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Government of Rajasthan
Urban Development, Housing & LSG Department

No. F10 (25) UDH/3/2011

Jaipur Dated 22.08.2012

Notification

Subject: Rajasthan Slum Development Policy under Public-Private Partnership Model-2012.(Revised)

1. BACKGROUND

Government of India have recently announced Rajiv Awas Yojana under which every citizen is to be provided access to basic civic and social services and decent shelter. Under this Policy, 50% of the cost of providing basic civic and social infrastructure and amenities and of housing including rental housing, transit housing for in-situ redevelopment of slums would be borne by the Government of India including O&M of assets created under the scheme. Public - Private Partnership has also been allowed under the scheme.

2. APPROACH

2.1 Following is the multi-pronged approach of RAY:

- i. Bringing all existing slums, notified or non-notified within the formal system and enabling them to avail of the same level of basic amenities as the rest of the town;
- ii. Redressing the failures of the formal system that lie behind the creation of slums; and
- iii. Tackling the shortages of urban land and housing that keep shelter out of reach of the urban poor and force them to resort to extra-legal solutions in a bid to retain their sources of livelihood and employment.

2.2 Thus, the main focus of RAY is an integrated approach aimed at bringing within the formal system those who are forced to live in extra-formal spaces and in denial of right to services and amenities available to those with legal title to city spaces, and at correcting the deficiencies of the formal system of urban development and town planning that have failed to create conditions of inclusiveness and equity; so that, henceforth, new urban families, whether by way of migration or natural growth of population, have recourse to housing with municipal services, and are not forced to create encroachments and slums and live extralegal lives in conditions of deprivation of rights and amenities.

3. COVERAGE

The scheme would be initially implemented in Class-I towns of the State. List of such towns as Annexure - I

4. IMPLEMENTATION APPROACH & STRATEGY UNDER RAY:

(i) Under the provisions of Rajiv Awas Yojana for Identification of Slums a whole city approach would be taken, to map all the slums, notified as well as non-notified, and all unauthorized colonies unserved by municipal services. In each city, a total slum survey would be carried out, with biometric identification, to identify each slum dweller (resident, rather than owner of the shanty) for purposes of conferment of rights. Identification would be made of slums that can be upgraded holistically on site, with or without enabling changes in land use and FAR; and those which are untenable and have to be relocated. With a whole city approach, vacant land inventory would be made. A citywide plan would be made to shift untenable slums to the nearest possible available vacant land or notified slum which has the space to receive them. Such slum mapping would also include mapping of the ownership categories of the encroached land viz. municipal, state, central government, public sector undertaking and private in order to find or work out solutions for regularization and reconstruction suitable to each ownership category, ensuring land use modification, additional FAR wherever infrastructure permits etc., to create virtual space and provide incentives. The whole city approach would ensure that no slum is left out of the process of reconstruction and rehabilitation, either in situ or by relocation to another appropriate site.

(ii) In each slum, an integrated approach will be taken, with provision of infrastructure, basic civic and social amenities and decent housing, with attention to planning the layout (after reconfiguration of plots, if possible), total sanitation (with provision of individual toilets and water supply to each household) and provision of adequate green spaces as per (modified, if necessary) town planning norms.

(iii) In-situ development will be encouraged as the programme of choice, to ensure that development does not lead to a loss of job, linkage of additional hours and income lost on commuting to work; where relocated, there will be emphasis on active intervention to provide mobility or recreating livelihood linkages. Transit housing to cyclically accommodate the temporarily displaced slum dwellers living in slums where phased in situ development is taken up, will be permissible.

(iv) The strategy for implementation of RAY proposes an open architecture with sufficient flexibility to the States and ULBs to decide their pace of implementation and models for arranging land, resources, housing, and partnerships, with the incentive of central support attached to the condition that they proceed systematically, with careful preparation, and commit to creating the conditions for inclusive urban growth.

