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HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 17th May, 2018

No. 08/07/2018-1C-I.— The Government of Haryana is pleased to notify a comprehensive “Slum-in-Situ Rehabilitation Policy under Housing for All- 2018” under the Section 345 & 398 (2) (a) of the Haryana Municipal Corporation Act 1994 and Section 250 (a) of the Haryana Municipal Act 1973.

This policy shall come into effect from the date of its notification. The Director, Urban Local Bodies, is hereby directed to effectively implement this policy to facilitate Slum-in-Situ rehabilitation.

The Hon’ble Prime Minister envisioned Housing policy for All by 2022 when the Nation completes 75 years of its independence. In order to achieve this objective, Central Government has launched a comprehensive mission “Pradhan Mantri Awas Yojana- Housing for All (Urban)” for urban areas will be implemented during 2015-2022 and this Mission will provide central assistance to implementing agencies through States and UTs for providing houses to all eligible families/ beneficiaries by 2022.

‘Slum rehabilitation of Slum Dwellers with participation of private developers using land as a resource’ is one of the main component of the “Pradhan Mantri Awas Yojana- Housing for All (Urban)”. The following are the salient features of the Slum in situ redevelopment provided in the “Pradhan Mantri Awas Yojana- Housing for All (Urban)” mission;

1. Slums, whether on Central Government land/ State Government Land/ ULB land, Private Land, should be taken up for “in-situ” redevelopment for providing houses to all eligible slum dwellers. Slums so redeveloped should compulsorily be denotified.
2. Private partner for Slum Redevelopment would be selected through open bidding process. State Government and cities would, if required, provide additional Floor Area Ratio (FAR)/ Floor Space Index (FSI)/ Transferable Development Rights (TDR) for making slum redevelopment projects financially viable.
3. Slum rehabilitation grant of Rs. 1 lakh per house, on average would be admissible for all houses built for eligible slum dwellers in all such projects. States/ UTs will have the flexibility to deploy this central grant for other slums being redeveloped for providing houses to eligible slum dwellers with private participation, except slum on private land. It means that States/ UTs can utilize within overall average of Rs. 1 lakh per house calculated across the State/ UT.
4. The per house upper ceiling of central assistance, if any, for such slum redevelopment projects would be decided by the Ministry.

5. "In-situ" redevelopment of slums on private owned lands for providing houses to eligible slum dwellers can be incentivised by State Governments/ UTs or ULBs by giving additional FSI/ FAR or TDR to land owner as per its policy. Central assistance cannot be used in such cases.
6. Beneficiary contribution in slum redevelopment project, in any, shall be decided and fixed by the State/ UT Government.
7. Eligibility of the slum dwellers like-cut-off date etc. will be decided by States/ UTs preferably through legislation.
8. States/ UTs may decide whether the houses constructed will be allotted on ownership rights or on renewable, mortgageable and inheritable leasehold rights. States/ UTs may impose suitable restrictions on transfer of houses constructed under this component.

In view of the guideline provided in the "Pradhan Mantri Awas Yojana- Housing for All (Urban)" the following are the policy parameter for the "In-situ slum redevelopment;

A. Definitions :

- (i) "Allottee" means a person to whom a property has been allotted by way of sale or hire purchase or lease or rent or in such manner as determined by the Government.
- (ii) "Beneficiary" means a beneficiary family as per the policy which comprise husband, wife and unmarried children.
- (iii) "Slum Area" is the area identify as slum by the local authority;
- (iv) "Slum Rehabilitation Component" means that portion (area) of the project (scheme) which is used to provide EWS housing along with basic infrastructure;
- (v) "Free Sale Component" means that portion (area) which will be available to developer for selling in the market so as to cross subsidize the project.

B. Applicability:

This policy applies to the slum identified under PMAY survey to be conducted by the State Government and situated on Centre Government land/ State Govt. Land/ Urban Local Bodies. This policy can be extended for the other such land also in future as decided by the State Government Land. Municipality will provide ownership documents of these lands and ensure that such land is fit for Slum In Situ Project.

The Municipalities will also ensure that the site should be accessible for the fire tender and the basic services can reach to the project area.

Before executing the project, concerned municipality will obtain consent from the owner of the land to execute the project.

