

**Amended policy of Government regarding rehabilitation of eligible
Hutment dwellers whose names appear in Voters List dated 1.1.1995
By giving on lease lands under their occupation or by giving them
Alternative plots of land.**

**GOVERNMENT OF MAHARASHTRA
HOUSING DEPARTMENT
GOVERNMENT RESOLUTION
GAVASU 2016/Case No. 86/Zopani-2
Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai-400032
DATE: 03 JANUARY 2017**

REF : 1) Government Resolution No. Gavasu 1201/ Case No. 9/Zopasu-1 dated 10th July 2002
2) Government Resolution No. Gavasu-2016/Case No.86/Zopani-2 Dated 16th July, 2016.

INTRODUCTION

Government Resolution regarding rehabilitation of eligible hutment dwellers whose names appear in Voters List dated 01/01/1995 by giving on lease the lands under their occupation or by giving them alternative plots of land has been issued as reference No. 1 and amendment has been made in it by Government Resolution under reference No. 2 . It was under consideration of the government to make some more amendments in the government resolution under the said reference No. 1.

GOVERNMENT RESOLUTION

- 1) The provision/sentence construction in paragraph No. 1 of Resolution dated 10/07/2002 “Their rehabilitation on that land.....be given on lease by making it on lease” is being omitted.
- 2) Instead of the existing provision in Resolution No. 1 (i) in said Government Resolution, an amended provision is being incorporated as follows: -

1(i) a) The said land should be given to bearers of identity cards or eligible hutment dwellers on individual basis or to a cooperative housing society established by them. However, if the land is given on lease on individual basis to eligible hutment dwellers, then it will be obligatory on the eligible hutment dwellers to establish a cooperative housing society within two years and similarly it will be compulsory for the eligible hutment dwellers to subsequently accept the membership of such concerned cooperative housing society within one year. Likewise, if such individual lease holder refuses to become member of concerned cooperative housing society, then the lease of land given to him will be liable to be cancelled.

After the cooperative housing society of all individual lease holders is established, it will be necessary for the district collector to bestow the combined lease of concerned lands in the name of the cooperative housing society. The concerned district collector should give the said land on lease as per conditions in specimen/form 2 and 15 of the Maharashtra Land Revenue (Disposal of government land) Rules, 1971 by including in the lease all the lease conditions which are essential.

b) If a scheme of rehabilitating eligible hutment owners on nazul land under the jurisdiction of Revenue Department is under implementation, action will be taken on the part of district collector to assign/classify without cost such hutment occupied nazul land to concerned planning authority or local self government or duly located slum clearance authority. After a cooperative housing society of such hutment dwellers on nazul land is established, the lease of such land should be carried out as mentioned in Circular no. 1 of this Government Resolution by concerned planning authority or local self government or duly located Slum Rehabilitation Authority.

- 3) A new condition (iv) is being incorporated under Resolution No. 1(iii) of said Government Resolution as stated below:

“ (iv) While distributing the lease to holders in a colony declared as slum, the prescribed combined fee recoverable from hutment holders should initially be remitted by the concerned local self government/Authority and the said fee should be recovered from the concerned hutment holders after implementation of the scheme. However, distribution to those belonging to scheduled castes/scheduled tribes/backward classes/ other backward classes/ and economically weaker sections category should be done without assessing the above par value.”

- 4) As shown below, an Amended Resolution No. 6 and 7 is being incorporated under Resolution No. 5 of the said Government Resolution.

“6) Since the work of slum development is being implemented as per Development Control Rules by notified Slum Development Authorities in Mumbai, Pune, Pimpri-Chinchwad and Thane cities, the original provisions and amendments incidental to it in Government Resolution are not applicable at present to those cities. However, if need arises suitable decision will be taken in that regard in course of time.”

“7) As per provisions of Maharashtra Slum (Su.Ni.V.Pu.) (Amendment) Act, 2014, since the shelter of hutment dwellers actually residing in hutments existing on the qualifying date of 01/01/2000 or before that, has been protected, the eligibility of said hutment dwellers should be determined as per amended provisions of above Act. “
