

Development Control Regulation for Greater Mumbai, 1991.

Sanctioned to the modification to the Regulation No. 33(9) 33(10) and 52 of DCR under Section 37(2) of the Maharashtra Regional and Town Planning Act. 1966.

**GOVERNMENT OF MAHARASHTRA
URBAN DEVELOPMENT DEPARTMENT**

Mantralaya, Mumbai 400 032

Dated 25th January, 2012

NOTIFICATION

No.TPB-4310/1631/CR-139/2010/UD-11:-

Whereas, the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government in the Urban Development Department, under 'Section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No: DCR 1090/RDP/UD-11, dated the 20th February, 1991 to come into force with effect from the 25th March, 1991.

And whereas, the Government of Maharashtra in Housing and Special Assistance Department vide Notification No. SRP 1095/CR-37/ Housing Cell dated the 16th December, 1995 had appointed the "Slum Rehabilitation Authority" under the provision of section 3-A of the Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971, for the purpose of slum rehabilitation in Brihan Mumbai;

And whereas, according to the provisions of the clause (19) of section 2 of the said Act, the said Authority is the Planning Authority in respect of Slum rehabilitation areas for the purpose of implementation of slum Rehabilitation Scheme in Brihan Mumbai;

And whereas, Government in Housing vide Resolution No. SRA/2003/CR-189/S.I-1A dated the 4/2/04 (hereinafter referred to as "the said Resolution") has decided to proceed Dharavi Redevelopment Project as comprehensive integrated development project based on the concept of sectoral plan and therefore for the said area Slum Rehabilitation Authority shall be declared as Special Planning Authority;

And whereas, Government in Urban Development Department vide Notification No. TPB 4304/322/CR-56/04/UD-11 dated 9/3/05 has appointed Slum Rehabilitation Authority (hereinafter referred to as "the said Authority) as Special Planning Authority for Planning and Redevelopment of Dharavi Notified area under the provision of section 1B of the section 40 of the said Act;

And whereas, the said authority vide its letter No. SRA/ADTP/DCR/01/06 dated the 21/4/06 has informed to Government that in order to implement the provisions contained in the said Resolution, such as, extent of allowing use of in situ F.S.I up to 4.00, the present application of the said Regulations are required to be modified. While studying the Dharavi Notified Area, it is observed that there are old buildings, tenanted building belonging to the Municipal Corporation of Gr. Mumbai or the buildings constructed under Rajiv Gandhi Nivara Prakash which found to be either old and are creating obstructions to the better planning. Hence the same are considered for reconstruction under Urban Renewal Scheme. Further as against the provisions of the developing reservations partially under the present Slum Rehabilitation Scheme, the Dharavi Redevelopment Project envisages 100% implementation of various existing public reservations shown under the sanctioned Development Plan in Dharavi Notified Area alongwith improvement in infrastructure. It is, therefore, expedient to modify certain regulations of the said regulations without changing the broad framework of DCR provisions in force.

And whereas, Govt. of Maharashtra in Urban Development Department vide Order No. TPB 4306/2593/CR-204/06/UD-11, dated the 20th November 2006 directed the said Authority to initiate the modification to the said regulations to include Regulation No. 27(A) , 33(9) (A) and 33(10)(A) appended to the order, under section 37(1) of the said Act. And the same brought into effect forthwith under section 154 of the said Act.

And whereas, said Authority had submitted the proposed modification to the said Regulations under section 37(1) of the said Act vide letter dated the 29/6/2009 to the State Govt. for sanction;

And whereas after scrutiny of the proposal submitted by the said Authority, it was noticed to the State Govt. that the said Authority had proposed substantial changes and new provisions in the said Regulations which was not published for inviting suggestions/ objections from general public.

And Whereas, the State Govt. vide letter dated 3/02/2010 had issued directives to the said Authority that the said Authority shall publish this changes and new provisions, which was not been published for inviting suggestions/ objections from general public and after completing legal procedure asked to submit the fresh proposal of proposed modification to the said Regulations to the State Govt. for sanction.

And whereas, the said Authority has published a notice dated the 23.2.2010 in Maharashtra Government Gazette and News Paper for inviting suggestions/objections from general public and submitted the proposed modification to the said Regulations (hereinafter referred to as the said modification) after completing the procedure laid down the under the section 37(1) of the said Act vide letter dt.7.5.2010.

And whereas, considering suggestions /objections received from general public, and with consultation of the Director of Town Planning, Maharashtra State thereon, the Government is of the opinion that the said modification shall be sanctioned with some changes.

Now, therefore, in exercise of the powers conferred under sub-section 2 of Section 37 of the said Act, the Government hereby:-

- A) Sanctions the said modification to Development Control Regulation of Greater Mumbai 1991 (more specifically described in the schedule attached herewith) subject to Interim Order of Hon'ble High Court Bombay in Writ Petition No. 1152/2002.
- B) Fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of this Notification.
- C) Directs the said Authority and Municipal Corporation of Greater Mumbai that, in the schedule of modification sanctioning the said Regulation, after the last entry, the schedule referred to as (A) above shall be added.

By order and in the name of the Governor of Maharashtra,
(Rajendra Habde)
Under Secretary to Government.

SCHEDULE

(ACCOMPANIMENT WITH THE GOVERNMENT IN URBAN DEVELOPMENT DEPARTMENT NOTIFICATION NO. TPB 4310/1631/CR-139/2010/UD-11 DATED 25 JANUARY 2012)

Sanctioned modification to regulation 33(9), 33(10) and 52 are as below

Following clause shall be added at Sr. no. 9 (A) after Sr. no. 9 of Regulation No. 33 of DCR 1991, provisions relating to Urban Renewal Schemes under Dharavi Redevelopment Project (DRP) within DNA to be implemented by Slum Rehabilitation Authority (SRA).

Development Control Regulation No. 33(9)(A) [Regulations for Dharavi Notified Area (DNA)]

Urban Renewal Scheme under Dharavi Redevelopment Project:- Areas undertaken by Slum Rehabilitation Authority under DRP for renewal and redevelopment of buildings/chawls including cessed buildings situated on non slum areas within Dharavi Notified Area shall be a part of the entire Dharavi Redevelopment Project Area (DRP Area) which shall have an overall FSI of 4.00. The entitlement of FSI on that particular plot shall be 4.00 or the FSI required for rehabilitation of existing tenants/occupiers plus incentive FSI and would be in accordance with the guidelines laid down in Appendix XXIV

Appendix XXIV

Conditions and guidelines for implementation of Reg. No. 33(9)(A) are incorporated in this Appendix - XXIV which is to be added after existing Appendix-XXIII.

1) Applicability of the provisions of this appendix:-

For achieving comprehensive planning and development of non slum areas of Dharavi Notified Area (DNA) through sectoral layouts of Dharavi Redevelopment Project, the provisions in this appendix shall apply to the renewal and redevelopment of buildings/chawls including cessed properties and such schemes on areas which are part of DRP Area undertaken by DRP (SRA) through the developer to be appointed by following competitive bidding process for Dharavi Redevelopment Project or through Public Authority

The properties which are not part of DRP Area as defined above shall be developed in accordance with DCR 32 only. The other provisions of DCR 1991 allowing higher FSI permitted under DCR 33 and provisions of this Appendix shall not be applicable to such properties which are not part of DRP Area.

