

**URBAN DEVELOPMENT DEPARTMENT**

Mantralaya, Mumbai 400032, Dated 5th December 2023

**NOTIFICATION**

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS-1822/251/C.R.No.09/2023/ UD-13,—Whereas, the Government of Maharashtra in Housing Department *vide* Notification No.SRS-2004/CR-213/Slum-1, dated 30th June, 2005 has appointed the Slum Rehabilitation Authority for Pune and Pimpri-Chinchwad Area (hereinafter referred to as “the said Authority”) under the provisions of Section 3-A of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (Mah. Act No.XXVIII of 1971);

And Whereas, the said Authority is the Planning Authority (hereinafter referred to as “the said Planning Authority”) within the meaning of clause (b) of sub-section (2) of Section 19 of the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No.XXXVII) (hereinafter referred to as “the said Act”), for the slum rehabilitation area declared under Section 3-C of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971;

And whereas, the Development Control Regulations for the area under jurisdiction of the said Planning Authority have been approved by the Government in Urban Development Department *vide* Notification No.TPS-1812/786/CR-262/13/Reconstruction No.90/UD-13, dated 11th September, 2014, under Section 37(2) of the said Act;

And whereas, the Government in Urban Development Department has sanctioned Unified Development Control and Promotion Regulations (hereinafter referred to as “UDCPR”) for the State of Maharashtra except Municipal Corporation of Greater Mumbai, other Planning Authorities / Special Planning Authorities / Development Authorities within the limits of Municipal Corporation of Greater Mumbai, MIDC, NAINA, Jawaharlal Nehru Port Trust, Hill Station Municipal Council, Eco-Sensitive / Eco-Fragile region notified by MoEF & CC and Lonavala Municipal Council and Area under CIDCO’s jurisdiction as Planning Authority, PCNTDA, MIHAN, MADC, MSRDC, *vide* Notification No.TPS-1818/ CR-238/18/D.P. & R.P./Sec.37(IAA)(c) & Sec.20(4)/UD-13, dated 2nd December, 2020;

And whereas, there is provision in Regulation No.14.6 of UDCPR that, the Slum Rehabilitation Scheme Regulations for Pune, Pimpri-Chinchwad and Nagpur Municipal Corporation shall be as sanctioned by the Government from time to time;

And Whereas, the said Planning Authority being satisfied felt it necessary to modify the present Development Control Regulations dated 11th September, 2014 so as to remove difficulties while implementation of the Slum Rehabilitation Schemes with a view to develop the slum areas within its jurisdiction and also to promote time bound slum redevelopment in the future and hence the said Planning Authority has proposed the new Development Control Regulations for the area under its jurisdiction namely “The Development Control Regulations for the Slum Rehabilitation Authority (Pune & Pimpri-Chinchwad Area) Pune, 2022” (hereinafter referred to as “the said new Development Control Regulations”) and proposed to include it in UDCPR and submitted this proposal to the State Government in Housing Department;

And Whereas, the State Government in Housing Department has accorded its sanction in principal to the said new Development Control Regulations *vide* its order No.SRA-2018/ CR55/ SI, dated 23rd September, 2021 and authorised the Chief Executive Officer of the said Planning Authority, to publish the same under the provisions of Section 37(1B) of the said Act and to receive the suggestions / objections on behalf of the Government and give hearing on it and submit his report to the Government;

And whereas, in exercise of the powers conferred under sub-section (1B) of Section 37 of the said Act and all other powers enabling in that behalf, Chief Executive Officer of said Planning Authority has published a Notice No.SRA/CEO/No.1613/21/Section 37(1B), dated 27th September, 2021 to that effect alongwith the draft Development Control Regulations for the Slum Rehabilitation Authority (Pune & Pimpri-Chinchwad Area), Pune, 2022, which is appeared in the extra-ordinary *Official*

*Gazette*, Part-I, Pune Division Supplement dated 29th September, 2021, for inviting suggestions / objections thereon from the general public and all persons likely to be affected thereby, within 30 days from the date of publication this notice in the *Official Gazette*;

And whereas, the Chief Executive Officer, Slum Rehabilitation Authority (Pune & Pimpri-Chinchwad Area), Pune has submitted his report to the Government in Urban Development Department through Government in Housing Department, after completing the legal procedure as contemplated under Section 37(1B) of the said Act, *vide* letters dated 4th January, 2022 and dated 9th January, 2023;

And whereas, after considering the report of the Chief Executive Officer, Slum Rehabilitation Authority (Pune & Pimpri-Chinchwad Area), Pune and after consulting Director of Town Planning, Maharashtra State, Pune, the Government in Urban Development Department is of the opinion that the propose Development Control Regulation for Slum Rehabilitation Authority (Pune & Pimpri-Chinchwad Area) needs to be sanctioned with some changes.

Now therefore, in exercise of the powers conferred under Section 37(2) of the said Act and all other powers enabling in that behalf, the Government hereby —

(a) Sanctions the Development Control Regulations for the Slum Rehabilitation Authority (Pune & Pimpri-Chinchwad Area), Pune - 2022 with some changes, more specifically mentioned in Annexure appended hereto and includes this regulations in Regulation No.14.6 of the UDCPR.

(b) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this regulations.

(c) REMOVAL OF DIFFICULTIES - If any difficulty arises in giving effect to the provisions of this Unified Development Control and Promotion Regulations, the State Government may, by order published in the *Official Gazette*, give such directions, as may appear to it to be necessary or expedient for the purpose of removing the difficulty.

Provided that, no such order shall be made after the expiry of a period of 1 years from the date of coming in to force of this Unified Development Control and Promotion Regulations.

The said Notification alongwith the sanctioned Development Control Regulations for the Slum Rehabilitation Authority (Pune & Pimpri-Chinchwad Area), Pune, 2022 shall be kept open in the following offices for inspection to the general public on all working days for a period of One month :-

(i) Chief Executive Officer, Slum Rehabilitation Authority, Pune and Pimpri-Chinchwad Area, Fourth Floor, Kakade Bizz Icon, Ganeshkhind road, Pune.

(ii) District Collector, Pune.

(iii) Director of Town Planning, Maharashtra State, Central Building, Pune.

(iv) Commissioner, Pune Municipal Corporation, Pune.

(v) Commissioner, Pimpri-Chinchwad Municipal Corporation, Pimpri.

(vi) Chief Executive Officer, Pune Metropolitan Region Development Authority, Akurdi, Pune.

(vii) Assistant Director of Town Planning, New Administrative Building, Pune.

(viii) Regional Officer, Maharashtra Industrial Development Corporation, Pune.

This Notification shall also be published on Government website [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (Act & Rules).

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

PRANAV KARPE,  
Under Secretary to Government.

*<sup>(1)</sup> (The Development Control Regulations for Slum Rehabilitation Authority, Pune and Pimpri-Chinchwad Area has been sanctioned by the Government in Urban Development Department vide Notification No.1822/251/C.R.09/2023 /UD-13, Dt.05<sup>th</sup> December, 2023)*

14.6

<b><sup>(1)</sup> DEVELOPMENT CONTROL REGULATIONS FOR SLUM REHABILITATION AUTHORITY, PUNE AND PIMPRI CHINCHWAD AREA, PUNE.</b>
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**(Updated as on 31<sup>st</sup> January 2025 )**

#### 14.6.1 SHORT TITLE, COMMENCEMENT AND EXTENT

1. The said Regulations shall be called as **“The Development Control Regulation For the Slum Rehabilitation Authority, Pune & Pimpri-Chinchwad Area, Pune, 2022 ”**  
(hereinafter called “the said regulations”)
2. The said Regulations shall be applicable to the area under jurisdiction of SRA, Pune i.e. the entire area of *Pune Municipal Corporation (P.M.C.), Pimpri-Chinchwad Municipal Corporation (P.C.M.C.) and P.M.R.D.A. (restricted to earlier P.C.N.T.D.A. Area) and M.I.D.C. area in P.M.C. & P.C.M.C.* as notified under sub-section 1 of Section 3(A) of Maharashtra Slums Areas (Improvement, Clearance and redevelopment) Act 1971 from time to time by the State Government.
3. The said Regulations shall come into force on the date of its notification by the State Government in the Official Gazette. The said Regulations shall replace all the existing Development Control Regulations for Slum Rehabilitation Areas for Pune and Pimpri-Chinchwad Municipal Area, Pune.

#### 14.6.2 DEFINITIONS

- (a) **“Amenity Component”** shall mean any constructed amenities, prescribed by C.E.O., S.R.A. for rehabilitation of the hutment dwellers in any S.R.S.
- (b) **“Annual Statement of Rates” (A.S.R.)** is the annual statement of rates of lands and properties, prepared annually by the Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune.
- (c) **“Beneficiary”** shall mean hutment dwellers found eligible as protected occupiers, as defined in the Slum Act and /or orders issued thereunder.
- (d) **“Built up area”** means the area covered by a building on all floors including <sup>(2)</sup> (---) Mezzanine floor, if any, but excepting the areas excluded specifically from F.S.I. under the said Regulation.
- (e) **“Composite Building”** shall mean a building comprising both Rehabilitation component and Free-Sale component or Built Up Amenity component
- (f) **“Developer”** means such agency as may be appointed or registered under section 3-B by Chief Executive Officer of Slum Rehabilitation Authority to implement Slum Rehabilitation Scheme.
- (g) **“Floor Space Index” (F.S.I.)** or Floor Area Ratio (F.A.R.) shall mean the quotient obtained by dividing the combined built up area on all floors, (excepting the areas specifically exempted from computation of F.S.I. under the UDCPR and the said Regulations) by the area of the plot.
- (h) **“Free Sale Component”** of S.R.S. is the built up area that can be constructed against the incentive F.S.I., in accordance with the said Regulations, available in the form of F.S.I. or T.D.R. out of the total permissible F.S.I. of the S.R.S. (rehabilitation component plus incentive sale component as per the ratios prescribed in the said Regulations) after deducting F.S.I. required for Rehabilitation.
- (i) **“Gross Plot Area”** shall mean total plot area.

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<sup>(2)</sup> Deleted vide Order No.C.R.116/2024/(Part-2)/UD-13, Dt.11<sup>th</sup> October, 2024 under Clause (C)-RoD of Notification bearing No.CR.09/2023/ UD-13, Dt.05<sup>th</sup> December, 2023

- (j) **“Hazardous building”** shall mean any building or part thereof which is used for the storage, handling, manufacturing or processing of any Hazardous Material as defined in the UDCPR.
- (k) **“Net Plot Area”** for the purpose of the said Regulations, shall mean the balance area derived after deduction of area earmarked for reservations, D.P. Roads, Road Widening under Development Plan of the concerned Planning Authority.
- (l) **“Pavement”** shall mean any Municipal / Government / Semi-Government pavement, and shall include such stretch of pavement as may be considered viable for the purpose of the S.R.S.
- (m) **“Rehabilitation Component”** shall mean and include the 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 the said Regulations and 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 center/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 the said Regulations.
- (n) **“Recreation Ground”** (R.G.) shall mean, any common open space required to be kept in any layout and left permanently open to the sky, having access from any public pathway or public road.
- (o) **“Slum Rehabilitation Scheme”** shall mean a scheme for rehabilitation of hutment dwellers of one or more slum rehabilitation areas in accordance with the provisions of the said Regulations and shall include transit camps, infrastructure, amenities, Rehabilitation component and Free sale component of the development, as permitted on the area of Slum Rehabilitation Scheme (S.R.S.) by the C.E.O., S.R.A.
- (p) **“Slum Transferable Development Rights”** (Slum T.D.R.) shall mean the F.S.I. remaining out of the total permissible F.S.I. of the S.R.S. after utilizing in-situ F.S.I. on site as per the provisions of the said Regulations or shall mean the F.S.I. made available in the form of Transferable Development Rights in lieu of the unencumbered land spared for rehabilitation of hutment dwellers on land vitally required for public purpose or ecologically fragile locations.

**Terms and expressions other than those specifically defined herein shall have the same meaning as defined in,**

- (i) Maharashtra Regional and Town Planning Act, 1966,
- (ii) The Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act 1971,
- (iii) Development Control Regulations of the concerned Planning Authority and the Rules framed thereunder.
- (iv) National Building Code (2016) as amended from time to time.
- (v) Unified Development Control and Promotion Regulations.

#### **14.6.3 APPLICABILITY**

##### **1. Provisions of the said Regulations shall be applicable to :**

- (A) **The slums which have been declared and notified as “SLUMS” by the competent Authority under the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, as well as;**
- (B) Any area which, the Competent Authority may declare as “Slum Rehabilitation Area” as per the provision contained in Section 3-C of the Slum Act 1971; and also

- (C) The hutment dwellers in such Slums or Slum Rehabilitation Areas, who are Protected Occupiers as defined in Chapter I-B of the Slum Act and orders issued thereunder and the hutment dwellers who are Non-Protected Occupiers under clause (f) of sub-section (5) of section 3-B of the Slum Act.
2. The provisions which are mentioned in the said Regulations shall prevail over the corresponding provisions of the Unified Development Control and Promotion Regulations (hereinafter referred to as “UDCPR”). In case of any conflict or ambiguity, in respect of any matters not specifically mentioned in the said Regulations, the relevant provisions of the UDCPR, as modified from time to time; shall be applicable.

**3. The Slums On Non Buildable Area / Reservations :**

- (A) The provisions for implementing in-situ rehabilitation scheme, of the said Regulations shall not apply to slum areas existing on any lands earmarked as Hill Tops / Hill Slopes, Green Belts, River or Nallah beds including those falling in blue flood line, Canal banks, No Development Zone in the Development Plan, in Open Spaces of approved layouts and slums on lands required for vital public purpose or on hazardous locations. Such slums are to be evicted on priority.
- (B) It shall be an obligatory duty of the “C.E.O., S.R.A.” to rehabilitate slums mentioned in clause (A) above on other buildable sites under the provisions of the said Regulations. The C.E.O., S.R.A. shall prepare an Action Plan and identify all such slum areas and grant approval for relocation and rehabilitation of such slums for environmental and ecological reasons in a time bound manner, in accordance with the provisions of the said Regulations including open spaces in M.I.D.C. and P.M.R.D.A. (Restricted to earlier P.C.N.T.D.A. area) areas. The C.E.O., S.R.A. shall take a decision in this regard in consultation with the concerned Municipal Commissioner.
- (C) On relocation and rehabilitation of hutment dwellers of such slums, unencumbered lands thus vacated shall be handed over to the Local Authority or the Authority concerned for the development of vital public purpose against compensation as may be permissible as per the corresponding regulations.
- (D) The slums existing on reservations shall be allowed to be rehabilitated as per the provisions of the said Regulations. If any previous S.R.S. had been sanctioned on any reservation under the earlier provisions, such S.R.S. can be implemented further under the said Regulations, considering such land as deemed to be de-reserved as per previous sanction.
4. Anything done or any action taken in respect of S.R.S. prior to the commencement of the said Regulations shall be deemed to have been done or taken under the corresponding provisions of the said Regulations and provisions of the said Regulations shall be made applicable in relation thereto only to the extent, such application does not adversely affect the same.

