**External**

**Evaluation**

**Report No.**

**14 of 2015**

**November**

**2015**

***Evaluation of Transfer of Development***

***Rights (TDR) Scheme in BBMP***

Transferred

unused land Unused development of zoning lots with

landmarked building

**STUDY CONDUCTED FOR**

**KARNATAKA EVALUATION AUTHORITY**

**AND**

**Bruhat Bangalore Mahanagara Palike (BBMP)**

**and Urban Development Ministry,**

**Government of Karnataka**

**BY**

**M/s Centre for Sustainable Development, #381, 2nd Floor, 100 Feet Road,**

**HAL 2nd Stage, Indiranagar,**

**Bangalore- 560 008.**

EVALUATION OF

TRANSFER OF

DEVELOPMENT RIGHTS SCHEME IN BBMP

Final Report

REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

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**List of Abbreviations**

BBMP The Bruhat Bengaluru Mahanagara Palike

BDA Bangalore Development Authority

BMRCL Bangalore Metro Rail Corporation Ltd

BPMC Act Bombay Provincial Municipal Corporations Act

CMCs City Municipal Councils

CMDA Chennai Metropolitan Development Authority

CRZ Coastal Regulation Zone

DCR Development Control Regulations

DP Development Plan

DR Development Regulations

DRC Development Rights Certificate

DTP Directorate of Town Planning

EPIP Export Promotion Industrial Park

FAR Floor Area Ratio

FSI Floor Space Index

G.T.P scheme General Town Planning Scheme

HMDA The Hyderabad Metropolitan Development Authority

IT Information Technology

ITES Information Technology Enabled Service

KTCP Karnataka Town and Country Planning

LA Act Land Acquisition Act

LARR Land Acquisition, Rehabilitation and Resettlement

MCGM The Municipal Corporation of Greater Mumbai

MHADA Maharashtra Housing and Development Authority

MMC Act Mumbai Municipal Corporation Act

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|  |  |  |  |
| --- | --- | --- | --- |
|  | REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP |  |  |
|  |  |  |  |
| MRTP Act | Maharashtra Regional and Town Planning Act |  |  |
| MRTS | The Mass Rapid Transit System |  |  |
| PPA | Power Purchase Agreement |  |  |
| PSUs | Public Sector Undertakings |  |  |
| RMP | Revised Master Plan |  |  |
| RoW | Right of Way |  |  |
| SDCR | Special Development Control Regulations |  |  |
| SRA | Slum Rehabilitation Authority |  |  |
| TDR | Transfer of Development Rights |  |  |
| TOD | Transit Oriented Development |  |  |
| UDA | Urban Development Authority |  |  |
| UDD | Urban Development Department |  |  |

**Measurements**

Sqm Square Meters

M Meters

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PREFACE

The scheme of Transfer of Development Rights (TDR) is being implemented in Bruhat Bangalore Mahanagara Palike (BBMP) in 2005 by introducing section 14B in the Karnataka Town and Country Planning Act 1961 (Inserted by Act 23 of 2004 with effect from 03.06.2004) applicable to the entire State. TDR refers to the provision by which Urban Authorities can acquire private land free of cost from its owners, in lieu of giving them development rights in the form of additional floor space area. The scheme was introduced because land prices in urban areas had become so high, that at times, Urban Authorities were not in a position to acquire them for widening roads, providing water supply or sanitation facilities etc.

Outside Karnataka, TDR concept is being implemented in the cities of Ahmedabad, Chennai, Hyderabad, Mumbai and Pune.

With a view to study the impact of TDR in BBMP, the Department of Urban Development and BBMP proposed for its concurrent Evaluation. The study was allotted by Karnataka Evaluation Authority (KEA) to the Centre for Sustainable Development, Bengaluru. It is the report prepared by them which, after its approval of the Technical Committee of KEA, is before you.

The Evaluation study has gone into the history of TDR generation and its utilization in BBMP area till date. It has compared the TDR model of Bangalore with that of the Chennai, Mumbai and Pune models too.

The study has revealed that TDR is quite a complex concept, in generation, as well as its trade and utilization. It has found that there is a good deal of subjectivity involved in the conversion of extent of land acquired to the extent of development rights given. The report gives different

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models/conversion ratios for it. The report has recommended having a web based open repository/compilation of all TDRs generated, so that trading in TDRs becomes transparent, fair and beneficial, for both the TDR owner, as well as the buyer.

The study received constant support and guidance of the Principal Secretary, and the Secretary Planning, Programme Monitoring and Statistics, Government of Karnataka. The evaluation report has been reviewed by members of the Technical Committee of KEA, and an Independent Assessor, who provided suggestions and inputs to improve it from its draft form.

I am sure that evaluation study and its findings and recommendations will be encouraging and useful to the Bruhat Bengaluru Mahanagara Palike in making the implementation of TDR more popular, attractive and useful.

25th November 2015 Chief Evaluation Officer

Bangalore Karnataka Evaluation Authority

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CHAPTER 1:

INTRODUCTION

1.1 BACKGROUND

Bengaluru has seen a rapid growth over the last decade with influx of over 30 lakhs population in the metropolitan area in the decade 2001- 2011. Consequently the demand for basic amenities like housing, water supply, sanitation, transport, schools and hospitals has also increased manifolds creating a huge pressure on the government. Creation of urban infrastructure is challenged by availability of funds and land. Hence in order to explore new tools for facilitating infrastructure development, in 2005 the Govt. of Karnataka introduced the concept of ‘Transfer of Development Rights (TDR)’ in section 14(B) in the Karnataka

Town and Country Planning Act 1961. The current study charts the progress of TDR in Bengaluru, identifies issues and constraints in implementation and proposes short and long term measures to make TDR a success.

1.2 NEED FOR THE PROJECT

TDR is a tool that allows authorities to acquire land for infrastructure in exchange of providing Development Rights Certificate (DRC) instead of cash compensation. In Bangalore TDR has been primarily used as a tool for developing road infrastructure. However, globally and in other cities in India TDR has been instrumentalised for housing stock generation, development of community assets and heritage conservation. 2168 DRC certificates have been issued and 15,11,189 sqm of land has been acquired by the BBMP till 2014. Total development rights granted is 22,66,784 sqm. DRC utilized has been to the tune of 11,01,314 sqm and DRC available in the market for utilization is 11,65,470 sqm. Data and information from urban experts, social enthusiasts and government suggests that there has been resistance from land owners to accept DRC and low utilization of DRC in the market.

Hence there is a need to

a. Evaluate the TDR policy in Bangalore and

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b. Analyze the causes for low popularity of TDR.

Hence this establishes the need and the context for the present study.

1.3 OBJECTIVES

The objectives of the study as stated in the Terms of Reference (ToR) are as follows:

* 1. To evaluate the implementation of TDR in Bangalore since its introduction in 2005.
  2. To identify the loopholes and constraints, if any, in implementation of TDR scheme.
  3. To suggest measures to restructure the present TDR scheme so as to make its implementation more efficient, fair and transparent.

1. SCOPE OF WORK

The scope of the project as derived from the ToR (Attached in Annexure1) of the project can

be summarized as follows:

* 1. Literature study of TDR practices.
  2. Study of TDR practice in India and visit to Mumbai.
  3. Study of progress of TDR scheme in Bangalore (outcomes, implementation mechanisms, monitoring practices, TDR market, legal purview).
  4. Study of implementation of TDR scheme in Bangalore through primary data (projects, TDR beneficiaries, TDR utilization, TDR market, legal purview& other relevant data)
  5. Study of Acts &Policies related to TDR and Zoning Regulations
  6. Identification of issues and constraints and Assessment of efficiency/ success of TDR scheme in Bangalore.
  7. Recommendations for making TDR scheme more efficient( legal, policy, operational & institutional)

1. CHAPTERISATION

CHAPTER 1 introduces the assignment with its objectives and scope of work.

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CHAPTER 2 details the methodology adopted for the various sub tasks of the project.

CHAPTER 3 describes the study area with its administrative planning setup in the context of geographical and spatial implications of TDR

CHAPTER 4 describes the concepts related to TDR, elaborates terms and definition to be used in the report.

CHAPTER 5 pursues the TDR policy currently being used in the different cities in India and elicits reasons for success or failure of those.

CHAPTER 6 deals with the TDR policy in Mumbai, which is one of the cities that have extensively used TDR for the last 20 years. We try to analyse the nuances of TDR policy and its implementation mechanism in the wake of the Draft Development plan 2034.

CHAPTER 7 details the TDR policy in Bangalore with emphasis on the legal and planning implications.

CHAPTER 8 critically analyses the performance of TDR policy in Bangalore through primary and secondary data and information, focus group discussion, interviews and site visit.

CHAPTER 9 deals with the Karnataka Town and Country Planning Act of 1961 and its implications of the TDR policy.

CHAPTER 10 contains the recommendations to the TDR policy in Bangalore including short term proposals, medium and long term policy changes.

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CHAPTER 2:

METHODOLOGY

1. OVERVIEW OF METHODOLOGY

The methodology for the project (has been derived in the purview of the broad area of inspection and the scope of work of the project) consists of analysis of primary and secondary information availed through policies, documents& reports, site visits and primary survey. Secondary studies have been undertaken for understanding TDR policies and processes at national level. Data collected through primary and secondary means have been statistically analysed to reveal trends and facts. On field study was done in Mumbai to understand the TDR process. Inferences have been compared and compiled to arrive at short term and long term proposals for making TDR efficient.

The figure below describes the overall methodology adopted for the project.

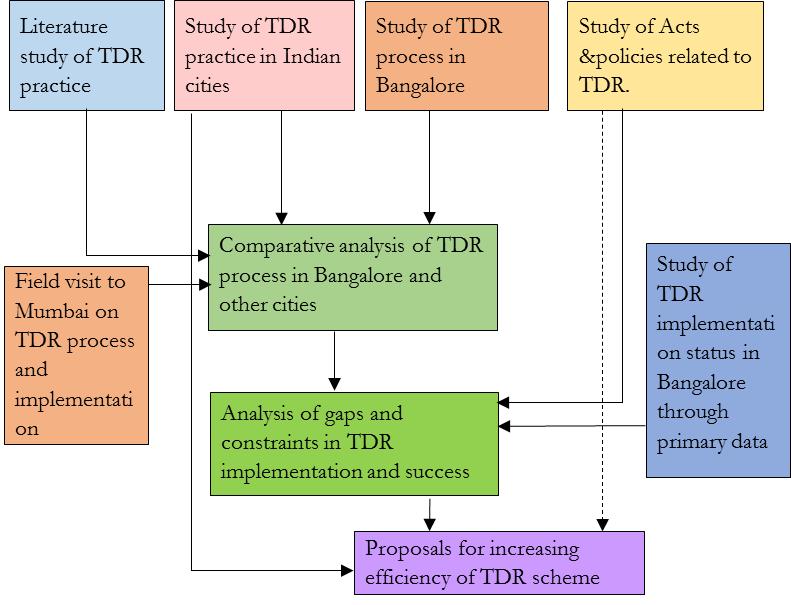


Figure 1: Overall methodology of the project

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1. DETAILED METHODOLOGY

The following sections describe in detail the methodology adopted for the study.

2.2.1. DESK STUDY OF TDR CONCEPTS

TDR concepts have been studied at national and global level to understand the various policies, implementation processes adopted to make it successful. This section covers definitions and description of various TDR related terms.

1. SECONDARY STUDY OF TDR PRACTICE IN INDIA
   * VISIT TO MUMBAI

TDR is practiced in five (5) Indian cities at present. Studies at secondary level have been done to understand TDR policies and processes in these cities.

The study team visited the Municipal Corporation of Greater Mumbai to do a detailed case study of TDR in Mumbai covering the points as indicated below:

1. TDR policy in Mumbai
2. Study of TDR process
3. Study of TDR implementation status

The Mumbai Development Plan of 1991 and the draft Development Plan of 2034 have been studied as a part of the assignment. The case study provides insights into the TDR market mechanism for a metropolitan city and suggestive inputs for Bangalore.

2.2.3. STUDY OF TDR PROCESS IN BANGALORE

Study of progress of TDR scheme in Bangalore involved analysis and understanding of the TDR policy in Bangalore, legal framework, institutional process and its market dynamics. Secondary data collected from BBMP was used to get an overall understanding of the TDR statistics.

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2.2.4. STUDY OF TDR PROCESS IN BANGALORE TROUGH PRIMARY DATA

Under primary study of TDR, focus group discussions were conducted with stakeholders like the BBMP, DTP (Directorate of Town Planning), Mangalore City Corporation, land owners, architects and planners, developers and liasoners to analyse the economic impacts, institutional and legal constraints, market dynamics and planning implications of TDR. Site visits were conducted (three sites) to understand geography specific reasons for success and failure of TDR. Discussions were hell with the senior officials of the BBMP and DTP to understand implementation related issues. Primary survey was conducted among TDR beneficiaries using stratified random sampling method to understand beneficiary perception of TDR.

2.2.5. STUDY OF ACTS AND POLICIES

Policies and Acts related to TDR were studied as indicated below:

* 1. The Land Acquisition, Rehabilitation and Resettlement Act of 2013,
  2. The Land Acquisition Act of 1894
  3. The Karnataka Town and Country planning Act, 1961 (to be furnished)

1. IDENTIFICATION OF ISSUES AND CONSTRAINTS

Issues and constraints were identified using the following techniques:

* 1. Analysis of primary and secondary data collected and assessment of issues, constraints in the TDR process in Bangalore.
  2. Comparative assessment of TDR processes in the case study cities and Bangalore.

1. RECOMMENDATIONS

The Recommendations include:

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1. Short term recommendations for increasing the efficacy of TDR to be acted upon in a year.
2. Long term recommendations to be implemented within four to five financial years.
3. Recommendations for policy change.

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CHAPTER 3: STUDY AREA

3.1 STUDY AREA BACKGROUND

Bangalore experienced rapid growth in the decades 1941-51 and by 1961 Bangalore became the sixth largest city in India. Employment opportunities – initially in the public sector and then in textile and high technology industries – resulted in migration of people to Bangalore. Bangalore consists of the Bangalore city and its surrounding 260 villages forming the Bangalore urban agglomeration. The growth of Bangalore from a town to a metropolis has been a result of five growth events:

* Shifting of State capital from Mysore;
* Establishment of the cantonment;
* Setting up of Public Sector Undertakings(PSUs)/ Academic Institutions;
* Development of Textile industry; and
* Development of Information Technology/ ITES/ Biotech based industries.

The distribution of economic activities in the city reflects its history, its different stages of development as well as underlying socio – spatial contexts. Several distinct areas or spatial groups emerge from the geographical distribution of activities in Bangalore. These spatial groups are:

* The “Old Petta”, the historical heart of the city, constitutes even today a very important Centre of trade (wholesale and retail activities). This core area includes Chickpet, Cubbonpet and other areas with traditional activities focused on silk, garments and jewelry among others. This area is flanked by Binnypet, Cottonpet and Srirampuram in the north-west which have informal trading and retail activities related to transport services and Agarbatti manufacturing.
* In the north east, Shivajinagar and Russel market form a second commercial hub in the cantonment area. Along the far eastern part of MG Road are the banks & head offices of companies constituting the embryo of the city’s commercial (business) area.

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Around this area are located large industrial establishments of the city especially in the North and East, which includes the large PSUs and the North West, the Peenya Industrial Estate that stretches out along Tumkur road, has contributed to the city’s growth.

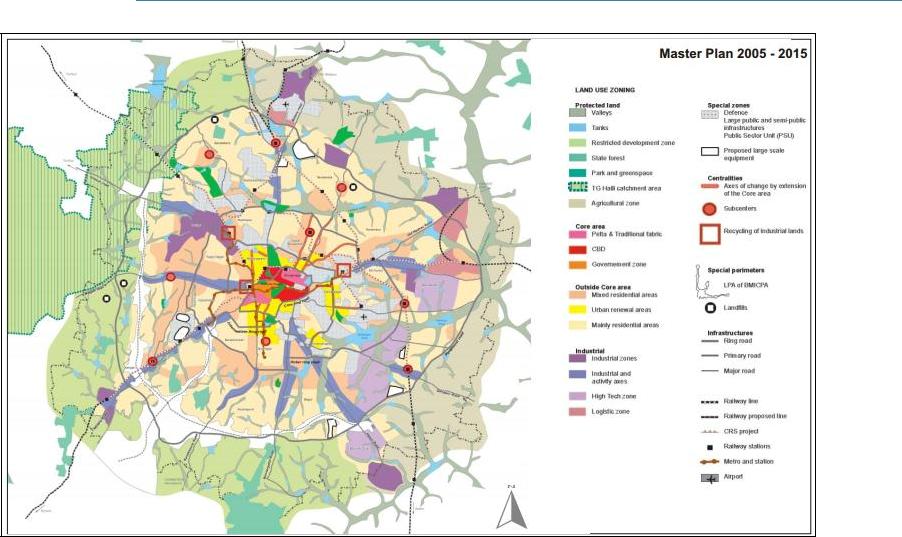
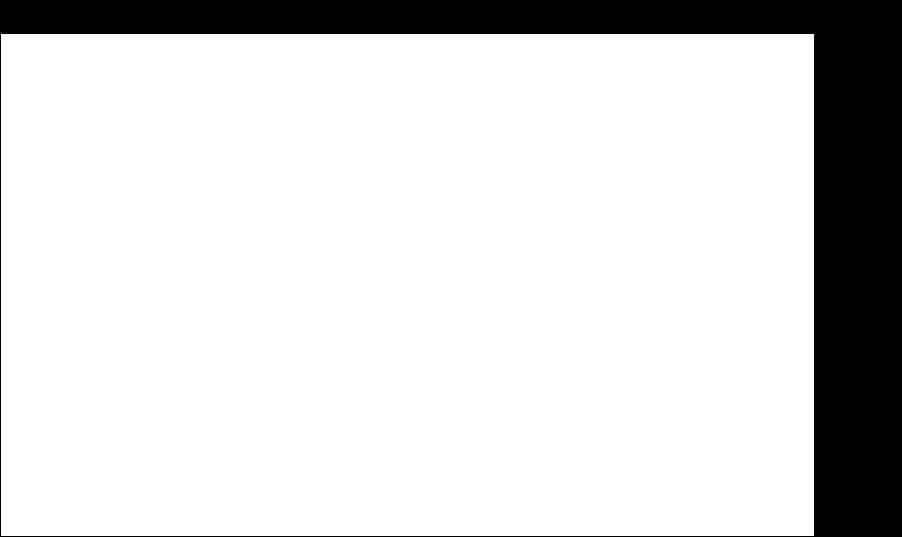
* In the South-East, Hosur Road constitutes a dynamic axis of industrial development and employment and serves as an important link to Hosur. Along this road, the Electronic city area has large Public and private software and IT enterprises while the Bommasandra area supports industries oriented towards traditional activities.
* In the east, the Chennai railway line and the Whitefield Road are important corridors. Along these corridors, in the Whitefield area, the EPIP was developed in the 1990s to promote the development of IT and it includes the International Technology Park Ltd (ITPL). 1
* In the North, the Kempegowda International Airport is located near Devanahalli. It has led to spur of development along the Bellary road from Yelahanka New town towards the airport. There is also an arc formation of IT industries from Sarjapura to KR Puram to Hebbal which has resulted in development of housing in these areas and conversion of lot of agricultural land.

The urban morphology of Bangalore has a definite role in defining the development potential and the land prices in these regions and consequently on the popularity of TDR. The map below shows the urban morphology of Bangalore.

1 Vision Document, RMP 2015

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Map 1: Map showing the urban morphology of Bangalore (www.bdabangalore.org);

3.2 ADMINISTRATIVE STRUCTURE

Bangalore is administered by the Bruhat Bangalore Mahanagara Palike (BBMP) which is the only municipal corporation in the Bangalore Metropolitan Region. BBMP covers an area of 800.00 sq km and houses a population of 8.42 million as per census 2011. The whole of the BBMP and the area surrounding it, which is known as the Bangalore Metropolitan Area comes under the planning jurisdiction of the Bangalore Development Authority.

The administrative and municipal functions of the city are carried out by the BBMP. The BBMP has been established under the Karnataka Municipalities Act 1976 and is empowered with obligatory and discretionary functions for running a city. Under the 74th Amendment of the constitution the BBMP is also empowered with planning function.

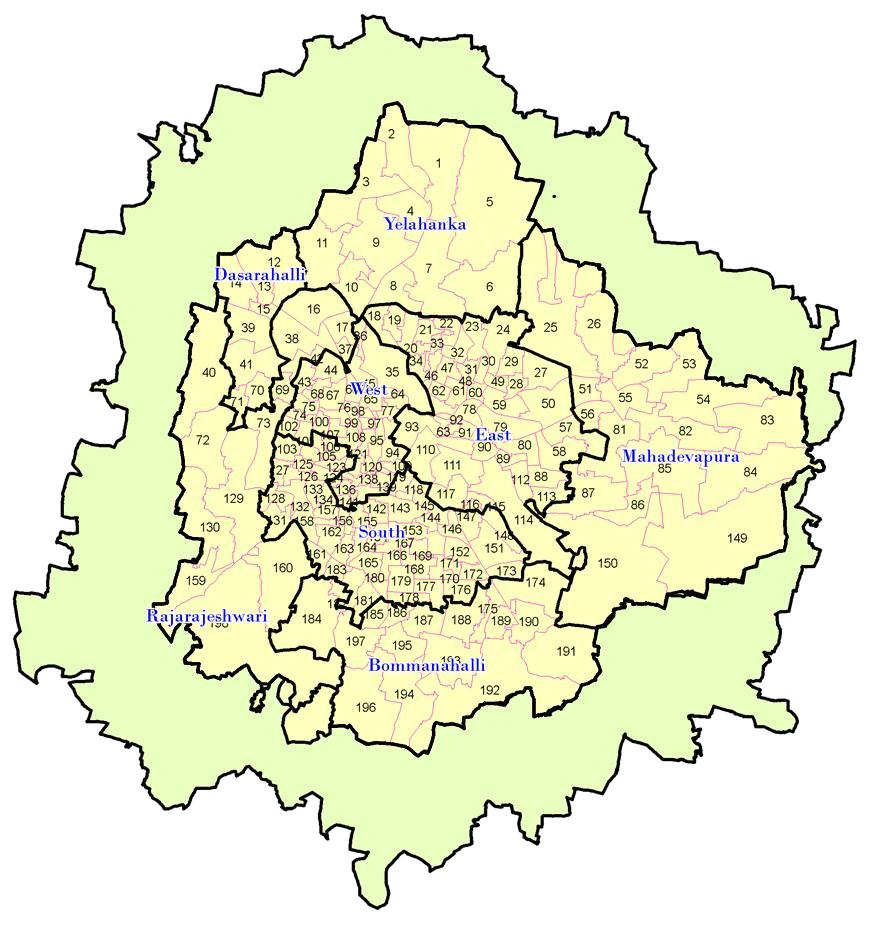
The city is divided into 198 wards and a councilor is elected as a representative of each ward. The councilors, headed by a mayor, work with corporation officers under the purview of the city commissioner to ensure availability of municipal services to the citizens. The BBMP is responsible for storm water drainage, solid waste management, roads and infrastructural

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assets, running health services and corporation schools, licensing of trade etc. It is also the

authority for issuance of TDR in Bangalore.



Map 2: BBMP jurisdiction with 8 zones and 198 wards

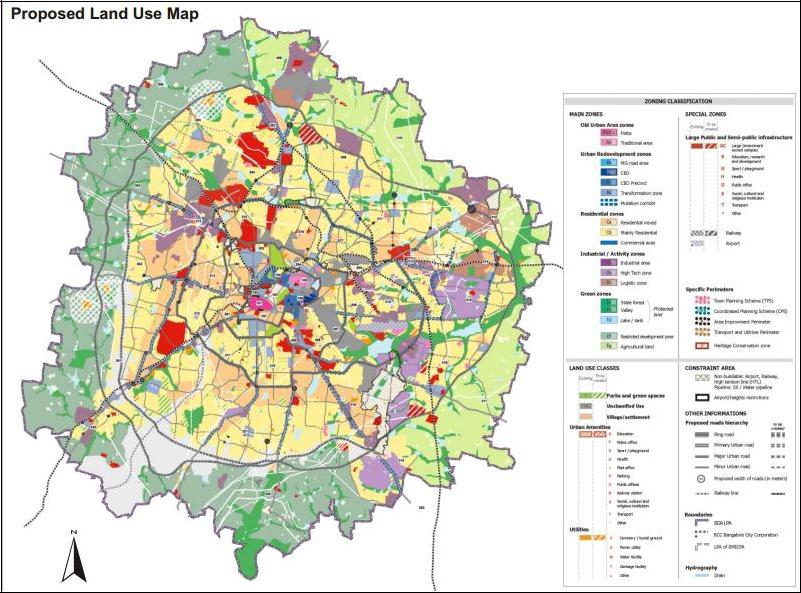
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3.3 PLANNING FRAMEWORK

The planning function of the city is dealt by the Bangalore Development Authority. The Revised Master Plan (RMP) 2015 is the present planning guideline for the BMA area. The master plan provides comprehensive guidelines for spatial growth and economic development of BMA. It guides the development of the BMA for balanced growth in the region. Key sectors where it provides interventions are demographic growth, industrial and economic development, preservation of natural resources, infrastructure development and implementation of development rules and regulations.

The concept of TDR is also detailed by the RMP 2015. The plan document details the terms and conditions and details of implementation of TDR. The following chapters of the report would deal with this in detail.



Map 3: Proposed Landuse map of Bangalore

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CHAPTER 4: CONCEPTS RELATED TO TRANSFER OF DEVELOPMENT RIGHTS

1. INTRODUCTION

TDR is a land based fiscal tool which facilitates governments and administrations to acquire

land without encumbering the cost of land. There are several other fiscal tools like

1. Land value increment tax or betterment levy
2. A onetime charge on area of land and/or buildings a onetime charge on value of land at the time of granting development permission
3. Impact Fees.
4. Fees for regularization of unauthorized development2.

This chapter deals with the concepts and definition related to TDR. Transferable Development Rights

is also known as Tradable Development Rights in certain cities.

1. TRANSFER OF DEVELOPMENT RIGHTS

TDR is a technique of land development which separates the development potential of a particular parcel of land from it and allows its use elsewhere within the defined zones of the city. It allows the owner to sell the development rights of a particular parcel of land in exchange of another land parcel. This entitlement is over and above the usual FSI available for the receiving plot in accordance with the prevailing laws and regulations, which entitles a landowner to construct additional built-up area on his existing building or vacant land3.

2 Land Based Fiscal Tools and Practices for Generating Additional Financial Resources, Capacity Building for Urban Development project (CBUD), Ministry of Urban Development, GoI & The World Bank, August, 2013

3 URDPFI Guidelines Vol I Draft-1 26.02.14

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**TRANSFER RATIO**

e.g. say Development Rights granted for acquisition of a particular plot is 100 sqm.

When transfer ratio for a particular destination plot is .5, only 50 sq m can be availed as development rights in lieu of the issued TDR.

When transfer ratio for a particular destination plot is 1, 100 sqm can be availed as development rights in lieu of the issued TDR.

When transfer ratio for a particular destination

plot is 1.5, 150 sq m can

be availed as

development rights in

lieu of the issued TDR.

4.3. DEVELOPMENT CONTROL RIGHTS

TDR is granted in the form of a Development Rights Certificate (DRC) or a floor area credit that can be used on the same plot or a different plot.

The D.R.C. contains details of the floor area credit in square meter of built up area and the area to which the owner of the surrendered land is entitled is stated in figures and words. The description of the land from where development rights are generated and the land use zone of the same are also stated in the D.R.C. A DRC has a definite validity period and a set of rule guide the utilization of a DRC.

4.4. STATUTORY AUTHORITY FOR TDR

The Authority responsible for acquiring land using TDR is the statutory body for TDR. In Bangalore BBMP and BDA are the statutory bodies for issuance of TDR. In Mumbai, the Municipal Corporation of Greater Mumbai processes and grants TDR. Similar functions are carried out by the Pune Municipal Corporation in Pune.

1. TRANSFER RATIO

The ratio between the utilised area and development rights is known as transfer ratio. It gives an estimate of the extent of area that can be availed in excess of or in deficit of the granted development rights.

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4.6. TDR GENERATION ZONE & TDR RECEIVING ZONE

The zone where TDR is generated is called the TDR generating zone. The zone where TDR is utilised is called the TDR utilisaton zone.

The generating and receiving zone can be same as in certain areas of Mumbai or different as in Bangalore.

1. TDR BANKS

A TDR bank is a repository of DRCs. In many foreign cities like New Jersey and King’s

County in the USA have a government operated TDR bank. TDR banks counter the difficulties posed by the use of TDRs. Government operated banks resolve valuation and marketability problems by setting minimum purchase prices, guaranteeing loans that use TDR as collateral and purchasing the TDR.

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CHAPTER 5: TRANSFER OF DEVELOPMENT RIGHTS IN INDIA

1. INTRODUCTION

Several cities in India have introduced the concept of TDR as a tool for financial and land mobilization. Chennai, Hyderabad, Pune and Ahmedabad along with Mumbai and Bangalore have a TDR scheme guided by the respective Town and Country Planning Acts, and the statutory master plans of the cities. This chapter deals with the TDR policies in these cities. Mumbai and Bangalore have been described in greater detail in the following chapters.

In 1990’s India started implementing TDR. Although TDR program appears to be a potentially powerful land use tool, only a few cities implemented and had success in using this tool.



Figure 2 Cities in India where TDR has been implemented

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

1. CHENNAI
   1. TDR POLICY

Transferable Development Rights (TDR) is detailed by the Master Plan for Chennai Metropolitan Area, 2026. TDR is granted where a private land is required for infrastructure purposed as indicated below:

1. Any road widening/new road formation as proposed in the Master Plan or DDP,
2. Any traffic and transport infrastructure development such as bus stops/stands, metro rail, MRTS etc.
3. Any urban infrastructure development such as water supply, sewerage, drainage, electricity, education, health, notified by the State Government Department or Government Agency or local body.

In cases of slums on waterways, road margins or any other land belonging to the Government departments or agencies, as the slum dwellers do not own these lands, the regulation for Transferable Development Rights is not applicable. Considering their safety, the slum dwellers who live in such areas need to be resettled and rehabilitated. Further, in certain cases, some of the slum dwellers in other non-objectionable areas also need to be resettled and rehabilitated, as the lands are required for carrying out infrastructure projects or for any other public purpose. In these cases, Special Transfer of Development Rights (Special TDR) for 30 square meters of floor area per slum dwelling resettled can be awarded to those private developers who provide alternate accommodations to them, subject to the Regulations.

Chennai Metropolitan Development Authority is the statutory authority for grant of TDR.

The FSI credit in the form of DRC shall be equal to the surrendered land area multiplied by an FSI of 1.5 multiplied further by factor arrived at by dividing the guideline value of the land surrendered with the guide line value of the land at which the development right transferred is proposed to be received/ utilized. Further as an incentive, TDR shall be based on one-and-a-half-times the Guide Line Value. Wherever lands surrendered qualify for FSI of 2.00 or more, the extent of additional FSI allowed in Transfer of Development Rights shall be 0.25

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FSI = (surrendered area) x 1.5 x (Guideline value of sending site/ guideline value of receiving

site) x 1.5

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| FSI = | (surrendered | x 1.5 x | Guideline value of sending site | x 1.5 |
|  | area) |  | Guideline value of receiving site |  |

FSI credit in the form of Special Transfer of Development Rights Certificate (Special TDRC) per slum beneficiary household shall be equal to 30 square meters of floor area multiplied by the factor 1.5 multiplied further by a factor arrived at by dividing the Guide Line Value (GLV) of the land at the emanating site with the GLV of the land at the special TDR receiving site.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| FSI = | 30 sqm | x 1.5 x | Guideline value of sending site | x 1.5 |  |
|  |  |
| Guideline value of receiving site |  |
|  |  |  |  |  |

Details of guidelines for TDR in Chennai are given in Annexure 2.

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

1. HYDERABAD
   1. TDR POLICY

Andhra Pradesh Building rules- 2012 forms the legal basis of TDR in Hyderabad.

Grant of TDR can be considered by the Competent Authority / Sanctioning Authority for the following areas subject to the owners complying with the conditions of development above, as per the following norms:

1. For the Master Plan Road / Road Development Plan undertaken and developed: equivalent to 200% of built up area of such area surrendered.
2. For conservation and development of lakes / water bodies / nalas foreshores & Recreational buffer development with greenery, etc equivalent to 100% of built up area of such recreational buffer area developed at his cost.
3. For Heritage buildings and heritage precincts maintained with adaptive reuse: equivalent to 100% of built up area of such site area.

TDR is also granted where an owner or two or more owners come together and develop combined or Common Parking Complex, Pedestrian Plaza / Subway, or improve / facilitate additional access by linking with surrounding roads etc. for public usage are provided, as part of their premises / land development / improving the urban design aspects.

The TDR may be arrived at on the basis of relative land value and equivalent amount in both export (sending) and Import (receiving) areas, as per the Registration Department records. However there appears no standard formula given in the planning document for the same.

Competent Authority for granting TDR is as follows:

Table 1: Competent Authority for granting TDR in Hyderabad

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Sl** | **Institutions** | **Competent Authority for issue of TDR** |
|  | 1 | Nagar Panchayats / Municipalities / | Concerned Municipal Commissioner |
|  |  | Municipal Corporations including |  |
|  |  | those falling in HMDA and UDA |  |
|  |  | areas |  |
|  | 2 | Gram Panchayats falling in Urban | Vice Chairman of concerned UDA |
|  |  | Development Authorities |  |

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|  |  |  |  |
| --- | --- | --- | --- |
|  | 3 | Gram Panchayats falling in HMDA | Metropolitan Commissioner of HMDA |
|  | 4 | Gram Panchayats falling with in | Director of Town and County Planning |
|  |  | Sanctioned GTP Schemes | (DT&CP) |

Details of guidelines for TDR in Hyderabad are given in Annexure 3.

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1. PUNE
   1. TDR POLICY

The Draft development plan 2027 forms the legal basis for TDR in Pune. TDR is granted for

owner (or lessee) of a plot of land which is reserved for

1. public purpose, or
2. road construction or road widening, in the Development plan and
3. new road / road widening proposed under any provision of the B.P.M.C. Act, 1949
4. additional amenities deemed to be reservations provided in accordance with Section 22 of Maharashtra Regional and Town Planning Act 1966

Excepting in the case of an existing or retention user or to any required compulsory or recreational open space or any reservation proposed on compulsory open space shall be eligible for the Transferable Development Rights (TDRs) in the form of Floor Space Index (FSI). Such award will entitle the owner (or leasee) of the land, to FSI in the form of a Development Right Certificate (DRC) which may be used for himself or transferred to any other person.

The built up area for the purpose of FSI credit in the form of a DRC shall be equal to the gross area of the reserved plot that is surrendered and will proportionately increase or decrease according to the permissible FSI of the zone where from the TDR has originated.

TDR incentives are also offered time wise. After the submission of draft development plan to the State Government under section 30 of the MR&TP Act 1966, and after final sanction of this Development Control Regulations if the owner hands over possession of any reserved plot within the period specified below, he will be entitled for additional incentive TDR in table given below:

Table 2: Additional Incentives with respect of the TDR zones in Pune

|  |  |  |
| --- | --- | --- |
|  | **Period of Possession of reservation** | **Additional Incentives with respect to TDR** |
|  | **From date of submission of draft DP to** | **Zones** |
|  | **State Govt.** |  |
|  | Upto 1 year | 50% |

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|  |  |  |
| --- | --- | --- |
|  | 1 to 2 years | 40% |
|  | 2 to 3 years | 30% |
|  | 3 to 4 years | 20% |
|  | 4 to 5 years | 10% |

Source: Draft Development Control Regulations for Development Plan Pune, 2013

The old city has been divided into three TDR zones, A.B &C as marked on the TDR zone map and 23 merged villages as TDR zone D.