(v) In each slum, an integrated approach will be taken, with provision of infrastructure, basic civic and social amenities and decent housing, with attention to

planning the layout (after reconfiguration of plots, if possible), total sanitation (with provision of individual toilets and water supply to each household) and provision of adequate green spaces as per (modified, if necessary) town planning norms.

(vi) Community is to be involved at every stage, from planning through implementation to post-project sustenance stages.

(vii) Private sector participation has been emphasized under RAY, for slum redevelopment, wherever feasible, as well as for creation of new affordable housing stock, both for rental and ownership, through imaginative use of land use and other concessions.

(viii) The benefits of health, education, social security, workers' welfare, livelihood and public transport linkages for holistic slum redevelopment will be provided through conscious effort for convergence of schemes and dovetailing of budgetary provisions available under the programmes in the respective sectors.

(ix) In regard to housing, full flexibility has been made available to the State/UT as to the manner of construction and arrangement of funds for construction viz. to follow a beneficiary-built housing model, individually or in the case of multi-storied housing by housing associations, with design and technical support from the Municipality/ State, or construction of housing through State parastatals or private partners or by the option of Rental or Rental-to-Ownership housing or by delineating a mix of methods. The Plan of Action (PoA) would be required to give the description of the redevelopment model proposed to be followed in each slum, the efforts for obtaining the community's participation and the financial strategy for holistic development along with timelines.

(x) The minimum size of housing unit on ownership basis would continue to be as settled under JNNURM, 25 sq mtrs carpet area, including, two rooms, balcony, a water-sealed toilet, bathroom, individual potable water connection, and space for a kitchen.

(xi) The PoA will need to delineate the financial strategy for holistic development. The financial strategy may require that the state put in place measures to secure credit from banks and housing finance institutions for the slum dwellers to contribute towards constructing their houses, including necessary assurances to reduce risk of capital lent, such as, for example, a Rajiv Awas Shelter Fund, to be used inter alia (i) to keep the slum/urban poor beneficiary from turning defaulter due to unemployment, death or other genuine distress and thereby risk forfeiture of dwelling unit and foreclosure on loan; and (ii) to share the lender's costs of servicing the loan. It has also been stipulated that the State may also consider creating, or enabling, in each slum or city, an Intermediating agency between the lender the borrower, which may be a Rajiv Awas Yojana Residents Housing Association of the slum dwellers, or such a housing association in collaboration with a micro-finance agency or a joint venture

between a municipal or State Housing Board, which will take care of tracking each borrower, and ensuring repayment. In the event of intentional failure to pay the loan, this intermediating agency should also provide help to the lender to foreclose on the mortgage.

5. DEFINITION OF THE SLUM AREAS:

5.1 The definition of slum would be as per the definition of the Dr. Pronab Sen Committee Report on Slum Statistics / Census i.e. "A slum is a compact settlement of at least 20 households with a collection of poorly built tenements, mostly of temporary nature, crowded together usually with inadequate sanitary and drinking water facilities in unhygienic conditions" for all States except the North Eastern and Special Category States. In these States compact settlements of 10-15 households having the same characteristics as above would be considered as slums.

5.2 Where the Government or Local body is satisfied that:

- (a) Any area in the jurisdiction of the Urban Local Body which has already been declared and listed as a slum area.
- (b) Any area which is or is likely to be a source of danger to health, safety or convenience of the public of that area or of its neighborhood, by reason of the area being low-lying, unsanitary, squalid, over-crowded or otherwise; or
- (c) The buildings in any area, used or intended to be used for human habitation are,-
 - (i) In any respects, unfit for human habitation; or
 - (ii) By reason of dilapidation, over crowding, faulty arrangement and design of such buildings, narrowness or faulty arrangement of streets, lack of ventilation, light or sanitation facilities, or any combination of these factors, detrimental to safety, health or morals, the State Government or Urban Local Body may by notification, declare such area to be a slum area.
 - (iii) In determining whether a building is unfit for human habitation, for the purpose of this policy regard shall be had to its condition in respect of the following matters, that is to say,-
 - (i) Repair,
 - (ii) Stability,
 - (iii) Freedom from dampness,
 - (iv) Natural light and air,
 - (v) water-supply,
 - (vi) Drainage and sanitary conveniences,
 - (vii) Facilities for storage, preparation and cooking of food and for the disposal of waste water and the building shall be deemed to be unfit as aforesaid, if it is so defective in one or more of the said matters that it is not reasonably suitable for occupation.

