

CHIEF MINISTERS' SLUM DEVELOPMENT PROGRAM

'BASERA'

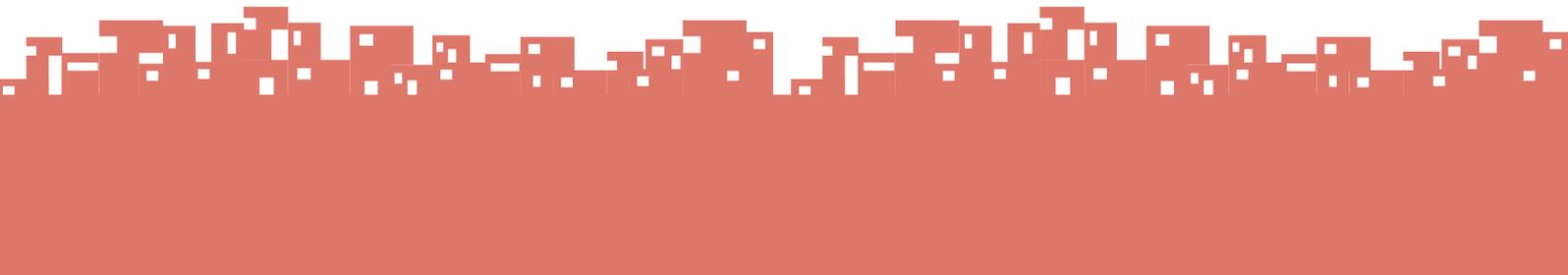
FREQUENTLY ASKED QUESTIONS

Chief Ministers' Slum Development Program – 'BASERA', guided by the Punjab Proprietary Rights to Slum Dwellers Act, 2020 (PSD Act) along with the allied Rules, is a milestone step towards inclusive urban development and planning of the Government of Punjab. BASERA lays the foundation for mainstreaming of slums with the rest of the city by involving just and inclusive city development paradigms in practice.

Through the following set of Frequently Asked Questions (FAQs), this document elucidates various process and procedure that should be undertaken for grant of proprietary rights to the urban poor in Punjab in accordance with BASERA, PSD Act and the allied Rules. However, in the event of any discrepancy, the provisions of the PSD Act along with the allied Rules will prevail.



GOVERNMENT OF PUNJAB



A. GENERAL INFORMATION

S. NO.	QUESTION	RESPONSE
1.	What is BASERA?	Chief Minister's Slum Development Programme also known as BASERA, envisages a 'slum free Punjab' and aims to provide every citizen with access to basic civic services, social amenities and decent shelter by building inclusive and equitable cities.
2.	What are the objectives of the BASERA?	<p>Conferring proprietary rights to eligible slum HHs in urban towns and cities of Punjab.</p> <p>Improving and provisioning of basic civic services such as services of drinking water, drainage, sewerage, solid waste disposal, street lighting and urban environment improvement at par with the non-slum areas of the urban towns and cities of Punjab.</p> <p>Upon upgradation, delisting of slums to integrate them into the city fabric.</p>
3.	What is the coverage of the BASERA?	<p>It applies to all slums notified, non-notified, recognised authorised or the slums identified in accordance to the provisions of the PSD Act, situated on land owned on the State Government or any of its entities.</p> <p>It covers all the urban towns and cities in Punjab which include all the Municipal Corporations, Municipal Councils and Notified Area Committee (NAC) Areas in the State of Punjab as mentioned in section 2 of the PSD Act.</p>
4.	Who may be the considered beneficiary under the BASERA?	Every slum HH, occupying land in a slum in any urban area on the date of notification of PSD Act, 2020, i.e. 1st April 2020, may be considered under the scheme.