Table 3: TDR Zoning in Pune

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **DRC Generation Zone** |  | **TDR Utilization Zone & multiplying factor** | |  |
|  |  |  |  |  |  |
|  |  | A | B | C | D |
|  |  |  |  |  |  |
|  | A | 1 | 1 | 1 | 1 |
|  |  |  |  |  |  |
|  | B | 0 | 1 | 1 | 1 |
|  |  |  |  |  |  |
|  | C | 0 | .62 | 1 | 1 |
|  |  |  |  |  |  |
|  | D | 0 | 0 | .67 | 1 |
|  |  |  |  |  |  |

Source: Draft Development Control Regulations for Development Plan Pune, 2013

1. In TDR zone ‘A’ and congested area in other sectors II to VI of the city, maximum

0.4 TDR (including slum TDR) will be permissible for utilisation.

1. For the utilisation of TDR on any plot, marginal open space and coverage may be relaxed by charging premium decided by the Municipal Commissioner from time to time, provided that, the relaxation sought does not violate the health safety, fire safety, structural safety and public safety of the inhabitants.

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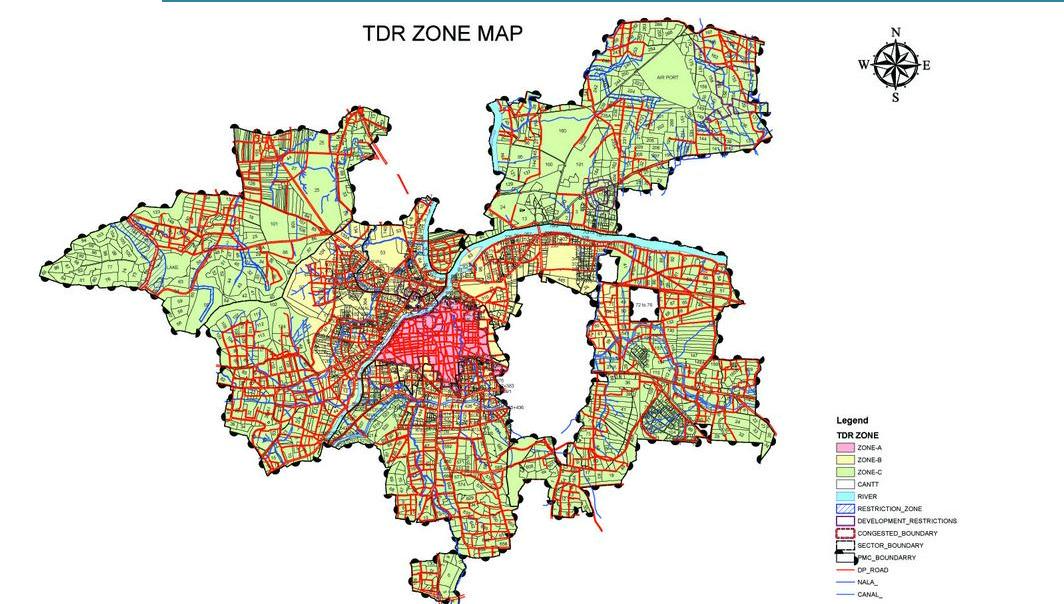


Figure 3 TDR zones in Pune

The norms for utilization with respect to FSI is as indicated below:

1. The FSI on the receiving plots shall be allowed to be exceeded not more than 0.8 in respect of DR available either for the reserve plots / road widening or FSI of road widening / reservation from the very said plot or in combination.
2. The FSI on receiving plot shall be allowed to be exceeded by further 0.2 in respect of DR available on account of slum rehabilitation scheme.
3. Further, FSI on receiving plot shall be allowed to be exceeded by 0.05 in respect of DR available on account of heritage / cluster TDR.
4. The utilisation of TDR on receiving plot shall be permissible as given below (any one of the following combination as the case may be):-
   1. (Reservation and / Road from very said plot) maximum 0.8 + Slum TDR 0.2 + Cluster / Heritage TDR0.05 = 1.05
   2. (Reservation and / Road from very said plot + TDR ) maximum 0.8 + Slum TDR 0.2 + Cluster / Heritage TDR 0.05 = 1.05

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1. (Reservation and / Road from very said plot) maximum 0.6 + Premium FSI 0.2 + Slum TDR 0.2 + Cluster / Heritage TDR 0.05 =1.05
2. TDR maximum 0.6 + Premium FSI 0.2 + Slum TDR 0.2 + Cluster / Heritage TDR 0.05 =1.05 (Slum TDR maximum 0.6 + TDR ) maximum 0.8 + Premium FSI 0.2 + Cluster / Heritage TDR 0.05 =1.05
3. (Slum TDR maximum 0.6 + Reservation and / Road from very said plot) maximum 0.8 + Premium FSI 0.2 + Cluster / Heritage TDR 0.05 = 1.05

An abstract of TDR Regulation for Pune Municipal Corporation is attached in Annexure 4

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1. AHMEDABAD
   1. TDR POLICY

The concept of TDR was introduced in Gujarat through the 'Comprehensive Development Plan 2021' draft approved in 2013. It is called as “Tradable Development Rights”. Tradable Development Rights is granted for the purpose of ‘heritage conservation’. A form of TDR known as Transferable FSI is granted for ‘slum rehabilitation’.

As per the heritage conservation guidelines, Tradable Development Rights shall be provided for structures, buildings and precincts notified under ‘Heritage Areas’ buy the competent authority in the form of Tradable Development Rights. The additional FSI provide is as follows:

Table 4: Additional FSI for Heritage conservation in Ahmedabad

|  |  |  |  |
| --- | --- | --- | --- |
|  | **SL** | **HERITAGE STRUCTURE** | **FSI** |
|  | 1 | Highest heritage value | 0.5 |
|  | 2 | High and moderate heritage value | 0.3 |
|  | 3 | Non-listed | nil |

Source: Part III: General Development Regulations, Draft Comprehensive Development plan - 2025

There is also a concept of Transferable FSI for redevelopment of slums. Any additional floor space area left after complying with the slum development regulations can be used as Transferable FSI in a different plot where existing FSI is more than 1.2. The maximum additional FSI that can be availed is indicated in the table below:

Table 5: Permissiable FSI in Ahmedabad

|  |  |  |  |
| --- | --- | --- | --- |
|  | **SL** | PERMISSIBLE FSI | TOTAL MAXIMUM PERMISSIBLE FSI |
|  | 1 | 1.2 | 1.8 |
|  | 2 | 1.8 | 2.7 |

Source: Part III: General Development Regulations, Draft Comprehensive Development plan - 2025

Such additional FSI can be used on projects granted under ‘Regulation of Hotel – 2011’, on any other plot on pro rata basis, proportionate to the jantri rates4 in the respective plots.

An abstract of TDR Regulation for Ahmedabad is attached in Annexure 5.

4 Guidance value

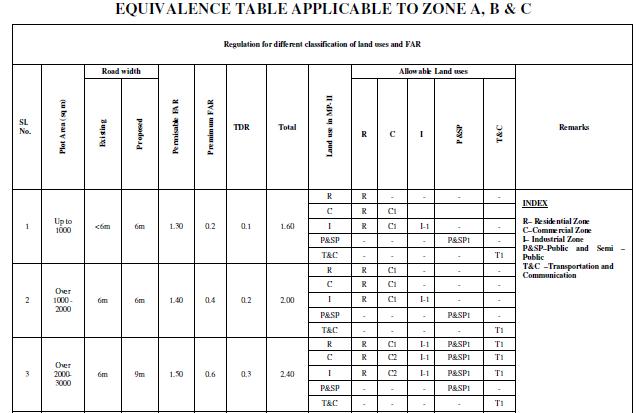
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1. MANGALORE

TDR is notified in 03 February 2005 and introduced in 2010 for the purpose of road widening, park & playground. TDR shall be as per provisions under Section 14-B of KTCP Act and terms and conditions notified by the Government from time to time. Act provides to permit development rights in the form of additional floor area which shall be equal to one and half times of the area of land surrendered/acquired. At present TDR is being issued for Widening of road, and Development Rights equivalent to 100% of the lost land. Commissioner, Mangalore City Corporation is the statutory authority for grant of TDR.

DRC utilization is incorporated in the FAR slabs. FAR is a composite of a Premium A, Premium B and TDR. In order to reach the maximum FAR for a land TDR must be used. However permitted FAR in the city is as high as 4, whereas TDR slab remains at a constant 0.5. This makes absorption of TDR in the market difficult. The table below shows the FAR slabs in Mangalore.



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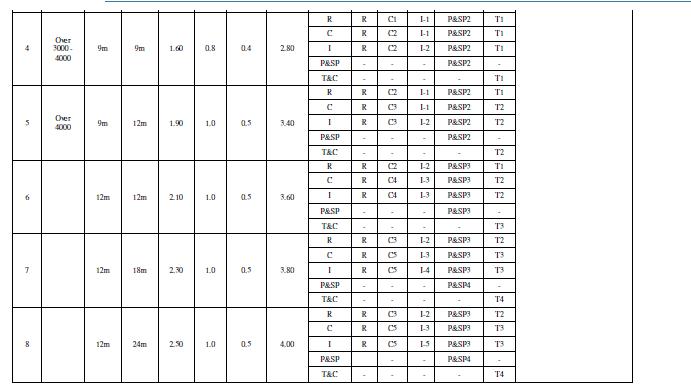


Figure 4: FAR utilization slabs in Mangalore

Additional FAR availed by amalgamation of properties or from TDR / DR originated from the same property shall be permitted over the total FAR prescribed in the Table subject to maximum FAR of 4, if the proposed road width is 12m and above.

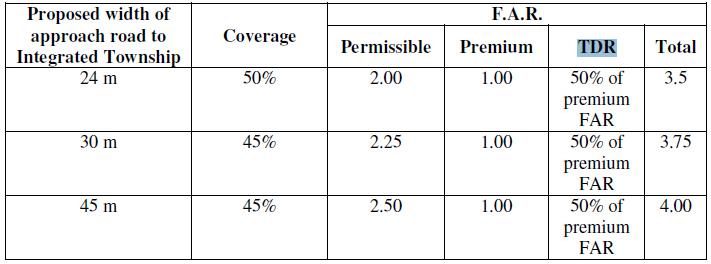


Figure 5: FAR utilization slabs in case of Integrated Township

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

Status of TDR in Mangalore

Table 6: Status of TDR in Mangalore

|  |  |  |
| --- | --- | --- |
|  |  | Area in sq.m |
|  |  |  |
|  | Total numbers of DRC issued | 370 |
|  |  |  |
|  | Area surrendered/acquired | 68737 |
|  |  |  |
|  | DRC area | 1, 03,105.72 |
|  |  |  |
|  | Utilised DRC Area | 36,714.06 |
|  |  |  |
|  | Remaining DRC Area | 66,391.66 |
|  |  |  |
|  | Source: Mangalore City Corporation |  |

Terms and condition for the grant of the TDR, DRC certificate sample and format of Utilization of DRC are attached in the Annexure 6

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1. COMPARATIVE ANALYSIS OF CITY TDR SCHEMES

Table 7: Comparative Analysis of City TDR Schemes

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | **Comparison** |  | **CHENNAI** | |  |  | **HYDERABAD** | |  | **PUNE** | |  |  | **AHMEDABAD** | |  |  | **MANGALORE** |  |  |  | **BANGALORE** | | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **Criteria** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Master Plan for | | |  | Andhra Pradesh | |  |  |  |  |  |  |  |  |  |  |  |  |  | Section (14) of the | | | |  |  |  |
|  |  |  |  | Chennai | | |  |  |  |  |  |  | City Development | | |  |  |  |  |  | KTCP Act of 1961 | | | |  |  |  |
|  |  | **Legal Base** |  |  | Building bye | |  | Master Plan 2027 | | |  |  | Master Plan | |  |  |  |  |  |
|  |  |  | Metropolitan Area | | |  |  |  | Plan 2021 | | |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | laws, 2012 | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | 2026 | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **Beneficiary** |  | Owner | | |  | Owner | |  | Owner/ Lessee | | |  | Owner | | |  | Owner | |  |  | Ower | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | |  |  |  |
|  |  |  |  |  | Road | |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  | Road widening | | |  |  |  |
|  |  |  |  |  |  | widening |  |  | Road | |  |  |  |  |  |  |  | ~ | | | Parks | and | open |  |  |  |
|  |  |  |  |  | widening | |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | widening | |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Lake |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Transport | |  |  |  |  |  |  |  | Slum | |  |  |  |  |  | spaces | |  |  |  |  |  |
|  |  |  |  |  |  | conservation |  |  | Slum | |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Infrastructure | |  |  |  |  |  | Rehabilitation | |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Heritage |  |  | Rehabilitation | |  |  |  |  Road | | ~ | | | Other | purposed | |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **Purpose** |  |  | Other | |  |  |  |  |  |  |  | Heritage | |  | development | |  |  |  |
|  |  |  |  |  | conservation |  |  | Reservation as | |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  | notified | | by | the |  |  |  |
|  |  |  |  |  | infrastructure | |  |  |  |  |  | conservation | |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | per the Section | |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Owner |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | 22 of the | |  |  |  |  |  |  |  |  |  | government. | | |  |  |  |  |
|  |  |  |  |  | Slum | |  |  | initiated |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  | MRTP Act. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Rehabilitation | |  |  | public |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

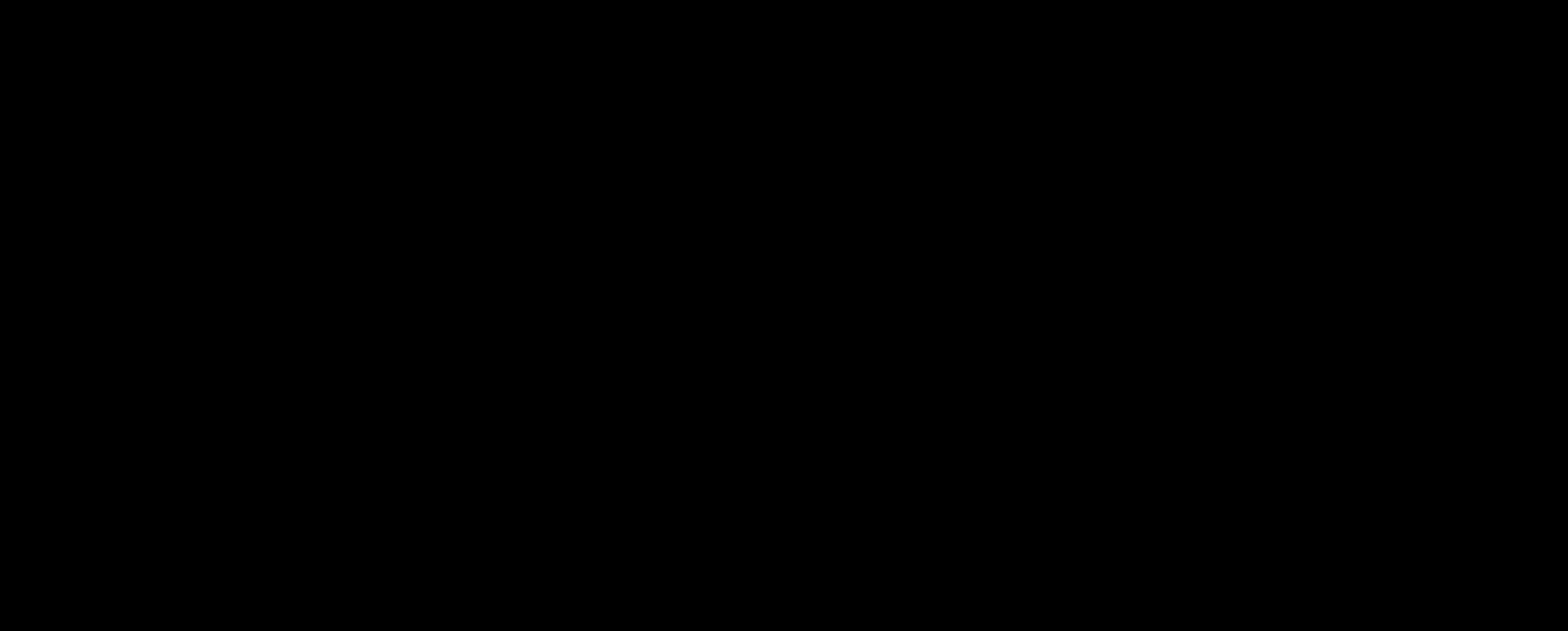
transport infrastructure

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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Comparison** |  | **CHENNAI** |  |  | **HYDERABAD** | |  |  | **PUNE** |  |  | **AHMEDABAD** | |  |  | **MANGALORE** |  |  |  | **BANGALORE** |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Criteria** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | 200% for road | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | widening | |  | (100% of area) x | |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **TDR** |  |  |  |  |  |  |  |  |  | 100% of | | |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | 100% for | |  | (FSI of destination | |  |  | 150% of | |  |  | 150% of surrendered |  |  |
|  | **compensation** |  | As per Note 1 & 2 | |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | water bodies | |  | plot/ FSI of origin | |  | surrendered area | | |  | surrendered area | |  |  | area |  |  |
|  | **policy** |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  | plot) | |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | 100% for | |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | heritage | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | Ranging from 1.5 to |  |  |
|  |  |  | Max 1.5 for | |  |  |  |  |  | Max 1.5 for | |  |  | Max 2.25 for | |  | Max 4 for | | 4 | | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Residential | |  |  |  |  |  |  |  | Residential | |  |  |  |  |  |  |
|  |  |  |  | Buildable area a | | |  | Residential | |  |  |  | Residential | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  | Max 1.8 for | |  |  |  |  |  |  |
|  | **FSI/ FAR** |  | Max 1.5 for | |  | component of | | |  | Max 1.5 for | |  |  | Max 4 for | |  |  |  |  |  |
|  |  |  | height and | | |  |  |  | Commercial | |  |  |  |  |  |  |
|  |  | Commercial | |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Commercial | |  |  |  | Commercial | |  |  |  |  |  |
|  |  |  |  | setbacks | | |  |  |  | Max 4 for | |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | TOD zones | |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | Zones specified | |  |  |  |  |  |  |  |  |  | 3 Concentric TDR |  |  |
|  |  |  | No designated | |  | No designated | | |  |  | No designated | | |  | No designated | |  |  | zones |  |  |
|  | **Zone** |  |  |  | by the Master | |  |  |  |  |  |  |
|  |  | TDR zones | |  | TDR zones | | |  |  | TDR zones | | |  | TDR zones | |  |  |  |  |  |
|  |  |  |  |  | Plan | |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | **Comparison** |  | **CHENNAI** |  |  | **HYDERABAD** |  |  | **PUNE** |  |  | **AHMEDABAD** |  |  | **MANGALORE** |  |  |  | **BANGALORE** | | | | | | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **Criteria** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | The ZR specifies | |  |  |  |  |  | TDR can be used in | | | | | | | | | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | any of the zones as | | | | | | | | | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | landuses like | |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | per the factor below. | | | | | | | | | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | hospitality where | |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | TDR can be | |  | TDR | |  | the TDRs can be | |  |  |  |  |  |  | DRC | |  | Utilization Zone | | | | | |  |  |
|  |  |  |  | FSI of plots shall | |  | allowed to be | |  | compensation area | |  | used. | |  |  |  |  |  |  | Gene | |  | **A** |  | **B** |  | **C** |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | ration | |  |  |  |  |  |  |
|  |  |  |  | not exceed 0.5 | |  | utilized for | |  |  |  |  |  |  |  |  |  |  | **zon** |  | **zone** |  | **zone** |  |  |  |
|  |  |  |  |  |  | gets factored | |  | FSI from TDR | |  |  |  |  |  |  | Zone | |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **e** |  | **(Rin** |  | **(Rin** |  |  |  |
|  |  |  |  | over and above the | |  | construction of one | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | between the | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | allowed to be | |  |  |  |  |  |  |  |  |  | **(Rin** |  | **g II)** |  | **g** |  |  |  |
|  |  |  |  | normally | |  | additional floor | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | zones. | |  |  | 0.5 FSI for TDR | |  |  |  |  |  |  | **g I)** |  |  |  | **III)** |  |  |  |
|  |  | **Utilization** |  |  |  |  | utilized is 50% of | |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | permissible FSI for | |  | over the normal | |  |  |  |  |  |  | A | |  |  | 1.50 | | 2.00 | |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **guideline** |  |  |  |  |  |  | the FSI of the | |  | slabs | |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  | Total FSI from | |  |  |  |  |  |  |  |  |  |  |
|  |  |  | that use in those | |  | permissible floors | |  |  |  |  |  |  | Zone | | 1.00 | |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | receiving plot. | |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | receiving sites or | |  | without insisting | |  | TDR cannot | |  |  |  |  |  |  |  | (Ring | |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | I) | |  |  |  |  |  |  |  |  |  |
|  |  |  |  | 0.25 when FSI | |  | additional setbacks | |  | exceed 1.05 of the | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | 0.3 or 0.5 for | |  |  |  |  |  |  | B |  |  | 0.66 |  | 1.00 |  | 1.33 |  |  |  |
|  |  |  |  | allowed is 2 or | |  | subject to | |  | FSI of destination | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | heritage, | |  |  |  |  |  |  | Zone |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | more | |  | compliance of | |  | plot | |  |  |  |  |  |  |  | (Ring |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | depending upon | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | II) |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | other norms. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  | grade | |  |  |  |  |  |  | C | | 0.50 | | 0.66 | | 1.00 | |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | 0.6 or 0.9 for slum | |  |  |  |  |  |  | Zone | |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | (Ring | |  |  |  |  |  |  |  |  |  |

III)

Note 1:

Note 2:

|  |  |  |
| --- | --- | --- |
| FSI = | (surrendered | x 1.5 x |
|  | area) |  |

FSI = 30 sqm x 1.5 x

Guideline value of sending site

Guideline value of receiving site

Guideline value of sending site

Guideline value of receiving site

* 1. 1.5

1. 1.5

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CHAPTER 6: TRANSFER OF DEVELOPMENT RIGHTS IN MUMBAI

1. INTRODUCTION

TDR was first promoted in the Development Plan of 1991 for Greater Mumbai. Its objective was to enable the MCGM to obtain land reserved for proposed public purposes. The only mechanism of developing designated land provided in the MR&TP Act, 1966 was by way of compulsory land acquisition. Recognizing the limitations of this approach the DP 1991 adopted an alternative strategy mainly involving Transferable Development Rights & Accommodation Reservation. MR&TP Act, 1966 was amended in 1994 with retrospective effect from 25th March 1991 to provide legal basis for TDR as a substitute for monetary compensation.

The DCR of 1991 is the present statutory document for TDR regulations. The Draft Development Plan of 2034 is presently in the process of public consultation and is due to be upheld to statutory status. This report deals in detail the TDR policy in the context of DCR 1991 while explaining the new concepts introduced in the Draft Development Plan 2034.

1. TDR MARKET

Being an axially growing city, land is a scarce resource in Mumbai. The density of the island city of Mumbai at present is 289 Persons/sqkm. Hence it has resorted to vertical growth to accommodate a population of 12,442,373 persons. Greater Mumbai has a uniformly low FAR as per it development regulations. Lack of land and low development rights have been the primary drivers of TDR in Mumbai. Hence there is a high demand for TDR in the real estate market. Also the market dynamics has been successful in utilizing TDR in areas of higher land price than they had been generated. Hence the economics of TDR has turned out to be highly profitable. Coupled with further incentivizing schemes like slum development has made TDR popular and a bankable option of land acquisition for the government.

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The draft development plan 2034 has further propelled the market for TDR. The new plan takes a planning approach of making FSI not just an entitlement but a maximum that can be attained subject to other regulatory conditions. Under this broad framework significant changes have been made to the FSI structure that would be instrumental in mobilizing grater TDR. FSI has been granted up to 8, around transit nodes following Transit Oriented Development (TOD). The FSI of 8 can however be achieved only through a slab processes, of base FSI, premium A, TDR and premium B. Hence to achieve a higher FSI, one must avail TDR. Hence the policy not only opens the market for real estate development but also facilitates public projects through TDR.

The following sections describe the TDR scheme in greater detail.

1. TDR POLICY

In the context of Mumbai, the TDR has been used as a fiscal tool more than a planning tool in the DP 1991 although DP 2034 take a more planning oriented approach for using TDR. The purpose of this Regulation was to enable the realization of the land reserved for public purpose through a compensatory mechanism of area based development rights instead of direct monetary payment as a form of acquisition. Regardless, Transfer of Development Rights (TDR) has been the most successful tool in procuring amenities at no extra cost to MCGM.

TDR is granted for the following purposes:

1. Roads
2. Heritage
3. Slums
4. Reservation

Section 22 of the MR&TP Act enables, so far as maybe necessary, to designate and reserve:

* Schools, colleges and other medical and educational institutions, public health institutions, markets, social welfare and cultural institutions, places for public entertainment, public assembly, museums, art galleries, religious buildings and government and other public buildings;

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

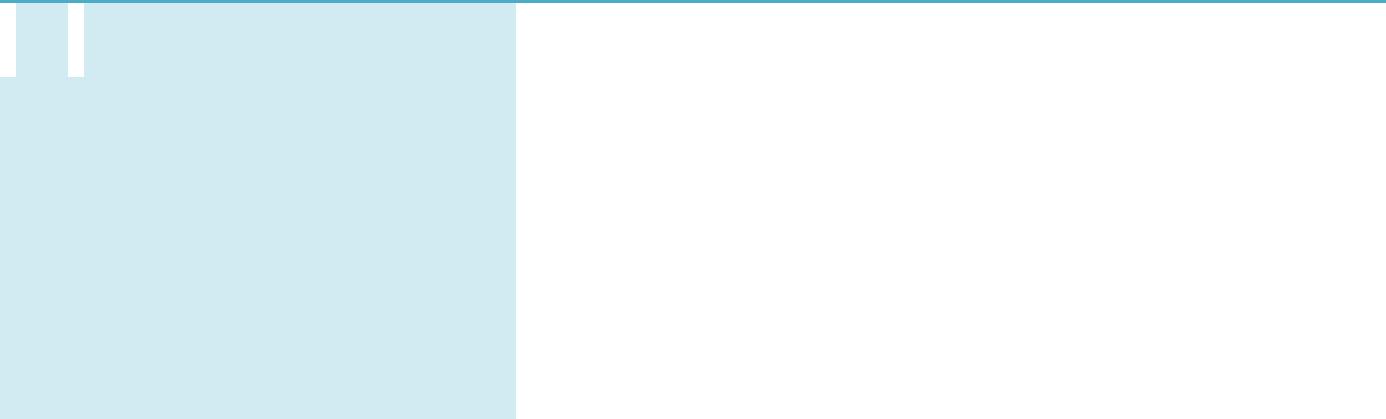
* Areas for open spaces, playgrounds, stadia, zoological gardens, green belts, nature reserves, sanctuaries and dairies;
* Areas for transport and communication such as roads, highways, railways, water ways, canals and airports;
* Reservation of land for community facilities and services;
* Service industries and industrial estates;
* Proposals of the Central, State government, Planning Authority or Public Utility undertaking

The following table gives a comparative analysis of policy for issue of TDR in Mumbai as

per the existing and the draft Development Plan.

Table 8: Comparative analysis of policy for issue of TDR as per the Development plan 1991 & 2034

|  |  |  |
| --- | --- | --- |
| **SN Instances** | **TDR grantedas** | **per TDR granted as per** |
|  | **Development plan 2034** | **Development Plan 1991** |



1  The land reserved/designated for any public purpose Development Plan and where award is not declared under Section 11 of LA. Act or any compensation has not been paid.

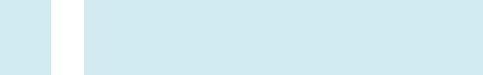
|  |  |
| --- | --- |
| (Zonal FSI + Premium FSI) x | (Zonal FSI) x (Surrendered |
| (Surrendered area) | area) |
|  |  |
|  |  |

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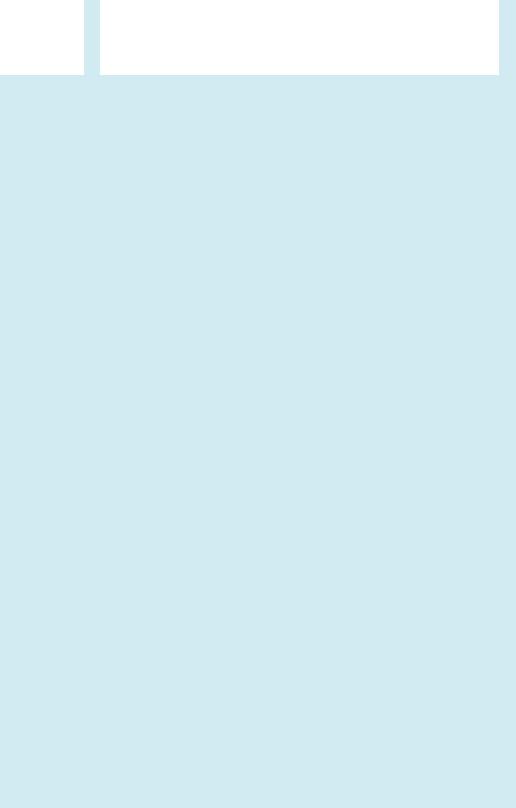
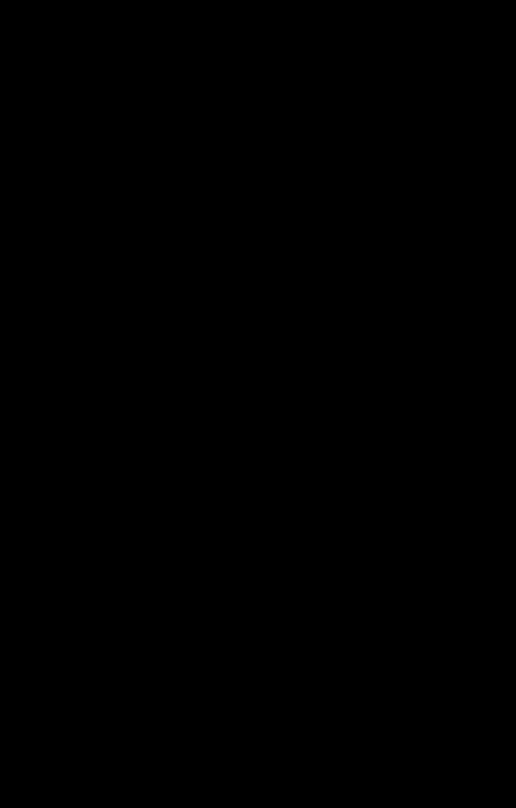
REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

|  |  |  |  |
| --- | --- | --- | --- |
| 2 | Development |  | rights |
|  | permissible | on | the land |
|  | required for | the | following |
|  | public purposes to the extent | | |
|  | that they cannot be used on | | |
|  | the remaining plot. | |  |

1. The land to be contributed for amenity space/reservation/designation s/D.P. Roads coder these regulations.
2. The land under Nalla/Nalla widening
3. R.L. Under MMC Act
4. The land under private roads/layout roads, which are required by the MCGM as per Regulation No. 11.4 of these Regulations for Layout.



3  In case of redevelopment of Cessed buildings, Urban renewal schemes and slum redevelopment scheme,



(Zonal FSI) x (Surrendered area)

Or

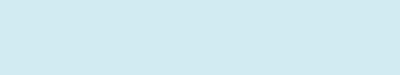
(Zonal FSI) x (Surrendered area + remaining un-usable are)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
|  | 1-2 | HA | 15% of carpet area |  |
|  |  |  |  |  |
|  | 2-5 | Ha | 25% of carpet area |  |
|  |  | |  |  |
|  | 5-10 Ha | | 35% of carpet area |  |
|  |  | |  |  |
|  | 10 + Ha | | 45% of carpet area |  |
|  |  |  |  |  |
|  |  |  |  |  |

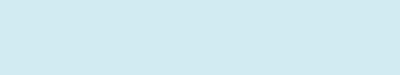
(Zonal FSI) x (Surrendered area)



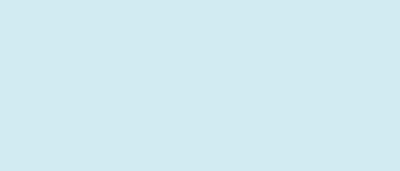
1.33 x



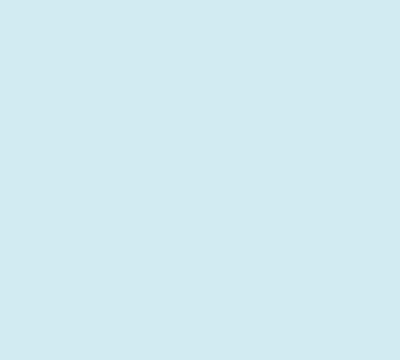
(total rehabilitated area)



Incentive FSI between 100% to 133% of rehabilitation built up area, that can be consumed



on the site of rehabilitation till FSI used at the site reached 2.5. Any additional FSI can be consumed at a different site.



Even though the sanctioned FSI may be more than 2.5 FSI, the maximum FSI that



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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  | can be utilised on any slum- | | | |  |
|  |  |  |  |  |  |  |  |  |  | site for the project shall not | | | |  |
|  |  |  |  |  |  |  |  |  |  | exceed 2.5 and the difference | | | |  |
|  |  |  |  |  |  |  |  |  |  | between sanctioned | | | higher |  |
|  |  |  |  |  |  |  |  |  |  | FSI and 2.5 if any, will be | | | |  |
|  |  |  |  |  |  |  |  |  |  | made available in the form of | | | |  |
|  |  |  |  |  |  |  |  |  |  | Transferable | | Development | |  |
|  |  |  |  |  |  |  |  |  |  | Right | (TDR) | in accordance | |  |
|  |  |  |  |  |  |  |  |  |  | with | the | provisions of | |  |
|  |  |  |  |  |  |  |  |  |  |  | | | |  |
|  |  |  |  |  |  |  |  |  |  | Appendix Vll-B of DCR | | | |  |
|  |  |  | |  |  |  | | | |  | | | |  |
| 4 | Heritage buildings | | |  |  | (Zonal Base FSI) - (FSI | | | | (Zonal Base FSI) - (FSI | | | |  |
|  |  |  |  |  |  | consumed | | by | Heritage | consumed | | by | Heritage |  |
|  |  |  |  |  |  | building as | | per | Regulation | building | |  |  |  |
|  |  |  |  |  |  | No. SDCR 6.) | |  |  |  |  |  |  |  |
|  |  |  | | |  |  | | | |  | |  |  |  |
| 5 |  | Built-up area provided free of | | |  | Built up area for rehabilitation | | | | Not included | |  |  |  |
|  |  | cost for | resettlement | of |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | occupiers on MCGM's | | land |  |  |  |  |  |  |  |  |  |  |
|  |  | reserved for public purpose or | | |  |  |  |  |  |  |  |  |  |  |
|  |  | for contravening structures of | | |  |  |  |  |  |  |  |  |  |  |
|  |  | Town Planning Scheme. | |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | | |  |  | |  | |  | |  |  |  |
| 6 | Built-up area constructed for | | | | | Development | | Rights shall be | | Not included | |  |  |  |
|  | transit | | tenements | or | | equal to the built up area | | | |  |  |  |  |  |
|  | affordable housing tenements | | | | | constructed and handed back | | | |  |  |  |  |  |
|  | as required by MCGM in the | | | | | to | Slum | Rehabilitation | |  |  |  |  |  |
|  | form of permanent structures | | | | | Authority | |  |  |  |  |  |  |  |
|  | constructed | | on unreserved | | |  |  |  |  |  |  |  |  |  |
|  | private land and handing over | | | | |  |  |  |  |  |  |  |  |  |
|  | of entire plot along with | | | | |  |  |  |  |  |  |  |  |  |
|  | constructed | | tenements | to | |  |  |  |  |  |  |  |  |  |

MCGM free of cost.

Source: Maharashtra Regional and Town Planning Act, 1966& Draft Development Plan 2034

The Development Plan of 1991 had a zone concept of TDR utilization based on density. Hence no DRC was allowed to be used in the Island City. They could be used (a) on any plot in the same ward as that in which they have originated (neither ward being in the Island city),

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or (b) on any plot lying to the north (wholly or partially) of the plot in which they have originated (but not in the Island city).