2) Renewal & Redevelopment project formulated by Slum Rehabilitation Authority for buildings / chawls including cessed properties shall be with FSI of 1.72 or the FSI required for rehabilitation of existing eligible occupants whichever is more which will exclusively be used for rehousing the existing eligible occupants and to generate additional tenements / units if any, The built up area of such construction with 1.72 FSI or more shall be termed as Renewal Rehab Component.

3) (a) If areas redeveloped earlier under SRD/SRA schemes are included in the DRP Area for renewal and redevelopment under DRP, the TDR generated from the plot in the said SRD/SRA scheme would be deducted, from overall calculation of FSI 4.00.

(b) For private unencumbered plot/ s situated within DNA but presently excluded, the FSI shall be 4.00 on their inclusion in DRP. The developer however, shall have to pay premium as decided by DRP on built up area equivalent to 2.67 FSI of that plot upon which he would be entitled to add built up area equivalent to 4.00 FSI of that plot to his free sale component.

4) The construction of Renewal Rehab Component will be carried out by the developer so appointed under Dharavi Redevelopment Project at his cost as per the specifications, planning and requirements of DRP (SRA). Each eligible occupants shall be rehabilitated and given the' carpet area occupied by him for residential purpose in the old building subject to the minimum fixed carpet area of 27.88 sq.mt, (300 sq. ft.) and maximum area equivalent to the area occupied in the old building. The carpet area upto 70 sq.mt. shall be part of Renewal Rehab Component and shall be provided at free of cost. However area above 70 sq.mt. will be at construction cost to be determined by OSD, DRP (SRA) and the said cost to be paid by the respective occupant to the developer. Such surplus residential renewal area shall not qualify for calculating incentive Renewal Sale Component.

In case of non-residential occupier the area to be given will be equivalent to the area occupied in the old building. The renewal tenements in the so completed buildings shall be

handed over to the respective eligible occupiers of the old building as certified by the concerned Competent Authority free of encumbrances.

5) Eligibility for Renewal Rehab Tenements:-

For Urban Renewal Schemes the existing tenants / occupants residing as on 1st January, 2000 shall be held eligible. No new tenancy / occupancy created after 1.1.2000 shall be considered. Further unauthorized construction made in buildings / chawls, and unauthorized extensions to the tenements shall not be considered while computation of existing FSI and size of tenements. A certified inspection extract of the M.C.G.M. for the year. 1999-2000 or Courts order proving the existence of tenements prior to 1.1.2000 shall be considered adequate evidence to establish number of tenements and size of the tenement.

- 6) (a) If the Renewal Rehab Component is 10 sq.m. of built up area, then an additional 13.33 sq.m. of built up area will be permitted and this area of additional 13.33 sq.m. can be utilized for disposal in the open market as a Renewal Sale Component and the Renewal Rehab Component subsidized. Renewal Sale Component can be clubbed with Slum Sale Component and Amenity Sale Component generated under OCR 33(10) (A) within the same planning sector.
- (b) If the FSI required for rehabilitation of existing eligible occupants plus Renewal Sale Component exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area.
- 7) Non Residential User in Free Sale Components: - Non Residential User as permissible in R-2, C-1 and C-2 zones as per DCR-52, 53 & 54 shall be allowed in Free Sale Components.
- 8) Renewal Rehab Component shall be located at suitable location within the respective planning sector layout and not necessarily be on the plot where they exist at present. In case of any site constraints by which if it is not possible to locate the same within the respective sector layout, the same may be allowed to be located outside the particular sector layout, but within the Dharavi Notified Area, with the special permission of OSD, DRP(SRA).
- 9) The FSI for Urban Renewal schemes in CRZ area within DNA, shall be governed by the MOEF notifications issued from time to time.
- 10) After the proposed Renewal Rehab Component buildings are constructed in the sector layout, at approved location, in all respect including amenities such as water supply, sewerage lines, electricity etc, the present occupiers of the respective buildings, chawls, tenanted properties etc. of the concerned authorities shall be shifted to their respective newly built tenements as per the allotment to be finalized by the concerned authorities.
- 11) An individual agreement shall be entered into by the Land Owning Authority/SRA/the developer so appointed under Dharavi Redevelopment Project by DRP (SRA) with the eligible occupier of each tenement /unit of the structure on the renewal plots.
- 12) The said individual agreement entered into between the said eligible occupier and the Land Owning Authority/SRA/developer shall be in the joint names of pramukh occupier and spouse for every structure.
- 13) Tenements having a physically handicapped person or female-headed households shall be given first preference in allotment of tenements. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the other occupiers.
- 14) In respect of those eligible occupiers on site who do not join the project willingly the provisions laid down under clause no. 1.15 (i) to 1:15 (vi) of Appendix-IV(A) of Reg. 33(10) (A) of these regulations shall be applied.
- 15) The Managing Committee of the proposed Co-operative housing society of occupants to be formed after allotment of reconstructed tenements shall have women to the extent of one-third of the total strength and actual members on the committee at any time.
- 16) Restriction on Transfer of Tenements: The tenement obtained under this scheme cannot be sold/leased/assigned or transferred in any manner for a period of ten years from the date of allotment/ possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by DRP (SRA).

- 17) Building permissions for the Urban Renewal development shall be as per the procedure laid down under clause no. 2.1 to 2.8 of Appendix-IV(A) of Reg. 33(10) (A) of this regulations.
- 18) The temporary transit accommodation shall be provided within Dharavi Notified Area, and if needed to be on the area of amenity open space in accordance with the procedure laid down under clause no. 4.1 to 4.7 of Appendix-IV (A) of Regulation No. 33(10) (A) of this regulations.
- 19) Relaxation in building and other requirements for the Urban Renewal development shall be as per the provisions laid down under clause no. 6.1 to 6.24 of Appendix-IV (A) of Reg. 33(10)(A) of these regulations.
- 20) Urban Renewal Development and Development Plan Reservations shall be as per the provisions laid down under clause no. 7.1 to 7.9 of Appendix-IV(A) of Reg. 33(10)(A) of these regulations.
- 21) The concerned land owning authority shall give development rights of their land to DRP (SRA) in lieu of 70% of net premium that is payable by the developers, proportionate to the Renewal Rehab Component generated on the said land. In case project to be undertaken by the Public Authority, the premium payable shall be as per decision of the Government.
- 22) Ownership and Terms of lease - The part of Government/MCGM/MHADA/MMRDA/ Any Undertaking land on which the Renewal Rehab Component of DRP will be constructed shall be leased to the co-operative Housing Society of the occupants on 30 years lease at the lease rent of Rs 1001 for 4000 sq.mt. of land or part thereof and renewable for a further period of 30 years. The same conditions shall prevail for the land under the free sale component and the land shall be leased directly to the Society/Association of the purchasers in the free sale component and not through the society of renewal rehab occupants.
- 23) As soon as the approval is given to the Project, the no objection certificate for building permission of the land .owning authority shall be given in respect of that property to be developed under this Urban Renewal Scheme on lands belonging to any department, undertaking, agency of the State Government including MHADA, or any local self - Government such as the Municipal Corporation within 30 days after the intimation of such approval to the Project is communicated. In the event of its not been given within the period, it shall be deemed to have been given.
- 24)
 - 24.1 An amount of Rs, 20,000 or such an amount as may be decided by the Government from time to time per renewal tenement / unit will have to be deposited by the developer with DRP (SRA) as a corpus fund for utilization by the co-operative housing society of the renewal rehab occupants for the purpose of maintenance, in accordance with the time-schedule for such payment as may be laid down by OSD, DRP (SRA). However, by the time of completion of construction for occupation of tenements by the renewal rehab occupants, the total amount at the rate of Rs. 20,000 per tenement completed should have been deposited in full. The building permission for the last 25 percent of the free sale component would be given only after the entire required amount is deposited in full with DRP (SRA). A matching amount of Rs. 20,000/- per renewal rehab tenement / unit shall also be deposited by DRP(SRA) and added to the said corpus fund.
 - 24.2 An amount of Rs. 840 per sq.mt. shall be paid by the Developer for the built up area over and above the normally permissible FSI, for the rehabilitation and free sale components. This amount shall be paid to DRP(SRA) in accordance with the time schedule for such payment as may be laid down by the OSD, DRP(SRA), provided the installments shall not exceed beyond the completion of construction. This entire amount will remain with DRP (SRA) and the same shall be used for Schemes to be prepared for the improvement of infrastructure within Dharavi Redevelopment Project Areas.
- 25) The Slum Rehabilitation Authority, after consultation with the concerned authorities may add, alter or amend the conditions under these regulations with the previous approval of the State Government.
 Following clause' shall be added at Sr. No. 10 (A) after serial no. 10 of regulation no.33 of DCR 1991, provisions relating to Slum Rehabilitation Schemes under Dharavi