Nothing contained herein shall adversely affect the approval and implementation of Slum Rehabilitation projects approved under BSUP, JNNUR Mission by the Central Sanctioning and Monitoring Committee, Ministry of Housing and Urban Poverty Alleviation, Government of India, or any such government schemes approved from time to time.

**5. Transition Policy:**

The S.R.S. already sanctioned under the earlier provisions can be allowed to be developed under the said Regulations in case the full occupation certificate has not been issued and compliance in respect of payment against Operation and Maintenance Corpus and Infrastructure Development Charges (I.D.C.) has been done; provided that the C.E.O., S.R.A. shall have the powers to give approval to changes in building height and internal

modifications with appropriate relaxation in set back and margins of the restructured building subject to N.O.C. from C.F.O. and fulfilment of other requirements and to impose any conditions as may be expedient for him to do so; provided however that nothing in the said Regulations shall adversely affect all slum rehabilitation schemes previously sanctioned.

6. Eligible hutment dwellers may, at the discretion of the C.E.O., S.R.A., be rehabilitated in-situ as far as possible within the area under consideration for the implementation of the Slum Rehabilitation Scheme. Such rehabilitation shall be governed by the provisions of the said Regulations.
7. Eligible hutment dwellers may also be rehabilitated by relocation to another plot in the concerned Municipal Area. Such rehabilitation shall be governed by the provisions of the said Regulations.
8. If any hutment dweller is a protected occupier of a slum structure, but his name is on the electoral roll on or prior to 1st January, 2000 at another slum / pavement site within the jurisdiction of Pune and / or Pimpri-Chinchwad Municipal Corporation, he shall be considered eligible but only at the place of his present residence. In case of doubt or dispute, C.E.O., S.R.A. shall get an inquiry made as may be considered necessary, and give a decision thereon, which shall be final and binding on all parties concerned.
9. Allotment of tenements either in-situ or otherwise, on ownership or on rent, to the other Non-Protected Occupiers up to the 1st January 2011, subject to the availability of tenements shall be done, as per the terms, conditions and guidelines so notified in the Official Gazette, by the Chief Executive Officer with the prior approval of the State Government;

#### **14.6.4 INTERPRETATION**

The Terms and expressions not defined in the said Regulations shall have the same meanings as in the Slum Act, 1971 or M.R. & T.P. Act, 1966 or The Maharashtra Municipal-Corporation Act, 1949 (M.M.C. Act, 1949) or N.B.C. (2016), UDCPR and amendments made therein from time to time, as the case may be, unless the context otherwise requires.

If any question or dispute arises with regard to interpretation of any provision of The said Regulations, the matter shall be referred to the State Government in Urban Development Department which, after considering the matter and, if necessary after giving hearing to the parties, shall give a decision on the interpretation of the provisions of The said Regulations. The decision of the Government on the interpretation of The said Regulations shall be final and binding on the concerned party or parties.

#### **14.6.5 DELEGATION OF POWERS**

Except where special permission is expressly stipulated, the powers or functions vested in the C.E.O. by the said Regulations may be delegated to any officer of the Authority under his control, subject to the revision if necessary and to such conditions and limitations, if any, as may be prescribed under the said Regulations.

#### **14.6.6 DISCRETIONARY POWERS**

1. In conformity with the intent and spirit of the said Regulations, the C.E.O., S.R.A. may modify the limit of a zone where the boundary line of the zone divides a plot, village boundary, C.S. / C.T.S. No. as per records of revenue by a special permission, with prior consent of concerned Municipal Commissioner, and
2. In specific cases where a clearly demonstrable hardship is caused, the C.E.O., S.R.A. may for reasons to be recorded in writing, by special permission permit any of the dimensions prescribed by the said Regulations to be modified, except those relating to floor space indices

- (i) unless otherwise permitted under the said Regulations, provided that the relaxation will not affect the health, safety, fire safety, structural safety and public safety of the inhabitants of the building and the neighbourhood.

#### **14.6.7 DEVELOPER'S REGISTRATION**

1. Only a Developer registered with S.R.A. shall be eligible to submit a slum rehabilitation scheme. So also registered developer only shall be appointed by S.R.A., in case S.R.A. wish to develop any Slum Rehabilitation Area where no proposal is submitted.
2. Owner of the land who is competent and have resources to develop slum on land owned by him shall be allowed to register himself as registered developer, but only for development of slum on land belonging to him.

#### **14.6.8 PARAMETERS OF DEVELOPMENT OF SLUM REHABILITATION AREA**

##### **1. Eligibility for rehabilitation scheme**

- a. A person eligible for redevelopment scheme shall mean a Protected Occupier as defined in chapter 1-B of the Slum Act and Non-Protected Occupier, as mentioned in clause (f) of sub-section (5) of Section 3-B of the said Act.
- b. Subject to the foregoing provisions, only the actual occupants of the hutment shall be held eligible and the so called structure-owner other than the actual occupant if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.

##### **2. Joint ownership with spouse**

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

##### **3. Right of the Hutment Dwellers**

- a. Hutment-dwellers, in the slum or on the pavement, eligible in accordance with the provisions herein shall in exchange of their protected dwelling structure, be given free of cost a residential tenement having a carpet area of 27.88 Sq.m. (300 Sq.ft.) including balcony, bath and water closet but excluding common areas. For this purpose 'Carpet area' means the net usable floor area within a tenement excluding the covered by the walls or any other areas specifically exempted from FSI computation as per the said Regulations.
- b. Even those protected dwelling structures having existing residential areas more than 27.88 Sq.m. (300 Sq.ft.) will be eligible only for 27.88 Sq.m. (300 Sq.ft.) of carpet area in the rehabilitation component.
- c. All eligible hutment dwellers taking part in the S.R.S. shall have to be rehabilitated in accordance with the provisions of the Scheme. It may be in situ and in the same plot as far as possible.
- d. Pavement dwellers and hutment dwellers in the slum on land required for vital public purpose or such location which are otherwise unsuitable for human habitation or where there is any restriction shall not be rehabilitated in-situ but in other available location and in accordance with the Scheme.
- e. Competent Authority, on the basis of verification of prescribed documents, shall decide eligibility of slum dwellers. The slum dweller held eligible on 1st January 2000 shall be Protected Occupier. However the slum dweller held eligible on 1st January 2011 shall be



Non-Protected Occupier, but shall be rehabilitated on payment of the cost of the tenement as prescribed by the C.E.O. as per government resolutions issued from time to time.

f. The eligibility of a person including a transferee, under a scheme of Slum redevelopment shall be established in accordance with Chapter-1-B of the Slum Act.

g. Restriction on Transfer of Tenements :

As provided by the Slum Act, the tenement obtained under this scheme cannot be sold / leased / assigned or transferred (except to legal heir) in any manner for a period of ten years from the date of allotment / possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by S.R.A. Transfer of the rehabilitation tenement may be permitted by C.E.O., S.R.A. after completion of ten years from the date of occupation by charging a premium equal to 25% of the prevailing market value of the tenement as given in the ASR for the respective year, during which transfer application is processed.

h. An individual agreement shall be entered into by the owner / developer / co-operative housing society with the hutment-dwellers in the slum / pavement.

i. An individual agreement entered into between hutment-dweller and the owner / developer / co-operative society / N.G.O. shall be in the joint names of pramukh hutment dweller and spouse for every protected dwelling structure and non-protected dwelling structure up to 1st January 2011.

j. Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax / dues etc. pending with public authorities such as State Govt. and / or concerned Municipal Corporation shall be dealt with separately and not be linked to grant of approval or building permission to the Slum Rehabilitation Projects.

#### **4. Duties of the Hutment Dwellers :**

a. The hutment dweller shall be responsible to pay the electricity and other government charges regularly, and maintain his rehab unit and do necessary minor repairs as and when so required at his own cost. However, for carrying out any major changes in the structure of the building in whatsoever nature, the permission of the C.E.O., S.R.A. in writing shall be required.

b. The eligible hutment dwellers shall form their cooperative society as soon as possible and in any case not later than within three months of handing over of rehab units' possession to them.

c. The hutment dweller shall pay monthly contribution to his co-operative society @ Rs. 500 per month or the amount as decided by his cooperative society whichever is more for common monthly charges against the common electricity and water usage, operation and maintenance of common amenities like lift, generator, S.T.P. plant etc.

d. The slum dweller is duty bound to keep the premises of his rehab unit including common areas and surroundings of the rehab buildings clean, hygienic and untidy.

e. The slum dweller shall not keep or carry any hazardous material in the rehab unit which may cause injury or endanger to life and safety of other residents of the premises.

### **14.6.9 ELIGIBILITY**

#### **1. Protected Occupiers**

Inhabitants of the slums or slum rehabilitation areas residing on 1st January 2000 shall be Protected Occupiers as defined in Chapter I-B of the Slum Act and orders issued thereunder and shall be eligible for rehabilitation under the Slum Rehabilitation scheme, in accordance with the provisions of this Scheme. The eligibility of such Protected Occupiers shall be decided as per the guidelines provided by the Government Resolutions issued from time to time.

## **2. Non-Protected Occupiers**

Inhabitants of the slums or slum rehabilitation are as residing on 1st January 2011, shall be Non-Protected Occupiers as defined in the Slum Act and shall be eligible for rehabilitation under the Slum Rehabilitation scheme, in accordance with the provisions of this Scheme. The eligibility of such Non-Protected Occupiers shall be decided as per the guidelines provided by the government resolutions issued from time to time.

## **3. Ineligible Occupiers**

The occupants of slum who are neither held eligible as Protected Occupiers nor Non-Protected Occupiers shall be held ineligible and they will not be entitled for rehabilitation under any Slum Rehabilitation Scheme. However they may avail the benefits of any other housing scheme of the Government such as P.M.A.Y., if independently held eligible therein.

## **4. Provision relating to allotment of tenements either in situ or otherwise, on ownership free of cost to the protected occupiers**

The protected occupiers shall be rehabilitated in situ and they will be allotted rehabilitation tenement free of cost. However, in case the slum is situated on non-buildable area or the area under slum is required for any vital public project, then they will be rehabilitated by relocation. Such relocation shall be made on a land near the slum pocket as far as practicable, but within the same Municipal limit.

## **5. Provision relating to allotment of tenements either in situ or otherwise, on ownership or on rent to the other non-protected occupiers**

The non-protected occupiers shall as far as possible be rehabilitated in situ after the protected occupiers in the slum under the scheme and those in nearby non buildable slum are rehabilitated. They will be allotted rehabilitation tenement on payment of cost of tenement as prescribed by the Government Resolutions issued from time to time.

6. Subject to the foregoing provisions, only the actual occupants of the hutments shall be treated as eligible for rehabilitation under the S.R.S. and any person claiming ownership of such structure who is not the actual occupant of the same, shall have no right whatsoever to allotment of rehabilitation tenement.

7. The hutment dweller actually residing at present, who has purchased the censused structure with photo pass, if any, from any of the categories above shall be held eligible for rehabilitation under S.R.S., provided such transfer has been regularized. Provided further that the original owner of the censused structure who has sold the said, but shall be deemed to be ineligible for any alternative subsidized accommodation in any of the government scheme.

8. The names of the eligible hutment dwellers on private, Municipal and Government lands shall be duly certified by the Competent Authority in S.R.A. or any officer whom the State Government by notification appointed as the Competent Authority for the purpose of the Slum Act.

9. All eligible hutment dwellers residing on the area of the S.R.S. shall have to be accommodated on the same plot as far as possible.

10. Any hutment dweller who is in actual occupation or possession of more than one hutment within the jurisdiction of S.R.A. Pune shall not be held eligible for more than one rehab unit.

11. The eligibility of a person including transferees in case of Protected Occupier under the S.R.S. shall be established in accordance with the orders issued vide G.R. mentioned in clauses 1 above. The Hutment dweller, for establishing his eligibility shall submit his application in prescribed form along with Annexure for Self Declaration and Self Declaration for Self Attestation and the copies of the documents of evidence in the manner as prescribed by State Government.

12. The eligibility of a person including transferees in case of Non Protected occupier under the S.R.S. shall be established in accordance with the orders issued vide G.R. mentioned in clause 2 above. Hutment dweller, for establishing his eligibility shall submit his application in prescribed form along with Annexure for Self Declaration and Self Declaration for Self Attestation and the copies of the documents of evidence in the manner as prescribed by State Government.

**14.6.10 OBLIGATORY PARTICIPATION The participation of landowners and slum dwellers in Slum Rehabilitation Scheme shall be obligatory. This participation shall be governed by following regulations,**

**(A) Landowners**

The land owner shall be given first preference to implement scheme on his / her land. However landowner in same survey number or part of it having title of an area exceeding 50% shall be given the preference, if he / she is ready to pay an amount of compensation for remaining land. The amount of compensation to be offered shall be decided as per the provisions u/s 17 of the Slum Act.

Such a land owner by registering himself as a Registered Developer, or through a Registered Developer may submit the scheme with the consent of 51% of the slum dwellers for the implementation of such scheme. The scheme so submitted shall forthwith be accepted by C.E.O. and C.E.O. will order preparation of the Eligibility List by the Competent Authority concerned.

In case a proposal submitted by the landowner is devoid of the consent of slum dwellers, the C.E.O. shall publish a notice to invite slum dwellers to come forward within 90 days of publication of such notice, through a society registered, to submit rehabilitation scheme. If the slum dwellers submit a scheme in response to such a notice, then the C.E.O. will give a reasonable opportunity of being heard to both owner and slum dwellers along with developer engaged. The C.E.O. after taking into account the scheme so submitted and the experience and the capacity of the developer pass a reasoned order to accept one of the proposals. Such decision of the CEO shall be final and binding upon the parties concerned. In case the slum dwellers fail to submit such a scheme, the C.E.O. shall accept the proposal submitted by the land owner.