6. REGISTRATION OF THE EXISTING SLUM DWELLERS AND PREVENTION OF GROWTH OF SLUM AREAS:

The existing slum dwellers who have been residing in the slum area as on 15th August 2009 shall be eligible for the purpose of rehabilitation/assistance. Names of such persons should appear in the voter list as on 15.08.09 and/or he or she should have a valid proof of his residence in the area. He should be the actual occupant of the hutment. Such persons shall be registered for rehabilitation/ assistance. It shall be the duty of the local body to prevent further settlement/growth of the slums in the area under its jurisdiction.

7. ELIGIBILITY CRITERIA for Private Sector :- Where the Urban Local Body is unable to develop the Slum Area due to lack of resources or otherwise the slum areas may be developed under Public Private Partnership Model.

The eligibility criteria for the developer shall be as follows:

TABLE-A

S. No.	Category (area of slum)	Minimum net worth of Company	Minimum turnover (combined in last 5 or less years in housing including infrastructure	Experience of housing/ land development/ infrastructure projects	Time period for completion of the complete project	
					Slum Rehabilitation on segment	Developer Segment
1	2	3	4	5	6	7
(a)	Upto 10 Acre	5 cr.	30 cr.	3 yrs.	2 yrs	4 yrs
(b)	Above 10 upto 25 Acre	10 cr.	45 cr.	4 yrs.	3 yrs	5 yrs
(c)	Above 25 upto 50 Acre	20 cr.	60 cr.	5 yrs.	3 yrs	5 yrs
(d)	Above 50 upto 100 Acre	30 cr.	90 cr.	5 yrs.	4 yrs	6 yrs
(e)	Above 100 Acre	50 cr.	150 cr.	6 yrs.	5 yrs	7 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

8. INVITATION OF APPLICATIONS FROM DEVELOPERS

8.1 Private sector participation will be emphasized under Rajiv Awas Yojna, for slum redevelopment, wherever feasible, as well as for creation of new affordable housing stock, both for rental and ownership, through use of land use and other concessions

8.2 Each of the applicants (developers) shall be asked to make a presentation about the project and his capability to develop the project. On the basis of the presentation, experience, financial capability or the bidder, the State Level Sanctioning Committee shall select the successful developer and ask him to prepare a detailed project report under Suo-Moto/ Swiss Challenge approach.

8.3 Open bids shall be invited for the project against the DPR. In case the first applicant agrees to match the highest bid he shall have the right to execute the project. However in case he doesn't match the highest bid, then the highest bidder in the bidding process shall be awarded the project.

For those Slums where applications under Swiss Challenge are not forthcoming open offers/bids can be invited.

9. SHORTLISTING OF DEVELOPERS:

- (i) After getting the approval of the State Level Committee, EOI under Swiss Challenge Method or otherwise may be issued to invite eligible developers having the desired technical and financial qualification as per Table A.
- (ii) In case, the applicant firm does not accept or fails to match the offer, the project shall be awarded to the highest bidder and the bidder, shall pay an amount equivalent to 0.25% of the total estimated project cost to the applicant firm towards preparation of DPR.
- (iii) The successful developer before taking up the project shall submit a performance guarantee in the form of a Bank Guarantee @ 1% of the total estimated project cost. (excluding land cost) to the Local Body for timely completion of the project.
- (iv) The successful bidder shall be authorized to work on the project immediately after approval of the proposal.
- (v) The authorized developer shall enter in to an agreement with the local body to surrender the percentage of the developed land to local body. The draft of the agreement shall be prepared by the authorized developer and will be approved by Urban Local Body and the State Government.