Redevelopment Project (DRP) within Dharavi Notified Area (DNA) to be implemented by Slum Rehabilitation Authority (SRA).

Development Control Regulation No. 33(10)(A) [Regulations for Dharavi Notified Area (DNA)]

Slum Rehabilitation Scheme under DRP:-

Areas undertaken by Slum Rehabilitation Authority under DRP for redevelopment of hutments situated on slum areas within DNA shall be part of entire DRP Area which shall have an overall F.S.I. of 4.00. The entitlement of FSI on that particular plot would be in accordance with the guidelines given below and in Appendix IV(A).

I Eligibility for redevelopment scheme

- (a) For redevelopment of slums including pavement, whose inhabitants names and structures appear in the electoral roll prepared with reference to 1st Jan, 2000 or a date prior thereto, but where the inhabitants stay at present in the structure, the provisions of Appendix IV (A) shall apply on the basis of a tenement in exchange for an independently numbered structure.
- (b) Subject to the foregoing provision, only the actual occupants of the hutments shall be held eligible, and the so called structure owner other than the actual occupant if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.

II Definition of Slum, Pavement. Structure of hut, planning sectors and related terms:

- i. For this purpose, slums shall mean those censused, or declared and notified, in the past or hereafter under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. Slums shall also mean areas / portions of pavement stretches, existing & proposed roads, Railway Lands, area under electric H.T. power lines, Nalla banks hereafter notified or deemed to be and treated as Dharavi Redevelopment Project Area.
- ii) If any area fulfills the condition laid down in section 4 of the Maharashtra Slum Areas (improvement, clearance and redevelopment) Act. 1971, to qualify as a slum area and has been censused or declared and notified shall be deemed to be and treated as Dharavi Redevelopment Project Area.
- lii) Dharavi Redevelopment Project Area shall also mean any area declared as such by the Slum Rehabilitation Authority through preferably fulfilling conditions laid down in section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 to qualify as slum area and/ or required for implementation of Dharavi Redevelopment Project (DRP). Any area where a scheme under Dharavi Redevelopment Project within DNA has been approved by Officer on Special Duty, DRP [OSD, DRP(SRA)] shall be a deemed DRP Area.
- iv) Any area required or proposed for the purpose of construction of temporary or permanent transit camps and projects on any/adjacent land for the amalgamated land for developments so approved by the SRA shall also be deemed to be and treated as Dharavi Redevelopment Project Area, and projects approved in such area by the Dharavi Redevelopment Project cell of Slum Rehabilitation Authority shall be deemed to be Dharavi Redevelopment Projects.
- v) A pavement shall mean any Municipal/Government /Semi-Government pavement and shall include any viable stretch' of the pavement as may be considered viable for the purpose of Dharavi Redevelopment Project scheme.
- vi) A structure shall mean by all dwelling areas of all persons who were enumerated as living in that one numbered house in the electoral roll of the latest date, upto 1st Jan 2000 and regardless of the number of persons, or location of rooms or access.
- vii) A composite building shall mean a building comprising both rehab and free-sale components or part thereof along with built up amenity, if proposed, in the same building.
- viii) Censused shall mean those slums located on lands belonging to Government, any undertaking of Government, or Brihan Mumbai Municipal Corporation and incorporated in the records of land owning authority as having been censused in 1976, 1980, 1985, 1995 or prior to 1st Jan 2000.

- ix) "Dharavi Notified Area (DNA)" shall mean the area of Dharavi for which Govt, of Maharashtra, by exercising the powers conferred by sub- section (1B) of section 40 of M.R. & T.P. Act, 1966, have appointed 'Slum Rehabilitation Authority' as Special Planning Authority for Planning & Development and which is specifically defined in the Govt's notification No.TPB-4304/322/CR-56/04/UD-11 dt. 9/3/2005 and No. TPB- 4308/3499/CR-83/09/UD-11 dtd. 25.6.2009.
 - x) "Planning sector" shall mean the plot of lands comprising C.S. Nos. / CTS Nos. partly or wholly derived from DNA and which will be bounded mainly by existing major roads, railway lines, village boundary and the proposed major roads so as to achieve well planned and controlled development of DRP along with various amenities and facilities to be provided for people at large within the boundaries of such plots/areas. Such divided plots/ areas are termed as planning sectors. The extent of area and number of planning sectors shall be as per approval obtained from the Committee of Secretaries appointed to monitor DRP vide Government Resolution of Housing Department No. SRA/2003/CR-189/SI-1A dt. 4.2.2004 (hereinafter referred to as "Committee of Secretaries").
- III** Joint ownership with spouse: The reconstructed tenement shall be of the ownership of the hutment dweller and spouse co-jointly, and shall be so entered and be deemed to be so entered in the records of the co- operative housing society to be formed after getting allotment in the completed rehab building through Asst. Register of societies (SRA), including the share certificates or all other relevant documents.
- IV** Denotification as DRP Area: OSD, DRP (SRA) on being satisfied that it is necessary so to do, or when directed by the state Government, shall denotify the DRP Area.

APPENDIX IV-(A)

1. Applicability of the provisions of this appendix:

The following provisions will apply for redevelopment / construction of accommodation for hutment/pavement - dwellers which are part of DRP undertaken by DRP (SRA) through the developer to be appointed by DRP(SRA) with the prior approval of the committee formed by the Housing Deptt. Resolution no. Zopuyo 2003/CR-189/Zopsu-1 dt.4.2.2004 by following competitive bidding process for DRP or through Public Authority. This appendix is not applicable to the properties which are not part of DRP.

The properties which are not part of DRP as defined above shall be developed in accordance with DCR 32 only. The other provisions of DCR 1991 allowing higher FSI which are permitted under DCR 33 and provisions of this Appendix shall not be applicable to such properties which are not part of DRP.