2

B. FOR DATA COLLECTION

S. NO.	QUESTION	RESPONSE
I. IDENTIFICATION OF SLUM		
1.	Which slum/slum areas to survey?	<ul style="list-style-type: none"> ◆ All slums as have been notified/identified prior to 1st April, 2020 under Census; RAY, PMAY, USHA or any other governmental initiative as promulgated from time to time. ◆ Any slum area as has been identified by the ULB to be surveyed.
2.	How will ULB identify Slum/ slum areas?	<ul style="list-style-type: none"> ◆ All slums as have been notified/identified by ULB prior to 1st April, 2020 under any governmental initiative as promulgated from time to time; and ◆ Slums identified in accordance to the provisions of the PSD Act such as compact settlement of at least 25 HHs with a collection of poorly built tenements, mostly of temporary nature, crowded together usually with inadequate sanitation and drinking water facilities in unhygienic conditions, which may be on the Government land in an urban area

S. NO.	QUESTION	RESPONSE
3.	How to ascertain the slum boundary?	The demarcation of the slum boundary has to be done on Google earth. The KML file so produced shall be uploaded on the Mobile App. Efforts will have to be made for clearly demarcating the slum boundary encompassing all the slum HHs while drawing a polygon.
4.	How to ascertain the ownership of the land on which the slum is situated?	Steps to ascertain the ownership of the land: a) The official from the revenue department such as Patwari shall mark and validate the slum boundary on ground and also provide details as to ownership of the land. b) Procurement of the Cadastral map from the revenue department for the identified slum boundary c) Send requisition to PMIDC to undertake the drone survey, after the demarcation of the slum boundary on the ground. d) Digitization of the cadastral map and overlaying on the drone images to get the khewat no./khasra no/ khatouni no. and ascertain the revenue boundary, the same will be verified by the concerned official from revenue department such as Patwari. e) Match the khewat no./khasra no/ khatouni no. to the revenue records to get the ownership detail of the land and upload the requisite details and documentation on the mobile app.
5.	What are the physical and spatial attributes of the slum/ slum areas that should be recorded?	The physical and spatial attributes of the slum/ slum areas such as proximity/distance to the high tension wires; state or national highway; railway boundary; water bodies like canal, tanks etc; drains; landfills; ancient monuments; etc. should be mentioned.
II. WHOSE INFORMATION TO COLLECT?		
6.	What is a slum household?	Slum household (HH) means husband, wife, unmarried children or any other person related by blood and wholly dependent on the slum dweller. Married children, though living in the same premises may be considered as a separate HH provided they are not financially dependent on their parents.
7.	What all information needs to be collected during HH survey?	Fill in the information as per the HH survey form given in the mobile app and upload/collect the following: a. Identity Proof b. Self-declaration in form of annual income of household and details of property ownership c. Documents to ascertain proof of residence before 1st April, 2020 in the slum settlement. d. Any other document as may be prescribed by the competent authority from time to time.

S. NO.	QUESTION	RESPONSE
8.	Which document may be collected for verification of proof of residence before 1 st April, 2020?	<p>Any one of the following documents which have address proof of residence in addition to the Aadhar card, maybe taken for verification:</p> <ol style="list-style-type: none"> Voter identity card; or Driving license; or Passport; or Ration card under National Food Security Act, 2013; or the smart card under Sarbat Sehat Bima Yojana (SSBY); or Any Utility Bill such as electricity bill, water bill etc.; or Any other document as may be prescribed by the competent authority from time to time. <p>It is important to enter the requisite details including the unique no. of the card and date of issue in an accurate manner. The photograph should capture both the front and back of the residence proof.</p>
9.	If the tenant is living on the premises, whose details to take for grant of Proprietary Rights? Landlord or Tenant?	<p>At the time of survey, record the details of the person who occupies the premises.</p> <p>Eg: If the tenant 'R' is staying on the premises, then record the details of 'R' and add in remark that is she/he is the tenant.</p>
10.	What if both tenant and landlord are available and staying on the same premises? Whose details to record?	<p>Record the details of both tenant and the landlord as separate HHs residing in the same premises. The marking of the HHs should be done as multiple HHs staying in the same premises as detailed below in question 16.</p> <p>Eg: 6A for landlord and 6B for tenant.</p> <p>Add remark that 6A is the landlord and 6B is the tenant in the details for both 6A and 6B.</p>
11.	If the slum HH is non-EWS category, do we take their data?	<p>Yes, include the data of slum HHs belonging to both EWS and Non-EWS category.</p>
12.	Whose photo to attach, while recording the HH details?	<p>Attach the details and photo of the identity proof of the head of the HH. If not possible, attach the photo of the spouse or any other adult member available in the HH during the survey.</p> <p>Add in remarks the relation with the head of the HH.</p>