(vi) The authorized developer will have full rights on the left over land, for which he has been authorized vide the Letter of Authorization (LoA). The developer can use such land for the residential group housing purposes with 10% for commercial use.

(vii) Planning and Building Parameters:-

(A) For slum rehabilitation segment:-

- Roads as per master plan/sector plan/scheme layout plan to be followed.
- Maximum ground coverage for Group Housing - 40%
- Commercial Land (Maximum) - 10%
- Maximum F.A.R. allowed - 4.0
- Facilities Area (Other than park/open spaces) - 5.0%

(Primary School/Agan Bari with Min. 1000 Sqm.

Community Hall with min. 1000 Sqm.

and Area for Society office 50 Sqm.)

(Facility area shall not be included in ground coverage)

- Set Backs -

As per prevailing Building Regulations

- Parking norms -

Front Set back area to be used for two wheeler parking to be provided within premises or as per prevailing building regulations.

- Commercial area -

10% of the total FAR proposed to be consumed out of which 3% will be utilized for convenient shopping in slum segment and remaining 7% of the total proposed FAR to be consumed shall be permissible to be used as Shopping Complex/Mall/Hotel/Multiplex etc. on developer segment.

The commercial built up area shall be counted within prescribed maximum limit of F.A.R. i.e. 4.0.

(B) Developers segment :-

Setbacks, parking norms etc. will be as per Building Regulations.

For Slum segment & Developer segment Residential & Commercial use will be included in total FAR of 4.00.

10. CONSTITUTION OF COMMITTEES & APPROVAL OF THE SUCCESSFUL BIDDER

(A) City Level Empowered Committees (CLC)

(i) For Urban Development Authorities: (upto 5 acres)

1. Commissioner, Urban Development Authority - Chairperson
2. Representative of District Collector - Member
3. Director (Town Planning)/STP of Development Authority - Member
4. Director Engineering of Development Authority - Member
5. Nodal Officer in Development Authority - Member
(Not below the rank of Dy. Commissioner) ° Secretary

(ii) For Urban Improvement Trusts: (upto 5 acres)

1. Secretary, UIT - Chairperson
2. Nominee of Distt Collector - Member
3. STP/DTP of the Trust - Member
4. Executive/ Superintending Engineer - Member
5. Nodal Officer - Member
Secretary

(iii) For Local Bodies :

(Upto 5 acres for Municipal Corporations/ Other Local Bodies)

1. CEO Nagar Nigam/ Commissioner - Chairperson
Nagar Parishad /E.O. Nagarpalika
2. Senior most officer of the Civil Engineer wing - Member
3. Senior most officer of Town Planning wing - Member
4. Nominee of District Collector - Member
5. Nodal Officer - Member
Secretary

(B) State Level Empowered Committee: (SLC) (above 5 acres of land)

1. Minister, Urban Development and Housing - Chairperson
2. Principal Secretary, Urban Development and Housing - Member
3. Secretary, LSG - Member
4. CTP/Director, Town Planning - Member
5. CEO/Commissioner of ULB/Secretary, Jaipur/
Jodhpur Development Authorities/UIT - Member
6. Director, Local Bodies/Deputy Secretary (UDH) - Member
Secretary

11. ROLE OF THE STATE GOVERNMENT AND URBAN LOCAL BODIES:

Land acquisition, de-reservation of forest lands and environmental clearances are the main issues related with the success of the project. In order to obtain timely Clearances for the project the role of the Urban Local Bodies and the State Government is very critical. Keeping in view the practical difficulties specially related with the ownership of the slum area, land in Urban areas, local body shall take steps for early clearance of the project from environment point of view as also undertake forest dereservation (wherever required). The State Government would extend all necessary support to ULBs, developer and the slum dwellers in the area.