**(B) Slum Dweller**

In case the concerned landowner has failed to submit the scheme as per the preceding regulation and the slum dwellers have come forward through a Registered Co-operative Society or through a Registered Developer whom 51% of them have given consent, the C.E.O., S.R.A. shall acquire the land under the slum, at the instance of Co-operative Society or Registered Developer. The C.E.O. will simultaneously issue order to the Competent Authority concerned to prepare and submit the Eligibility List. (Annexure II)

**(C) Registered Developer**

A Developer registered with S.R.A. as Registered Developer previously shall be permitted to submit Slum Rehabilitation Scheme in following manner

1. The Registered Developer, who has been appointed by S.R.A. through competitive bid to develop a particular scheme/s, shall submit the scheme which may be accepted by the C.E.O.
2. The Registered Developer with acquired rights from the owner/s of the slum land and who hold consent of 51% slum dwellers shall be allowed to submit the scheme as prescribed in preceding regulation. Such a scheme shall be accepted by C.E.O. and the C.E.O. will order Competent Authority to prepare eligibility list of slum dwellers in Annexure II.

3. In case the Registered Developer holds the rights from the owner/s of the slum land, but does not have consent of the slum dwellers; submit a scheme, the C.E.O. shall give a 90 days public notice in the slum area for the slum dwellers to come forward for the development. In case hutment dwellers fail to come up with a scheme within the stipulated period of 90 days, C.E.O., S.R.A. may accept the scheme submitted by the registered developer having land ownership or concurrent development rights. In case, upon such notice slum dwellers come forward with a scheme, the C.E.O. as per clause (A) above, after giving a reasonable opportunity to both the parties of being heard, shall accept one of the proposals, taking into account the capacity and experience of registered developers involved in such proposals. The decision of the C.E.O. shall be final and binding upon the parties. And after the scheme is accepted, the C.E.O. will order Competent Authority to prepare eligibility list of slum dwellers in Annexure II.
4. In case the Registered Developer have consent of 51% slum dwellers, but does not hold right to develop the land; C.E.O., S.R.A. shall give him preference and the land owner shall be entitled to compensation payable under the provisions of Slum Act or the said Regulations. In case of dissent of the land owner for this valuation, C.E.O., S.R.A. may forward the land acquisition proposal to the State Government on behalf of the applicant developer and the Hutment Dwellers' Co-operative Housing Society. Simultaneously, the C.E.O. will order Competent Authority to prepare eligibility list of slum dwellers in Annexure II.
5. In case two or more registered developers submit a scheme on same land; then such proposals will be scrutinized chronologically on the basis of the land development rights acquired by the developer and the consent of hutment dwellers.
6. The developer shall before acceptance of his scheme/s by C.E.O., S.R.A., open and maintain a separate account for each scheme and such account shall only be exclusively used for all receipts and expenditure of the scheme.

**(D) (C.E.O., S.R.A.)**

In case the C.E.O., S.R.A. 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, C.E.O., S.R.A. may invite land owner or hutment dwellers to come forward with the scheme for redeveloping the slum through a developer registered with S.R.A., by issuing a public notice of not less than 30 days. In case, land owner or hutment dweller's Co-operative Housing Society does not come forward with response to the notice so issued, the C.E.O., S.R.A. may, by order, determine to redevelop such land by entrusting it to any agency or registered developer through competitive bid process. In such an eventuality, the Land owner shall be entitled to compensation as contemplated by section 17 of the Maharashtra Slum (Improvement, Clearance and Redevelopment) Act, 1971 or as per the said Regulations. However, before passing any such order, the C.E.O., S.R.A. shall give an opportunity of being heard to the concerned land owner.

Nothing in these provisions shall restrain the C.E.O. from issuing of orders for preparation of the eligibility list (Annexure II) in relation to any Slum declared u/s 4 of the Slum Act or Slum Rehabilitation Area declared u/s 3-C of the said Act, wherein a proposal is submitted or not. Thus the fixing of eligibility (Annexure II) will be independent of any scheme submitted.

#### **14.6.11 INITIATION OF SLUM REHABILITATION SCHEME**

**The Slum Rehabilitation Scheme under the jurisdiction of SRA shall be undertaken in the manner laid down herein,**

1. The C.E.O., S.R.A. shall publish intention of the S.R.A. to declare Slum land or any other land as Slum Rehabilitation Area in the Official Gazette as prescribed u/s 3-C of the Slum Act. A copy of such notification shall be published in two News Papers of circulation in the area along with fixing a copy at conspicuous place in or near such slum area. The concerned owners, land holders or occupants of Slum area or areas mentioned therein; shall be given a period not more than 120 days to come forward as prescribed in sub section (1) of Section 13 of the Slum Act with a rehabilitation scheme in accordance with the provisions contained in the said Regulations.

##### **2. Compulsory acquisition of slum land**

Upon failure of the concerned land owner, land holders or occupants to come forward with a rehabilitation scheme in accordance with the provisions contained in this Scheme, the C.E.O., S.R.A. may proceed further to acquire the land wherein the amount of compensation shall be determined as per the provisions contained in the Chapter-V of the Slum Act.

If the landowner of slum occupied land voluntarily transfers the said land to S.R.A. for slum redevelopment, he shall be given T.D.R. equivalent to 1.0 index of the area of his land so transferred in non-congested area and 1.5 index of the area of his land so transferred in congested area. In such cases, however, the developer shall pay to S.R.A., premium equal to 25% of A.S.R. value.

However in case of the lands belonging to Government, Semi-Government Undertakings and Local Bodies S.R.S. shall be taken up by S.R.A. through tendering process.

3. The land owner or his power of attorney holder or the lease holder with at least 5 years of un-expired lease period and concurring with lease terms of the land, shall be allowed to redevelop the slum area either directly upon registration with Slum Rehabilitation Authority or through a developer registered with Slum Rehabilitation Authority, subject to the provisions laid down in the said Regulations.
4. Slums on the lands belonging to the Government, Semi-Government Bodies, Municipal Corporations, Public Authorities and Trusts shall be rehabilitated under the provisions of this Scheme either by themselves or S.R.A., through a private developer registered with S.R.A.
5. The Slum Rehabilitation Scheme submitted by the developer registered with S.R.A. shall be strictly in accordance with the provisions of the said Regulations.
6. The Developer or the Owner submitting the Scheme will submit it in the Form and the Annexure prescribed along with all relevant documents to the C.E.O., S.R.A. Forms and Annexure prescribed by the C.E.O. shall be made available to the Registered Developer / Owner on payment of fees as decided by C.E.O., S.R.A. Pune.
7. The Developer submitting the scheme shall also furnish Scrutiny Fee as prescribed and as decided by the C.E.O., S.R.A. Pune from time to time.

#### **14.6.12 SANCTION TO THE SRS The following procedure shall be adopted while examining and sanctioning any S.R.S. in accordance with the provisions of the said Regulations,**

- 1) Approval to the S.R.S. shall be given by the C.E.O., S.R.A. in accordance with the said Regulations.
- 2) The consent of hutment dwellers or the resolution of their co-operative society shall be taken into account at the time of submission of S.R.S. The consent shall be confirmed at the time of preparation of Eligibility list in Annexure II. For the approval of the S.R.S., consent of

the hutment dwellers shall not be necessary. Competent Authority as notified under Slum Act shall finalize the list of eligible hutment dwellers with reference to the area proposed under the S.R.S. and it shall be obligatory for all slum dwellers to participate in the Slum Rehabilitation Scheme, once the same is approved by the C.E.O., S.R.A.

- 3) The C.E.O., S.R.A. after accepting the scheme submitted shall order preparation of the list of eligible slum dwellers. The Competent Authority, shall as far as practicable within 90 days finalize Annexure II and submit it to the C.E.O. The eligibility of a person including transferees under the S.R.S. shall be established in accordance with the provisions of the Slum Act and orders issued there under. Nothing in the said regulations shall restrain the C.E.O. from issuing of orders for preparation of the eligibility list (Annexure II) in relation to any slum wherein a proposal is submitted or not. Thus the fixing of eligibility (Annexure II) will be independent of any scheme submitted.

Provided, in case of slums on lands falling in areas mentioned in Section 3-Z-6 of Slum Act, if the land owning agency gives N.O.C., then the C.E.O., S.R.A. Shall conduct the survey and order preparation of Annexure II on such lands.

- 4) Where 51% or more of the eligible hutment-dwellers in a slum or pavement in a viable stretch at one place agree to join a S.R.S., 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.
- 5) The hutment dwellers shall be rehabilitated in the same S.R.S. wherein the hutments are situated, except in case where relocation is warranted on account of non-buildability or in case of clubbing of schemes or composite scheme as per the provisions contained in the said Regulations.
- 6) Pavement-dwellers and hutment dwellers in the slum situated on lands required for vital public utility / purpose or on hazardous location or on amenity / open spaces or plots, shall not be rehabilitated in-situ but in other available plots within the jurisdiction of S.R.A.
- 7) The Slum Rehabilitation Scheme for rehabilitation of protected and non-protected hutment dwellers residing upon such areas may be allowed to be implemented under the provisions of the said Regulations. Preference will be given to protected hutment dwellers on non-buildable Slum Areas nearby before non-protected hutment dwellers are accommodated. The C.E.O., S.R.A. shall be competent to approve the proposed Slum Rehabilitation Schemes.
- 8) Industrial user as may be permitted by Maharashtra Pollution Control Board (M.P.C.B.) may only be allowed to be re-accommodated under the S.R.S. 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 S.R.S.
- 9) All eligible hutment dwellers in the Slum Rehabilitation Scheme shall be rehabilitated according to the provisions in the said Regulations and as per Rehabilitation option exercised by the C.E.O., S.R.A. under the said Regulations.
- 10) Unauthorized Commercial activities such as go-downs, Cow sheds / gothas, scrap godowns / yards; hazardous users / structures excluding community economy activity area as defined under the Slum Act shall not be permitted in the S.R.S. These shall be evicted and shall be moved away from the Slum Rehabilitation Area as non-conforming users.

- 11) All economic activities which existed on the date of eligibility shall be allowed to be relocated within the area of the S.R.S., 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.
- 12) On compliance of the terms and conditions of approval to the S.R.S. and the requirements of the provisions contained in this Scheme, the necessary building permission u/s 45 of M.R. & T.P. Act, 1966 shall be admissible in accordance with the provisions to construct the Rehabilitation Component of the S.R.S. as well as the Free Sale Component of the S.R.S.
- 13) In case where Sale building is proposed along with Rehab building in S.R.S., it shall be obligatory on part of the developer to submit RERA registration of the scheme, as applicable. The developer shall abide to all orders and directions issued by RERA Authority, if applicable, in respect of the free sale building.
- 14) The decision of C.E.O., S.R.A. shall be final and binding on all the concerned regarding the proportion and location of the land area to be used for the Rehabilitation Component, Amenity Component and the Free-Sale Component.
- 15) **Area Entitlement of Eligible Hutment-dwellers (Residential User) :** A Hutment dweller having residential user in the slum or on the pavement, who is eligible in accordance with the provisions of the said Regulations, shall, in lieu of his structure, be given free of cost (in case of Protected Occupier) / at subsidized rate (in case of Non-Protected Occupier), a residential tenement having carpet area of 27.88 Sq.m. (300 Sq.ft.) which shall include living room, bedroom, kitchen / alcove, bath and water closet and balcony (if any), but shall exclude common areas. However the projects for which the commencement certificate have already been issued, as per erstwhile Regulations, the residential tenement shall be as per earlier area entitlement with carpet area of 25 Sq.m. (269 Sq.ft.) which shall include living room, bedroom, kitchen / alcove, bath and water closet and balcony (if any), but shall exclude common areas. The slum dwellers belonging to schemes wherein the commencement certificate is already issued before coming into force of said regulations may be provided a residential tenement having a carpet area of 27.88 Sq.m. (300 Sq.ft) (Instead of 25 Sq.m. (269 Sq.ft.) as per the discretion of the developer depending upon the feasibility of structural alterations at the site. In such cases revised plans shall have to be approved by C.E.O., S.R.A.
- 16) **Area Entitlement of Eligible Hutment dwellers (Non-Residential User) :** An eligible hutment dweller, having existing carpet area up to 25.0 Sq.m. (269 Sq.ft.) for commercial / industrial / economic / office activity that existed prior to 1st January 2000, or the date decided by the Government time to time, and is certified by the Competent Authority, shall be entitled to get one non-residential unit of actual carpet area or 27.88 Sq.m. (300 Sq.ft.), 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. The provisions of the said Regulations may also be applicable for Rehabilitation of Street Vendors.
- 17) **Area Entitlement of Eligible Hutment dwellers (Mixed User) :** In case a hutment dweller in the area of any S.R.S. has both, residential and commercial premises, without a common wall between such residential and commercial premises, in respect of which the S.R.S. is being or to be implemented, he shall be eligible for a residential tenement of 27.88 Sq.m.

(300 Sq.ft.) carpet area free of cost, and he shall also be entitled to purchase a commercial unit admeasuring up to 6.0 sq.m. at the cost of construction as per A.S.R. The purchase price of such commercial unit shall be paid to the developer. The area of such commercial shall not be entitled for incentive F.S.I. for free sale component. The slum dwellers belonging to schemes wherein the commencement certificate is already issued before coming into force of said regulations may be provided a residential tenement having a carpet area of 27.88 Sq.m. (300 Sq.ft.) (Instead of 25 Sq.m. (269 Sq.ft.) and a commercial unit admeasuring up to 6.0 Sq.m. as per the discretion of the developer depending upon the feasibility of structural alterations at the site. In such cases revised plans shall have to be approved by C.E.O., S.R.A.

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.

- 18) After declaration of Slum Rehabilitation area as "Clearance Area" u/s 3-D of the Slum Act, the C.E.O., S.R.A. shall take all required actions against the non-participating occupiers. The eligible occupiers shall be forced to participate and the non-eligible shall be forcefully evicted.
- 19) The conveyance of the land under rehab component shall be done in favor of the Slum Dwellers Co Operative Society.
- 20) Recovery of pending dues such as assessment, occupational charges, non-agricultural tax / dues etc. of the State Government, P.M.C. / P.C.M.C. / P.M.R.D.A. (restricted to earlier P.C.N.T.D.A. area) / M.I.D.C. shall not be linked to grant of approval or building permission to the S.R.S.