III. HOW TO DO MARKINGS ON SLUM HHs?

13.	Is it necessary to do marking of the slum HHs, physically? And how to do it?	<p>Yes, the survey process will not be completed without marking of the HHs. Marking may be carried out through pasting stickers with HH Numbers or painting the HH Numbers but should be done at a conspicuous place and must be visible to naked eyes.</p> <p>In case of squatter settlements, with temporary structures, the stickers may be handed over to the HHs after taking photographs, as mentioned below.</p> <p>Two photographs need to be clicked and attached:</p> <p>Photograph of the house, with maximum visibility, clearly showing its use.</p> <p>Photograph of the head of the HH should also be recorded with the marking on the house in the background (pasted/painted on the premises) along with a takhat displaying the house number assigned to the slum HH.</p>
-----	--	--

S. NO.	QUESTION	RESPONSE
14.	How to assign a unique identification number to slum HHs and on the map?	<p>Take a print out of the slum map (drone image along the KML file) and mark the individual building footprint with unique identification number.</p> <p>While collecting spatial data, only main markings should be done on the map. The sub markings should be included only in the textual data being collected through the household survey app.</p> <p>Eg: For House No. 25, mark just the house as 25 on map and do not give sub markings, if any, as illustrated in question 15.</p> <p>This map will then be used as base for undertaking household survey.</p>
15.	How to do marking for multiple HHs residing in the same premises?	<p>If multiple HHs are residing in one premises, different HH numbers will be put for each HH outside the premises. Eg: if the House No. is 25 then, it can be marked as 25A, 25B, 25C etc.</p> <p>If it is multi-storey construction and different HHs are living on each floor, then each of them will be numbered separately. Eg: if the House No. is 25 then it can be marked as 25/1; 25/2; 25/3 etc.</p> <p>In case one premise has one or more multi storey construction and different HHs are living on each floor, then each of them will be numbered separately. Eg: if the House No. is 25 then it can be marked as 25A/1, 25A/2 etc.</p> <p>If it is a multi-storey house and multiple HHs are residing on one floor, then each of them will be numbered separately. Eg: If the house no. 25 and on 2nd floor, more than one HH is living then it can be marked as 25/2A, 25/2B etc.</p> <p>Each of these HHs will be surveyed separately and photographs should be attached separately as mentioned in question 13. However, the maps will continue to show only the building footprint marks as mentioned in Question no. 14.</p>

IV. HOW TO RECORD AREA OF MULTIPLE HHs IN SAME PREMISES?

16.	How to record the area, if the premises are occupied by more than one HHs?	<p>Mention total area occupied in each case of recording HH information and add remark that this is occupied by 'x' number of HHs along with the other relevant HH numbers.</p> <p>Eg: a) 70 sq meter is occupied by HH No. 2B along with HH No. 2A and 2C. b) Three floors (GF, FF and SF) are built on 80 sq meter and marked as 78/1, 78/2 and 78/3</p> <p>The same remark should be reflected while recording information for all the other relevant HH numbers also, example: in case of 2B and 2C same remark as in 2A should be recorded.</p>
-----	--	--

