, it shall be leased to the Developer. The said lease deed shall be executed within 60 days from the date of building permission being issued.

- 1.12 Automatic cancellation of Vacant Land Tenure - If any land or part of any land on which slum is located is under vacant land tenure the said tenure/lease created by Brihan Mumbai Municipal Corporation or Municipal Commissioner shall stand automatically terminated as soon as slum rehabilitation scheme, which is a public purpose, on such land is prepared and submitted for approval to the Slum Rehabilitation Authority. Any arrears of dues to be collected by Brihan Mumbai Municipal Corporation shall not be linked to the issue of any certificate or NOC relating to the Slum Rehabilitation Project.
- 1.13 Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax/dues etc. pending with public authorities such as State Government, MHADA, and /or Municipal Corporation shall be dealt with separately and not be linked to grant of approval or building permission to the slum rehabilitation projects.
- 1.14 A Slum Rehabilitation Project shall be considered preferably when submitted through a proposed or registered co-operative housing society of hutment dwellers on site. The said society shall include all the eligible hutment dwellers on site when applied therefore, and/or other eligible and allotted by Slum Rehabilitation Authority, as members of the society.
- 1.15 Where 70 per cent or more of the eligible hutment-dwellers in a slum or pavement in a viable stretch at one place agree to join a rehabilitation scheme, it may be considered for approval.
- 1.16 In respect of those hutment-dwellers on site who do not join the Project willingly the following steps shall be taken :-
 - (i) Provision for all of them shall be made in the rehabilitation component of the scheme.
 - (ii) The details of the actual tenement that would be given to them by way of allotment by drawing lots for them on the same basis as for those who have joined the Project will be communicated to them in writing by the Managing Committee of the Co-operative Housing Society.
 - (iii) The transit tenement that would be allotted to them would also be indicated alongwith those who have joined the Project.
 - (iv) If they do not join the scheme within 15 days after the approval has been given to the Slum Rehabilitation Project on that site, then action under the relevant provision including sections 33 and 38 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 as amended from time to time, shall be taken and their hutments will be removed, and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.
 - (v) After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others, and they will not be eligible for the reconstructed

- tenement by lots, but they will still be entitled only to what is available after others have chosen which may be on the same or some other site.
- (vi) If they do not join till the building permission to the Project is given, they will completely lose the right to any built-up tenement, and their tenement shall be taken over by the Slum Rehabilitation Authority, and used for the purpose of accommodating pavement-dwellers and other slum dwellers who cannot be accommodated in-situ etc..
 - (vii) A pitch of about 3m x 3.5m will be given elsewhere if and when available, and construction therein will have to be done on their own.
- 1.17 The Managing Committee of the proposed as well as registered Co-operative housing society of hutment dwellers shall have women to the extent of one-third of the total strength and actual members on the committee at any time.
- 1.18 Restriction on Transfer of Tenements : The tenement obtained under this scheme cannot be sold/leased/assigned or transferred in any manner for a period of ten years from the date of allotment/possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by Slum Rehabilitation Authority.
- 2. BUILDING PERMISSION FOR SLUM REHABILITATION PROJECT -**
- 2.1 The proposal for each Slum Rehabilitation Project shall be submitted to the Slum Rehabilitation Authority with all the necessary documents, no-objection certificates, and the plans as may be decided by the Slum Rehabilitation Authority from time to time.
- 2.2 The approval to the Project shall be given by the Slum Rehabilitation Authority within a period of 30 days from the date of submission of all relevant documents. In the event of a failure by Slum Rehabilitation Authority to do so, the said approval shall be deemed to have been given, provided the Project is in accordance with the provisions in this Appendix.
- 2.3 The Slum Rehabilitation Authority while giving the approval may lay down terms and conditions as may be necessary.
- 2.4 The Slum Rehabilitation Authority shall adopt the procedure laid down in the Maharashtra Regional and Town Planning Act, 1996 for giving building permission to any Slum Rehabilitation Project under this Scheme.
- 2.5 On compliance with the terms and conditions, the building permission shall be given, in accordance with the provisions under section 45 of the Maharashtra Regional and Town Planning Act, 1966 to the Project under the Slum Rehabilitation Scheme, first to the Rehabilitation component and thereafter to the Freesale component subject to the provisions in clause below.
- 2.6 Correlation between Rehabilitation and freesale components : Building permission, for 10 per cent. of built up areas of both the rehab and freesale components may be given simultaneously and thereafter proportionately or as may be decided by the Chief Executive Officer, Slum Rehabilitation Authority.
- 2.7 Where there is no builder-developer but the Project is implemented directly by an NGO of established reputation, Chief Executive Officer, Slum Rehabilitation Authority may sanction 20 percent of the freesale component right in the beginning without waiting for any expenditure

- on the rehabilitation component, but the approval for remaining part of freesale component will be given only after at least 30 percent. of rehabilitation component is completed on site.
- 2.8 As soon as the approval is given to the Project, the no objection certificate, for building permission, of the landowning authority shall be given in respect of that slum located on lands belonging to any department, undertaking, agency of the State Government including MHADA, or any local self-Government such as the Municipal Corporation within 30 days after the intimation of such approval to the Project is communicated. In the event of its not being given within the period, it shall be deemed to have been given.
- 2.9 Occupation certificate shall not be held up only for want of lease documents to be executed, in all slum rehabilitation projects taken up on lands belonging to any department, undertaking, agency of the State Government, including MHADA, and any local self-Government such as the Municipal Corporation.
- 3. REHABILITATION AND FREESALE COMPONENT -**
- 3.1 FSI for rehabilitation of eligible slum/pavement-dwellers includes the FSI for the rehab component and for the freesale component. The ratio between the two components shall be as laid down hereinbelow
- 3.2 Built-up area for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in 35 (2) of D. C. Regulations, 1991 but including areas under passages, balwadis, welfare centres, society office, religious structures, 5 percent incentive commercial areas for the Co-operative society, and the further 5 percent incentive commercial area for the NGO wherever eligible.
- 3.3 In Island City, if rehab component is 10 sq. metres of built-up area, then an additional 7.5 sq. metres built-up area will be permitted so that this additional 7.5 sq. metres can be utilised for disposal in the open market and the rehab component subsidised
- 3.4 In suburbs and extended suburbs, if rehab component is 10 sq. metres of built-up area, then an additional 10 sq. metre of built-up area will be permitted so that this additional 10 sq. metres can be utilised for disposal in the open market and the rehab component subsidised
- 3.5 In difficult areas which shall comprise of Dharavi now and such other areas as may be notified by the Slum Rehabilitation Authority hereafter, if the rehab component is 10 sq. metres of built-up area, then an additional 13.33 sq. metres of built-up area will be permitted and this area of additional 13.33 sq. metres can be utilised for disposal in the open market and the rehab component subsidised.
- 3.6 Provision in 3.3 to 3.5 hereinabove shall also apply to the sites where the Slum Rehabilitation Project of eligible pavement dwellers will be implemented.
- 3.7 FSI to be sanctioned on a Slum Rehabilitation Project on a site may exceed 2.5.
- 3.8 Maximum FSI Permissible for Consumption on the Plot : Even though the sanctioned FSI may be more than 2.5 FSI, the maximum FSI that can be utilised on any slum-site for the project shall not exceed 2.5 and the difference between sanctioned higher FSI and 2.5 if any, will be made available in the form of Transferable Development Right (TDR) in accordance with the provisions of Appendix VII-B. The computation of FSI shall be done for both rehab and freesale

- components in the normal manner, that is giving the benefit of what is set down in DC Regulation No. 35(2). While the areas referred in sub-regulations No. 6.10 and 8.2 of this Appendix shall not be included for computation of FSI the said areas shall be included for computation of the rehab component of 10 sq. mt in sub-regulations 3.3 to 3.5 hereinabove.
- 3.9 Notwithstanding the provisions in 3.8 above, on account of constraints such as height restrictions, uneconomical site conditions, etc, if the full 2.5 FSI cannot be used on the same site, TDR may be allowed as may be necessary even without consuming FSI upto 2.5 on the same site. However, TDR may be allowed only when the frame work for one complete building in rehab component is constructed or when 10% of the rehab component has been constructed on site and the said TDR will not exceed 50 percent of the construction of rehab component at any point of time till the total rehab component has been completed. On completion of the total rehab component balance TDR will be allowed.
- 3.10 The rehabilitation component shall mean all residential tenements as well as non-residential built-up premises given free of cost in accordance with the provisions of the Slum Rehabilitation scheme outlined in this Appendix excluding what is set down in D.C. Regulation 35(2) and excluding built-up area given for buildable Development Plan reservations.
- 3.11 If rehabilitation project of a slum located on land belonging to public authority and needed for a vital public purpose, is taken up on an unencumbered plot in addition to the rehabilitation and freesale components as laid down hereinabove, TDR for the area of the land spared for this purpose shall also be sanctioned for the owner of the said unencumbered plot.
- 3.12 Minimum Density On The Plot Including Non-Residential Units : The minimum density of rehabilitation component on plot shall be 500 tenements per net hectare, that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational/amenity open space on the remaining area. If the number of tenements to be provided to the hutment dwellers is less than the minimum, the balance shall be handed over free of cost to the Slum Rehabilitation Authority. The Authority shall use them for the purpose of transit or Project-affected persons or pavement-dwellers or slum dwellers from other slums.
- 3.13 All non-residential built-up areas shall be included in the computation of minimum density but on the scale of 20.90 sq. mt. of carpet area being one tenement. In slums where the existing tenement density is already more than 500 per hectare, the calculation of FSI for all purposes shall be on gross area, that is, without deducting any percentage for recreational/amenity open space. This shall not affect the requirement of physical keeping aside the said recreational/amenity open space on site, subject to the provisions in this Appendix in that regard.
- 3.14 Amalgamation/Subdivision Of Plots and Balancing Of FSI Thereon : Any land declared as slum rehabilitation area or on which slum rehabilitation project has been sanctioned , if it is spread on part or parts of C.S Nos. or CTS Nos. or S. Nos shall be treated as natural amalgamation/subdivision's of that C.S or CTS or S.No. or F.P No. for which no separate approval for amalgamation/subdivision of land would be necessary.