The Development Plan 2034 has undergone a sea change in conceptualizing the use of TDR. The planning principal in DP 2034 has been TOD oriented, giving focus to densification around transit nodes. The areas for densification have been mapping out spatially with distinct FSI allowance for each zone. The following table and map depict the new concept of TDR and FSI.

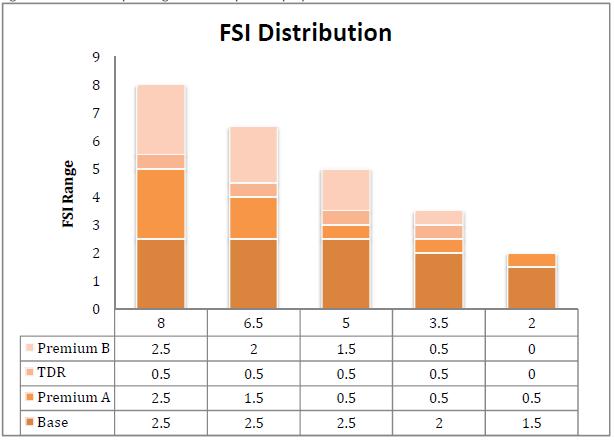


Figure 6: FSI Distribution in Mumbai

Source: Draft Development Plan 2034

A tiered approach has been adopted for FSI allowance. The map below spatially describes the application of tiered FSI.

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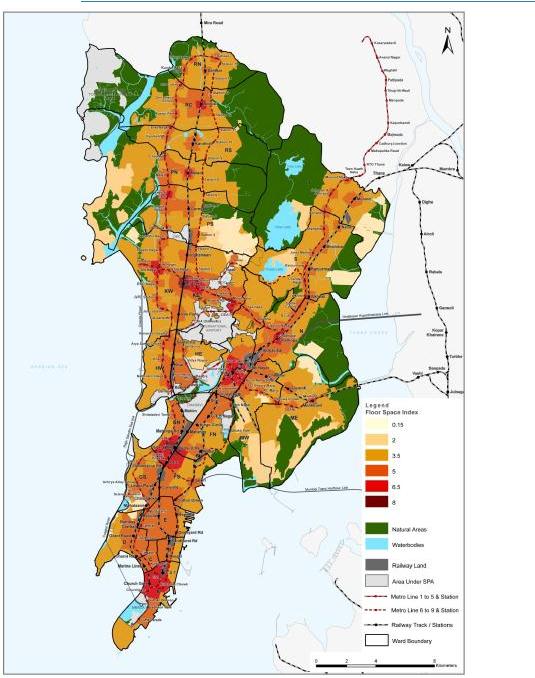


Figure 7: Proposed FSI zoning map of Mumbai

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1. INSTITUTIONAL FRAMEWORK

The authority for issue and utilization in Mumbai is the Municipal Corporation of Greater Mumbai (MCGM). The following figure describes the institutional process for grant of TDR.

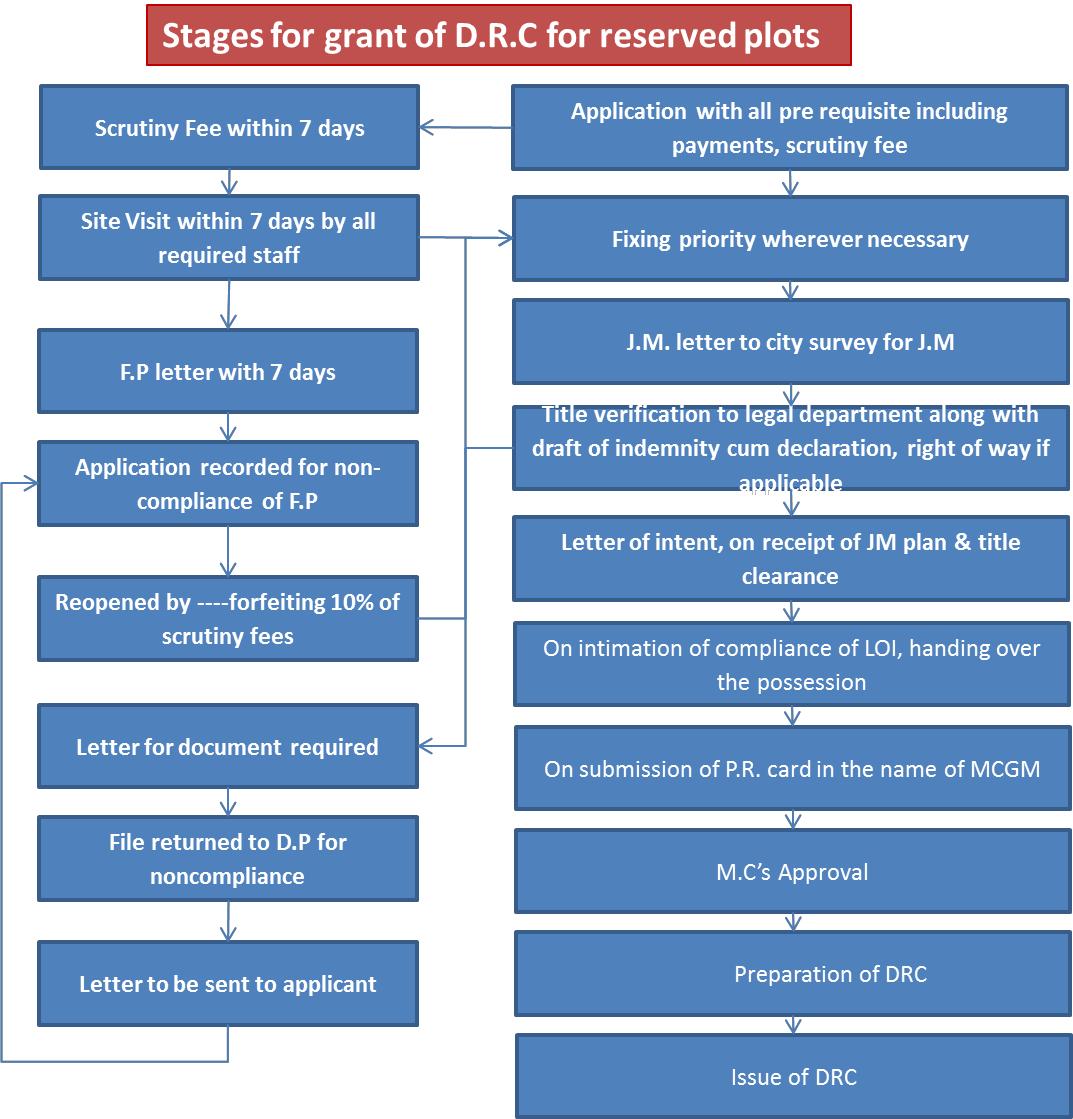


Figure 8: Institutional Process for Grant of TDR

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1. INSTITUTIONAL PROCESS

The Development Plan (DP) department at the MCGM deals with the process of TDR issue and utilization. The DP department publishes annually a list of projects to be taken up using TDR. The applications for issuance of TDR are submitted by the owners to the DP department along with scrutiny fees. The MCGM mandates appointment of a licensed surveyor or an architect as the interface between the authority and the owner for faster transaction time. There after the application with its requisite documentary details are sent to the legal department. On payment of legal fees, the applications are scrutinized for gaps and flaws. On clearance from the legal department, a representative of the Chief Engineer, DP department along with the revenue department conducts the survey of the land. Post completion of the same the Letter of Intent is issued by the Chief Engineer, DP department, signaling compliance of all necessary processes. The documents required for the TDR issue are then prepared by the DP department and handed over to the owner.

Time taken for TDR issue varies from 15 days in case of slum TDR to 2 years in case of road widening or reservation TDR. The bulk of the time taken is for verification of documents and legal rights. In case of slum TDR the process is already taken care of by the developer before an application is submitted. Hence the time taken is less. In case of individual owners however, clearance of legal documents remains a time consuming process.

The internal business processes at the MCGM is also interesting and adds considerable value to the implementation of TDR scheme. The TDR processes for entire Mumbai are handled centrally at the MCGM head office. The staff strength for the development plan department handling the TDR process is 4 along with 4 staff in legal department. This excludes engineers of respective wards and head office. There is partial digitization of records as a part of record keeping as the processing is done manually.

The record keeping system at the MCGM is through and is successful in preventing duplicity and fraud. However, the manual nature of the process might make it prone to human error and corruption. There are 12 registered maintained at the department as indicated in the table below.

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Table 9: List of Registered Maintained at the Department

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | **SL** |  | **List of Registers** | |  |
|  |  |  |  |  |  |  |
|  |  | 1 |  | Utilization Register (Ward wise) |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  | |  |  |  |  |
|  | 2 | |  | TDR Application Register (Ward wise) | |  |
|  |  | |  |  | |  |
|  |  | |  |  | |  |
|  |  | 3 |  | Additional TDR Register A |  |  |
|  |  |  |  |  |
|  |  | |  |  | |  |
|  | 4 | |  | DRC issued Register (Road, Reservation, Slum, Heritage) | |  |
|  |  | |  |  | |  |
|  |  | |  |  | |  |
|  |  | 5 |  | Register of Revenue |  |  |
|  |  | |  |  | |  |
|  | 6 | |  | Scrutiny Fee Receipt Book | |  |
|  |  | |  |  | |  |
|  |  | |  |  | |  |
|  |  | 7 |  | Deposit Receipt Book A |  |  |
|  |  | |  |  | |  |
|  | 8 | |  | Possession Receipt Book | |  |
|  |  | |  |  | |  |
|  |  | |  |  | |  |
|  |  | 9 |  | Ward wise DRC Register |  |  |
|  |  | |  |  | |  |
|  | 10 | |  | Power of Attorney Register | |  |
|  |  | |  |  | |  |
|  |  | |  |  | |  |
|  |  | 11 |  | Sale of Forms Register |  |  |
|  |  | |  |  | |  |
|  | 12 | |  | DRC Stock Register | |  |
|  |  |  |  |  |  |  |

Source: MCGM

Details the TDR processes and contents of register, DRC certificate sample and format of utilization and transfer in MCGM attached in Annexure 7

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1. SUMMARY OF TDR STATISTICS

Mumbai is one city that has implemented TDR scheme more effectively compared to other cities in India. In Mumbai TDR has been used for widening and New Roads, Slum Rehabilitation, Heritage Conservation, and Reservation purpose. Maximum number of DRC issued for Slum Rehabilitation then followed by the widening of roads and others.

Table 10: Project wise TDR Status in Mumbai

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Sl. |  | Total Land | Total no | TDR utilized | TDR Remaining |  |
| Name of Project | of DRC | from this project |  |
| No | acquired (sqm) | (sqm) |  |
|  | issued | (sqm) |  |
|  |  |  |  |  |
| 1 | Widening of | 1,073,529.12 | 711 | 1,022,209.41 | 51,315.71 |  |
| Mumbai Road |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | Slum | 7,320,564.96 | 1,125 | 7,103,021.16 | 217,543.80 |  |
| 2 | Rehabilitation |  |
|  |  |  |  |  |
|  | Authority(SRA) |  |  |  |  |  |
| 3 | Public Garden | 718,115.28 | 273 | 695,329.42 | 22,785.86 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 4 | Garden | 570,205.47 | 122 | 558,735.11 | 11,470.36 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | Municipal |  |  |  |  |  |
| 5 | Garden, Bus | 230,337.99 | 27 | 224,047.42 | 6,290.57 |  |
| Depot, Staff |  |  |  |  |  |
|  |  |  |  |  |  |
|  | Quarters Land |  |  |  |  |  |
| 6 | Fire Brigade, | 36,642.99 | 7 | 36,467.12 | 175.87 |  |
| Pared Ground |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 7 | MHADA (DCR | 63,831.50 | 14 | 53,337.65 | 10,493.85 |  |
| 58) |  |  |  |  |  |
|  |  |  |  |  |  |
| 8 | Export Office | 6,637.30 | 3 | 6,637.30 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 9 | Welfare Center | 1,083.92 | 3 | 1,083.92 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 10 | Recreation | 971,763.38 | 237 | 959,730.80 | 12,032.58 |  |
| Ground |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 11 | Library | 5,916.58 | 4 | 5,916.58 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | Vehicle Parking | 55,620.39 | 4 | 55,270.39 | 350.00 |  |
| 12 | & Extension of |  |
|  |  |  |  |  |
|  | Veer Jijamat |  |  |  |  |  |

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|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Udyan |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 13 | Primary School | 104,743.89 | 63 | 98,477.14 | 6,266.75 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 14 | Secondary School | 11,775.41 | 8 | 11,775.41 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 15 | Road Depot | 1,947.63 | 3 | 1,947.63 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 16 | Amenity for Open | 160,007.53 | 86 | 146,121.15 | 13,886.38 |  |
| Space |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 17 | Sanitary Refused | 294.31 | 1 | 294.31 | 0.00 |  |
| Shade |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 18 | Retail Market | 3,018.80 | 2 | 3,018.80 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 19 | Garage | 4,996.70 | 1 | 4,996.70 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 20 | Telephone | 9,118.80 | 2 | 9,118.80 | 0.00 |  |
| Exchange |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 21 | Municipal Store | 4,574.50 | 2 | 4,562.30 | 12.20 |  |
| Room & Depot |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 22 | Municipal | 2,235.70 | 1 | 2,235.70 | 0.00 |  |
| Hospital |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 23 | Cemetery | 21,562.40 | 4 | 21,554.70 | 7.70 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 24 | Pumping Station | 12,804.80 | 2 | 12,804.80 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | Repair & | 9,428.48 | 5 | 5,966.30 | 3,462.18 |  |
| 25 | Reconstruction |  |
|  |  |  |  |  |
|  | for PAP |  |  |  |  |  |
| 26 | ISES Sub Station | 7,146.50 | 1 | 7,146.50 | 0.00 |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 27 | Oshiwara District | 9,974.21 | 3 | 6,007.91 | 3,966.30 |  |
| Center(ODC) |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 28 | Law Court & | 3,962.50 | 1 | 270.00 | 3,692.50 |  |
| Court Housing |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | Total | 11,421,841.04 | 2,715 | 11,058,084.43 | 363,752.61 |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| Source: MCGM | |  |  |  |  |  |

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1. OBSERVATIONS

Mumbai is the first city in India to introduce FSI and it has been most successful till date in generating positive response from the population/ residents towards acceptance and utilization of TDR. TDR policy 1991 has worked in the market for 2 reasons-(i) uniformly low FSI in the city (ii) high demand for land to accommodate the huge population growth. The implementation statistics of Mumbai is evident of the huge response. The 1991 policy was more of a fiscal tool than a planning tool as it has neither been successful in containing the densities or market speculation. The draft DP 2034 however transforms the concept to a more planning tool. It designates densification zones based on planning principles and integrates the concept of TDR along with affordable housing provision and densification. The 1991 policy was successful in generating response but it still has a long way to go in terms of fulfilling the land requirement for public infrastructure. The time taken for the TDR processing forms the most important factor on which TDR success in dependent in Mumbai. Like in any other city, TDR time taken can be as long as 2 years. The DP 2034 makes the TDR scheme more attractive but it still has a long way to go in addressing the institutional delay in TDR. There is no proposal for automation, which could have been instrumental in saving time. However, the policy in Mumbai is one which covers the concept of TDR in the maximum detail.

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CHAPTER 7: TDR POLICY

IN BANGALORE

1. INTRODUCTION

The concept of Transfer of Development Rights was introduced to Bangalore in 2005 as an effort to ease the acquisition of land for public purposes. TDR is permitted by the Section 14(B) of the KTCP Act, 1961. The Revised Master Plan 2015 of Bangalore details the TDR policy. TDR is issued by BBMP and BDA for acquisition of land for public purposes.

“Public Purpose” includes the following as per Govt. circular dated 9-11-2009

1. ‘Road widening and creation of new road’, ‘signal free corridor’, ‘railway under pass’, railway over bridge’;
2. Maintaining or improving heritage structure or precincts notified by the Govt.
3. Providing Parks, playgrounds and open spaces
4. Any other purpose notified by the State Government from time to time

TDR presents a win-win situation to both the planning authority/ urban local body as well the owners of the project affected land. It facilitates ‘urban land’ for public purposes free of title disputes, encumbrances and encroachments. It also reduces the direct financial requirement for public projects. The owners on the other hand, receive development rights which can be sold for an amount many time that of the traditional ‘monetary compensation’.

Presently TDR has been used primarily for construction of road infrastructure including road widening, underpass and signal free corridors.

7.1.1 INSTITUTIONAL STRUCTURE

As per UDD modification on TDR Authority, the Planning authority & the Urban Local body has the rights for granting Transfer of Development Rights. TDR is granted by the BBMP (Bruhat Bangalore Mahanagara Palike) within the municipal boundary and by the BDA outside the municipal boundary as per UDD notification of 2012.

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7.1.2 COMPENSATION

TDR is granted in the form of a Development Rights Certificate (DRC) or a floor area credit that can be used on the same plot or a different plot. Compensation is 1.5 times of the area acquired.

7.1.3 TDR ZONE, SENDING AND RECEIVING AREAS

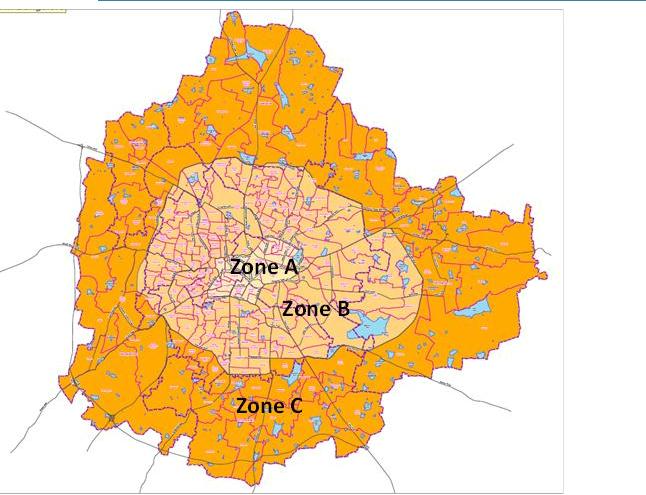
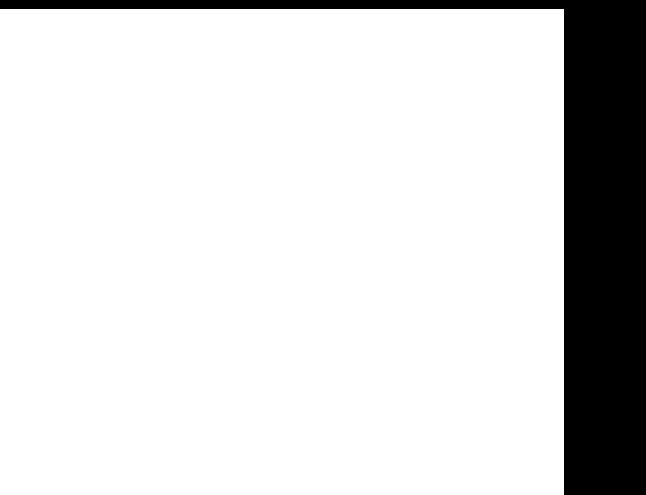
Based on the intensity of development, the city is divided into 3 TDR zones; intensively developed (A-zone), moderately developed (B-zone) and sparsely developed (C-zone) zones as shown in the map below.

* A Zone (Ring I): Areas coming within the Core Ring Road
* B Zone (Ring II): Areas coming between the Core Ring road and the Outer Ring Road
* C Zone (Ring II): Areas coming beyond the Outer Ring Road and within the LPA

There is no restriction of use of DRC between the zones, i.e. DRC generated in any of the zones can be utilized in any of the zones.

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Map 4: TDR Zones in Bangalore

DRC can be used between zones based on the following transfer ratio.

Table 11: Zone Wise Utilization of TDR in Banaglore

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | DRC Generation Zone |  | Utilization Zone |  |
|  |  | **A zone (Ring I)** | **B zone (Ring II)** | **C zone (Ring III)** |
|  | A Zone (Ring I) | 1.00 | 1.50 | 2.00 |
|  | B Zone (Ring II) | 0.666 | 1.00 | 1.333 |
|  | C Zone (Ring III) | 0.50 | 0.666 | 1.00 |

Source: Chapter 10, Volume – III, Revised Master Plan 2015, BANGALORE, 2007

Any TDR generating in Zone A (Ring 1 - the core areas of the city) can be used in a higher ratio in the outer rings. TDR generated in Zone B (ring 2 –moderately dense areas) can be used in a higher proportion in the outer ring and in a lower proportion in the inner ring where

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as those generating in Zone C can be used in lower proportion in the interior of the city. The ratio follows the principal of densification in new growth areas while promoting low growth in the core city areas.

8.2.1. DEVELOPMENT RIGHTS CERTIFICATE

TDR is granted in the form of a Development Rights Certificate (DRC) or a floor area credit that can be used on the same plot or a different plot.

The D.R.C. contains details of the surrendered area & compensation area.The description of the land from where development rights are generated and the land use zone of the same are also stated in the D.R.C.

DRC certificate is valid for 5 years; however, the same may be revalidated for a further period of 5 years subject to payment of revalidation fee. The utilization of Development Rights shall be in multiples of ten sq. meters only except the last remainder.

The eligible additional floor area may be utilized in the remaining portion of the land after surrender, irrespective of the road width. The DRC is not be valid for use on receivable plot/plots abutting a road of less than 9 meters within the LPA of Bangalore subject to the conditions of Transfer ratio between the zones A, B & C.

1. IMPLEMENTATION MECHANISM

The following section demonstrates the TDR implementation process in the BBMP.

The road widening programs and project to be implemented using TDR tool are notified by the Road infrastructure department of the BBMP as an annual program or on a periodic basis. For a particular identified project that is to be taken up, the Road Infrastructure department releases the notification of properties to be acquired.

Here after the process is transferred to the respective Zonal Offices. The TDR process hereafter is as follows:

1. Survey of the property to be acquired is conducted by the engineers to prepare a detailed survey plan for each individual property. The detailed survey plan gives an idea of the extent and dimension of area to be acquired from each property.

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1. The property owners are simultaneously approached for seeking their consent for agreement to TDR. An approval letter addressed to the Commissioner BBMP is collected from the land owners as proof of agreement.
2. The property documents are then collected from the land owners. As per the govt notification, the following documents are collected: – Sale deed, Khata certificate, khata extract, and Encumbrance Certificate, Title deed, property card, tax –paid receipt, site plan as per RMP 2015.
3. Verification process of the documents submitted by the land owner is carried out and a report from the ARO officer is generated on satisfactory verification.
4. A Relinquishment deed declaring the transfer of land to the “Commissioner BBMP” is signed by the landowner as the last step of land transfer process.
5. The DRC certificates are prepared at the zonal office to be released after the verification from the Head office.

Post completion of the process at the Zonal offices, each case goes to the Head office for final verification. The tasks at the Head office at this stage are listed below.

Final verification of the property documents are carried out at Land acquisition Department of the BBMP. Simultaneously, at the Road Infra department the area and dimension details of the properties are verified with the proposed RoW of the road

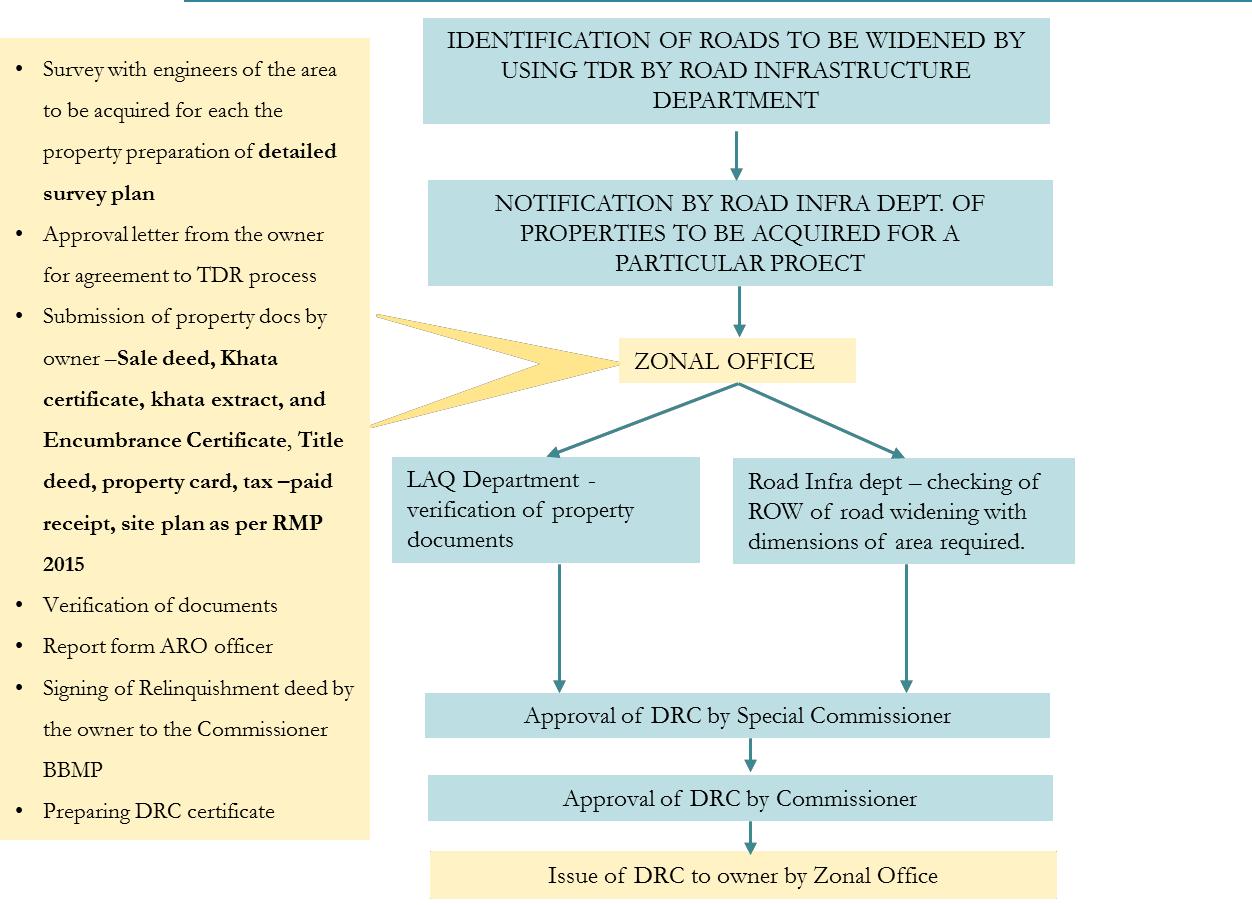
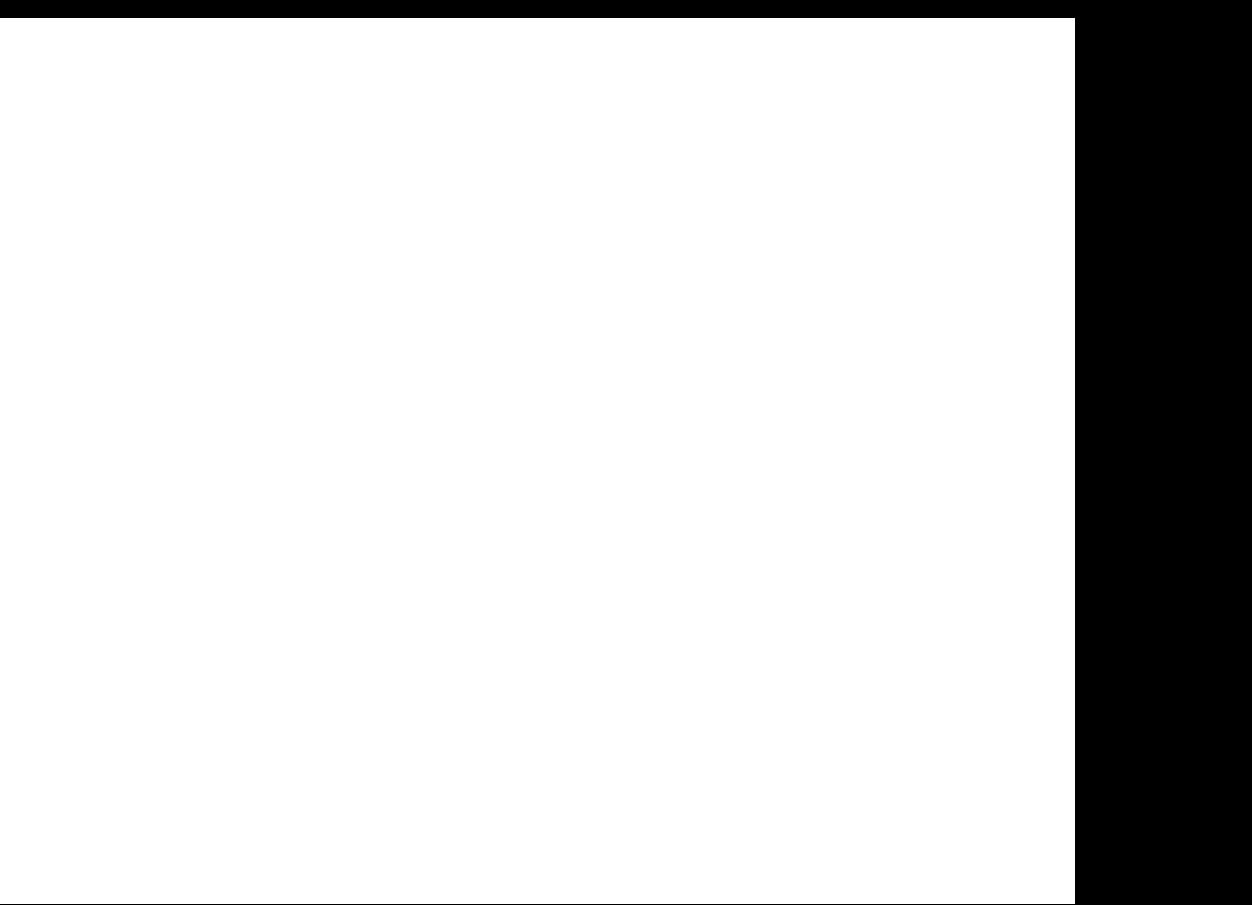
Post completion of these two processes, DRC is approved by the Special Commissioner and the Commissioner of the BBMP. The DRC is finally issued to the land owner from the zonal offices.

The records for TDR pre 2011 are available at the head office while those post 2011 are available in the zonal office.

The process has been explained graphically in the figure below.

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The internal procedures for TDR are carried out manually. Digitization has been carried out but at a limited scale. There had been a change in the institutional process post 2011. The function of TDR was originally with the Land Acquisition department at the head office initially. However after the amalgamation of the erstwhile Bangalore Mahanagara Palike with the surrounding CMCs and villages, the BBMP was created. While the BMP had a jurisdiction of 220 sqkm, the BBMP expanded to 709 sqkm. Hence there was a decentralization of the TDR function from the head office to the respective zonal offices. As described above, presently there is a sharing of activities between the head office and zonal

7.2.1 FAIRNESS AND TRANSPARENCY IN IMPLEMENTATION OF TDR

The concept of TDR, in principle is **fair** as it gives the owner rights of development in return of the acquired land. As detailed out in the following chapters, the compensation provided by the TDR policy is fair to land losers as one gets almost equivalent or more value when the

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DRCs are utilized. The implementation procedure is also democratic in nature and fair to both the land losers and the government.

However, certain gaps regarding TDR implementation in Bangalore has not been noticed, which makes TDR not entirely transparent.

1. Annual list of road widening project to be taken up is not published. A list of 216 roads was announced after the Revised Master Plan 2015 was published. Post publication of that notice there has been notice or action plan published by the BBMP informing the public of their opinion. Due to lack of information, landowners are under lot of speculation regarding the status of their land.

Land owners under these circumstances resort to two of these options:

* 1. The land is silently sold off to unknowing buyers, who are unaware of the proposed widening of the road inform of the site.
  2. The land owner builds and uses the property anyway, as there is no specific time for acquisition. The built-up area once acquired fetches higher compensation from the BBMP compared to the original site.

There is a lack of substantial notice period or planning period before acquisition due to

gaps in the information process.

1. Periodical list of TDR availability status is not published by the BBMP. There is no information to the buyers as well as the owners of TDR about quantum and geography of TDR generation as well as utilization.
2. The above condition creates lack of transparency in the TDR market. Land owners are not aware of the current value of TDR in market. TDR buyers are also not aware of availability of TDR. This leads to formation of TDR cartels, a person or institution that purchases TDRs in large amount from owners from near and far places of Bangalore. Since owners are not aware of actual buyers, they are forced to sell off their TDR at meager prices. The same are them sold at higher/ more reasonable prices to real estate developers.

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7.2.2 RECORD-KEEPING, MONITORING & REGULATING MECHANISM FOR TDR

Records related to TDR are maintained at the zonal offices of BBMP. There are no central TDR records available at the BBMP head office. All records are manually maintained in hard copy format in ledgers. Certain data regarding TDR status, in the form of PDF documents, is available in the BBMP website dating till 2011. The data contains information of where TDR has been issued but is largely deficient in several aspects like, from which project a certain TDR originated, whether and to whom it has been transferred, where it has been utilized etc.

Monitoring and regulating mechanisms are not available in BBMP at present.

1. PROJECTS INITIATED UNDER TDR

The Road Infrastructure department in BBMP publishes an annual plan of road widening to be taken up. Based on the publication the owner of the land can apply for TDR. In other cases, the Land Acquisition department at BBMP initiated the process for TDR.

The aggregated list of projects to be taken up for road widening is detailed in Annexure 8. A total of 216 roads have been identified for widening. The table below indicates the projects that have been initiated using TDR.

