



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ६, अंक ३४(१३)]

गुरुवार, सप्टेंबर ११, २०१४/भाद्र २०, शके १९३६

पृष्ठे ४४, किंमत : रुपये ११.००

असाधारण क्रमांक ११८

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400032, Dated 11th September 2014

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PANNING ACT, 1966

No. TPS. 1212/121/CR-62/13/UD-12.—Whereas the Revised Development Plan of the city of Thane (hereinafter referred to as "the said Development Plan") has been sanctioned by the Government in the Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act 1966, (hereinafter referred to as "the said Act") vide Notification No. TPS. 1297/1319/CR-148/97/UD-12, dated 4th October 1999 and has come into force with effect from 22nd November 1999 gv, and the Development Plan proposals in respect of the Excluded Portions (EP) from Revised Development Plan were sanctioned vide Government Notification No. TPS. 1201/274/CR-28/2001/UD-12, dated 3rd April 2003 which have come into force with effect from the 14th May 2003 ;

And whereas, the Government in the Urban Development Department vide Notification No. TPS. 1294/1259/CR-222 /94 /UD-12, dated 28th April 1995 (hereinafter referred to as the said Notification) has accorded sanction to the Revised Development Control Regulations (hereinafter referred to as "the said Regulations") which have come into force with effect from the 1st June 1995 ;

And whereas, Thane Municipal Corporation (hereinafter referred to as "the said Corporation"), after following the legal procedure under sub-section (1) of section 37 of the said Act, has submitted to the Government vide letter dated 21st December, 2009, 21st January 2014 and 15th February, 2014, a proposal to modify the "Appendix-S under Regulation No. 165-Regulation for Redevelopment/construction of Accommodation for Censused Hutment dwellers through Owners/developers/Co-operative housing Societies of Hutment dwellers/Corporation/MHADA/Other public authorities" (hereinafter referred to as "the proposed Modification") for grant of sanction to the proposed modification ;

And whereas, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune, and taking note of the amendment made in the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971, the Government is of the opinion that it is necessary to sanction the proposed modification with some changes for ensuring effective implementation of Slum Rehabilitation Schemes.

Now therefore, in exercise of the powers conferred under sub section (2) of section 37 of the said Act, the State Government hereby —

(I) Sanctions the proposed modifications with some changes ; as described more specifically in the " Schedule-A " appended hereto.

(II) Directs the Thane Municipal Corporation and the Slum Rehabilitation Authority having jurisdiction over the slums in the city of Thane, that, in the Schedule of modifications appended to the said Notifications sanctioning the said Development Control Regulations , after the last entry, the following new entry shall be added viz. :—

ENTRY

1. The redevelopment/construction of accommodation for censused hutment dwellers through owners/developers/co-operative housing societies of hutment dwellers/Corporation/MHADA / other public authorities shall be permissible as per the provisions contained in the " Schedule-A " appended to this Notification.

2. Fixes the date of publication of this Notification in the *Government Gazette* as the date of coming into force of this modification.

3. The copy of the said sanctioned modification shall be made available for inspection by the general public during office hours on all working days at the following offices for a period of one month :—

(i) The Commissioner, Thane Municipal Corporation, Thane.

(ii) The Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.

(iii) The Assistant Director of Town Planning, Thane Branch, Thane.

4. This notification shall also be published on the Government Website at www.maharashtra.gov.in.

Schedule 'A'

(Accompaniment to the Government Notification No. TPS. 1212/121/CR-162 /13/ UD-12, dated 11th September 2014.)

APPENDIX- 'S'

(Regulation No. 165)

Regulation for redevelopment /construction of accommodation for censused hutment dwellers through owners/developers / co-operative housing societies of slum dwellers/ corporation / MHADA / other public authorities

Rule No. (1)	Existing Provision (2)	Sanctioned Modification (3)
1.	For Redevelopment or restructuring of censused slums or such slums whose structures and in habitant's name appear in the Legislative Assembly Voters' list of 1995, by the owners/developers of the land on which such slums are located or by Co-operative Housing Societies of such slum dwellers; a total floor space index of upto 2.5 may be granted in accordance with schemes to be approved by special permission of the Commissioner in each case.	<p>(1) SHORT TITLE & EXTENT : Rehabilitation of hutment dwellers in the slums located in the area of Thane Municipal Corporation (TMC) in accordance with the provisions contained herein below.</p> <p>Definition of Slum, Pavement, and Structure of hut :</p> <p>(i) For this purpose the word "slum" shall mean a slum, 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 an area or stretches of pavement hereafter notified or deemed to be notified and treated as Slum Rehabilitation Area.</p> <p>(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 as such, it shall be deemed to be and treated as Slum Rehabilitation Area.</p> <p>(iii) Slum rehabilitation area shall also mean any area declared as such by the Chief Executive Officer of the Slum Rehabilitation Authority appointed under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, (Here in after referred to as the "Slum Act" or the said Act) which preferably fulfill the conditions laid down in section 4 of the Said Act, to qualify as slum area and/or is required for implementation of any Slum Rehabilitation Scheme. Any area where a Slum Rehabilitation Scheme has been approved by the Chief Executive Officer of the Slum Rehabilitation Authority appointed by the Government [hereinafter referred to as the CEO (SRA)] under the Slum Act shall be a deemed slum rehabilitation area.</p> <p>(iv) Any area required or proposed for the purpose of construction of temporary or permanent transit camps required for execution of SRS approved by the CEO (SRA) shall also be deemed to be treated as Slum Rehabilitation Areas.</p>

APPENDIX- 'S'-contd.

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- (v) A pavement shall mean any Municipal/ Government/ Semi-Government pavement, and shall include any viable stretch of pavement as may be considered viable for the purpose of Slum Rehabilitation Scheme.
- (vi) A structure shall mean all the dwelling areas of a protected occupier, as defined in chapter I-B of the Maharashtra Slum Areas (Improvement, Clearance, and Redevelopment) Act, 1971 and the orders issued there under.
- (vii) A composite building shall mean a building comprising both, rehabilitation and free-sale components and part thereof in the same building.
- (viii) The " Chief Executive Office" referred to hereinafter in this Appendix shall mean the Officer appointed under Section 3A of the Slum Act and empowered under the Maharashtra Regional Town Planning Act 1966 as Planning Authority.
- (a) Slum Rehabilitation Scheme (SRS) shall mean a scheme for rehabilitation of hutment dwellers of one or more slum areas in accordance with the provisions of this Appendix and shall include transit camps, infrastructure, amenities rehabilitation component and free sale component of the development, as permitted on the area of SRS by the CEO (SRA).
- (b) The Competent Authority referred to hereinafter in this Appendix shall mean the Officer appointed under Section 3 of the Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act 1971.
- (c) " Gross Plot Area " shall mean total plot area.
- (d) " Net Plot Area " for the purpose of this Appendix shall mean balance area derived after deducting from the gross plot area the area earmarked for road set-back area, proposed road and any reservations under the Development Plan of Thane Municipal Corporation (TMC).
- (e) Carpet area shall mean the net usable floor area, excluding the area that is covered by the walls, including partition walls, if any, in the tenement.
- (f) Floor Space Index (FSI) or Floor Area Ratio (FAR) shall mean the quotient of the ratio of the combined built up area on all floors, excepting the areas specifically exempted from computation of F.S.I. under Regulation No. 82 of the Development Control Regulations of Thane Municipal Corporation (herein after referred to as TMC DCR) to the gross plot area.
- (g) Recreation Ground (RG) shall mean any common open space required to be kept compulsorily in any layout and left permanently open to the sky, having access from any public pathway or public road.

APPENDIX- 'S'—contd.

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- (h) Hazardous building shall mean any building or part thereof which is used for the storage, handling, manufacture, or processing of any Hazardous Material as defined in Definition No. 64 of the TMC DCR.
- (i) "Rehabilitation Component" shall mean area of all residential tenements as well as non-residential built-up premises, to be given to the eligible hutment dwellers, in accordance with the provisions of this Appendix and the same shall be inclusive of common areas, lobbies, staircase(s), lift(s) and machine room(s), passage(s), welfare center(s), balwadi(s), women's welfare centre(s), society office(s), incentive commercial area(s), if any, eligible amenity structure/s, if any, and permitted religious structure(s), more particularly described in this Appendix.
- (j) "Free Sale Component" of SRS is the built up area that can be constructed against the incentive FSI, available in the form of FSI or TDR out of the total permissible FSI of the SRS (i.e. Rehabilitation Component plus Incentive Free Sale Component, in the ratio prescribed in this Appendix), after deducting FSI required for rehabilitation, in accordance with the provisions of this Appendix.
- (k) "Beneficiary" shall mean a hutment dweller found eligible as a protected occupier, as defined in the Slum Act and the orders issued there under.
- (l) "Annual Statement of Rates (ASR)" is the Annual Statement of Rates prepared by the Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune.
- (m) "Terms and expressions other than those specifically defined herein shall have the same meaning as in the :—
- (i) Maharashtra Regional and Town Planning Act, 1966.
 - (ii) Development Control Regulations, 1994 of Thane Municipal Corporation and the Rules framed there under.
 - (iii) Maharashtra Municipal Corporation Act and Rules framed there under.
 - (iv) National Building Code (2005), as amended from time to time.
- (n) "Slum Rehabilitation Authority (SRA)" shall mean the "Slum Rehabilitation Authority" appointed by the Government under the provisions of the Maharashtra Slum Areas (Improvement Clearance and Redevelopment) Act, 1971, having jurisdiction over the slums in the City of Thane.

APPENDIX- 'S'—contd.

(1)	(2)	(3)
Eligibility of the Hutment Dwellers : The hutment dwellers actually residing will be eligible for the benefit or redevelopment scheme if :	<p>(a) he/she is the original structure owner as per the census conducted in 1976 ; or is in possession photopass issued by a competent authority in his/her own name.</p> <p style="text-align: center;">Or</p> <p>(b) In absence of (a) above, but he/she is head of family and his/hभाग एक (को.वि.पु.)-११८-३अभाग एक (को.वि.पु.)-११८-३अer name is included in the voters list 1995 and he/she is residing at present at the same address as given in the voters list.</p> <p style="text-align: center;">Or</p> <p>(c) If the original hutment dwellers in category (a) and (b) above is deceased and his/her legal heir is present occupant.</p> <p style="text-align: center;">Or</p> <p>(d) The hutment dweller actually residing at present has purchased the censused structure with photopass any, from any of the categories above and that this transfer has been regularized.</p>	<p>(2) Eligibility for Slum Rehabilitation Schemes :-</p> <p>(a) For this purpose, a person eligible for rehabilitation under a Slum Rehabilitation Scheme (SRS) shall mean a protected occupier, as defined in Chapter-IB of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and the orders issued thereunder.</p> <p>(b) Subject to the foregoing provisions, only the actual occupant of a 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 of the slum area, shall have no right whatsoever to the rehabilitation tenement against that structure.</p> <p>(c) The names of the eligible hutment dwellers on Private, Municipal and Government lands shall be duly certified by the Competent Authority. The list of the names of eligible hutment dwellers, residing on the lands in possession of the Konkan Housing and Area Development Board or any other public/semi-public authorities, shall be duly certified by the respective land owning authorities.</p> <p>(d) All eligible hutment dwellers, residing on the plot under SRS, shall have to be accommodated on the same plot as far as possible.</p>
<p>2. The Corporation / Konkan Housing and Area Development Board/the collector of Thane shall be "designated authorities" for notified slums located on lands owned by the Corporation, Konkan Housing and Area Development Board or the Govt. respectively.</p> <p>3. The FSI shall be restricted to a maximum of 2.5</p>	DELETED	<p>(3) Permissible FSI for SRS and Maximum FSI permissible for Consumption on the Plot under SRS :-</p> <p>3.1 FSI for rehabilitation of eligible hutment dwellers/pavement-dwellers shall include the FSI for the rehabilitation component as well as the free sale component. The ratio between the two components shall be as laid down herein below under Clause No. 13 (D).</p> <p>3.2 Built-up area for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in Regulation No.82 of TMC DCR, but including areas under passages, balwadis, welfare Centres, office of the Co-operative Housing Society, religious structures, other social infrastructure like School/ Dispensary/ Gymnasium, run by any Public Authority or Charitable Trust, 5 per cent. incentive commercial area for the Co-operative Housing Society, and the additional 5 per cent. incentive commercial area for the NGO /Govt. / Public Authority/Govt. Company, wherever admissible.</p>

APPENDIX- 'S'—contd.