V. MISCELLANEOUS

17.	Should we record details, if the land occupied is being used for commercial purposes, only such as shop or warehouse etc.?	<p>Yes, mark the location on the map and do the stickering with prefix 'C' as C1, C2 etc.</p> <p>Make a list of such units, mentioning the area and use of the land, along with the photographs that capture the commercial space clearly.</p> <p>Submit the list to SARRC along with the requisite photographs.</p>
18.	Should we record details, if the land occupied is being used for mixed use, eg: a small shop based out of the residential premises?	<p>Yes, record the details as being done for any other HH explained above. Add in remarks that the commercial unit of the ___ area is being operated out of the residential premises.</p> <p>Attach the photographs that capture the commercial space clearly along with the residential premises.</p>

C. FOR CHECKLIST

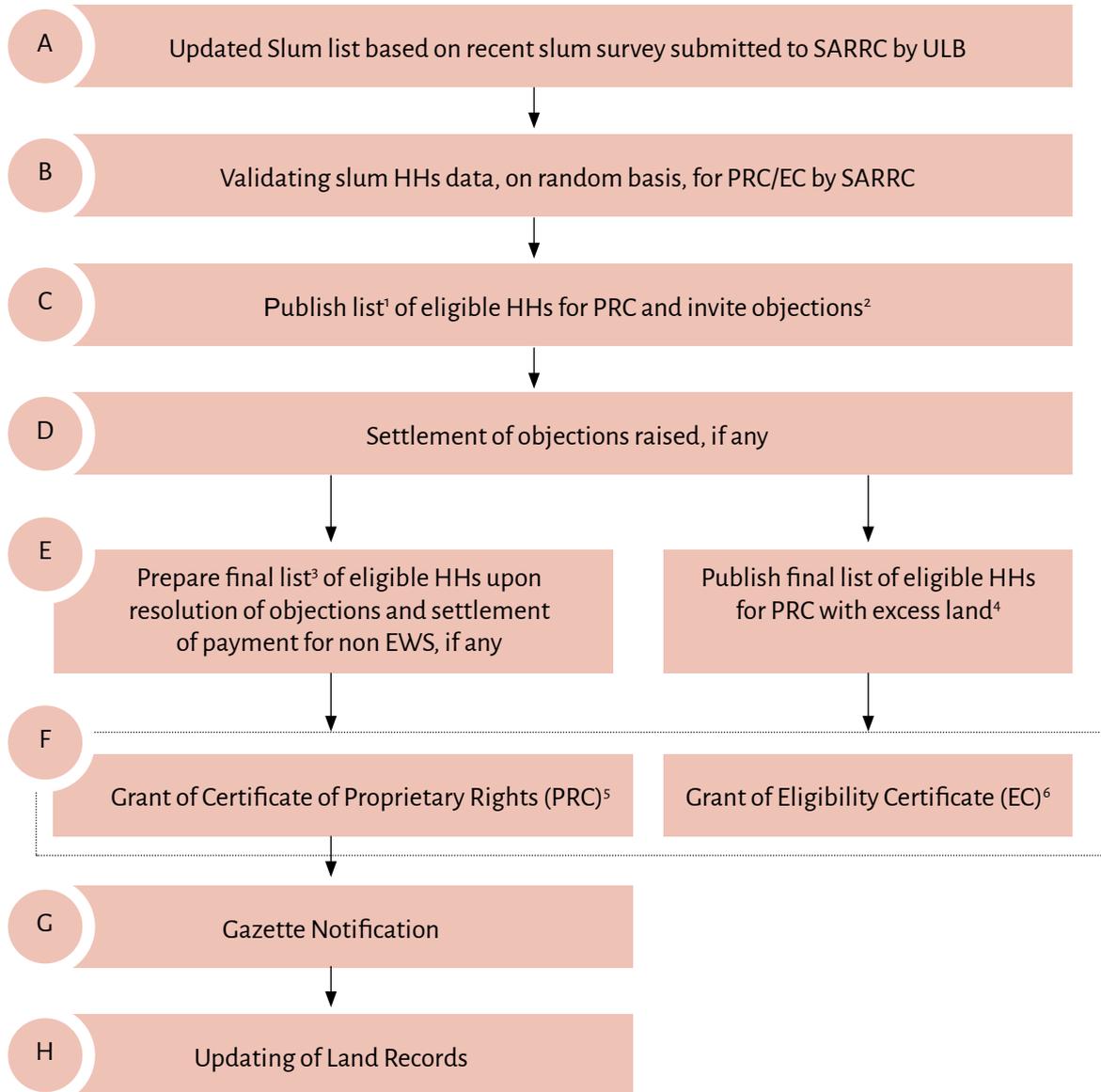
S. NO.	QUESTION	RESPONSE
1.	How to identify slum/ slum areas?	<ul style="list-style-type: none"> ◆ All slums as have been notified/identified prior to 1st April, 2020 under Census; RAY, PMAY, USHA or any other governmental initiative as promulgated from time to time; OR ◆ Compact settlement of at least 25 households with a collection of poorly built tenements, mostly of temporary nature, crowded together usually with inadequate sanitation and drinking water facilities in unhygienic conditions, which may be on the Government land in an urban area. <p>However, slum areas having less than 25 HHs, while maybe identified for survey but may not be taken up for intervention during initial phase of BASERA.</p> <p>The concerned SARRC shall be responsible to assess the eligibility of the slum/slum areas and also for grant of Proprietary Rights to HHs.</p> <p>For detail procedure for grant of Proprietary Rights, refer to annexure 1.</p>
2.	How to ascertain the eligibility of Slum HHs?	<p>Eligibility of the Slum HHs is to be ascertained based on:</p> <ul style="list-style-type: none"> ◆ Occupation before the 1st April, 2020 (cut-off date) - Reliance to be placed on Aadhar details along with any one of the following documents which have address proof of residence: <ol style="list-style-type: none"> a) Voter identity card; or b) Driving license; or c) Passport; or d) Ration card under National Food Security Act, 2013; or e) the smart card under Sarbat Sehat Bima Yojana (SSBY); or f) any Utility Bill such as electricity bill, water bill etc.; or g) Any other document as may be prescribed by the competent authority from time to time. ◆ Not owning a pucca house by the slum dweller or his immediate family member – reliance to be placed on the Self Declaration- Income, Ownership & Land Area Certificate submitted.
3.	What do you mean by Immediate Family members?	<p>Immediate family member means spouse and unmarried children or any other person related by blood and wholly dependent on the slum dweller.</p>
4.	Can we consider those slum dwellers eligible beneficiaries under BASERA if they or their immediate family member own a pucca house either in his/her name or in the name of any member of the family in any part of India?	<p>No.</p> <p>The slum dweller with whom the proprietary rights of land has been settled under this Act, should not hold any certificate of proprietary rights and should surrender all such certificate(s) to the Authorized Officer, if they own any.</p> <p>Further, definition of Slum HH in the BASERA guidelines states that the slum dweller or his immediate family member should not own a pucca house (an all-weather dwelling unit) in any part of India.</p>