1. RIGHT OF THE HUTMENT DWELLERS:

1.1 Hutment-dwellers having existing carpet areas upto 27.88 sq.mt. (300 sq.ft.), in the slum or on the pavement, eligible in accordance with the provisions of Development Control Regulation 33(10) (A) shall in exchange for their structure, be given free of cost a residential tenement having a carpet area of 25 sq.mt. (269 sq. ft.) plus 10% balcony totalling to 27.88 sq.mt. (300 sq.ft.) with a separate living room, kitchen, bedroom, bath and water closet, but excluding common areas. Carpet area shall mean exclusive of all areas under walls including partition walls if any in the tenement.

1.2 For those structures having residential areas more than 27.88 sq.mt. (300 sq.ft.) will be eligible for residential tenement having carpet area of 33.45 sq.mt. (360 sq. ft.) plus 10% balcony totalling to 37.16 sq.mt. (400 sq.ft.). Out of this total 37.16 sq.mt area, 27.88 sq.mt. (300 sq.ft.) area will be free of cost and area above 27.88 sq.mt. (300 sq.ft.) admeasuring 9.29 sq.mt. (100 sq.ft.) will be at construction cost to be determined by OSD, DRP(SRA) and the said cost to be paid by the hutment dweller to the developer. Carpet area shall mean exclusive of all areas-under walls including partition walls if any in the tenement. Only 37.16 sq.mt. (400 sq. ft.) carpet area shall be given and if proposal contains more area, it shall not be taken up for consideration.

1.3 All eligible hutment dwellers taking part in the Dharavi Redevelopment Project shall have to be rehabilitated according to the provisions in this Appendix. It may be in the same sector or other sectors within the jurisdiction of Dharavi Redevelopment Project.

1.4 Pavement dwellers and hutment dwellers in the slum on the land required for vital urgent public utility/purpose or on the hazardous location or affected by DP proposals shall not be rehabilitated in-situ but in other available plots within jurisdiction of Dharavi Redevelopment Project.

1.5 A certified extract of the relevant electoral roll shall be considered adequate evidence to establish the eligibility of a person provided he is found residing in the structure. This is to avoid the possibility of persons who have left the structure coming back to claim free tenement under the scheme even though they have in the normal course left the slum and gone away into a proper non-slum area or out of DRP Area. If the hutment dwellers are found resident in the structure, but the names are on the electoral roll on or prior to 1st Jan 2000, at another slum / pavement site in Brihan Mumbai, they shall be considered eligible but only at the place of present residence. In case of doubt or dispute, the decision of the Competent Authority to be appointed by the Government in Housing Department shall be final and binding on all the parties concerned.

1.6 An individual agreement shall be entered into by the developer so appointed under Dharavi Redevelopment Project by DRP (SRA) with the eligible hutment dwellers of each structure in the slum/pavement.

1.7 The individual agreement entered into between hutment dwellers and the land owning authority/SRA/ developer shall be in the joint names of pramukh hutment dweller and spouse for every structure.

1.8 Hutments having a physically handicapped person or female-headed households shall be given first preference in allotment of tenements to the other hutment-dwellers. Thereafter lots shall be drawn for allotment of tenements from the remaining' tenements to the other hutment- dwellers.

1.9 Transfer of Photopasses - Since only the actual occupant at present will be eligible for redevelopment, there shall be no need to regularize the transfers of photo passes that have occurred so far.

1.10 Any person whose name is enrolled in a non-slum area in Brihan Mumbai but has purchased a hutment in DRP area and therefore got his name also included in electoral roll 'for the slum area, i.e. he has his name in the electoral roll at two places, he shall not be eligible for the scheme.

1.11 Ownership and Terms of lease - The part of Government/MCGM/MHADA/MMRDA/Any Undertaking land on which the rehabilitation component of DRP will be constructed shall be leased to the co-operative Housing Society of the slum dwellers on 30 years lease at the lease rent of Rs. 1001 for 4000 sq.mt. of land or part thereof and renewable for a further period of 30 years. The same conditions shall prevail for the land under the free sale component and the land shall be leased directly to the Society / Association of the purchasers in the free sale component and not through the society of hutment dwellers.

1.12 Automatic cancellation of Vacant Land Tenure - If any land or part of any land on which slum is located is under vacant land tenure the said tenure/lease created by Brihan Mumbai Municipal Corporation or Municipal Commissioner shall stand automatically terminated as soon as Dharavi Redevelopment Project, which is a public purpose, on such land is prepared and submitted for approval to the Dharavi Redevelopment Project cell of Slum Rehabilitation Authority. Any arrears of dues to be collected by Brihan Mumbai Municipal Corporations shall not be linked to the issue of any certificate or NOC relating to the Dharavi Redevelopment Project.

1.13 Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax / dues etc. pending with public authorities such as State Government, MHADA, and/or Municipal Corporation shall be dealt with separately and not be linked to grant of approval or building permission to the Dharavi Redevelopment Project.

1.14 In respect of those eligible hutment dwellers on site who do not Join the Project willingly the following steps shall be taken:

- i) Provision for all of them shall be made in the renewal/rehabilitation component of the scheme.
- ii) The transit tenement that would be allotted to them would also be 'indicated along with those who have joined the Project
- iii) If they do not join the scheme within 15 days after the developer informs OSD, DRP(SRA) of the unwillingness of the said dweller, then action under the relevant provisions of the Maharashtra Slum Areas (Improvement Clearance and Redevelopment) Act, 1971 as amended from time to time, shall be taken and their structures will be removed, and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.
- iv) After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others, and they will not be eligible for the reconstructed tenement by lots, but they will still be entitled only to what is available after others have chosen which may be on the same or some other site.

- v) If they do not join till the building permission to the Project is given, they will completely lose the right to any built-up tenement, and their tenement shall be taken over by the Slum Rehabilitation Authority and used for the purpose of accommodating pavement dwellers and other slum dwellers who cannot be accommodated in situ etc.
- vi) A pitch of about 3m x 3.5m will be given elsewhere if and when available, and construction therein will have to be done on their own.

1.15 The Managing Committee of the Co-operative Housing Society of hutment dwellers to be formed after allotment of reconstructed tenements shall have women to the extent of one-third of the total strength and actual members on the committee at any time.

1.16 Restriction on Transfer of Tenements: The tenement obtained under this scheme cannot be sold / leased / assigned or transferred in any manner for a period of ten years from the date of allotment / possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by Slum Rehabilitation Authority.

2. BUILDING PERMISSION UNDER DHARAVI REDEVELOPMENT PROJECT.

2.1 The proposal for each planning sector of Dharavi Redevelopment Project shall be submitted to the Dharavi Redevelopment Project cell of Slum Rehabilitation Authority with all the necessary documents, no-objection certificates and the plans as may be decided by the Slum Rehabilitation Authority from time to time.

2.2 The approval to the Project shall be given by the Dharavi Redevelopment Project cell of Slum Rehabilitation Authority within a period of 60 days from the date of submission of all relevant documents. In the event of a failure by Slum Rehabilitation Authority to do so, the said approval shall be deemed to have been given, provided the Project is in accordance with the provisions in this Appendix.

