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**S. S. Hussain** I.A.S. (Ex)

Chief Executive Officer

Ref. No. MCHI/CEO/16-17/001

July 24, 2017

**Sub: Request for Meeting with reference to pending works at Slum Rehabilitation Authority (SRA)**

**Ref: Presentation given by Government of Maharashtra in the Convention at Nagpur on 21<sup>st</sup> & 22<sup>nd</sup> February 2015.**

Dear

Heartiest Congratulations for appointment as the Chief Executive Officer for Slum Rehabilitation Authority, Mumbai.

We would like to say Thank you for giving your precious time to meet us on 17<sup>th</sup> July 2017 for inviting for our Change of Guard Event. In our meeting you expressed your views about the list of various pending works and policy decisions which want to finalize at the earliest with concurrence of stakeholders of Real Estate Industry. In our meeting with you Shri Mayur Shah, President of CREDAI-MCHI specially mentioned that State Government had given a brief presentation on Slum Rehabilitation and Redevelopment in the Convention at Nagpur on 21<sup>st</sup> & 22<sup>nd</sup> February, 2015 (Copy enclosed).

With reference to the above presentation given by the Government, the CREDAI-MCHI would like to re-submit the same Agenda Points for your kind consideration. As discussed with you we will form a Joint Steering Committee between SRA & CREDAI-MCHI to accelerate all the pending issues with the help of Technical Experts from SRA and CREDAI-MCHI.

Therefore, with reference to above, I would like to request you to kindly give your appointment for the next meeting with you for preliminary discussion on our Agenda, as per your convenience, after the Monsoon Session of our Assembly.



Yours

(S. S. Hussain)

To,  
**Shri Deepak Kapoor (I.A.S.)**  
Chief Executive Officer  
Slum Rehabilitation Authority  
Bandra (E),  
Mumbai - 400051.

**Encl: As above**

# **SLUM UP-GRADATION, REHABILITATION AND REDEVELOPMENT:**

# TOWN PLANNING OF SLUM AREAS

Overall planning of the Slums is a government prerogative as well authority.

Government authority like SRA should determine the sector plan of the wholesome plan respecting the DP plan of the city over the slum area to the extent possible and in spirit. Slum rehabilitation and in-situ development projects should be accepted only as per this plan.

Currently viable stretch is not determined in an unambiguous way from planning perspective. Sectors thus determined will become the viable stretch for slum rehabilitation authorities.



# SLUM DECLARATION AND ACQUISITION OF PRIVATE SLUMS

Slums have to be treated as a wholesome unit even for the declaration and acquisition purposes.

All privately owned lands in a slum area should be acquired and compensation to be given for the private persons in lieu of this right.

As a general principle followed for compensating the public land owning authorities to the extent of 25% of land RR value should be followed for private owners also. This may be offered to owners as a price through private negotiations. If this rate is unacceptable to owners then land acquisition methodology given in the Slum act to be followed.

Land acquisition is to be taken on a pro-active basis and not wait for the proposals on the said slum land ad infinitum – SRA may give a deadline for owner to initiate the scheme and then move ahead proactively.

# SLUMS ON GOVERNMENT OF INDIA ESTABLISHMENTS

Central government may be discussed issue of making encroached lands available on following principles:

1. If the land is made available for Slum rehabilitation then 25% of the land valuation RR shall be paid to the GOI establishment.
2. If same land cannot be available then if so desired and alternate land is made available by the organization then slum rehabilitation authority can work as an agency for shifting and development of the alternate land for slum rehabilitation.
3. If land cannot be made available either for in-situ or alternate land rehabilitation then organization should give 75% of RR value on receipt of which SRA will shift this slum to alternate location by combining it with other slum nearby or using 3.11 or otherwise.
4. Proactively a letter stating these options may be sent to all the GOI establishments for their take.



# ELIGIBILITY

Eligibility criteria should be made unambiguous and easy to implement; it should not require many documents from the slum dwellers.

Deliberations led to conclusion that GOM should consider making all slum families eligible if it found mention in 2000 voters list. Also, if a family has entered into a transaction with some family that has mention in 2000 voters list that should be declared eligible.

Thus eligibility will be based on only voters list of 2000 – and eligible families will not increase beyond this number.

It was felt that in current scheme of things – wherein upper floors and mezzanine floors occupants are declared ineligible gives importance to structure and not humans living therein. In any case, these guys have load on the schemes today – though informally and indirectly. And these guys any have a logical claim to affordable housing.