**14.6.13 CLEARANCE ORDER After an order declaring any Slum area as Slum Rehabilitation Area under section 3-C of the Slum Act and after sanction to S.R.S. as per the provision above, the C.E.O. shall proceed to issue Slum Clearance order in following manner –**

1. The Slum Clearance Order may be passed for total area or in parts as per the provisions contained in sub section (1) of section 12 of the Slum Act.
2. All the slum dwellers in the area under notification shall be given a period of 30 days from the date of such order to vacate the structures. The Protected and Non Protected occupiers shall be provided transit accommodations or entitled compensation in lieu of transit accommodation by the developer. The other ineligible dwellers shall make their own arrangements, even if their claims for eligibility are pending in appeal for decision.
3. In case there is any public structure like common toilets, community hall etc. provided by the Municipal Corporation concerned, it shall be vacated and demolished by the concerned authority within the period provided in the clearance order. The C.E.O., S.R.A. shall vacate and demolish the same, in case the concerned authority fails to vacate and demolish the said structure within stipulated time period.
4. The structures which have been vacated shall be demolished by the developer implementing the scheme, within 50 days of the Slum Clearance Order. The period of 50 days if required can be extended up to 60 days by an order of C.E.O., S.R.A.
5. The hutment dwellers who have not vacated their structures or who are not willing to vacate their structures shall be forcefully evicted.
6. However before such an eviction is done, the slum dweller residing in such structure shall be given notice u/s 33-A read with sub section (8) of section 12 and an opportunity of being heard by the C.E.O., S.R.A. or the Competent Authority authorized by the C.E.O., S.R.A.



7. The C.E.O., S.R.A. or the Competent Authority authorized by the C.E.O., S.R.A. after such hearing pass such order and proceed to forcefully vacate and demolish the structure as per the Clearance Order.
8. The Clearance Order of C.E.O., S.R.A. or order u/s 33-A read with sub section (8) of section 12 shall be final subject to any order in appeal preferred before the Apex Grievance Redressal Committee.
9. Nothing in the forgoing provisions shall restrain the C.E.O. or the Competent Authority authorized by the C.E.O., S.R.A. from initiating action u/s 3-Z in relation to any Protected or Non-Protected Occupier or ineligible occupiers and pass suitable order making him liable for eviction without being relocated and rehabilitated.
10. **In respect of those eligible hutment-dwellers who are not willing to join the S.R.S., 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 to be allotted by lottery system and the transit tenements to be allotted or the compensation in lieu of transit accommodation to such unwilling hutment dwellers shall be communicated to them by the Developer, in writing, so as to show the benefit on the same basis as for those who have joined the scheme to gain their willing participation in the scheme. However, in case of any dispute regarding the same, decision of the C.E.O., S.R.A. shall be final and binding on all the parties concerned. The Developer shall ensure that no obstruction is caused to the Scheme of the majority of hutment-dwellers who have participated willingly.
  - (C) The unwilling eligible hutment dwellers shall not be held entitled either for allotment of transit tenement or the allotment of rehabilitation tenements by draw of lots. They shall only be entitled for what is available after others have exercised their choices through lottery, which may be or may not be on the same site.
  - (D) If such unwilling hutment dwellers do not join the scheme till the building permission to the S.R.S. is given, they shall lose their right to any built-up tenement for rehabilitation, permanently and their tenements shall be taken over by the C.E.O., S.R.A. in possession of S.R.A. and shall use the same for the purpose of accommodating pavement-dwellers and other hutment dwellers who cannot be accommodated in-situ etc. on other sites.
  - (E) If the built-up tenement is not occupied and transit camp is not vacated within 30 days from the drawl of lottery, then the eligible hutment dweller shall lose his right to rehabilitation permanently. No appeal in this regard or shall be entertained by the C.E.O., S.R.A. or the Competent Authority authorized by the C.E.O., S.R.A.

After occupation of rehabilitation tenement, if any hutment dweller reconstructs or occupies any new hutment or structure; such unauthorized structure shall immediately be evicted and demolished by the C.E.O., S.R.A. without giving prior notice.

#### **14.6.14 TRANSIT CAMP ACCOMODATION**

1. "Temporary Transit Tenement" shall mean habitable residential or non-residential accommodation for eligible S.R.S. 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.m. (180 Sq.ft.) for residential and 9.29 Sq.m. (100 Sq.ft.) for non-residential tenement for each transit tenement / unit.

2. The Temporary Transit Tenements for rehabilitation of hutment dwellers may be allowed to be constructed on Rehabilitation site itself, or on any other buildable or non-buildable land except within river bank and Blue line or any other ecologically fragile or any restricted areas, located within P.M.C. / P.C.M.C. / P.M.R.D.A. (restricted to earlier P.C.N.T.D.A. area) / M.I.D.C. area, as the case may be.
3. The temporary transit camp for rehabilitation of slum dwellers may be provided in the transit rehabilitation tenements allotted by C.E.O., S.R.A. or otherwise.
4. The eligible Slum Dwellers shall be shifted to temporary Transit Camp or on minimum monthly rent as may be mutually decided by C.E.O., S.R.A. with proposed society and developer and shall be paid by the developer to the eligible slum dwellers to be temporarily shifted for allowing construction on site till allotment of permanent rehabilitation tenements.

#### 14.6.15 DEVELOPMENT CONTROL REGULATIONS

1. **F.S.I. permissible on the Plot under S.R.S. :** Admissible F.S.I. in respect of the Slum Rehabilitation Scheme in congested and non-congested area shall include the admissible FSI for the Rehabilitation Component as well as the Free-Sale Component. The ratio, between the two components shall be as contained in Regulation No.14.6.16. Such F.S.I. may be utilized mainly for in-situ rehabilitation of slum dwellers, Convenience Shopping, non-combustible / non-polluting type Commercial godowns of slum dwellers. Such commercial users shall be permitted only on the lower, upper ground floor, irrespective of whether the site is located in R-1 or R-2 zone. FSI available for Free sale component may be utilized in-situ for residential, commercial or any other use as may be permissible under the UDCPR. As such, the permissible in-situ F.S.I., partly or fully, shall be allowed for rehabilitation, residential / non-residential / commercial or mixed users, as otherwise permissible in the UDCPR.
2. **Maximum F.S.I. permissible for consumption on the plot :** F.S.I. that can be sanctioned on any slum site shall be 4.00 or sum total of rehabilitation component plus free sale component whichever is more with minimum rehabilitation tenement density of 450 T/Ha. Due to local planning constraints and viability of the Slum Rehabilitation Project the density norms of 450 T/Ha. may be reduced up to 20% by the C.E.O., S.R.A. subject to minimum tenement density of 360 T/Ha.
3. The total permissible F.S.I. (Rehabilitation component plus Free sale component) for a slum rehabilitation scheme can be utilized on any slum site for construction of rehabilitation plus free sale component as mentioned in clause (2) and the difference between the total permissible F.S.I. of the S.R.S. and maximum in-situ consumed F.S.I., may be made available in the form of Transferable Development Right (T.D.R.), in accordance with the said Regulations.

Provided further that exemption of areas like staircase, lift, lobbies, machine room, passage, refuge area, <sup>(3)</sup> balcony from computation of F.S.I. shall be restricted to <sup>(3)</sup> 60% of built-up area (i.e. carpet area of rehabilitation component including <sup>(3)</sup> (---) area under walls <sup>(3)</sup> but excluding balcony<sup>(3)</sup>) of rehabilitation component and any rehabilitation component area, claimed above this restriction, shall not be eligible for any incentive towards the free sale component area to be calculated.

- <sup>(3)</sup> Provided that, the provisions shall be applicable to all the schemes where full occupancy certificate is not taken.

Provided further that, the SRS converted and completed according to 2022 regulations, where 15% balcony is calculated in FSI, shall be eligible for the revised calculations as above. <sup>(3)</sup>

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<sup>(3)</sup> Replaced / Inserted / Deleted vide Order No.C.R.116/2024/(Part-2)/UD-13, Dt.11<sup>th</sup> October, 2024 under Clause (C)- RoD of Notification bearing No.C.R.09/2023/UD-13, Dt.05<sup>th</sup> December, 2023,

Notwithstanding above if the developer does not desire to consume the full permissible in-situ F.S.I. on the same site, in such case the free sale component partly or fully shall be granted in the form of slum T.D.R. (Total sanctioned F.S.I. of S.R.S. minus consumed in-situ F.S.I.) by the concerned Authority with the recommendation of C.E.O., S.R.A.

**4. Notwithstanding the provisions in clause mentioned above, if the developer does not desire to consume the full permissible in-situ F.S.I. on the same site, in such a case :**

- a. the free sale component partly or fully shall be granted in the form of Slum T.D.R. (total sanctioned F.S.I. of S.R.S. - consumed in-situ F.S.I.) by the concerned Authority with the recommendation of C.E.O., S.R.A.
  - b. the Rehabilitation component shall be increased to utilize admissible in situ F.S.I., so that more number of Rehabilitation tenements are constructed on the plot. Such additional tenements shall be handed over to S.R.A. free of cost, to accommodate identified eligible non protected occupants of other schemes, identified P.A.P. of slums or shall be utilized as stock for housing for dishoused, Transit accommodation as per the policy approved by Government in that behalf. Additional Rehabilitation component built by the Developer shall be included in the proposed Rehabilitation component of the scheme and additional incentive area according to the provisions laid down herein in the form of T.D.R. shall be admissible to compensate the Developer.
5. The Slum T.D.R. to be sanctioned in accordance with the said Regulations and generated from the slum rehabilitation schemes shall be allowed to be utilized in Pune and Pimpri-Chinchwad Municipal Corporation (old and new limits) respectively, excluding heritage structures and land of S.R.D. or S.R.A. projects. This shall be applicable to Schemes on lands in P.M.R.D.A. (Restricted to earlier P.C.N.T.D.A. area) and M.I.D.C. area also. In these cases, the Slum T.D.R. generated shall be allowed to be utilized under these norms within the area of respective planning authority.
6. The utilization of Slum T.D.R. on a receiving plot in the area of P.M.C. or P.C.M.C. (old and new limits), P.M.R.D.A. (Restricted to initial P.C.N.T.D.A. area) and M.I.D.C. areas shall be as per the provisions of UDCPR or DCPR of concerned Planning Authority, as the case may be. The utilisation of Transferable Development Rights (T.D.R.) shall be permissible by considering Gross Plot Area including area affected by D.P. road / road widening or amenity space / reservations or deemed reservation, if any, if the area under the same is handed over to the concerned Planning Authority.
7. The Slum T.D.R. shall be released in stages as under :-
- i. After issue of plinth completion certificate of rehabilitation building/s, 25% of total Slum T.D.R. permissible shall be released.
  - ii. After completion of R.C.C. and brickwork of rehabilitation building/s, 35% of total Slum T.D.R. permissible shall be released.
  - iii. After issue of occupation certificate of rehabilitation building/s, and formation and registration of Co-operative Housing Society 30% of total Slum T.D.R. permissible shall be released.
  - iv. After completion of procedure of rehabilitation of eligible slum dwellers in building, and conveyance of rehabilitation area to the Co-operative Housing Society of hutment dwellers, balance 10% of total Slum T.D.R. permissible shall be released.

If any changes are required in the above provision, Government will issue orders in this regard, from time to time.

8. **UTILIZATION OF SLUM T.D.R. :** Difference in Total Permissible F.S.I. allowed for S.R.S. as per the said Regulations and F.S.I. actually utilized in the Slum Rehabilitation Scheme, due to constraints of different provisions of DCPR or otherwise, shall be converted into SLUM T.D.R. and shall be utilizable in any land use zone as per the provisions in the UDCPR or DCPR of the concerned Planning Authority, subject to following manner and restrictions prescribed herein below :
- i. The Development Rights Certificate (D.R.C.) shall be recommended by the C.E.O., S.R.A. and the Concerned Authority shall issue concerned D.R.C. to the developer within a period of one month from the receipt of the proposal. The F.S.I. credit in square meters of built up area shall be stated in the D.R.C. in figures and in words, along with details of the place from where T.D.R. is generated; and where it may be utilized.
  - ii. The built up area for grant of D.R.C. shall be equal to the built-up area of the sanctioned slum rehabilitation scheme, allowed to be taken in the form of Slum T.D.R.
  - iii. Where a buildable amenity on the reserved plot for which slum rehabilitation scheme is sanctioned, is handed over, free of cost to the concerned Authority, the concerned Authority may grant a further T.D.R. on account of construction of the said amenity, in accordance with the provisions in the UDCPR in this regard.
  - iv. **It shall be permissible to utilize the Slum T.D.R. in any land use zone as per given formula below, subject to restrictions as mentioned in clause 5 & 6 herein above.**  
 Formula ;  $X = (R_g / R_r) \times Y$   
 Where, X = permissible utilization of T.D.R. / D.R. in Sq.m. on receiving plot.  
 R<sub>g</sub> = rate for land in Rs. per Sq.m. as per A.S.R. of generating plots in generating year.  
 R<sub>r</sub> = rate for land in Rs. per Sq.m. as per A.S.R. of receiving plot in generating year.  
 Y = T.D.R. debited from D.R.C. in Sq.m.
  - v. The D.R.C. may be used on one or more plots of land, whether vacant or already developed, by erection of additional floors, or in any other manner consistent with UDCPR or DCPR of concerned Planning Authority, as the case may be, but not so as to exceed the F.S.I. prescribed herein, subject to the condition that when T.D.R. is to be utilized by erection of additional floors, it shall only be allowed to the extent and after satisfying the structural stability, bearing capacity of existing structure.
9. The site of S.R.S. may be developed with layout of buildings. For the computation of F.S.I. and tenement density on a site, the net plot area shall be the balance plot area after deducting the area covered by amenity space and Development Plan reservations / roads if any, from the total area of the plot.
10. All the plots involved in any S.R.S. under which ex-situ rehabilitation of hutments dwellers is envisaged shall be notionally treated as one for the purpose of computation of F.S.I.
11. Boundaries and measurement of the areas of plots under the S.R.S. shall be certified by the Competent Authority after actual verification on site measurement of the areas of plots. Such certified boundaries and areas of plots shall be the basis for calculation of tenement density, F.S.I. and other aspects of planning.
12. **Layout Open and Amenity Space :**
- (A) For sites with area admeasuring 4000 Sq.m. and above, 10% open spaces shall be provided and be maintained as per the UDCPR or DCPR of concerned Planning Authority, as the case may be, and structures permissible in open spaces as per the UDCPR or DCPR of concerned Planning Authority, as the case may be, will be permissible in the open spaces of the Slum Rehabilitation Scheme.