- 3.15 Boundaries and the measurement of plot areas of the Slum Rehabilitation Area shall be declared by the competent authority after actual measurement of plot area on site and the same shall be adopted for planning purpose for calculation of density and floor space index.
- 3.16 The Chief Executive Officer, Slum Rehabilitation Authority may if required, adjust the boundary of the plot declared as slum rehabilitation area so as to suit the building design and provide proper access to the Project.
- 3.17 After approval is given to the Slum Rehabilitation Project, the area may be further subdivided if necessary to earmark separate plots for the rehab component and the freesale component. The Plot area and the built-up area in terms of square metres on the said plot shall be separately mentioned in the lease agreements and Record of Rights.
- 3.18 The Settlement Commissioner, Maharashtra State on payment of such fees as may be decided by the Government ensure that the City Survey sheet and property cards are corrected accordingly and fresh property cards are opened for each of the plots giving details regarding the area of the plots and the total area of the floors of the built-up property and TDR given that is, the FSI used on that plot.
- 3.19 Declaration of Additional Areas as Difficult Category : The Slum Rehabilitation Authority may consider declaring additional areas as difficult and publish it in the Maharashtra Government Gazette, provided the following criterion/criteria are fulfilled :-
- (i) Overcrowding, High density, and Unhygienic conditions, or
 - (ii) To vacate land required for implementation of reservations for essential public purposes, or
 - (iii) Required for rehabilitation to avoid loss of human life :

Provided for difficult areas to be declared on account of overcrowding, high density and unhygienic conditions, the area required shall not be less than 40 hectares in one contiguous area fulfilling the conditions mentioned in (i) above.

4 TEMPORARY TRANSIT CAMPS

- 4.1 The temporary transit camp shall be provided on or close to the site itself, and if need be on the area of statutory open space to be left in accordance with D.C Regulation No 23 on the plot.
- 4.2 On the slum site itself approved for rehabilitation, multi-storied temporary transit tenement may be allowed to be constructed.
- 4.3 The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured.
- 4.4 Such building permission shall be given within 15 days from the date of application and after approval to the project by Slum Rehabilitation Authority, failing which it shall be deemed to be given.
- 4.5 If a site reserved in Development Plan for any buildable public purpose is vacant or partly encumbered, or it happens to be the unused portion of cemetery or other such public purpose for which it is reserved, or is occupied by a public building such as market or library etc. at

ground level, temporary construction of transit tenements in such sites and on top of such existing public buildings may be allowed wherever possible.

- 4.6 On any nearby vacant site without any reservation in the Development Plan construction of temporary transit tenements with the consent of the land-owners, made of light material shall be allowed upto an FSI of 2.5 and this shall be applicable in Island City as well as in suburbs and extended suburbs. Temporary shall mean made of detachable material such as tubular/prefabricated light structurals.
- 4.7 In all such cases where the temporary transit camp is erected, the condition shall be that the structures shall be demolished by the Developer/Society/NGO within 30 days of granting Occupation Certificate to the rehab buildings and the site should be brought back to the original state.

5 COMMERCIAL / OFFICE / SHOP / ECONOMIC ACTIVITY FREE OF COST

- 5.1 The eligible existing area under commercial/office/economic activity shall be computed on actual measurement/inspection, and/or on the basis of official documents such as Licence under the Shops and Establishment Act, Electricity bills, Photopass etc.
- 5.2 In the rehabilitation component, the built-up area for commercial/office/shop/economic activity that existed prior to 1st January, 1995 subject to the provisions in the sub-regulation below, shall be given. Where a person has both residential and commercial premises without common wall between residential and commercial premises, for commercial/office/shop/economic activity in the slum/ pavement, he shall be held eligible for a residential unit and also for built-up area for commercial/office/shop/economic activity, both free of cost.
- 5.3 Built up area for commercial/office/shop/economic activity upto 20.90 sq. m. (225 sq. ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq.mt. to the extent of existing area may, if required, be sold on preferential basis at the rate for commercial area in the free-sale component.
- 5.4 Such area may be allowed on any side of the plot abutting 3.0 metre-wide pathway and deriving access from 3.0 metre-wide pathway/open space. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. After exhausting these provisions it may be allowed on the first floor to the extent necessary.
- 5.5. **Non-Conforming Activities :** All activities which were previously existing shall be allowed to be relocated regardless of the non-conforming nature of the activities, except those which are hazardous and highly polluting, and except in cases where the alternative accommodation has already been allotted elsewhere by the Municipal Corporation.
- 5.6 **Convenience Shopping in Free-Sale Component :** Convenience shopping in the free-sale component vide DCR 2(3) (20) shall be permitted along the layout roads. The Chief Executive Officer, Slum Rehabilitation Authority may add to, alter or amend the said list for convenience shopping.

5.7 Incentive Commercial Areas For Society and NGO

- (a) The scheme, when undertaken by a Co-operative Housing Society of slum dwellers, may provide an additional 5 per cent built-up area on the rehabilitation area free of cost for commercial purpose, even where the site is in C-1 or C-2 zone. This area will be at the disposal of the Co-operative Housing Society of the hutment-dwellers. The corpus amount shall not be spent, but the income from the property/corpus alone shall be used by the Society for maintenance of the building and premises, and such other purposes as may be laid down by the Slum Rehabilitation Authority.
- (b) Where the scheme is undertaken by a Non-Government Organisation another additional 5 per cent built-up area on the rehabilitation area may be given free of cost for commercial purpose, even where the site is in C-1 or C-2 zone. This area shall be at the disposal of the Non-Governmental Organisation in consultation with the co-operative housing society.

6. RELAXATION IN BUILDING AND OTHER REQUIREMENTS

Note - Provisions contained in Clause 6.1 to 6.26 of the notice published by Urban Development Department under its No. DCR-1095/1209/CR-273/95/UD-11, dated 27th August 1996 appeared in M.G.G., dated 28th August 1996 are not sanctioned. However, they shall continue to remain in operation as per Government order No. DCR 1095/1209/CR-273/95/UD-11 dated 15th October 1996 and further Order of Even No. dated 6th February 1997 till the same are finally sanctioned. Extract of said Clause No. 6.1 to 6.26 is enclosed at Annexure - A.

7. SLUMS AND DEVELOPMENT PLAN RESERVATIONS :

- 7.1 Slums situated in lands falling under various reservations/zones in the Development Plan shall be developed in accordance with the provisions of the notification, dated 3rd June 1992 issued under Section 31 of the Maharashtra Regional and Town Planning Act and as modified by the provisions in the present Appendix.
- 7.2 Slums in any zone shall be allowed to be redeveloped in-situ without going through the process of change of zone. In the free-sale component in any zone, in addition to residential user, all the users permitted for the original zone shall be permitted. For industrial user, the segregating distance shall be maintained from the existing industrial unit.
- 7.3 Any plot under non-buildable reservations admeasuring only upto 500 sq. metres may be cleared by shifting the slum-dwellers from that site.
- 7.4 The stipulation of 33 percent of area under non-buildable reservation may be reduced to the extent necessary where there are height and such other restrictions.
- 7.5 For other buildable reservations on lands under slum where guidelines approved by Government under section 31 of the Maharashtra Regional and Town Planning Act are not available, built-up area equal to not more than 15 per cent area of the entire plot or 25 percent of the area under that reservation in that plot, whichever is less, shall be demanded free of cost by the Slum Rehabilitation Authority for the Municipal Corporation or for any other appropriate Authority .