2.3 For Dharavi Redevelopment Project the Slum Rehabilitation Authority while giving the approval may lay down terms and conditions as may be necessary.

2.4 DRP (SRA) shall adopt the procedure laid down in the Maharashtra Regional and Town Planning Act, 1966 for giving building permission to any development in DRP under this Scheme.

2.5 On compliance with the terms and conditions, the building permission shall be given in accordance with the provisions under Section 45 of the Maharashtra Regional and Town Planning Act, 1966 to the sectoral development under DRP, first to the Rehabilitation component and thereafter to the Freesale component subject to the provisions in clause below.

2.6 Correlation between Rehabilitation and freesale components: Building permission for 10 percent of built up areas of both the rehab and freesale components may be given simultaneously and thereafter proportionately or as may be decided by the Officer on Special Duty, Dharavi Redevelopment Project, Slum Rehabilitation Authority.

2.7 As soon as the approval (Letter of Intent) is given to the Project, the no objection certificate for building permission of the landowning authority shall be given in respect of that lands belonging to any, department, undertaking, agency of the State Government including MHADA, or any local self - Government such as the Municipal Corporation within 30 days after the intimation of such approval to the Project is communicated. In the event of its not been given within the period, it shall be deemed to have been given.

2.8 Occupation certificate shall not be held up only for want of lease documents to be executed in all sectoral developments under DRP taken up on lands belonging to any department, undertaking, agency of the State Government, including MHADA and any local self-Government such as the Municipal Corporation.

3. REHABILITATION AND FREESALE COMPONENT

3.1 FSI for rehabilitation of eligible slum /pavement dwellers includes the FSI for the rehab component and for the freesale component. The ratio between the two components shall be as laid down herein below.

3.2 Built-up area for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in 35(2) of D.C. Regulations, 1991 except 10% balcony but including areas under passages, balwadis, welfare centers, society office, religious structures, 'other social infrastructure like school, dispensary, Gymnasium run by Public Authority or Charitable trust' and also including built up area of various buildable reservations / additional amenities to be proposed in buildable form in D.N.A.

3.3 If the rehab component is 10 sq.mt. of built-up area, then an additional 13.33 sq.mt. of built-up area will be permitted and this area of additional 13.33 sq. m. can be utilized for disposal in the open market and the rehab component subsidized.

3.4 (a) If the FSI required for rehabilitation of existing hutment dwellers plus free sale component exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area.

(b) The FSI in CRZ area within DNA, shall be governed by the MOEF notifications issued from time to time.

3.5 The rehabilitation component shall mean all residential tenements as well as non-residential built up premises given free of cost in accordance with the provisions of the DRP outlined in this Appendix excluding what is set down in D.C. Regulation 35(2) except 10% balcony and including built up area given for buildable Development Plan reservations and additional amenities & facilities to be provided as per regulation no. 7.1 of this appendix.

3.6 Minimum Density on the Plot including Non-Residential Units: The minimum density of rehabilitation component on plot shall be 650 tenements per net hectare that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational/amenity open space on the remaining area. If the number of tenements to be provided to the hutment dwellers is less than the minimum, the balance shall be handed over free of cost to the Slum Rehabilitation Authority: The Authority shall use them for the purpose of transit or Project affected persons or pavement dwellers or slum dwellers from other slums.

3.7 All non-residential built up areas shall be included in the computation of minimum density and on the scale of 27.88 sq.mt. of carpet area being' one tenement. The calculation of FSI for all purposes shall be on gross area, that is, without deducting any percentage for recreational / amenity open space. This shall not affect the requirement of physical keeping aside the said recreational / amenity open space on site, subject to the provisions in this Appendix in that regard.

3.8 Amalgamation / Subdivision of Plots and Balancing of FSI thereon: Any land declared as DRP Area or on which DRP has been sanctioned, if it is spread on part or parts of C.S. Nos. or CTS Nos. or S. Nos. shall be treated as natural amalgamation/subdivision/s of that C.S or CTS or S. No. or F.P. No. for which no separate approval for amalgamation/subdivision of land would be necessary.

3.9 Boundaries and the measurement of plot areas of the Dharavi Redevelopment Project Area shall be declared by the competent authority after actual measurement of plot area on site and the same shall be adopted for planning purpose for calculation of density and floor space index.

3.10 The OSD, DRP(SRA) may if required, adjust the boundary of the plot declared as DRP Area so as to suit the building design and provide proper access to the Project/any other plot/s located within Sector/s.

3.11 After approval is given to the DRP, the area may be further subdivided if necessary to earmark separate plots for the rehab component, amenity plot and the freesale component. The Plot area and the built up area in terms of square meters on the said plot shall be separately mentioned in the lease agreements and Record of Rights.

3.12 The Settlement Commissioner, Maharashtra State on payment of such fees as may be decided by the Government ensure that the City Survey sheet and property cards are corrected accordingly and fresh property cards are opened for each of the plots giving details regarding the area of the plots and the total area of the floors of the built-up property and TDR given that is, the FSI used on that plot.

4. TEMPORARY TRANSIT CAMPS

4.1 The temporary transit camp/transit accommodation shall be provided within Dharavi Notified Area or nearby lands with prior approval of DRP(SRA) and if need be on the area of statutory open space to be left in accordance with D.C. Regulation No. 23 on the plot.

4.2 On the slum site itself approved for rehabilitation, multi storied temporary transit tenement may be allowed to be constructed.

4.3 The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured.

4.4 Such building permission shall be given within 15 days from the date of application of the appointed developer of a sector, by OSD, DRP(SRA) failing which it shall be deemed to be given.

4.5 If a site reserved in Development Plan for any buildable as well as non-buildable public purpose is vacant or partly encumbered, or it happens to be the unused portion of cemetery or other such public purpose for which it is reserved, or is occupied by a public building such as market or library etc. at ground level, temporary construction of transit tenements in such sites and on top of such existing public buildings may be allowed wherever possible.

4.6 On any vacant site without any reservation in the Development Plan construction of temporary transit tenements with the consent of the land-owners or concerned government authority made of light material shall be allowed upto the FSI of 4.0 Temporary shall mean made of detachable material such as tubular/prefabricated light structurals or any other materials approved by OSD, DRP (SRA) but such structures erected temporarily.

4.7 In all such cases where the temporary transit camp is erected, the condition shall be that the structures shall be demolished by the Developer within 30 days after such intimation given by SRA and as per phase programme of development as approved by Dharavi Redevelopment Project Cell and the site should be brought back to the original state.

5. COMMERCIAL / OFFICE / SHOP / INDUSTRIAL STRUCTURES/STRUCTURES FOR POTTERS BUSINESS ACTIVITY FREE OF COST

5.1 The eligible existing area under commercial/office/shops/industrial establishments/structures for potters business activity shall be computed on actual measurement/inspection, and/or on the basis of official documents such as License under Shops and Establishment Act, Trade License, Factory License, Electricity bills, Photo pass etc.

5.2 In the rehabilitation component, the built up area for commercial/office/shop/Industrial establishments/potters structures/ economic activity that existed prior to 1st January, 2000, subject to the provisions in the sub-regulation below, shall be given. Where a person has residential and commercial premises without common wall between residential and commercial premises, for commercial/office/shop/structures for potter's economic activity in the slum/pavement, he shall be held eligible for a residential unit and also for built up area for commercial/office/shop/Industrial establishments/structures for potter's / economic activity, both free of cost.

