



SLUM REHABILITATION AUTHORITY

Circular No. १९७

Date: 20/12/2014

CIRCULAR

Pursuant to the judgement of Hon'ble High Court in Writ Petition No: 1977 of 2010 – Etesham Ahmed Khan- v/s - M/s. Lakdawala Developers Pvt. Ltd. as well as order dated 17/03/2012 passed by the Hon'ble High Power Committee in Application No. 19 of 2012, the Slum Rehabilitation Authority has issued Circular No. 144 as well as 144 (A) prescribing the guidelines for submission / acceptance of proposal of Slum Rehabilitation Scheme. The said Circulars are issued with an object to ensure that the proposals accepted by SRA are complete in all respect and do not suffer from any deficiencies. While scrutinizing the proposals the Executive Engineer obtains remarks from CTSO/DSLIR/SRA in respect of title, development rights of the Developer in respect of plot of land under the subject S.R. Scheme. After scrutinizing the ownership / title and all other relevant documents the proposals are accepted by SRA.

However, it is noticed that after acceptance of proposals by verifying the title the complaints are received challenging the scheme on the ground of defective title. The complainants are praying to stop the implementation of S.R. Schemes alleging that the litigation is pending before judicial or quasi-judicial authority. Due to such complaints officers of Slum Rehabilitation Authority are unable to take the decision as to whether further permissions to such schemes should be issued or not. As a result of these aspects the schemes and rehabilitation of slum dwellers is unnecessarily delayed. The Slum Rehabilitation Authority has considered these complaints and has decided to proceed with the implementation of scheme without taking cognizance of such complaints unless there is a specific order of any Competent Court.

Hence forth in respect of schemes in which the certified Annexure-II is received and the 70% consent of eligible slum dwellers to the developer / society is verified by Competent Authority, the slum rehabilitation scheme shall not be stopped on account of pendency of litigation and complaints in respect of title or development rights of the developer unless there is specific order of injunction of

any Competent Court of law. However, an Undertaking-cum-Indemnity Bond from the developer / society will be taken stating that in the event of assignment of any right with respect to slum land to any party of which cognizance has not been taken while accepting the scheme then such party shall be compensated for its right as per the provisions for acquisition under the Maharashtra Slum Areas (I.C. & R) Act, 1971.

26/12/15
Chief Executive Officer
Slum Rehabilitation Authority.