UDRI

Mumbai, although considered as the economic capital of India, has one of the largest populations of slum/informal settlements in the country, covering an area of 3,422 ha. The slum population or approximately 5.5 million (2011 Census), comprises more than 42% of the population residing on 8% of the land area. The fact that Mumbai is surrounded by water, fuels the perception that there is a lack of space for rehabilitation of existing slum areas.

Housing is considered as a right to a ‘decent life’ under our Constitution, hence, it is the responsibility of every local or state authority to have a range of mechanisms to allow equitable development. The Government has made several attempts since the 1970’s for Redevelopment and Rehabilitation which, in its current form, is the Slum Rehabilitation Authority (SRA) and MHADA. However, over 26 years, the SRA has been able to build approximately 160,000 homes as against a demand for over 1.5 million homes. At this rate, more than 250 years will be required to provide appropriate housing to all the slum dwellers.

The Revised Draft Development Plan 2034 (RDDP 2034) suggests that there is an imminent need for alternatives to the current model for slum rehabilitation, DCR 33(10), which is not working, as it is solely dependent on the private housing market for funds. However, the RDDP 2034 does not actually provide alternative approaches for the redevelopment of slums and instead, only mentions the possibility of a ‘cafeteria approach’ to planning, where a banquet of optional methods could be made
available for slum rehabilitation. This current note provides an alternative approach to DCR 33(10) and slum upgradation* (*Slum upgradation shall mean conversion of slum pockets from informal settlement to formal housing (pakka houses) through incremental interventions or reconstruction or complete redevelopment, either by slum dwellers/ group of slum dwellers/ society/ mandals or with the involvement of a developer.)

1) Need for an alternative to DCR 33(10)

1) The current SRA model and DCR 33(10) make it mandatory for a private developer to be involved in the slum redevelopment process. Hence, the slum dwellers have to wait until such time that a developer will take up the redevelopment of their area/ Nagar/ Wadi.

2) The slum dwellers are not asked for their input on how their particular slum pocket should be redeveloped and instead, are subject to the dense living conditions thrust upon them by the developer.

3) Often, these redevelopment projects have led to displacing the slum dwellers from a central location in the city to the suburbs or further afield in the Mumbai Metropolitan Region (MMR).

4) The sale component, which subsidises housing for in situ rehabilitation under the DCR 33(10), substantially increases the existing densities in slum neighbourhoods, thereby putting tremendous pressure on the services as well as reducing the rehabilitation footprint to less than 40% of the gross plot area. This results, in some cases, with the existing density already high, the rehabilitation density sneaks to more than 1800 units/ ha (net) or almost 1 million people per sq km. This extreme marginalisation of urban poor is totally unsustainable and unfair.
5) Typically, SRA schemes in areas with high land values have been implemented whereas, these schemes have not even commenced in areas with low land value, emphasising the market-led nature of this existing model. Certain slum pockets in the city might never have the optimum land value to make them viable for redevelopment through the DCR 33(10) option.

6) Slum Rehabilitation Authority, through development charges and fee levies for 33(10) projects has proceeds which needs to be deployed for the core purpose of improving the quality of life in slums areas.

Therefore, this note attempts to propose an alternative model in which a government agency can facilitate slum upgradation, offering a choice to the slum dwellers to self-upgrade their houses, instead of waiting for housing to be provided by the market.

2) Objectives

The overall objectives for the proposed alternative model for slum upgradation are:

a) To make it imperative to provide trunk infrastructure and amenities to slum communities through existing delivery mechanisms and local authority responsibilities such as:

- Proper means of access/ streets/ footpaths
- Adequate water supply
- Proper sanitation
- Adequate electricity and cooking gas
- Waste collection services
- Healthcare
- Education

b) To imminently allow slum upgradation to take place incrementally by slum dwellers, either individually or through an amalgamation of plots;
c) To ensure that if at all densities need to increase they are only marginally increased;

d) To provide an alternative to private market insecurity for slum rehabilitation process;

e) To allow for cohesive, appropriate, affordable and sustainable slum upgradation by enabling slum dwellers to participate in the planning process at the Ward level;

f) To facilitate just mass slum upgradation in a relatively short implementation time.