5.3 (a) Commercial & Industrial Structures:-

Built up area for Commercial and Industrial establishment upto 20.90 sq.mt. (225 sq.ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq.mt. may, if required, be sold to the extent of area in the following manner.

Carpet Area to be provided..... (in sq.ft.)				
		With Cost But not as part of incentive sale area		
Existing Carpet Area in the range of.... (in Sq.ft.)	At free of cost, as a part of Rehab component	With 10% reduction	With 20% reduction	With 30% reduction
225 to 250	225	Nil	Nil	Nil
251 to 1000	225	251 to 1000	Nil	Nil
1001 to 1500	225	251 to 1000	1001 to 1500	Nil
1501 and above	225	251 to 1000	1001 to 1500	1501 and above

However, only non-polluting and non-hazardous industry can be allowed to be re-accommodated under this scheme. The rehab area in excess of 20.90 sq.mt. (225 sq.ft.) will be at construction cost to be determined by OSD, DRP(SRA) and the said cost to be paid by the hutment dweller to the developer.

(b) Structures of Potter's Business Activity:-

Built up area Structures of Potter's Business Activity up to 20.90 sq.mt. (225 sq.ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq.mt. may, if required, be sold to the extent of area in the following manner.

	Carpet Area to be provided..... (in sq.ft.)			
		With Cost But not as part of incentive sale area		
Existing Carpet Area in the range of.... (in Sq.ft.)	At free of cost, as a part of Rehab component	With 10% reduction	With 20% reduction	With 30% reduction
225 to 250	225	Nil	Nil	Nil
251 to 1000	225	251 to 1000	Nil	Nil
1001 to 1500	225	251 to 1000	1001 to 1500	Nil
1501 and above	225	251 to 1000	1001 to 1500	1501 and above

The rehab area in excess of 20.90 sq.mt. (225 sq.ft.) will be at construction cost to be determined by OSD, DRP/SRA and the said cost to be paid by the hutment dweller to the developer.

5.4 Such area may be allowed on any side of the plot abutting atleast 6.0 meter wide pathway and deriving access from atleast 6.0 meter wide pathway / open space. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. After exhausting these provisions, it may be allowed on the first floor to the extent necessary.

5.5 Non-Conforming Activities: All activities which previously existed shall be allowed to be relocated regardless of the non-conforming nature of the activities, except those which are hazardous and highly polluting and except in cases where the alternative accommodation has already been allotted elsewhere by the Municipal Corporation.

5.6 Non Residential User in Freesale Component: Non Residential User as permissible in R-2, C-1 and C-2 zones as per DCR-52, 53 & 54 shall be allowed in Free Sale Components.

6. RELAXATION IN BUILDING AND OTHER REQUIREMENTS

6.1 A Residential rehab/renewal tenement shall essentially have a separate living room, kitchen, bedroom, water closet unit, bathroom alongwith enclosed balcony merged in carpet area of the tenement

6.2 A living room shall be allowed with size of minimum 9.3 sq.rnt. with a minimum width of 2.4 mt.

6.3 A kitchen shall be allowed with size of minimum 5.5 sq.mt. with a minimum width of 1.8 mt. with a loft as per DCR 1991.

6.4 A bedroom shall be allowed with a minimum size of 5.6 sq.mt. with minimum width of 2.3 mt.

6.5 A bathroom shall be allowed with minimum size of 1.5 sq.mt. with one side of minimum 1.1 mt.

6.6 A water closet shall be allowed with minimum size of 1.1 sq.mt. with one side of minimum 0.90 mt.

6.7 The minimum plinth height shall be 0.45 meter and in areas subject to flooding the plinth shall be higher than the high flood level.

6.8 The staircases and lifts shall be provided as per provisions in DCR 1991.

6.9 The provisions in DCR 38(22) relating to balcony wilt apply to the scheme with the following modifications. There shall be no restriction on zone and balcony shall not reduce marginal open space to less than 2.0 mt. For calculating of area of 27.88 sq.mt. and 37.16 sq.mt. size of rehab tenements, the area of the balcony shall be included.

6.10 Common Passages to be provided in the Rehab Component to give accesses to Residential tenements and Commercial/Industrial units shall not be less than 2.0 mt. in width. If podium is proposed, the corridors formed under the podium upto 12.00 mt. in width to be used as passage for Rehab & Renewal Commercial/Industrial units & Amenities, shall not be counted towards FSI even while computing 4.00 FSI on site. The areas under such common passages not exceeding 2.00 mt. in width and upto 12.00 mt. width shall form part of Rehab Component and it is on this basis the free sale component will be calculated.

6.11 Corridors formed under the podium upto 12.00 mt in width giving access to the sale commercial component shall also be considered free of FSI.

6.12 Front and marginal open spaces for building having height upto 24 mt. in the rehab component or composite building- for the ground + 1 podium to be proposed to accommodate rehab commercial / industrial units as well as sale commercial areas in composite structures, the front and marginal open space shall be atleast 3.0 mt. for these buildings.

6.13 Notwithstanding the provisions of DCR 29 Table 10 where the location of the plot abuts DP Road, having width of 18.3 mt. and above the front marginal open space shall be atleast 3.00 meter provided it is not an express highway or road wider than 52 mt.

6.14 Where the location of the plot abuts a nallah, the marginal open space along the nallah shall not be insisted upon beyond 3 mt. from the edge of the trained nallah.

6.15 The distance between any two rehab / composite buildings shall not be less than -12 mt.

6.16 A composite building shall contain at least 40 percent of the built up area as rehabilitation components.

6.17 Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the amenity open space in the project comprising both rehabilitation and free sale components, and without charging any premium in relaxation of the stipulations in DCR No. 23, wherever necessary.

6.18 The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.

6.19 The means of access shall be normally governed by the provisions of DCR No. 22. However, in the project, wherever the design of the buildings in the same land requires relaxation, it may be given. Access through existing pathways including the roads maintained under Section 63K of the Brihan Mumbai Municipal Corporation Act, 1888 but not less than 3.6 mt. in width, shall be considered adequate for any slum rehabilitation project, containing buildings having height less than 24 mt. including stilts.

6.20 Even if the amenity open space is reduced to make the planning of the rehab sub-plot viable, a minimum of at least 15 percent of amenity open space shall be maintained.

6.21 Premium shall not be charged for exclusion of staircase and lift-well etc. as covered under the provisions of DCR 35(2)(c).

6.22 All relaxations outlined hereinabove shall be given to the rehabilitation component, and also to the composite buildings in the project. Premium shall not be charged for all or any of the relaxations given hereinabove, or for any other mentioned in DCR 35(2)(c).

6.23 Relaxations for the free sale component - Relaxation contained in sub- regulation No. 6.13, 6.14, 6.18, 6.19, 6.20 above, as well as other necessary relaxation shall be given to the free sale components, on payment of 20% of the normal premium, for Dharavi Redevelopment Project.

6.24 In order to make the Slum Rehabilitation Scheme viable, the Officer on Special Duty, Dharavi Redevelopment Project shall be competent to .make any relaxation wherever necessary for reasons to be recorded in writing.