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- 3.3 The computation of FSI shall be done in the normal manner for both, the rehabilitation component and the free sale component, by giving the benefit what is set out in Regulation No. 82, while excluding the areas referred to in clause No. 6 of this Appendix from the computation of FSI. The said areas shall however be included for the computation of the rehabilitation component as per Clause No. 13 (D).
- 3.4 FSI to be sanctioned on a Slum Rehabilitation Scheme on a site may exceed 3.00
- 3.5 *Maximum FSI Permissible for Consumption on the Plot under SRS.*—Even though the sanctioned FSI may be more than 3.00, the maximum FSI that can be utilised on any slum-site for the Slum Rehabilitation Scheme shall not exceed 3.00 and the difference between the sanctioned higher FSI for the Scheme and 3.00, will be made available in the form of Transferable Development Rights (TDR), in accordance with the provisions of Appendix W of TMC DCR. Provided that if the existing tenement density is more than 650 per hectare, the Govt. in Urban Development Department may allow FSI consumption in situ to be exceeded upto the sanctioned FSI but not exceeding 4.00 FSI. In such a case, the difference between the sanctioned higher FSI and 4.00, will be made available in the form of Transferable Development Rights (TDR), in accordance with the provisions of Appendix W of TMC DCR.
- 3.6 Notwithstanding the provisions in clause 3.5 above, if on account of constraints such as height restrictions, uneconomical site conditions, etc. the maximum permissible in situ FSI cannot be achieved on the same site, then TDR may be allowed as may be necessary even without consuming such maximum permissible in situ FSI on the same site. However, TDR may be allowed only when the frame work for one complete building in the rehabilitation component is constructed or when 10% of the rehabilitation component has been constructed on site and the said TDR shall not exceed 50 percent of the construction of rehabilitation component at any point of time till the total rehabilitation component has been completed. On completion of the total rehabilitation component, the balance TDR will be allowed.
- 3.7 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 Regulation 82 of TMC DCR and also excluding the built-up area given for buildable Development Plan reservations.

APPENDIX- 'S'—contd.

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3.8 If slum rehabilitation scheme of a slum located on the land belonging to any public authority and needed for a vital public purpose, is taken up on an unencumbered plot, then, in addition to the rehabilitation and free sale components, as laid down hereinabove, TDR for the area of the land spared for this purpose shall also be sanctioned for the owner of such unencumbered plot. Provided that the State Govt. or a Public Authority or a Govt. Company as defined in section 617 of the Companies Act, 1956 which is owned and controlled by the State Govt. (herein after referred to as the said Agency) may undertake Slum Rehabilitation Scheme on its own land and shall be eligible for the benefits under this Appendix, subject to the following conditions :—

- (i) The Rehabilitation Scheme is approved by the CEO (SRA).
- (ii) The tenements so constructed, in execution of the Scheme, shall be offered to the hutment dwellers located on the land belonging to the Govt. or the said Agency and needed for vital public purpose for which, within 270 days from the date of issue of LOI, the said Agency shall identify the hutment dwellers required to be shifted.
- (iii) If the said Agency fails to identify the hutment dwellers needed to be shifted for a vital public purpose as above, then the tenements so constructed shall be offered to :—
 - (a) the hutment dwellers located on any land belonging to the Government or any Public Authority within a distance of 2 km. from the land on which the slum rehabilitation scheme is undertaken; or
 - (b) the hutment dwellers located anywhere within the limits of Thane Municipal Corporation, on lands belonging to the Govt. or any Public Authority; or
 - (c) the hutment dwellers located on private lands, if the land owner pays the entire cost of tenements as determined by the Agency. Provided further that in all the three categories (a), (b) and (c) referred to above, slum TDR of land component shall not be given and the construction TDR shall be released only after identification of eligible hutment dwellers.
- (iv) Provided further that in all above cases, the relocation of hutment dwellers shall be undertaken, not with reference to individuals but with reference to a group of hutment dwellers, with the objective of releasing the plot of land wholly from slums, and not merely patches of land.

APPENDIX- 'S'-contd.

(1)	(2)	(3)
4. The names of the eligible slum dwellers on private and Government lands shall be duly certified by the Collector. The list of the names of eligible slum dwellers on municipal lands and lands in possession of the Konkan Housing and Area Development Board should be duly certified by the respective authorities.	DELETED	
5. All eligible slum dwellers residing on the plot to be developed shall have to be accommodated on the same plot as far as possible.	DELETED	
6. The designated authorities for slums located in their respective lands shall formulate schemes for each plot according to the guidelines in this Appendix, and before inviting tenders/bids, shall obtain the approval of the Commissioner to such schemes subject to Regulation 19 in this Appendix.	DELETED	
7. Development of slums on privately owned lands shall be regulated in accordance with the Regulation 16 in this Appendix.	(4) Development of slums on privately owned lands shall be regulated in accordance with the provisions of this Appendix.	
8. In case of developments undertaken by the Konkan Housing and Area Development Board/Collector, surplus tenements which come into their possession shall be used for accommodating project affected persons and footpath dwellers in consultation with the Commissioner.	(5) In case of developments undertaken by the Konkan Housing and Area Development Board/Collector, surplus tenements which come into their possession following execution of SRS shall be used for accommodating project affected persons and pavement dwellers, in consultation with the Municipal Commissioner, Thane Municipal Corporation.	
9. After formulation of the scheme and its approval by the Commissioner, the designated authorities shall invite quotations/bids from the developers/owners in terms of the surplus tenements, which would be made available to the said designated authority.	DELETED	
10. The respective designated authority shall be competent to decide on acceptance of bids on merits and make use of the surplus tenements thus available.	DELETED	
11. The area required for provision of civic/social amenities in the redevelopment scheme shall be cleared and made available by the developers/owners/co-operative housing societies of such slum dwellers to the designated authorities for provision of the said amenities. Depending on the size of the plot/area taken up for redevelopment, the scheme may also provide that the developers/owners/Co-operative housing societies of such slum dwellers may develop and provide civic facilities on the land designated for the same as approved in the scheme.	(6) Provisions for Amenities: Welfare Hall, Balwadi, Society Office, Religious Structures/ Incentive Commercial Areas :— (i) Religious structures existing prior to rehabilitation, if allowed as part of rehabilitation in accordance with the guidelines issued by the Government from time to time, shall not exceed the area that existed prior to rehabilitation. However FSI required for the same shall not be counted in the insitu permissible FSI of Slum Rehabilitation Scheme (SRS). (ii) (a) In any SRS there shall be a Welfare Center and a Balwadi, each admeasuring 25 sq.m for every multiple or part of 100 hutment dwellers' families, as part of the Rehabilitation Component. It shall be located so as to serve all the floors and buildings equitably. Further, two or more such Welfare	

APPENDIX- 'S'—contd.

(1)	(2)	(3)
		<p>centers and Balwadis may be permitted to be clubbed together suitably for their better utility. In case of misuse of the Welfare Center or Balwadi by the members of the Co-operative Housing Society, it shall be taken over by the CEO (SRA) who shall be entitled to allot the same to any suitable organization/institution for public use.</p> <p>(ii) (b) For all sites admeasuring more than 4000 sq.m. in area, 5% of the rehabilitation component, shall be constructed in the form of Convenience Shopping for the members of the Co-operative Housing Society of the rehabilitated hutment dwellers. Any such shop shall not be more than 10 sq.m. in carpet area with single floor height. Users like Vegetable market, Meat market, Fish market, Barber shop, Grocery shop, Milk Booth, Telephone Booth, Newspaper & Book stall, Stationery shop, Utility shop, Tailor shop, Canteen, Tea Stall etc shall be permitted in these convenience shops. The Rehabilitation Co-op Housing Society shall own these Convenience Shops and shall generate Operation & Maintenance costs for rehabilitation component through these, by way of transparent allotment and operation for which accounting system may be prescribed by the CEO (SRA).</p> <p>(iii) One society office of 12 sq. m. (free of FSI) per rehabilitation building for hutment dwellers shall be provided free of cost in every Slum Rehabilitation Scheme. An attached toilet of 4 sq. m. area (free of FSI) may be permitted.</p> <p>(iv) All the areas underlying welfare halls, society office, balwadi(s), religious structure(s), the commercial areas given by way of incentive to the Co-operative Housing Society shall be free of cost and shall form part of rehabilitation component and shall be considered for incentive FSI computation for the free sale component as per the provisions in this Appendix.</p> <p>(v) Welfare halls, society office, balwadi(s), religious structure(s), the commercial areas given by way of incentive to the co-operative housing society, provided in the rehabilitation component shall not be counted towards the FSI, even while computing in situ permissible FSI on site, as per this Appendix.</p> <p>(vi) Other social infrastructure like School, Dispensary, Gymnasium, run by any public authority or charitable trust, that existed in the slum prior to the redevelopment shall be constructed under the Slum Rehabilitation Scheme in such a way that the area of each reconstructed amenity is equal to the area of such amenity prior to the Redevelopment or the minimum area if any, prescribed for such amenity under the TMC DCR, whichever is more.</p>
<p>12. The scheme shall provide that each slum dweller/project affected person shall be given a tenement of minimum carpet area</p>	<p>(7) Area Entitlement of Eligible Hutment-dwellers :</p>	<p>(i) Residential User.—A Hutment dweller having residential user, in the slum or on the pavement,</p>

APPENDIX- 'S'—contd.