Table 12 Road widening project where TDR has been used in Bangalore

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | SL |  | PROJECT NAME |  | NO OF DRC |  |  |
|  |  |  | ISSUED |  |  |
|  |  |  |  |  |  |  |

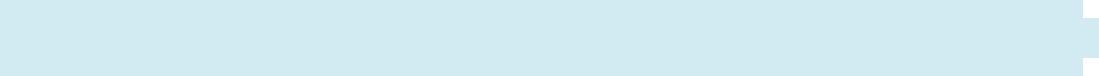


|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| A | HEAD OFFICE | |  | |
| 1 | Construction of Kadirenahalli Underpass and Service Road | | 5 | |
|  | 2 | | | Construction of Storm Water Drain at Hennur | | 4 | |
|  | 3 | | | Formation of Pedestrain Road & Service Road at Mattikere near ITC | | 6 | |
|  | 4 | | | Graveyard | | 1 | |
|  | 5 | | | Rajajinagar Underpass | | 3 | |
|  | 6 | | | Storm Water Drain | | 1 | |
|  | 7 | | | Widening of 80' Road at RMV 2nd stage, sanjaynagar. | | 0 | |
|  | 8 | | | Widening of Banasawadi Road & Willer Road via -Banasawadi | | 1 | |
|  | 9 | | | Widening of Begur-Hulimavu Road | | 17 | |
|  | 10 | | | Widening of Begur-Koppa Road | | 10 | |
|  | 11 | | | Widening of Bull Temple Road | | 1 | |
|  | 12 | | | Widening of Crescent Road | | 1 | |
|  | 13 | | | Widening of HMT Main Road | | 2 | |
|  | 14 | | | widening of Hosur Luskar Road | | 4 | |

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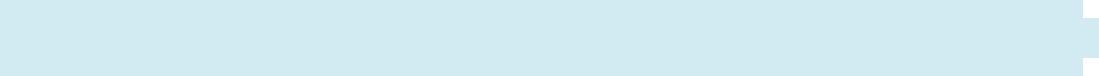
REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

1. Widening of Hosur Road to Bengur Road via AECS Layout
2. Widening of Magadi Main Road from Binnimill circle to Laprosy

Hospital

17 Widening of P. Kalingarao Road (Devanga Hostel Road)

18 Widening of Race Course Road (Anand Rao Circle to Basaveshwara Circle)



19 Widening of Sankey Road

2



2

0



3

1

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | 20 |  |  | Widening of Vatal Nagraj Road |  |  | 2 | |  |  |
|  | 21 | |  |  | Widening Yeshwanthapura Road to Mother Dairy circle, MS Palya | | | 1 | |  |  |
|  |  | 22 |  |  | Other projects |  |  | 101 | |  |  |
|  |  |  |  |  | **TOTAL HEAD OFFICE** |  |  |  | 168 |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | |  |  |  |  |
|  |  | B |  |  |  | BOMMANAHALLI | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | 1 |  |  | Naganathapura Main Road |  |  |  | 3 |  |  |
|  | 2 | |  |  | Begooru-Koppa Road |  |  | 14 | |  |  |
|  |  | 3 |  |  | SWD |  |  | 1 | |  |  |
|  | 4 | |  |  | Other projects |  |  | 3 | |  |  |
|  |  |  |  |  | **TOTAL BOMMANAHALLI** |  |  |  | |  |  |
|  |  |  |  |  |  |  |  | 22 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | |  |  |  |  |
|  |  | C |  |  |  | DASARAHALLI | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  | 1 | |  |  | Strengthening,widening and Asphalting of KAIDB Main Road from | | | 9 | |  |  |
|  |  |  | Peenya 2nd stage to NH-4 |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Strengthening,widening and Asphalting of Road Abbigere Main Road | |  |  |  |  |  |
|  |  | 2 |  |  | from Kammagondanahalli entrance to Abbigere border.(Change of | |  |  | 3 |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  | road to hesargatta main road from M.S. Palya singapura to lakshmi | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | pura) |  |  |  |  |  |  |
|  | 3 | |  |  | Widening of Magadi main road |  |  | 4 | |  |  |
|  |  | 4 |  |  | Other projects |  |  | 13 | |  |  |
|  |  |  |  |  | **TOTAL** DASARAHALLI |  |  |  | |  |  |
|  |  |  |  |  |  |  |  | 29 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | |  |  |  |  |
|  |  | D |  |  |  | EAST | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | 1 |  |  | Widening of Tannery road |  |  | 8 | |  |  |
|  | 2 | |  |  | Widening of Kasturiba road |  |  | 6 | |  |  |
|  |  | 3 |  |  | Indiranagar 100 feet Road |  |  | 4 | |  |  |
|  | 4 | |  |  | Widening of Banasavadi road |  |  | 3 | |  |  |
|  |  | 5 |  |  | Hennur Road |  |  | 3 | |  |  |
|  | 6 | |  |  | Sumangali Seva Sharma Road |  |  | 3 | |  |  |
|  |  | |  |  |  |  |  |  | |  |  |
|  |  | 7 |  |  | Widening of malleshpalya road |  |  |  | 3 |  |  |
|  | 8 | |  |  | Bellary Road |  |  | 2 | |  |  |
|  |  | 9 |  |  | Hosur Luskar Road |  |  | 2 | |  |  |

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | Mission Road | 2 | |
| 11 | Nandidurga Road |  | 2 |
| 12 | Widening of Dickenson Road (MG Road to Ulsoor Road Junction) | 2 | |
| 13 | Ulsoor Road | 1 | |
| 14 | Annaswamy Mudaliar Road | 1 | |
| 15 | Cresent Road | 1 | |
| 16 | Cunningham Road | 1 | |
| 17 | Infantry Road | 1 | |
| 18 | K.B.Sandra Road, | 1 | |
| 19 | Old Airport Road | 1 | |
| 20 | Nagavara Interier Road | 1 | |
| 21 | Park Road | 1 | |
| 22 | Queens Road | 1 | |
| 23 | Old Mdras Road | 1 | |
| 24 | St.John Church Road | 1 | |
| 25 | Richmond Road | 1 | |
| 26 | Roberstan Road | 1 | |
| 27 | Suranajana Dass Road | 1 | |
| 28 | Vasantha nagar Main Road | 1 | |
| 29 | Wideining of wheelers road | 1 | |
| 30 | Widening of D.J. Halli road | 1 | |
| 31 | Other projects | 14 | |
|  |  |  | |
|  | **TOTAL EAST** |  | 72 |
|  |  |  |  |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | E |  |  | WEST | | |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  | 1 |  | Link Road |  |  | 1 |  |  |
|  |  |  |  |  |  | |  |  |
|  |  |  | **TOTAL WEST** |  | 1 | |  |  |



|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  | F |  |  | MAHADEVAPURA | |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  | 1 |  |  | Signal-free Corridor Road, Mekri Circle to Hope Farm, ITPL Lowry |  | 1 |  |  |
|  |  |  |  |  |  |
|  |  |  | School, Tin Factory |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 2 | |  | Wideing of road from Whitefield to Nagondanahalli via vijayanagara | |  |  |
|  |  |  |  |  |  |  |
|  | 3 |  | Widening Gear College Doddakanahalli, Devabeesanahalli |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
| 4 | |  | Widening Maleshpalya road, BEML Main road, Sigayanapalya, BEML | |  |  |
|  | To HAL Via, Maleshpalya | |  |  |
|  |  |  |  |  |
|  | 5 |  | Widening of Belathur road-b, From Kurudusonnehalli to Belathur-via |  |  |  |
|  |  |  |  |  |
|  |  | K.Sonnehalli, Dommasandra Belathur |  |  |  |
|  |  |  |  |  |  |

1. Widening of Bhatrahalli Village Main Road, Manmjunatha Layout, 3rd Cross, Bhatrahalli Village

|  |  |  |
| --- | --- | --- |
|  |  |  |
| 7 | Widening of Devasandra Main Road, Hoodi Cross Road, Kadugodi |  |
|  |  |  |

1



8

19



17

1



5

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|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  |  | Saadaramangala, Kodigehalli, Belathur |  |  |  |
|  |  |  |  |  |  |  |
| 8 | |  | Widening of HAL Aerodrum Main Road, Murugeshpalya on Airport |  |  |  |
|  | Road old Airport, Murugeshpalya, Yamalur. |  |  |  |
|  |  |  |  |  |  |
|  | 9 |  | Widening of Hennur-Horamavu |  |  |  |
|  |  |  |  |  |
|  |  | Agrara Jayanthi Nagar road |  |  |  |
|  |  |  |  |  |  |
| 10 | |  | Widening of Hopefam circle to chennasandra road |  |  |  |
|  | |  |  |  |  |  |
|  | |  |  |  |  |  |
|  | 11 |  | Widening of Horamavu/ Kalkere main road |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  | Widening of Kothanuru to Avalahalli Byrathi, Bilishivale, Aduru, |  |  |  |
| 12 | |  | Bidarahalli, Hirandahalli road |  |  |  |
|  |  |  |  |  |  |
|  | 13 |  | Widening of Panathur Road, Yamalur, varthur Via, Kadubeesanahalli, |  |  |  |
|  |  |  |  |  |
|  |  | panathur, Balageri & Yamalur |  |  |  |
|  |  |  |  |  |  |

1. Widening of Sarjapura Main Road, Outer Ring Road, Rail level Crossing,Via Kikondrahalli, Doddakammanahalli

1



31

1



15

30



7

1

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 15 |  | Widening of Sheege Halli road Mallappa garden to Priyamka Nagar |  |  | 10 |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| 16 | |  | Widening of Sigenahalli Main Road, Basavanapura Main Road to | | 1 | |  |  |
|  | Medahalli Sonnenahalli Kalony to Medahalli on NH4 | |  |  |
|  |  |  |  |  |  |  |
|  | 17 |  | Widening Sarjapura road Horamavu main road |  |  | 1 |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| 18 | |  | Other projects | | 954 | |  |  |
|  |  |  |  | |  | |  |  |
|  |  |  |  | |  | |  |  |
|  |  |  | **TOTAL MAHADEVPURA** |  |  | 804 |  |  |
|  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | G |  |  | RAJA RAJESHWARI NAGAR |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| 1 | |  |  | Strengthening of widening portion of police station road from N.H.in | 1 |  |  |
|  |  | Ward No.11 |  |  |
|  |  |  |  |  |  |  |
|  | 2 |  |  | Widening of Magadi main road | 1 |  |  |
| 3 | |  |  | Other projects | 31 |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  | **TOTAL RAJA RAJESHWARI NAGAR** | **33** |  |  |



|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  | H |  |  | SOUTH | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  | 1 | |  |  | Mysore Road Widening | | 32 | |  |  |
|  |  | 2 |  |  | Bapujinagara Railway parallel road (file has been submitted to |  |  | 1 |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  | (BMTF) |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  | 3 | |  |  | The File is in L.A.Q. & T.D.R section head office. Bangalore | | 1 | |  |  |
|  |  | 4 |  |  | Eejipura Koramangala Widning Purpose |  | 1 | |  |  |
|  |  |  |  |  |  | |  | |  |  |
|  |  |  |  |  | **TOTAL SOUTH** |  |  | 35 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | |  |  | |  |  |  |  |
|  |  |  | |  |  | |  |  |  |  |
|  |  | I |  |  | YELAHANKA | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  | 1 |  |  | Strengthening, widening and Asphalting of Nagavarahalli from |  |  | 12 |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  | Nagavara junction to Tanisandra via Saraya pally, Vidyasagara. (from |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |

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|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  | yalahanka to jakkur) |  |  |  |  |
|  |  |  | Strengthening, widening and Asphalting of Nagavarahalli from NH7 to |  |  |  |  |
| 2 | |  | Kodigehalli gate via Kothihosalli Kodigehalli Vidyaranayapura | 1 | |  |  |
|  | Chikkbettahalli and Vishwamanava Kuvempu road via Amruthnagar |  |  |
|  |  |  |  |  |  |  |
|  |  |  | upto Dasarahalli (NH-7 to Dasarahalli) |  |  |  |  |
|  | 3 |  | Kogilu Road |  | 78 |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| 4 | |  | Hennur - Bagalur Road | 250 | |  |  |
|  | |  |  |  | |  |  |
|  | |  | Other projects |  | |  |  |
|  | 5 |  |  | 663 |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  | **TOTAL YELAHANKA** |  | |  |  |
|  |  |  |  | 1004 |  |  |
|  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | **TOTAL DRCs in BBMP** |  | 2168 |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |

Source: BBMP

92 projects have been initiated under TDR scheme. A total of **2168** DRCs have been issued.

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

1. SUMMARY OF TDR STATISTICS

7.4.1 TDR GENERATION

TDR have been issued from both Zonal offices and Head office. Maximum no of DRCs have been issued in the Mahadevpura (10,64,718 SQM) and Yelahanka (9,56,753 SQM) zones and the least in West zone. TDR utilization have also been highest from Mahadevpura (5,36,620 SQM) and Yelahanka (4,70,658 SQM) zones. The table below shows the status of the TDR issued, Utilized and available in different zones of the Bangalore.

Table 13:TDR zone wise issue and utilization statistics in Bangalore

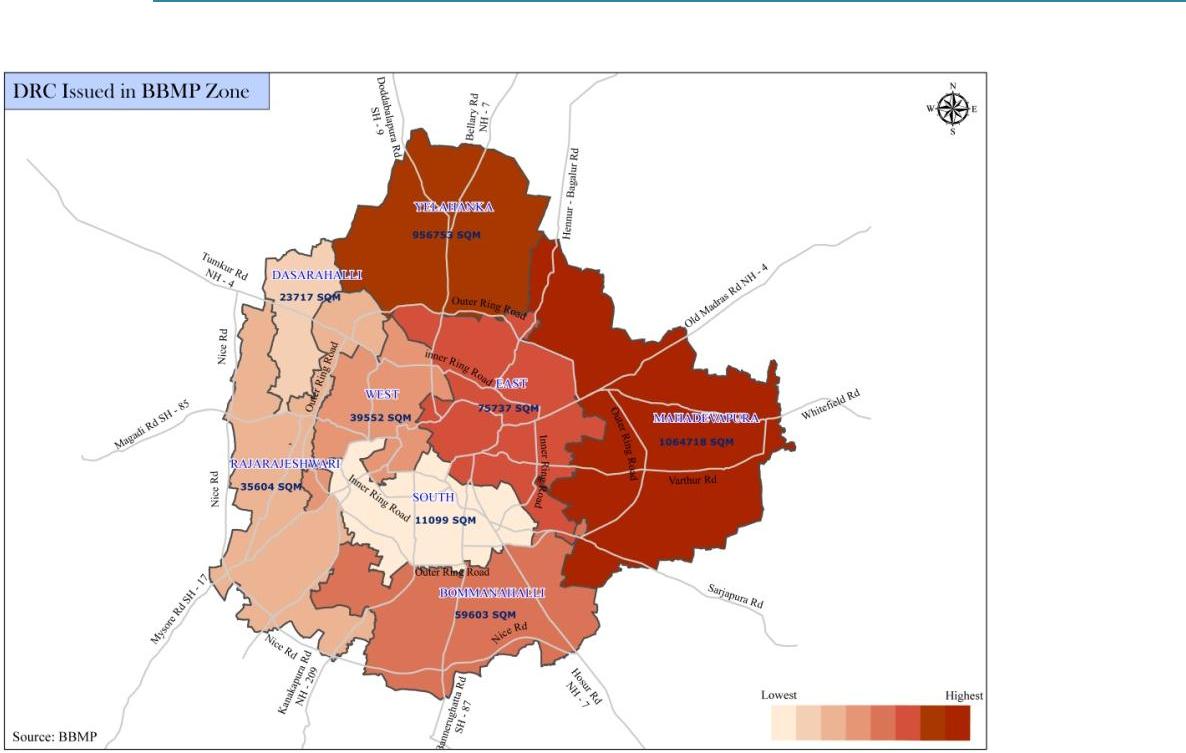
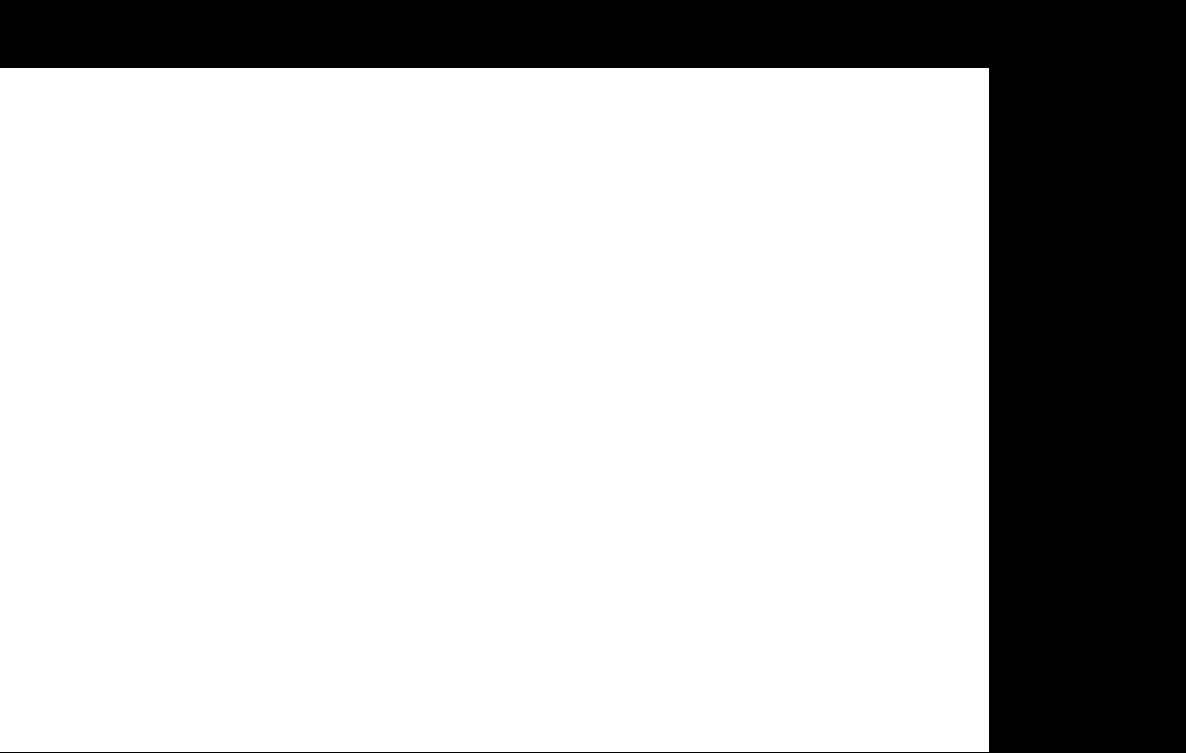
|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **ZONE** | **TOTAL DRC AREA** | **TOTAL DRC AREA** | **TOTAL DRC AREA** |
|  |  | **GENERATED** | **USED FROM EACH** | **REMAINING IN** |
|  |  | **FROM EACH** | **ZONE (sqm)** | **EACH ZONE (sqm)** |
|  |  | **ZONE (sqm)** |  |  |
|  |  |  |  |  |
|  | Bommanahalli | 59603 | 42980 | 16623 |
|  |  |  |  |  |
|  |  |  |  |  |
|  | Dasarahalli | 23717 | 9544 | 14173 |
|  |  |  |  |  |
|  | East | 75737 | 21450 | 54287 |
|  |  |  |  |  |
|  |  |  |  |  |
|  | Mahadevapura | 1064718 | 536620 | 528099 |
|  |  |  |  |  |
|  | RR Nagar | 35604 | 10293 | 25311 |
|  |  |  |  |  |
|  |  |  |  |  |
|  | West | 39552 | 8464 | 31088 |
|  |  |  |  |  |
|  | South | 11099 | 1306 | 9793 |
|  |  |  |  |  |
|  |  |  |  |  |
|  | Yelahanka | 956753 | 470658 | 486096 |
|  |  |  |  |  |
|  | Total | **2266784** | **1101314** | **1165470** |
|  |  |  |  |  |

Source: BBMP

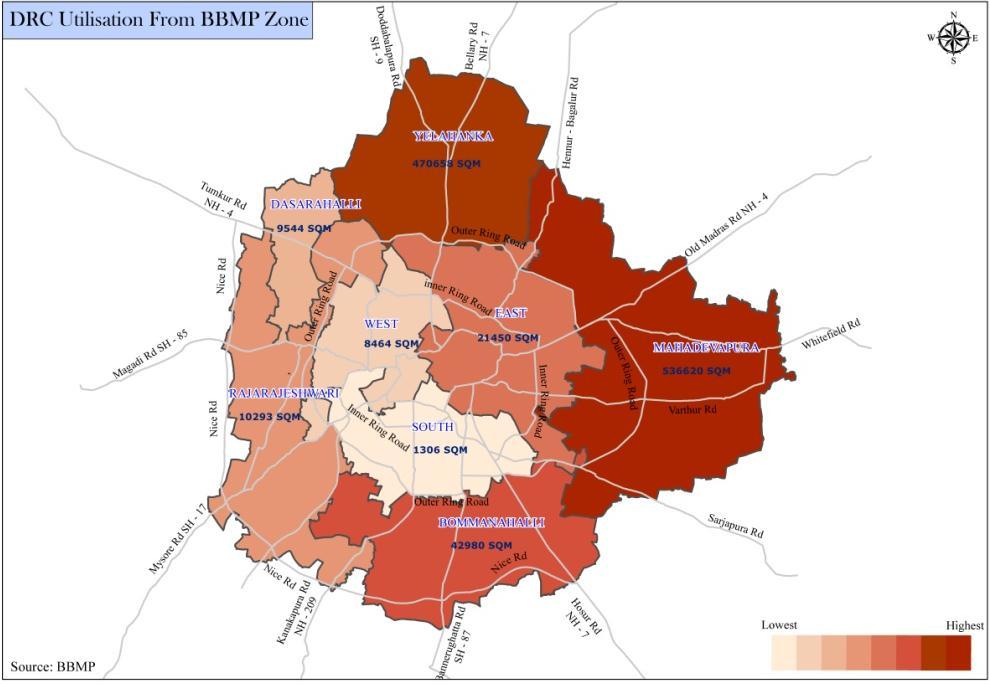
Pre 2010, DRCs were issued from the Head office of BBMP. Out 22.66 lakh sqm of DRC issued till 2014, 1.37 lakh sqm (168 nos) were issued from the head office during 2005-2010. The maps below show the generation of DRCs and from which zone the DRCs have been utilized.

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Map 5: Zone wise TDR generation in Bangalore



Map 6: TDR Utilized from different zones of Bangalore

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7.4.2 TDR UTILISATION

TDR generated in the BBMP is utilised in different zones as per the market forces and demand. The following is the distribution of the DRC utilized in the zones of BBMP.

Table 14 Utilization of TDR in different zones of BBMP

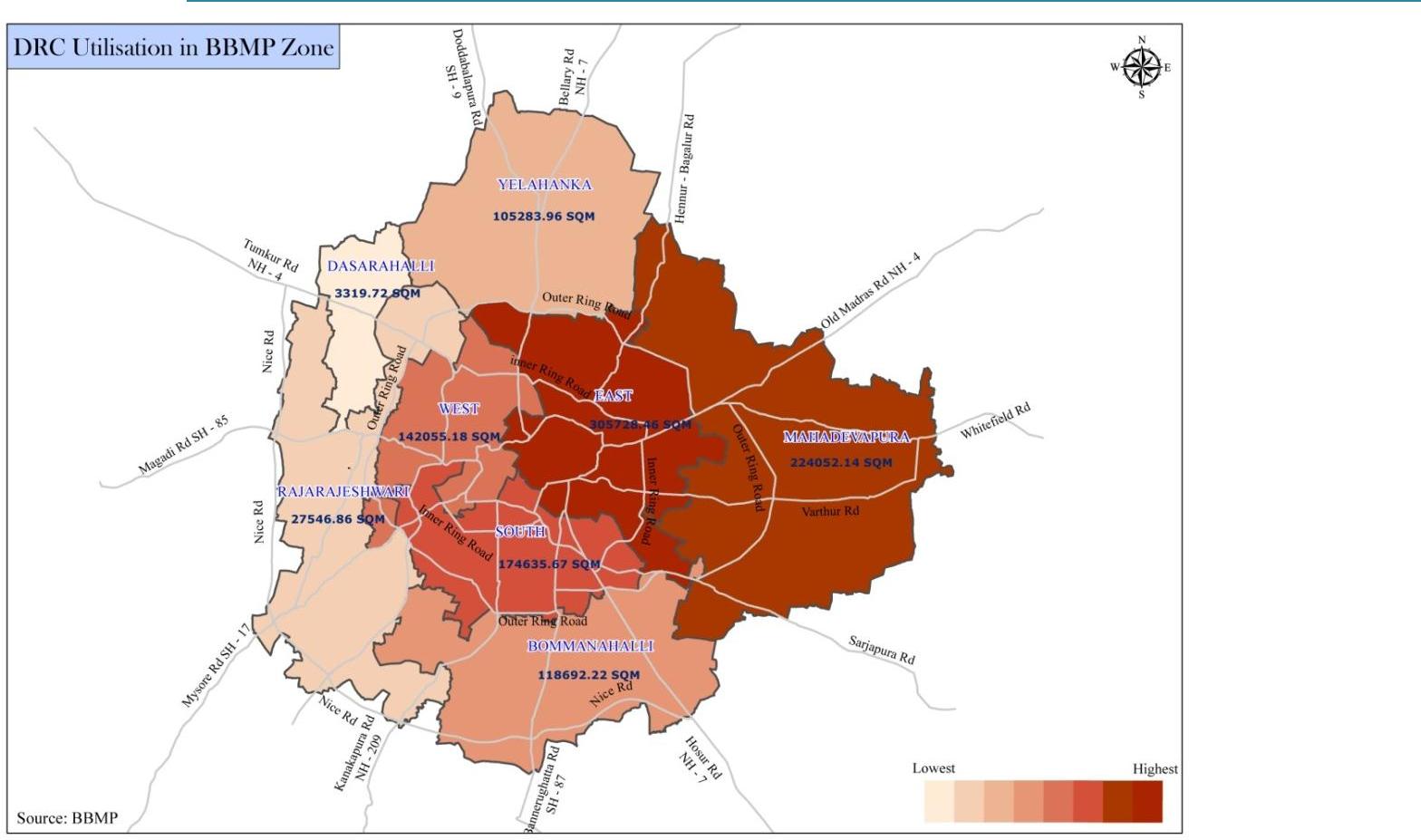
|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | **Zones** |  | **TOTAL DRC UTILISED IN PROJECTS** | |  |
|  |  |  | **BELONGING TO EACH ZONE (sqm)** | |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  | Bommanahalli |  | 118692 |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  | Dasarahalli | 3320 | |  |  |
|  |  |  |  | |  |  |
|  |  |  |  | |  |  |
|  |  | East |  | 305728 |  |  |
|  |  |  |  | |  |  |
|  |  | Mahadevpura | 224052 | |  |  |
|  |  |  |  | |  |  |
|  |  |  |  | |  |  |
|  |  | RR Nagar |  | 27547 |  |  |
|  |  |  |  | |  |  |
|  |  | West | 142055 | |  |  |
|  |  |  |  | |  |  |
|  |  |  |  | |  |  |
|  |  | South |  | 174636 |  |  |
|  |  |  |  | |  |  |
|  |  | Yelahanka | 105284 | |  |  |
|  |  |  |  | |  |  |
|  |  |  |  | |  |  |
|  |  | TOTAL |  | 1101314 |  |  |
|  |  |  |  |  |  |  |

Source: BBMP

Highest utilization of TDR has taken place in the east zone, followed by the Mahadevpura, South, Yelahanka and Bommanahalli. It indicates that new developments are rampant in the city as indicated by the TDR used in peripheral zones. But significant quantum of in-fill and redevelopment is also underway as indicated by its use in East zone. The following map demonstrate the same.

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Map 7: TDR Utilized in different zones of Bangalore

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

CHAPTER 8:

PERFORMANCE

EVALUATION OF TDR IN

BANGALORE

1. PERFORMANCE OF TDR PROJECTS

Positive economic benefit is imperative for success of a TDR scheme. In all global and national best practices, TDR has been historically successful when the benefits arising out of accepting TDR is higher than the benefits from the existing property. In urban context this is directly related to the land value of the sending and receiving land. In Bangalore, the incentives of TDR have been affected by planning policies and administrative processes. This chapter intends to critically analyse the TDR performance in Bangalore through data analysis and investigation into the different institutional processes through stakeholder interview. The inferences would throw light on the gaps and issue in the policy and the processes.

1. CRITICAL ANALYSIS OF TDR POLICY

The analysis of TDR policy has been carried out on two major objectives:

* + To analyse TDR in context of planning framework
  + To analyse the economics of TDR in the market The tools used to undertake the analysis are

1. Study of exsiting TDR Model: the existing TDR model was studied to understand the benefits availed by the land losers through TDR.
2. Statistical Analysis of secondary data: Secondary data was collected from the BBMP pertaining to the TDR beneficiary database. The data was consecutively analysed to reveal key facts.

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1. On site investigation of TDR projects: 3 TDR projects were shortlisted whose performance can be attributed as ‘good’, ‘average and ‘poor’ as per current standards. The investigating team visited the site of the projects to understand the factors of success or failure of TDR.
2. Primary survey of beneficiaries: Questionnaire survey was conducted by the team with the beneficiaries of the projects chosen above.
3. Focus group discussions

8.2.1. ANALYSIS OF EXSITING TDR MODEL

For the purpose of evaluation, five areas have been chosen form each TDR Ring (1, 2 &3). Gandhinagar, Chikpet, Shivajinagar, Sudan nagar and Mysore Road have been chosen in Ring 1, Malleshwaram, Jaynagar, Rajajinagar, Koramangala and Hebbala have been chosen in Ring 2 and Mahadevpura, Peenya, Yelahanka, Kengeri and BTM Layout have been chosen from Ring 3.

The TDR model in Bangalore can be explained as follows:

**Compensation factor= 1.5**

**Utilisation factor:**

Table 15: TDR Utilisation factor in Bangalore

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | **Zone 1** | **Zone 2** | **Zone 3** |
|  |  |  |  |  |
|  | Zone 1 | 1 | 1.5 | 2 |
|  | Zone 2 | 0.66 | 1 | 1.33 |
|  |  |  |  |  |
|  | Zone 3 | 0.5 | 0.66 | 1 |
|  |  |  |  |  |

The above table can be explained as follows:

If 100 sqm of land is acquired, 150 sqm of land is given as compensation.

If 150 sqm of compensation is received by an owner in Zone 1, he can use 150 sqm if utilised in Zone 1, 225 sqm if utilised in zone 2 and 300 sqm if utilised in Zone 3. Similarly, it can be calculated for other zones.

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The table 19 indicates the value of TDR in terms of the land value of each zone. It is assumed that the area surrendered is 100sqm and as per the present compensation factor (1.5), the compensated area is 150 sqm. Now the value of 100 sqm of land in each area has been derived by multiplying the surrendered area with the guidance value of each area. The value of land in each zone has been derived by

**Value in zone: Compensated area x Utilisation Factor x Guidance value of the zone**

Average Guidance value of the zone has been considered to arrive at the value of the land in a

zone other that its generation zone.

Table 16: Average Guidance value of land in Ring 1, 2 &3

|  |  |  |
| --- | --- | --- |
|  | **Average Guidance value of land** | **INR / sqm** |
|  |  |  |
|  | Ring 1 | 80489 |
|  |  |  |
|  | Ring 2 | 64022 |
|  |  |  |
|  | Ring 3 | 34701 |
|  |  |  |

Based on these formulae, table 21 has been derived.

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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

Table 17: Value of TDR in different zone as per present TDR policy in Bangalore

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **Land** | |  | **Compen** | |  | **Value of** | |  | **Value in** | |  | **Value in** | |  | **Value in** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | **Guidanc** | |  |  |  | **original** | |  | **Ring I/** | |  | **Ring II/** | |  | **Ring III/** | |  |
|  |  |  |  |  |  |  |  |  |  |  | **surrend** | |  | **sation** | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** | |  | **Ward** | |  | **Area** | |  | **e value (** | |  |  | **(100** | |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | **ered** | |  | **received** | |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | **per sqm)** | |  |  |  | **sqm)** | |  | **Zone I** | |  | **Zone II** | |  | **Zone III** | |  |
|  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  | **(sq m)** | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **property** | |  | **(lakhs)** | |  | **(lakhs)** | |  | **(lakhs)** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Gandhinagar |  |  | Ananda Rao |  |  | 112980 |  |  | 100 |  |  | 150 |  |  | 112.98 |  |  | 169.47 |  |  | 144.05 |  |  | 104.10 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Chickpet |  |  | Utradi mut |  |  | 75320 |  |  | 100 |  |  | 150 |  |  | 75.32 |  |  | 112.98 |  |  | 144.05 |  |  | 104.10 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **Ring** |  |  |  |  | road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 86.08 |  |  | 129.12 |  |  | 144.05 |  |  | 104.10 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **I/** |  |  | Shivajinagar |  |  | Central Street |  |  | 86080 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  | **Zone I** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Sudham |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 69.62 |  |  | 104.43 |  |  | 144.05 |  |  | 104.10 |  |  |
|  |  |  |  |  |  | Mission Road |  |  | 69617 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Nagar |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Mysore Road |  |  | Mysore Main |  |  | 58448 |  |  | 100 |  |  | 150 |  |  | 58.45 |  |  | 87.67 |  |  | 144.05 |  |  | 104.10 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Malleswaram |  |  | Maruthi |  |  | 64560 |  |  | 100 |  |  | 150 |  |  | 64.56 |  |  | 80.41 |  |  | 96.84 |  |  | 69.38 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | Extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Jayanagar |  |  | Jaynagar 3rd |  |  | 96840 |  |  | 100 |  |  | 150 |  |  | 96.84 |  |  | 80.41 |  |  | 145.26 |  |  | 69.38 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  | block |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **II/** |  |  | Rajajinagar |  |  | Industrial |  |  | 43040 |  |  | 100 |  |  | 150 |  |  | 43.04 |  |  | 80.41 |  |  | 64.56 |  |  | 69.38 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **Zone** |  |  |  |  | Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **II** |  |  | Koramangala |  |  | Jakkasandra |  |  | 59180 |  |  | 100 |  |  | 150 |  |  | 59.18 |  |  | 80.41 |  |  | 88.77 |  |  | 69.38 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | Main Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Hebbala |  |  | Varthula |  |  | 56490 |  |  | 100 |  |  | 150 |  |  | 56.49 |  |  | 80.41 |  |  | 84.74 |  |  | 69.38 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Bagmane |  |  |  |  |  |  |  |  |  |  |  | 47.02 |  |  | 60.37 |  |  | 63.96 |  |  | 70.53 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Mahadevpura |  |  | MTB |  |  | 47021 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Techpark |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Yelahanka |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Yelahanka |  |  | New Town |  |  | 38897 |  |  | 100 |  |  | 150 |  |  | 38.90 |  |  | 60.37 |  |  | 63.96 |  |  | 58.35 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | New Town |  |  | LIC Office |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Kengeri |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III/** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Kengeri |  |  | Golahalli |  |  | 17754 |  |  | 100 |  |  | 150 |  |  | 17.75 |  |  | 60.37 |  |  | 63.96 |  |  | 26.63 |  |  |
|  | **Zone** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | (B.D.A. |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III** |  |  |  |  |  | Layout) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Peenya |  |  |  |  |  |  |  |  |  |  |  | 27.22 |  |  | 60.37 |  |  | 63.96 |  |  | 40.83 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Peenya |  |  | Industrial |  |  | 27223 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Area |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | B.T.M.Layout |  |  |  |  |  |  |  |  |  |  |  | 42.61 |  |  | 60.37 |  |  | 63.96 |  |  | 63.91 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | BTM Layout |  |  | 4th Stage |  |  | 42610 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Main road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

The table shows that for every Zone TDR gives higher compensation than the original value of the land; i.e. Value of 150 sqm of compensated land is higher than the original 100 sqm, irrespective of zone of generation and zone of utilisation.

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However, the highest value in each case is achieved in its own zone of generation. But from the study of maps of generating and utilisation zones, it had been observed that the use of TDR does not necessarily happen in its zone of generation. When DRC is transferred from one zone to other, its value might reduce in certain cases. Also the processof TDR is lengthy. To compensate for the time taken for the compensation to reach the land loser, it is advisable to increase the benefits arising from TDR.

8.2.2. STUDY OF SECONDARY DATA

The data provided by the BBMP was tabulated to classify the TDR beneficiaries corresponding to each zone. The results of the tabulation are indicated in the table below.

Table 18: Zone Wise DRC Issued in Banagalore

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | **ZONE** |  | **DRC ISSUED** | |  |
|  |  |  |  |  |  |  |
|  |  | Head Office |  | 168 |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  | Bommanahalli | 22 | |  |  |
|  |  |  |  | |  |  |
|  |  | Dasarahalli |  | |  |  |
|  |  |  | 29 |  |  |
|  |  |  |  | |  |  |
|  |  | East | 72 | |  |  |
|  |  |  |  | |  |  |
|  |  |  |  | |  |  |
|  |  | Mahadevpura |  | 804 |  |  |
|  |  |  |  | |  |  |
|  |  | RR Nagar | 33 | |  |  |
|  |  |  |  | |  |  |
|  |  | West |  | |  |  |
|  |  |  | 1 |  |  |
|  |  |  |  | |  |  |
|  |  | South | 35 | |  |  |
|  |  |  |  | |  |  |
|  |  | Yelahanka |  | |  |  |
|  |  |  | 1004 |  |  |
|  |  |  |  | |  |  |
|  |  | Total BBMP | 2168 | |  |  |
|  |  |  |  |  |  |  |

Source: BBMP

It can be seen that the largest no of DRCs have been issued in the Mahadevpura and Yelahanka zone. Comparatively those issued in the other zones are negligible.

It is interesting to see the BBMP zones superimposed on the landuse map of RMP 2015 of Bangalore. It can be seen that the zones of Mahadevpura and Yelahanka cover huge agricultural lands and new developments. Hence the land value in these areas is comparatively low. The average guidance value for commercial properties in Yelahanka zone is INR 2500 per sqft and that of residential properties is INR 1500 per sqft.5. In the core areas

5 Department of Stamps and Registration

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of the city the average land value of commercial properties are approximately INR 15,000 per sqft and INR 12,000 per sqft for residential properties. The popularity of TDR in these areas could be certainly attributed to the low land value in these areas. When used in the centre of the city, TDR owners could be hugely benefitted.