7. SLUMS AND DEVELOPMENT PLAN RESERVATIONS:

7.1 Reservations in the development plan shall be developed to the fullest extent. Additional amenities and facilities shall be provided as per the quantum shown in Annexure – 'A' to this regulation. Relocation of reservations within sector if so required to overcome the sector planning constraint shall be permitted with the special permission of CEO/OSD(DRP) of SRA.

Area of amenities and facilities to be provided as per Annexure-A shall be inclusive of reservations in sanctioned Development Plan. Types of reservations and area of reservations shall in no case be reduced

7.2 Slums/Structures under renewal situated in lands falling; under residential, commercial (C-1 & C-2), industrial (I-1, I-2 & I-3) zones which are not affected by any other allocations/designations/ reservations in the final Development Plan, & C2 may be developed subject to the following.-

- (i) (a) Lands in residential (R-1 & R-2) and commercial (C-1 & C-2) zones occupied by existing slums / structures under renewal be allowed to be developed in accordance with the provisions contained in this Appendix.

- (b) Lands in industrial zones (I-2 & I-3)/Industrial estate may be allowed to be converted into residential users in accordance with clause (c) and onwards of sub-regulation (3) of regulation 56 & regulation 57 of the DCR 1991 amended from time to time as the case may be. Such lands occupied by existing slums/structures under renewal may further be allowed to be developed in accordance with the provisions contained in this Appendix.
- (ii) Lands in industrial zone (I-1) occupied by existing slums/structures under renewal shall be allowed to be developed in accordance with the provisions contain in this sub-regulation 33(10)(A) and 33(9)(A) read with this appendix.
- (iii) As a special case for Dharavi Redevelopment Project non residential activities to be developed as described under clause no.5.3 and 5.6 of this Appendix & clause no. 4 & 7 of Appendix XXIV to DCR 33(9)(A) shall be allowed to be developed without going through the process of the change of zone.

7.3 Slums/ structures under renewal situated on lands reserved/ designated/ allotted for existing or proposed non buildable reservations such as recreational ground, play ground, garden, park and any other open users in the Final Development Plan occupied by existing slums / structures under renewal shall be shifted within the same planning sector in which such plots belongs/vests and sites occupied by them shall be cleared for the implementation of DRP in which such quantum of designated / allotted for existing or proposed non-buildable reservation shall be fully subsumed in the additional amenities & facilities to be provided under DRP as in clause no. 7.1 above as per the specifications of DRP (SRA) or the concerned Govt. authority and shall be handed over free of cost and charge to the DRP (SRA) or the concerned Govt. authority. The land area under such reservation shall be allowed to be included in the project plot area to be considered for FSI purpose.

7.4.(a) Slums/structures under renewal situated on lands reserved / designated / allotted for existing or proposed buildable Public reservations in the Final Development Plan such as Municipal/Private primary or secondary schools, Municipal dispensary, Municipal hospitals, Maternity Home, Municipal chowky, Fire brigade, Sewage Treatment plant, Pump House, Municipal Retail Market shall be shifted within the same planning sector in which such plots belong / vest and sites occupied by them shall be cleared for the implementation of DRP in which such quantum of designated / allotted for existing or proposed buildable reservation shall be fully subsumed in the additional amenities & facilities to be provided under DRP as in clause no. 7.1 above as per the specifications of DRP / SRA or the concerned Govt. authority to whom this developed amenity is to be handed over. This developed buildable amenity shall be handed over free of cost & charge to the DRP / SRA or the concerned Govt. authority. The built up area of such amenity shall be excluded for the purpose of FSI. Thereafter the full permissible FSI of the plot according to this appendix shall be allowed to be included in the project plot area to 'be considered for FSI purpose.

7.4 (b) For other buildable reservations on lands under slum which are not covered under clause no. 7A(a) above, built up area - equal to 25 percent of the area under that reservation in that plot shall be demanded free of cost by the Slum Rehabilitation Authority for Municipal Corporation or any other appropriate Authority. The built up area of such amenity shall be excluded for the purpose of FSI computation. Thereafter the development for Dharavi Redevelopment Project be allowed as per the full permissible FSI of the entire plot according to regulation 33(10)(A) read with this appendix and subject to provisions in clause No. 7.1.

7.5 Where DP road/Proposed road passes through Dharavi Redevelopment Project area, the entire 100 percent PSI of the road may be given in the same site, on the remainder of the plot.

7.6 Development of Slum Plots under DCR 33(10) (A) and Urban Renewal plots under DCR 33(9) (A) in a planning sector may be allowed to be developed together in order to promote flexibility of design as well as to raise more resources. The power under D.C. Regulation 11(4) for shifting and/or interchanging the purpose of designations / reservations shall be exercised by the OSD, DRP (SRA) in respect of Dharavi Notified Area as a Special Planning Authority.

7.7 In case of Dharavi Redevelopment Project adjoining railway tracks, a boundary wall of minimum, 2.4 meters in height shall be constructed.

7.8 Slums/structures under renewal on lands designated or reserved for purpose of public housing, public housing / high density housing or housing for dishoused shall be treated as sites for slum redevelopment and redevelopment to be allowed according to this regulation.

7.9 Existing slums occupying lands / structures under renewal in dangerous locations such as marshy lands, near water bodies, lands abutting railway tracks / in railway lands, no development zones and sites

immediately required for the public and semi public projects may be relocated on other suitable locations within the planning sectors and may be allowed to be developed in accordance with this regulation read with this appendix.

8. WELFARE HALL, BALWADI, SOCIETY OFFICE AND RELIGIOUS STRUCTURE:

8.1 There shall be a welfare hall in each Project as part of the rehabilitation component. It shall be at the rate of 25.00 sq. mt. for every multiple or part of 100 hutment dwellers' families, but located so as to serve all the floors and buildings equitably. Further, they may be clubbed together suitably for its better utility. In case of misuse, it shall be taken over by the DRP (SRA) which will be competent to allot the same to some other organization/institution for public use. Balwadi shall also be provided for in a similar scale. An office for the Co-operative Housing Society shall be also constructed in accordance with D.C. Regulation No. 38(11). However, if the number of Rehab Tenements exceeds 100 then for every 100 Rehab Tenements such additional society office shall be constructed. Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by Government from time to time as part of redevelopment shall not exceed the area that existed prior to redevelopment. Social infrastructure/s like School/s, Dispensary/s, Gymnasium/s certified by the Competent Authority as existed prior to the redevelopment shall be allowed without increase in existing area.

8.2 All the areas underlying social infrastructure/s like School/s Dispensary/s, Gymnasium/s certified by the Competent Authority as existing prior to the redevelopment shall be free of cost & shall form part of rehabilitation component and it is on this basis the free sale component will be computed.

8.3 Welfare halls, society office, balwadis and religious structure/s, Social infrastructure/s like school/s, Dispensary/s, Gymnasium/s certified by the Competent Authority as existing prior to the redevelopment in the Rehab Component shall not be counted towards the FSI even while computing 4.00 FSI on site.

However, social infrastructure like school, dispensary, gymnasium run by other than Public Authority or Charitable Trust shall be counted towards F.S.I.