(1)	(2)	(3)
of 225 sq. ft.(20.90 Sq. Mt.) including toilet, but excluding common areas.	who is eligible in accordance with the provisions of this Appendix, shall, in lieu of his structure, be given free of cost, a residential tenement having carpet area of 25.00 sq.m. (269.00 sq.ft.) which shall include living room, bedroom, kitchen/alcove, bath and water closet and balcony (if any), but shall exclude common areas.	(ii) <i>Non-Residential User</i> .—An eligible hutment dweller, having existing carpet area up to 20.90 sq. m. (225 sq. ft.) for commercial/ office/shop/ economic activity that existed prior to 1st January 2000 or the date decided by the Government from time to time (hereinafter referred to as date of eligibility), and is certified by the Competent Authority, shall be entitled to get actual carpet area or 20.90 sq. m., whichever is less, free of cost, under the Slum Rehabilitation Scheme.
	Such area may be allowed on any side of the plot abutting 3.0 m. wide pathway and deriving access from 3.0 m. wide pathway / open space. Back to back shopping on ground floor shall be allowed for the purpose of rehabilitation. After exhausting these provisions, such area may be allowed on the first floor, to the extent necessary.	(iii) <i>Mixed User</i> .—In case a hutment dweller in the area of any SRS has both, residential and commercial premises, without a common wall between such residential and commercial premises, in respect of which the SRS is being or to be implemented, he shall be eligible for a residential tenement of 25 sq. m. carpet area and also for built-up area for commercial/ office /shop/ economic activity, both free of cost.
	Such non-residential area may be allowed on any side of the plot abutting 3.0 m. wide pathway and deriving access from 3.0 m. wide pathway / open space. Back to back shopping on ground floor shall be allowed for the purpose of rehabilitation. After exhausting these provisions, such area may be allowed on the first floor, to the extent necessary.	(iv) <i>Non-Conforming Activities</i> .—Only non-polluting, non-hazardous industry may be allowed to be reaccommodated under the SRS. However, if the Industrial unit is hazardous or polluting, the concerned person may be provided a commercial unit or built-up area for conforming non-hazardous/ non-polluting industrial unit in the Rehabilitation Component of the SRS
		(v) All eligible hutment dwellers in the Slum Rehabilitation Scheme shall be rehabilitated according to the provisions in this Appendix and as per Rehabilitation option exercised by CEO (SRA) under this Appendix.
		(vi) Pavement-dwellers and hutment dwellers in the slum situated on lands required for vital public

APPENDIX- 'S'-contd.

- | (1) | (2) | (3) |
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| | | purpose or on hazardous locations or on amenity/open spaces or plots, shall not be rehabilitated in-situ but on other available plots within the jurisdiction of SRA. |
| | | (vii) Unauthorized Commercial godowns, Cow sheds/gothas, scrap godowns/ yards; hazardous users/structures shall not be permitted in the SRS. These shall be evicted and shall be moved away from the Slum Rehabilitation Area as non-conforming users. |
| | | (viii) All activities which existed on the date of eligibility shall be allowed to be relocated within the area of the SRS, regardless of the non-conforming nature of such activities, excepting those which are hazardous and polluting. Where alternative accommodation has been allotted elsewhere by the Planning Authority, further relocation shall not be permitted. |
| 13. | The maximum density should not exceed 500 tenements per net hectare on the basis of FSI 1.00 The number of tenements per net hectare shall be increased or decreased in proportion to the permitted FSI. | (8) Minimum Density On The Plot Including Non-Residential Units :
(i) Minimum tenement density of 500 tenements per hectare shall be provided on the net plot area used for rehabilitation of hutment dwellers (including residential rehabilitation and non-residential rehabilitation units). If the number of rehabilitation tenements needed to be provided to the hutment dwellers in any SRS is such that the corresponding tenement density is less than the minimum specified tenement density, the required number of balance tenements shall be constructed so as to achieve the said minimum tenement density and shall be handed over free of cost to SRA. The CEO (SRA) may use such tenements for the purpose of transit tenements or for accommodating the Project Affected Persons (PAP) or the pavement dwellers or as may be decided by the CEO (SRA).
(ii) All non-residential built-up area shall be included in the computation of tenement density, by counting an area of 20.90 sq.m. (or such area as may be notified by the Government from time to time), per tenement. |
| 14. | In any scheme of redevelopment, commercial of the area, shop area for the project affected/slum dwellers shall not exceed the areas which existed prior to the redevelopment of the property. | DELETED |
| 15. | Convenience shopping as defined in item (22) of Regulation 2 shall be permitted along the layout roads within the scheme area with width of 12.2 m and above, provided a setback of 3 m is provided. This shopping provision would be in addition to the provision for shop area allowed according to the previous Regulation. | (9) Convenience shopping in SRS.—Convenience shopping as defined in item (22) of Regulation 2 of TMC DCR shall be permitted along the layout roads within the SRS, having width of 9.00 m. and above, provided a setback of 3.0 m. is provided. This shopping provision would be in addition to the provision for shop area allowed according to the Regulation 6 (ii)(b) of this Appendix. |

APPENDIX- 'S'—contd.

- | (1) | (2) | (3) |
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| 16 | <p>In the case of notified slums on private lands, the Commissioner with the consent of the owners may invite quotations for redevelopment in terms of surplus tenements as provided in these Regulations from developers/owners. In such cases, the owner would except a return based on the existing balance land potential. This potential would be the permitted FSI in that scheme minus the actual FSI consumed in the slum. In the quotations given by the owner, developer, it would be presumed that he would have taken into account this aspect. Therefore, while evaluating and comparing the quotations from the owner and other developers, necessary loading should be done for proper evaluation of the bids. In case, however, the consent of the owner is not forthcoming within the stipulated time in accordance with the above conditions, such land can be developed according to the scheme after following acquisition proceedings under the respective Act.</p> | <p>(10) SRS on notified slums on private lands.—In the case of notified slums on private lands, the CEO (SRA) may appoint the land owner or the Co-operative Housing Society of the hutment dwellers as the developer for the purposes of the Slum Rehabilitation Scheme. If the land owner approaches the CEO (SRA) for implementing Slum Rehabilitation Scheme, the CEO (SRA) shall give three months' public notice in the slum area for the hutment dwellers to come forward for the development. In case hutment dwellers come up for the development, with consent of 70% of the hutment dwellers, then the CEO (SRA) shall give them preference and in such a case, the land owner shall be entitled to compensation equal to 25% of the value of land as per the ASR prepared by the Inspector General of Registration and Controller of Stamps, Maharashtra State. In case of dissent of the land owner for this valuation, the CEO (SRA) may forward the land acquisition proposal to the District Collector on behalf of the Hutment Dwellers' Co-operative Housing Society, provided such Society deposits 2/3rd of the required amount with the Collector to initiate the land acquisition proceedings and undertakes to pay the final consideration as per the award of land acquisition. In case the land owner wishes consideration in terms of TDR, he may be granted TDR to the extent of 25% of land area under the Slum Rehabilitation Scheme, in which case, however, the developer appointed by hutment dwellers shall pay to the Municipal Corporation premium equal to 25% of the land value as per the ASR prepared by the Inspector General of Registration and Controller of Stamps, Maharashtra State.</p> <p>In case hutment dwellers fail to come up with a Scheme within the stipulated period of three months, the CEO (SRA) may sanction Scheme submitted by the land owner and declare him as the developer for the same. In case neither the land owner nor the hutment dwellers' Co-operative Housing Society come forward within three (3) years of promulgation of these provisions and the CEO (SRA) is of the opinion that a slum on private land is required to be developed in the larger public interest, out of concern for public health and safety of the slum and nearby areas, the CEO (SRA) may invite the land owner or the hutment dwellers through a public notice of not less than 30 days. In case, none of them come forward with the Scheme, the CEO (SRA) may proceed with the appointment of developer through competitive bid process. In such an eventuality, the CEO (SRA) shall call bids on the basis of premium, over and above the consideration that is needed to be paid to the land owner (either 25% of land value as per the ASR prepared by the Inspector General of Registration and Controller of Stamps, Maharashtra State, or as decided by the Collector in a land acquisition proceeding). In any Slum Rehabilitation Scheme on</p> |

APPENDIX- 'S'-contd.

(1)	(2)	(3)
		private land, whether undertaken by the hutment dwellers' Co-operative Housing Society or the land owner, a premium equal to difference in the value of the free sale component as per ASR and the cost incurred on the Scheme for construction of rehabilitation and free sale components, including 25% of land value as per the ASR prepared by the Inspector General of Registration and Controller of stamps, Maharashtra State, paid for the compensation towards the land, shall be paid to the Municipal Corporation by the selected developer, if this difference is positive.
17.	The scheme would also provide that 5 per cent of the net plot area (excluding the area for civic amenities from the gross plot) may be used for commercial purposes. This would be in addition to the provisions in Regulations 14 and 15 in this Appendix.	DELETED
18.	The construction of the building for the rehabilitation of slum dwellers and the tenements to be made available to the appropriate authority shall be as per the designs and specifications approval by the Commissioner.	DELETED
19.	Approval to the schemes in this Appendix shall be given by a Committee comprising of the Commissioner, the Vice-president and the Chief Executive Officer, Maharashtra Housing and Area Development Authority and the Collector of Thane.	(11) Approval to the schemes in this Appendix shall be given by the Chief Executive Officer of the Slum Rehabilitation Authority established in accordance with the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and the orders issued there under, which has jurisdiction over the slums in the city of Thane.
20.	Co-operative Housing societies of slum dwellers would also be entitled to submit bids in accordance with these Regulations.	DELETED
21.	Multi-purpose room - A multi-purpose room shall be allowed with size upto 12.5 Sq. mt. with a minimum width of 2.4 m.	(12) Relaxation in Building and Other Requirements.— (i) Habitable Rooms - Size and Width - The minimum size and width for any habitable room shall be as per the following provisions :— • Living room shall not be less than 7.5 sq. m. in area, with minimum width of 2.40 m. • Bed room shall not be less than 6.5 sq. m. in area, with minimum width of 2.40 m. • Multipurpose room, if any, shall not be less than 12.5 sq. m. in area, with minimum width of 2.40 m.
22.	Combined toilet,— A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 Sq. mt. with minimum width of one meter.	DELETED
23.	Cooking Space(Alcove)-provision of a separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum size of 2.4 Sq.Mt. with minimum width of 1.2 m.	(ii) For any rehabilitation tenement, provision of a separate kitchen shall not be necessary where an alcove (cooking space with direct access from the main room without a communicating door), of size not be less than 2.40 sq. m with a minimum width of 1.20 m. is provided. If a separate kitchen is provided, it shall not be lesser than 3.30 sq.m in area, having a minimum width of 1.80 m.

APPENDIX- 'S'-contd.

- | (1) | (2) | (3) |
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| 24 | <i>Height.</i> —The average height of a habitable room with slopping roof shall be minimum 2.6m with minimum height of two meters at eaves. In the case of a flat roof, minimum clear height shall be 2.6 m. for habitable rooms. Kitchen areas shall have minimum clear height/average height of 2.4 m. and bath and water closet (without loft) shall have a clear minimum height of 2.2 m. | (iii) The minimum clear floor height (finished floor to finished ceiling) of rehabilitation tenement rooms shall be 2.75 m. and any toilet shall have a clear minimum floor height of 2.40 m. |
| 25 | <i>Plinth.</i> —The minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level. | (iv) The minimum plinth height shall be 45 cm. and in flood prone areas, the plinth shall be at least 30 cm. higher than the Highest Flood Level for Ground floors and it shall be minimum 15 cm. in case of building on stilts. |
| 26 | <i>External walls.</i> —115 mm. thick external brick wall without plaster shall be permitted. | DELETED |
| 27 | <i>Staircase.</i> —Single flight staircases without landing between the two floors shall be permitted. | DELETED |
| 28 | <i>Front open space.</i> —The front open space from roads having width of 9.14 m. and below shall be of a minimum of 1.5 for buildings with heights of up to 10 m. | (v) The marginal distances from the front, side and rear boundaries of the land shall be maintained as follows -
(a) If the site of SRS fronts upon one or more roads every side abutting on such road shall be treated as the front side, and the marginal distances prescribed below for such front road side shall apply. The front road side marginal distances shall be measured from the proposed road widening line in the plot, if any.
(b) In congested areas, the front road side marginal distance shall be minimum 1.50 mt. for purely residential buildings and 2.25 mt. for mixed use buildings of maximum height up to 40 m.
(c) In non-congested areas, the front road side marginal distance shall be minimum 4.50 mt. for purely residential buildings and 6.00 mt. for mixed use buildings.
(d) Side and rear marginal distances from the side and rear boundaries of the plot shall be minimum 4.5 mt. for the building having height up to 24 mt. Such marginal distances shall be increased proportionately with increase in height of the building beyond 24 mt., but shall not exceed 7.50 mt. for the building having height of 40 mt. for the building having height more than 40 mt. 25% relaxation in all marginal distances shall be admissible. The marginal distances may be further relaxed by the CEO (SRA) on the merits of each case.
(e) Front marginal open spaces, for building having height upto 24.0 mt. in the rehabilitation component or composite building shall be 4.5 mt. and 6.00 mts, for buildings having height more than 24.0 mt. |

APPENDIX- 'S'—contd.