- (B) For plots with area exceeding 2 Hectare and above, 5% Amenity Space shall also be provided and for development of such Amenity Space, the provisions in 14.6.21 of the said Regulations shall apply.
13. Roads in the layouts of the sites of S.R.S. shall be of widths prescribed in the UDCPR or DCPR of concerned Planning Authority, as the case may be, for their corresponding lengths. The area of such internal layout roads shall not be deducted in the computations of the net plot area for determining the permissible F.S.I. and tenement density.
- 14. The Minimum Tenement Density to be achieved in S.R.S. :**
- (A) Minimum tenement density of 450 T/Ha. 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 S.R.S. 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 S.R.A. The C.E.O., S.R.A. may use such tenements for the purpose of transit tenements or for accommodating the Project Affected Persons (P.A.P.) or the pavement dwellers or as may be decided by the C.E.O., S.R.A.
- (B) The minimum tenement density for rehabilitation shall be 450 T/Ha. and maximum tenement density for rehabilitation and free sale tenements / units shall be 1440 T/Ha. Due to local planning constraints and viability of the Slum Rehabilitation Project the density norms of 450 T/Ha. may be relaxed by C.E.O., S.R.A. subject to minimum tenement density of 360 T/Ha. In such cases, C.E.O., S.R.A. shall pass a reasoned order for the same.
15. All non-residential built-up area shall be included in the computation of tenement density, by counting an area of 25.00 Sq.m. (or such area as may be notified by the Government from time to time), per tenement.
16. For computation of the tenement density, the net plot area shall be considered after deducting development plan reservations and amenity space.
17. The permissible ground coverage shall be total plot area after deducting required marginal open space / setback areas from the plot boundaries.
18. The maximum permissible height of the rehabilitation buildings shall be up to 70 meter. Building height is restricted / retained up to 45 meter on road width below 9 meter. Building height more than 45 meter shall be permissible on roads having width between 9 meter to 12 meter, subject to minimum front margin as per the said regulations and subject to condition that, such road shall be widened to 12.0 meter under the provisions of Municipal Corporation Act, by prescribed line of street before granting occupation certificate to such building / s of slum Rehabilitation Scheme this shall be subject to Fire Prevention and life safety requirements and obtaining fire NOC from chief Fire Officer.
19. The Front and Side and Rear marginal distances of in-situ Rehabilitation or composite or free sale buildings shall be as per Regulation No.14.7.11 of UDCPR. The rear and side marginal distances may be relaxed by the C.E.O., S.R.A. on the merits of each case after obtaining fire N.O.C. from concerned Authority.
- (A) Where the plot abuts a Nallah / non-buildable reservation or zone / open space; the marginal open space along it shall be 3.0 m. from the edge of the trained Nallah / non-buildable reservation or zone / open space.

(B) Minimum distance between two Rehabilitation or composite / free sale buildings shall be as follows :

- i. For buildings with Height up to 40.0 m. :- Min. 6.00 m.
- ii. For buildings with Height above 40.0 m and up to 50.0 m. :- Min. 7.50 m.
- iii. For buildings with Height above 50.0 m. :- Min. 9.00 m.

(C) The open space around the building should be paved up to 1.0 m. width. 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.

20. In the event of any proposed road widening, the computation of permissible F.S.I. shall be made on gross plot area without deducting the area under such proposed road widening and the height of a building shall be relaxed by the C.E.O., S.R.A. on the merits of each case for such road area going under road widening as per the Development Control Regulations of the concerned Municipal Corporation.
21. The construction of the building for the rehabilitation of slum dwellers and the tenements to be made available to the S.R.A. shall be as per the designs and specifications approved by the C.E.O., S.R.A.
22. After approval is granted to the Slum Rehabilitation Scheme (S.R.S.), the land earmarked for S.R.S. may be further subdivided, if necessary, to carve out separate plots for the Rehabilitation Component, Free-Sale Component and the Amenity Component. Both, the Plot area and the Built-up area of the said plots shall be mentioned separately in Sq.m. in the lease agreements as well as Record of Rights.

#### **14.6.16 REGULATIONS RELATING TO REHABILITATION AND FREE SALE COMPONENTS –**

The total permissible built up area for any S.R.S. of Pune and Pimpri-Chinchwad S.R.A. areas shall be the sum total of Rehabilitation component area and Free sale component area, calculated as per the ratios prescribed herein below :

1. If the rehabilitation component is 10.0 sq.m., then; an additional incentive built up area permitted to subsidise rehabilitation component which shall be calculated as per the following formula

Rehab : Incentive built up area shall be 1 : R

Where  $R = [ 2.8 - ( n \times 0.3 ) ]$

Where  $n = ( Y / X ) - 2$

Where Y = Rate of Residential Flat per Sq.m. and

X = Rate of Construction per Sq.m.

Both the rates are considered as mentioned in applicable A.S.R. (Annual Statement of Rates) for the scheme plot on the date of granting Commencement Certificate (C.C.) to the project. In difficult or dense areas wherein the existing density either in-situ or after clubbing or after relocation-rehabilitation, as the case may be, is more than 650 T/Ha. & up to 850 T/Ha., further, additional 20% incentive on free sale component shall be permissible and if such density is more than 850 T/Ha., additional 30% incentive on free sale component shall be permissible.

**Additional incentive for Cluster Redevelopment :** The total permissible built up area for Cluster S.R.S. of Pune and Pimpri-Chinchwad S.R.A. areas shall be the sum total of Rehabilitation component area and Free sale component area, calculated as per the ratios

prescribed hereinabove plus additional 10% F.S.I. of free sale component area as an incentive for undertaking cluster redevelopment of slums will be permissible. Cluster here shall mean the slum area of at least 1.0 hectare of contiguous land, <sup>(3)</sup> (---) <sup>(3)</sup> irrespective of number of land parcels and ownership etc. <sup>(3)</sup>

**Note :**

- i) The Permissible incentive built up area may be utilized in site up to the maximum FSI limit permissible in the scheme plot.
  - ii) The minimum and maximum ratio of incentive built up area permissible as per the above formula shall be 1:1.50 and 3.0 respectively.
  - <sup>(3)</sup> iii) Provided further that, the additional incentive built up area as above can be permissible over and above the maximum permissible limit of 3. <sup>(3)</sup>
2. If the S.R.S. in respect of a slum located on any land belonging to a public authority or a private owner, which is needed for a vital public purpose or which is on uninhabitable locations / ecologically fragile / environmentally sensitive locations or wherein in-situ rehabilitation is not feasible for any reason, is taken on an unencumbered plot, then in congested area T.D.R. equal to three times and in non-congested area T.D.R. equal to two times the gross area of the land spared (unencumbered plot) for this purpose shall be permissible to the land owner / lessee or if the landowner has assigned the rights to slum project implementing developer to receive T.D.R. compensation, to the concerned developer after handing over of the said plot to S.R.A. and if the rehabilitation component is constructed by the developer, in addition, <sup>(2)</sup> TDR in lieu of construction of rehabilitation component shall be calculated as per ratio prescribed in Regulation 14.6.16(1) of the SRA Regulation-2022 to the developer of the said unencumbered plot.
- Provided that, such TDR shall be applicable only in case of scheme involving identified beneficiaries.
- In such cases, if the tenement density provided is more than 650 T/Ha. & up to 850 T/Ha., additional 10% incentive T.D.R. shall be permissible and if such density is more than 850 T/Ha., additional 20% incentive T.D.R. shall be permissible.<sup>(2)</sup>
- <sup>(2)</sup> (---)
3. Relocation henceforth shall be preferably on lands already earmarked in the D.P. for E.W.S. / MHADA, Housing for dishoused (H.D.H.) or High Density Housing (H.D.H.) or Slum Improvement Zones (S.I. zone).
  4. The identified land for slum relocation under S.R.S. shall be conveyed in favor of S.R.A. upon approval of such S.R.S. The T.D.R. for the unencumbered land spared for this purpose as mentioned above (hereinafter referred as Land T.D.R.) shall thereafter be granted to the unencumbered plot.
  5. Land T.D.R. shall be released in two stages - 75% after conveyance of land and 25% after physically rehabilitating the identified beneficiaries in the S.R.S.
  6. The land after relocation of such slum shall be handed over free of cost as the case may be to the respective Municipal Corporation / Public Authority for vital public purpose.
  7. However, the S.R.S. sanctioned prior to coming into force of the said Regulations may continue to be implemented as per the prevailing Regulations applicable at the time of approval of that S.R.S.

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<sup>(3)</sup> *Replaced / Inserted / Deleted vide Order No.C.R.116/2024/(Part-2)/UD-13, Dt.11<sup>th</sup> October, 2024 under Clause (C) - RoD of Notification bearing No.C.R.09/2023/UD-13, Dt.05<sup>th</sup> December, 2023*

<sup>(2)</sup> *Replaced / Inserted / Deleted vide Directives along with Notice u/s.37(1AA) bearing No.C.R.116/2024/UD-13, Dt.11<sup>th</sup> October, 2024*

8. **Area / Tenements to be given to S.R.A. free of cost :** On considering the maximum F.S.I. on net plot area and on distributing the same in proportion for rehabilitation and sale component, the 10.0 Sq.m. component is to be mainly used for construction of rehabilitation component, required to accommodate only the existing slum dwellers from the same site and the balance area from this 10.0 Sq.m. component shall be handed over to the S.R.A. free of cost, in the form of tenements. If exactly 10.0 Sq.m. components are required for rehabilitation of existing slum dwellers from the same site, the S.R.A. will not be entitled to any area. If requirement of area for rehabilitation of existing slum dwellers from the same site exceeds the aforesaid 10.0 Sq.m. component, the owner / developer / Co-operative Housing Society shall be entitled to T.D.R. as per provisions in the said Regulations and in such case, the S.R.A. will not be entitled to any area, provided that this provision shall not be applicable for the schemes undertaken as per the Regulation for Clubbing of schemes or Composite S.R.S.
9. At least 40% of the built-up area (Basic FSI) in a Composite Building under the S.R.S. shall be towards the Rehabilitation Component.
10. The C.E.O., S.R.A. shall use the tenements received by him free of cost as per the provisions hereinabove for the purpose of transit or for project affected persons or slum dwellers from other slum locations.

The procedure laid down herein shall be adopted for allotment of such tenements.

- (A) On receipt of application from the developer concerned, an account of all available tenements shall be drawn and communicated to the developer. After obtaining his consent, an order for the allotment shall be issued.
- (B) Where the tenements are given on rent by S.R.A. to the developer for Transit accommodation or otherwise, the developer concerned shall pay yearly rent in advance to S.R.A. and for that purpose an agreement for Leave and License shall be executed between the concerned developer and the concerned officer of S.R.A. for the period of minimum 11 months. However, if the developer applies for any extension, the similar procedure shall be followed.
- (C) It shall be the duty of the developer to take care of the licensed premises including day-to-day maintenance of the tenements allotted on rent and common areas. Common maintenance charges may be shared by the developer with the cooperative society, if any.
- (D) Charges for common use of electricity and water tax shall be borne by the developer. The charges for electricity and water for individual tenements shall be borne by slum dweller. However If slum dweller fails to pay such charges the developer shall pay to the concerned authority.
- (E) The developer shall be responsible for replacement or repairs of any damage occurred during the period of license.
- (F) The charges for documentation and registration fee shall be borne by the developer.
- (G) The possession of the rented transit tenements to the developer shall only be given after registration of leave and license agreement.
11. The terms and conditions for resettlement of such existing tenements shall be as governed by the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.



#### **14.6.17 PAYMENTS TO BE MADE TO SRA AND INSTALMENTS :**

1. No premium including fire premiums shall be charged for any relaxation / exemptions to be granted for construction of rehabilitation component under S.R.S. No hardship premium shall be charged for any relaxation to be granted for construction of composite buildings in the Scheme, provided that such composite building has a minimum 40% of the total built-up area under rehabilitation component. Premium shall not be charged for all or any of the relaxations given herein for rehabilitation component as well as free sale component. Provided that, concession in premium may be granted to the extent of proportion of rehabilitation component in the composite building.

Further the developer shall be allowed to pay installments as provided in UDCPR Regulation 2.2.14.

2. Premium shall be charged for any relaxation other than the provisions of the said Regulations to be granted for construction of Free-sale component, at the rate prevailing then within the areas of respective Municipal Corporations for their areas.
3. Land Development charges shall not be charged for lands under declared slum rehabilitation areas. Building Development charges shall not be payable for rehabilitation component. However, infrastructural improvement charges shall be paid to S.R.A. and the concerned Planning Authority as per provision in clause (7) below, at the prevailing rates within the areas of respective Municipal Corporations for their areas for the built-up area, over and above the permissible F.S.I. of the zone. These charges shall also apply to the transit camp.
4. The Developer shall deposit with C.E.O., S.R.A., an amount of Rs.40000/- or 3% (for 15.0 m. height rehabilitation building) or 4% (for 24.0 m. height rehabilitation building) or 5% (for 45.0 m. height rehabilitation building) or 7% (for 45.0 m. and above height rehabilitation building) of the cost of construction as per the prevailing A.S.R. whichever is more, for each Rehabilitation Tenement as well as for the Welfare Center/s and Balwadi/s in the Rehabilitation Component of the S.R.S. This amount shall be kept in FD for a period of 10 years. The interest received on this amount, after deducting the reasonable expenses required by C.E.O., S.R.A. for performing the tasks as provided by, shall be handed over to the Co-operative Society for maintenance. The principal amount will be transferred to the account of Cooperative society on completion of the period of 10 years from the date of formation of society.
5. The developer shall be responsible for complete maintenance of the vacant tenements, till their allotments to eligible slum dwellers / S.R.A.
6. The developer shall not create any third party interest by any means except for free sale component or D.R.C. of the scheme. Any such act of the developer shall be liable for administrative action against him including criminal action under relevant law or Cr. PC for the misuse of public property.
7. The concerned developer shall have to pay Infrastructure Development Charges (I.D.C.) at the rate equal to prevailing rates within the areas of respective Municipal Corporations for their areas. Such I.D.C. shall be calculated on the difference of built-up area proposed for construction of rehabilitation component, free-sale component, transit camps, welfare hall, balwadi etc., if any, and built-up area as otherwise normally permissible on the land pertaining to the scheme under the provisions of prevailing D.C.P.R. for the concerned Authority. Sharing of such I.D.C. between S.R.A. and the concerned Authority shall be in proportion of 10 : 90 of the total leviable I.D.C. and the same shall be paid to the concerned Authority in accordance with the payment schedule as may laid down by the C.E.O., S.R.A.,

provided the installments shall not exceed beyond the completion of construction of the scheme. This amount shall be used for schemes to be prepared for the improvement of infrastructure in slums or slum rehabilitation areas.