The map below shows the landuse in the various BBMP zones.

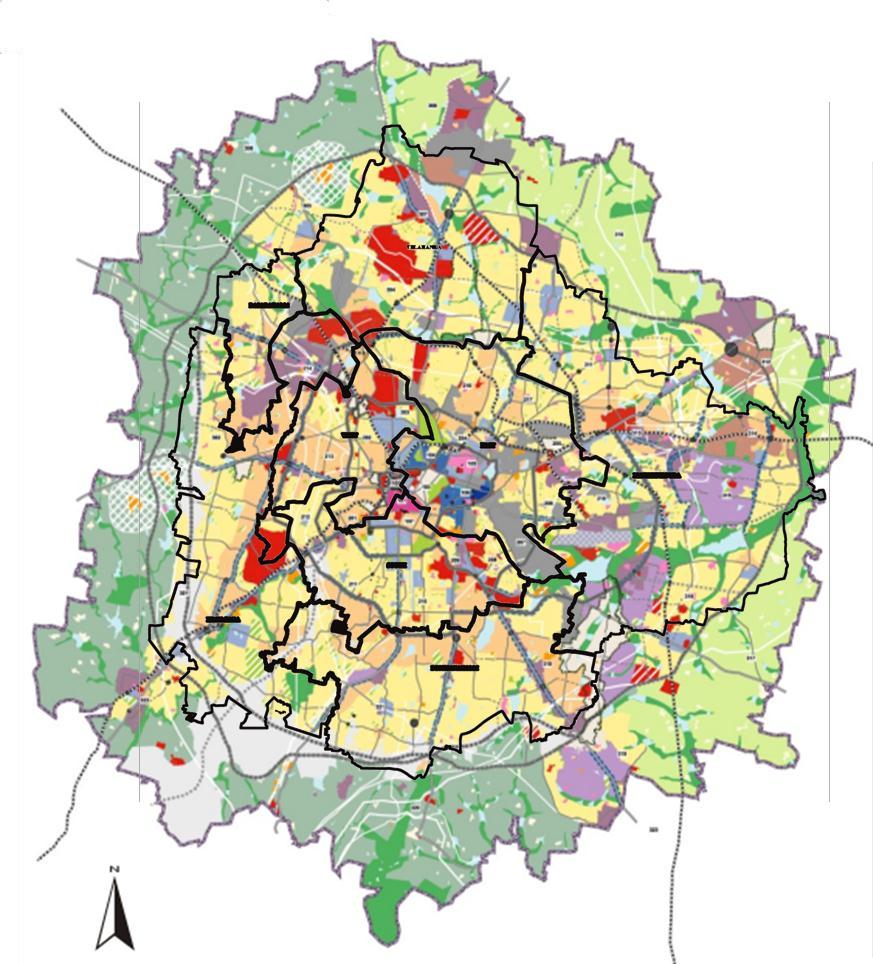


Figure 9: Proposed landuse in BBMP zones

Study has also been undertaken to understand the generation of TDR from the three TDR rings. Maximum numbers of the TDR are generated in Ring III.

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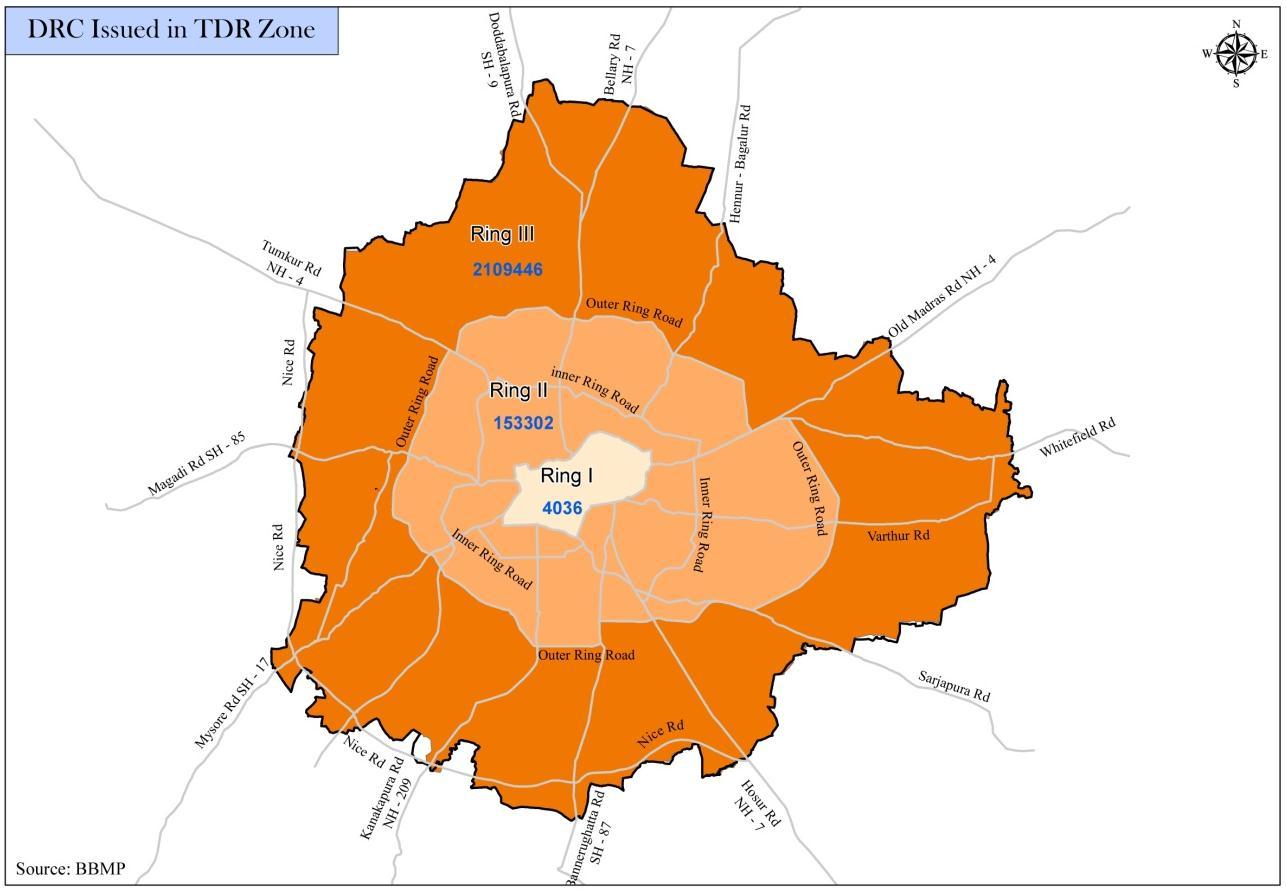
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Table 19: TDR issue and utilization statistics in TDR Rings of Bangalore

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Sl. No** | **ZONE** |  | **TOTAL DRC AREA GENERATED FROM** |  |  |
|  |  |  |  | **EACH ZONE (sqm)** |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | 1 | Ring I | 4036 | |  |  |
|  |  |  |  | |  |  |
|  | 2 | Ring II |  | 153302 |  |  |
|  |  |  |  |  |  |  |
|  | 3 | Ring III | 2109446 | |  |  |
|  |  |  |  | |  |  |
|  |  | TOTAL |  | 2266784 |  |  |
|  |  |  |  |  |  |  |

Source: BBMP

The following maps demonstrate the generation and utilisation of TDR in the different zones of the BBMP and the different TDR rings.



Map 8: TDR generated from different TDR zones of Bangalore

Project specific data and experience also corroborates the inference. Several high profile road infrastructure projects have been undertaken in the outer zones of Bangalore. Widening of the Kogilu road, Hennur Bagalur road the airport express way have been undertaken and completed using TDR while interior of the city has seen a lot of protest from owners and

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tenants. Avenue road, Tannery road, Infantry road are such examples where road widening could not be completed.

Data pertaining to use of DRCs originating from these rings is also available. The table below shows the use of DRCs originating from Mahadevpura in the TDR ring.

1004 DRCs have been issued in Yelahanka zone which equals to 940979.47 sq m. 500 DRCs or 922524.656 sqm of DRC have been utilized. The table below shows the zone of utilization for the DRCs.

Table 20: Status of DRC in Yelahanka Zone

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Originating** | **No of DRC** | **No** | **of No of DRCs** | **No of DRCs** | **No of DRCs** |
|  | **zone** | **issued** | **DRC** | **used in Ring** | **used in Ring** | **used in Ring** |
|  |  |  | **utilised** | **I** | **II** | **III** |
|  |  |  |  |  |  |  |
|  | Yelahanka | 1004 | 500 | 38 | 291 | 171 |
|  |  |  |  |  |  |  |
|  | Source: BBMP |  |  |  |  |  |

It is interesting to see that majority of the DRCs have been used in zone 2. Hence it can be seen that land potential and land price have an impact on popularity of TDR.

When seen in aggregate, highest utilization can be seen in Ring II. The table and the map below demonstarate the utilisation of TDR in BBMP.

Table 21 Utilization of TDR in Ring I, II and III

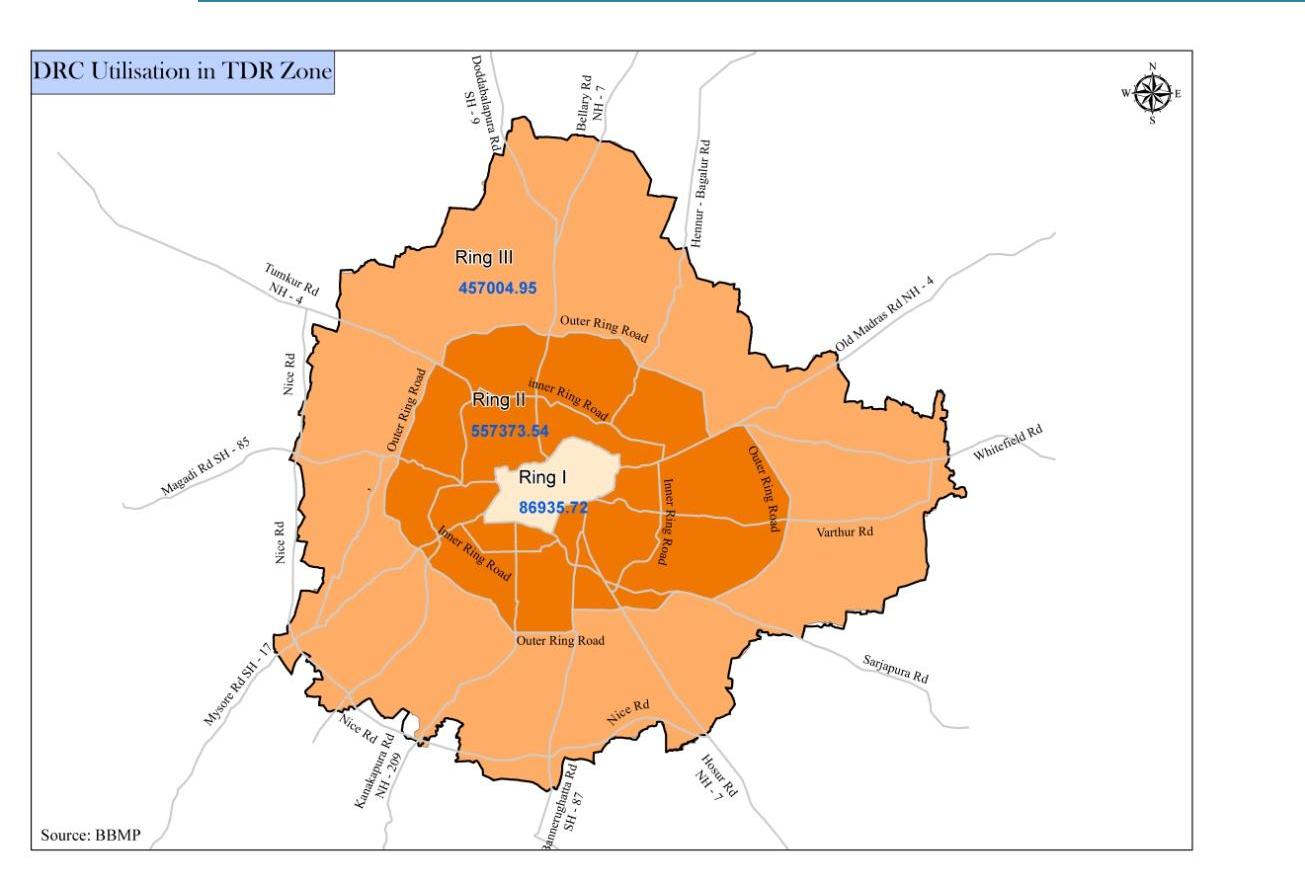
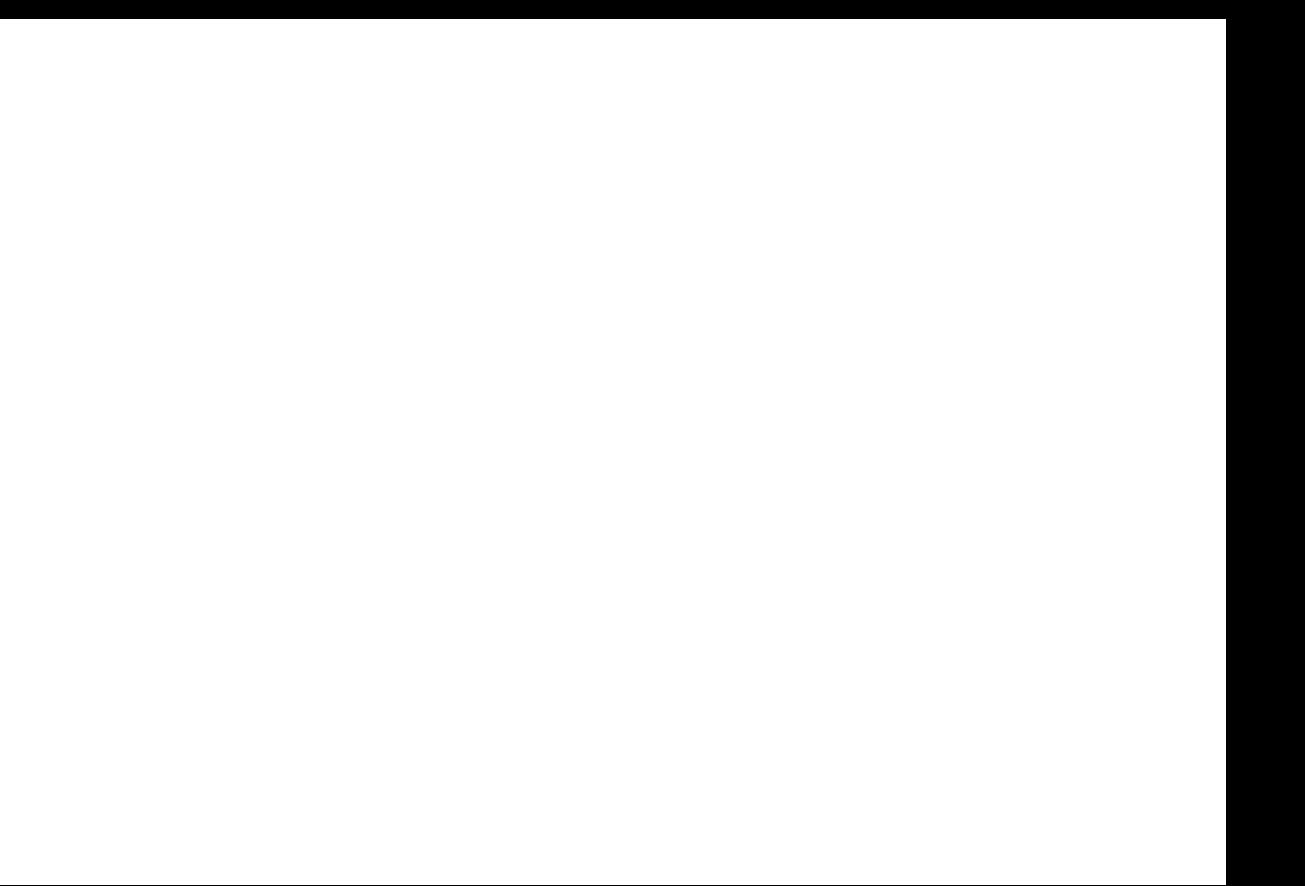
|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Sl.** | **ZONE** |  | **TOTAL DRC UTILISED IN PROJECTS BELONGING TO** |
|  | **No** |  |  | **EACH RING (sqm)** |
|  |  |  |  |  |
|  | 1 | Ring I | 86936 | |
|  |  |  |  | |
|  | 2 | Ring II |  | 557374 |
|  |  |  |  |  |
|  | 3 | Ring III | 457005 | |
|  |  |  |  | |
|  |  | TOTAL |  | 1101314 |
|  |  |  |  |  |

Source: BBMP

Hence an imporstant inference can be drawin from this data that through maximum DRC is generated in zone three; majority is being used in zone 2 or 1. Hence the owners are in a position to fetch more price of their DRC that the original value of land.

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Map 9: TDR Utilized in different TDR zones of Bangalore

In terms of no of DRC, almost 50% of all the DRCs received have been utilized. The following table gives the status of utilization the zones of BBMP.

Out of 2168 DRCs issued, 1067 DRCs have been utilized. Out of 1067 utilized DRCs, 946 have been sold to real estate developers or companies and utilized by them, 119 DRCs have been sold to individuals and utilized by them and 2 DRCs have been self-used.

Table 22: Types of TDR utilization in Bangalore

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  | **Type** | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | **TOTAL** |  |
|  |  | INSTITUTIONAL |  |  | INDIVIDUAL |  |  | OWN |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  | |  |  |  |  |  |  |  |  |  |
|  | 946 | |  | 119 | |  | 2 | |  | 1100 |  |
|  |  |  |  |  |  |  |  |  |  |  |  |

Source: BBMP

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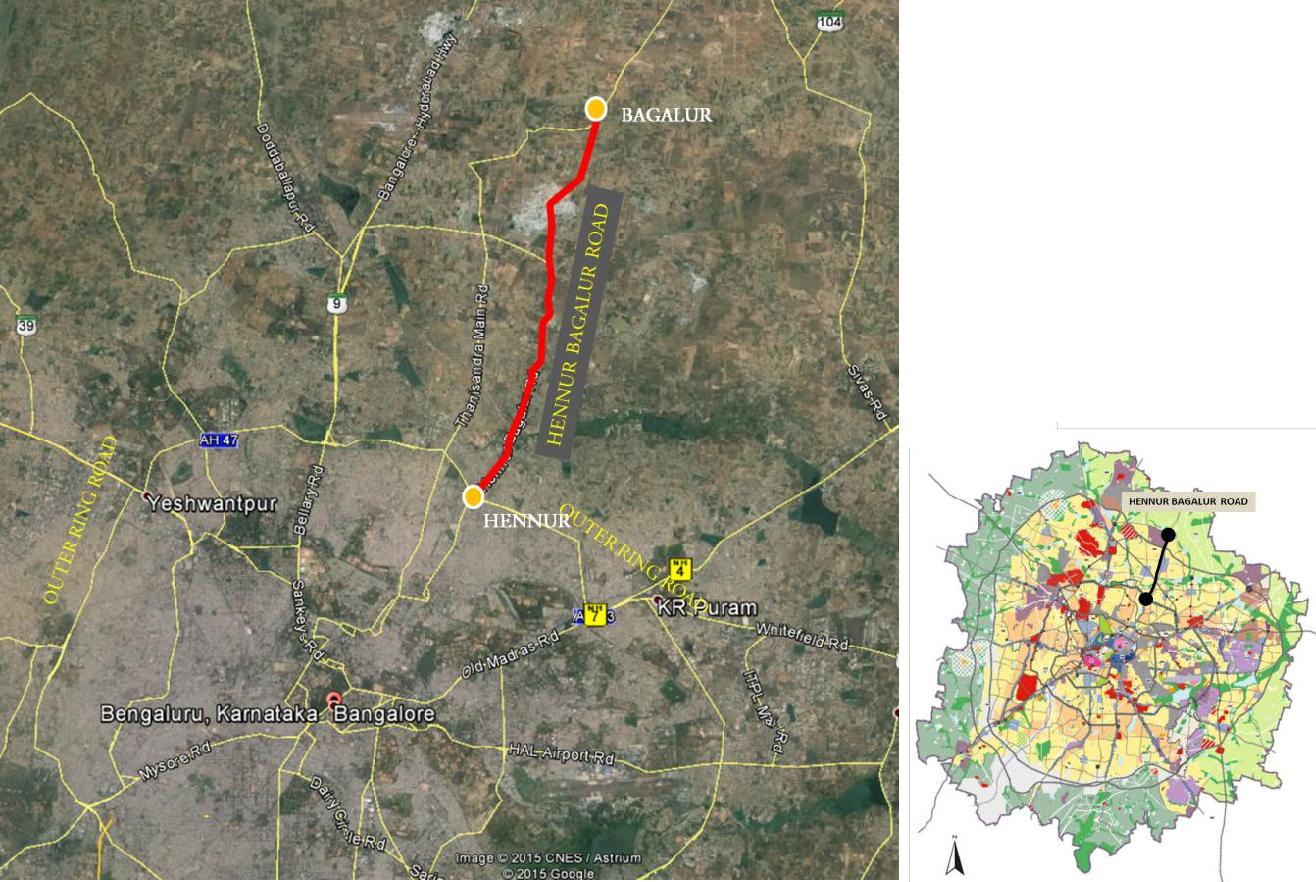
8.2.3. ON SITE INVESTIGATION OF TDR PROJECTS

Based on secondary data analysis and stakeholder perception three projects were identified where performance of TDR could be considered ‘good’, ‘average’ and ‘poor’. On site investigation was conducted to understand the site specific reasons for success or failure of TDR.

Kogilu road and Hennur Bagalur road were studied under ‘good performance of TDR’, Mysore road was studied under ‘average TDR performance’ and Tannery Road was studied under ‘poor TDR performance’. The following sections highlight the results of the study.

A . HENNUR BAGALUR ROAD

The Hennur Bagalur road lies in the northern part of Bangalore. It starts from the Hennur circle on the outer ring road to Bagalur town. The figure below shows the location of the Hennur Bagalur road.



Map 10: Location of Hennur - Bagalur Road

As per the RMP-2015 of Bangalore the proposed ROW of the road is 45.0m. Widening of the entire stretch has been completed using TDR. Post widening the RoW is varying from 10.0m

– 36.0 m. width of the road 10.0 – 12.0m at few locations like were the road going through

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settlements (Railway Bridge, Kothanur, Kannur, Chakkalatti,). At Southern Asia Bible College in Narayapura road is narrower and road width is 7.0m only because of religious buildings along the road. Construction of the road is partially left like construction of footpaths, medians and lane marking etc. from Outer Ring Road to Bellahalli average width of the road is 24m and from Bellhalli to Belaguru the average ROW is 32.0m.



Figure 10: Existing Condition of Hennur-Bangalur Road

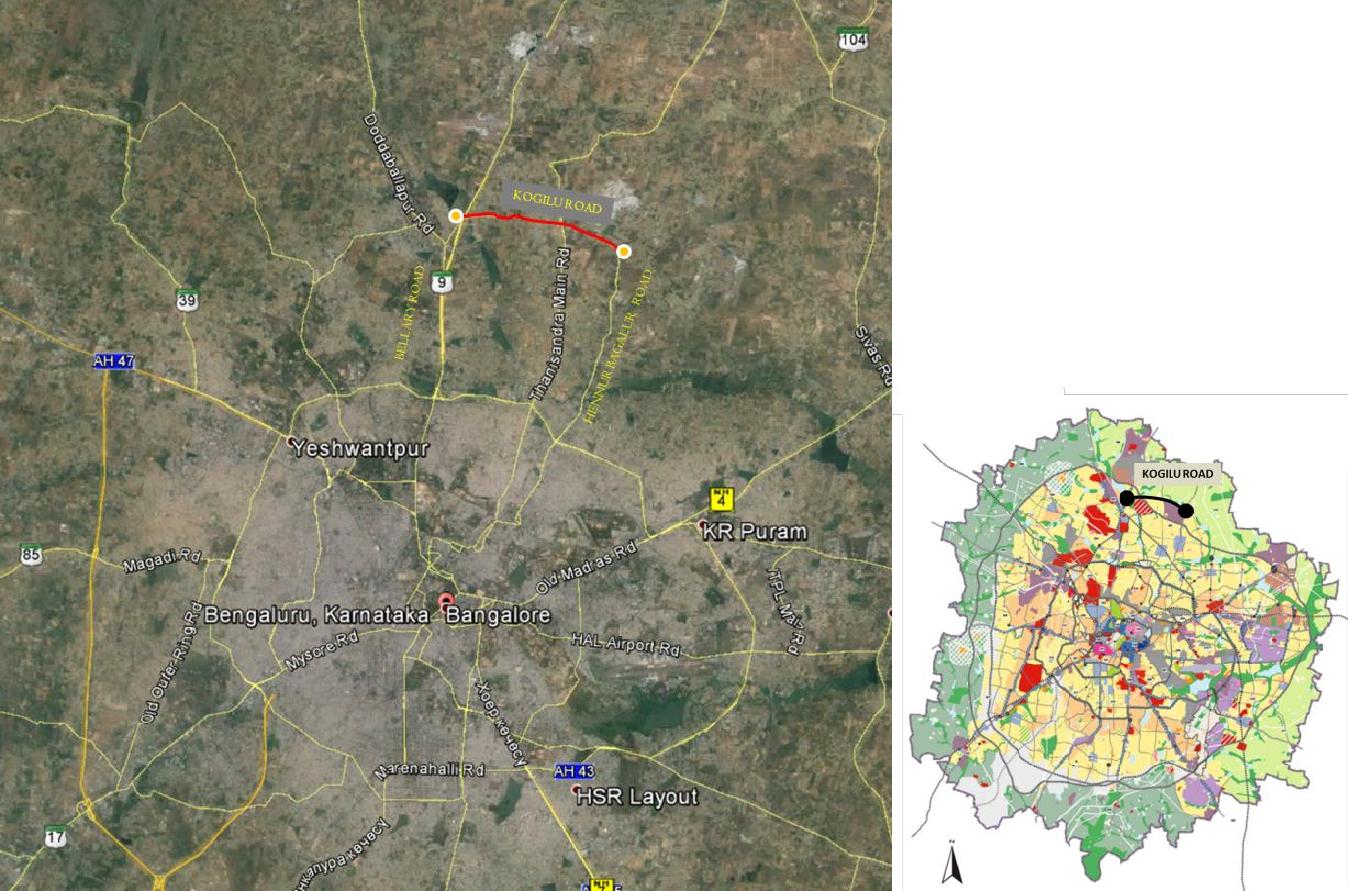
As seen in the pictures above the area around the road has sparse development. There are agricultural lands or individual shops and houses where road widening has taken place. Towards the outer ring road however the development grows sparse where road widening has been only partially complete.

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B . KOGILU ROAD

The Kogilu road has was also visited where 7 km of road has been widened using TDR. Kogilu road lies in the northern part of Bangalore between the Bellary road and the Hennur Bagalur road.



Map 11: Location of Kogilu Road

The proposed RoW of the road is 24.0m as per the RMP -2015 of Bangalore and the widening of the road is completed except two locations. Nearly 200m length of the road widening is not completed in Kogilu village (RoW 12.0 – 15.0m) because of the commercial settlements at turnings of the road and nearly 75.0m length of the road not widened at Kannur Cross road (Existing Road 15.0m) because of the Religious structures and commercial settlements along and center of the road.

Similar to Hennur Bangalur road, the development here is sparse. Agricultural land, stand-alone houses and shops about the road.

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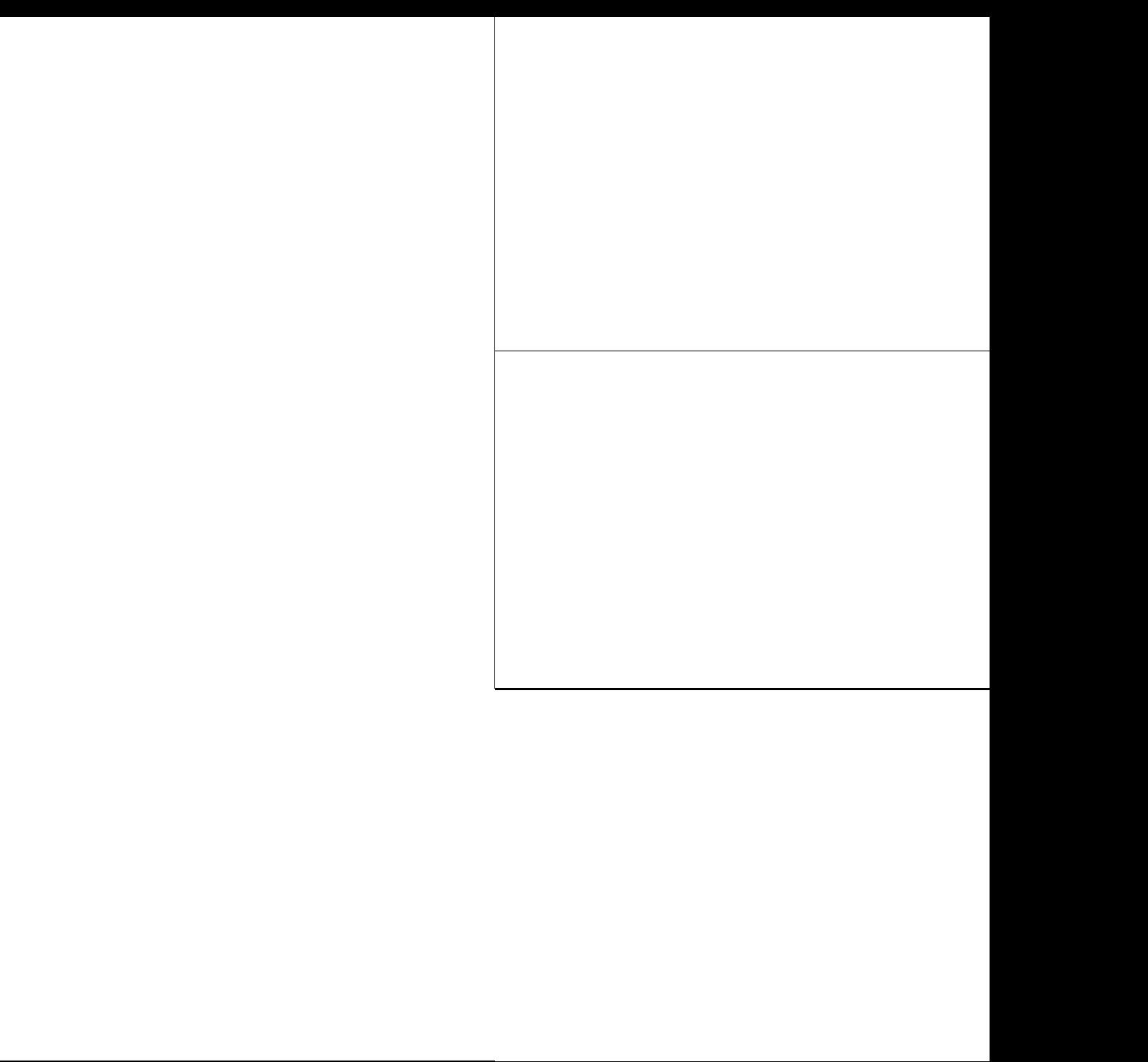


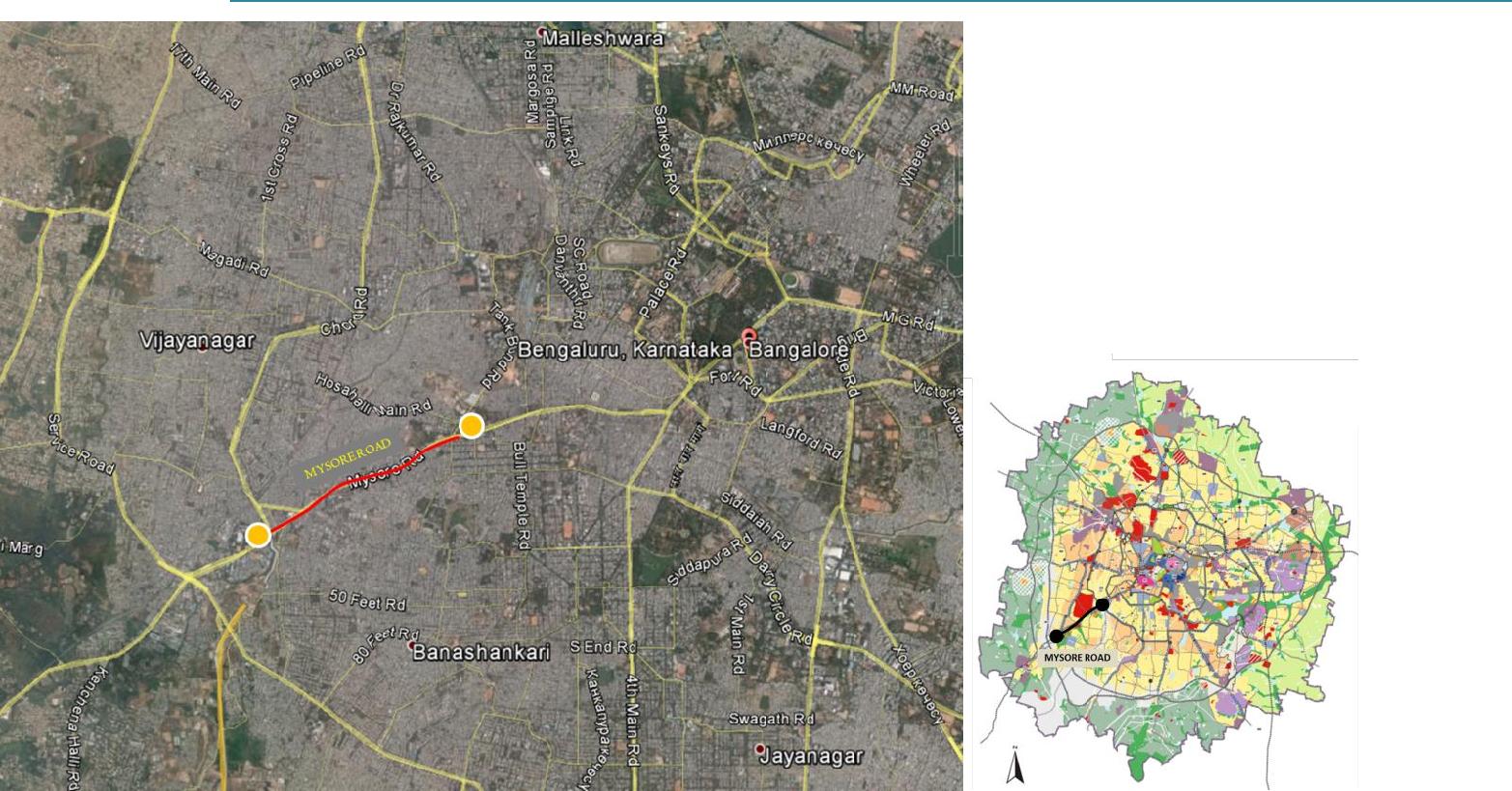
Figure 11: Existing Condition of Kogilu Road

C. MYSORE ROAD

The Mysore road is a State Highway and is an important connection between Bangalore and Mysore. This road is proposed to be widened to 30.0m in RMP-2015 of Bangalore and the widening of the road is completed except one locations. Now the existing average RoW is 30.0m. Road widening and reconstruction is under progress at the bridge near Bapujinagar bus stop and near Byataranyapura Police Station. Existing Landuse along the road is predominantly large commercial and industrial units.

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Map 12: Location of Mysore Road

Road widening has been completed in the stretch between Nayandahalli junction and Sirsi

circle.