3) Proposed alternative model

The framework for the proposed alternative model entails:

a) That SRA will rightly take on the role as the planning authority for slum areas and, along with facilitating SRA schemes, will also take on slum upgradation through the preparation of slum upgradation layout plans, special DCRs and execute the same through a two-tiered planned approach.

b) Facilitate through existing services/ utility delivery agencies, state and local authority provision of trunk infrastructure for every slum area;

c) That the slum dwellers will be entailed to carry out upgradation of their tenements, as per slum upgradation layout plan approved by SRA, within 3-5 years of preparation of the plan.

d) That SRA will be responsible for facilitating tenure of land

Role of Central, State and Local Government

In the proposed alternative model, Central, State and Local Governments play an important role in providing:

1) Tenure of land

Based on the location, ownership and habitable conditions of the land, the Government (Local Authority, State and Centre) will grant the following tenures to the slum dwellers:
a) Long-term lease of 30 years for tenable slums;
b) For untenable slums, there shall be no eviction until the Government frames a policy for their rehabilitation;
c) Transfer tenure to a Co-operative Society for a Community Land Reserve (CLR)^.
   *Under the CLR scheme, ownership of the land would be transferred to a ‘Society’ formed as a non-profit company (Section 8) by selected members of the area.

2) **Trunk infrastructure**
   a) On initiating a slum upgradation layout plan by SRA, existing utility and services agencies and mechanisms to be activated for providing the basic essential infrastructure and amenities (as described under objectives) for slum pockets conforming to the broader provisions of the plan.
   b) For untenable land, provision of basic infrastructure for utilities such as water supply, sanitation and electricity until such time that a provision is made for their rehabilitation.

3) **Financial assistance**
   The Central and State Government will facilitate the funds for the slum dwellers through PMAY subsidy/funds, micro-finance options, financial institutions and public sector finance options. With grant of fixed tenure of land, these institutions would be more than willing to provide a loan to the slum dwellers, as land tenure can act as a collateral for loans.

4) **DP Reservation through Accommodation Reservation**
   In case of slums with DP 2034 Reservations other than residential, proposed accommodation reservation policy in DP 2034 will assist in developing DP reservations along with the upgradation of slums. SRA will play an important role as planning
authority to accommodate these DP reservations in the slum upgradation layout plans for slums areas.

The Role of SRA
SRA was formulated in the year 1995 and is the sole ‘Planning authority’ for the redevelopment/ upgradation of slums in Mumbai [MR&TP Act 1966 Chapter 1, Definitions, (19) b]. SRA, in the real sense, acts as a Planning Authority for slums and will need to set up capacity as well as professional teams to conduct surveys, prepare upgradation layout plans, form legal entities of slum dwellers, facilitate land tenure and give approvals for the slum upgradation process.

Till now, through development charges and fee levies for 33 (10) projects, SRA has proceeds which needs to be deployed for the core purpose of improving quality of life in slums areas. Therefore, preparation of the Slum Upgradation Layout plans and furthering the objectives of the plan shall be supported by SRA.

In this regard, there will be a three-tier planning process undertaken by the SRA:

Tier 1 – Formulation of General Slum Upgradation DCR for Mumbai

Tier 2 – Ward-level Slum Upgradation Committee

Tier 3 – Nagar/ Wadi/ Mandal/ Area level Slum Upgradation Layout plan preparation through services of an empaneled architect and urban planner.

Tier 1- Formulation of General Slum Upgradation DCR for Mumbai
SRA will formulate General Slum Upgradation DCR for Mumbai which will be different from the DCR of Greater Mumbai 2034 within a time frame of six months.
This Slum Upgradation DCR will form the basis of all special Slum Upgradation DCR prepared for specific Wadis/ Nagars/ Mandals/ society based on their unique characteristic prepared and approved by Ward Level Slum Upgradation Committee.