# HIRE-CUM-PURCHASE RENTAL HOUSING FOR INELIGIBLES

Post 2000 families who are ineligible are living in slums and hence should be treated as requiring genuinely affordable housing.

To these families, we can offer rental hire-cum-purchase options. This can be done either through 3.11 or through rental tenements created through various schemes. These families however will not have a claim for in-situ rental.

Once these people pay for 15 years rental these will be allotted same dwelling on ownership.

If a developer gives rental housing on the same plot, he has to be compensated with the assumption that developer has gone for 3.11 on his/her sale plot. We may also combine 33(10) with 33(14D) in such a scenario: wherein PTC created are used as rental.



# IMPLEMENTATION OF SLUM ACT

Many a times the scheme gets delayed due to opposition of handfuls even when majority has been shifted out.

Proposal is to have different section in slum act for removal of non-participants of the scheme if more than 50% of slum dwellers have been shifted out. While taking evacuation action however it would be ensured that all evacuees found their names in annexure II – either as eligible or ineligible so that their rights are protected and legal cases may continue without delaying the scheme. In case there has been gap in annexure II and there are encroachers after annexure II or if there has been transfer after annexure II and name of the transferee does not appear in annexure II, a list of evacuees should be made to ensure that their legal standing does not get affected due to this evacuation.



# PROACTIVE REDEVELOPMENT

1. If a slum does not come for development within 3 years for redevelopment, SRA should go for implementation through MHADA or SPPL.
2. Data to be created for all slums about eligibility by government itself without waiting for a developer to submit a scheme. This data will also have GIS for each and every hut and physical infrastructure present as of now.
3. At least 45% of the net plot area should be reserved for the rehabilitation area and sale area cannot increase beyond 55% of net plot area.
4. NOC of the public land owning authorities not required in case of census slums– even deemed NOC does not work. In case of census slums if there is any issue that a land owning authority has, it may intimate SRA within 3 months from now.

# SCHEMES FOR D-CLASS MUNICIPAL CORPORATIONS AND MUNICIPALITIES

There are non-negotiable principles to be followed:

1. Date of 2000 – eligibility criteria
2. Consent
3. Town planning
4. Area of dwelling – for free considerations – 269 sq feet.
5. 45% of net plot minimum for rehab.
6. 25% of RR to land owning authority.
7. Lease rights to the dwellers CHS.



# SCHEMES FOR D-CLASS MUNICIPAL CORPORATIONS AND MUNICIPALITIES

Any ULB can give a scheme of slum rehabilitation with minimum height of rehab building G+4. This scheme should earmark rehab and sale area clearly. FSI of 2.5 shall be available for sale area. This sale area may be monetized by the developer. ULB may decide to go the developer route or may decide to implement the scheme itself with contractors being appointed for the rehab area and auction of sale part with 2.5 FSI. If there is a viability gap, up to 40% of project cost will be paid by shelter fund. If there is no gap but there is profit, it will go to shelter fund. If land owning authority is public, money shall be used for housing only.

If a ULB is of the opinion that more than 269 sq feet is to awarded, extra will be awarded at cost – till LIG area it can be allotted at construction cost but more than that must be at RR value. There shall be shelter fund at each ULB level.



# OTHER ISSUES

1. Land under construction – assessment tax: this assessment should be at the rate at which original slum was being charged.
2. When there is unauthorized occupation of rehab building it is to be charged at double the rate of otherwise chargeable property tax (and not double of property tax leviable on non-slum rehab buildings).
3. No individual case to GOM as a principle for approval.
4. Hand over the amenities & PAP tenements to SRA which will in turn these over to respective agencies.
5. Stamp duty charges of development agreement with private owner of a slum land should be at 25% of RR value – this is the valuation that has been decided for the encroached lands by the government.
6. It has been discussed with GOI that salt pane lands shall be made available to GOM – 50% of these lands should be made use for shifting of slums on GOI lands, 50% of these lands should be used for affordable housing.



## OTHER ISSUES - I

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7. Fees for registration of slum dwellers rehab agreements be exempted.
8. Registration of Developers

## OTHER ISSUES -II

- ✖ 1. Corrigendum for Reinstatement of FSI rations for Pune SRA.
- ✖ 2. No projects (except BSUP) taken up in Pimpri Chinchwad under SRA since constitution (2005). Enhancement of incentives essential.
- ✖ 3. BSUP/ ISHDP schemes may be funded through shelter fund to ensure schemes half way and not getting completed before 31<sup>st</sup> March 2015 when GOI funding ends, can be taken to logical end without corporations and ULBs bleeding.