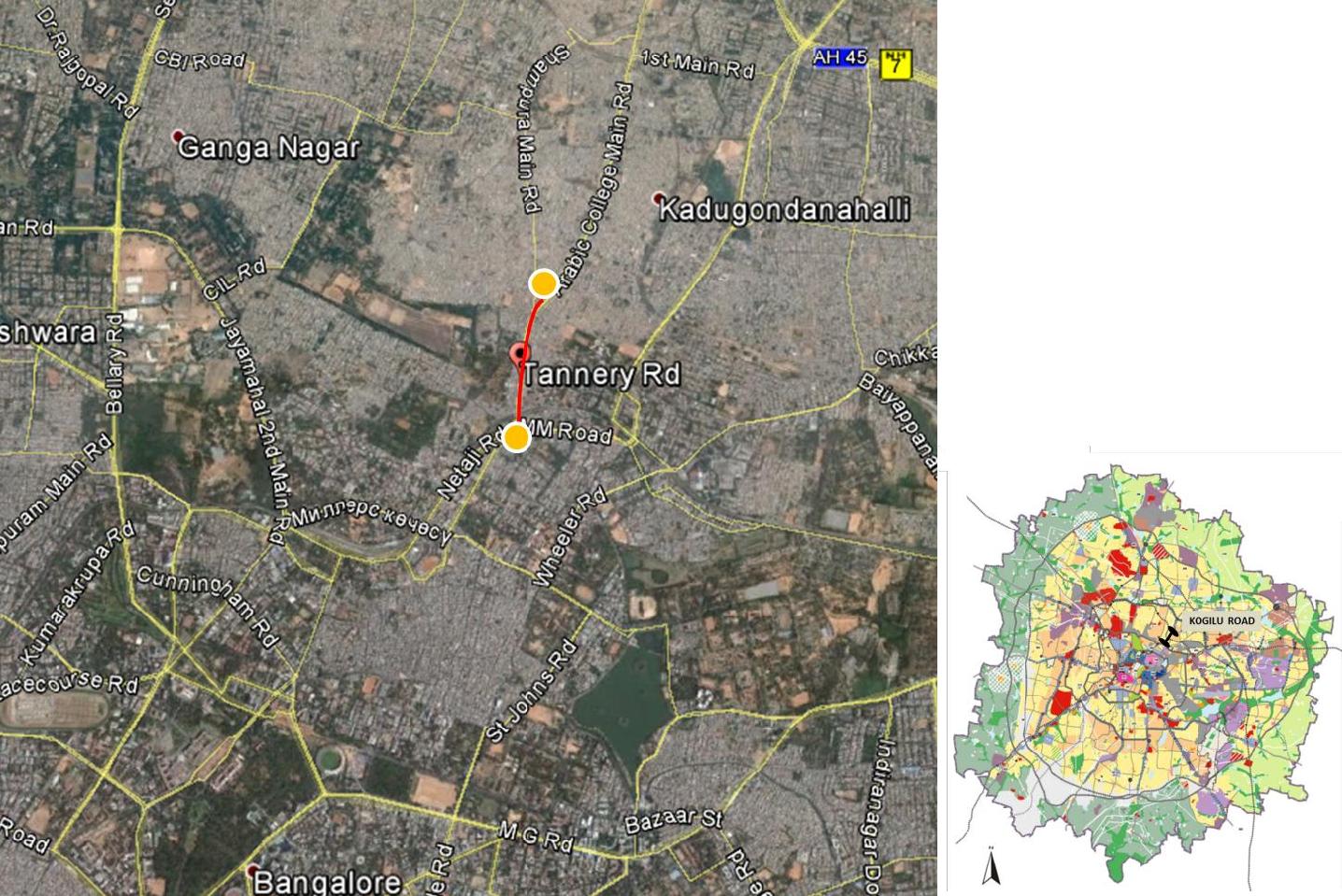
Figure 12: Existing Status of Mysore Road

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D. TANNERY ROAD

Tannery road is located in the core area of the Bangalore city. The road is proposed to be widened to 24 m. At present the carriageway ranged between 6-10 m and footpaths between 0.5m to 1 m. Road widening program is still pending at this location.



Map 13: Location of Tannery Road

Landuse along the road is predominantly commercial. The road congested during the peak hours. The Eidgah Complex is given for rent and the complex is belongs to the Eidgah Trust. Shops (Hotels, General store, Cloths, Electronic and etc.) owner and tenants are willing to give the land for road widening purpose but they are not willing to take TDR/Cash as a compensation because their livelihood depend upon the their shops. Tenants and land owners are interested in rehabilitation in lieu of lost property in a nearby available land.

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Figure 13: Existing Status of Tannery Road

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8.2.4. PRIMARY SURVEY OF TDR BENEFICIARIES

Primary survey of TDR beneficiaries at the above locations were taken to understand beneficiary perception of TDR economics. The inferences from these studies would be indicative of the policy and procedural changes to make TDR attractive.

‘Completion status’ and ‘completion time’ were considered to be the quantitative criteria for evaluating TDR performance. Based on these criteria the TDR projects were analysed for performance of TDR being ‘good’, ‘average’ and ‘poor’. The ‘Kogilu Road project’, the ‘Mysore road project’ and the ‘Tannery road project’ were shortlisted for survey as they correctly convey the performance measures.

Kogilu road has 78 DRCs, with 27171.38 Sqm of land acquired using TDR in a span of 36 months and 6.17 km of road widened.

Mysore road has 35 DRCs, with 5401.7 Sqm of land acquired using TDR in a span of 36 months and 3.9 km of road widened.

Tannery road for a stretch of 4.4 km needs to be widened having a land acquisition requirement of 79,200 sq m. However, only 8 DRCs out of about 1000 people have accepted TDR.

The following sections describe the observations and inferences of the primary survey.

56 samples have been surveyed from the beneficiary’s pool through random sampling as indicated below.

Table 23: Road Wise Conducted Survey Samples

|  |  |  |
| --- | --- | --- |
| **Sl** | **Road Name** | **No of Samples** |
|  |  |  |
| 1 | Kogilu Road | 28 |
| 2 | Mysore Road | 20 |
|  |  |  |
| 3 | Tannery Road | 8 |
|  | **TOTAL** | **56** |
|  |  |  |

Source: Primary Survey

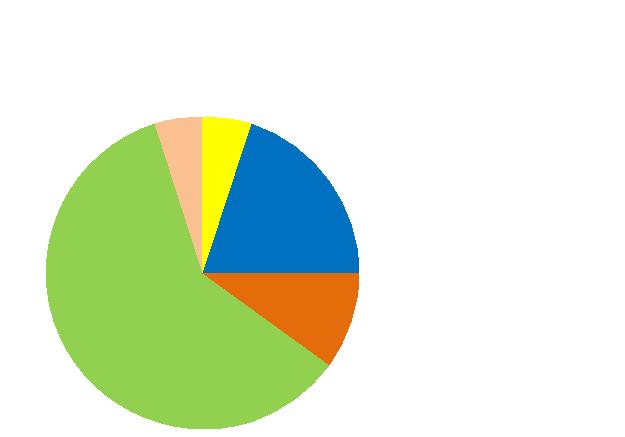
A . NATURE OF PROPERTY LOST

Comparison of the nature of properties that were acquired from the three locations revealed that properties with higher commercial values are most resistant towards accepting TDR.

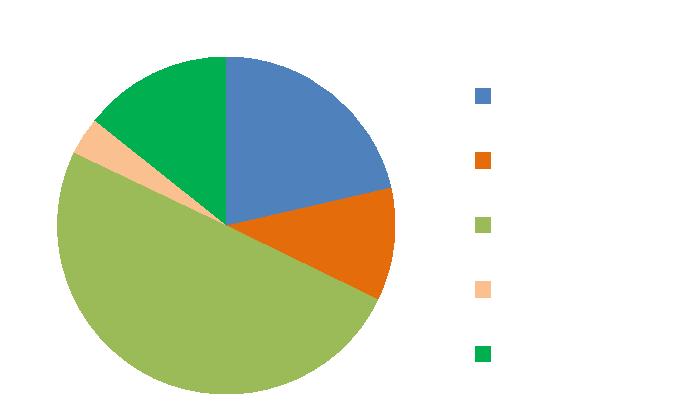
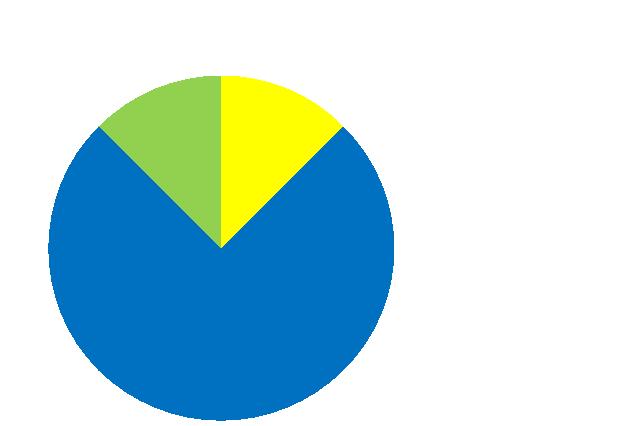
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Properties on Kogilu and Mysore road have large portions of vacant and agricultural land while those on Tannery road have largely commercial units. The high potential and return of the commercial properties are not matched by the incentive provided by TDR. Hence equating TDR benefits with commercial returns is an area where gap needs to be bridged.



|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Types of Propety lost on Mysore** | | | |  | **Types of Propety lost on Tannery** | | | |  |
|  | **Road** |  |  |  |  |
|  |  |  |  |  | **Road** | | |  |
|  | 5% 5% |  | House |  |  |  |
| 0% |  | 0% | 13% 12% |  |  | House |  |
|  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  | Shop |  |  |  |  |
|  |  |  |  |  |  |  |
|  | 20% |  |  |  |  |  | Shop |  |
|  |  |  |  |  |  |  |
|  |  | House & Shop |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | 10% |  | Vacant |  |  |  |  | House & |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| 60% |  |  | Religious |  |  |  |  | Shop |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  | Vacant & |  | 75% |  |  | Vacant |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  | Building |  |  |  |  |  |  |



|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Types of Propety lost on Kogilu** | | |  |
|  |  | **Road** |  |  |
| 4% | 14% |  | Shop |  |
| 21% |  |  |
|  |  | House & |  |
|  |  |  |  |
|  |  |  | Shop |  |
|  |  | 11% | Vacant |  |
|  |  |  |  |
|  |  |  | Vacant & |  |
|  | 50% |  | House |  |
|  |  |  | Plantation |  |

Figure 14: Types of Properties Lost on Three Different Roads

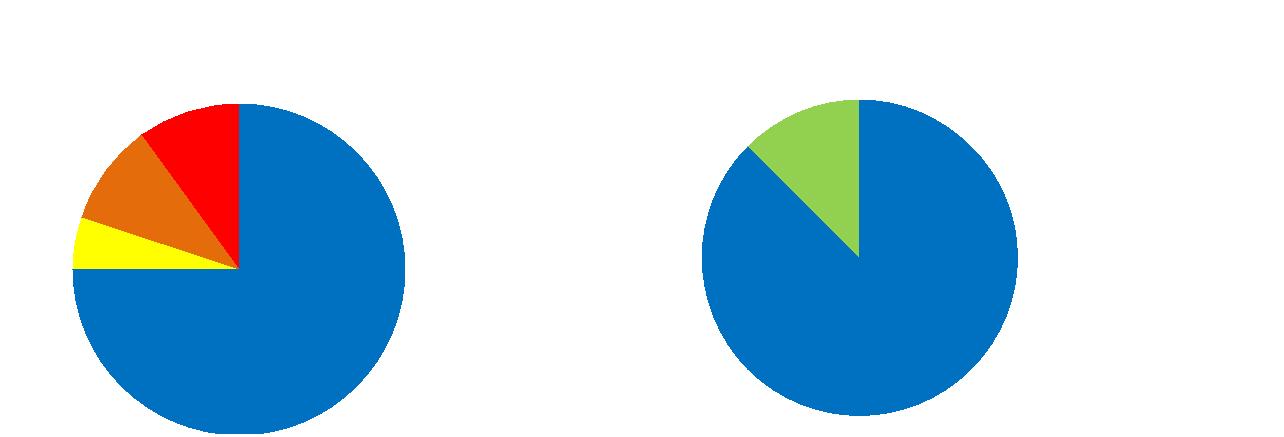
B . LAND USE OF PROPERTIES

It is also interesting to note the landuse of the area in the three roads. All the three roads have been zoned as commercial in the Revise master Plan 2015. Hence the return on using TDR on the remaining land is expected to be high. This could be one of the reasons for acceptance of TDR on Kogilu road and Mysore road. But interestingly the regulation for TDR use on remaining land prohibits use of TDR if the area of the remaining land in less than 12 sqm. Since the plot sizes on Tannery road are very small, TDR use on the remaining area becomes impossible, again leading to low popularity of TDR. Hence, the land owners in Tannery road do not stand to gain anything from the road widening or TDR

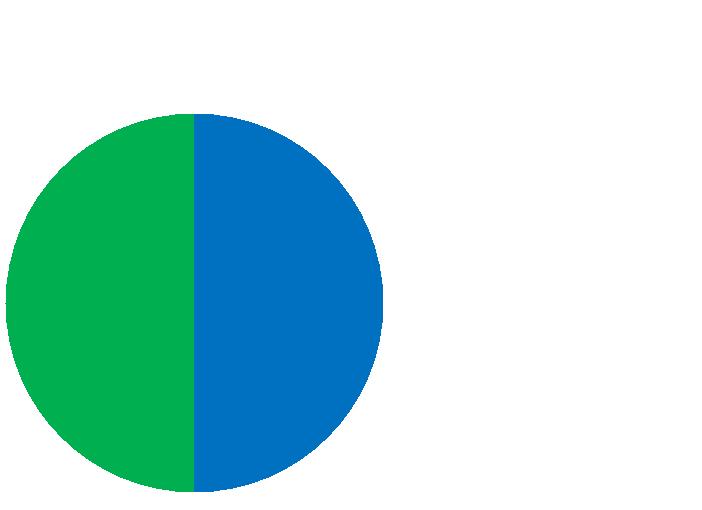
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Hence TDR utilization regulations profiting small property owners are an important area to be looked into.



|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Land Use of Properties on** | | | | **Type of Land Use of Properties on** | | | |  |
|  | **Mysore Road** | | |  | **Tannery Road** | | |  |
| 10% |  |  | Commercial | 13% |  |  | Commercial |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| 10% |  |  | Residential |  |  |  |  |
|  |  |  |  |  | Vacant |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 5% |  |  | Mixed |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  | 75% |  | Religious |  | 87% |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |



**Type of Land Use of Properties on**

**Kogilu Road**

 Commercial

50% 50%  Agriculture

Figure 15: Types of Landuse on Three Different Roads

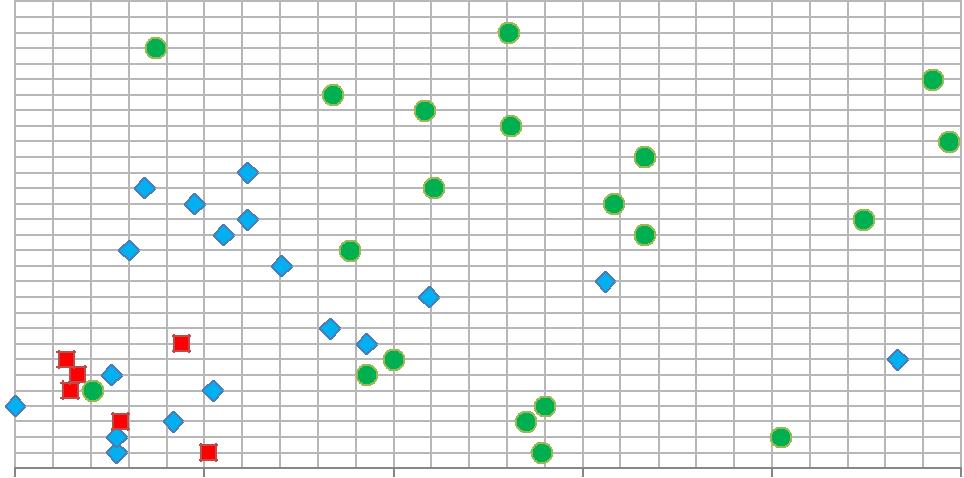
C . SIZE OF PROPERTY: TOTAL AREA AND ACQUIRED AREA

The distribution of ‘total area of property’ in the three roads is shown in the graph below. It shows that average size of properties in Kogilu is around 500 sqm while that in Mysore road is around 300 sqm and around 100 sqm in Tannery road.

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DISTRIBUTION OF 'TOTAL AREA OF PROPERTY'

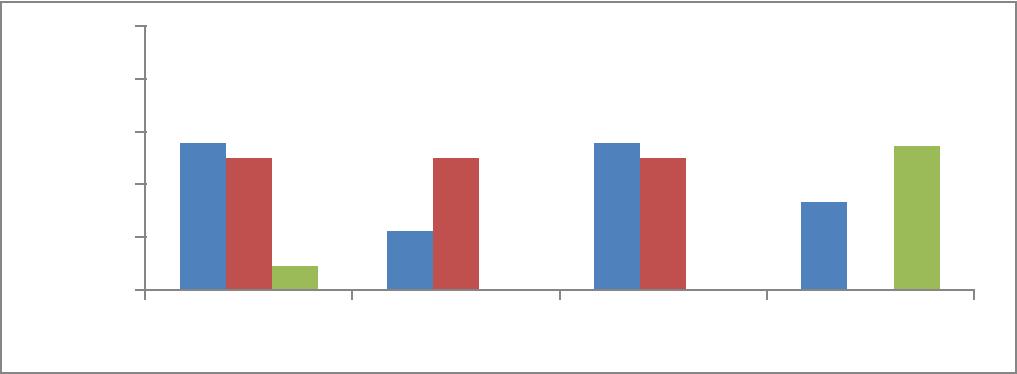


|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 0.00 | 200.00 | 400.00 | 600.00 | 800.00 | 1000.00 |
|  |  | AREA OF PROPERTY(sqm) | |  |  |

|  |  |  |
| --- | --- | --- |
| Mysore Road | Tannery Road | Kogilu Road |



Figure 16: Distribution of Total Area of Property on Three Roads



|  |  |  |
| --- | --- | --- |
| 50.00 | TOTAL AREA OF PROPERTY WITHIN 500 SQM |  |
|  |  |

40.00

30.00

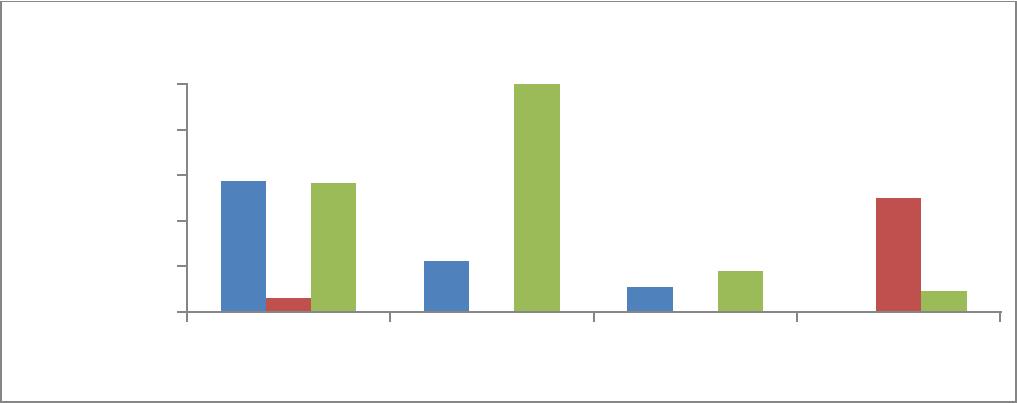
20.00

10.00

0.00

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 100 -150 | | 150 -200 | | 200 -300 | | | 300 -500 |  |
|  | Mysore Road |  | Tannery Road | |  | Kogilu Road | |  |
|  |  |  |  |
|  |  |  |  |

Figure 17: Comparison of Total Area of Property within 500 Sqm on Three Roads



|  |
| --- |
| *% Benieficiares* |

TOTAL AREA OF PROPERTY ABOVE 500 SQM

50.00

40.00

30.00

20.00

10.00

0.00

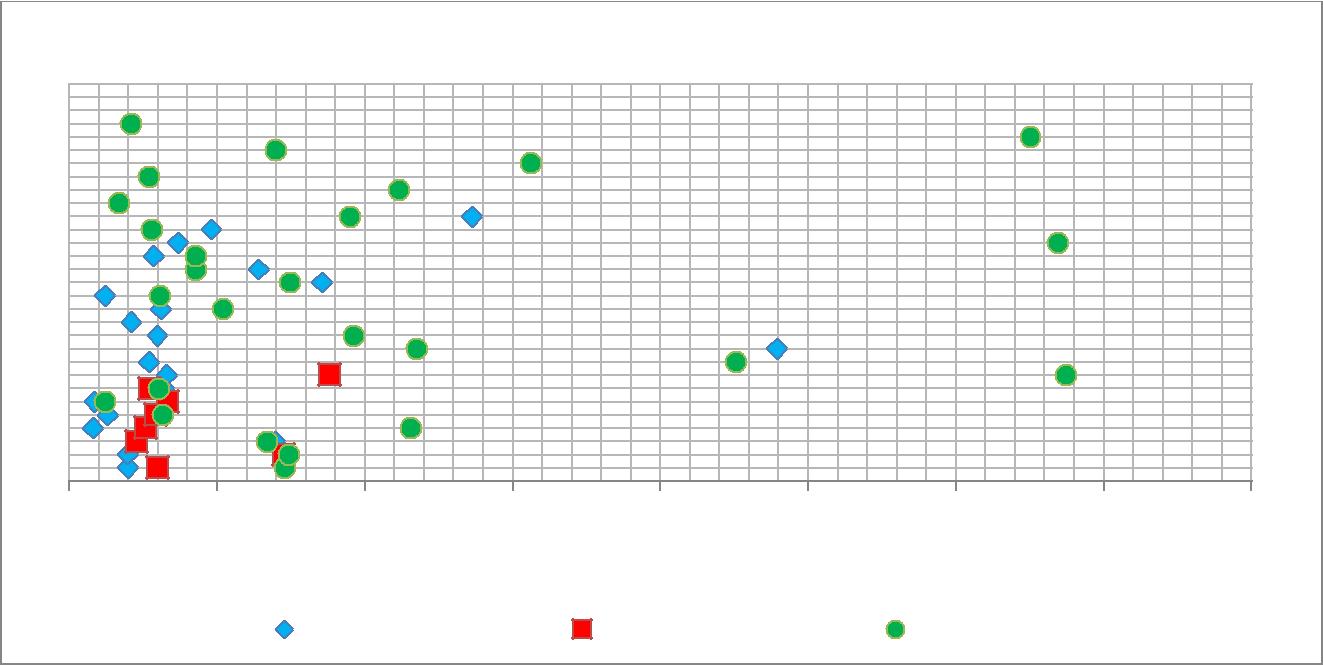
|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| <= 500 | | 500 -1000 | | 1000 -20002000 -5000 | | |  |
|  | Mysore Road |  | Tannery Road | |  | Kogilu Road |  |
|  |  |  |  |
|  |  |  |  |

Figure 18: Comparison of Total Area of Property above 500 Sqm on Three Roads

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The size of total property is interesting when seen together with the area acquired from each property. The amount of area acquired in Kogilu road averages around 120 sqm, 80 sqm on Mysore road and 50 sqm on Tannery road. Hence percentage of total land lost is highest in Tannery road compared to Mysore road and Kogilu road. TDR policy directed towards small property owners is an area that is reiterated by this data.



DISTRIBUTION OF 'AREA ACQUIRED'

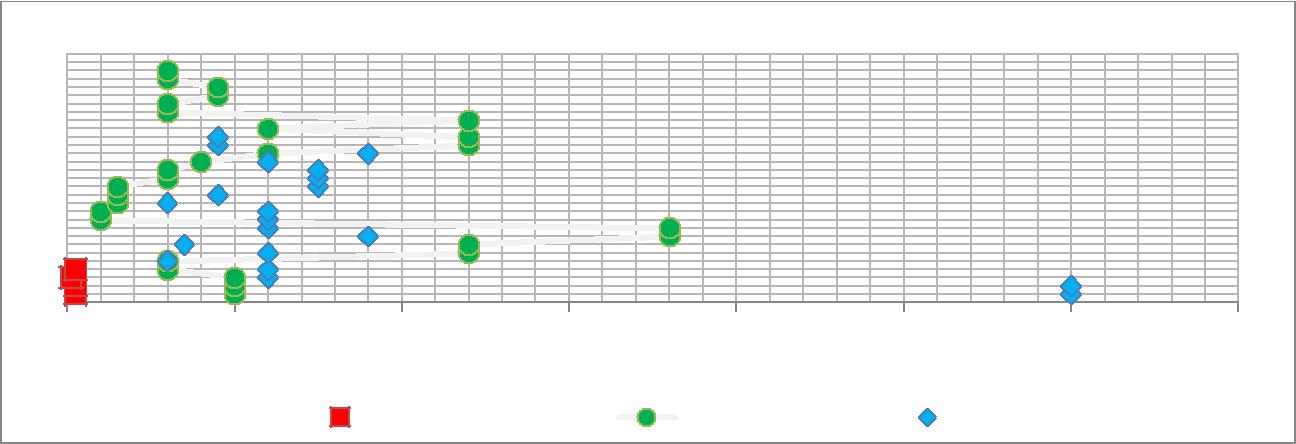
|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 0.00 | 100.00 | 200.00 | 300.00 | 400.00 | 500.00 | 600.00 | 700.00 | 800.00 |
|  |  |  | AREA OF PROPERTY | | |  |  |  |

|  |  |  |
| --- | --- | --- |
| Mysore Road | Tannery Road | Kogilu Road |

Figure 19: Comparison Distribution of ‘Area Acquired’ of three Roads

D . TIME DURATION OF TDR PROCESS

It is interesting to see the time requirement in the TDR process in the three case studies. The average time taken for the TDR process is around 10 months for Kogilu and Mysore road projects. In case of Tannery road however, the time duration is extremely low, around 15 days, in the samples studied. This anomaly needs further investigation.



|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | TIME DURATION FOR TDR PROCESS | | | | |  |
| 0 | 10 | 20 | 30 | 40 | 50 | 60 | 70 |
|  |  |  | TIME DURATION IN MONTHS | |  |  |  |
|  |  | Tannery Road | | Kogilu Road |  | Mysore Road |  |

Figure 20: Comparison Time Duration for TDR Process of three Roads

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8.2.5. CASH COMPENSATION BENEFICIARY PERCEPTION

Cash compensation survey conducted for 15 beneficiaries of those lost the properties for construction of the metro line from Srirampura Metro Station to Yeshwantpur Metro Station. As per the primary survey of beneficiaries, beneficiaries get the cash of 75-80 percent of the market value and the time duration for cash compensation process is average 6-7 months.

8.2.6. SUMMARY OF INFERENCES

From the analyses that were conducted, respectively of the TDR model, secondary data and primary data of beneficiaries, the following are the compiled inferences.

1. The present TDR model in Bangalore in not entirely unfair for land owners. In majority of the cases as demonstrated in Section 8.1.1, we find that the owner is able to fetch more value for the land that he has surrendered as compard to the original land value.
2. Majority of TDR is being generated in the outer TDR rings but utilisation is happening in the inner TDR rings. Hence the land looser is able to avail higher value (if sold in an inner zone) or at least similar value (in case sold in the same TDR ring). This is based on the assumption that the guidance value of land has less variation within a TDR ring.
3. The two important factors that emerge as critical for acceptance and success of TDR fron the primary survey of beneficiaries are
   1. Landuse of the property
   2. Size of property

Owners of property which are commercial in nature are reluctant to accept TDR or any other kind of compensation. The reason for reluctance being a)loss of livelihood for the owner; ad b) commercial land gives are recurring and incremental return which cannot be equated by a one-time compensation.

Owners of property with small plot sizes also pose similar reluctance. Small plot size owners are a vulnerable group as the entire plot or a sizable area of the plot is taken away by

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acquisition. The emotional value and well as complete displacement is not equated by a one-time compensation.

Other points that emerge from the primary survey are:

* **Lack of knowledge of use of TDR** is found to be one of the important gaps amongthe TDR beneficiaries. Majority of the owners who have received DRCs especially in city center areas like the Mysore road have very little idea about the prospective uses of the DRC certificate.
* **Lack of transparency in TDR market**: In several cases it was found that DRCs havebeen not utilized or sold for as long as 5 years. In a few instances where the DRCs have been sold, the price has been much lower than the market value of the properties as there are not enough buyers in the market to give a competitive rate.

The situation is however different in the Kogilu road area. Since there is a lot of real estate activity in the vicinity of the site, the DRCs have been sold quickly and also at a rate closer to the market value.

In Tannery road the DRCs in the samples surveyed have not been sold or used. There is a lot of community pressure for either acceptance or use of TDR.

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1. STAKEHOLDER PERSPECTIVE

Discussions on similar lines were carried out with various stakeholders on the basis of the results of the primary survey. Focus group discussions were held individually with the BBMP officials, the DTP officials, BMRCL officials, Fire force officials, developers, liasoners, urban planners and engineers. The purpose of the discussions was to understand the performance of TDR in Bangalore along with its various nuances, as highlighted by the survey results and elicit views indicative of policy and procedural changes.

The results of the Focus Group Discussions have been discussed under two heads

* Comments on TDR policy and market
* Comments on institutional framework

8.3.1 COMMENTS OF TDR POLICY AND MARKET

Based on the statistics and day to day experience of the officials there was unanimous opinion that TDR in Bangalore has not been successful in eliciting a positive response from the real estate sector as a profitable tool. The possible reasons for the same are given below.

1. The planning framework in Bangalore is pro-development. The existing FAR in the city is high. The residential, commercial and industrial zones can avail an FAR of 3.25 which itself is not achieved in ordinary cases. Requirement of TDR comes only in cases of large real estate developments. Hence the existing development policy becomes a hindrance to the use of TDR.
2. The compensation offered in the TDR policy does not take into account the varying land price gradient in the city. As identical compensations are offered at all places irrespective of the land value, it becomes a dis-incentive to owners owning land at prized locations. The transfer ratio does not make the TDR economics beneficial.

(iii)The New Land Acquisition, Relief and Rehabilitation Act 2013 provides huge compensations for land acquisition. It offers compensation equal to 4 times the guidance value in case of agricultural land and 2 times the guidance value in case of urban land along with rehabilitation benefits. The TDR compensation needs to match these benchmarks.

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Other aspects of TDR as evident from the discussion are as follows:

1. TDR is presently used only for road widening purposes. The tool has been used successfully for other purposed like slum development and heritage conservation in other Indian cities. Mechanisms have been worked out where urban development works like –slum redevelopment and rehabilitation can take place without substantial cost to the govt. The TDR policies have been formulated for a win-win situation for all stakeholders. Those facets have not been addressed in the TDR policy in Bangalore.
2. The present Master Plan 2015 goes for a zone wise densification concept in the TDR policy – as evident from the TDR rings I, II and III. However, an appreciation of the urban dynamics of Bangalore shows that it is in fact not true. There has been localized densification based on the employment potential and residing viability. Also, in tandem with the Transit Oriented Development (TOD) policy advocated by urban experts, densification would take place along transit nodes – presumably the metro rail stations and the sub urban rail stations. In such scenario, densification in concentric rings would not do justice to urban morphology of Bangalore. Hence this study provides an opportunity to link TDR and TOD policy in Bangalore.

8.3.2 COMMENTS ON INSTITUTIONAL FRAMEWORK

The institutional mechanism for TDR at present in Bangalore has been discussed in the previous chapter. Various comments that originated from the focus group discussion with the officials are as follows:

* The decentralisation of responsibilities from the head office to the zonal offices has left large gaps in the administrative process. As the power to issue TDR lies with the Municipal Commissioner, the TDR files need to come to the Head Office before issuance. As a part of the exercise of Commissioner’s approval, there is validation from the Land Acquisition Department and Road Infrastructure Department. These are repetition of the tasks already taken place in the zonal offices. Not only does it increase the turnaround time for TDR, but also man power requirement and corresponding expenditure.

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* Records related to TDR are maintained at the zonal offices. There are no centralized or digitized records. This could lead to duplication and fraud in terms of utilization of the DRC. Also time requirement for building plan sanction increases as data and information need to be collected between the head office and zonal offices.
* A common rule document for the entire state is desired for implementation of TDR. The provisions of TDR should be legalised under the current town planning act of Karnataka.

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CHAPTER 9: LEGISLATION

RELATED TO

ACQUISITION OF LAND

AND TDR

9.1 The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (LARR)

The various issues in the Land Acquisition Act of 1893 led the Govt. of India to draft a new legislation for acquisition of land in India. The new legislation is called the Land Acquisition, Rehabilitation and Resettlement Act 2013 (LARR). This is a central Act guiding the acquisition of land throughout the country. The provisions of this Act apply to acquisition of land by the Government as well as private parties.

1. Provides for land acquisition as well as rehabilitation and resettlement.
2. The process of acquisition involves a Social Impact Assessment survey, a preliminary notification stating the intent for acquisition, a declaration of acquisition, and compensation to be given by a certain time. Rehabilitation and resettlement is to be provided to people affected by the acquisition.
3. Compensation to the owners of the acquired land shall be four times the market value in rural areas and twice that in urban areas.

IV. In case of acquisition of land for use by private companies, consent of 80 per cent of

all land losers required; in case of public-private partnerships, consent of 70 per cent

of land owners required (not all land losers).

1. The provisions of the Bill shall not apply to acquisitions under certain existing Acts.

The present government has replaced this Act by an ordinance. The details of the previous

Act is attached in Annexure 9.

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9.2 Karnataka Town and Country Planning Act, 1961

The Karnataka Town and Country Planning Act, 1961 provides the legal basis for TDR in Bangalore. The extract of the act describing TDR is given below.

**14B. Benefit of development rights.-** Where any area within a local planning area isrequired by a Planning Authority or local authority for a public purpose and the owner of any site or land which comprises such area surrenders it free of cost and hands over possession of the same to the Planning Authority or the local authority free of encumbrances, the planning authority or the local authority, as the case may be, may notwithstanding anything contained in this Act or the regulations but subject to such restrictions or conditions as may be specified by notification by the State Government, permit development rights in the form of additional floor area which shall be equal to one and half times of the area of land surrendered. The development right so permitted may be utilised either at the remaining portion of the area after the surrender or anywhere in the local planning area, either by himself or by transfer to any other person, as may be prescribed. The area remaining after surrender shall have the same floor area which was available before surrender for the original site or land as per regulations.

**Explanation -** For the purpose of this section,-

Public purpose means.-

1. Widening of an existing road or formation of a new road;
2. Providing for parks, playgrounds and open spaces or any other civic amenities;
3. Maintaining or improving heritage building or precincts notified by the State Government.
4. Any other purpose notified by the State Government from time to time.

“Development right” means the right to carryout development or to develop land or building

or both.

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**Illustration No.1:** In a plot area of 500 square meters at road “A”, where floor area ratio is 1.5.-

|  |  |  |  |
| --- | --- | --- | --- |
|  | i | Plot area | : 500 square meters |
|  |  |  |  |
|  | ii | Permissible floor area ratio | : 1.5 |
|  |  |  |  |
|  | iii | Buildable floor area | : 500 x1.5 =750 square meters |
|  |  |  |  |
|  | iv | Area surrendered | :100 square meters |
|  |  |  |  |
|  | v | Additional floor area in the form of | : 150 square meters |
|  |  |  |  |
|  |  | Development Rights |  |
|  |  |  |  |

**Amending Act 2 of 2007** —It is considered necessary to amend the Town and CountryPlanning Act, 1961 to provide the benefit of Transfer of Development Rights (TDR) to the land owners who surrender their lands or sites free of cost for any public purpose notified by Government from time to time.