**Tier-2 - SRA - Ward-level Slum Upgradation Committee**

Role of SRA will be extended to each ward level unit which shall be entrusted with the planning and implementation of the Slum Upgradation Layout in individual Nagar/ Wadi/ Mandal/ Area in that administrative ward of Mumbai.

**The Ward-level Slum Upgradation Committee structure**

Slum Upgradation Committee in SRA shall have the below mentioned members and in the spirit of the 74th Amendment to the Constitution of India. Local corporators shall be a part of this committee.

This Ward-level Slum Upgradation Committee in SRA can co-opt members and shall be funded as well as administratively assisted by SRA with provision of office and qualified staff along with providing for capital as well as revenue expenditure.

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<thead>
<tr>
<th>No</th>
<th>Member</th>
<th>Designation</th>
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<tbody>
<tr>
<td>1</td>
<td>Ward Committee Chairperson</td>
<td>Chairperson</td>
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<tr>
<td>2</td>
<td>Executive Engineer/ AE SRA</td>
<td>Member</td>
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<tr>
<td>3</td>
<td>Two City NGO/ Institutions of repute with minimum 10 years’ experience in Urban Planning/ Urban Design/ Slum Rehabilitation/ Social Sciences/ Environment Sciences Nominated by SRA</td>
<td>Member</td>
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<tr>
<td>4</td>
<td>Representatives of Concerned Departments of MCGM</td>
<td>Special Invitee Members</td>
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<tr>
<td>5</td>
<td>SRA appointed ward level architect &amp; urban planner with relevant experience</td>
<td>Convener</td>
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TOR of Ward-level Slum Upgradation Committee

The Ward-level Slum Upgradation Committee in SRA will be responsible for:

A) **Delineation of slums into planning units.**

Delineate every slum pocket in their Ward area and prepare a detailed total station survey enabled base map for the same. The slum buildings will need to be marked as individual planning units.

B) **Site survey and analysis**

Authorise and appoint empanelled consultants and fund consultancy services for survey of the existing pockets as follows:

i) Existing building and land use survey;

ii) Existing population and demographics of the slum area.

iii) Existing and proposed access and road infrastructure plan;

iv) Survey of existing and proposed utilities and services;

v) Survey of existing and proposed community facilities like schools, hospitals, parks, places of worship etc.;

vi) Any other social, anthropological, health, education survey as required.

C) **Special slum upgradation DCRs based on general slum upgradation DCR**

Approve and appoint empanelled consultants, finance consultancy services for preparation of area level Special Slum Upgradation DCR which will include:

i) Area specific urban coding/design guidelines for land use, building use, road widths, building heights, building projections, material palette, FSI etc. conforming to upgradation of policy guideline.

ii) Standardise and facilitate provision of amenities such as open spaces, balwadis, healthcare and other such facilities.
iii) DCRs based on Special Slum Upgradation DCR guidelines, recommended to facilitate the incremental upgradation of the slum tenements, encouraging the construction of structurally safe and environmentally sustainable pakka (permanent) houses with the adoption of basic standards to improve the living conditions in the slums.

iv) The fixed tenement sizes of 25 sq m under 33(10) do not provide flexibility in planning for slum dwellers' small scale business operations and hence, it will plan/design Special DCRs catering to specific activities and limitations of space in the specific slum areas.

v) Laying of trunk infrastructure may lead to displacement of up to 15%-20% of the entire slum pocket. The Special Slum Upgradation DCRs will make provision to ensure that the displaced properties are housed in the proximity of slum areas or are appropriately compensated through TDR or by allowing a marginal increase in the net densities of the area, without an increase in number of tenements.

vi) General Slum Upgradation DCRs with relaxation of setbacks and provision of appropriate additional free FSI for toilets, balconies and verandahs will encourage the users to upgrade their housing. These will not only allow and facilitate their current floor area sizes but also the current uses.