9. PAYMENTS TO BE MADE TO SRA AND INSTALMENTS:

9.1 An amount of Rs. 20,000 or such an amount as may be decided by the Government from time to time per tenement / unit will have to be deposited by the developer with DRP(SRA) as a corpus fund for utilization by the co-operative housing society of the rehab residents for the purpose of maintenance, in accordance with the time-schedule for such payment as may be laid down by OSD, DRP(SRA). However, by the time of completion of construction for occupation of tenements by the hutment dwellers, the total amount at the rate of Rs. 20,000 per tenement completed should have been deposited in full. The building permission for the last 25 percent of the free sale component would be given only after the entire required amount is deposited in full with DRP (SRA). A matching amount of Rs, 20,000/- per rehab tenement / unit shall also be deposited by DRP and added to the said corpus fund.

9.2 An amount of Rs 840 per sq.mt. or such an amount as may be decided by Government from time to time shall be paid by the Developer for the built up area over and above the normally permissible FSI, for the rehabilitation and freesale components. This amount shall be paid to the Slum Rehabilitation Authority in accordance with the time schedule for such payment as may be laid down by the Officer on Special Duty, Dharavi Redevelopment Project of Slum Rehabilitation Authority, provided the installments shall not exceed beyond the completion of construction. This entire amount will remain with SRA and the same shall be used for Schemes to be prepared for the improvement of infrastructure within Dharavi Redevelopment Project Areas.

9.3 The part of land premium to be made available to the land owning authority as per rates to be decided by Govt. of Maharashtra shall be exclusively used for schemes to be prepared for the improvement of infrastructural developments in the benefit of Dharavi Redevelopment Project.

The following proviso clause shall be added in D.C. Regulation 52(1)(c) of DCR - 1991.

52(1)(c)

Plots in a residential zone along roads having existing or prescribed width of and between 24 m. and 31 m. in the Island City.

Provided that the restrictions of road width given in this clause to determine plots in R-2 zone in the Island City are not applicable to the plots within Dharavi Notified Area. For the plots within Dharavi Notified Area, R-2 zone shall be determined as the 'plots' along roads having existing or prescribed width of and between 18.30 mt. and 45mt.

However no commercial users permitted in R-2 Zone shall front directly on the arterial roads above 36 mt. passing through Dharavi Notified Area, on such roads punctures at specific intervals shall be provided so as to have access from such arterial roads.

Notes-

A) All words and expressions used in these Regulations and not defined herein shall have meanings assigned to them under the Maharashtra Regional and Town Planning Act, 1966 or the Maharashtra Slum Area (Improvement, Clearance & Redevelopment) Act, 1971, or the National Building Code, or the Building Regulations and Bye-Laws or the Development Control Regulations of the Municipal Corporation of Greater Mumbai, as amended from time to time.

B) The provisions of the Development Control Rules for Greater Mumbai, 1991 and all other applicable sections of the Maharashtra Regional and Town Planning Act, 1966, shall apply *mutatis mutandis* to the development of land with the modification that the expressions "Municipal Corporation of Greater Mumbai" and "Municipal Commissioner" shall be substituted by the expressions "Slum Rehabilitation Authority" and "Officer on Special Duty, DRP (SRA)" respectively.

C) Nothing contained herein shall derogate from any right or power exercisable by the Municipal Corporation of Greater Mumbai under the provisions of the Bombay Municipal Corporation Act, 1888, and the rules, regulations and bye-laws made there under. Any development of land shall be carried out without prejudice to such provisions.

(Rajendra Habde)
Under Secretary to Government.

ANNEXURE – “A”

ADDITIONAL AMENITIES AND FACILITIES TO BE PROVIDED UNDER DRP

[to be read with clause 7.1 of Appendix IV(A) to Regulation No. 33(10(A))]

Sr. No	Description of the Amenity	Legends	Units	Additional amenities & facilities to be provided under DRP					
				Sector I	Sector II	Sector III	Sector IV	Sector V	Total I to V
Buildable Amenities for which Sale incentive is available									
1	Primary Schools	(P&P)	Sq.mtr	90.66.97	16433.89	13600.46	12467.09	5100.17	56668.58
2	Secondary Schools	(S&S)	Sq.mtr	6066.97	16433.89	12650.55	11517.18	10000.00 (with 2 colleges)	56668.58
3	Dispensary & Maternity Homes/Polyclinics	(D,MH,POLY)	Sq.mtr	6272.00	11368.00	9408.00	8624.00	3528.00	39200.00
4	Welfare Centres + Gysm + Community Hall	(WC, GYM, CH)	Sq.mtr	200.00	200.00	200.00	200.00	200.00	1000.00
5	Librray	(LIB)	Sq.mtr	200.00	200.00	200.00	200.00	200.00	1000.00
6	Fire Station	(FB)	Sq.mtr	0.00	0.00	0.00	3990.00	0.00	3990.00
7	Post Office	(PO)	Sq.mtr	665.00	0.00	0.00	665.00	0.00	1330.00
8	Police State	(PS)	Sq.mtr	1995.00	1995.00	0.00	0.00	0.00	3990.00
9	Retail Market	(RM)	Sq.mtr	2511.04	4551.26	3766.56	3452.68	1412.46	15694.00
10	Police Chowky	(PCKY)	Sq.mtr	140.00	140.00	140.00	140.00	140.00	700.00
11	Potters Institute (common work space)	-	Sq.mtr	0.00	2230.00	0.00	0.00	0.00	2230.00
	Total			27116.99	53552.04	39965.57	41255.95	20580.64	182471.17

Total Land Area of Buildable Amenities not to be constructed by the developers									
12	Best Bus Station	(BBS)	Ha	0.00	0.00	0.06	0.00	0.00	0.06
13	Best receiving	(BRST)	Ha	0.00	1.30	0.00	0.00	0.00	1.30

	station								
14	Pumping station	(PS)	Ha	0.00	0.00	0.37	0.00	0.00	0.37
15	NID & ITI	(NID – ITI)	Ha	0.00	0.30	0.00	0.00	0.00	0.30
	Total			0.00	1.60	0.43	0.00	0.00	2.03
Total Land Area of Un-Buildable Amenities									
16	Parking Lot	(PL)	Ha	0.00	0.00	0.00	0.00	1.84	1.84
17	Recreational Open Public Spaces (can be mixed user/part of layout)	(RG)	Ha	1.58	0.00	1.58	1.58	1.58	6.32
18	Layout RG that would be provided in sale and rehab areas to be multi used	(LAY-RG)	Ha	0.77	1.39	1.15	1.06	0.43	4.81
19	PG attached to schools (mixed use/part of layout)	(PG)	Ha	0.40	0.73	0.60	0.55	0.23	2.50
20	Mahim RG (Rajiv Gandhi Nagar)	(RG)	Ha	0.00	0.00	0.00	0.00	3.20	3.2
21	Potters Institute (common open space)	-	Ha	0.00	0.22	0.00	0.00	0.00	0.22
22	Land to be given to TATA Power Electric Co.	(TATA)	Ha	0.00	0.40	0.00	0.00	0.00	0.40
	Total			2.75	2.74	3.33	3.19	7.28	19.29

Notes:

- i) All the additional amenities and facilities to be provided within Dharavi Notified Area are deemed to be treated as DP Proposals.
- ii) All proposed Roads having width of 12 mt. & above are deemed to be treated as DP Proposals.
- iii) The Slum Rehabilitation Authority may add, alter or amend category and quantum of additional amenities and facilities to be provided within Dharavi Notified Area with the approval of State Government.