S. NO.	QUESTION	RESPONSE
5.	What is the role of Scrutiny Subcommittee constituted under SARRC?	<p>The Scrutiny Subcommittee constituted under SARRC will verify information collected through the survey app, physically.</p> <p>The details to be verified will include but not limited to:</p> <ul style="list-style-type: none"> ◆ Demographic and socio-economic details about the applicant and household from the Survey. ◆ Documents as proof of identity, residence and income submitted during the Survey. ◆ Verification of revenue records of the occupied area by the concerned officials of Revenue Department ◆ Area statements
6.	Is it mandatory to display list of eligible slum HHs, publicly? If yes, by whom?	<p>Yes, for detail procedure refer to annexure 1.</p> <p>Based on the ground verification of the information of slum HHs and documents collected through the survey App, the SARRC will publish a list of eligible slum HHs including Non- EWS slum HHs as in annexure 1A via a public notice.</p> <p>The notice will be displayed at the conspicuous locations in the slum such as community places, the Ward Office or as a press release and objections will be invited in the form as per annexure 1B on the list published by the ULB. The time period for inviting objections will be decided by the SARRC. ULB will submit the objections, so obtained, if any to SARRC for necessary action.</p>
7.	How will the objections be addressed, if any on the list of eligible slum HHs?	<p>Suitable actions will be taken by the SARRC to address the objections received and if necessary, the list of eligible slum HHs will be re-examined in the light of objections received by the SARRC.</p> <p>Post redressal of the objections by the SARRC, the slum HHs mentioned will be deemed to apply for the Proprietary Rights and SARRC shall issue:</p> <ul style="list-style-type: none"> ◆ A final list of eligible Slum HHs, who had occupied land within maximum permissible limit as per the PSD Act and the allied Rules, including eligible Non-EWS slum HHs who have settled the land at determined rates, as in annexure 1C. ◆ A final list of eligible Slum HHs with extent of excess land as in annexure 1D. <p>Both the lists should be placed on the file requesting for NOC by SARRC along with the requisite maps and other documents.</p>
8.	To what extent land can be allotted to a slum HH?	<p>According to Section 3(2)(a) of the PSD Act:</p> <ul style="list-style-type: none"> ◆ In Municipal Corporation Area, not exceeding 30 sq. meter ◆ In Municipal Council Area, not exceeding 45 sq. meter. ◆ In Notified Area Committee area, not exceeding 60 sq. meter. <p>Subject to the stipulated permissible limit as mentioned above, according to R.7 of the PSD Rules, the proprietary rights of the slum HHs belonging to EWS category will be settled free of cost. However, for Slum HHs belonging to Non- EWS, will have to pay the price of the land at the rate of 12.5 per cent of the Collector rate.</p>
9.	What are Tenable Habitations?	<p>As per section 2(t) of the PSD Act, Tenable habitations mean the habitations where existence of human population does not entail undue risk to the safety or health or life of the residents or habitation or such sites that are not considered contrary to public interest or the land is not required for any public or development purpose as attached in annexure 2.</p>

