



## **“SRA Scheme & Its Benefits Not Only For Builders But For Society As A Whole”**

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### **ABSTRACT**

This research paper examines It explores how the CPC ensures fairness, efficiency, and accessibility in resolving civil disputes by determining the appropriate court based on jurisdiction and venue.

CPC's role in handling non-criminal matters such as property disputes, contract breaches, and family issues. Commonly, in civil trials, most cases need an expert's advice to resolve the disputed issue to dispute. Where the Court pendency is in huge numbers, so many property-related disputes are in the queue waiting for justice. If the Court deems it fit, in certain matters that are beyond its jurisdiction, then it may appoint a Court Commissioner to investigate or inquire into the said matter. This kind of case can be resolved with expert knowledge in a shorter timeframe.

It outlines the hierarchy of Indian courts, from subordinate courts to the Supreme Court, and delineates various types of jurisdictions, including subject-matter, pecuniary, territorial, original, appellate, and exclusive.

### **KEY WORDS**

Slum Rehabilitation Authority, Brihanmumbai Government of Maharashtra (SRA)

Maharashtra Housing and Area Development Authority (MHADA)

Order

Investigation

Slum Rehabilitation Scheme (SRS)

Maharashtra Housing Policy

Transferable Development Rights (TDR)

Biometric Survey Cell

Cluster Redevelopment

Floor Space Index (FSI) / FAR

Developer (Implementing Agency)

Cross-subsidy / Land monetization

CSR / Public funding

Project viability / Revenue share  
 Commissioner  
 Eligibility list / Occupancy verification  
 Title / Allotment letter  
 Resale / Transfer restrictions  
 Stilt / Podium + Towers —  
 Project viability / Revenue share  
 Cross-subsidy / Land monetization  
 CSR / Public funding  
 Rehabilitation DUs / Rehabilitation Tenement  
 Open space / Community facilities  
 Beneficiary consent / Gram Sabha or local consultations  
 Phased handover / Temporary shifting  
 Grievance redressal / Monitoring committee  
 Completion certificate / Occupancy certificate  
 High Court  
 Proceedings

## INTRODUCTION

The Government of Maharashtra has launched a comprehensive slum rehabilitation scheme by introducing an innovative concept of using land as a resource and allowing incentive floor space index (FSI) in the form of tenements for sale in the open market, for cross-subsidization of the slum rehabilitation tenements which are to be provided free to the slum-dwellers.

## ROLE OF SRA's



It is the endeavour of SRA to implement the slum rehabilitation schemes by providing a single window clearance for all types of approvals that are required for the project namely formation of co-operative societies, certification of eligibility of slum-dwellers, taking punitive action on non-participating slum-dwellers obstructing the scheme, survey and measurement on slum lands grant of building permissions, leasing of rehabilitation plots and free-sale plots and updating of property cards (PR cards).

## The powers, duties and functions of the Slum Rehabilitation Authority are:

- To survey and review existing position regarding Slum areas in greater Mumbai.
- To formulate schemes for rehabilitation of slum areas.
- To get the slum rehabilitation scheme implemented.
- To do all such other acts and things as may be necessary for achieving the objective of rehabilitation of slums.

## SRA as a Planning Authority

Slum Rehabilitation Authority has been given a status of corporate entity with effect from 3rd January 1997. It is an independent autonomous body. By amendment carried out to the Maharashtra Regional & Town Planning (MR & TP) Act 1966. SRA has been declared as a planning authority, to function as a local authority for the area under its jurisdiction. The Chief Executive Officer, SRA has been delegated the powers exercisable under various sections of the MR & TP Act, 1966 by the State Government by its notifications UDD No. TPV 4396 / 492 /CR -105 / UD-11, dated 13th September 1996. By an amendment to the MR & TP Act 1966. SRA has been empowered to prepare and submit proposals for modification to the Development Plan of Greater Mumbai.