- 7.6 Where DP road passes through slum rehabilitation area, the entire 100 per cent FSI of the road may be given in the same site, on the remainder of the plot.
- 7.7 Wherever slum and municipal / MHADA property are found together or adjoining, it would be eligible for redevelopment using provisions of both DCR - 33(7) and of DCR - 33(10). Development of slum and contiguous non-slum area under any other provisions may be allowed together in order to promote flexibility of design as well as to raise more resources, provided the FSI on non-slum quantum of area shall be restricted to that permissible in the surrounding zone. Such a project shall be deemed to be a Slum Rehabilitation Project. The power under D.C. Regulation 11(4) for shifting and/or interchanging the purpose of designations / reservations shall be exercised by the Chief Executive Officer, Slum Rehabilitation Authority in respect of slum rehabilitation areas / projects.
- 7.8 In case of two or more number of slums taken up for development by same owner/developer/ NGO/Co-operative Society of the Slum dwellers, both Rehab and Free Sale Components of the said slums can be combined and located in any proportion in those plots provided in any plot, the FSI does not exceed 2.5 subject to the condition that the said slums have the same ratio of Rehab component to Free Sale Component as laid down in the Clause 3.3 to 3.5 of this Appendix.
- 7.9 Slum Rehabilitation Permissible to Town Planning Scheme Plots : Slum Rehabilitation Project can be taken up on Town Planning Scheme plots also, after they are declared as slums/ slum rehabilitation areas. Wherever Town Planning Scheme regulations so provide, there shall be no insistence on 15 per cent recreational/amenity open space for FSI deduction.
- 7.10. Contravening structures in the adjoining final plots, if declared as a slum rehabilitation area by the competent authority, may be included in the Slum Rehabilitation Scheme in the relevant Final Plot of the Town Planning Scheme.
- 7.11 In case of a slum rehabilitation project adjoining railway tracks, a boundary wall of minimum 2.4 metres in height shall be constructed.
- 8. WELFARE HALL, BALWADI, SOCIETY OFFICE AND RELIGIOUS STRUCTURE**
- 8.1 There shall be a welfare hall in each Project as part of the rehabilitation component. It shall be at the rate of 20.90 sq.m. for every multiple or part of 100 hutment dwellers' families, but located so as to serve all the floors and buildings equitably. In case of misuse, it shall be taken over by the Slum Rehabilitation Authority which will be competent to allot the same to some other organisation/institution for public use. Balwadi shall also be provided for in a similar scale. An office for the Co-operative housing society shall be also constructed in accordance with D.C. Regulation No. 38(11). Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by Government from time to time as part of redevelopment shall not exceed the area that existed prior to redevelopment.
- 8.2 All the areas underlying welfare hall/s, society office, balwadi/s, religious structure/s, the commercial areas given by way of incentives to the co-operative society and the non-governmental organisation shall be free of cost and shall form part of rehabilitation component and it is on this basis the freesale component will be computed. These provisions shall apply to construction of transit camps under DC regulation 33(14) also.

8.3 Welfare halls, society office, balwadis and religious structure/s in the rehab component shall not be counted towards the FSI even while computing 2.5 FSI on site.

9. PAYMENTS TO BE MADE TO SRA AND INSTALMENTS :

9.1 An amount of Rs.20,000 or such an amount as may be decided by the Government from time to time per tenement including the welfare hall and balwadi in the rehab component as well as in the case of permanent transit camp tenements will have to be deposited by the owner/developer/society with the Slum Rehabilitation Authority, in accordance with the time-schedule for such payment as may be laid down by the Chief Executive Officer, Slum Rehabilitation Authority. However, by the time of completion of construction for occupation of tenements by the hutment dwellers, the total amount at the rate of Rs. 20,000 per tenement completed should have been deposited in full. The building permission for the last 25 percent of the freesale component would be given only after all the required amount is deposited in full with Slum Rehabilitation Authority.

9.2 An amount of Rs. 840 per sq.mt. shall be paid by the Owner/Developer/Society/NGO for the built-up area over and above the normally permissible FSI, for the rehabilitation and freesale components. Similarly, it shall be paid for the built-up area over and above the normally permissible FSI for construction of transit camps in accordance with the provisions under DCR 33(14). This amount shall be paid to the Slum Rehabilitation Authority in accordance with the time-schedule for such payment as may be laid down by the Chief Executive Officer, Slum Rehabilitation Authority, provided the instalments shall not exceed beyond the completion of construction. This amount shall be used for Schemes to be prepared for the improvement of infrastructure in slum or slum rehabilitation areas.

10. CONVERSION OF OLD PROJECT INTO NEW PROJECT

10.1 Wherever there is an application for conversion of the old project of slum redevelopment into the new, it shall be considered only if the full occupation certificate has not been given and provided the conditions relating to the payment of Rs. 20,000 per tenement and Rs. 840 per sq.mt. for the required built-up area are complied with, and subject to such other conditions as may be imposed by the Chief Executive Officer.

10.2 Notwithstanding anything contained in 10.1 above, for a period of one year from the date of coming into force of these regulations, there shall be an option to the Owners/Developers/Co-op. Societies of hutment dwellers/NGOs to seek modification in their Slum Redevelopment Schemes, already approved by the Committee appointed under Clause 18 of Appendix IV to the DCR 1991, for Greater Mumbai, within a total sanction of 2.5 FSI which CEO, SRA may approve subject to the condition that an amount of Rs. 840 per sq.mt. shall be paid by the Owner/Developer/NGO/Society for the built up area additionally granted while enhancing the FSI and further subject to any other additional terms and conditions as may be imposed by the CEO, SRA.

The following appendix shall be added after Appendix VII now renumbered as Appendix VII-A.

APPENDIX VII-B

Regulations for the grant of TDR to the developers/Co-operative Housing Societies/NGOs in respect of slum rehabilitation scheme vide DCR 33(10) and DCR 33(14)-

1. The developer / society / NGO on a plot of land for which the Slum Rehabilitation Project is sanctioned under these Regulations shall be eligible for the award of TDR for the FSI, if any, in excess of 2.5 or as may be specifically permitted by the Chief Executive Officer, Slum Rehabilitation Authority.
2. DRC for the TDR will be issued by the Commissioner, Brihan Mumbai Municipal Corporation himself on recommendation by Chief Executive Officer, Slum Rehabilitation Authority. The FSI credit in square metres of built-up area will be stated in figures and in words, the place where TDR is earned.
3. The built-up area for the grant of DRC shall be equal to the FSI of the sanctioned Slum Rehabilitation Project allowed to be taken in the form of TDR.
4. When a buildable amenity on the reserved plot for which slum rehabilitation project is sanctioned and handed over free of cost to the Municipal Corporation, the Commissioner may grant a further TDR due for the construction of the said amenity, and in accordance with the general policy of the Municipal Corporation In this regard.
5. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Appendix as well as in Appendix IV.
6. If the holder of a DRC intends to transfer it to any other person/s he will submit it to the Commissioner with an appropriate endorsement of the new holder's name. Without such endorsement by the Commissioner himself, the transfer shall not be valid, and will be available for use only by the original holder.
7. A holder of a DRC who desires to use the FSI credit certified therein on a particular plot shall attach to his application for development permission valid DRCs to the extent required.
8. Irrespective of the location in which they originate, DRCs shall not be used in the Island city.
9. Notwithstanding any provisions contained in Appendix VII-A, the DRCs may be used-
 - (a) On any plot in the same ward in which TDR has originated, the ward not being in the Island City.
 - (b) On any plot lying to the north wholly or partly of the plot in which TDR originated, the plot not being in the Island City.
10. A DRC shall not be valid for use on receivable plots in the area listed below :
 - (i) Coastal Regulation Zone-I and areas in NDZ, TDZ and the areas for which the MMRDA has been appointed as Special Planning Authority.
 - (ii) On plots where Slum Rehabilitation Projects have been taken up or are possible.
 - (iii) Areas where the permissible FSI is less than 1.0 FSI except "M" Ward.
 - (iv) Heritage buildings and precincts notified under DC Regulation No. 67.

11. Notwithstanding the provisions in Appendix VII-A, sub-regulation 12, the use of DRC on the TDR receiving plot will be subject to the same regulations that are applicable to the TDR receiving plot. There will be no restrictions on which zone TDR can be received, except the provisions in sub-regulation 9 and 10 above.
 12. The DRC may be used on one or more plots of land whether vacant or already developed by the erection of additional floors, or in any other manner consistent with these regulations, but not so as to exceed the FSI prescribed below.
 13. Any TDR receiving plot shall not be eligible for more than 100 per cent additional FSI in whichever combination TDRs are received provided at least 20 percent of the FSI shall be mandatorily kept for use of TDR generated as surplus from slum rehabilitation scheme. The source of TDR could be from slum redevelopment, DP reservations or DP road going through TDR receiving plot.
 14. Before granting development permission to use TDR in full or in part, the Commissioner shall endorse in writing in figures and in words the quantum of DRC proposed to be utilised in the development permission.
 15. A DRC shall be issued by the Commissioner himself as a certificate printed on bond paper in an appropriate form prescribed by the Commissioner. Such a certificate shall be a transferable/negotiable instrument after due authentication by the Commissioner.
 16. The Commissioner shall maintain a register in a form considered appropriate by him of all transactions relating grant or utilisation of DRCs arising out of slum rehab projects. From time to time at least once in three months these transactions shall be published in the *Maharashtra Government Gazette* for the information of the public, provided however the utilisation of TDR/DRCs shall not be dependent upon any such publication.
 17. Wherever TDR arising out of slum rehabilitation project is received, the relaxation as required shall be given for such slum TDR on the same basis as for free sale component in the slum rehabilitation project.
- i. Following proviso shall be added at Serial No. 3 in column No. 4 of Table 4 of DCR No. 9 against entry at Serial No. 1(b), 1(c) and 1(d) at respective places:-
" (3) Or development of site can be taken up and approved by the Slum Rehabilitation Authority for the implementation of the scheme."
 - ii. Following clause shall be added at Serial No. (14) after Serial No. (13) of DCR No. 33
(14) Provisions relating to Transit Camp tenements for Slum Rehabilitation Scheme.
- (A) The FSI may be permitted to be exceeded for the construction of Transit Camp Tenements as shown below:

Serial No.	Location	Total FSI
(1)	(2)	(3)
1.	Suburbs and extended Suburbs	2.5
2.	Difficult areas comprising of Dharavi and such other areas as may be notified by SRA from time to time	2.99
3.	Island City applicable only to lands belonging to Government and Public Sector undertakings	2.33

- (B) The normally permissible FSI on the plot may be used for the purpose for which it is designated in the Development Plan.
- (C) The additional FSI could be used for construction of transit camp tenements having a carpet area of 20.90 sq.mts (225 sq.ft.) with the same specifications as for permanent slum rehabilitation tenements which will be used for the purpose of accommodating hutment-dwellers in transit on account of Slum Rehabilitation Scheme for 10 years on rent to be fixed by the Chief Executive Officer of the Slum Rehabilitation Authority. After that period, the tenements can be used by the owner for any purpose.
- (D) Or, the additional FSI could be used in the following manner :

Serial No	Location	Addl.FSI	FSI for tenements for SRA	FSI for free sale Component
(1)	(2)	(3)	(4)	(5)
1.	Suburbs and extended Suburbs	1.50	0.75	0.75
2.	Difficult areas comprising of Dharavi and such other areas as may be declared by SRA from time to time	1.66	0.71	0.95
3.	Island cities applicable only to Government and Public Sector under takings	1.00	0.57	0.43

Even in areas where the normally permissible FSI is less than 1.0, the additional FSI for permanent transit shall be mentioned as in 14(D) above and the ratio between FSI for transit camps to be given free of cost and for sale shall remain the same as in the Table given herein above.