D) Approve and Notify layout planning control, building permissions and provide technical assistance

i) Approve and notify through SRA, Nagar/Wadi/Mandal level Slum Upgradation Layout plan prepared through collaborative planning with slum dwellers and services of empanelled Architect Urban Planner.

ii) Issuing individual/amalgamated building permissions based on the approved Nagar/Wadi/Mandal level Slum
Upgradation Layout plan prepared through the services of empanelled Architect Urban Planner.

iii) Make available technical assistance to the slum dweller by providing services of empanelled architects, urban planners, civil engineers, structural consultants, services consultant and chartered accountant for upgradation and reconstruction of individual or amalgamated buildings.

**Tier 3: Empanelment of architect urban planners for preparation of Nagar/Wadi/Mandal/Area level Slum Upgradation Layout plan**

Team of architects, urban planners, urban designers, civil engineers, structural consultants, services consultants will be empanelled by the SRA which can be appointed by Ward-level Slum Upgradation Committee in SRA on recommendation of people of the planning unit/Nagar/Wadi/Mandal/Slum area. The final decision for selection of Local Area Architect/Urban Planner will rest with the people of the planning unit/Nagar/Wadi/Mandal/Slum area.

The Architect/Urban Planner should have a thorough sociological understanding of the area and constitute a team of architects, planners, engineers and urban designers to prepare a successful Slum Area Upgradation Layout Plan in accordance to the needs of the residents.

The empanelled architect and urban planner can also be later assigned to provide technical assistance to slum dwellers for upgrading or for the reconstruction of their building units.

**Criteria for Local Area Architect/Planner empanelment**

The Architect/Urban Planner for the local area selected for empanelment will have a team or consortium consisting of:

1) Registered Architect/Urban Planner with accreditation of
Council of Architecture with a minimum 15 years' experience.
2) Qualified Planners with minimum 10 years’ experience
3) Registered Structural Engineer with minimum 10 years’ experience
4) Qualified Services Consultants with minimum 10 years’ experience
5) Qualified Social Scientist with minimum 10 years’ experience
6) Adequate technical staff to facilitate public consultation, survey, planning and layout preparation

**TOR of local area Architect Urban Planner**

Upon analysing all background information, existing surveys and Special DCR guidelines, the Architect/Urban Planner should undertake:

A) **Site Analysis**
   1) Existing and proposed road alignments or road widening.
   2) Existing and proposed utilities, amenities and services surveys.
   3) Existing and proposed facilities like schools, hospitals, health post, parks and playgrounds etc.
   4) Existing and proposed density: Population density, unit (dwelling) density, street density and FSI.
   5) Gap analysis for existing SRA survey based on URDPFI/NBC standards or applicability of other standards.
   6) Sample household survey for collecting essential data on housing, transport services and state of amenities.
   7) Implication of Proposed Land Use in Development Plan for the area.

B) **Plan Slum Upgradation Layout**

Prepare Plan in order to provide essential trunk infrastructure (services and utilities), access roads and recreational open spaces. Based on the site survey and analysis, a Layout Plan will include:

1) Detailed road network plan — showing means of access and hierarchy of streets. The Authority will ensure that the major roads into these slums will be at least accessible by a two-wheeler (1.5 M wide Clear).
2) Predominant land use and building use pattern for each slum on basis of the surveyed activities in the area.

3) Detailed listing of incompatible/locally unwanted land and building uses.

4) Comments on continuation or discontinuation of Industrial/incompatible land/building uses.

5) Land rationalisation strategy to provide optimum street widths for major access roads, open spaces and community facilities;

6) Proposals for the upgradation of slums which are prepared in collaboration with slum dwellers.

7) Publication of the upgradation layout plan for suggestions/objections for a period of one month in English and local languages with every effort to make it participatory and inclusive.