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(f) The provisions in TMC DCR 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 meters. For calculating the area of 25.00 sq. meters, the area of the balcony shall be included. Premium for such balconies shall be charged at 10% of the normal premium.

(g) *Lifts*.— Provisions of Lifts for people as well as accommodating stretcher in any building under the Rehabilitation Component shall be as per the following Table :—

Sr. No.	Height of Building	Minimum No. of Lifts	
		General Lift	Stretcher Lift
1	Up to G+4	-	-
2	Up to G+9	1	-
3	Up to G+16	1	1
4	Above G+16	2	1

(h) There shall be no size restriction for bath or water closet unit. Moreover for bathroom and water closet for 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.

(i) *Common Passage*.—The minimum width of Common Passage in the Rehabilitation Component shall be 1.50 mtrs. and maximum 2.00 mtrs. The area of common passage, not exceeding the prescribed limits in width, provided in Rehabilitation Component shall not be counted towards the computation of permissible in situ FSI.

(j) For the plot abutting a road having width of 18 mt. or above, the front marginal open space shall be at least 6 m. provided the road is not a Classified Road.

(k) Where the plot abuts a Nalla/non-buildable reservation or zone/open space; the marginal open space along it shall be 3.00 m from the edge of the trained Nalla/ non-buildable reservation or zone/open space. Ramps for basements or multi-level parking may be allowed only in side margin and / or rear margins.

(l) Minimum distance between two Rehabilitation buildings shall be as follows :—

(i) For buildings with Height up to 40 mt.
- Min. 6.00m.

(ii) For buildings with Height above 40 mt. up to 50 mt. - Min. 7.50 m.

APPENDIX- 'S'—contd.

(1)	(2)	(3)
		<p>(iii) For buildings with Height above 50 mt. -Min. 9.00m.</p> <p>(m) In case of multi-storeyed structures constructed for rehabilitation of the hutment dwellers and for the tenements to be made available to the appropriate authorities, as mentioned in this Appendix, the provision of this Appendix shall apply only if multi-storeyed building contains at least 50% of the built-up area as rehabilitation component.</p> <p>(n) Where the dimensions prescribed are for the pathway and the marginal distances, the larger of the two shall prevail. The pathway shall serve as access wherever necessary. The construction of buildings may be permitted abutting the pathways.</p> <p>(o) If the height of the buildings increases beyond 24 m. only because of use of stilt in the rehabilitation building, such building shall not be considered a high-rise building for the purpose of Fire Prevention Regulation.</p> <p>(p) Premium shall not be charged for exclusion of staircase and lift-well etc. as covered under the provisions of TMC DCR for Rehabilitation Component.</p> <p>(q) All provisions mentioned hereinabove shall be applicable to the buildings under the Rehabilitation Component as well as Composite buildings under SRS.</p> <p>(r) The above special provisions can be further relaxed by the CEO (SRA) under written permission in specific cases of demonstrable genuine hardship. In order to make the SRS viable, the CEO (SRA) shall be competent to award any relaxation(s), wherever necessary, for reasons to be recorded in writing. The CEO (SRA) may delegate any of the powers conferred upon him under the provisions of this Appendix and the said Act, except for power of relaxation, to any of the officers of the SRA, by a general or special order in this behalf.</p> <p>(s) The width of pathways shall be as follows :</p> <p>(i) 1.50 mt. width for pathways upto 20 mt. length.</p> <p>(ii) 2.00 mt. width for pathways upto 30 mt. length</p> <p>(iii) 2.50 mt. width for pathways upto 40 mt. length</p> <p>(iv) 3.00 mt. width for pathways upto 50 mt. length.</p> <p>(t) In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted. The water closet seat shall be minimum 0.46 mt. (18 inches) in length.</p>
29	Pathways - The width of pathways shall be as follows : (i) 1.5m width for pathways upto 20m. in length. (ii) 2.0m width for pathways upto 30m. in length. (iii) 2.5m width for pathways upto 40m. in length. (iv) 3.0m width for pathways upto 50m. in length.	
30	Flushing cistern - In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted.	
31	Water Closet Pan size - The water closet seat shall be of a minimum of 0.46 m (18 inches) in length.	

DELETED

APPENDIX- 'S'-contd.

1)	(2)	(3)
12	<p>Septic Tank and Leaching pits (soak pits) - A septic tank shall be provided with a capacity of 141.6 ltrs.(five cubic feet)per And. Where the municipal services are likely to be available within four to five years or so, pour flush water seal latrines (Neer type) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high. In the case of multi storeyed structures constructed for rehabilitation of the slum dwellers and for the tenements to be made available to the appropriate authorities as mentioned in Regulation 8 in this Appendix, the provisions of Regulations 21 to 31 in this Appendix shall not apply to that portion of the construction not intended for rehabilitation and such constructions shall be governed according to the normal provisions of these Development Control Regulations, relaxable only in the case of reconstruction of old and dilapidated cessed buildings in accordance with the provisions in Appendix -'R' of these regulations. No Provision</p>	DELETED
33	<p>In addition to above following guidelines on the lines of those prescribed for the B.M.C. area shall be applicable subject to the amendments as may be made by the Government from time to time.</p> <p>(1) In case the Redevelopment Schemes are to be implemented by the Thane Municipal Corporation (TMC), by the Maharashtra Housing Area Development Authority (MHADA) or by other Public authorities like Central Government Agencies, it would not be necessary to invite bids. In case the authorities decide to execute the project themselves, on their own lands or lands owned by other public bodies.</p> <p>(2) In respect of declared slums on private lands, it will not be necessary to invite bids provide the owner formulates a scheme in accordance with these D.C. Regulations 1994 and agrees to restrict his margin of profit to 25% calculated in accordance with the guideline No.4 The owner would also be required to lease the land to the Co-operative Housing Society of the slum dwellers at Rs.1.001 per society</p>	<p>(u) Any parameters which are not dealt with separately herein shall be governed by the relevant provisions of the TMC DCR.</p> <p>(13) In addition to above, following guidelines shall be applicable to SRS, subject to the amendments as may be made by the Government from time to time.</p> <p>(A) In case the Slum Rehabilitation Schemes are to be implemented by the Thane Municipal Corporation (TMC), Maharashtra Housing Area Development Authority (MHADA) or by other Public Authorities like State/ Central Government Agencies, it shall not be necessary to invite bids. In case such Authorities decide to execute the Slum Rehabilitation Scheme themselves, on their own lands or lands owned by other public bodies, it shall not be necessary to obtain consent of the hutment dwellers.</p> <p>(B) <i>Ownership, Premium for Ownership and Terms of Lease.</i>— (i) Where SRS is proposed to be undertaken on lands owned by the Government, Semi-Government Undertakings and Local Bodies, the developer registered with SRA shall pay premium at the rate of twenty five percent of the land value as per Annual Statement of Rates. (ii) The part of the Government/TMC/MHADA land on which the rehabilitation component</p>

APPENDIX- 'S'—contd.

(1)	(2)	(3)
	<p>per annum for a period of 30 years renewable for further 30 years. The owner has choice of selling the land to slum dwellers co-operative society at price fixed as per clause 17 of Maharashtra Slum Areas Act (ICR) 1971.</p>	<p>of the Slum Rehabilitation Scheme is constructed shall be leased to the Co-operative Housing Society of the hutment dwellers for a period of 30 years at the lease rent of Rs. 1001 for 4000 sq. m. of land or part thereof, and renewable for further periods of 30 years at a time.</p>
		<p>(iii) The same dispensation shall apply to the land under the free sale component and such land shall be leased directly and not through the Society of hutment dwellers, to the Registered Co-operative Housing Society/ Association of the purchasers of tenements in the free sale component and, pending the formation of such Co-operative Housing Society/Association of the purchasers of tenements in the free sale component, such land shall be leased to the developer. The said lease deed shall be executed within 60 days from the date of issue of building permission.</p>
	<p>(3) Where land is leased or intended to be leased to a Co-operative Housing Society of occupant hutment dwellers, by a public authority (say the TMC), bids may not be invited and the Co-operative Housing Society of the occupant hutment dwellers may submit a scheme for redevelopment of huts provided the Society restricts its margin of profit to 25% as calculated in accordance with the guideline No.4 below.</p>	<p>(C) Where land is leased or intended to be leased to a Co-operative Housing Society of hutment dwellers, by the concerned Authority (e.g. TMC), bids may not be invited and the Co-operative Housing Society of the hutment dwellers may submit a Slum Rehabilitation Scheme for rehabilitation of hutment dwellers, as per the provision of this Appendix.</p>
	<p>NOTE : For evaluating 'x' above, the market rates of flats as available with Thane Municipal Corporation, Income Tax Department and Registrar of Stamp Duties shall be used for guidance.</p>	<p>DELETED</p>
	<p>ADMINISTRATIVE GUIDELINES</p>	
	<p>The Administrative guidelines for redevelopment of slums existing on lands belonging to T.M.C. B.H.A.D. Board, State Government and other public bodies as well as notified slums on private lands area as follows :—</p>	
	<p>(4) The margin of profit for guideline No.2 and 3 will be calculated as follows : Income to the owner/co-op. society of hutment dwellers. (i) Value of balance F.S.I. society potential on the plot available for commercial sale....." (ii) Amount to be recovered - (a) At the rate of Rs. 15,000 per tenement made for rehabilitation of the existing slum dwellers plus</p>	<p>(D) F.S.I. FOR SRS AND ADMISSIBLE FSI RATIOS :- (I) F.S.I. for rehabilitation of eligible hutment dwellers/ pavement dwellers under a Slum Rehabilitation Scheme shall include the F.S.I. for the rehabilitation component as well as the free sale component. The ratio between the two components shall be as laid down herein below. (II) Built-up area for Rehabilitation component shall mean sum total of built up area</p>

APPENDIX- 'S'—contd.