Provisions of Sub-regulation 8.1 of Appendix IV shall apply to these transit camps.

- (E) Only after the Transit camps are handed over free of cost to the Slum Rehabilitation Authority, the occupation certificate, water connection, power connection etc. for the other portion shall be given by the Appropriate Authority.
- (F) The additional FSI shall be permitted also in cases where construction has already taken place consuming full or part of the normally permissible FSI, provided 75% of the occupants/owners have no objection thereto.
- (G) For the purpose of slum rehabilitation projects, the temporary transit tenements will have to be provided on a temporary basis on or close to the site as far as possible.
- III. Following proviso shall be added at Sr. No. (xiv) after Sr. No. (xiii) of DCR No. 60.
- (xiv) Construction of transit camp tenements required for implementation of Slum Rehabilitation Schemes provided the area is within No Development Zone, but restricted to within 100 metres from the periphery of No Development Zone towards the developed/non-NDZ area.

ANNEXURE A

(Extract of Clause 6 of Appendix IV to the DCR 33(10) published in
Maharashtra Government Gazette, dated 28th August 1996)

6. RELAXATIONS IN BUILDING AND OTHER REQUIREMENTS

- 6.1 A multi-purpose room shall be allowed with size upto 12.5 sq.metres with a minimum width of 2.4 metres
- 6.2 Separate kitchen shall not be necessary. Cooking space (alcove) shall be allowed without any minimum size restrictions. Where a kitchen is provided, the minimum area shall be 5 sq.metres provided the width shall be at least 1.5 metres.
- 6.3 There shall be no size restriction for bath or water closet unit. Moreover for bathroom, water closet or kitchen, there shall be no stipulation of one wall abutting open space, etc. as long as artificial light and ventilation through any means are provided.
- 6.4 In water closet, flushing cisterns shall not be essential and toilets without this provision may be permitted. Water closet seat shall be of a minimum length of 0.46 metres (18 inches)
- 6.5 A septic tank filter bed shall be permitted with a capacity of 150 litres per capita, where the municipal services are likely to be available within 4-5 years.
- 6.6 The minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
- 6.7 Single flight staircase, having a width of not less than 1.2 metre, without landing between floors shall be permitted.
- 6.8 In the rehabilitation component, lift shall not be insisted upon, upto ground plus five floors.
- 6.9 The provisions in DCR 38(22) relating to balcony will apply to the scheme with the following modifications. There shall be no restriction on zone and balcony shall not reduce marginal open space to less than 1.5 metres. For calculating of area of 20.90 sq.metres the area of the balcony shall be included.
- 6.10 Areas of common passages not exceeding 2.0 metres in width provided in rehabilitation component to give access shall not be counted towards FSI even while computing 2.5 FSI on site.
- 6.11 Front and marginal open spaces : Irrespective of the height of the building in the rehab component or composite building, the front and marginal open space shall be 1.5 metre for these buildings.
- 6.12 Notwithstanding the provisions in DC Regulation 29, Table 10 where the location of the plot abuts DP road, having width of 18.3 m. and above, the front marginal open space shall not be insisted upon beyond 3.0 metres, provided it is not an express highway or road wider than 52 m.
- 6.13 Where the location of the plot abuts a nallah, the marginal open space along the nallah shall not be insisted upon beyond 3 metres from the edge of the trained nallah.
- 6.14 The distance between any two buildings shall not be less than 3 metres.
- 6.15 If the building is more than ground plus 7 floors, the marginal open space shall be increased at the rate of 1 metre per floor.
- 6.16 A composite building shall contain at least 50 per cent of the built-up area as rehabilitation components, provided it shall be reduced to 40 percent for the projects in difficult areas.

- 6.17 Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the amenity open space in the project comprising both rehabilitation and freesale components, and without charging any premium, in relaxation of the stipulations in DC Regulation No. 23, wherever necessary.
- 6.18 Pathways and means of access - The ratio between the length of the pathway and the width thereof shall be as follows :
- | Length | Width |
|-----------------------|-------------|
| Upto 20 metres | 1.5 metres. |
| Upto 30 metres | 2.0 metres. |
| Upto 40 metres | 2.5 metres. |
| Upto 50 metres | 3.0 metres. |
- 6.19 Between the dimensions prescribed for the pathway and marginal distances, the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.
- 6.20 The means of access shall be normally governed by the provisions of DC Regulation No. 22. However, in the Project, wherever the design of the buildings in the same land requires relaxation, it may be given. Access through existing pathways including the roads maintained under section 63K of the Brihan Mumbai Municipal Corporation Act, 1888 but not less than 3.6 m. in width, shall be considered adequate for any slum rehabilitation project, containing buildings having height upto 25 m. including stilts. High-rise building shall be permitted even with an access of 6.0 metre width, which is adequate for passage of a fire tender.
- 6.21 Only because of use of stilt in the rehabilitation building, if the height increased beyond 24 m. it shall not be considered high-rise building for the purpose of Fire Prevention regulations.
- 6.22 Even if the amenity space is reduced to make the Project viable, a minimum of at least 8 percent of amenity open space shall be maintained.
- 6.23 Premium shall not be charged for exclusion of staircase and lift-well etc. as covered under the provisions of DC Regulation 33(2)(c).
- 6.24 All relaxations outlined hereinabove shall be given to the rehabilitation component, and also to the composite buildings in the Project. Premium shall not be charged for all or any of the relaxations given hereinabove, or for any other mentioned in DC Regulation 35(2) (c).
- 6.25 Relaxations for the freesale component - Relaxation contained in sub-regulation No. 6.12, 6.13, 6.19, 6.20, 6.21, 6.22 above, as well as other necessary relaxation shall be given to the freesale components, on payment of 10 percent of the normal premium, both in the Island City, and also in the suburbs and extended suburbs.
- 6.26 In order to make the Slum Rehabilitation scheme viable, the Chief Executive Officer of Slum Rehabilitation Authority shall be competent to make any relaxation wherever necessary for reasons to be recorded in writing.

By order and in the name of the Governor of Maharashtra.

K. NALINAKSHAN

Principal Secretary to Government



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

मंगळवार जून १६, १९९२/ज्येष्ठ २६, शके १९१४

स्वतंत्र, संकलन म्हणून फाईल करण्यासाठी प्रत्येक विभागाच्या पुरवणीला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग एक - कोकण विभागीय पुरवणी अधिसूचना

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Bombay 400 032, dated the 3rd June 1992
Maharashtra Regional and Town Planning Act, 1966.

No. TPB -4391/4080 (A)/UD-11(RDP) - Whereas, in accordance with sub-section (1) of section 31 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act"), the Government of Maharashtra has proposed to sanction policy guidelines for the Development Plan of Greater Bombay for implementation of allocated, designated/reserved sites occupied by slums, (hereinafter referred to as "the said policy guidelines") under Government Notification, Urban Development Department, No. TPB - 4391/2009/CR-114/ UD-11(RDP), dated the 19th December 1991, published in the Maharashtra Government Gazette, Part I, Konkan Divisional Supplement, dated 26th December 1991, at pages 216 to 223;

And whereas, the Government of Maharashtra had announced its intention to sanction the said policy guidelines as described in Schedule II of the Government Notice, Urban Development Department, No. TPB 4391/2009 (A)/CR-114/91/UD- 11(RDP), dated 19th December 1991, published in the Maharashtra Government Gazette, Part I, Konkan Divisional Supplements dated 26th December 1991 and objections from any person in respect of the said guideline as provided in second proviso to sub section (1) of section 31 of the said Act;

And Whereas, in accordance with sub-section (2) of section 31 of the said Act, Government had appointed an officer to hear the persons or person who submit objections or suggestions in respect of the proposed modifications and to submit objections or suggestions and his report to Government (hereinafter referred to as "the said officer"), vide Government Notification,

Urban Department No. TPB - 4389/2009/CR-114/91/UD-11 (RDP), dated the 4th December 1991 published in the Maharashtra Government Gazette, Part I, Konkan Divisional Supplement, dated 26th December 1991 at page 226;

And whereas, in exercise of the powers conferred under the first proviso to sub-section (1) of section 31 of the said Act, the Government of Maharashtra by its Notification, Urban Development Department, No. TPB - 4392/716/UD-11 (RDP), dated 31st March 1992, has extended the period for sanctioning the Revised Development Plan for a further period upto and inclusive of 30th June 1992;

And whereas, the Government of Maharashtra has in accordance with sub-section (3) of section 31 of the said Act, taken into consideration the objections and suggestions received and the report of the said officer ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 31 of the said Act and of all other powers enabling it in that behalf, the Government of Maharashtra hereby-

- (a) sanctions the policy guidelines for the Development Plan of Greater Bombay for implementation of allocated/ designated/ reserved sites occupied by slums specified in the Schedule below which shall be the final policy guidelines for the Development Plan of Greater Bombay for the said purpose;
- (b) fixes the 19th day of July, 1992 to be the date on which the policy guidelines for Development Plan of Greater Bombay shall come into force.