12. CONSTITUTION OF SLUM LEVEL COMMITTEE FOR SPEEDY AND TANSSPARENT APPROACH

The following committee shall be constituted at ULB level for each slum (as cluster of slums) taken up on PPP model to decide on various issues necessary for inclusion in the detailed project report:

- (i) Representative of the local body;
- (ii) Two Representatives of the local slum dwellers;
- (iii) Representative of the developer company
- (iv) Representative of an NGO selected by the local body or State Government.

The suggestions of the above committee would be given due weightage before deciding any matter related with planning of the area and technical or financial aspects of the project. The recommendations / suggestions of the Slum Level Committee shall be submitted before the City Level Committee for their approval. In case the City Level Committee is unable to decide the matter within a maximum period of 30 days of the report submitted by the local committee, matter shall be submitted to the Principal Secretary Urban Development and Housing Department for decision at the State Level Committee to accept/reject/modify the outcomes of the committee and issue necessary directions which shall be followed strictly by the local body.

13. GUIDELINES FOR THE PREPARATION OF DETAILED PROJECT REPORT BY THE SUCCESSFUL BIDDER:

(a) Sustainable Development:-

A detailed project report of the proposed redevelopment/improvement of the slum area including the details of the nature of infrastructure facilities to be provided as external development as well as internal development of the colony such as the construction of approach road and internal road network, laying of water supply pipeline, rising main and distribution network, sewerage-drainage facilities in the area, provision for the recycling of water, provision for sewerage treatment plant in the area, plan for disposal of the solid waste of the area, power electrification and street lightening in the area, tree plantation and need based development of public amenities such as open parks, play

ground, construction of school building, police station, primary health centre, other sports facilities, security arrangement etc.

(b) Development plan and procedure : –

- (i) The redevelopment plan shall be prepared by the successful bidder for which a detailed plain table survey / total station survey shall be carried out by the private developer to know the ground reality. The successful bidder shall prepare the list of the eligible dwellers in coordination with local body and local representatives of the slum dwellers, the basis for the list shall be the slum dwellers, who have been residing in the slum prior to 15.8.2009 and who are the actual occupants of the hutments in the area. The local bodies have already got the surveys done and the same list can be adopted.
- (ii) The successful bidder shall prepare the plan keeping in view that each eligible family could be allotted built dwelling unit of at least 325-340 sq.ft. Super built up area (carpet area 250- 270 sqft) upto G+3. However maximum G+7 floors may be allowed for flatted construction under the rehabilitation policy for the slum area. Contribution of beneficiary will be 5% of the cost of the dwelling unit which shall be calculated at the rate of Rs. 850/- per sq. ft.
- (iii) The successful bidder shall prepare the plan keeping in view the suggestions of the slum level committee as finally approved.

(c) Transit Tenements:-

The successful bidder shall at his own cost make a provision in the project that during the construction of the flats at the site, the local dwellers shall be provided with transit tenements, in close proximity of the area or within the area itself. The developer shall bear the cost on account of rent of the transit tenements, but the cost of consumable like water, electricity, telephone, etc. shall have to be borne by the slum dwellers.

(d) Infrastructure Cost on the Project:

The successful bidder shall work out the complete cost of all the infrastructure facilities to be provided for the development of the slum areas including the overhead, administrative, cost of transit tenements, interest and other miscellaneous charges expected to be invested for the clearance of the project site, such as removal of the existing structures or any other unforeseen items for the redevelopment of slum areas.

- (i) The successful bidder shall work out the average development cost of the slum area.
- (ii) The successful bidder shall work out the saleable rate for the different sizes of the flats.
- (iii) The successful bidder shall submit the proposal keeping in view the prevailing guidelines, technical parameters for the development of

infrastructure at site, preparation of the layout plan within the urban parameters.

- (iv) The successful bidder shall maintain the infrastructure for at least 3 years after completion of the project.