#### **14.6.18 BUILDING CONTROL REGULATIONS FOR S.R.S.**

1. The developer shall abide by all the terms and conditions laid down in the Commencement Certificate and all N.O.C.s obtained by him while executing the scheme.
2. The R.C.C. work shall be carried out under the supervision of Structural Engineer appointed, and the developer shall abide to all the instructions given in this regards.
3. Habitable Rooms - Size and Width - The minimum size and width for any habitable room shall be as per the provisions of UDCPR.
4. For 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.
5. The width of pathways shall be as per the provisions of UDCPR.
6. In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted. The water Closet seat shall be of minimum of 0.46 m. (18 inches) in length.
7. There shall be no size restriction for bath or water closet unit. Moreover, for bathroom, water closet and 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.
8. The minimum internal size of ventilation shaft shall be 1.50 m. x 2.40 m.
9. **Common Passage :** The minimum width of Common Passage in the Rehabilitation Component shall be 1.50 m. and the maximum shall be 1.80 m., in case of singly loaded corridor floor arrangement, and the same shall be minimum 1.80 m. and maximum 2.40 m. in case of doubly loaded corridor floor arrangement. 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 F.S.I.
- 10.(A) 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.  
(B) The minimum clear floor height (finished floor to finished ceiling) of rehabilitation tenement room shall be 2.75 m. and any toilet shall have a clear minimum floor height of 2.40 m.  
(C) The minimum width of each flight, mid-landing and corridor of the staircase shall not be less than 1.50 m. The area of staircase, not exceeding the prescribed limits in width, provided in Rehabilitation Component shall not be counted towards the computation of permissible in situ F.S.I.  
(D) The maximum height of all risers shall be of 15 cm. in a residential building.  
(E) The minimum width of the tread without nosing shall be 25 cm. for any staircase in a residential building, other than stairs provided in fire escapes.  
(F) The minimum head-room in a passage under the staircase and under the staircase shall be 2.20 m.  
(G) The ordinal number of each floor shall be conspicuously displayed in figures of the size of at least 15 cm. on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.

(H) Handrails having a minimum height of 0.90 m. from the canter of the treads shall be provided.

(I) **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	Strecher Lift
1	Up to G + 4 storeys	-	-
2	Up to G + 9 storeys	1	1
3	Up to G P + 16 storeys	2	1
4	Above G / P + 16 storeys	2	2

(J) For every rehabilitation tenements, <sup>(3)</sup> (---) 1 Parking Space <sup>(3)</sup> (---) for two wheeler shall be provided. <sup>(3)</sup> (---) <sup>(3)</sup> In addition 1 parking space for three wheeler vehicle for every 20 rehabilitation tenements shall be provided. <sup>(3)</sup>

(K) The planning, design and construction of any building under S.R.S. shall be such as to ensure safety from fire. For this purpose, the provisions of the Maharashtra Fire Prevention and Life Safety Act, 2006 and the relevant provisions of the National Building Code 2005, as amended from time to time, shall apply.

(L) RAMP :

i. For Four wheeler vehicles :- For parking spaces in a basement and upper floor, at least two ramps of minimum 3.0 m. width or one ramp of 6.0 m. width and slope not more than 1:8 shall be provided preferably at the opposite ends.

ii. For Two wheeler vehicles :- Ramp : Min 3.0 m. width.

All ramps provided shall be within the building line.

11. All provisions mentioned herein above shall be applicable to the buildings under the Rehabilitation Component as well as Composite buildings under S.R.S.

12. In case of multi-storied structures constructed for rehabilitation of the slum dwellers and for the tenements to be made available to the appropriate authorities, as mentioned in The said Regulations, the provision of the said Regulations shall not apply if multi- storied building does not contain at least 40% of the built-up area as rehabilitation component.

13. The above special regulations can be further relaxed by the C.E.O., S.R.A. under written permission in specific cases of demonstrable genuine hardship. In order to make the S.R.S. viable, the C.E.O., S.R.A. shall be competent to award any relaxation/s, wherever necessary, for reasons to be recorded in writing. The C.E.O., S.R.A. may delegate any of the powers conferred upon him under the provisions of the said Regulations and the said Act, except power of relaxation, to any of the officers of the S.R.A., by a general or special order in this behalf.

14. **(A) Amalgamation / Subdivision of Plots and F.S.I. thereon :** Any land declared as S.R.S. area shall be notionally treated as one plot, even if it is spread on part or parts of boundary of different C.S.Nos., Khasara Nos. or Survey Nos. Separate approval shall not be necessary for such deemed amalgamation and such notionally amalgamated plot shall be treated as a single plot for the purpose of F.S.I. computation. However, such an amalgamation shall not include existing nallah, water body or transmission line zone if any.

**(B) Boundaries and measurement of Area Under S.R.S. :** The areas of plots under the S.R.S. shall be certified by the Competent Authority after actual on-site measurement of the

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<sup>3)</sup> Deleted / Replaced / Inserted vide Order No.C.R.116/2024/(Part-2)/UD-13, Dt.11<sup>th</sup> October, 2024 under Clause (C) - RoD of Notification bearing No.C.R.09/2023/UD-13, Dt.05<sup>th</sup> December, 2023,

areas of plots. Such certified boundaries and areas of plots shall be the basis adopted for planning purposes, for calculation of tenement density and F.S.I. and other aspects of planning.

(C) After approval is granted to the Slum Rehabilitation Scheme (S.R.S.), the land earmarked for S.R.S. area may be further subdivided, if necessary, to carve out separate plots for the Rehabilitation Component, Free-Sale Component and the Amenity Component. Both, the Plot area and the Built-up area of the said plots shall be treated as independent plots and mentioned separately in Sq.m. in the lease agreements. However sub-division of the plot for the rehabilitation component and free sale component shall have the proportionate areas of open space/amenity space (if any) vis-à-vis their respective built up areas.

(D) The Collector / City Survey Officer, as the case may be, on payment of such fees as may be applicable in this behalf, shall ensure that the city survey sheets and property cards are corrected accordingly and fresh property cards are opened for each of the plots giving details regarding the area of the plots and the total area of the floors of the built-up property i.e. the F.S.I. used on that plot.

(E) The C.E.O., S.R.A. may, if required, adjust the boundary of the plot declared as slum rehabilitation area so as to suit the building design and provide proper access to the Project.

(F) In case, the land on which any S.R.S. is undertaken is adjoining railway tracks, a boundary wall of minimum 2.40 m. in height shall be constructed on the side of the plot abutting the railway line. The Developer shall be required to furnish a No Objection Certificate (N.O.C.) from the concerned Railway Authority while seeking permission for construction of any building under the S.R.S. within a distance of 30 m. from the railway boundary. Any development on such plot shall be subject to the terms and conditions stipulated by the concerned Railway Authority.

15. C.E.O., S.R.A. shall conduct periodical quality audit of the rehab component from the date of commencement certificate till its completion. Suitable and competent agencies can be hired for this purpose by C.E.O., S.R.A.

16. The developer shall at his own cost ensure comprehensive annual maintenance of lifts, S.T.P. Plant, fire extinguishing, water pumping and generator backup systems for minimum 5 years from the date of occupancy certificate of the rehab building/s so as to avoid any structural and other major defects in the buildings and related services.

In addition, the developer, at his own cost, shall also get the insurance done for the buildings in the rehabilitation component in favor of the Co-op. society for the said period of 5 years.

#### **14.6.19 SLUM AND DEVELOPMENT PLAN RESERVATIONS**

Existing hutments in the slum pockets occupying lands in dangerous locations such as hill slopes, marshy lands, or in close proximity of water bodies, or lands abutting Railway tracks or sites immediately required for the public and semi-public projects may be relocated on other suitable locations with the prior approval of C.E.O., S.R.A.

1. Slums situated on the lands falling under any reservations in the Development Plan and / or Town Planning Scheme shall be developed as follows :-

Out of the total area under reservation, 40% of the area shall be earmarked for reservation and rest shall be put to slum rehabilitation in schemes where the existing tenement density of slums is less than 450 T/Ha. The area earmarked for reservation may be reduced to 33 %, where existing tenement density is more than 450 T/Ha. Remaining land under reservation shall be handed over to the concerned Planning / Appropriate Authority as per provision in UDCPR. Provision of Accommodation Reservation shall not be applicable.

2. Slums situated on lands under industrial and public / semipublic Zone / Slum Improvement Zone or under reservations for Economically Weaker Section Housing (E.W.S.), High Density Housing (H.D.H.) / Housing for dishoused (H.D.H.) shall be allowed without charging any premium on area of reservation for conversion or accommodation and for allowing redevelopment.
3. Wherever D.P. Road passes through slum; entire 100 percent F.S.I. of the road may be given for utilization in the same site on the remaining area of such plot.
4. S.R.S. can be taken up on Town Planning Scheme plots and reservations as well, in accordance with the said Regulations. Contravening structures in the adjoining final plots, if declared as slum area by the Competent Authority or Slum rehabilitation area by the C.E.O., S.R.A. shall be included in the slum rehabilitation scheme (S.R.S.) in the relevant final plot of the Town Planning Scheme.
5. It shall be an obligatory duty of the Competent Authority to ensure de-notification of the entire slum area, by including all eligible slum dwellers falling in the proposed buildable site, contravening structures, hutments on adjacent non-buildable areas like roads / No Development Zones / Green Belts / reservations, for the purpose of in-situ rehabilitation of such eligible slum dwellers on balance buildable land as per The said Regulations.

#### **14.6.20 CLUBBING OF TWO SCHEMES**

1. Clubbing of two or more Slum Rehabilitation Schemes, proposed within a radius of 5 km. aerial distance, may be allowed by keeping the ratio of rehabilitation component to sale component as permissible on the proposed scheme plot. In such a case, the rehabilitation component can be proposed on one land and the sale component on the other. Slum T.D.R. generation in such case shall be as per the incentive of the proposed scheme plot. Provided that this approval shall be subject to payment of difference in the Rate as per A.S.R. of built-up premises for sale components, proposed to be exchanged.
2. The S.R.S. proposal shall be allowed to be executed as Composite proposal, with adjacent encumbered or unencumbered buildable lands. In such a case, the developer may execute the S.R.S. along with any other encumbered or unencumbered buildable land, by availing benefits under the said Regulations on any of the land, restricting the scheme to the rehabilitation component area that existed prior to such composition. This shall even mean allowing rehabilitation component on one land and entire permissible in-situ free sale F.S.I. i.e Maximum Building potential as per UDCPR, on the other land.
3. Development of slum and contagious non-slum area under any other provisions may be allowed together, in order to promote flexibility of design as well as to raise more resources, provided the F.S.I. i.e. maximum Building potential as per UDCPR on non-slum quantum of area shall be that permissible in the surrounding zone. Such a scheme shall be deemed to be a Slum Rehabilitation Scheme. The power under DCPR for shifting and / or interchanging the purpose of designations / reservations shall be exercised by the C.E.O., S.R.A. in respect of slum rehabilitation areas / projects.
4. All the plots involved in any S.R.S., under which ex-situ rehabilitation of hutments dwellers is envisaged, shall be notionally treated as one, for the purpose of computation of F.S.I.

#### **14.6.21 SOCIAL AMENITIES AND RELIGIOUS STRUCTURES**

1. 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 in-situ permissible F.S.I. of slum rehabilitation scheme (S.R.S.).

2. (A) There shall be a Welfare Center and Balwadi admeasuring 27.88 sq. m. (Carpet Area) each for every multiple or part of 100 hutment dwellers' families in every S.R.S., 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 centers and Balwadis may be permitted to be clubbed together suitably for their better utility. Similarly, Health Post and Police Chowky, each of 27.88 sq.m. Carpet Area shall be provided, preferably on Ground Floor under SRS having more than 500 tenements. In case of misuse of the Welfare Centers and / or Balwadi by the members of the Co-operative Housing Society, it shall be taken over by C.E.O., S.R.A. who shall be entitled to allot the same to be run by any suitable organization / institution for public use.

(B) For all sites admeasuring more than 4000 Sq.m. in area, 2.5% of the rehabilitation component area shall be constructed for the Rehabilitation Co-operative Society in the form of Convenience Shopping, where such shops shall not be more than 10 Sq.m. in carpet area, with single floor height preferably on ground floor or first floor. Such area shall be utilized by the society for earning additional income to the society.

Convenience users like Vegetable market, Meat market, Fish market, Barber shop, Grocery shop, Milk Booth, Telephone Booth, Newspaper and Book stall, Stationery shop, Utility shop, Tailor shop, Canteen, Tea Stall etc. shall be permissible in these shops.

The Rehabilitation Co-operative Housing Society shall own these Convenience Shops and shall generate Operation and Maintenance costs for rehabilitation component through these, by way of transparent allotment and operation for which, accounting system may be prescribed by the C.E.O., S.R.A.

Provided that, in the situations where conveyance shopping is not desirable and specifically requested by majority of slum dwellers and such area can be proposed by any dimension as permissible and for any other commercial users like banks / offices / community hall / self help group etc. Provided further that, the modalities on operational aspects, additional uses and allotment process for occupation of such structure shall be decided by C.E.O., S.R.A.

3. One society office of 12.0 Sq.m. (free of F.S.I.) per rehabilitation building for hutment dwellers shall be provided free of cost in every Slum Rehabilitation Scheme and attached toilet of 4.0 Sq.m. area (free of F.S.I.) may be permitted.
4. All the areas underlying welfare halls, society office, balwadi/s, religious structure/s and the commercial areas given by way of incentives to the Co-operative Housing Society shall be free of cost and shall form part of rehabilitation component and shall be considered for incentive F.S.I. computation for the free sale component as per the provisions in the said Regulations.
5. Welfare halls, society office, balwadi/s, religious structure/s, Health Posts, Police Chowky and the commercial areas given by way of incentives to the Co-operative Housing Society provided in the rehabilitation component shall not be counted towards the F.S.I.
6. Similarly, Health post as per the requirement of the concerned Municipal Corporation and Police Chowky of 27.88 Sq.m. Carpet area shall be provided as per the requirement of the Commissioner of Police under a Slum Rehabilitation Scheme. In case of misuse of these facilities, the same shall be taken over by the C.E.O., S.R.A. who shall be competent to allot the same to some other organization / institution for public use.
7. Convenience shopping as defined in the corresponding provisions of the D.C.P.R. of the concerned Authority shall be permitted along the layout roads within the S.R.S., having width of 9.0 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 said Regulations.