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| <p>1) (2)</p> <p>Project Affected Person and</p> <p>(b) Amount to be given by existing commercial users for their rehousing as specified in clause 22.</p> <p>(iii) Expenditure by the owner : Cost incurred on construction of tenements for hutment dwellers including commercial users + Project Affected Persons + Infrastructure + Cost incurred on construction of flats for sale at market rate.....'Z'</p> <p>(iv) Profit: (x+y)- Z x 100.. Not to exceed 25%</p> <p>(5) PAYMENT OF COMPENSATION : Similarly, in case of huts after 1976 but prior to 1st January 1995 compensation as applicable has to be fully paid by the hutment dwellers before he is admitted as member of the Society.</p> <p>(6) INITIATION OF THE SCHEME: Where more than 70% of the eligible hutment dwellers on the land agree to join the redevelopment scheme, and become members of the co-operative society, the scheme should be considered for implementation.</p> | <p>(3)</p> <p>required for the Rehabilitation of eligible hutment-dwellers and P.A.P. Tenements, including areas of common passages (up to 2 Mt. in Width), Welfare centre(s), Balwadi(s), Society Office(s), eligible amenity structure(s), if any, and incentive commercial area, if any, admissible as per this Appendix.</p> <p>(III) Anywhere in the area of Thane Municipal Corporation, if rehabilitation component is 10 sq.metres of built-up area, then an additional built-up area of 10 sq.metres shall be permitted so that this additional area of 10 sq.metres can be utilized for disposal in the open market and the rehabilitation component subsidized.</p> <p style="text-align: center;">DELETED</p> <p>(E) INITIATION OF THE SCHEME : The following procedure shall be adopted while examining and sanctioning any SRS in accordance with the provisions of this Appendix.</p> <p>(I) A certified extract of the relevant Electoral Roll shall be considered as evidence to establish the eligibility of a person for rehabilitation, provided he is found to be a protected occupier of a slum structure. In case of doubt or dispute, the decision of CEO (SRA) shall be final and binding on all the parties concerned. The eligibility of a person including transferees under the SRS shall be established in accordance with Chapter I-B of the Maharashtra Slum Areas (Improvement and Clearance and redevelopment) Act, 1971 and the orders issues there under.</p> <p>(II) Where 70 percent or more of the eligible hutment-dwellers in a slum or pavement in a viable stretch at one place agree to join a SRS, it may be considered for approval. Provided that nothing contained herein shall apply to Slum Rehabilitation Schemes undertaken by the State Government or a Public Authority or, as the case may be, a Government Company, as defined in Section 617 of the Companies Act, 1956 which is owned and controlled by the State Government.</p> <p>(III) A physically handicapped person or widow household shall be given first preference in allotment of tenements to the hutment dwellers. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the rest of the eligible hutment dwellers, before grant of OCC to the Rehabilitation Building.</p> <p>(IV) Recovery of pending dues such as assessment, occupational charges, non-agricultural tax/ dues</p> |
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APPENDIX- 'S'—contd.

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etc. of the State Government or TMC shall not be linked to grant of approval or building permission to the SRS.

- (V) Action under the provisions of the Slum Act, 1971, including Section 33, 33A and 38 of the said Act shall be taken against any hutment dweller who is not willing to join the SRS within 15 days after approval on site has been granted for the SRS. The hutment of such a hutment dweller shall be removed and it shall be ensured that no obstruction is caused to the Scheme. In respect of those eligible hutment-dwellers on site, who do not join the SRS willingly, the following steps shall be taken :-

- (a) Provision for all of them shall be made in the rehabilitation component of the Scheme.
- (b) The details of the actual tenements that would be given to them by way of drawal of lots, on the same basis as for those who have joined the scheme, will be communicated to them in writing by the Developer, and in case of dispute, decision of the CEO (SRA) in this regard shall be final and binding on all the parties concerned.
- (c) The transit tenements that would be allotted to such unwilling hutment dwellers would also be indicated along with the details of transit accommodation allotted to those who have joined the project.
- (d) If such unwilling hutment dwellers do not join the Scheme within 15 days after the approval has been given to the Slum Rehabilitation Scheme on that site, then action under the relevant provisions including sections 33, 33A 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 hutment-dwellers who have joined the Scheme willingly.
- (e) After this action under the foregoing clause is initiated, such unwilling hutment dwellers should not be held eligible for allotment of transit tenement and they shall not be eligible for the allotment of rehabilitation tenements by drawal of lots, but shall only be entitled to what is available after others have exercised the choice, which may be or may not be on the same site.
- (f) If such unwilling hutment dwellers do not join the scheme till the building permission to the SRS is given, they will completely lose the right to any built-up tenement, and their tenements shall be taken over by the

APPENDIX- 'S'—contd.

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CEO (SRA) and used for the purpose of accommodating pavement-dwellers and other hutment dwellers who cannot be accommodated in-situ etc. At this stage, the non-participating hutment dweller shall lose their right to rehabilitation.

(g) Within 30 days from the allotment, if the permanent tenement is not occupied and transit camp is not vacated then the eligible hutment dweller will lose his right to rehabilitation permanently.

(h) After occupation of rehabilitation tenement, if any, hutment dweller reconstructs or occupies any new hutment or structure, such unauthorized structure shall be immediately evicted and demolished without giving any notice.

(7) FORMATION OF CO-OPERATIVE SOCIETY:—

(a) The eligible hutment dwellers including the PAPs nominated by the Commissioner will have to form a Co-operative Housing Society after all members have fully paid their dues to the Corporation, MHADA etc. All the cost involved in connection with registration of the society will be borne by the eligible hutment dwellers.

(b) The membership of the Co-operative Housing Society should be finalized based on eligibility criteria in clause 5 above.

(8) RESPONSIBILITY OF THE CO-OPERATIVE SOCIETY:

(a) The Co-operative Society shall be responsible for maintenance of facilities provided within the area leased to the society. The maintenance shall involve sweeping and cleaning of pathways, collection of household garbage and

(F) FORMATION OF CO-OPERATIVE SOCIETY:—

(a) The eligible hutment dwellers, including the PAPs nominated by the CEO (SRA), will have to form a Co-operative Housing Society after all members have fully paid their dues to the Municipal Corporation, MHADA etc. All the cost involved in connection with registration of the Co-operative Housing Society will be borne by the eligible hutment dwellers and the Developer shall register a Co-operative Housing Society of the rehabilitated hutment dwellers immediately after occupation of Rehabilitation Tenements by the hutment dwellers. Stamp Duty payable under Bombay Stamp Act, 1958 for registration of documents of allotment of such rehabilitation tenements or registration of Co-operative Housing Society shall be fully exempted.

(b) The Managing Committee of the registered Co-operative Housing Society of hutment dwellers shall have at least one third women members out of the total strength and the actual number of members on the Management Committee at any time.

(c) The rehabilitation tenement shall be jointly owned by the Pramukh hutment dweller and the spouse, if applicable. The details of ownership including Share Certificate and other relevant documents, shall be so entered and shall be deemed to be so entered in the records of the Co-operative Housing Society.

(d) The membership of the Co-operative Housing Society should be finalized based on eligibility criteria as per the provisions of this Appendix and as specified by CEO (SRA).

(G) RESPONSIBILITY OF THE CO-OPERATIVE HOUSING SOCIETY:

(a) The Co-operative Housing Society shall be responsible for maintenance of facilities provided within the area leased to the society. The maintenance shall involve sweeping and cleaning of pathways, collection of household garbage and carrying it to the nearest municipal dustbin, maintenance and replacement of common

APPENDIX- 'S'—contd.

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	<p>carrying it to the nearest municipal dustbin, maintenance and replacement of common conveniences, etc. The co-operative society will be entitled to levy a suitable charge on its members for this purpose.</p> <p>(b) Internal roads, pathways, common amenities etc. as shown in the layout of the colony will be provided as part of the original project. However the society will be responsible for maintaining the same.</p> <p>(c) The society shall be responsible for payment of municipal taxes and service charges such as those for water supply etc. and for any dues of any other competent authority from time to time.</p> <p>(d) The society shall not admit as member any person who does not satisfy the eligibility criteria. However, if any such member is admitted, the built-up area for such tenements shall be counted against the built-up area to be sold at market rates.</p> <p>(9) INALIENABILITY : All the allottees who have been given subsidized tenements shall not alienate the tenement or transfer it to anybody else (except the legal heirs), for a period of 10 years from the date of taking over possession, without prior permission.</p> <p>(10) LEASING OF LAND :</p> <p>(a) The land will be leased to the Society initially for a period of 30 years from the date of handing over the possession and same will be renewable thereafter at the discretion of the land owning authority. The lease will be on usual terms and conditions as applicable. The lease conditions shall be binding on all the members of the society.</p> <p>(b) The annual lease rent shall be Rs. 1001/- per annum per 4000 Sq. Mt.trsq. or part thereof.</p> <p>(11) POSSESSION OF THE TENEMENTS/SHOP : Possession of the tenement/shop will be handed over to the hutment dwellers after :—</p>	<p>conveniences, etc. The Co-operative Housing Society will be entitled to levy a suitable service charge on its members for this purpose.</p> <p>(b) Internal roads, pathways, common amenities etc. as shown in the layout of the colony will be provided as part of the original project. However the Co-operative Housing Society will be responsible for maintaining the same.</p> <p>(c) The Co-operative Housing Society shall be responsible for payment of municipal taxes and service charges such as those for water supply etc. and for any dues of any other competent authority from time to time.</p> <p>DELETED</p> <p>(H) INALIENABILITY : CEO (SRA) shall issue Identity Cards to each rehabilitated family in the name of the head of the family, jointly with his/ her spouse, if applicable. Selling/ Transfer/ Rent/ Lease of the rehabilitation tenement shall not be allowed for a period of 10 years (except to their heirs), from the date of possession of the tenement. In case of breach, CEO (SRA) shall cancel the allotment in respect of the dweller and take over the tenement. These conditions shall appear on the identity card as well.</p> <p>DELETED</p> <p>(I) POSSESSION OF THE TENEMENTS/SHOP : Possession of the rehabilitation tenement/shop will be handed over to any eligible hutment dweller only after :—</p>

APPENDIX- 'S'—contd

1)	(2)	(3)
	<p>(i) The society is registered, and</p> <p>(ii) Agreement to lease the land is executed by land owning authority with the society after completing any formalities, and</p> <p>(iii) After he/she has surrendered transit accommodation given to him/her, if any and has cleared all dues to TMC/MHADA/Govt. of Maharashtra.</p>	<p>(i) The Co-operative Housing Society of the rehabilitated hutment dwellers is registered; and</p> <p>(ii) Agreement to lease the land is executed by land owning authority with the Co-operative Housing Society of the rehabilitated hutment dwellers after completing necessary formalities; and</p> <p>(iii) After such hutment dweller has surrendered transit accommodation, if any, given to him / her, and has cleared all his / her dues to TMC/MHADA/ Government of Maharashtra.</p>
	<p>(12) TRANSIT ACCOMMODATION :—</p> <p>(a) The transit accommodation facility may be offered either by the developer/ society or the land owning authority. b) The member of the co-operative society, if shifted to transit accommodation will be required to pay rental and service charges with effect from the date of occupation of transit accommodation.</p>	<p>(J) TRANSIT CAMP ACCOMMODATION :</p> <p>(a) "Temporary Transit Tenement" shall mean habitable residential or non-residential accommodation for eligible SRS beneficiary constructed from detachable material such as tubular/ prefabricated light structures or such other material, in such a manner that it ensures safety of the inhabitants. Design criteria for structural elements of transit accommodation shall be similar to those of the rehabilitation tenements, with a maximum carpet area of 16.72 sq. mt. (180 sq. ft.) for each transit tenement/unit.</p> <p>(b) The Temporary Transit Tenements for rehabilitation of hutment dwellers may be allowed to be constructed on Rehabilitation site itself, or on any other land located within TMC area, as the case may be.</p> <p>(c) The temporary transit camp for rehabilitation of hutment dwellers may be provided on site itself or anywhere in the concerned municipal corporation area and, if needed, be on the area of statutory open spaces to be left in accordance with the DCR of the concerned Municipal Corporation on the plot or in the transit rehabilitation tenements allotted by CEO (SRA) or otherwise minimum monthly rent as may be decided by CEO (SRA) shall be paid by the developer to the eligible hutment dwellers to be temporarily shifted for allowing construction on site till allotment of permanent rehabilitation tenements.</p> <p>(d) On the site itself approved for rehabilitation, multi storeyed temporary transit tenements may be allowed to be constructed.</p> <p>(e) The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured.</p> <p>(f) Such building permission shall be given within 30 days from the date of application and after approval to the project by CEO (SRA), failing which such permission shall be deemed to have been granted.</p> <p>(g) 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</p>

APPENDIX- 'S'-contd.