S. NO.	QUESTION	RESPONSE
10.	What are Untenable Habitations?	Untenable habitations all land parcels where existence of human population entails undue risk to the safety or health or life of the inhabitants themselves such as flood plains, prone to landslides etc. or land utilised in contravention to public interest as earmarked in the master plan; or zonal plan; or city development plan as attached in annexure 2.
11.	What is Eligibility Certificate (EC)?	Eligibility Certificate (EC) is an assurance for grant of proprietary right at any later date subject to fulfilment of the conditions specified in PSD Act and its allied Rules. This may be issued to eligible slum HHs for an interim period, where the PRC cannot be issued due to impending issues such as tenability, excess land, pending payment by non-EWS category etc.
12.	What is the difference between the Eligibility Certificate (EC) and Proprietary Rights Certificate (PRC)?	Eligibility Certificate is issued for an interim period but will be succeeded by a Proprietary Rights Certificate, as and when the impending issues such as tenability, excess land, pending payment by Non-EWS category etc. are resolved.
13.	Who has the authority to approve the list of slum HHs to whom Certificate of Proprietary Rights (PRC) or Eligibility Certificate (EC) may be issued?	The Slum Area Redevelopment and Rehabilitation Committee (SARRC) shall be constituted for each urban area and will approve the list of persons on whom the Certificate of Proprietary Rights (PRC) or Eligibility Certificate (EC) may be issued. Eligible slum HHs residing on the tenable habitations may be recommended by SARRC to be issued PRC via a list as in annexure 1C. Eligible slum HHs residing on the untenable habitations or/and with excess land may be recommended by SARRC to be issued EC via a list as in annexure 1D. List of eligible slum HHs should be placed on the file requesting for NOC by SARRC along with the requisite maps and other documents.
14.	Who will issue PRC or EC?	Based on the recommendations and approval by SARRC, the Authorized Officer will issue PRC based on list submitted in annexure 1C or EC based on list submitted in annexure 1D, as the case may be. Post the issue of the PRC to the eligible HHs, the SARRC will get the final beneficiary list notified in the official gazette. Subsequently, the land records will be updated to that effect.
15.	To whom Certificate of Proprietary Rights of land can be issued in a Family?	According to Section 3, Clause (4) of PSD Act (2020), the certificate of the proprietary rights of land shall be issued jointly in the name of both the spouses in case of married persons and in the name of head of the HH in case of a single person.
16.	Should Certificate of Proprietary Rights be issued to Slum HH using the occupied land for commercial purpose or is partially used for residential and partially for commercial?	No, Proprietary Rights will not be allotted if the land is being used for commercial purposes, only. Further, slum HHs using their premises for mixed use such as small shop within the premises of the house may be deprioritised for affording PRC and may be granted EC.