8) Report on consideration of suggestions/objections and making accepted changes in the Slum Upgradation Layout Plan. This plan shall be approved by SRA and notified for implementation.

4.1 Role of Slum Dwellers/Residents

Construction and Upgradation

Once Slum Upgradation Layout Plan has been notified every building in a slum shall have to conform to the provisions of this plan. Residents will be encouraged to amalgamate plots to bring about rationalisation of land and improve the urban form. Minimum size of plots shall be defined in DCR to apply for building permissions. Building permissions approval shall be given in predefined time and slum dwellers/residents/group of residents on amalgamated plot will be responsible for carrying out the upgradation of their respective homes. Residents will be encouraged to amalgamate plots to bring about rationalisation of
land and improve the urban form. Non-residential plot users will have to contribute proportionately to their land holding.

Residents will be encouraged to take up upgradation within a period of 3 years through a system of incentives and SRA/Government facilitation. For example, if a slum dweller or a group of slum dwellers upgrade or reconstruct their homes within a period of 3 years, they would benefit from an additional free FSI (without an increase in density) as well as receive monetary assistance facilitated by SRA/Government. Between a period of 3 to 5 years, the slum dwellers would still benefit from the incentive FSI but may not be able to receive any monetary assistance facilitated by the SRA/Government. Beyond a period of 5 years, the SRA/Government would take up the upgradation project, and the slum dwellers will not benefit from any additional FSI. The Government will draw out the terms and conditions so that it can recover the cost of construction.

Slum dwellers will be required to give up land for services and infrastructure upgradation. Loss of such land FSI can be consumed on the balance plot/amalgamated plot. In cases where the land requirement for trunk infrastructure is high, granting TDR can be considered. In such cases, the SRA on recommendation of Ward-level Slum Upgradation Committee, will grant TDR.

4) Implementation phases

Successful upgradation shall be expedited subject to time bound implementation for:

a) Delineation of Slums areas as suggested in ELU of Development Plan for Mumbai. These slum boundaries can be subjected to alterations and change by SRA on detailed survey.

b) Carrying out surveys of land use, demographic, social and household samples;
c) Architect/ Urban Planners with relevant track record to be empanelled by the SRA;

d) Slum dwellers, Mandal/ Society/ Wadi/ Nagar to appoint their Architect/ Urban Planner;

e) Appointed Architect/ Urban Planner to draw up a Slum Upgradation Layout Plan in collaboration with the slum dwellers within a year, to incorporate their needs while conforming to the Special DCR guidelines;

f) Laying of trunk infrastructure through existing utilities and services agencies, local authority and facilitated by government.

g) Taking up upgradation by slum dweller immediately upon receiving approval from the Slum Upgradation Ward-level Committee;

h) SRA/ Government to step in and carry our upgradation if the slum dweller fails to do so within a stipulated time period of five years with a cost recovery mechanism.

5) Transitional Arrangement

SRA Projects, which have taken Letter of Intent (LOI) in the three preceding years (before adoption of proposed model) and have not proceeded with Commencement Certificate for the whole project SRA shall proceed to cancel such LOI and people will have the choice to proceed with their slum upgradation projects.
Timeline for implementation of plan

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<thead>
<tr>
<th>Event</th>
<th>Number of Months</th>
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<tbody>
<tr>
<td>Formation of Ward Level Slum Upgradation Committee</td>
<td>6</td>
</tr>
<tr>
<td>Empanelment of Architecture Urban Planner</td>
<td>3</td>
</tr>
<tr>
<td>Appointment of Architect Urban Planner for preparation of plans</td>
<td>3</td>
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<tr>
<td>Preparation of Upgradation Layout plan for nagar/ward/mandal</td>
<td>10</td>
</tr>
<tr>
<td>Publication of Plan and suggestion/objection Notification of Plan</td>
<td>6</td>
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<tr>
<td>Building permission</td>
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