#### 14.6.22 FORMATION OF CO-OPERATIVE SOCIETY

1. The developer and the beneficiaries of S.R.S. to form and register C.H.S.
  - A) The eligible hutment dwellers, including the P.A.P.s nominated by the C.E.O., S.R.A., 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 Co-operative Housing Society will be borne by the eligible hutment dwellers and the Developer shall register a Co-operative Housing Society (C.H.S.) of the rehabilitated hutment dwellers within 60 days from the date of issuance of the commencement certificate to the project 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 be constituted in accordance with the provisions of Maharashtra Cooperative Societies Act, 1960.
  - 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. The membership of the Co-operative Housing Society should be finalized based on eligibility criteria as per the provisions of the said Regulations and as specified by C.E.O., S.R.A.
2. The developer registered with S.R.A. shall enter into individual agreement with the eligible hutment dweller of each structure in the slum area under the S.R.S., regarding allotment of his respective Rehabilitation Tenement. Such agreement will be in the joint name of Pramukh hutment dweller and the spouse, if applicable, for every Rehabilitation Tenement.
3. The rehabilitation tenement shall be in the joint ownership of the hutment dweller and the spouse; and shall be so entered and be deemed to be so entered in the records of the co-operative housing society of eligible slum dwellers, including the share certificate and all relevant documents. Such tenement shall not be sold or leased by the hutment dweller up to 10 years from the date of allotment. Such provision shall be included in the Agreement between the hutment dweller and the Developer.
- <sup>(3)</sup> 4. (---)
5. The Developer shall register a Conveyance Deed in favor of the Co-operative Housing Society of the rehabilitated hutment dwellers, formed for the constructed rehabilitation built-up area and the land spared for the same, along with common areas, access, marginal spaces left for the building, immediately after such rehabilitated hutment dwellers occupy the building/s in the Rehabilitation Component.

#### 14.6.23 RESPONSIBILITY OF THE CO-OPERATIVE SOCIETY

1. 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 carrying it to the nearest municipal dustbin, maintenance and replacement of common conveniences, etc. The Co-operative Housing Society shall be entitled to levy a suitable service charge on its members for this purpose.
2. Internal roads, pathways, common amenities etc. as shown in the layout of the colony shall be provided as part of the original project. However the Co-operative Housing Society shall be responsible for maintaining the same.

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<sup>(3)</sup> Deleted vide Order No.C.R.116/2024/(Part-2)/UD-13, Dt.11<sup>th</sup> October, 2024 under Clause (C) RoD of Notification bearing No.C.R.09/2023/UD- 13, Dt.05<sup>th</sup> December, 2023

3. 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.
4. Individual maintenance including electricity bill and water charges if any, etc. of tenements shall be done by the slum dweller to whom the tenement is allotted.

**14.6.24 INALIENABILITY**

C.E.O., S.R.A. 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, C.E.O., S.R.A. shall cancel the allotment in respect of the dweller and take over the tenement. The concerned dweller shall not be eligible for any rehabilitation tenement in any S.R.S. or other Schemes. These conditions shall appear on the identity card as well.

**14.6.25 POSSESSION OF THE TENEMENTS / SHOP Possession of the rehabilitation tenement / shop shall be handed over to any eligible hutment dweller only after,**

1. The Co-operative Housing Society of the rehabilitated hutment dwellers is registered; And
2. 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
3. After such hutment dweller has surrendered transit accommodation, if any, given to him / her, and has cleared all his / her dues to P.M.C. / P.C.M.C. / P.M.R.D.A. (Restricted to earlier P.C.N.T.D.A. area) / M.I.D.C. / M.H.A.D.A. / Government of Maharashtra.

**14.6.26 ALLOTMENT OF THE TENEMENTS TO THE PROTECTED OCCUPIERS**

1. The eligibility of the Protected Occupiers shall be decided by the Competent Officers as per the orders issued by the Government in this behalf from time to time.
2. The list of all Protected Occupiers and those held eligible in appeal proceedings shall be obtained from all concerned departments of S.R.A. by the officer drawing the lots. So also such officer shall obtain a copy of plans along with number of rehabilitation tenements per floor from the technical department.
3. The Protected Occupiers evicted forcefully shall also be considered for allotment.
4. Public Notice of the drawing of lots shall be published by the officer 7 days prior to the date of actual allotment. Such a notice shall be published at a conspicuous place of the scheme and the transit camp or accommodation provided for Protected Occupiers by the developer. A suitable Panchanama shall be made of publication of such notice and maintained in official record.
5. The Widow of Protected Occupier / Widow who is Protected Occupier, and the family / families having Blind and Physically Handicapped members, shall be given a preference to select tenement of their choice as far as possible. However in case where same tenement is preferred by more than one such eligible dweller, the decision shall be taken by drawing of lots among themselves.
6. There after remaining tenements shall be allotted to the remaining Protected Occupiers by drawing of lots in the presence of the Protected Occupiers who are present at the time of such allotment. As far as practicable a suitable video recording of the process shall be done, the cost of which shall be borne by the developer concerned.



7. The list of tenements allotted to eligible slum dwellers shall be prepared, a copy of which shall be forwarded for registration and actual possession of the tenement to the developer, who in turn will file compliance along with the documents.
8. The Occupancy Certificate shall be issued, after the completion of procedure laid down herein above.
9. The agreement and registration of the tenements as per the allotment order shall be carried out by the developer in favor of individual Protected Occupier.
10. The non-residential units of all concerned eligible slum dwellers shall be earmarked along with their respective allotted unit numbers in the building plan at the time of obtaining the commencement certificate only.
11. The C.E.O., S.R.A. shall be competent to take forcible action including an action to disqualify against any protected or Non-protected slum dweller who is not complying the lawful orders passed by him in the interest of the slum rehabilitation scheme. Reasonable opportunity shall be given by C.E.O., S.R.A. to such slum dweller before passing any order in this regard.

#### **14.6.27 ALLOTMENT OF THE TENEMENTS TO THE NON PROTECTED OCCUPIERS**

1. The eligibility of the Non Protected occupiers shall be decided by the Competent Officers as per the orders issued by the Government in this behalf from time to time.
2. The allotment shall be subject to payment of subsidized cost of the tenement to be paid by the Non Protected occupier to the S.R.A. Such cost shall be determined taking into account the values prescribed in the A.S.R. for the year in which such an allotment is done.
3. The amount or the Cost of tenement shall be calculated by the C.E.O., S.R.A. as per the policy sanctioned by the State Government in this behalf.
4. Preparation of the list as per seniority of the Non Protected occupiers, allotment of the tenements, recovery of costs and allotment by draws wherever required shall be regulated by a special cell called P.M.A.Y. cell to be formed at the level of S.R.A. The C.E.O. with prior sanction of Government, create such posts required for smooth functioning of such cell.
5. The P.M.A.Y. cell shall maintain a register of Non Protected occupiers in which the seniority of the beneficiary shall be decided on the basis of date on which he has vacated his structure (hutment) in the Rehabilitation Area. In case more than one structure is vacated on the same date, then the seniority will be decided on the basis of the existence of the structure based on proofs submitted by the dweller for deciding his eligibility to the competent authority.
6. In addition to the register prescribed in clause 5 above, the P.M.A.Y. cell shall also maintain another register of tenements available for the allotment.
7. In case where the number of Non Protected occupiers exceeds the number of tenements opted by them in a scheme available for allotment, then the allotment shall be done according to seniority. And in case more than one Non Protected occupier has the same seniority, the allotment shall be done by drawing of lots. In case of dispute in this regard, the decision of the C.E.O., S.R.A. shall be final and binding on all the parties concerned.
8. The tenements available in a scheme shall be allotted to the Protected and Non Protected occupiers in the manner provided herein after –
  - a. The Protected occupier of the said scheme shall be accommodated first.
  - b. The Protected occupiers of adjoining / nearby non buildable Slum Rehabilitation Area shall be accommodated thereafter.
  - c. The Non Protected an occupier of the Slum Rehabilitation Area on which scheme is sanctioned shall have the first priority amongst all such Non Protected occupiers who

have opted to Rehabilitation by payment of cost in the tenements available in the said scheme. All other Non-Protected occupiers shall be given preference as per their seniority thereafter.

- d. Any disputes raised regarding the allotment of any tenement to any Non Protected occupier shall be decided by The C.E.O., S.R.A. and the decision in such case shall be final and binding upon the Non Protected occupiers.

#### **14.6.28 DE-NOTIFICATION OF SLUM REHABILITATION AREA**

1. The C.E.O., S.R.A. shall de-notify partly or fully the Slum Rehabilitation Area as per provisions of Slum Act, on being satisfied that it is necessary to do so or when directed by the State Government.
2. The concerned Ward Officials of respective municipal area and the concerned Police Inspector of the local area shall ensure effective uninterrupted implementation of S.R.S. It shall be their obligatory duty to take required action immediately against Slum lords as well as non-participant and / or obstructionist persons obstructing the sanctioned S.R.S. In case of failure, C.E.O., S.R.A. shall recommend action against such persons under the provisions of the Slum Act and / or applicable Law.

#### **14.6.29 PREMIUM FOR OWNERSHIP AND TERMS OF LEASE**

1. Where S.R.S. is proposed to be undertaken on lands owned by the Government, Semi-Government Undertakings and Local Bodies, the developer registered with S.R.A. shall pay premium at the rate of twenty five percent of the land cost as per A.S.R. <sup>(3)</sup> or in-situ construction area equivalent to such premium where premium and construction cost both are calculated as per A.S.R. in addition to compensation for land calculated as per Section 17 of the Slum Act, 1971.

However, in case of higher density of hutments where no in situ construction is possible, only premium shall be paid.

The premium shall be paid in instalments as mentioned below :-

Sr. No.	Stage of the Scheme	Premium amount to be paid
1	At the time of approval of the Scheme but before issuing of the letter of IoD.	10% of premium amount
2	Before issuing of letter of Commencement of Rehab. building.	10% of premium amount
3	Before issuing of Completion Certificate of Rehab. building.	80% of premium amount

The aforesaid premium charges shall be allowed to be paid in the installments with interest @ 8.5% p.a. as per Regulation No. 2.2.14 of UDCPR.

However the delay payment charges @ 8.5% shall be paid by the developer on premium amounts mentioned in Sr.No. 2 & 3 above from the date of issuing of the letter of IoD till actual payments made to Slum Rehabilitation Authority.

2. The amount of compensation calculated as per Section 17 of the Slum Act, 1971 shall be paid to the land owning department of the Government or Semi-Government Undertakings and Local Bodies.
3. The decision of C.E.O., S.R.A. regarding possibility of in-situ construction depending on slum location shall be final and binding on all the parties concerned.
4. The part of the land belonging to the Government / Semi-Government / U.L.B. / Public Trusts / M.H.A.D.A. / P.M.C. / P.C.M.C. / P.C.N.T.D.A. / M.I.D.C., on which the

<sup>(3)</sup> Inserted vide Order No.C.R.116/2024/(Part-2)/UD-13, Dt.11<sup>th</sup> October, 2024 under Clause (C) – RoD of Notification bearing No.C.R.09/2023/UD-13, Dt.05<sup>th</sup> December, 2023,

rehabilitation project will be constructed shall be leased by the concerned land owning authority to the Co-operative Housing Society of slum dwellers for a period of 30 years at lease rent of Rs.1001 for 4000 sq. m. of land and part thereof, which shall be renewable for further periods of 30 years at a time. The same dispensation shall apply to the land under the free sale component and such land shall be leased directly, and not through the slum 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 Cooperative 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 issuing building permission to the project.

5. Recovery of pending dues such as assessment, compensation, occupation charges, usage charges, revenue or non-agricultural tax/dues etc., pending with public authorities such as the State Government, M.H.A.D.A., M.S.E.D.C.L. and / or Municipal Corporation, although binding on the Developer, shall not be linked to grant of approval or building permission and implementation of the Slum Rehabilitation Scheme. The Developer will have to settle all pending dues before issue of occupancy certificate by S.R.A. Any revenue assessments, permissions, orders to be made for any land under S.R.S. shall not be linked to the issue of any certificate or N.O.C. relating to the S.R.S.
6. **Automatic cancellation of restricted Land Tenure :** If any land or part of any land on which slum is located is under restricted land tenure, the said tenure / lease created by the concerned Public Body shall stand automatically terminated as soon as S.R.S., which is a public purpose, is prepared on such land and submitted for approval to the C.E.O., S.R.A. Any arrears of dues to be collected for such land shall not be linked to the issue of any certificate or N.O.C. relating to the S.R.S.





सत्यमेव जयते

# महाराष्ट्र शासन राजपत्र

## असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष १०, अंक ६६]

सोमवार, ऑक्टोबर १४, २०२४/आश्विन २२, शके १९४६

[पृष्ठ ४, किंमत : रुपये ११.००

असाधारण क्रमांक १५४

प्राधिकृत प्रकाशन

नगरविकास विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, चौथा मजला, मंत्रालय, मुंबई ४०० ०३२.

शासन निदेश

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६.

क्र.टिपीएस-१८२४/१२६४/प्र.क्र.११६/२०२४/निदेश/नवि-१३.—(अ) शासनाने मंजूर झोपडपट्टी पुनर्वसन प्राधिकरण, (पुणे आणि पिंपरी-चिंचवड क्षेत्र) पुणे, २०२२ साठी मंजूर विकास नियंत्रण नियमावलीतील विनियम क्र.१४.६.१६(२) या नियमावलीतील तरतुदींमध्ये सुधारणा करण्याबाबत **सोबतचे परिशिष्ट-अ** येथे नमूद केल्यानुसार महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ चे कलम ३७(१कक) (क) अन्वये सूचना शासन निर्णय क्र.टिपीएस क्र. १८२४/१२६४/प्र.क्र.११६/ २०२४/नवि-१३, दिनांक ११ ऑक्टोबर २०२४ अन्वये प्रसिध्द केलेली आहे.

(ब) उक्त प्रस्तावित फेरबदलास शासनाची अंतिम मंजूरी मिळेपर्यंत शासनाने दिनांक ११ ऑक्टोबर २०२४ रोजीच्या उक्त सुचनेनुसार प्रसिद्ध केलेल्या उक्त मंजूर विकास नियंत्रण नियमावलीतील उक्त प्रस्तावित सुधारणा **सोबतचे परिशिष्ट-अ येथे नमूद केल्यानुसार** झोपडपट्टी पुनर्वसन प्राधिकरण (पुणे आणि पिंपरी-चिंचवड क्षेत्र) पुणे क्षेत्रासाठी लगोलग अंमलात येतील.