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CHAPTER 10: FINDINGS

AND

RECOMMENDATIONS

10.1 FINDINGS

The study has successfully brought out the various opportunities and issues related to TDR. On a macro scale we have looked at the TDR policies in various Indian cities. Some interesting concepts of incentivizing TDR using land value and FAR grading have emerged. On a micro scale, TDR policy in Mumbai has been studied which is one of the most successful cities in terms of implementation of TDR. The study resulted in important knowledge about spatialising the TDR concept through integrated landuse and policy planning. Furthermore, Bangalore was examined in detail through secondary data, primary data, interviews and site visit to identify the issue and gaps in TDR policy. The gaps and issues identified in the TDR market mechanism can be summarized as below through a set of evaluation questions given in the ToR.

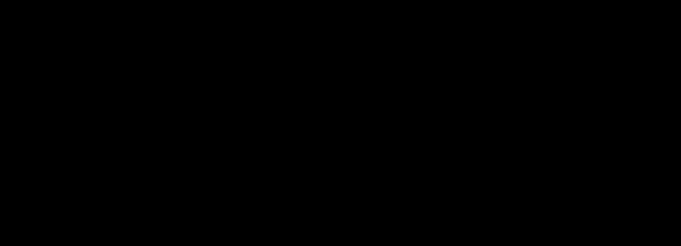
Table 24: Road Wise Conducted Survey Samples

**Sl.** **Evaluation Question** **Findings**

**No**



1  What should be the desired outcomes of the TDR scheme?



Desired outcome of the TDR scheme is to have a fair & transparent tool for land acquisition for the government. It is also desired to be a fair compensation tool for the land losers.



1. What were the expected outcomes in Bangalore and the extent to which these outcomes have been achieved?

TDR was conceptualized as a tool for land acquisition with a special focus to road widening and new road formation. Out of 216 notified roads, 55 roads have been executed using TDR scheme. Hence the desired outcomes have been partially achieved.

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1. a. What is the implementation mechanism in vogue for TDR?
2. Whether the implementation mechanism has been fair and transparent?
3. What are the gaps in implementation, if any?
4. TDR is implemented by the BBMP (Bruhat Bangalore Mahanagara Palike) in Bangalore as per the provisions specified by the section (14) of KTCP Act, 1961 and the guidelines given by the Revised Master Plan 2015.

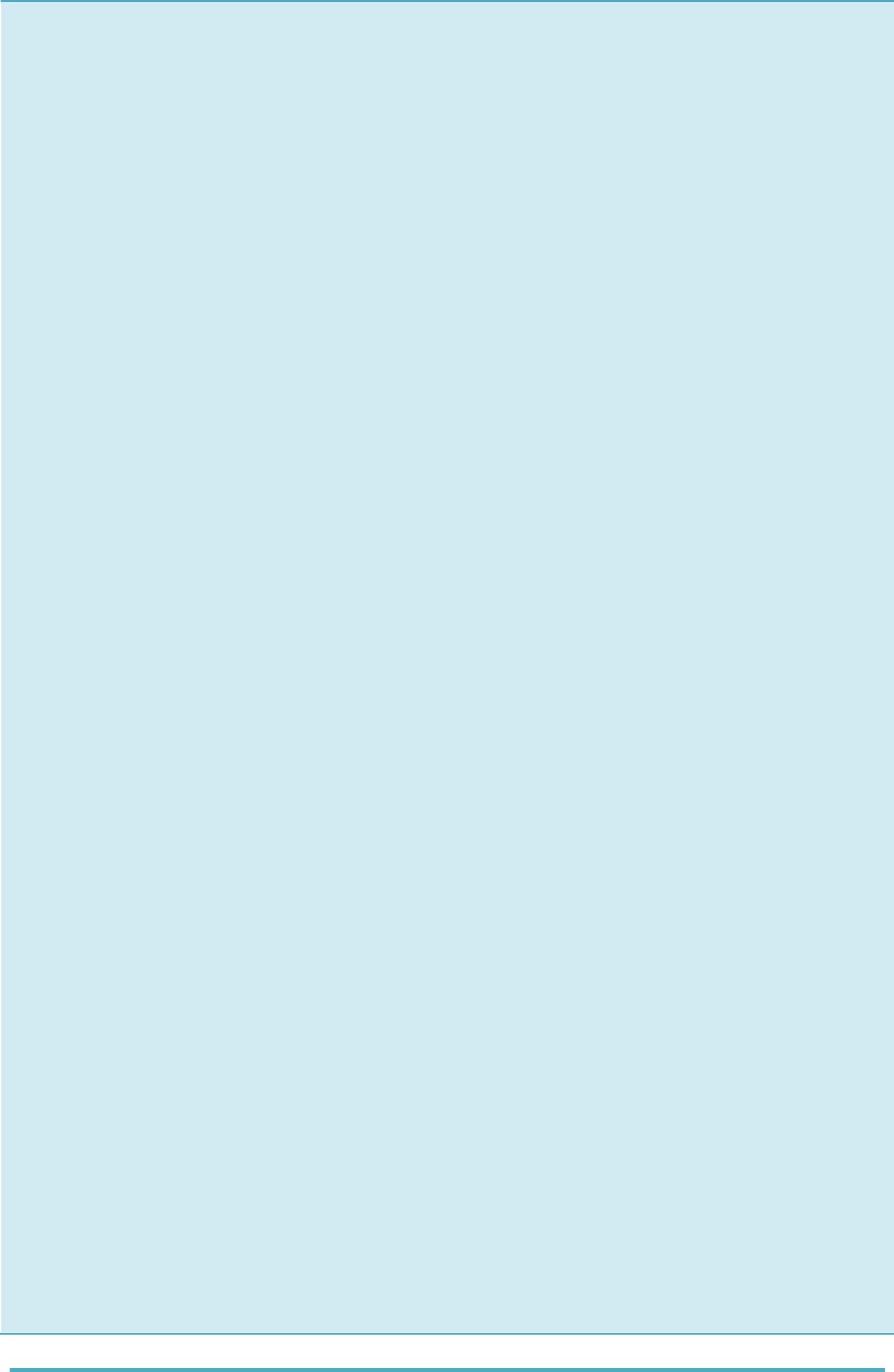
The TDR scheme is being implemented in Bangalore by the BBMP land acquisition department. The details of the process is explained in Section 7.2

1. The concept of TDR, in principle is fair as it gives the owner rights of development in return of the acquired land. As seen in table 1, the compensation provided by the TDR policy is fair to land losers as one gets almost equivalent or more value when the DRCs are utilized.

TDR implementation in Bangalore has not been entirely transparent.

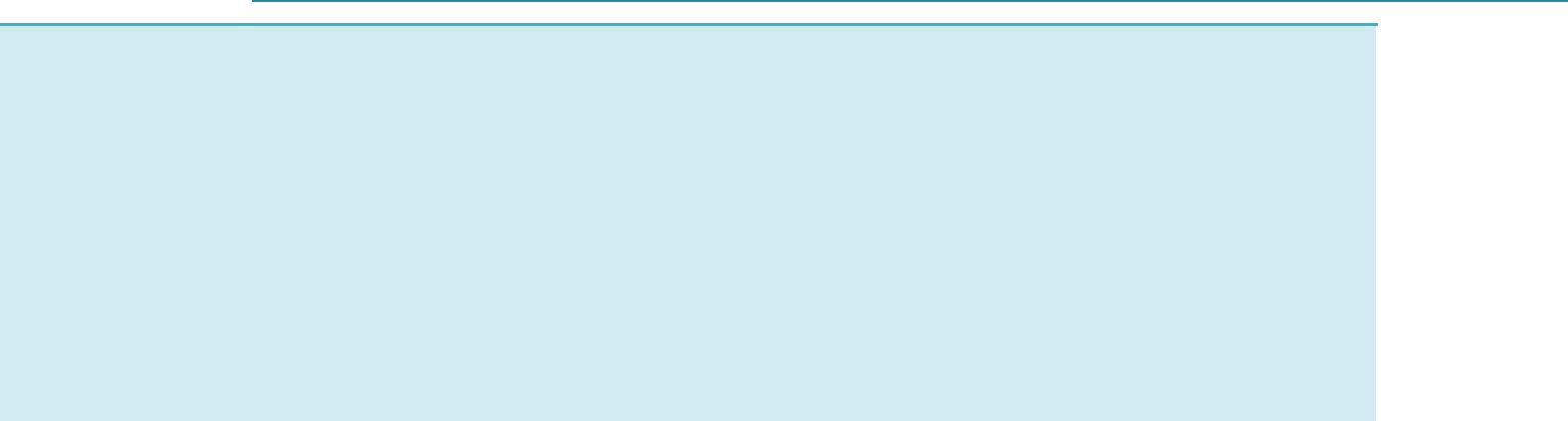
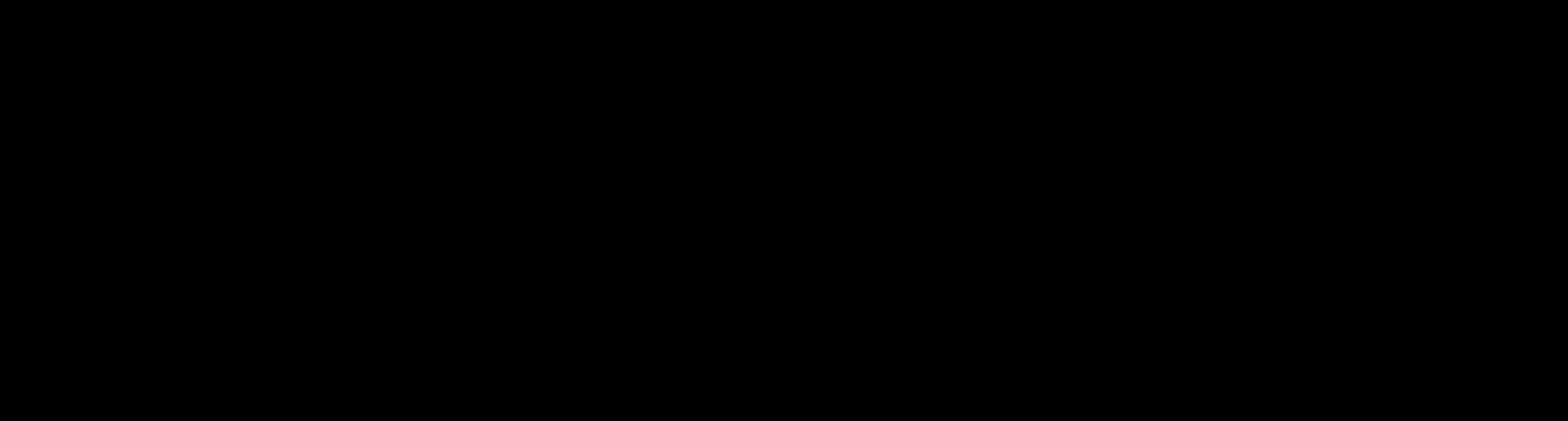
* + Annual list of road widening project to be taken up is not published. There is a lack of substantial notice before acquisition.
  + There is lack of transparency in the TDR market. Land owners are not aware of the current value of TDR in market.
  + TDR purchasers are not aware of the TDR owners in the market.
  + List of TDR availability status is not published by the BBMP, periodically (monthly, quarterly)

1. The following are the gaps in implementation observed in the TDR process:
   * TDR market is not transparent at present for sellers as well as buyers. The Govt. can act to increase transparency.
   * TDR process at present is substantially



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1. How has the TDR been utilized by land losers who opted for it?

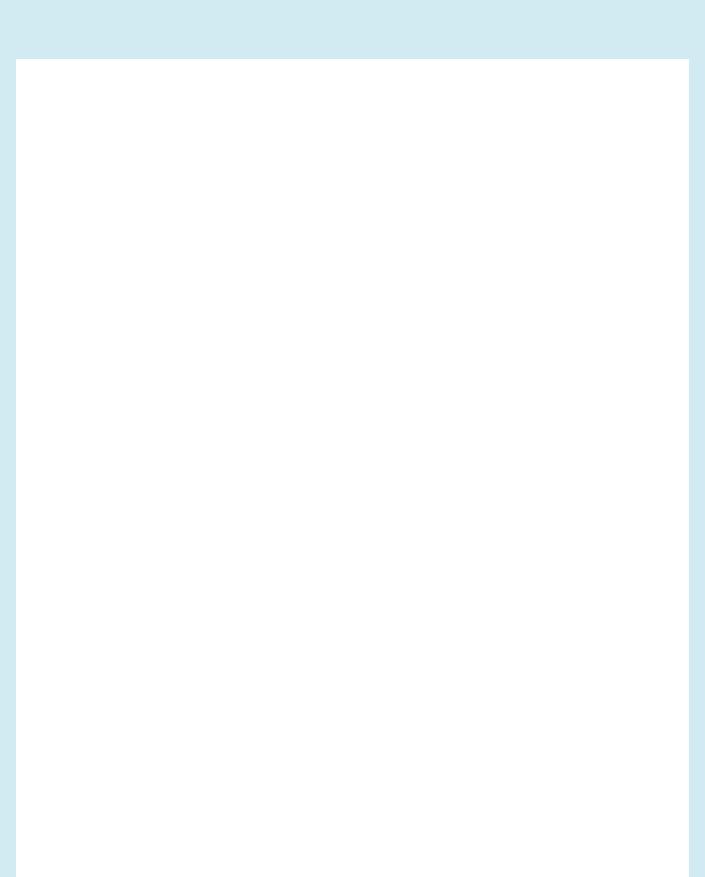


time taking. The institutional process can be modified to reduce the time taken to reduce TDR.

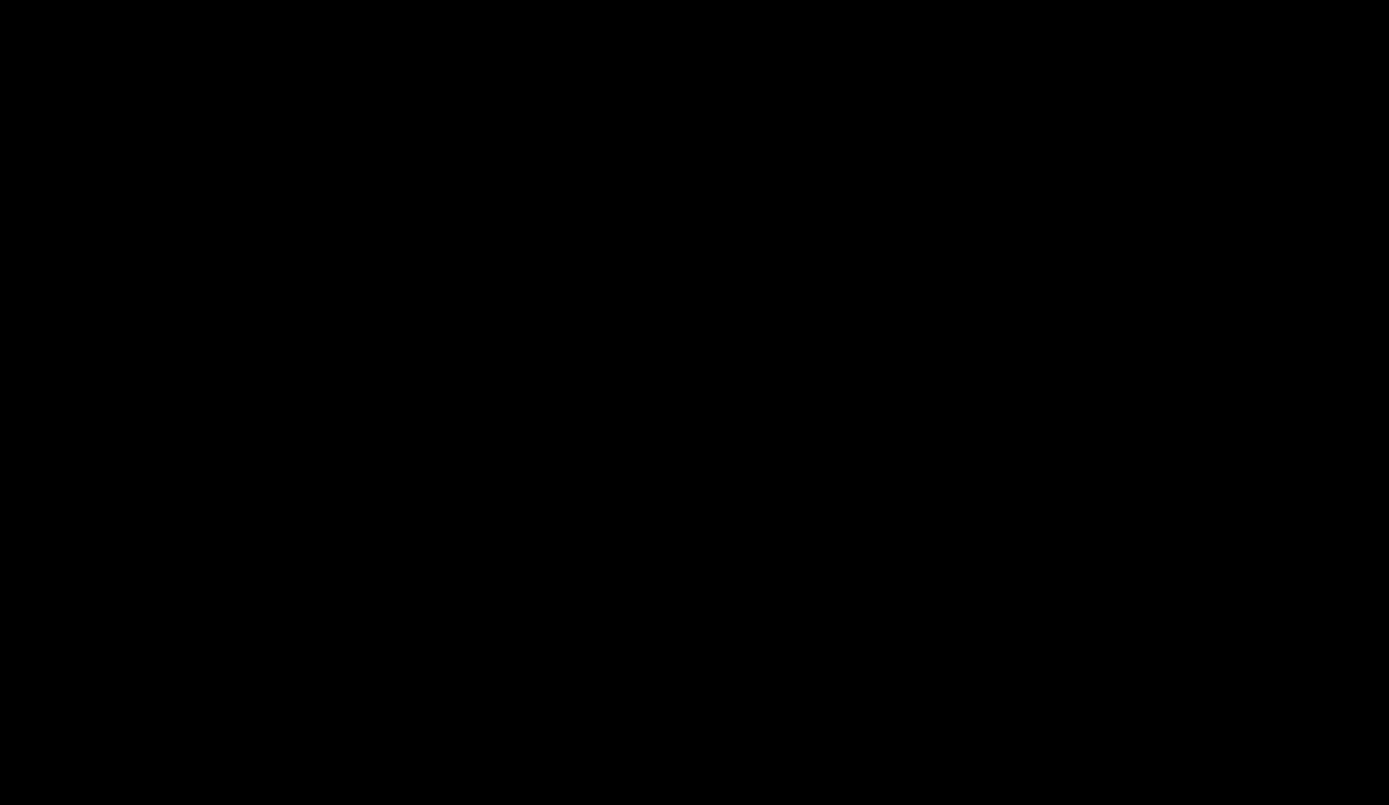
* In many cases it was found that the land owners are not aware about facts and details of TDR. Public awareness is vital for successful implementation of TDR.

TDR utilization status as derived from the statistics availed from the BBMP is as follows:

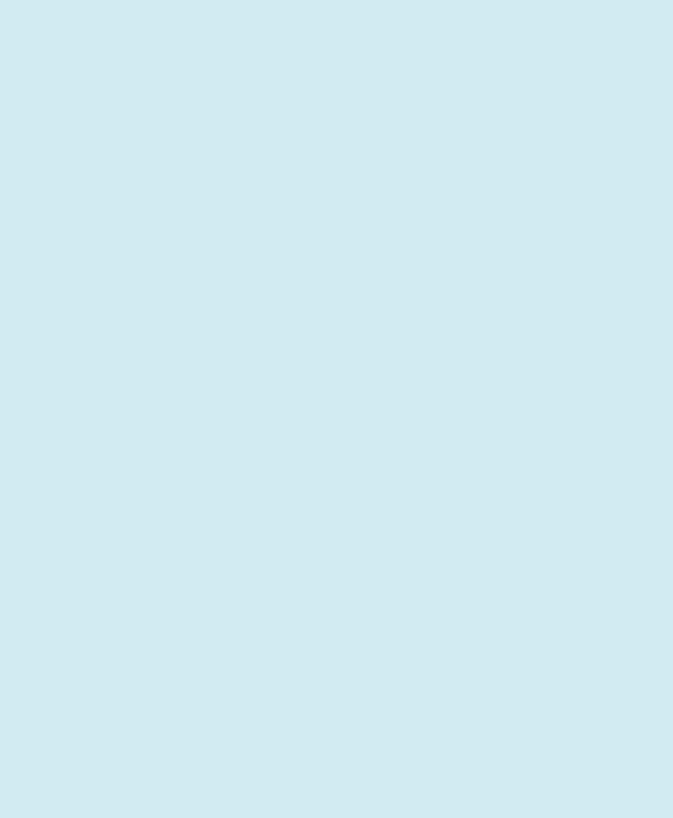
* Out of 2168 DRCs issued, 1067 DRCs have been utilized. In terms of area, out of 22.66 lakh sqm of DRC granted, 11.01 lakh sqm have been utilized.
* Out of 1102 DRCs that have been utilized, 946 have been transferred to real estate companies and used by them, 119 have been transferred to individuals and used by them and 2 have been self-used.



5  What has been the response of real estate market? What category of land users have opted for TDR? Where has the TDR been deployed?



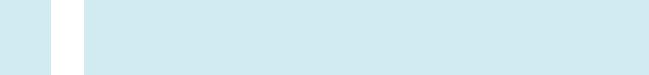
* Out of 1102 DRCs that have been utilized, 946 have been transferred to real estate companies and used by them, 119 have been transferred to individuals and used by them and 2 have been self-used. Hence, the majority of DRCs have been purchased and utilized by the real estate developers.
* Out of 1102 DRCs that have been utilized, 338 have been used in east division, 233 in Mahadevpura, 142 in south, 126 in west, 102 in Yelahanka, 30 in RR Nagara and 1 in Dasarahalli.



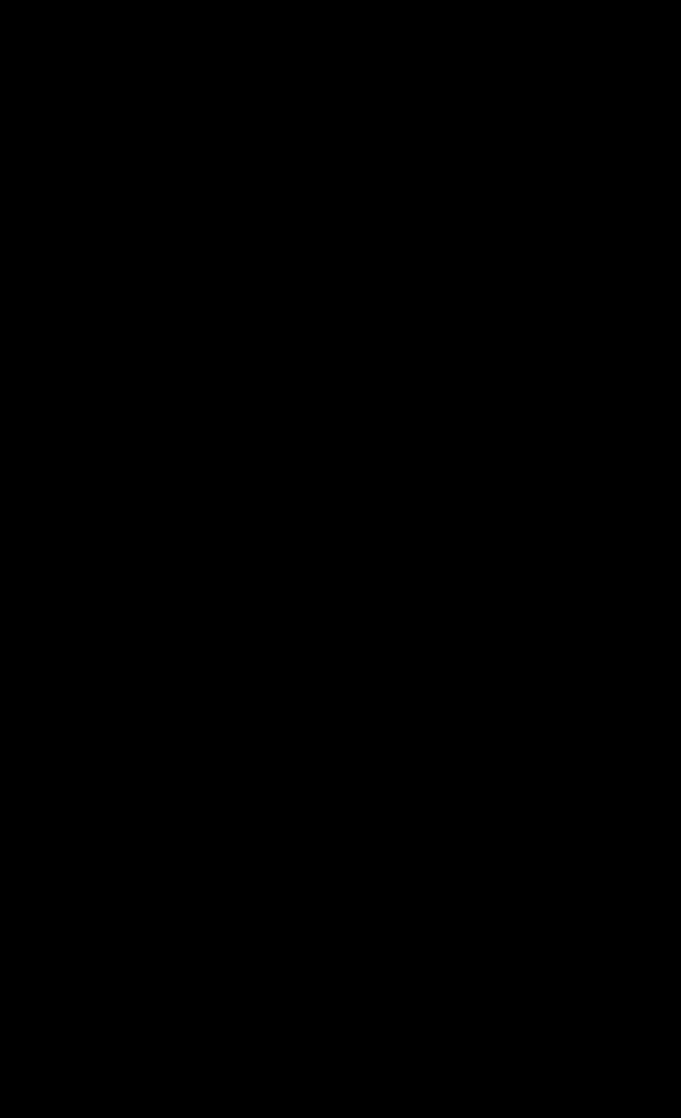
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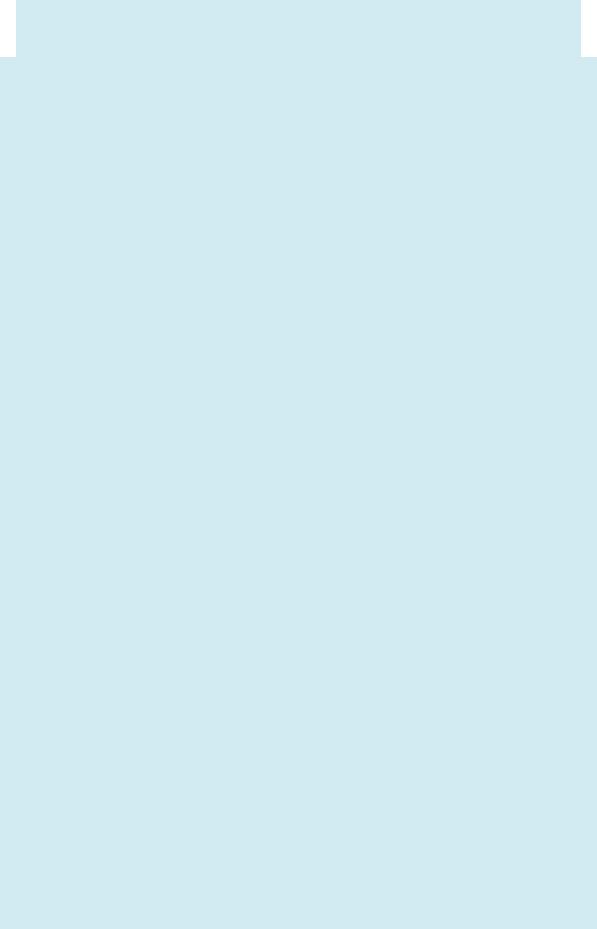
1. What mechanism is available in BBMP to monitor the use of TDR and check misuse if any? How is the TDR scheme that has been implemented in Bangalore different from other cities like Mumbai and Hyderabad etc.?



7  What could be the possible reasons for difference in response to TDR



observed between Bangalore and above mentioned cities?

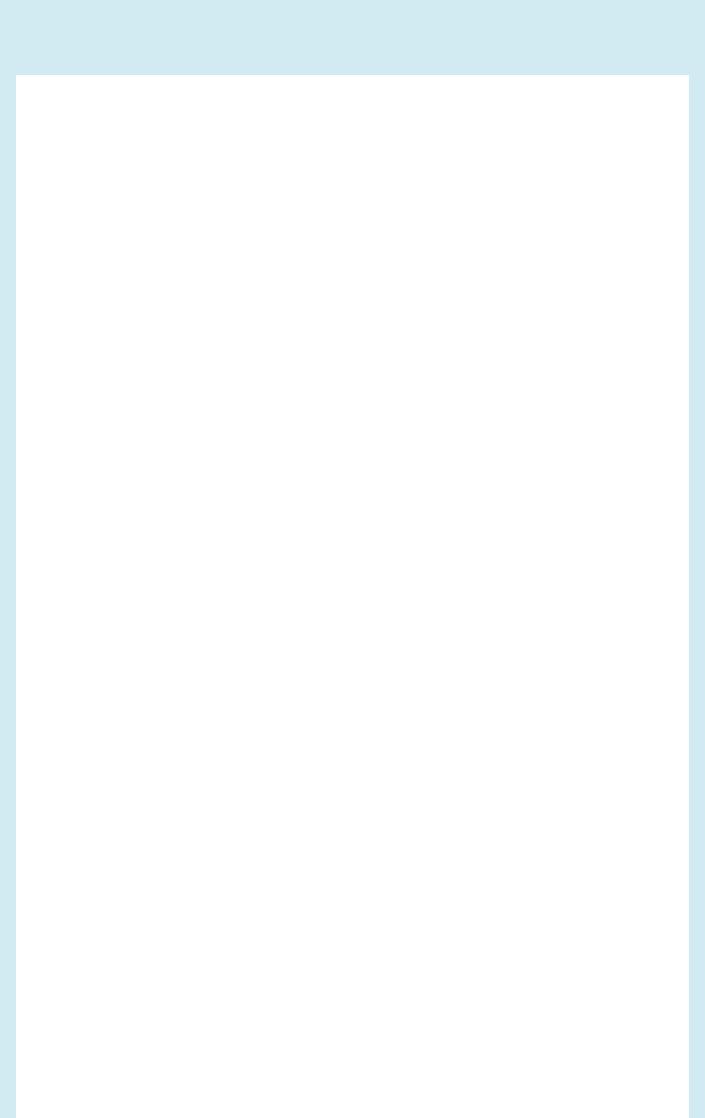


1. What could be the impact of new land acquisition Act on the demand for TDR?

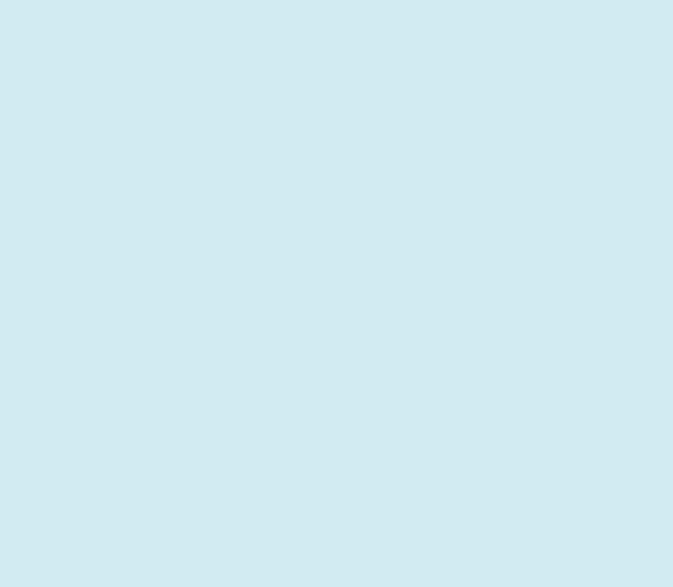
9  Whether the proposed amendments to Town and Country Planning Act (attached) suffice in making TDR

At present that TDR issue and utilization is only documented but not monitored.

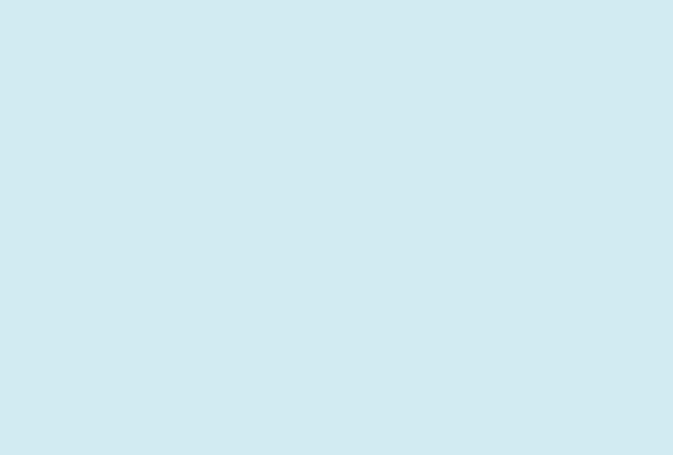
The TDR scheme in Bangalore varies from other cities in terms of the compensation and the utilization norms. Section 5.7 gives a comparison of the TDR policies in the various cities.



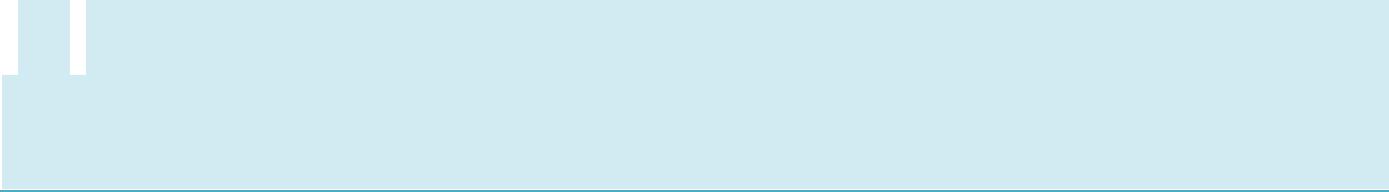
TDR is considered successful in Mumbai amongst all Indian cities. In Mumbai, 70% of TDR generation is accounted for by those used in Slum redevelopment. Slum TDR being highly popular for real estate reasons is generated in huge numbers. Hence TDR generated is more. Also, the FAR in Mumbai ranges from 1 to 1.5, land is also scarce, hence TDR is considered beneficial and used more in real estate development.



In Bangalore, the concept of TDR for Slum development in non-existent, it is used only for road widening. Hence the amount of TDR generation is low. In terms of utilization, the FAR in Bangalore ranges from 1.5 to 4. Due to the already high development rights in the city, developers are not motivated to buy extra development rights. Hence TDR utilization in less.



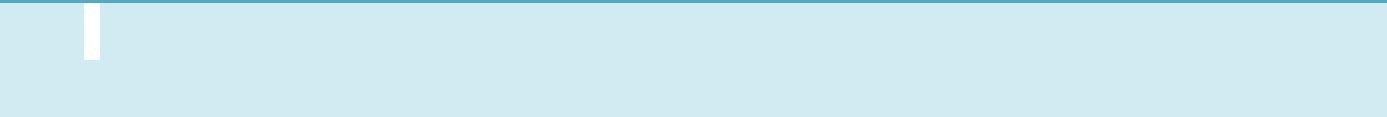
The new land acquisition has the maximum compensation benefits compare to the TDR and it will directly impact on the demand of the TDR in the market. It will reduce the number of land loser opting for the TDR and impact on the TDR value in the market.



As per the existing TCP Act the compensation value is very less compared to the market value, so there is less demand for TDR in the market, there

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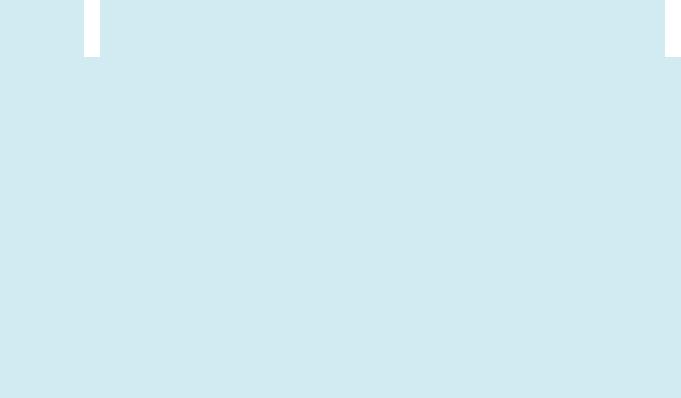
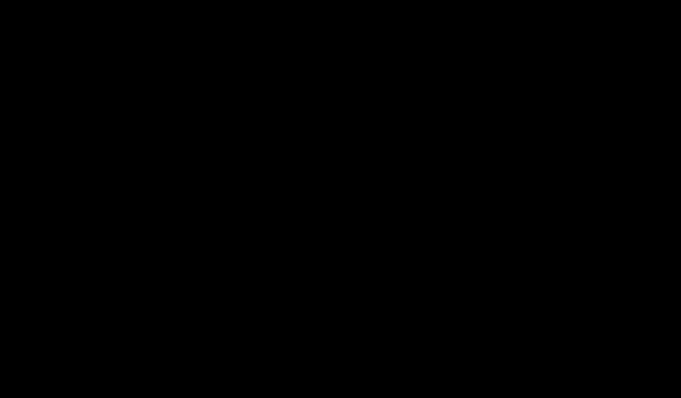


scheme more effective?

1. What should be the mechanism to regulate and monitor the trading of TDR?



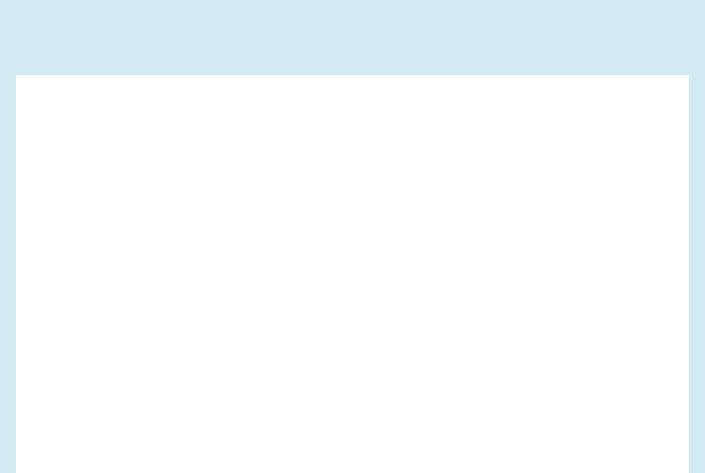
11  Is there a requirement to specify a validity period for TDR?



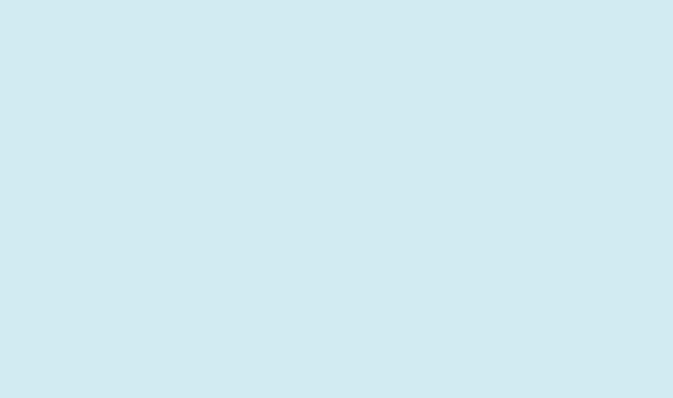
is a need of modification of act for effective TDR scheme.