### Jurisdiction of SRA

As per the provision 3A(1) of Chapter I-A of Maharashtra Slum Areas ( Improvement, Clearance and Redevelopment) Act, 1971 State Government of Maharashtra vide Housing and Special assistance Department notification no. SRP/1095/CR37/Housing Cell, dated 16 December 1995 and through necessary statutory amendments has established Slum Rehabilitation Authority (SRA), Mumbai to serve as Planning Authority for all Slum areas in the jurisdiction of Municipal Corporation of Greater Mumbai. Subsequently by Govt. of Maharashtra Housing Department Notification no. SRP 1001/CR2017/14/SRI-1 dated 11 September 2014, area of the Thane Municipal Corporation has been added in the jurisdiction of SRA

### Departments Of SRA

Admin >Finance>Engineering>Cooperative>Deputy Collector>Competent Authority>CTSO

Town Planning> Legal>Estate>Biometric Survey Cell>AGRC>Information Technology>

PRO Department

### Key Sections in the SRA Scheme (Chapter I-A of the Act)

- **Section 3A:** Establishment of Slum Rehabilitation Authority (SRA)  
This section empowers the government to constitute the SRA for implementing slum rehabilitation schemes.
- **Section 3B:** Slum Rehabilitation Scheme  
Defines the framework for preparing and executing rehabilitation plans for slum dwellers.
- **Section 3C:** Declaration of Slum Rehabilitation Area  
Allows the government to declare certain areas as slum rehabilitation zones.
- **Section 3D:** Application of Other Chapters to Slum Rehabilitation Areas  
Specifies how other provisions of the Act apply to areas declared under Section 3C, with necessary modifications.
- **Section 3E:** Restrictions on Transfer of Tenements  
Prevents unauthorized sale or transfer of allotted rehabilitation units.
- **Section 3F to 3M:**  
Cover various administrative and operational aspects including:
  - Disqualifications and removal of SRA members
  - Financial management
  - Audit and accounts
  - Execution of contracts
  - Protection for actions taken in good faith

## Additional Provisions (Chapter I-B)

- **Protected Occupiers:**

Includes sections on issuing photo-passes, maintaining registers, and ensuring relocation and rehabilitation of eligible slum dwellers.

- **Eligibility Criteria:**

Typically based on residence proof before a cutoff date (e.g., January 1, 2000), though this may vary.

- **Developer Guidelines:**

Developers must follow specific norms for construction, amenities, and timeli

## INVESTIGATIONS MADE

### The SRA Model: A "Gold Mine" for Developers

The core of the SRA model is a cross-subsidy scheme. A builder gets development rights to a slum-occupied plot of land, often for a fraction of its market value. In return, the builder must:

1. Rehabilitate the eligible slum dwellers (those present before a "cut-off date") into small, free flats (approx. 269-300 sq. ft.) in a new building on a portion of the plot.
2. Profit from the "free-sale component" — using the remaining land and extra Floor Space Index (FSI) granted as an incentive to build luxury apartments or commercial spaces to be sold at market rates.

The problem lies in this incentive structure. The "free-sale" component is not just a way to cover costs; it is a source of immense profit. Developers are incentivized to maximize the free-sale portion and minimize costs on the rehabilitation component, which has led to a perversion of the scheme's original goals.

- **Acquisition of Prime Land:**

Developers gain access to public land in prime urban locations (like Worli, Tardeo, or Santacruz in Mumbai) for a pittance.

- **Massive Profits:**

This land, once cleared of slums, is used to build ultra-luxury towers. There are numerous examples of SRA projects spawning developments like Imperial Heights, Omkar 1973, and even a Ritz-Carlton hotel, with individual apartments in the free-sale towers being sold for tens of crores of rupees.

- **Favourable Regulations:**

The scheme has been criticized for creating opportunities for corruption and favouritism. Recent reports from Pune, for instance, highlight investigations into massive discrepancies in land valuation for SRA projects, inflating the potential pay out to developers by hundreds of crores.

## The Social Failure: "Vertical Slums" and Broken Lives

While developers build luxury high-rises, the "rehabilitated" slum dwellers are moved into buildings that are widely described as "vertical slums." The contrast between the free-sale component and the rehab component of the same project is often stark.

### Poor Quality of Life

- Substandard Construction: Rehab buildings are frequently built with poor-quality materials, suffering from severe water leakage, faulty plumbing, and structural issues within years of construction.
- Inhumane Design: The design typically involves long, dark corridors with single-room tenements, lacking basic ventilation, light, or open spaces. This design has been linked to an increase in health problems, such as tuberculosis.
- Lack of Maintenance: The scheme hands over maintenance to resident societies, who are often unable to afford the high costs of electricity for lifts, water pumps, and common area upkeep, leading to a rapid decay of the buildings.

### Economic and Social Dislocation

The SRA model fails to understand that slums are not just clusters of homes; they are complex, living economies.

- Destruction of Livelihoods

Slums often have a "mixed-use" character, where residents live and work in the same space (e.g., running small shops, tailoring businesses, or food stalls). The SRA flats are purely residential, destroying these "subsistence economies" and robbing residents of their livelihoods.