SCHEDULE

*Policy Guidelines for the Development Plan of Greater Bombay
for implementation of lands allocated to various
users designated/reserved sites occupied by slums*

PREAMBLE

It is a well-known fact that nearly 55% population of Greater Bombay does not have authorised shelter. Nearly 2,525 hectares of lands in the City are under slums. Lands occupied by slums are allocated for different users and are designated, reserved or allotted for various existing or proposed public purposes in the draft or final revised Development Plan of Greater Bombay.

Government of Maharashtra have, vide Urban Development Department Notification No. DCR 1019/RDP/UD-11, dated 20th February, 1991 sanctioned the Development Control Regulations for Greater Bombay, 1991. Therein sub-regulation (10) of Regulation 33 read with Appendix-IV provides for special provisions for slum redevelopment through owners / developers/ co-operative housing societies of such slum dwellers. Under this Development Control Regulation, redevelopment of slums is permissible in residential zone.

These Development Control Regulations were sanctioned by Government on 20th February, 1991 and came into force on 25th March 1991. In the meanwhile, Government had already started the work of scrutiny and sanction of the ward-wise revised Development Plan of Greater Bombay. During the course of inspection of sites designated or reserved for public purposes in the draft or final Revised Development Plan, it was observed that not only the areas in residential zone

but the areas in Industrial, Commercial, No Development Zone and area designated/ reserved/ allotted for various existing as well as proposed public purposes have been occupied by slums. Government in Housing and Special Assistance Department had carried out census of huts in Bombay in 1976. Each hutment dweller so censused has been issued a photo-pass. Thereafter such slums whose structures and inhabitant's names have appeared in the Legislative Assembly Voters' list of 1985 have also been treated as authorised by Government.

It is very difficult, if not possible, to evict the slum dwellers from their places even when the land on which they reside are reserved or designated in the Development Plan for various public purposes. Even if ready to shift, alternative sites for such shifting are not available in nearby vicinity. Hence naturally the eviction and relocation of such slums is to be carried out at a place far away. Slum dwellers resist such a shift to a place where patterns of employment and travel get dislocated. It is therefore considered necessary for the Government to evolve practical solutions to obtain lands for amenities/facilities from lands being occupied by slums and allow redevelopment of lands zoned or reserved for other users. Government had prepared draft policy guidelines with which the need for the amenity/facility can be met to some extent and also the redevelopment of the slum is carried out at the same place.

The Planning Authority did not include any such policy guidelines for the redevelopment of slums affected by reservations or zoned for user other than residential while publishing a draft Development Plan under section 26 of the Maharashtra Regional and Town Planning Act, 1966 or while submitting the said draft Plan under section 30 of the Act to the State Government for sanction. Inclusion of such policy guidelines would be a modification at Government level, and since it was considered a substantial modification, it was published under proviso to section 31(2) of the said Act. This was done vide Urban Development Department, Notice No. TPB-4391/2009(A)/CR-114/91/UD-11(RDP) dated 19th December 1991. It was mentioned therein clearly that the said policy guidelines would be applicable to the entire Greater Bombay.

Having received objections and suggestions to the said substantial modification, the designated officer appointed by Government, Shri G. S. Pantbalekundri, Deputy Secretary to the Government of Maharashtra submitted objections and suggestions received in regard to the said policy guidelines and his report to Government. Government having carefully considered the said objections and suggestions and report is hereby pleased to accord sanction to the following policy guidelines for slum redevelopment in lands zoned or reserved for other purposes, and these guidelines shall be an integral part of the final revised Development Plan for greater Bombay sanctioned by Government under section 31 of the said Act, and shall be applicable to Greater Bombay.

Following guidelines are therefore sanctioned by Government for allowing slum redevelopment on lands occupied by existing slums, which are zoned or reserved for public purpose in the Revised Development Plan of Greater Bombay :

The manner of redevelopment of existing slums occupying lands from residential, commercial, industrial zones and lands reserved/designated/allotted for various public purposes (existing or proposed) is prescribed as set down hereinbelow :

Category I

This category shall consist of lands occupied by "existing slums" in residential, commercial (C-1 and C-2), industrial (I-1, I-2 and I-3) not affected by any other allocations/designation/reservation in the final Development Plan. They may be developed subject to the following :-

- (i) (a) Lands in Residential (R-1 and R-2) and Commercial (C-1) zones occupied by existing slums be allowed to be developed in accordance with sub-regulation (10) of Regulation 33 read with Appendix-IV of the Development Control Regulations for Greater Bombay, 1991 (hereinafter referred to as "the said Regulations").
(b) Lands in industrial zones (I-2 and I-3)/ industrial estate may be allowed to be converted into residential users in accordance with clause (c) and onwards of sub-regulation (3) of Regulation 56 and regulation 57 of the said Regulations as the case may be. Such lands occupied by existing slums may further be allowed to be developed in accordance with sub-regulation (10) of Regulation 33, read with Appendix-IV of the said Regulations.
- (ii) (a) The same sub-regulation (10) of Regulation 33 read with Appendix-IV of the said Regulations shall be applicable for lands in Commercial Zone (C-2) occupied by existing slums.
(b) Lands in Industrial Zone (I-1) : Industrial Estate of I-1, occupied by "existing slums" shall be allowed to be developed in accordance with sub-regulation (10) of Regulation 33 read with Appendix-IV of the said Regulations.
- (iii) "Existing Slums" occupying lands in dangerous locations such as hill slopes, marshy lands, near water bodies, lands abutting Railway tracks and sites immediately required for the public and semi-public projects may be relocated on other suitable locations zoned / allocated for any user except lands included in No Development Zone may be allowed to be developed in accordance with sub-regulation (10) of Regulation 33 read with Appendix-IV of the said Regulations. The extent of the area required for shifting such existing slum shall be determined by the Committee appointed under Regulation 18 in Appendix IV read with sub-regulation (10) of Regulation 33 of the said Regulations.
- (iv) Lands in the No Development Zone occupied by existing slums shall be allowed to be redeveloped where the amenities such as water-supply, drainage and electricity are available and the Planning Authority would be able to provide other required facilities, the extent of the land required for redevelopment of existing slum shall be ascertained by the Committee appointed under regulation (18) in Appendix-IV read with sub-regulation (10) of Regulation 33, provided the slum is close to the border or edge of the No Development Zone.

Category II

This category shall consist of lands reserved/designated/allotted for existing or proposed non-buildable reservations such as recreational ground, playground, garden, park and any other open users in the Final Development Plan occupied by "existing slums" to the extent of more than 25 percent of the area under such non-buildable reservations. Where the area occupied by existing slum is less than 25 percent of the area of the site, no redevelopment scheme on the site shall be undertaken and slum dwellers from such areas shall be shifted and sites occupied by them cleared for the designated/reserved amenity.

- (a) Any plot admeasuring upto 1000 sq.m. independently located or in a cluster occupied by existing slums will have to be cleared by shifting the slum dwellers.
- (b) Where the area of site, either independently located or in a cluster, is 1001 sq.m. and above such sites may be allowed to be developed for slum redevelopment in accordance with sub-regulation (10) of Regulation 33 read with Appendix-IV of the said Regulations subject to condition that the ground area of the land so used shall not be more than 67 percent of the reservation and leaving 33 percent rendered clear thereafter for the reservation.

Category III

This category shall consist of lands designated or reserved for buildable public purposes in the draft or Final Development Plan :-

- (i) Existing slums on lands reserved for Primary or Secondary Schools may be developed subject to the following :-
 - (a) In the case of land reserved for Municipal Primary School or a Private Primary School in the Development Plan, a building for accommodating such number of students as may be decided by the Municipal Commissioner, not in any case for less than 500 students, shall be constructed by the owner or developer at his cost according to the size, design, specification and conditions prescribed by the Municipal Commissioner. The built-up area occupied by the constructed building shall be excluded for the purpose of FSI computation, and where it is intended for a municipal primary school, the building or part thereof intended for a school use shall be handed over free of cost and charge to the Corporation. Thereafter, the land may be allowed to be redeveloped with the full permissible FSI of the plot according to sub-regulation (10) of Regulation 33 read with Appendix-IV of the said Regulations.
 - (b) In the case of lands affected by the designation or reservation of a secondary school in the Development Plan, a building for accommodating such number of students as may be decided by the Municipal Commissioner, not in any case for less than 800 students, shall be constructed by the owner or developer at his cost according to the size, design, specification and conditions prescribed by the Municipal Commissioner, the built-up area occupied by the constructed building shall be excluded for the purpose of FSI computation. The constructed building shall be handed over to the Corporation free of cost and charge and the Municipal Commissioner may hand over the same or part thereof intended for the School use to a recognised and registered educational institution for operation and maintenance on terms decided by him. Thereafter the land may be allowed to be redeveloped with full permissible FSI of the plot according to sub-regulation (10) of Regulation 33 read with Appendix-IV of the said Regulations.
- (ii) For lands occupied by slums, which are reserved for other buildable reservations in the Development Plan not covered under (a) and (b) above the Municipal Commissioner may prescribe the minimum built-up area required for the reservation, requiring the owner or developer to construct at his cost and hand over the built-up area to the Corporation free of cost and free of charge for operation and maintenance for the purpose of the reservation or the Commissioner may hand over the same to a recognised and registered institution for operation and maintenance on terms decided by him. Thereafter the land may be allowed to be developed with full permissible FSI of the plot according to sub-regulation (10) of Regulation 33 read with Appendix-IV of the said Regulations.