(1)	(2)	(3)
		sites and on top of such existing public buildings may be allowed wherever possible.
		(h) On any nearby vacant site without any reservation in the Development Plan, construction of temporary transit tenements, made of light material, shall be allowed with the consent of the land owners up to an FSI of 3.00. The word "Temporary" here shall mean made of detachable material such as tubular / prefabricated light structures.
		(i) In all such cases where the temporary transit camp is erected, there shall be a condition that such structures shall be demolished by the Developer / Society within 30 days of grant of Occupation Certificate to the Rehabilitation Buildings and the site should be brought back to the original state.
(13)	SPECIAL GUIDELINES FOR SLUMS ON PRIVATE LANDS :—In addition to the general guidelines above which are applicable to the development undertaken by T.M.C., MHADA, other public lands and private lands, following additional guidelines will have to be fulfilled in case of slums on private land.	(K) SPECIAL GUIDELINES FOR SLUMS ON PRIVATE LANDS :— In addition to the general guidelines above which are applicable to the development undertaken by T.M.C./MHADA/other Public Authority on Government lands and private lands, following additional guidelines will have to be fulfilled in case of slums on private land and further subject to the provisions of Clause 10 of this Appendix :—
	(a) <i>Eligibility Criteria</i> .—The slum should be a slum area notified by the Collector (Encroachments).	(a) <i>Eligibility Criteria</i> .—The slum should be a slum area notified by the Competent Authority.
	(b) The owner/developer shall submit a list of eligible hutment dwellers who are proposed to be accommodated in the tenements to be constructed, to the Collector (Encroachment) for his verification and certification Form of certificate is attached at the end (Annexure II).	(b) The owner/developer shall submit a list of eligible hutment dwellers who are proposed to be accommodated in the tenements to be constructed, to the Competent Authority for his verification and certification. Form of certificate is attached at the end (Annexure II).
	(c) The owner/developer will have to organise all the eligible hutment dwellers into co-operative housing society/societies.	(c) The owner/developer shall have to organise all the eligible hutment dwellers into co-operative housing society/ societies.
	(d) In case of those hutment dwellers who are not eligible, the developer may accommodate them in the scheme, at his cost or shift them elsewhere. However, if they are accommodated, the built up area for such tenements shall be counted against the built up area to be sold at market rates.	
	(e) In case of private lands partially occupied by slums the owner will be allowed 2.5 F.S.I. on the proportionate areas of the plot occupied by the eligible hutment dwellers and he will be allowed to develop this land occupied by slums	(d) In case of private lands partially occupied by slums, the owner will be allowed permissible F.S.I. as per this Appendix on the proportionate areas of the plot occupied by the eligible hutment dwellers and he shall be allowed to develop this land occupied by slums on the basis of area as certified by the Competent Authority and as per the guidelines

APPENDIX- 'S'—contd.

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on the basis of area as certified by collector (Encroachments) and as per guidelines prescribed for slum redevelopment and the remaining vacant land will have to be developed as per the Development Control Regulations in force with permissible F.S.I.

The rehabilitation of slum dwellers will be carried out first before undertaking the development on the vacant land.

- (f) The accommodation for rehousing eligible hutment dwellers will have to be constructed and allotted and possession given to hutment dwellers before occupation of the accommodation for commercial sale is allowed.

(14) TECHNICAL GUIDELINES.—Policy guidelines for the development plan of Thane for implementation of allocated, designated / reserved sites occupied by slums. Land from residential, commercial, industrial and no development zones, and lands reserved/ designated/allocated for various public purpose (existing or proposed) but occupied by slums and the manner in which redevelopment thereon would be allowed are categorized as set down herein below :—

CATEGORY - I This category shall consist of lands occupied by slums in residential, commercial, industrial and No Development Zones not affected by any other allocations/designation/ reservation in the Development Plan. They may be developed subject to the following :—

- (i) Lands in the residential and commercial zone may be developed in accordance with provisions in Appendix - S.

- (ii) Lands in the industrial zones may be converted into residential users in accordance with the provisions of paragraph M.6.1(vi) of Appendix-M, as the case may be and may be developed in accordance with Appendix S.

- (iii) (a) Slums on lands in dangerous locations such as hill-slopes, marshy lands, nallah lands, land abutting railway tracks, pavements, footpaths and sites immediately required for public and

prescribed for slum rehabilitation schemes as per this Appendix and the remaining vacant land will have to be developed as per the TMC DCR in force with permissible F.S.I.

The rehabilitation of hutment dwellers will be carried out first, before undertaking the development on the vacant land or taking benefit of vacant land.

- (e) The accommodation for rehousing of eligible hutment dwellers shall be constructed and allotted and possession thereof shall be given to the hutment dwellers, before occupation of the accommodation for commercial sale is allowed.

(L) TECHNICAL GUIDELINES REGARDING SRS :—

Slums situated in lands falling under various reservations / zones in the Development Plan shall be developed in accordance with the provisions of the Appendix "P" of the TMC DCR except as otherwise specifically prescribed under this Appendix. 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 in the original zone shall also be permissible. For industrial user, the segregating distance shall be maintained from the existing industrial unit/(s).

- (a) Any plot under a non-buildable reservation, admeasuring only upto 500 sq. mtr., may be cleared by shifting the hutment dwellers from such site.

- (b) Any plot under a non-buildable reservation, admeasuring up to 2000 Sq. Mt. may be allowed to be developed for slum rehabilitation in accordance with Appendix-S, subject to the condition that the land so used shall not be more than 75 percent of such reservation, and the remaining 25 percent area of such reservation shall be rendered clear thereafter for the designation or reservation, as sanctioned in the Development Plan.

- (c) Where the area of plot under a non-buildable reservation, located either independently or in a cluster with designated/reserved sites, is more than 2000 Sq. Mt., upto 67 percent of such area under reservation/designation may be allowed to be developed according to the aforesaid Regulation in Appendix S, but the remaining 33 percent of such area shall be duly cleared and rendered free from Slums and shall be retained for the designation or reservation as indicated in the Development Plan.

- (d) For other buildable reservations on a plot under a slum, built-up area equal to not more than 15

APPENDIX- 'S'—contd.

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semi public projects may be shifted to another locations in a suitable residential zone, as near as possible, by working out the required area for relocation. Procedure for a minor modification under section 37 may be followed for reserving the same for rehabilitation of the slums in the said residential zone, and may be allowed to be developed in accordance with these Regulations.

- (b) Lands in the No Development Zone occupied by slums where it would be impossible to shift the slum dwellers to nearby residential zone, may be brought under residential user by change of zoning according to the prescribed procedure for a minor modification under section 37 of the Maharashtra Regional and Town Planning Act, 1966.

CATEGORY-II This category shall consist of lands occupied by slums which are allocated, designated / reserved for non-buildable reservations such as recreation ground, playground, garden park and any other open user in the Development Plan. They may be developed subject to the following guidelines :—

- (i) Any plot admeasuring upto 2000 Sq. Mt. independently located or any plot upto 2000 Sq. Mt.. located in a cluster along with other designations or reservations of a building nature, may be allowed to be developed for slum redevelopment in accordance with Appendix-S subject to the condition that the land so used shall not be more than 75 percent of the reservation, and leaving the remaining 25 percent rendered clear there after for the designation or reservation as sanctioned in the Development Plan.
- (ii) Where the area of such lands, either independently located or in a cluster with designated/reserved sites, is more than 2000 Sq. Mt. upto 66.66 percent of such lands may be allowed to be developed according to the aforesaid Regulation in Appendix S, but the remaining 33.33 percent, duly

area of the entire plot under slum or 25% of the area under such reservation/(s) in such plot, whichever is less, shall be handed over free of cost to the Municipal Commissioner of the Thane Municipal Corporation or to the Appropriate Authority, specified in the Development Plan.

- (e) Where any DP road passes through a slum rehabilitation area, the entire 100% FSI of such road may be given in the same site, on the remainder of the plot.
- (f) Development of slum as per the provisions of this Appendix together with that of contiguous non-slum area under any other provisions of TMC DCR may be allowed 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 scheme shall be deemed to be a Slum Rehabilitation Scheme. The power under TMC DCR for shifting and/or interchanging the purpose of designations / reservations shall be exercised by the CEO (SRA) in respect of Slum Rehabilitation Areas/Slum Rehabilitation Schemes.
- (g) In case two or more slums are taken up for development by the same Land Owner/Developer / NGO/ Co-operative Housing Society of the hutment dwellers, both Rehabilitation and free Sale Components of the said slums can be combined and located in any proportion in those plots, provided in any plot, the permissible in-situ FSI does not exceed what is prescribed in this Appendix and the said slums have the same ratio of Rehabilitation component to free sale component under Clause 13 (D) of this Appendix.
- (h) In case of a Slum Rehabilitation Scheme adjoining a railway track, a boundary wall of minimum 2.4 mtr. in height shall be constructed.

APPENDIX- 'S'—contd.

(1) (2) (3)

cleared of the Slums, shall be retained for the designation or reservation as indicated in the Development Plan.

CATEGORY-III This category shall consist of lands occupied by slums, which are designated or reserved for buildable public purposes in the Development Plan which need to be developed for such purposes and cannot be allowed to be occupied by slums. These may be developed subject to the following:—

- (i) Slums on such lands should be shifted to a suitable residential zone, as near as possible and development allowed on the new site according to provision of Appendix S. Where such shifting is not possible and development of the land for the purpose of the designation or reservation in the Development Plan is not possible, action for deletion on the designation / reservation may be taken under section 50 of the Maharashtra Regional and Town Planning Act, 1966.
- (ii) Slums on lands reserved for primary or secondary school and such other buildable reservations in the Development Plan may be developed subject to the following:
 - (a) In the case of lands reserved for a 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 the school use shall be handed over free of cost to the

APPENDIX- 'S'—contd.