C. Responsibility of Implementation:

- (i) The concerned ULB within its jurisdiction shall identify the slums, which exist on land belonging to Central Government land/ State Government Land/ ULB land as per the guidelines.
- (ii) The Redevelopment of a Slum under this scheme may be carried out through Public Private Partnership (PPP). In such case the Private Partner will develop the units required to rehabilitate the slum as per specifications and conditions of the policy.
- (iii) The land which comes as a saving will be utilized by the developer to cross subsidize the Dwelling units construction. The private partner will be selected through open bidding process. In case, no private partner opts for the scheme, then the concerned local authority will take up the redevelopment of the slum keeping in view its financial viability and the availability of resources with the local authority.
- (iv) Financial and Economic analysis of these projects will be done on site to site basis and the project will be put to bidding or will be carried out by the local authority only after approval of the State Govt.
- (v) The concerned municipality ensure that the RWA be constituted within the one year from allotment of flat/ dwelling unit to the beneficiary. The RWA will be responsible for maintenance of the "Slum Rehabilitation Component".

D. Procedure:

- (i) In case the project is developed through PPP then 'Slum Rehabilitation Component' shall be handed over to the Private Partner for construction.
- (ii) The developer shall pay the rent to every household as mentioned in the following table so that the beneficiaries should move to other location and the construction will start:

Municipal Corporation, Gurugram and Faridabad	Municipal Corporation other than Gurugram and Faridabad	All the municipal Council	All the municipal Committee
Rs. 3000/- pm	Rs. 2000/- pm	Rs. 1500/- pm	Rs. 1000/-pm

The rent will be paid by the developer to the project beneficiaries till the date of handing over the project to the concerned municipality. The Municipality will ensure that from the date of handing over the project within a month allot the dwelling unit/ flat to the beneficiaries.

- (iii) **The slum development area and the free sale Component must be identified clearly before bidding out the project by the Urban Local Bodies.**
- (iv) The local authority will also ensure handing over of land which comes out free from this redevelopment/ relocation to the private partner, for further construction.
- (v) The private partner shall be allowed to open the booking in the "Free Sale Component" of the project at the time of completion of the plinth level in the "Slum Rehabilitation Component". Further the developer should be allowed to give possession of the "Free Sale Component" to the buyer only after the completion and transfer of all the projects and transfer of all DUs complete in all respect on 'Slum Rehabilitation Component' to the implementing agency/ State Government.

E. Allotment of unit to the beneficiary:

The allotment of units shall be held under the supervision of Commissioner, Municipal Corporation in case of Municipal Corporation and Deputy Commissioner in case of Municipal Council and Committee.

The beneficiaries need to pay the following amount in 24 monthly instalments i.e. within project completion period.

Municipal Corporation, Gurugram and Faridabad (Rs. per Dwelling Unit/ Flat)	Municipal Corporation other than Gurugram and Faridabad (Rs. per Dwelling Unit/ Flat)	All the municipal Council (Rs. per Dwelling Unit/ Flat)	All the municipal Committee (Rs. per Dwelling Unit/ Flat)
Rs. 1,00,000/-	Rs. 75,000/-	Rs. 50,000/-	Rs. 25,000/-

If the beneficiary does not deposit the due amount within the stipulated period then the possession of allotted dwelling unit/ flat will not be given to the beneficiary and 6 months time will be provided to the beneficiary to deposit the due amount. If the beneficiary does not pay the amount within the 6 month then the concerned municipalities will cancel the allotment of the flat/ dwelling unit and may offer to other PMAY identified beneficiaries.

The beneficiary would not be allowed to transfer/ sell the flat/ dwelling unit at least for ten years after allotment. Thus, the lock-in period of allotted flat/ dwelling unit under this scheme will be for ten years. In case, any beneficiary is found violating the said condition, the municipality can resume the flat/ dwelling unit.

F. Applicable Fees & Charges:

In order to eliminate the impact of EDC rates on the viability of such projects, no EDC, IDC, Licence fee, Conversion charges, scrutiny fee and labour cess shall be charged from the developer for the 'Slum Rehabilitation Component'. In case of 'Free Sale Component' developer will be required to pay the 50% of the EDC (as per the use of the Free Sale Component)", license fee, conversion charges and scrutiny fee at the time of submission of application layout and labour cess at the time of approval of building plans for the 'Free sale Component'.

The Center Government shall provide Rs. 1,00,000/- per dwelling unit and State Share is Rs. 67,000/- per dwelling unit. Therefore, the total Financial Assistant of Rs. 1,67,000/- per dwelling unit shall be provided to the developer.