- Increased Costs, Reduced Income

While the flat is "free," the new high-rise life brings new, unaffordable expenses (maintenance, electricity, transport). This, combined with the loss of income, creates severe economic distress.

- The "Rebound Phenomenon"

Studies show that a significant number of "rehabilitated" residents end up renting out their SRA flats (often illegally) and moving back to another slum. They are pushed out by economic distress and a desire to return to a community and economy that supports them.

- Broken Social Fabric: The scheme dismantles tight-knit social networks, which are crucial for survival, childcare, and social support in low-income communities.

## CHALLENGES FACED BY SLUM DWELLERS

Beyond the direct impact on slum dwellers, the scheme has a broader negative impact on society.

- **Low Success Rate**

After more than 20 years, the SRA has rehabilitated only a small fraction of the total slum population.

- **Exclusion, Not Inclusion**

The "cut-off date" (e.g., January 1, 2000, in Mumbai) makes a large portion of the slum population "ineligible" for rehabilitation, rendering them homeless and displacing them to the city's fringes without any support.

- **Stalled Projects**

A large number of SRA projects are stalled. Developers get residents to move out, demolish the slum, and then abandon the project, often after failing to get further financing. This leaves thousands of families in limbo for years, living in transit camps or on the streets, with the developer having failed to pay their contractually-obligated rent.

- **Extreme Project Delays**

The scheme's legacy of failure is a major burden. A January 2024 Bombay High Court ruling, while terminating a developer's appointment for a 20-year delay, noted that the delay had "sounded a death knell" for the project and that "a whole generation has been wiped out" waiting for their homes.

- **Poor Quality of "Vertical Slums"**

Reports from September 2024 confirm that many completed SRA projects (like the Navjeevan SRA in Malad) suffer from chronic issues like perennial leakages, poor ventilation, and choked drains. While some "success stories" like the Dhobi Ghat SRA project exist, the "vertical slum" remains a common outcome.

- **Fraudulent Claims**

The system is vulnerable to fraud. In a October 2025 case, the Bombay High Court called for urgent reforms in the SRA's verification process after discovering a petitioner, a practicing doctor, had made fraudulent claims for a free flat by posing as a destitute person.

- **Legal Battles**

Projects remain mired in complex legal and jurisdictional disputes, as highlighted by numerous High Court cases throughout 2024 and 2025.

## CONCLUSION

For the society as a whole, it has failed to solve the housing crisis. For the slum dwellers it purports to help, it has often meant the exchange of a poor but functional community for an unliveable, isolating, and economically crippling concrete box. The true beneficiaries are not the people, but the builders who profit from their displacement.

The Slum Rehabilitation Scheme, in its current form, is not a social housing policy; it is a real estate policy disguised as social welfare. It has successfully harnessed state power and public land to fuel a private real estate boom, creating immense wealth for a small number of developers.

## A NEW STRATEGY FOR AN OLD PROBLEM

The SRA scheme is at a critical juncture. The new cluster redevelopment policy marks a clear admission that the previous single-plot model has failed to improve the city's overall infrastructure. The government's new approach is to consolidate power, capital, and land to create larger, more orderly developments.

However, the success of this new strategy will depend on overcoming the same-old problems: **developer non-performance, bureaucratic corruption, and the challenge of ensuring the new rehabilitation units are homes, not just "vertical slums."**

**Order of the Bombay High Court in a public interest litigation filed by NGO Alliance for Governance and Renewal (NAGAR). The court had observed that the absence of adequate open spaces in SRA projects was affecting the quality of life of residents and needed to be strictly regulated.**

Under the new rule, only 65 per cent of the total plot area can be used for construction, while the remaining 35 per cent must remain open and accessible to the public.

**The GR also allows for disciplinary action against responsible officers in cases of violation, while projects providing more than 35 per cent open area may be recognised for compliance.**

- SRA Clarifies Biometric Survey Is Only for Slums, Not Gaothans & Koliwadas
- The SRA is conducting a biometric survey of all slums located in the Brihanmumbai Municipal Corporation area under instructions from the state Chief Minister, Deputy Chief Minister and housing minister. The deadline to complete the survey of around 800,000 slum units is December 31, 2025. The government said that the survey will ensure that the rights of the slum dwellers are protected in redevelopment projects and ensure that new encroachers do not claim benefits of SRA schemes. The public notice has also clarified that the survey is being conducted by the SRA without the involvement of developers or private organisations.

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