Category IV

This category shall consist of lands other than those described in Category-II and III and V occupied by slums, but allocated, designated or reserved for public purposes in the draft or final Development Plan which an owner is permitted to develop according to Table-4 below Regulation 9 of the said regulations. Such land may be allowed to be redeveloped by the owner/developer at his cost according to the said Table with built-up area as may be prescribed by the Municipal Commissioner and on other terms decided by him. The built-up area would be handed over to the Corporation free of cost and free of charge for further operation and maintenance according to the said Table. The built-up area of the amenity to be provided and handed over to the Corporation shall be excluded from FSI computation and the development for slum redevelopment allowed on the full permissible FSI of the plot according to sub-regulation (10) of Regulation 33 read with Appendix IV of the said Regulations.

Category V

This category shall consist of lands occupied by existing Slums, designed or reserved for purpose of Public Housing, Public Housing/High Density Housing or Housing for Dishoused.

Such lands shall be treated as sites for slum redevelopment and redevelopment allowed according to sub-regulation (10) of Regulation 33, read with Appendix-IV of the said Regulations, instead of as Public Housing or Public Housing / High Density Housing or Housing for Dishoused.

Category VI

This Category shall consist of lands occupied by existing slums on proposed or existing alignment of Development Plan Roads or Road-widening proposals.

Rehabilitation of such slum dwellers for clearing the areas required for the roads/road widening proposals shall be effected on suitable nearby residential zone, earmarking the area required for the purpose and then allowing them to be developed according to sub-regulation (10) or Regulation 33 read with Appendix-IV of the said Regulations or on sites developed under sites and services or on pitches developed for shifting of slum dwellers. There shall be no need to carry out a minor modification under section 37 of the said Act for this purpose.

Category VII

This category shall consist of lands occupied by existing slums, which are not covered by any of the aforesaid categories or where slum redevelopment is not possible for any reasons.

In such cases, for slum redevelopment, a minor modification to the Final Development Plan under section 37 of Maharashtra Regional and Town Planning Act, 1966, for placing the required land for slum redevelopment in the residential zone, may be undertaken. Thereafter slum redevelopment may be undertaken according to sub-regulation (10) of Regulation 33, read with Appendix-IV of the said Regulations.

Applicability

Decision of State Government on these policy guidelines for implementation of allocated, designated/ reserved allotted sites occupied by existing slums will have effect for, and apply to draft or Final Development Plans of all wards in entire Greater Bombay.

Existing Slums

"Existing Slum" is the area occupied by slum dwellers which are censused and having photo passes as per 1976 census or those whose names have appeared in the Legislative Assembly Voter's list of 1985. These cover slums on Government, MHADA and MCGB lands and Notified Slums on private lands.

Slum Redevelopment Area

Development/redevelopment of lands covered by existing slums in the categories mentioned above shall be allowed only on the area affected by existing slum after a Certificate is issued certifying the exact extent of the lands covered by the slums on lands designated or reserved or allotted for various public purposes and area zoned/allocated for various users in the draft or Final Development Plan required for slum redevelopment. The certificate shall be issued by the Committee appointed as in Regulation 18 of Appendix-IV of the said Regulations. The rest of the unaffected areas from the "existing slums" from the lands zoned/allocated, designated/reserved or allotted shall be allowed to be developed according to normal Development Control Regulations.

Tenure Rights

In case of lands owned by State Government, Maharashtra Housing and Area Development Authority or Municipal Corporation of Greater Bombay, affected by zones/reservations of various categories stated above, the tenurial rights for the areas occupied by the slum dweller from the existing slums within the slum area shall be allowed by the aforesaid authorities in the form of a document as prescribed by Government in the Housing and Special Assistance Department subject to the shifting and relocation of the hut at the time of slum redevelopment in the categories described below :

(A) 1. Category - I	I (i) I (ii)
2. Category - II	Full
3. Category - III	Full
4. Category - IV	Full
5. Category - V	Full

(B) Tenurial rights shall not be given in cases where slums are in categories described below. However, Slum dwellers from these categories can be enrolled as members of the Co-operative Housing Societies so that they can be accommodated in the redevelopment schemes.

1. Category - I	I (iii)
2. Category - VI	Full
3. Category - VII	Full

By order and in the name of the Governor of Maharashtra,

D. T. Joseph
Secretary to Government.

APPENDIX -C

ANNEXURE-I

SLUM REHABILITATION SCHEME

Format for submitting the Scheme as per modified DCR - 33(10)

Appendix-IV (Dt. 15.10.96)

1.	Name of the Slum / Location / Municipal Ward / Assembly constituency Name of CHS (Tel. if any)	
2.	Name of Architect Firm of Architect & Address	
3.	Survey No./CTS No. /CS No. / Plot No. of Village/Division Name of the Road Pin Code.	
4.	Ownership of land a) Name of the Owner b) Address of Owner	
5.	Status of Slum a) Notification No b) Year of census c) Area under slum	
6.	Documentary Evidence regarding ownership of the land A) Private Land a) Conveyance Deed b) Lease Agreement c) Power of Attorney d) Extract from P R Cards signed by SLR e) Court order If any B) For Govt. / MHADA / B.M.C. Land C) Whether under acquisition a) If yes, stage of acquisition	
7.	Documentary Evidence regarding area of the holding / Plot a) As per Conveyance Deed b) As per P R Cards signed by SLR c) As per Affidavit of Owner / Society d) As per Architect's Certificate & triangulation calculation with plot dimensions	_____ Sq. Mtr.

	e) As per Lease Agreement / Power of Attorney f) As Per certificate issued by Ward Officer g) Least of (a) to (f)	_____ Sq.Mtr. _____ Sq.Mtr.
8.	Details of existing hutments. (A) Number of eligible hutment dwellers upto 1-1-1995 Assembly electoral list a) Residential _____ Nos b) Residential Cum Commercial (RC) c) Commercial-Shop/Work Shop/Factory Shop / Economic activities. _____ Nos d) Existing Amenity structure / Welfare Hall, Balwadi, Schools, Gymnasium and Religious structure etc. (B) Attach statement giving details of area, etc. of each commercial establishment with documentary evidences for c & d above. (showing actual & permissible areas)	
9.	ZONE	
10.	Reservation as per D. P. (Attach D. P. / Survey Remark)	
11	Is layout / sub-division / amalgamation necessary (Separate application not necessary)	
12.	Area Statement i) Area of the plot _____ Sq.Mtr. ii) Deductions for a) Setback area _____ Sq.Mtr. b) Proposed Road _____ Sq.Mtr. c) Deductions for physical provision of buildable/unbuildable reservations. _____ Sq.Mtr. d) Deduction for 5% Amenity open space _____ Sq.Mtr. e) (Total a+b+c+d) _____ Sq.Mtr. iii) Net plot Area (i-ii) _____ Sq.Mtr. (For computation of Ten. Density)	
13.	Computation of tenement density a) Existing nos. of tenements Residential, Resi-cum-Commercial as per clause no.3(12) of DCR 33(10) &	_____ Nos. _____ Nos.

	<p>Annexure-II</p> <p>b) No. of equivalent tenements for commercial use of slumdwellers as per Clause No. 3(13) of Appendix-IV of DCR 33(10), dt. 15.10.97</p> <p>c) Total of (a+b)</p> <p>d) Existing Tenement Density :</p> <p style="padding-left: 40px;">(c) ----- X 10,000 12(iii)</p> <p>e) Tenements required to be provided as per tenement density of 500 T/s net Hect.</p> <p>f) No. of PAP required to be provided (e-c)</p> <p>g) Total No. of (rehab + PAP) tenements proposed on site</p> <p style="padding-left: 20px;">Residential</p> <p style="padding-left: 20px;">Res-cum-Commercial</p> <p style="padding-left: 20px;">Commercial</p> <p style="padding-left: 20px;">PAP</p> <p style="padding-left: 20px;">Existing Amenity</p> <p style="padding-left: 20px;">Total</p>	<p>_____ Nos.</p> <p>_____ Nos.</p> <p>T/h</p> <p>_____ Nos.</p> <p>_____ Nos.</p> <p>_____ Nos.</p> <p>_____ Nos.</p> <p>_____ Nos.</p> <p>_____ Nos.</p> <p>_____ Nos.</p> <p>_____ Nos.</p>
14.	<p>Computation of Rehab. Free Sale Areas</p> <p>No. of Rehabilitation tenements required to be provided at the rate of 500 tenements per net hectare</p> <p>a) Area of the plot</p> <p>b) Deduction for D. P. Reservations</p> <p style="padding-left: 20px;">i) Non buildable reservations</p> <p style="padding-left: 20px;">ii) Buildable reservation actually implemented on site, including appurtenant open spaces</p> <p style="padding-left: 20px;">iii) Set back Area</p> <p style="padding-left: 20px;">iv) Proposed Road</p> <p>c) Total (b[i]+b[ii]+b[iii]+b[iv])</p> <p>d) Net area of plot for computing No. of Tenements (a-c)</p> <p>e) Deductions for 15% RG (if applicable)</p> <p>f) Balance area of plot (d-e)</p>	<p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p> <p>_____ Sq.Mtr.</p>