(1)	(2)	(3)
	<p>Corporation. Thereafter, the land may be allowed to be redeveloped with the full permissible FSI of the plot according to Appendix S of these Regulations.</p> <p>(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 an, case for less than 800 students, shall be constructed by the owner or developer at his cost according to the size design, specifications 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 buildings shall be handed over to the Corporation free of cost and the Municipal Commissioner may handover the same or part thereof intended for the school use to a recognized and registered educational institutions 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 the provisions of Appendix S of these Regulations.</p> <p>(c) For lands occupied by slums, which are reserved for other buildable reservation 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 handover the built-up area to the Corporation free of cost for operation and maintenance for</p>	

APPENDIX- 'S'—contd.

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the purpose of the reservation. The Commissioner may hand over the same to a recognized 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 provisions of Appendix S of the said Regulations.

CATEGORY IV The category shall consist of lands occupied by slums but allocated, designated or reserved for public purpose in the Development Plan which an owner is permitted to develop according to provisions of Appendix P of these Development Control Regulations. Such lands may be allowed to be redeveloped by the owner 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 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 rehabilitation allowed on the full permissible FSI of the plot according to the provisions of Appendix S.

CATEGORY V. This category shall consist of lands occupied by slums, designated or reserved for purpose of public housing / high density housing or housing for dishoused. Such lands shall be treated as sites for slum redevelopment and redevelopment allowed according to the provisions of Appendix S instead of as Public Housing / High Density Housing or Housing for Dishoused.

CATEGORY VI. This category shall consist of lands occupied by slums on proposed or existing alignment of Development Plan Roads or road-widening proposals. Rehabilitation of such slums for clearing the areas required for the roads shall be effected on suitable residential zones, as near as possible, earmarking the area required for the purpose and then allowing them to be developed according to the provisions of Appendix S.

APPENDIX- 'S'—contd.

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(3)

CATEGORY VII This category shall consist of lands occupied by slums, which are not covered by any of the aforesaid categories where slum redevelopment is not possible for any reason. In such cases, for slum rehabilitation, a minor modification to the Development Plan under Section 37 of the Maharashtra Regional and Town Planning Act, 1966, for placing the required land for slum in the residential zone may be undertaken. Thereafter slum redevelopment may be undertaken according to the provisions of Appendix S.

APPLICABILITY Decision of State government in these policy guidelines for implementation of allocated, designated/reserved sites occupied by existing slums will have effect for, and apply to Development Plans of Thane.

DELETED

Note.—(1) Development/Re-development of lands covered by slums in the categories mentioned above shall be allowed only after a Certificate is issued certifying the exact extent of the lands covered by the slums on lands allocated, designated or reserved for various purposes or areas zoned for various users in the Development Plan required for slums redevelopment. This certificate shall be issued by the Committee appointed as in Regulation of 19 Appendix S of these Regulations.

DELETED

Note.—(2) In case of lands owned by State Government, Maharashtra Housing and Area Development Authority or Municipal Corporation of Thane, affected by reservations of various categories stated above, the tenure rights for the areas occupied by the slum dweller from the 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 :—

DELETED

- (I) Category -I I (i), I(ii)
- (II) Category -II Full
- (III) Category -III III(ii)(a)(b)(c)
- (IV) Category -IV Full
- (V) Category -V Full

APPENDIX- 'S'—contd.

(1)	(2)	(3)
	However tenurial rights shall not be given in cases where slums are in categories described below :—	
	(I) Category I (iii)(a) & (b) (II) Category III & II (i) (Original site) (III) Category VI Full (IV) Category VIII Full	
(15)	F.S.I. REGULATION : While F.S.I. upto 2.5 will be available for slum re-development scheme, It is not that each slum redevelopment scheme shall necessarily exhaust 2.5 F.S.I., or even that maximum F.S.I. should be used.	DELETED
(16)	TENEMENT SIZE FOR REHOUSING HUTMENT DWELLERS & PROJECT AFFECTED PERSONS :	DELETED
	(i) Residential one self-contained tenement of minimum 20.90 Sq. Mt. is of size.	
	(ii) Commercial.—Existing area subject to maximum of 16.75 Sq. Mt. The commercial area will have to be paid at double the cost price upto 16.75 Sq. Mt.	DELETED
	(iii) Residential-cum-commercial: One tenement of 16.75 Sq. Mt. carpet area.	DELETED
(17)	HEIGHT OF BUILDING :—	DELETED
	(i) The building for re-housing slum dwellers shall be maximum of ground Plus Five, without lift with a maximum floor height of 2.8 mtrs.	
	(ii) Building for Commercial Sale.—No restriction except that all the normal D.C. Regulations for such construction will be applicable.	(M) Building for Free-sale Component.—No restriction except that all the relevant provisions in TMC DCR for such construction shall be applicable.
(18)	CONCESSIONS.—Concessions as available to MHADA for their reconstruction schemes in City will be applicable to tenements to be constructed for rehabilitating slum dwellers such as -	DELETED
	(i) Marginal open space on all sides. All round 1.5m subject to 3 mtrs, open space upto staircase.	
	(ii) Distance between 2 buildings - not less than 3 mtrs.	
19	OPEN SPACES :The open space around the building should be paved upto 1mtr. width.	(N) OPEN SPACES.—The open space around the building shall be paved up to 1 mt. width.
20	AMENITIES :For plots exceeding 2 HA area, provision of clause 11 of Appendix S read with Regulation 63 of these Regulations.	(O) AMENITIES.—For plots exceeding 2 Ha in area provisions of clause 6 of this Appendix, read with Regulation 63 of TMC DCR shall apply.
	FINANCIAL GUIDELINES	
21	COST OF TENEMENTS :	DELETED
	(i) The present estimated cost of 180 Sq. Ft. carpet area a tenement for slum	DELETED

APPENDIX- 'S'—contd.

(1)	(2)	(3)
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dwellers and Project Affected Persons will be Rs.65,000/- as per 1991 rates and as per PMGP norms. This will include the cost of infrastructure.

(ii) This amount of Rs.65,000/- will be made up as follows :

(a) Initial down payment from hutment dwellers and Project Persons, at least Rs.5,000/-

(b) Loan from HUDCO / HDFC/ BANKS, etc. Rs.10,000/-

(c) Cross-subsidy from sale of surplus FSI on Commercial basis Rs.50,000/-
Total Rs.65,000/-

NOTES:—

(i) The above calculations are based on the basis cost of Rs.65,000/- per tenement. If the cost exceeds Rs.65,000/- all the above amounts will increase proportionately.

(ii) However, in special circumstances, such as higher land value or requirements of any public purpose such as need to accommodate more project affected persons, the Committee constituted under clause 19 of Appendix S of these provisions is empowered to increase the amounts to be paid by the slum dwellers.

DELETED

DELETED

(22) **SALE OF EXCESS AREA :—**For commercial structures having existing area less than 16.75 Sq. Mt. the additional area offered (a) upto 16.75 Sq. Mt. will be charged at double the cost price (b) in excess of 16.75 Sq. Mt. will be charged at market price. For Commercial tenements having existing area beyond 16.75 Sq. Mt. the beneficiary will pay double the cost price upto 40 Sq. Mt. and market price for area in excess of 40 Sq. Mt. The commercial nature of the structure will be decided only on the basis of census record available with the Collector (Encroachment). The decision of the Collector (Encroachment) in this behalf will be.

DELETED

(23) **GENERAL GUIDELINES FOR SLUM REDEVELOPMENT SCHEME TO BE DEVELOPED BY INVITING BIDS FROM BUILDERS/DEVELOPERS BY PUBLIC BODIES SUCH AS TMC, MAHADA ETC.:**

(i) The bidder will have to prepare and submit a layout for the entire land occupied by hutment dwellers distinctly showing on the plan,

(P) **GENERAL GUIDELINES FOR SLUM REHABILITATION SCHEME TO BE DEVELOPED BY INVITING BIDS FROM BUILDERS/DEVELOPERS BY PUBLIC BODIES SUCH AS TMC, MHADA ETC. :—**

(i) The bidder will have to prepare and submit a layout for the entire land occupied by hutment dwellers, distinctly showing on the plan, accommodation / buildings for rehousing hutment dwellers, project

APPENDIX- 'S'—contd.

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accommodation / buildings for rehousing hutment dwellers, project affected persons nominated by the Municipal Commissioner as per the Appendix S and additional guidelines and the accommodation / buildings for commercial sale.

affected persons nominated by the CEO (SRA) as per the Appendix-S and the additional guidelines, and the accommodation / buildings for commercial sale.

(ii) The bidder will quote the maximum number of tenements of 16.75 sq. mt. in carpet area to be made available to the Thane Municipal Corporation including supporting infrastructure as per specifications.

(ii) The bidder will quote the maximum number of residential tenements of 25.00 Sq. Mt. carpet area to be made available to the CEO (SRA)

(iii) The land owning authority will from the co-operative societies of existing eligible hutment dwellers.

(iii) Including supporting infrastructure as per specifications.

(iv) The land owning authority will collect the down payment at the time of enrolment and loan amount from the slum dwellers which will be paid to the bidder in phases depending on the stages of construction. (The buildings to be mortgaged to the Bank.)

(iii) The land-owning authority will form a Co-operative Housing Society of existing eligible hutment dwellers.

DELETED

(v) The selection of bidders will be on the basis of their capacity to provide transit accommodation, their experience of undertaking large scale building works and other resources at their disposal.

(iv) The selection of bidders will be on the basis of their capacity to provide transit accommodation, their experience of undertaking large scale building works and other resources at their disposal.

DELETED

(24) For saleable bldg. necessary relaxation in marginal open spaces & parking spaces shall be granted by charging 10% of normal premium.

(25) Notwithstanding anything contained in Regulation No. 54 only 10% recreational open spaces shall be required to be provided.

No Provision

(Q) Notwithstanding anything contained in Regulation No. 54, of TMC DCR, only 10% area of the SRS shall be required to be kept as recreational open space.

(R) Conversion of an existing SRD Scheme to a S.R. Scheme under Modified Regulation.—Conversion of an old S.R. Scheme to a S.R. Scheme under this modified Regulation shall be permissible, provided full occupation certificate has not been given in respect of such SRD Scheme and residential rehabilitation tenements of individual carpet area of 269.00 sq. ft. are proposed/constructed under the SRD Scheme. Any scheme where actual work has commenced on site at the time of coming into force of this modified Regulation shall be governed by the modified Regulation only.

(S) AMALGAMATION / SUB-DIVISION OF PLOTS IN SRS AREAS.—Any land declared as SRS area shall be nationally treated as one plot, even if it is spread over part or parts of boundary of different C.S. Nos., E.S. Nos., F.P. Nos. or Survey Nos. Separate approval shall not be necessary for such deemed amalgamation. Such nationally amalgamated plot shall be treated as one plot.

No Provision

No P

No P

APPENDIX- 'S'—concl'd.

