

Annexure I

Brihanmumbai Municipal Corporation

Supplementary Conditions for Implementation of Slum Rehabilitation Schemes on 64 BMC Plots

In continuation of the main note and in line with key clarifications raised during the pre-bid interactions, the following supplementary conditions are hereby outlined to guide the prospective bidders and streamline the implementation process:

1. Jurisdiction & Implementation Authority

- Brihanmumbai Municipal Corporation (BMC) has been appointed as the Special Planning Authority (SPA) for these 64 schemes under GR dated 28.03.2025.
- All schemes will be processed and implemented under the provisions of Regulation 33(10) of DCPR 2034.
- 33(10) approvals will be issued by BMC as the competent authority, while planning procedure will follow the established SRA model.

2. Developer Appointment & Participation

- Developers will be selected based on EOI scrutiny and issued acceptance letter upon qualification.
- Joint Ventures are permitted, especially where developers qualify under one category (e.g., **Packet A**) but not another.
- Any developer or group entity (including sister concerns) previously defaulting in BMC, SRA, or MHADA schemes—including those with projects terminated under Section 13(2) of Slum Act 1971 or cancellation of LOI—shall be disqualified from participation.

3. Consent of Slum Dwellers

- As BMC is the landowner, slum dweller consent is not required for redevelopment, as per provision of regulation 33(10), VI-1.15 of DCPR 2034.
- This is supported by provisions under the Companies Act 1956, section 617 and prevailing urban redevelopment practices.

4. Eviction and Compensation

- Eviction can commence upon issuance of LOI, under due process outlined in Section 33/38 of the Slum Act 1971.
- There is no fixed mandatory period for tenant vacation, though developers are encouraged to suggest practical timelines (e.g., 60–90 days) for smoother execution.

- Rent compensation must be paid to eligible slum dwellers post-LOI and prior to Commencement Certificate (CC), as per norms under SRA Circular No. 210 dated 1/08/2023.

5. Plot and Scheme Documentation

- Final plot boundaries will be confirmed through CTS plans or slum layout plans.
- BMC will upload the slum plans of all 64 schemes on its portal by 10th June 2025 for public reference.
- Actual plot area and tenement density is based on the available record which will be considered for EOI. It may vary as per ground measurements and GIS mapping. Difference of land premium may be recovered prior to LOI.

6. Clubbing and Amalgamation of Schemes

- Clubbing of adjoining schemes is permitted under Sub-Regulation 10 of Regulation 33(10) of DCPR 2034.
- Amalgamation is also allowed for cluster development, provided all involved schemes fall under Regulation 33(10).
- Developers must ensure compliance with revised tenement density norms and unearned income recovery wherever applicable.

7. Status of Existing and Disputed Schemes

- All 64 schemes listed are BMC-owned lands where notices under Section 13(2) of the Slum Act have already been issued by SRA.
- One scheme at R/Central Ward (SR No. 10) is being continued under the Amnesty Scheme per GR dated 26.05.2022 and order dated 14.03.2024. this scheme will not be available for EOI.
- Any scheme under legal dispute (e.g., P-North schemes of Village Malad (E) plots bearing CTS no 827(Part) Sr. No. 11 to 22) may be excluded or delayed depending on case resolution.
- The decision regarding Scheme in H/W ward Sr. No. 28 will be implemented as Ashray Yojana through SWM department.
- The SR scheme at Sr. No. 25 will be withheld till further order as per order of AGRC u/no. Application no. 197 of 2021 dated 30/05/2025.
- As per the order of AGRC dtd. 22.11.2024 there is ad- interim reliefs granted till further hearing of AGRC therefore the decision regarding Scheme in G/S ward at Sr. No. 24 will be withheld till further order.

8. Surveys and Annexures

- A GIS and biometric survey will be conducted for each plot to determine actual eligibility and scheme boundaries.

- A Draft Annexure-II certified by the competent authority of the respective municipal ward will be used as the basis for further processing.

9. Development Control and Benefit Norms

- Tenement density shall be calculated as per Regulation 33(10) of DCPR 2034 and GR dated 19.08.2024 (Housing Dept.), including subsequent clarifications.
- Alternate accommodation to eligible slum dwellers must be provided under the DCPR 2034 framework.
- Benefits and incentives under DCPR 2034 (including FSI, amenity space, etc.) shall be extended as per eligibility.
- Unearned income, if applicable due to clubbing or other advantages, shall be recovered from the developer in accordance with Sub-Regulation 10 of Regulation 33(10).

10. Cost of Approvals

The stipulations related to concessional payments/charges for the rehabilitation component under Regulation 33(10)—such as scrutiny fees, open space deficiency charges, offsite infrastructure charges, development cess, etc.—shall be applicable as per prevailing norms and policies of the BMC and SRA.

11. Alternative to Land Premium

- A query was raised regarding the possibility of compensating the land premium through the allocation of equivalent flats in the rehabilitation component.
- This option is not permissible.
- There shall be no correlation between land premium and tenement density, even if the number of tenements exceeds 650 upon finalization of Annexure II by the competent authority, as provisions for additional incentive FSI are available.
- The deferment policy, as per applicable SRA norms, shall be extended to developers who have quoted a land premium higher than the prescribed amount.

12. Amendment in Sr. 33 of EOI Condition.

- Developers shall construct and sell sale-component buildings to recover rehabilitation costs and make payments to affected parties. Societies for these sale components shall be formed, and ~~conveyance~~ **Lease deed** executed.

13. Prior Expenses Related to the scheme

It was observed that prior to the initiation of termination proceedings against the Developer under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, the Developer had incurred certain expenses related to the scheme. These expenses have led to further disputes. In order to resolve such conflicts, a final settlement certification must be obtained from the Slum Rehabilitation Authority (SRA). A separate communication in this regard will be initiated with the SRA.