	g) Additions for FSI purpose	_____ Sq.Mtr.
	h) Total Area	_____ Sq.Mtr.
15.	(A) Built up Area of Rehabilitation Component by excluding staircase, lift and passage there to, electric meter room & balconies if any (deduction u/s of 35(2) of DCR 1991)	
	a) Residential (No of tenements _____)	_____ Sq.Mtr.
	b) Residential - cum - Commercial (No. of tenements _____)	_____ Sq.Mtr.
	c) Non-Residential permissible area for rehab component (No. of tenements _____)	_____ Sq.Mtr.
	i) 5% for slum society if project is implemented by slum society	_____ Sq.Mtr.
	ii) Add. 5% for NGO sponsored project	_____ Sq.Mtr.
	Total of (a+b+c) 15(A)	_____ Sq.Mtr.
	(B) Exclusion for FSI computation	
	a) Welfare Centre	_____ Sq.Mtr.
	b) Balwadi	_____ Sq.Mtr.
	c) Society Office	_____ Sq.Mtr.
	d) Common passage upto 2.00 in width	_____ Sq.Mtr.
	Total of (a+b+c+d) 15(B)	_____ Sq.Mtr.
16.	Built-up Area for FSI computation purposed for Rehabilitation Bldg. [15(A)]	_____ Sq.Mtr.
17.	Built-up Area for sale IN ECQ. RATIO OF [15(A)+15(B)]	_____ Sq.Mtr.
18.	Built-up Area for FSI purpose actually proposed to be consumed in sale bldg. on site. (For maximum 2.50 on plot)	_____ Sq.Mtr.
19.	Total BUA permitted for the project (16+17) for FSI purpose.	_____ Sq.Mtr.
20.	Total FSI for the project $\left(\frac{19}{\text{Net Plot Area}} \right)$	_____ Sq.Mtr.
21.	Total Built-up Area actually to be consumed for FSI purpose (16)+(18) on plot	_____ Sq.Mtr.

c) Cost of ____ sq.mtrs. of Transit Accommodation at Rs. ____ per sq.mtr.	Rs. =====
d) TOTAL (a + b + c)	Rs. =====
e) Supervision Charges (5%)	Rs.
f) Interest Burden (15%) for half the project period	Rs.
g) Price variation (10%) (including cost of transit accommodation)	Rs.
h) Infrastructure cost at Rs. 840/- per sq.mts.	Rs.
i) Contribution of Rs.20,000/- per tenement	Rs.
j) Development Charges	Rs.
k) Premium (Stair + Lift + Lobby + Balcony open space deficiency)	Rs.
l) Any other cost	Rs. =====
TOTAL COST OF THE PROJECT	Rs. =====

(SIGNATURE OF ARCHITECT)

(SIGNATURE OF OWNER/CHIEF
PROMOTER OF SOCIETY)

ANNEXURE II

1. Certified that an area _____ sq. m. in CTS Nos. _____ F. P. Nos. _____ of Village _____ Taluka _____
- a) is a censused slum colony of Municipal / MHADA / Govt. Records or is notified as Slum under Section 4(1) of Maharashtra Slum Areas (IC&R) Act 1971 vide Notification No. _____ dated _____

OR

- b) is a declared slum on private land under Section 4(1) of Maharashtra Slum Areas (IC&R) Act vide Notification No. _____ dated _____
2. There are total _____ (Give the number) structures in the said Slum Colony out of which _____ (No) of structures are protected structures as per Government G.R. No. झोपुयो - १०९६ प्र. क्र. ६८ गृ.नि.सेल dated 16 May 1996 and amended D.C. Regulation 33(10) and therefore eligible for free alternative accommodation under Slum Rehabilitation Scheme.
3. Out of _____ (No) of eligible structures _____ are Residential, _____ are Residential-cum Commercial and _____ are Commercial.
4. Out of _____ eligible slum-dwellers, _____ slum-dwellers have given consent in writing to proposed Slum Rehabilitation Scheme. Thus _____ % have consented to the scheme.
5. The list of hutment dwellers along with other details such as carpet area for commercial users, etc. is appended herewith.
6. The Slum boundaries as submitted are described as below with plan :
- North
South
East
West
7. Local Name of the Slum Colony is _____ and the name of the Proposed Society of slum-dwellers is _____

Ward Officer (M.C.G.M.)
C.O. MHADA
Dy. Collector (Enc.)

ANNEXURE II

Sr. No.	Name of Head of Family occupying flat at Present as verified on site	Name and Separate Structure appearing in Electoral Roll (Specify the year of the Electoral Roll the Structure No and the Serial No. reflected in Electoral Roll)		User - Residential/ Commercial / Residential-cum-Commercial Amenity structures/ religious structures	Carpet Area of Non Residential User prior to 1/1/95	Documentary Evidences for (i) Separate Identity Carpet area (ii) Existence prior to 1/1/95 in case of Non Residential Users	Whether Individual slum dweller has consented for the scheme (Yes/No.)	If Individual slum dweller has consented for the Scheme his signature/ Thumb Impression	Remarks of the Competent Authority on Eligibility as per Approved DCR 33(10)
		Year of Electoral Roll	Sr. No. in Electoral Roll						

Certified

Chief Promoter of CHS / Owner / Developer / NGO

Signature of
Ward Officer (M.C.G.M.)
C.O. (MIADA)

Signature of
Ward Officer (M.C.G.M.)
C.O. (MIADA)
By: Collector (Enc)/Addl. Collector
With Seal

Note : Separate Commercial User shall be considered only if it is in a separate built-up premises and not through a common wall.
Every page of Annexure - II should be signed.

N. B. Strike out what is not applicable

ANNEXURE III (Proforma)

Annexure to assess the financial capability of the Developer to execute the SRA Scheme.

1. Name of the Slum Co-op. Society. :
2. Address of the Slum Co-op. Society. :
3. Name of the Chief Promoter/President
& Secretary of the Slum Co-op. Society. :
4. Number of Rehabilitation Tenements
to be constructed as per Annexure II :
5. Name and Address of the Architect. :
6. Name and Address of the Developer. :
7. Status of the Developer's Firm
((Proprietary/Partnership/Company) :
8. Whether Memorandum of Association/
Registered Partnership Deed attached? Yes/No.
9. Whether Income Tax Clearance Certificate
for the last three consecutive years
including that of the last year attached? Yes/No.
10. Whether Audited Statements of last three
consecutive years of Accounts attached? Yes/No.
If yes,
 - (i) Year _____ : Yes/No.
 - (ii) Year _____ : Yes/No.
 - (iii) Year _____ : Yes/No.
11. (a) Funds required for construction of _____ Rehab. Tenements.
Amount = Number of Rehab. Tenements x Cost of one tenement.
(b) 20% of the Amount in (a) above as initial
investment ready for investment in the Scheme.
Proof of the Funds available.
 - (1)
 - (2)
 - (3)
 - (4)(C) Plan for 80% of the amounts in (a) above, that the amounts required for
completing the scheme will be made available from the following sources -
 - (1)
 - (2)
 - (3)
 - (4)

Signature of Architect

Signature of Developer

APPENDIX - D
SLUM REHABILITATION AUTHORITY

CIR NO. SRA/4

No. SRA/DyCE/1710
Date 27th August, 1997

CIRCULAR

SUB : Approval of Slum Rehabilitation Schemes.

As per the present practice, approval of proposals of the Slum Rehabilitation Scheme is being given in 4 (four) different stages:

- | | |
|----------------------------|-------------------------------|
| (1) Letter of Intent (LOI) | (2) Layout |
| (3) Intimation of approval | (4) Commencement Certificate. |

While approving each of the stage the validity period of LOI and Layout is 1 (One) year and the validity period of IOA is 1 (One) year and C.C. as per M.R.&T.P. Act. While proposing the validity period of each of the stages, it was anticipated that the Developer/Architect/Society bearers will complete formalities required for each of the stages and submit their proposal expeditiously for speedy implementation of the scheme. However, in reality it has been seen that the schemes are approved and stuck up at LOI level only and they come forward for revalidation of LOI or Layout without doing any ground work for implementation of the scheme. This has resulted into increasing number of LOI but, in fact hardly new works are actually in progress.

Since Government is very keen to implement this scheme and rehabilitate the slum dwellers in a stipulated time, it has become necessary to cut short the procedure and reduce the validity period for each of the stages.

It has therefore, become necessary that henceforth, the Developer/Architect will have to submit the proposal to S.R.A. complete in all respects, so that they will be in a position to receive LOI/Layout and IOA of 1st (first) rehabilitation building simultaneously. The validity period for all 3 (three) will be reduced to 3 (three) months only, during which time he has to comply with the requirements required for starting of work and come forward with the request to obtain C.C. u/s.44 &45 of M.R. & T.P. Act.

Therefore, by direction of C.E.O. (SRA) the proposal which is incomplete for grant of approval of Layout/IOA and approval of 1st rehabilitation building will not be allowed to be submitted and will be accepted only after annexing all the required documents for issue of above approval. A copy of Annexure required for approval of LOI/Layout and IOA is annexed herewith.