(क) सदरचे निदेश तात्काळ लागू होतील.

## परिशिष्ट-अ

सूचना क्र. टिपीएस- १८२४/१२६४/प्र.क्र.११६/२०२४/नवि-१३, दिनांक : -११.१०.२०२४ सोबतचे सहपत्र  
दि ५/१२/२०२३ रोजी शासनामार्फत मंजूर करण्यात आलेल्या SRA नियमावलीमधील विनियम क्र.१४.६.१६(२) या विद्यमान तरतुदीमध्ये सुधारणा

Sr. No.	Regulation no.	Provision as per Sanctioned Regulation date- 05/12/2023	Provision to be modified
1	2 14.6.16 (2)	3 3. If the S.R.S. in respect of a slum located on any land belonging to a public authority or a private owner, which is needed for a vital public purpose or which is on uninhabitable locations / ecologically fragile / environmentally sensitive locations or wherein in-situ rehabilitation is not feasible for any reason, is taken on an unencumbered plot, then in congested area T.D.R. equal to three times and in non-congested area T.D.R. equal to two times the gross area of the land spared (unencumbered plot) for this purpose shall be permissible to the land owner / lessee or if the landowner has assigned the rights to slum project implementing developer to receive T.D.R. compensation, to the concerned developer after handing over of the said plot to S.R.A. and if the rehabilitation component is constructed by the developer, in addition,	4 2. If the S.R.S. in respect of a slum located on any land belonging to a public authority or a private owner, which is needed for a vital public purpose or which is on uninhabitable locations / ecologically fragile / environmentally sensitive locations or wherein in-situ rehabilitation is not feasible for any reason, is taken on an unencumbered plot, then in congested area T.D.R. equal to three times and in non-congested area T.D.R. equal to two times the gross area of the land spared (unencumbered plot) for this purpose shall be permissible to the land owner / lessee or if the landowner has assigned the rights to slum project implementing developer to receive T.D.R. compensation, to the concerned developer after handing over of the said plot to S.R.A. and if the rehabilitation component is constructed by the developer, in addition, <u><b>T.D.R. in lieu of construction of rehabilitation component shall be calculated as per Ratio prescribed in Regulation 14.6.16(1) of the SRA Regulation-2022 to the Developer of the said unencumbered plot.</b></u>

	<p>Construction Amenity T.D.R. shall be admissible against Rehab. Construction, as per Regulation No.11.2.5 of UDCPR, to the developer of the said unencumbered plot.</p> <p>Provided that, in case of Slum Rehabilitation Schemes, such Construction Amenity T.D.R. shall be increased by 1.35 times the T.D.R. generated. This shall be applicable to all Slum Rehabilitation Schemes.</p> <p>In such cases, if the tenement density provided is more than 650 T/Ha. &amp; up to 850 T/Ha., additional 10% incentive T.D.R. shall be permissible and if such density is more than 850 T/Ha., additional 20% incentive T.D.R. shall be permissible.</p> <p>The Slum T.D.R. shall be released in stages as under :</p> <p>v. After issue of Plinth Completion Certificate of Rehabilitation Building/s, 25% of total Slum T.D.R.</p>	<p><u><b>Provided that such TDR shall be applicable only in case of scheme involving identified beneficiaries.</b></u></p> <p><u><b>In such cases, if the tenement density provided is more than 650 T/Ha. &amp; up to 850 T/Ha., additional 10% incentive T.D.R. shall be permissible and if such density is more than 850 T/Ha., additional 20% incentive T.D.R. shall be permissible.</b></u> Construction Amenity T.D.R. shall be admissible against Rehab. Construction, as per Regulation No.11.2.5 of UDCPR, to the developer of the said unencumbered plot.</p> <p>Provided that, in case of Slum Rehabilitation Schemes, such Construction Amenity T.D.R. shall be increased by 1.35 times the T.D.R. generated. This shall be applicable to all Slum Rehabilitation Schemes.</p> <p>In such cases, if the tenement density provided is more than 650 T/Ha. &amp; up to 850 T/Ha., additional 10% incentive T.D.R. shall be permissible and if such density is more than 850 T/Ha., additional 20% incentive T.D.R. shall be permissible.</p> <p>The Slum T.D.R. shall be released in stages as under :-</p> <p>v. After issue of Plinth Completion Certificate of Rehabilitation Building/s, 25% of total Slum T.D.R. permissible shall be</p>
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	<p>permissible shall be released.</p> <p>vi. After completion of R.C.C. &amp; Brickwork of Rehabilitation Building/s, 35% of total Slum T.D.R. permissible shall be released.</p> <p>vii. After issue of Occupation Certificate of Rehabilitation Building/s, 30% of total Slum T.D.R. permissible shall be released.</p> <p>viii. After completion of procedure of rehabilitation of eligible Slum Dwellers in Building, formation &amp; registration of Co.-Op. Housing Society of Hutment Dwellers, balance 10% of total Slum T.D.R. permissible shall be released.</p>	<p>released:</p> <p>vi. After completion of R.C.C. &amp; Brickwork of Rehabilitation Building/s, 35% of total Slum T.D.R. permissible shall be released.</p> <p>vii. After issue of Occupation Certificate of Rehabilitation Building/s, 30% of total Slum T.D.R. permissible shall be released.</p> <p>viii. After completion of procedure of rehabilitation of eligible Slum Dwellers in Building, formation &amp; registration of Co.-Op. Housing Society of Hutment Dwellers, balance 10% of total Slum T.D.R. permissible shall be released.</p>
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महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

डॉ. प्रतिभा भदाणे,  
शासनाचे सह सचिव.

मुंबई,  
दिनांक ११ ऑक्टोबर २०२४.





सत्यमेव जयते

# महाराष्ट्र शासन राजपत्र

## असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष १०, अंक ६६(२)]

सोमवार, ऑक्टोबर १४, २०२४/आश्विन २२, शके १९४६

[पृष्ठे ३, किंमत : रुपये ११.००

असाधारण क्रमांक १५५

प्राधिकृत प्रकाशन

नगरविकास विभाग

चौथा मजला, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुख्य इमारत, मंत्रालय, मुंबई ४०० ०३२.

आदेश

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६.

क्र.टिपीएस-१८२४/१२६४/प्र.क्र.११६/२०२४/( भाग-२ )/आदेश/नवि-१३.—ज्याअर्थी, महाराष्ट्र शासनाच्या नगरविकास विभागाने अधिसूचना क्र. टिपीएस-१८२२/२५१/ प्र.क्र.०९/२०२३/नवि-१३, दि.०५.१२.२०२३ ( यापुढे ज्याचा उल्लेख “उक्त अधिसूचना ” असा करण्यात आलेला आहे ) महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ ( यापुढे ज्याचा उल्लेख “उक्त अधिनियम” असा करण्यात आलेला आहे ) मधील तरतुदीनुसार, झोपडपट्टी पुनर्वसन प्राधिकरण ( पुणे आणि पिंपरी-चिंचवड क्षेत्र ) पुणेच्या विकास नियंत्रण नियमावलीस मंजुरी दिली असून ती दि.०५.१२.२०२३ पासून अंमलात आली आहे ( यापुढे ज्याचा उल्लेख “उक्त नियमावली” असा करण्यात आलेला आहे );

आणि ज्याअर्थी, उक्त अधिसूचनेतील तरतुद क्रमांक “क”- अडचणी दूर करणे ( Removal of defficulties ) मधील तरतुदीनुसार उक्त नियमावलीमधील तरतुदी लागू करण्यास झोपडपट्टी पुनर्वसन प्राधिकरण ( पुणे आणि पिंपरी-चिंचवड क्षेत्र ) पुणे यांना ( यापुढे ज्याचा उल्लेख “उक्त प्राधिकरण ” असा करण्यात आलेला आहे ) कोणतीही अडचण निर्माण झाल्यास, अशा अडचणी दूर करण्याच्या अनुषंगाने आवश्यक किंवा उपयुक्त वाटल्यास, शासन अधिकृत राजपत्रात प्रसिद्ध केलेल्या आदेशाद्वारे, उक्त प्राधिकरणास निर्देश देऊ शकेल अशी तरतुद उक्त अधिसूचनेमध्ये करण्यात आलेली आहे. तसेच, असे निर्देश शासनास उक्त नियमावली लागू झाल्यापासून १ वर्षाच्या कालावधीमध्ये शासनास देता येतील अशी देखील तरतुद उक्त अधिसूचनेमध्ये आहे;

आणि ज्याअर्थी उक्त नियमावलीमधील विनियम क्रमांक. १४.६ ( यापुढे ज्याचा उल्लेख “उक्त तरतुद” असा करण्यात आलेला आहे ) या तरतुदीची अनुषंगाने अंमलबजावणी करतांना उक्त प्राधिकरणास काही अडचणी येत असून सदरचे अडचणीचे निराकरण करण्याकामी उक्त प्राधिकरणाने तसेच क्रेडाई पुणे मेट्रो यांनी उक्त दि.०५.१२.२०२३ रोजीच्या शासन मंजूर ( SRA ) विकास नियंत्रण नियमावलीमधील विनियम क्रमांक. १४.६ चे अनुषंगाने उक्त नियमावलीमध्ये शासनास काही बदल / सुधारणा सुचविलेल्या आहेत;

आणि ज्याअर्थी, उक्त तरतुद विचारात घेऊन तसेच उक्त प्राधिकरणाने शासनास उक्त नियमावलीमध्ये प्रस्तावित केलेल्या तरतुदी / फेरबदल / सुधारणा तसेच क्रेडाई पुणे मेट्रो यांनी उक्त नियमावलीमध्ये सुचविलेले फेरबदल याचा सर्वकष विचार करून दि.०५.१२.२०२३ रोजीच्या उक्त नियमावलीमधील विनियम क्रमांक. १४.६ या तरतुदीची प्रभावी अंमलबजावणी करण्याच्या दृष्टीकोनातून तसेच जनहिताच्या दृष्टीकोनातून उक्त नियमावलीमधील उक्त विनियम क्र. १४.६ या तरतुदीबाबत उक्त अधिसूचनेमधील तरतुद क्रमांक “क”- अडचणी दूर करणे ( Removal of defficulties ) मधील तरतुदीनुसार शासनास असलेल्या अधिकारात सोबतच्या परिशिष्ट “अ” मध्ये नमूद केल्यानुसार आदेश निर्गमित करण्यात येत आहेत .

(१)

## परिशिष्ट-अ

(शासन निदेश क्र. टिपीएस-१८२४/१२६४/प्रक्र. ११६/२०२४/(भाग-२)/आदेश/नवि-१३, दिनांक ११-१०--२०२४ सोबतचे सहपत्र)

दि.०५.१२.२०२३ रोजीच्या शासन मंजूर विकास नियंत्रण नियमावली - २०२२ मधील विनियम क्रमांक.१४.६ या तरतुदीच्या अंमलबजावणीबाबत उक्त अधिसूचनेतील तरतुद क्रमांक "क"- अडचणी दूर करणे (Removal of difficulties) अंतर्गत स्पष्टीकरण आदेश

Sr. No.	Regulation No.	Provision in the Sanctioned Regulation in Notification dt.05.12.2023 (instead of)	Provision in the Sanctioned Regulation in Notification dt.05.12.2023 (Read as)
1	14.6.2(d)	Built up area" means the area cover by a building on all floors including cantilever portion, Mezzanine floor if any but excepting the areas excluded specifically from F.S.I. under the said Regulation.	"Built up area" means the area cover by a building on all floors including Mezzanine floor if any but excepting the areas excluded specifically from F.S.I. under the said Regulation.
2	14.6.16(1)	<b>Additional incentive for Cluster Redevelopment :</b> The total permissible..... Cluster here shall mean the slum area of at least 1.0 hectare of contiguous land comprising 3 or more separate land parcels, owned by 3 or more different land owners.	<b>Additional incentive for Cluster Redevelopment :</b> The total permissible..... Cluster here shall mean the slum area of at least 1.0 hectare of contiguous land; irrespective of number of land parcels and ownership etc.  Note: iii) Provided further that, the additional incentive built up area as above can be permissible over and above the maximum permissible limit of 3.
3	14.6.22(4)	Transfer of the rehabilitation tenement may be permitted by C.E.O, S.R.A. after completion of ten years from the date of occupation by charging a premium equal to 10% of the prevailing market value of the tenement as given in the A.S.R for the respective year.	<b>Deleted</b>

4	14.6.29(1)	..... the developer registered with S.R.A. shall pay premium at the rate of twenty five percent of the land cost as per A.S.R. <b>OR</b> in-situ construction area, equivalent to such premium .....	..... the developer registered with S.R.A. shall pay premium at the rate of twenty five percent of the land cost as per A.S.R. <b>OR</b> in-situ construction area, equivalent to such premium .....
5	14.6.18(J)	For every rehabilitation tenements, Car Parking at rate mentioned in these regulations shall be provided or 1 parking space per tenement for two wheeler shall be provided. The above parking spaces may be provided in any combination.	For every rehabilitation tenement, 1 parking space for two wheeler shall be provided. In addition 1 parking space for <b>three wheeler vehicle for every 20 rehabilitation tenements</b> shall be provided.
6	14.6.15(3)	further that exemption of areas like staircase, lift, lobbies, machine room, passage, refuge area, from computation of F.S.I. shall be restricted to 35% of built-up area (i.e. carpet area of rehabilitation component including balcony and area under walls) of rehabilitation component and any rehabilitation component area, claimed above this restriction, shall not be eligible for any incentive towards the free sale component area to be calculated.	.....Provided further that exemption of areas like staircase, lift, lobbies, machine room, passage, refuge—area, <b>balcony</b> from computation of F.S.I. shall be restricted to <b>60%</b> of built-up area (i.e. carpet area of rehabilitation component including area under walls <b>but excluding balcony</b> ) of rehabilitation component and any rehabilitation component area, claimed above this restriction, shall not be eligible for any incentive towards the free sale component area to be calculated.  Provided that, the provisions shall be applicable to all the schemes where full occupancy certificate is not taken.  Provided further that, the SRS converted and completed according to 2022 regulations, where 15% balcony is calculated in FSI, shall be eligible for the revised calculations as above.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

डॉ. प्रतिभा भदोणे,  
शासनाचे सह सचिव.

मुंबई,  
दिनांक ११ ऑक्टोबर २०२४.