ANNEXURE 1

FLOW CHART FOR GRANT OF PROPRIETARY RIGHTS TO SLUM HOUSEHOLD



End Notes:

1. List of eligible slum HHs including Non- EWS slum HHs as per the PSD Act and the allied Rules as annexure 1A.
2. Format for inviting objections as annexure 1B.
3. Format of final list of eligible slum HHs, who had occupied land within maximum permissible limit, for grant of PRC as annexure 1C.
4. Format of final list of eligible slum HHs with excess land as annexure 1D.
5. Format of PRC as Form I of the PSD Rules, 2020.
6. Format of EC as Form II of the PSD Rules, 2020.

ANNEXURE 1A
LIST OF ELIGIBLE SLUM HHs

In _____ (Slum Name),
Ward No. _____ (ULB Name)

Notification No. /2021

Date:

10

S. No.	House No. (in the slum)	Beneficiary Name 1	Beneficiary Name 2	EWS/ Non-EWS	Total occupied area	Total constructed area	Remarks

Chairperson, SARRC, _____ (ULB Name)

Member Secretary, SARRC, _____ (ULB Name)

Note: A copy to concerned ULB

ANNEXURE 1B FORM FOR RAISING OBJECTIONS

To,

The SARRC

_____ (ULB Name & Address)

1. Name and Address of the Applicant (including phone no.) _____

2. Details of contents of the list issued by SARRC:

Notification No. _____ dated _____ for _____ (slum name);

3. Brief facts leading to the objection: _____

4. Relief sought: _____

11

5. Grounds for relief: _____

6. Any other information necessary for deciding the objection/s: _____

7. List of enclosures:

a) Any documents necessary for deciding the objection/s raised, if any (specify): _____

Declaration

I _____ son/daughter of _____ residing
at _____ verify that the
contents of the above objections filled by me are true to the best of my knowledge and belief.

Name of Applicant: _____

Date: _____

Place: _____

ANNEXURE 1C
LIST OF ELIGIBLE SLUM HHs

In _____ (Slum Name),
Ward No. _____ (ULB Name)

with land occupied within the maximum permissible limit as per the PSD Act and the allied Rules.

Notification No. _____ /2021

Date: _____

S. No.	House No. (in the slum)	Beneficiary Name 1	Beneficiary Name 2	Total occupied area	Total constructed area	EWS/ Non- EWS	Payment due for land, if non EWS	Remarks

12

Chairperson, SARRC, _____ (ULB Name)

Member Secretary, SARRC, _____ (ULB Name)

Note: A copy to concerned ULB

ANNEXURE 1D LIST OF ELIGIBLE SLUM HHs

In _____ (Slum Name),
Ward No. _____ (ULB Name)

with excess land (beyond the maximum permissible limit as per the PSD Act and the Allied Rules)

Notification No. _____ /2021

Date: _____

S. No.	House No. (in the slum)	Beneficiary Name 1	Beneficiary Name 2	EWS/ Non-EWS	Total occupied area	Total constructed area	Remarks

13

Chairperson, SARRC, _____ (ULB Name)

Member Secretary, SARRC, _____ (ULB Name)

Note: A copy to concerned ULB

ANNEXURE 2

FRAMEWORK FOR ASSESSING TENABILITY IN PUNJAB