(1)	(2)	(3)
No Provision		single plot for the purpose of FSI computation. However such an amalgamation shall not include existing nalla, water body or transmission line zone if any.
		(T) BOUNDARIES OF PLOT :—
		<ul style="list-style-type: none"> (i) Boundaries and the measurement of plot areas of the Slum Rehabilitation Area shall be declared by the CEO (SRA) after actual measurement of plot area on site and the same shall be adopted for planning purposes for calculation of density and Floor Space Index. (ii) The CEO (SRA) 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 scheme. (iv) After approval is given to the Slum Rehabilitation Scheme, the area may be further subdivided, if necessary, to earmark separate plots for the rehabilitation component and the free sale Component. The plot area and the built-up area in terms of square mtrs. on the said plot shall be separately mentioned in the lease agreements and the Records of Rights.
No Provision		(U) SLUM-REHABILITATION PERMISSIBLE ON TOWN PLANNING SCHEME PLOTS :—
		<ul style="list-style-type: none"> (i) Slum rehabilitation Scheme can be taken up on the final plots of the Town Planning Scheme, as per appendix 'N' and further as per the conditions given herein below :— (ii) If the owner of a Final Plot wishes to implement S.R. Scheme on partly or fully encroached area of such final plot, for which possession is not given to him by the Corporation, he will be entitled to receive in situ F.S.I. 3.00 on the plot under encroachment as per this regulation. For computation of permissible F.S.I., actual area covered by hutments shall be considered :— (iii) If the owner of a Final Plot in the T.P.S. No.1-Thane, accepts the possession of the plot along with encroachments and proposes development, retaining encroachment on his plot, he shall be allowed to avail full permissible F.S.I. on the entire F.P. area on the following conditions :— <ul style="list-style-type: none"> (a) He shall demarcate the area in his plot which is occupied by the slum encroachments and transfer such land in the name of T.M.C. In such case, T. M.C. on its own or through the Co-op.Housing Society of Hutment dwellers may initiate Slum Rehabilitation Scheme on the encroached area of Final Plot. Further, Corporation shall record the no. of hutments, names of the occupiers, area occupied etc. at the time of granting permission. (b) In case the owner of a final plot proposes to develop a portion of his plot, occupied by slums, as per the provisions of Appendix 'S'

FORMATS OF VARIOUS ANNEXURES.

ANNEXURE - I

1. Name of the Slum/Location/ Municipal Ward/ Assembly Constituency
Name of Co-operative Housing Society(CHS) (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 the 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 Lands:
 - (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/T.M.C. Lands : NOC of concerned Department
 - (a) Whether land is under acquisition?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/Co-op. Housing Society

_____ Sq.M.

_____ Sq.M.

- (d) As per Architect's Certificate & triangulation calculation/with plot dimensions. _____ Sq.M.
- (e) As per the Lease Agreement/Power of Attorney _____ Sq.M.
- (f) As per certificate issued by D.M.C. _____ Sq.M.
- (g) Least of (a) to (f) _____ Sq.M.

Details of existing hutments.

(A) Number of eligible hutment dwellers up-to 1-1-2000 Assembly Electoral List.

- (a) Residential hutments _____ Nos.
- (b) Residential cum Commercial hutments (RC) _____ Nos.
- (c) Commercial Shop/Work Shop / Factory shop / Economic activities. _____ Nos.
- (d) Existing Amenity structure/ Welfare Hall, Balwadi Schools, Gymnasium and Religious structure etc. _____ Nos.

(B) Attach statement giving detail of area etc. of each commercial establishment with documentary evidences for (c) & (d) above. (Showing actual & permissible area).

Zone

Reservations as per D.P. (Attach D.P. / Survey Remark)

Is layout/sub-division/amalgamation necessary (Separate application not necessary).

Area Statement :—

- (i) Area of the Plot _____ Sq.Mts.
- (ii) Deduction for— _____ Sq.Mts.
- (a) Setback area _____ Sq.Mts.
- (b) Proposed Road _____ Sq.Mts.
- (c) Deductions for physical provision of buildable/ un-buildable reservation. _____ Sq.Mts.
- (d) Deduction for 5 % Amenity open space _____ Sq.Mts.
- (e) (Total a + b + c + d) _____ Sq.Mts.
- (iii) Net Plot area (i-ii) _____ Sq.Mts.

(For computation of Tenement Density)

3. Computation of Tenement density :—

(a) Existing number of tenements(residential, residential-cum-commercial) as per Modified Appendix-S.	_____ Nos.	(c)
(b) No. of equivalent tenements for commercial use of hutment dwellers as per this Appendix.	_____ Nos.	(d)
(b1) Area of Balwadi, Passages, Welfare Centre, Society Office as per Clause 6 of this Appendix.	_____ Nos.	(e)
(c) Total of a +b+b1	_____ Nos.	(f)
(d) Existing Tenement Density :—		(g)
(c)		(h)
_____ X 10,000	_____ Nos.	
12 (iii)	_____ Nos.	15. (A)
(e) Tenements required to be provided as per tenement density of 500 T/s net Hect.	_____ Nos.	(a)
(f) No. of PAP's required to be provided (e-c)	_____ Nos.	(b)
(g) Total No. of (Rehab. + PAP) tenements.	_____ Nos.	
Proposed on Site	_____ Nos.	(c)
Residential	_____ Nos.	
Residential-cum-Commercial	_____ Nos.	
Commercial	_____ Nos.	
PAP	_____ Nos.	(B)
Existing Amenity		(a)
Total		(b)

14. Tenements required to be provided at the rate of 500 tenements per net hectare :—

(a) Area of the Plot		
(b) Deduction of D.P. Reservations	_____ Sq.Mtr.	
(i) Non Buildable reservations		
(ii) Buildable reservation actually implemented on site, including appurtenant open spaces.	_____ Sq.Mtr.	

- (iii) Set Back area _____ Sq.Mtr.
- (iv) Proposed area _____
- (c) Total b(i) + b(ii) + b(iii) + b (iv) _____ Sq.Mtr.
- (d) Net area of the plot for computing No. of Tenements (a-c) _____ Sq.Mtr.
- (e) Deductions for 15 % RG (if applicable) _____ Sq.Mtr.
- (f) Balance area of Plot (d-e) _____ Sq.Mtr.
- (g) Addition for FSI purpose _____ Sq.Mtr.
- (h) Total Area _____ Sq.Mtr.
- _____ Sq.Mtr.

(A) Built up area of Rehabilitation Component as per clause no.1) i) & 6).

(a) Residential (No of Tenements _____)

(b) Residential-cum-Commercial

(No. of Tenements____) _____ Sq.Mtr.

(c) Non-residential permissible area of rehabilitation component (No of tenements _____).

(i) 5 % for slum Co-op. Housing Society (CHS), if project is _____ Sq.Mtr.
implemented by slum CHS.

Total (a + b + c) 15(A)

(B) Exclusion for FSI computation _____ Sq.Mtr.

(a) Welfare Center

(b) Balwadi _____ Sq.Mtr.

(c) Co-op. Housing Society Office _____ Sq.Mtr.

(d) Common passage upto 2.00 mt. in width

(e) Religious structures _____ Sq.Mtr.

Total (a + b + c + d + e) 15(B) _____ Sq.Mtr.

_____ Sq.Mtr.

_____ Sq.Mtr.

6	Built-Up Area for FSI computation proposed for Rehabilitation Bldg. (15 (A))	_____ Sq.Mtr.	महारा
17	Built-up Area for sale	_____ Sq.Mtr.	(A) Ar
18	Built-up area for FSI purpose, actually proposed to be consumed in sale bldg. on site (for maximum 3.00 FSI on plot)	_____ Sq.Mtr.	(a)
19	Total BUA permitted for the project (16 +17) for FSI purpose	_____ Sq.Mtr.	(b)
20	Total FSI for the project	_____ Sq.Mtr.	(c)
21	Total Built-up Area actually to be consumed for FSI purpose (16) + (18) on plot	_____ Sq.Mtr.	(d)
22	Total FSI actually to be consumed on plot for rehabilitation + PAP + Sale Bldg.	_____ Sq.Mtr.	(C) D of
23	Built-up Area available for TDR (19) - (21)	_____ Sq.Mtr.	(D) Pl fr at
24	No. of Residential tenements available for sale	_____ Nos.	27. st
25	Total No. of tenements constructed on plot	_____ Nos.	(a) (
26	(A) Amenities available one site :—		
	(a) Water Supply	Yes/No.	(b)
	(b) Sewerage System	Yes/No.	(c)
	(c) Public Road/ Paved Road width of road abutting plot—	Yes/No.	(d)
	East-		(e)
	West-		(f)
	North-		(g)
	South-		(h)
	(d) Proposed road/ road widening, if any		(i)
	(e) Street Lights	Provided/Not Provided	(j)
	(f) Electric Supply/Sub-Station	Provided/Not Available	T
	(g) School	Provided/Not Available	
	(h) Welfare Center	Provided/Not Available	
	(i) Dispensary	Provided/Not Available	

(A) Amenities proposed, if any

(a)

(b)

(c)

(d)

(C) Description and details of the proposed arrangement of transit camps (Attach planning).

Enclosed herewith.

(D) Photographs of existing slum colony from all four sides and access to be attached to the proposal.

27. Cost of the Project

Rs.

(a) Cost of _____ Sq. mtrs. of Rehab. Component at Rs. _____ per Sq. mtrs. as per ASR.

Rs.

(b) Cost of _____ Sq. mtrs. Sale Component at Rs. _____ per Sq. mtrs. as per ASR (including commercial for sale)

Rs.

(c) Cost of _____ Sq. mtrs. of Transit

Rs.

Accommodation at Rs. _____ per sq. Mtrs.

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) Development Charges

Rs.

(i) Premium (Stairs + Lift + Lobby + Balcony + Open space deficiency).

Rs.

(j) Any other cost

Rs.

TOTAL COST OF THE PROJECT

Rs.

ANNEXURE - II

SLUM REHABILITATION SCHEME

1. Certified that an area _____ Sq.m. in CTS/ F.P./ S. Nos. _____ of Village _____ Taluka _____.

(a) is a censused slum colony of Municipal / MHADA/ Govt. Records or is notified as Slum under Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 vide Notification No. _____ dated _____.

OR

(a) is a declared slum on private land under section 4 (1) of Maharashtra Slum Areas (I, C and R) Act 1971 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. _____, dated 16th May 1996 and modified Appendix "S" of D.C.R. and are 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 hutment dwellers, _____ hutment dwellers have given consent in writing to proposed Slum Rehabilitation Scheme.
5. The list of hutment dwellers alongwith 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 Co-op. Housing Society of the hutment dwellers is _____.

Competent Authority.

ANNEXURE - III

SLUM REHABILITATION SCHEME

(Annexure for assessing the financial capacity of the Developer/ Promoter to execute the Slum Rehabilitation Scheme.)

1. Name of the Slum Co-op. Housing Society
2. Address of the Slum Co-op. Housing Society.
3. Name of the Chief Promoter/ President and Secretary of the Slum Co-op. Housing Society.
4. Number of Rehabilitation tenements to be Constructed as per Annexure-I.
5. Name and Address of the Architect / Licensed Surveyor.
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 is attached.
9. Whether Audited Statements of last three Consecutive years of Accounts are attached

If yes —

(i) Year

(ii) Year

(iii) Year

10. (a) Funds required for construction of ____ Rehabilitation Tenements.

Number of Rehab. Tenements X Cost of one tenement.

____ No. X Rs. ____ per/T + Rs. ____

- (b) Whether 20% of the Amount in (a) above as initial

Investment is ready for investment in the scheme

Yes/No.

11. Proof of the funds available

- (1) _____
- (2) _____
- (3) _____
- (4) _____

12. Planning for 80 % of the amounts in 11 (a) above i.e. the amounts required for completing the Scheme will be made available from the following sources.—

- (1) _____
- (2) _____
- (3) _____
- (4) _____

Owner/ Developer

Remarks of the Finance Section.

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

SANJAY V. PAWAR
Section Officer.