14. APPROVAL OF THE TECHNICAL AND FINANCIAL PARAMETERS OF THE DPR PREPARED BY SUCCESSFUL BIDDER:

The technical and financial parameter of the detailed project report as prepared by the successful bidder shall be examined by the Urban Local Body and after thorough examination of the report by the Urban Local Body the final DPR shall be approved by the City level / State Level Empowered Committee as the case may be

After due approval of the Empowered Committee the proposal prepared by the selected developer shall be considered as a final bid document for inviting bids.

The successful bidder shall make all the expenditure on internal and external development as per the approved Detailed Project Report (DPR), approved layout plan and the technical parameters approved by the local body.

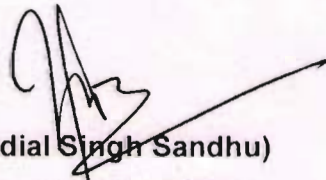
16. ALLOWABLE FSI/F.A.R. IN SLUM AREA PROJECT

The developer shall be allowed 4.00 FAR/FSI on the full project (instead of the normal permissible FAR/FSI) area.

17. PILOT PROJECTS:

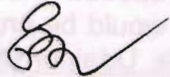
Since the proposed model of redevelopment is a new model for the State of Rajasthan, it would be prudent to use it on a pilot basis in few slum areas in Jaipur, Jodhpur, Kota, Udaipur etc. Based on the experience gained, suitable changes may be made in the model subsequently.

In exercise of the powers conferred under section 60 of Rajasthan Housing Board Act, 1970 Section 337 of Rajasthan Municipalities Act, 2009, Section 90 of Jaipur Development Authority Act, 1982, Section 85 of Jodhpur Development Authority Act, 2009, and Section 43, 60 and 74, of Rajasthan Urban Improvement Act, 1959, the State Government hereby notifies the revised Slum Development Policy under Public Private Participation Model, 2012.


(Gurdial Singh Sandhu)
Principal Secretary,
UDH & LSG

Copy to :-

1. Principal Secretary to Chief Minister, Rajasthan, Jaipur.
2. SA to Minister, Urban Development, Housing & LSG Department.
3. SA to All Ministers, Govt. of Rajasthan.
4. Deputy Secretary to Chief Secretary, Govt. of Rajasthan, Jaipur.
5. All Additional Chief Secretaries/Principal Secretaries, Govt. of Rajasthan.
6. PS to Principal Secretary, Urban Development, Housing & LSG Department.
7. Secretary, (LSG), Govt. of Rajasthan, Jaipur.
8. Commissioner, Jaipur/Jodhpur Development Authority, Jaipur/Jodhpur.
9. CEO, Municipal Corporation, Jaipur, Jodhpur, Kota, Bikaner, Ajmer.
10. Director, Local Bodies with the request to circulate to all Local Bodies.
11. Chief Town Planner, Rajasthan, Jaipur.
12. Chief Town Planner (NCR), Nagar Niyojan Bhawan, JLN Marg, Jaipur.
13. Secretary, UIT, Alwar/Ajmer/Bharatpur/Bhiwadi/Bhilwara/Bikaner/Abu Distt. Sirohi/ Kota/Udaipur/Sri Ganganagar/Jaisalmer.
14. Director, Printing & Stationary Department along with CD for Notification in extra ordinary Edition of Rajasthan Gazette.
15. Guard File.


Deputy Secretary, UDH


(Principal Secretary,
UDH & LSG)

Annexure - I

List of Class-I Towns

1. Jaipur
2. Jodhpur
3. Kota
4. Bikaner
5. Ajmer
6. Udaipur
7. Bhilwara
8. Alwar
9. Bharatpur
10. Shri Ganganagar
11. Sikar
12. Pali
13. Tonk
14. Kishangarh
15. Beawar
16. Hanumangarh
17. Dhaulpur
18. Gangapur
19. Sawai Madhopur
20. Churu
21. Jhunjhunun
22. Baran
23. Chittaurgarh
24. Makarana
25. Nagaur
26. Hindaun
27. Bhiwari
28. Bundi
29. Sujangarh
30. Banswara