In order to facilitate the disposal it has also been decided that Architect/Developer or Society bearers may submit Annexure-II in duplicate, as prepared by them in the prescribed proforma signed by Owner/ Developer/C.P./N.G.O., a copy of which will be forwarded to the Competent Authority who issues Annexure-II for getting it certified. The proposal will be scrutinised on the basis of Annexure-II submitted by the Architect. However, approval will be granted only after receipt of certified Annexure-II from the Competent Authority.

The S.R.A. will also follow up with the respective Competent Authority to get Annexure - II certified by them. This procedure will come in force immediately after issue of this Circular.

(S.M. Deshpande)
Dy. City Engineer (SRA)

APPENDIX - E

SLUM REHABILITATION AUTHORITY

CIRCULAR No. 7

97-98

No.SRA/FC /1372

Date : 25 November, 1997.

CIRCULAR

Subject : Payment of Deposits and infrastructural Charges to Slum Rehabilitation Authority and Instalments in Payment Facility.

Reference : Circular No.1- SRA/DyCE 1426 of 29th November, 1996.

As per the Clause No. 9.1 of Amended DCR 33(10), sanctioned by Government of Maharashtra vide Govt Notification No. DCR-1095/1209/CR-273/95/UD-11 dated 15th October, 1997, an amount of Rs. 20,000/- per Rehabilitation tenement shall be deposited with SRA in accordance with time schedule as may be laid down by Chief Executive Officer of S.R.A. Further, as per Clauses No.9.2, an amount of Rs. 840/- per sq.m over and above normally permissible FSI shall be charged and recovered.

In the view of above, it has been decided that the payment schedule will be as enlisted below and will be applicable for all earlier schemes also :

I) DEPOSIT :-

The developer shall deposit Rs.10,000/-per rehabilitation tenement at the time of plinth C.C. of the freesale building, proportionate to the extent of freesale building for which plinth C.C. is applied for. In case of composite building , the deposit of Rs. 10,000/- per rehabilitation tenement shall be payable at the time of plinth C.C. of the said composite building. The balance payment, totalling upto Rs.20,000/- per rehabilitation tenement shall become payable before grant of occupation certificate to the rehab building or composite building. However, if TDR is claimed, the entire amount of deposit of Rs.20,000/- per rehabilitation tenement will become payable at the stage of claiming such TDR.

This policy will be applicable even for cases of conversion from SRD to SRA Scheme.

II) INFRASTRUCTURAL CHARGES :-

Rs. 840/- per sq.m shall be charged on built-up area beyond normally permissible FSI of the zone. The first instalment of Rs.400/- per sq.m of built-up area shall be paid at the time of C.C. of sale building proportionate to the built-up area of respective sale building or before grant of C.C. to composite building proportionate to sale component in that composite building.

The second instalment of Rs. 440/- per sq.m of built-up area shall be paid at the time

of occupation certificate of freesale building proportionate to the built-up area of respective freesale building or before grant of occupation certificate to composite building in case of composite building. In case, TDR is claimed, the entire amount of Rs. 840/- per sq.m proportionate to the extent of such TDR claimed shall become payable.

This policy will be applicable even for conversion cases.

- III) If the developer is requesting for further relaxation in stages as prescribed above in (I) and (II) and he is prepared to pay 5% of the amount due, subject to a minimum amount of Rs.1 lakh and further submit an undertaking to pay remaining amount with 16% simple interest chargeable from the due date; such facility may be granted by the concerned Executive Engineer.
- IV) Notwithstanding anything contained above, the full amount deposited (Rs. 20,000/- per tenement) must be collected either before grant of full occupation to rehabilitation component or before approving the plans for last 25% in situ freesale component whichever is earlier, as per Clause No. 9.1 of Amendment DCR 33(10).
- V) The structure of fees circulated vide Circular No. 1 - SRA/DyCE 1426 of 29.11.96 stands modified as regards to the recovery of deposit of Rs. 20,000/- per tenement and infrastructural charges of Rs. 840/- per sq.m. to the extent of changes made.

This issues with the approval of Chief Executive Officer, S.R.A.

Finance Controller (S.R.A.)

APPENDIX - F
NOTIFICATION

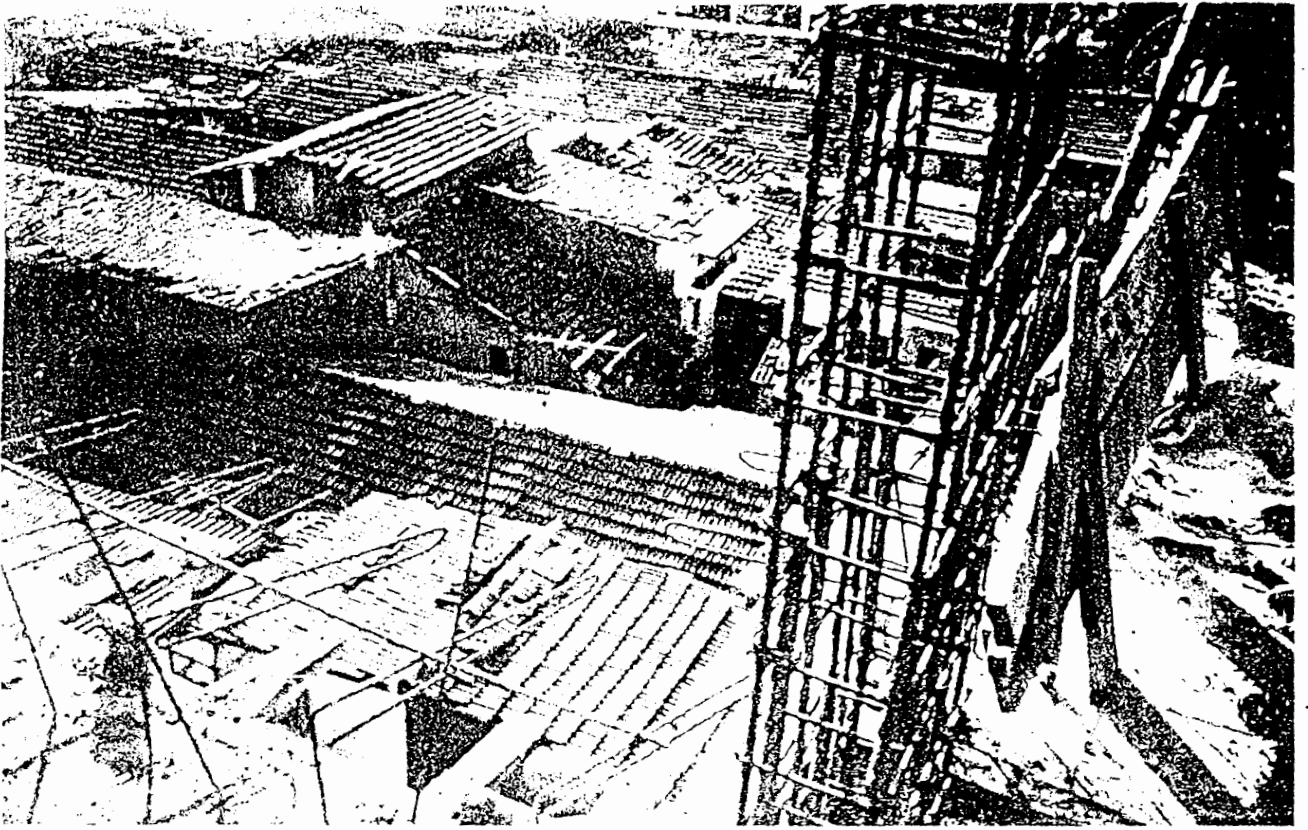
Urban Development Department
Mantralaya, Mumbai 400 032.
Dated : 7th November 1997.

No. BMC-1996/6183/CR-50/97/UD-21 : In exercise of the powers conferred by section 144 B of the Mumbai Municipal Corporation Act (BOM. III of 1888), and of all other powers enabling it in this behalf, the Government of Maharashtra hereby fixes the following reduced rates of property taxes, during the period of twenty years with effect from the 23rd November 1995, or from the date of occupation of the premises whichever is later, to be levied in respect of any building constructed, whether before or after the 23rd November 1995, under the Low Cost Housing Scheme for economically weaker sections and Low Income group by the Maharashtra Housing and Area Development Authority, or under the Slum Rehabilitation Scheme declared under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act 1971 (Mah. XXVIII of 1971), or under any other Housing Scheme of the Central Government, State Government or Mumbai Municipal Corporation for the purpose of slum improvement, and used for residential purposes, namely:

Period	Reduced rate of Property taxes
1. From the 1st year to the 10th year	20% of the rate of property taxes levied in the particular year.
2. From the 11th year to the 15th year	50% of the rate of property taxes levied in the particular year.
3. From the 15th year to the 20th year	80% of the rate of property taxes levied in the particular year

By order and in the name of the Governor of Maharashtra.

(D.S.Gujare)
Deputy Secretary to Government



Rehabilitation work in progress....



For further information, assistance and suggestions,
please contact at the following address:

SLUM REHABILITATION AUTHORITY,

5th floor, Grihnirman Bhavan,
Bandra (East), Mumbai 400 051

Phone Nos. : 643 73 05 / 644 38 79

644 17 93 / 642 89 13

Fax No. : 644 14 57

E Mail Address : cgautam@bom3.vsnl.net.in