G. Incentives and liabilities of the developer:

- (i) The construction of 'Slum Rehabilitation Component' will be completed within 2 years from the date of approval of the project.

If the developer fails to deliver the 'Slum Rehabilitation Component' within the stipulated period, then 20% of the "Free Sale Component" every year up to 2 years will be deducted. Further if the developer

fails to deliver the 'Slum Rehabilitation Component' beyond 4 years then the scheme will be takeover by the concerned municipality and no "Free Sale Component" will be given to the developer.

- (ii) The "Free Sale Component" will be used by the developer as 'mixed use' (commercial/ residential/ recreational only) on the basis of the financial viability of the project. To use the "Free Sale Component" the developer needs to get approved the layout/ zoning of the site from the Commissioner, Municipal Corporation, Gurugram and Faridabad for the area upto 5 acre. For the site having area more than 5 acre the layout/ zoning of the site should be approved by the Director, Urban Local Bodies. For the municipalities other than the Faridabad and Gurugram the layout/ zoning plan should be approved by the Director General, Urban Local Bodies Department. other municipalities
- (iii) The building plans for the 'Free Sale Component and 'Slum Rehabilitation Component' should be as per the Haryana Building Code 2017.
- (iv) The developer will dispose of the "Free Sale Component" by its own.

H. Physical Parameters for 'Slum Rehabilitation Component'

Sr. No.	Ground coverage for the area under Slum Rehabilitation component	Carpet area of the dwelling unit	FAR	No. of storeys allowed	Social infrastructure
1	50%	50 sq. Mtr.	250	5	(i) For the DU less than 100: One creche having area of 50 sq. mtr (ii) For the DU more than 100 and upto 300 unit One crèche having area of 100 sq. mtr (iii) For the DU more than 300: a. One community centre having area of 150 sq. mtr b. One crèche having area of 100 sq. mtr c. One health center having area of 50 sq. Mtr.

I. Selection of private developer will be as under:

- (i) Selection of developers will be on the basis of two bid system. They will be screened technically first. Thereafter evaluation of financial bids of technically qualified developers will take place.
- (ii) Financial bid will be given, as under, by private developers.
 - (a) Total price for the entire scheme of slum rehabilitation will be calculated which includes cost of construction, estimated cost of transit accommodation, coverage of risks and developer's margin all together.
 - (b) The Municipality shall fix the reserve price for the area of free sale component left after slum rehabilitation component. The bidder quoting the maximum premium for the free sale component shall be selected.
- (iii) On sanction of the project, the concerned municipality will appoint a third party consultant to supervise the quality and timely execution of the project.
- (iv) Any contemporary building, technology with assured quality, speedy implementation, durability, reduced maintenance cost will be permitted. For this purpose, necessary certificates will be obtained for structural stability, material testing and applicability of the technology. The construction will be as per Haryana Building Code and as per National Building Code (NBC).

J. Selection criteria

Sr. No.	Category (area of Slum)	Minimum Net Worth of the company	Minimum turnover (combined for last 5 or less year in housing including infrastructure	Experience of housing/ land developed/ infrastructure project	Time period for completion of the complete project	
					Slum Rehabilitation on segment	Developer segment
1	2	3	4	5	6	7
(a)	Upto 5 Acre	5 cr.	30 cr.	3 yrs.	2 years	2 years
(b)	Above 5 Acre and upto 25 acres	10 cr.	45 cr.	4 yrs.		
(c)	Above 25 acre and upto 50 acre	20 cr.	60 cr.	5 yrs.		
(d)	Above 50 acre	30 cr.	90 cr.	5 yrs.		

- Note:** (i) Net Worth means paid up capital + reserves- losses if any.
- (ii) The requirements in column 3,4,5 shall be calculated on the basis of the experience of the applicant company along with the present/previous experience of the parent/sister concerns working in the real estate sector subject to the condition that one of the Directors of the applicant company shall also be the Director of the parent/sister concern and shall have majority of shareholding in them
- (iii) Joint venture/ special purpose vehicle/ consortium can also be considered for the eligibility.
- (iv) The net worth and turnover of any joint venture company having experience in the field other than real estate sector shall also be considered for eligibility criteria
- (v) The Government on the basis of any justified delay can extend the completion time period by maximum of two years.

ANAND M. SHARAN,
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