TDR can be monitored by creating a platform for transaction of TDR as described in point 13.

TDR market can be regulated to prevent cartel formation and unfair trading by creating a web based TDR transaction portal. Such portals can be used to act as real time TDR database and along with function of selling of TDR and finally tracking of utilization.



DRCs should be ideally specified with a validity period for better implementation of Statutory plans. DRCs generate virtual real estate space within the city. The accumulation of such spaces over long periods of time and their utilization might contradict planning vision of the city. Real estate speculation is not beneficial for a health, market.



1. What policy norms should be put in place to ensure that TDR is utilised in consonance with the larger objective of the State?( if the larger objective of the State is to prevent urban sprawl, use of TDR should not lead to the contrary)

The TDR concept can be integrated with the larger planning vision of the state. For eg, if the govt, desires densification of certain areas, it can mark such areas in the master plan document as densification areas with higher FAR. The FAR could be achieved by use of certain percentage of TDR.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 13 | What | kind | of | institutional/market | TDR transactions can be made fair and transparent |  |  |
|  |  | mechanisms must be put in place for | | | | if it is traded in a online public platform, quite like |  |  |
|  |  | Ensuring fair trading of TDR, monitoring | | | | the share market. In such a market the availability |  |  |
|  |  | changes in value of TDR, ensuring | | | | and price of every TDR/DRC is publicly known. |  |  |
|  |  | guaranteed purchase of TDR from land | | | | Hence it allows the owners to get a fair price for |  |  |
|  |  | owners who are unable to sell TDR in | | | | their TDR. Simultaneously, it allows buyers to buy |  |  |
|  |  | market for some reason or other etc., | | | | as per their needs. |  |  |
|  |  |  |  |  |  | In similar lines, TDR bank can also be created by |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | the govt. or group of financial institutions. TDRs |  |  |
|  |  |  |  |  |  |  |  |  |

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| --- | --- | --- | --- |
|  |  |  | can be bought from the owners and subsequently |
|  |  |  | sold at an online platform by the Bank. |
|  |  |  |  |
|  | 14 | How should the possibility of cartel | Cartel formation and unfair trading happens when |
|  |  | formation and unfair trading be | there is lack of transparency in the market. If TDR |
|  |  | curtailed? | is brought in an open platform, it would give |
|  |  |  | everyone a fair chance. Even if an entity wants to |
|  |  |  | possess a large number of DRCs, it would have to |
|  |  |  | compete in the open market, hence owners or other |
|  |  |  | buyers won’t be cheated. This will also prevent |
|  |  |  | cartel formation. |
|  |  |  |  |

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1. RECOMMENDATIONS
   1. TDR MODEL

The existing TDR compensation – utilisation policy has been examined. Based on the results, three models have been examined to see how TDR could be made more attractive.

1. factor based model
2. land value based model
3. FAR based model
4. FACTOR BASED MODEL

The following section illustrates the factor based model. It is based on the existing TDR model in Bangalore which is essentially a factor based model, and analyse the benefits and disadvantages of the compensation received by the land losers.

10 . 2 . 2 . 1 EVALUATION OF EXISTING FACTOR MODEL

The evaluation of the exsitng TDR model was demonstrated in section 8.1.1. The analysis shows that for every ring, TDR gives higher compensation than the original value of the land; i.e. Value of 150 sqm of compensated land is higher than the original 100 sqm, irrespective of TDR Ring of generation and zone of utilisation.

The highest value in each case is achieved in its own ring of generation. But from the study of maps of generating and utilisation zones, it had been observed that the use of TDR does not necessarily happen in its zone of generation. When DRC is transferred from one zone to other, its value might reduce in certain cases. Also the processof TDR is lengthy. To compensate for the time taken for the compensation to reach the land loser, it is advisable to increase the benefits arising from TDR.

Hence to provide larger benefits to the owners of land, the following modified model has been proposed.

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10 . 2 . 2 . 2 MODIFIED FACTOR MODEL

In this model the utilization factor of TDR has been modified, to increase the compensation of for the land owners

**Compensation factor = 1.5**

**Utilisation factor for zone as follows:**

Table 25: Proposed Utilisation factor for zones

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Zone 1** | **Zone 2** | **Zone 3** |
|  |  |  |  |
| Zone 1 | 1 | 1.8 | 2.5 |
|  |  |  |  |
| Zone 2 | 0.9 | 1 | 2 |
|  |  |  |  |
| Zone 3 | 0.6 | 0.8 | 1 |
|  |  |  |  |

Hence under this model, when 100 sq m of land is surrendered, 150 sqm is received as compensation. The value of 150 sqm when used in different TDR zones has been worked out based on the revised utilization factor. The average guidance value of the zones has been considered while deriving the value.

With the above model, the table appears as follows:

Table 26: Value of TDR in different zone as per proposed TDR model

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  | **Guidan** | |  | **Land** | |  | **Compen** | |  |  |  |  | **Value in** | |  | **Value in** | |  | **Value in** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **Value of** | |  | **Ring I/** | |  | **Ring II/** | |  | **Ring III/** | |  |
|  |  |  |  |  |  |  |  |  |  | **ce value** | |  | **surrende** | |  | **sation** | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** | |  | **Ward** | |  | **Area** | |  |  |  |  | **100 sqm** | |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | **( per** | |  | **red** | |  | **received** | |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **property** | |  | **Zone I** | |  | **Zone II** | |  | **Zone III** | |  |
|  |  |  |  |  |  |  |  |  |  | **sqm)** | |  | **(sqm)** | |  | **(sq m)** | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(lakhs)** | |  | **(lakhs)** | |  | **(lakhs)** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Value of 150 sqm when used in** | | | | | | | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **different TDR zones** | | | | | | | |  |
|  |  |  |  | Gandhinagar |  |  | Ananda Rao |  |  | 112980 |  |  | 100 |  |  | 150 |  |  | 112.98 |  |  | 169.47 |  |  | 172.86 |  |  | 130.13 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Chickpet |  |  | Utradi mut |  |  | 75320 |  |  | 100 |  |  | 150 |  |  | 75.32 |  |  | 112.98 |  |  | 172.86 |  |  | 130.13 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  | road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 86.08 |  |  | 129.12 |  |  | 172.86 |  |  | 130.13 |  |  |
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|  | **I/** |  |  | Shivajinagar |  |  | Central Street |  |  | 86080 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone I** |  |  |
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|  |  |  | Sudham |  |  | Mission Road |  |  | 69617 |  |  | 100 |  |  | 150 |  |  | 69.62 |  |  | 104.43 |  |  | 172.86 |  |  | 130.13 |  |  |
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|  |  |  |  | Nagar |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Mysore Road |  |  | Mysore Main |  |  | 58448 |  |  | 100 |  |  | 150 |  |  | 58.45 |  |  | 87.67 |  |  | 172.86 |  |  | 130.13 |  |  |
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|  | **Ring** |  |  | Malleswaram |  |  | Maruthi |  |  | 64560 |  |  | 100 |  |  | 150 |  |  | 64.56 |  |  | 80.41 |  |  | 96.84 |  |  | 104.10 |  |  |
|  |  |  |  |  | Extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II/** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **Zone** |  |  | Jayanagar |  |  | Jaynagar 3rd |  |  | 96840 |  |  | 100 |  |  | 150 |  |  | |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | 96.84 |  |  | 80.41 |  |  | 145.26 |  |  | 104.10 |  |  |
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|  | **II** |  |  |  |  |  | block |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Rajajinagar |  |  | Industrial |  |  | 43040 |  |  | 100 |  |  | 150 |  |  | 43.04 |  |  | 80.41 |  |  | 64.56 |  |  | 104.10 |  |  |
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|  |  |  |  | Koramangala |  |  | Jakkasandra |  |  | 59180 |  |  | 100 |  |  | 150 |  |  | 59.18 |  |  | 80.41 |  |  | 88.77 |  |  | 104.10 |  |  |
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|  |  |  |  | Hebbala |  |  | Varthula |  |  | 56490 |  |  | 100 |  |  | 150 |  |  | 56.49 |  |  | 80.41 |  |  | 84.74 |  |  | 104.10 |  |  |
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|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  | Bagmane |  |  |  |  |  |  |  |  |  |  |  | 47.02 |  |  | 60.37 |  |  | 76.83 |  |  | 70.53 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Mahadevpura |  |  | MTB |  |  | 47021 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Techpark |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  | Yelahanka |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Yelahanka |  |  | New Town |  |  | 38897 |  |  | 100 |  |  | 150 |  |  | 38.90 |  |  | 60.37 |  |  | 76.83 |  |  | 58.35 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | New Town |  |  | LIC Office |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  |  | Kengeri |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Golahalli |  |  |  |  |  |  |  |  |  |  |  | 17.75 |  |  | 60.37 |  |  | 76.83 |  |  | 26.63 |  |  |
|  | **III/** |  |  | Kengeri |  |  |  |  | 17754 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | (B.D.A. |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | Layout) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Peenya |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Industrial |  |  |  |  |  |  |  |  |  |  |  | 27.22 |  |  | 60.37 |  |  | 76.83 |  |  | 40.83 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Peenya |  |  | Area (C.M.C. |  |  | 27223 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | /(Converted |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Sites) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | B.T.M.Layou |  |  |  |  |  |  |  |  |  |  |  | 42.61 |  |  | 60.37 |  |  | 76.83 |  |  | 63.91 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | BTM Layout |  |  | t 4th Stage |  |  | 42610 |  |  | 100 |  |  | 150 |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Main road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

With the new model, the difference in value when used in various zones is reduced in most of the cases other than some very high land value areas like Gandhinagar and Jaynagar. However, since such occurrences are less and it satisfies the other zones, this can be adopted.

The study also proposes a scenario keeping in view the New Land Acquisition Act. The new Act suggests 2 times monetary compensation for urban lands. To make TDR attractive comparative to that, the following model is proposed.

Even though the model demonstrated in the previous section gives a higher value that the exsiting TDR model in Bangalore, it is not comparable to the compensation offered by the New Land Acquisition Act. The new Act proposes two times monetary compensation for acquired urban lands.

The following table shows the comparison of the monetary compensation with those received from the TDR as per the modified factors as described above.

Centr e for Sustain able Development P a g e | **111**

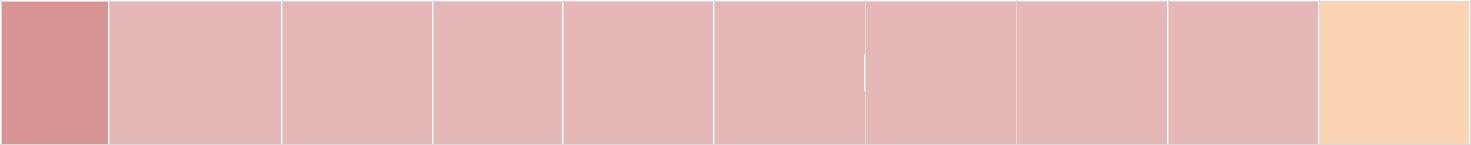
REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

Table 27: Comparison of compensation received from New Land Acquisition act and modified TDR factor.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Compensat** | |  |
|  |  |  |  |  |  |  |  |  |  | **Compe** | |  | **Guidance** | |  | **Value of** | |  | **Value in** | |  | **Value in** | |  | **Value in** | |  | **ion** | |  |
|  |  |  |  |  |  |  |  |  |  | **nsation** | |  |  |  | **Ring I/** | |  | **Ring II/** | |  | **Ring III/** | |  | **As per New** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** | |  | **Ward** | |  | **Area** | |  |  | **value (per** | |  | **100 sqm** | |  |  |  |  |  |  |  |  |  |  | **Land** | |  |
|  |  |  |  | **received** | |  |  |  | **Zone I** | |  | **Zone II** | |  | **Zone III** | |  |  |
|  |  |  |  |  |  |  |  |  |  |  | **sqm)** | |  | **property** | |  |  |  |  | **Acquisition** | |  |
|  |  |  |  |  |  |  |  |  |  | **(sq m)** | |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(lakhs)** | |  | **(lakhs)** | |  | **(lakhs)** | |  | **Act** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Value of 150 sqm when used in** | | | | | | | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **different TDR zones** | | | | | | | |  |  |  |  |
|  |  |  |  |  |  |  | Ananda |  |  |  |  |  |  |  |  | 112.98 |  |  | 169.47 |  |  | 172.86 |  |  | 130.13 |  |  | 225.96 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Gandhinagar |  |  | Rao |  |  | 150 |  |  | 112980 |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  | extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 150.64 |  |  |
|  |  |  |  |  |  |  | Utradi mut |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Chickpet |  |  |  |  | 150 |  |  | 75320 |  |  | 75.32 |  |  | 112.98 |  |  | 172.86 |  |  | 130.13 |  |  |  |
|  | **Ring** |  |  |  |  | road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | Central |  |  |  |  |  |  |  |  | 86.08 |  |  | 129.12 |  |  | 172.86 |  |  | 130.13 |  |  | 172.16 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **I/** |  |  | Shivajinagar |  |  |  |  | 150 |  |  | 86080 |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Street |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone I** |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 139.23 |  |  |
|  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Sudham |  |  | Mission |  |  | 150 |  |  | 69617 |  |  | 69.62 |  |  | 104.43 |  |  | 172.86 |  |  | 130.13 |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Nagar |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Mysore |  |  | Mysore |  |  |  |  |  |  |  |  | 58.45 |  |  | 87.67 |  |  | 172.86 |  |  | 130.13 |  |  | 116.90 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Main |  |  | 150 |  |  | 58448 |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 129.12 |  |  |
|  |  |  |  | Malleswara |  |  | Maruthi |  |  | 150 |  |  | 64560 |  |  | 64.56 |  |  | 80.41 |  |  | 96.84 |  |  | 104.10 |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | m |  |  | Extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Jayanagar |  |  | Jaynagar |  |  | 150 |  |  | 96840 |  |  | 96.84 |  |  | 80.41 |  |  | 145.26 |  |  | 104.10 |  |  | 193.68 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  | 3rd block |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 86.08 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II/** |  |  | Rajajinagar |  |  | Industrial |  |  | 150 |  |  | 43040 |  |  | 43.04 |  |  | 80.41 |  |  | 64.56 |  |  | 104.10 |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  |  |  | Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **II** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Koramangal |  |  | Jakkasand |  |  |  |  |  |  |  |  | 59.18 |  |  | 80.41 |  |  | 88.77 |  |  | 104.10 |  |  | 118.36 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | ra Main |  |  | 150 |  |  | 59180 |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 112.98 |  |  |
|  |  |  |  | Hebbala |  |  | Varthula |  |  | 150 |  |  | 56490 |  |  | 56.49 |  |  | 80.41 |  |  | 84.74 |  |  | 104.10 |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  | Bagmane |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 94.04 |  |  |
|  |  |  |  | Mahadevpur |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 47.02 |  |  | 60.37 |  |  | 76.83 |  |  | 70.53 |  |  |  |  |
|  |  |  |  |  |  | MTB |  |  | 150 |  |  | 47021 |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | a |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Tech park |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  | Yelahanka |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Yelahanka |  |  | New |  |  |  |  |  |  |  |  | 38.90 |  |  | 60.37 |  |  | 76.83 |  |  | 58.35 |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Town LIC |  |  | 150 |  |  | 38897 |  |  |  |  |  |  |  |  |  |  | 77.79 |  |  |
|  | **Ring** |  |  | New Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Office |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III/** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Kengeri |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Kengeri |  |  | Golahalli |  |  | 150 |  |  | 17754 |  |  | 17.75 |  |  | 60.37 |  |  | 76.83 |  |  | 26.63 |  |  | 35.51 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | (B.D.A. |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Layout) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Peenya |  |  |  |  |  |  |  |  | 27.22 |  |  | 60.37 |  |  | 76.83 |  |  | 40.83 |  |  | 54.45 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Peenya |  |  | Industrial |  |  | 150 |  |  | 27223 |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Area |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP



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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | B.T.M.La |  |  |  |  |  |  |  |  |
| BTM | yout 4th | 150 | 42610 | 42.61 | 60.37 | 76.83 | 63.91 | 85.22 |  |
| Layout | Stage |  |
|  |  |  |  |  |  |  |  |
|  | Main road |  |  |  |  |  |  |  |  |

AS seen in this table, the compensation received from modified TDR factor is not comparable with that of the New Land acquisition act. Hence to increase the compensation of TDR the following model is proposed.

10 . 2 . 2 . 1 PROPOSED FACTOR MODEL

In the proposed factor model, the compensation as well as the utilisation factors have been increased as follows.

**Compensation factor = 2.2**

**Utilisation factor for zone as follows:**

Table 28: Proposed Utilisation factor for zones

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Zone 1** | **Zone 2** | **Zone 3** |
|  |  |  |  |
| Zone 1 | 1 | 1.8 | 2.5 |
|  |  |  |  |
| Zone 2 | 0.9 | 1 | 2 |
|  |  |  |  |
| Zone 3 | 0.6 | 0.8 | 1 |
|  |  |  |  |

Hence under this model, when 100 sq m of land is surrendered, 220 sqm is received as compensation. The value of 220 sqm when used in different TDR zones has been worked out. The average guidance value of the zones has been considered while deriving the value.

Table 29: Land value comparison as per the new model

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Value in** | |  | **Compensati** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Value in** | |  | **Value in** | |  |  | **on** | |  |
|  |  |  |  |  |  |  |  |  |  | **Guidance** | |  | **Land** | |  | **Compe** | |  | **Value of** | |  |  |  | **Ring** | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Ring I/** | |  | **Ring II/** | |  |  | **As per New** | |  |
|  |  |  |  |  |  |  |  |  |  |  | **surrend** | |  | **nsation** | |  | **100 sqm** | |  |  |  | **III/** | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** | |  | **Ward** | |  | **Area** | |  | **value (** | |  |  |  |  |  |  |  |  |  |  |  | **Land** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | **ered** | |  | **received** | |  | **propert** | |  | **Zone I** | |  | **Zone II** | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | **per sqm)** | |  |  |  |  |  |  |  |  |  | **Acquisition** | |  |
|  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  | **(sq m)** | |  | **y** | |  |  |  | **Zone III** | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(lakhs)** | |  | **(lakhs)** | |  |  | **Act** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(lakhs)** | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Value of 220 sqm when used in** | | | | | | | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **different TDR zones** | | | | | | | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  | Gandhina |  |  | Ananda Rao |  |  | 112980 |  |  | 100 |  |  | 220 |  |  | 112.98 |  |  | 248.56 |  |  | 253.53 |  |  | 190.86 |  |  | 225.96 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  | gar |  |  | extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **I/** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Utradi mut |  |  |  |  |  |  |  |  | 220 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone I** |  |  | Chickpet |  |  |  |  | 75320 |  |  | 100 |  |  |  |  | 75.32 |  |  | 165.70 |  |  | 253.53 |  |  | 190.86 |  |  | 150.64 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  | road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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REPORT ON EVALUATION OF TRANSFER OF DEVELOPMENT RIGHTS SCHEME IN BBMP

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  | Shivajinag |  |  | Central |  |  | 86080 |  |  | 100 |  |  | 220 |  |  | 86.08 |  |  | 189.38 |  |  | 253.53 |  |  | 190.86 |  |  | 172.16 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | ar |  |  | Street |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Sudham |  |  | Mission |  |  | 69617 |  |  | 100 |  |  | 220 |  |  | 69.62 |  |  | 153.16 |  |  | 253.53 |  |  | 190.86 |  |  | 139.23 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Nagar |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Mysore |  |  | Mysore |  |  | 58448 |  |  | 100 |  |  | 220 |  |  | 58.45 |  |  | 128.59 |  |  | 253.53 |  |  | 190.86 |  |  | 116.90 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Road |  |  | Main Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Malleswar |  |  | Maruthi |  |  | 64560 |  |  | 100 |  |  | 220 |  |  | 64.56 |  |  | 181.10 |  |  | 142.03 |  |  | 152.68 |  |  | 129.12 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | am |  |  | Extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Jayanagar |  |  | Jaynagar 3rd |  |  | 96840 |  |  | 100 |  |  | 220 |  |  | 96.84 |  |  | 181.10 |  |  | 213.05 |  |  | 152.68 |  |  | 193.68 |  |  |
|  | **Ring** |  |  |  |  | block |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II/** |  |  | Rajajinaga |  |  | Industrial |  |  | 43040 |  |  | 100 |  |  | 220 |  |  | 43.04 |  |  | 181.10 |  |  | 94.69 |  |  | 152.68 |  |  | 86.08 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **Zone** |  |  | r |  |  | Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II** |  |  | Koramang |  |  | Jakkasandra |  |  | 59180 |  |  | 100 |  |  | 220 |  |  | 59.18 |  |  | 181.10 |  |  | 130.20 |  |  | 152.68 |  |  | 118.36 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | ala |  |  | Main Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Hebbala |  |  | Varthula |  |  | 56490 |  |  | 100 |  |  | 220 |  |  | 56.49 |  |  | 181.10 |  |  | 124.28 |  |  | 152.68 |  |  | 112.98 |  |  |
|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Mahadevp |  |  | Bagmane |  |  |  |  |  |  |  |  | 220 |  |  | 47.02 |  |  | 120.73 |  |  | 112.68 |  |  | 103.45 |  |  | 94.04 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | MTB |  |  | 47021 |  |  | 100 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | Techpark |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  | Yelahanka |  |  | Yelahanka |  |  |  |  |  |  |  |  | 220 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | New Town |  |  |  |  |  |  |  |  |  |  | 38.90 |  |  | 120.73 |  |  | 112.68 |  |  | 85.57 |  |  | 77.79 |  |  |
|  |  |  |  | New |  |  |  |  | 38897 |  |  | 100 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  | LIC Office |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Kengeri |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III/** |  |  |  |  |  |  |  |  |  |  |  |  |  | 220 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Kengeri |  |  | Golahalli |  |  | 17754 |  |  | 100 |  |  |  |  | 17.75 |  |  | 120.73 |  |  | 112.68 |  |  | 39.06 |  |  | 35.51 |  |  |
|  | **Zone** |  |  |  |  | (B.D.A. |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Layout) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Peenya |  |  |  |  |  |  |  |  | 220 |  |  | 27.22 |  |  | 120.73 |  |  | 112.68 |  |  | 59.89 |  |  | 54.45 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Peenya |  |  | Industrial |  |  | 27223 |  |  | 100 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Area |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | BTM |  |  | B.T.M.Layo |  |  |  |  |  |  |  |  | 220 |  |  | 42.61 |  |  | 120.73 |  |  | 112.68 |  |  | 93.74 |  |  | 85.22 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | ut 4th Stage |  |  | 42610 |  |  | 100 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Layout |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Main road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

With this model of compensation, it can be seen that except very high land value areas like Gandhinagar and Jaynagar, the TDR compensation can be matched to that of the New Land Acquisition Act.

ADVANTAGES & DISADVANTAGE OF THIS MODEL

The advantages of the model are as follows:

1. The compensation availed by the owners are higher than the value of the original land
2. Administration of the model is easy as it involves simpler formulas and conversion factors.
3. The disadvantage of this formula lies in its inability to control densification. In order to increase fairness to the land owners, larger amount of developable space is being generated. When these get used randomly in various zones it might defy and negate the planning vision of the city.

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1. FAR BASED MODEL

The second model based on FAR has been proposed based on the Mumbai and Pune model.

The philosophy of this model can be described as:

***“The compensation is equal to the buildable rights in the acquired land”***

It can be explained by the following formula.

Compensation area = area surrendered x FAR of the generating site

The concept of Utilisation factor does not exist in the model. The compensation can be used freely in all zones.

The compensation of the acquired land in different zones as per this formula is given in the table below:

Table 30: Land value comparison as per the new model

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Area** |  |  | **Compensation** |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | **Area** |  |  | **Micro Area** |  |  | **Landuse Zone** |  |  | **Far** |  |  | **Surrendered** |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **(Sqm)** |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(Sqm)** |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Gandhinagar |  |  | Ananda Rao |  |  | Comm |  |  | 3.25 |  |  | 100 |  |  | 325 |  |  |
|  |  |  |  |  | extension |  |  | (Business) |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | |  |  | |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  | Chickpet |  |  | Utradi mut road |  |  | Res ( main) |  |  | 2.25 |  |  | 100 |  |  | 225 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring I/** |  | Shivajinagar |  |  | Central Street |  |  | Comm |  |  | 3 |  |  | 100 |  |  | 300 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone I** |  |  |  |  |  | (Business) |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Sudham Nagar |  |  | Mission Road |  |  | Comm |  |  | 3 |  |  | 100 |  |  | 300 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | (Business) |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | |  |  | |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  | Mysore Road |  |  | Mysore Main Road |  |  | Res (mix) |  |  | 3 |  |  | 100 |  |  | 300 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Malleswaram |  |  | Maruthi Extension |  |  | Res (main) |  |  | 2.5 |  |  | 100 |  |  | 250 |  |  |
|  |  |  | Jayanagar |  |  | Jaynagar 3rd block |  |  | Res (main) |  |  | 2.5 |  |  | 100 |  |  | 250 |  |  |
|  | **Ring II/** |  | Rajajinagar |  |  | Industrial Town |  |  | Industrial |  |  | 1.5 |  |  | 100 |  |  | 150 |  |  |
|  | **Zone II** |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Jakkasandra Main |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Koramangala |  |  |  |  |  |  |  | 3.25 |  |  | 100 |  |  | 325 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Road |  |  | Res (main) |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Hebbala |  |  | Varthula Road |  |  | Res (main) |  |  | 3 |  |  | 100 |  |  | 300 |  |  |
|  |  |  | Mahadevpura |  |  | Bagmane MTB |  |  |  |  |  | 1.5 |  |  | 100 |  |  | 150 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Techpark |  |  | Industrial |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Yelahanka New |  |  | Yelahanka New |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Town LIC Office |  |  |  |  |  | 1.5 |  |  | 100 |  |  | 150 |  |  |
|  |  |  | Town |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring III/** |  |  |  | Road |  |  | Industrial |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | Kengeri |  |  | Kengeri Golahalli |  |  |  |  |  | 3 |  |  | 100 |  |  | 300 |  |  |
|  | **Zone III** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | Golahalli |  |  | (B.D.A. Layout) |  |  | Res (main) |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Peenya |  |  | Peenya Industrial |  |  |  |  |  | 1.5 |  |  | 100 |  |  | 150 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Area |  |  | Industrial |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | BTM Layout |  |  | B.T.M.Layout 4th |  |  |  |  |  | 3.25 |  |  | 100 |  |  | 325 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Stage Main road |  |  | Res (mix) |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

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The value of compensation received by each owner remains constant irrespective of the zone they are originating or being utilized. The compensation is guided by the FAR of the generating land which is a factor of its potential and land prices. However, Bangalore had a very dynamic FAR system based on road width. The model which is quite successful in Mumbai is based on the fault that in Mumbai FAR is zone based, eg, the entire ‘eastern suburbs’ has one FAR of 1.5 irrespective of the road width.

In Bangalore however, an area in Gandhinagar as well as Mahadevpurs can have the same FAR and receive the same compensation for surrendered area. Since value of the land between the two locations vary greatly, such compensation mechanism is not fair to land loosers.

ADVANTAGES & DISADVANTAGE OF THIS MODEL

The major advantage of this model is that is takes into account the potential of the land in the compensation formula without much complication. It would also promote use of TDR in the inner areas of the city as land price in the inner areas are high.

But there are also some disadvantages when this formula is being used in Bangalore.

Unlike Mumbai or Pune, FAR in Bangalore is determined by the width of the road. Whereas that in Mumbai or Pune in zone based, e.g. the entire island city has a single FAR value (1.5) irrespective of the width of the road. Hence in Bangalore this would create a major administrative problem.

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1. GUIDANCE VALUE BASED MODEL

The resistance to TDR has been seen to be generating from difference in land values in different areas of Bangalore, where land losers are not able to receive comparable values for their lost land. Hence, a second model based on Guidance values has been proposed. The philosophy for this model is as follows:

***“Compensation is equal to the amount of land that can be bought using the value of land***

***surrendered “***

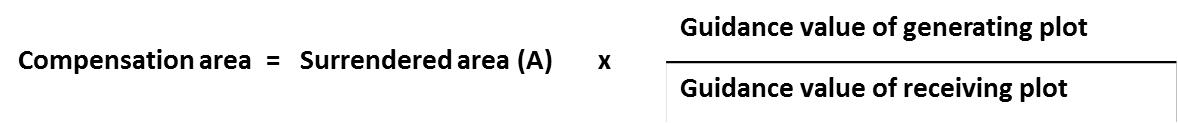
This can be explained with the following example.

*Say, Land surrendered in Gandhinagar = 100 sqm*

*Value of 100 sq m of land in Gandhinagar = 100\* 1,12,980 = 1,12,98,000 How much land can be bought in Kengeri in INR 1,12,98,000 ?*

|  |  |
| --- | --- |
| *1,12,98,000 =* | *636 sqm* |
| *1,77,5400* | *Hence, compensation received =* ***636 sqm*** |

The model can be explained by the following formula:



The compensation received in each zone based on this model is described in the table below.

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Table 31: Compensation area as per Guidance Value Model

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(Compensation area that can** | | | | | | | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **be bought with the value of** | | | | | | | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **100 sqm surrendered land)** | | | | | | | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **Land** | |  | **Value of** | |  |  |  |  |  |  |  | **Ring** | |  |
|  |  |  |  |  |  |  |  |  |  | **Guida** | |  |  |  | **Ring I/** | |  | **Ring II/** | |  | **III/** | |  |
|  |  |  |  |  |  |  |  |  |  |  | **surrende** | |  | **100 sqm** | |  |  |  |  |
|  | **Zone** | |  | **Ward** | |  | **Area** | |  | **nce** | |  |  |  | **Zone I** | |  | **Zone II** | |  | **Zone** | |  |
|  |  |  |  |  | **red** | |  | **property** | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  | **value** | |  |  |  | **(sqm)** | |  | **(sqm)** | |  | **III** | |  |
|  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  | **(lakhs)** | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Gandhinagar |  |  | Ananda Rao |  |  | 112980 |  |  | 100 |  |  | 112.98 |  |  | 100 |  |  | 176 |  |  | 326 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 75.32 |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  | Chickpet |  |  | Utradi mut road |  |  | 75320 |  |  | 100 |  |  |  | 100 |  |  | 118 |  |  | 217 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **I/** |  |  | Shivajinagar |  |  | Central Street |  |  | 86080 |  |  | 100 |  |  | 86.08 |  |  | 100 |  |  | 134 |  |  | 248 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **I** |  |  | Sudham |  |  |  |  |  | 69617 |  |  | 100 |  |  | 69.62 |  |  | 100 |  |  | 109 |  |  | 201 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Nagar |  |  | Mission Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Mysore Road |  |  | Mysore Main |  |  | 58448 |  |  | 100 |  |  | 58.45 |  |  | 100 |  |  | 91 |  |  | 168 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Malleswaram |  |  | Maruthi |  |  | 64560 |  |  | 100 |  |  | 64.56 |  |  | 80 |  |  | 100 |  |  | 186 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Jayanagar |  |  | Jaynagar 3rd |  |  | 96840 |  |  | 100 |  |  | |  |  | 120 |  |  | 100 |  |  | 279 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  | 96.84 |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  | block |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II/** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Rajajinagar |  |  | Industrial Town |  |  | 43040 |  |  | 100 |  |  | 43.04 |  |  | 53 |  |  | 100 |  |  | 124 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II** |  |  | Koramangala |  |  | Jakkasandra |  |  | 59180 |  |  | 100 |  |  | 59.18 |  |  | 74 |  |  | 100 |  |  | 171 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Main Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Hebbala |  |  | Varthula Road |  |  | 56490 |  |  | 100 |  |  | 56.49 |  |  | 70 |  |  | 100 |  |  | 163 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Mahadevpura |  |  | Bagmane MTB |  |  | 47021 |  |  | 100 |  |  | 47.02 |  |  | 58 |  |  | 73 |  |  | 100 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Techpark |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Yelahanka |  |  | Yelahanka New |  |  |  |  |  |  |  |  | 38.90 |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Town LIC |  |  | 38897 |  |  | 100 |  |  |  |  | 48 |  |  | 61 |  |  | 100 |  |  |
|  |  |  |  | New Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Office Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  |  | Kengeri |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III/** |  |  | Kengeri |  |  | Golahalli |  |  | 17754 |  |  | 100 |  |  | 17.75 |  |  | 22 |  |  | 28 |  |  | 100 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  | Golahalli |  |  | (B.D.A. |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III** |  |  |  |  |  | Layout) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Peenya |  |  | Peenya |  |  | 27223 |  |  | 100 |  |  | 27.22 |  |  | 34 |  |  | 43 |  |  | 100 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | Industrial Area |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | B.T.M.Layout |  |  |  |  |  |  |  |  | 42.61 |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | BTM Layout |  |  | 4th Stage Main |  |  | 42610 |  |  | 100 |  |  |  |  | 53 |  |  | 67 |  |  | 100 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

Hence as per this model, 100 sqm of land surrendered in Gandhinagar receives 176 sqm when used in zone 2 and 326 sqm in zone 3. Since land price is higher is ring 1, larger quantities of land can be purchased for the price of land surrendered. This provides a direct equivalent of the land surrendered. Zone 1 is the highest beneficiary in terms of land received, while zone 3 has the lowest amount of land received. It is observed, that the compensation area increase

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from when transferred from inner to outer zones and keeps decreasing from outer to inner zones.

We also consider a scenario where the compensation is desired to be made competitive in comparison with the New Land Acquisition Act. The land acquisition Act gives 2 times the land value of the land surrendered. The compensation factor considered for this scenario is as follows

Table 32: Compensation factor for guidance value based compensation

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Zone 1** | **Zone 2** | **Zone 3** |
|  |  |  |  |
| Zone 1 | 2.2 | 2.2 | 2.2 |
|  |  |  |  |
| Zone 2 | 2.2 | 2.2 | 2.2 |
|  |  |  |  |
| Zone 3 | 2.2 | 2.2 | 2.2 |
|  |  |  |  |

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Hence the model could be defined as follows:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Compensation | = | Surrendered | x | Guidance value of generating plot | x |  |  |
|  | 2.2 |  |
| area |  | area |  | Guidance value of receiving plot |  |  |
|  |  |  |  |  |
|  |  |  |  |  |  |  |

The compensation area for the zones as per this model is as follows:

Table 33: Compensation area

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Compensation area achieved** | | | | | | | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **Land** | |  | **Value of** | |  | **Ring** | |  |  |  |  | **Ring** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **Ring II/** | |  | **III/** | |  |
|  |  |  |  |  |  |  |  |  |  | **Guidance** | |  | **surrend** | |  | **100 sqm** | |  | **I/** | |  |  |  |
|  | **Zone** | |  | **Ward** | |  | **Area** | |  |  |  |  |  | **Zone II** | |  | **Zone** | |  |
|  |  |  |  | **value** | |  | **ered** | |  | **property** | |  | **Zone I** | |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  | **III** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  | **(lakhs)** | |  | **( sqm)** | |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | **(sqm)** | |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring I/** |  |  |  |  |  | Ananda |  |  |  |  |  |  |  |  |  |  |  | 220 |  |  | 388 |  |  | 716 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | Gandhinagar |  |  | Rao |  |  | 112980 |  |  | 100 |  |  | 11298000 |  |  |  |  |  |  |  |  |
|  | **Zone I** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Chickpet |  |  | Utradi mut |  |  | 75320 |  |  | 100 |  |  | 7532000 |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 220 |  |  | 259 |  |  | 478 |  |  |
|  |  |  |  |  |  | road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Shivajinagar |  |  | Central |  |  | 86080 |  |  | 100 |  |  | 8608000 |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 220 |  |  | 296 |  |  | 546 |  |  |
|  |  |  |  |  |  | Street |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Sudham |  |  | Mission |  |  | 69617 |  |  | 100 |  |  | 6961720 |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 220 |  |  | 239 |  |  | 441 |  |  |
|  |  |  |  | Nagar |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Mysore Road |  |  | Mysore |  |  | 58448 |  |  | 100 |  |  | 5844832 |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 220 |  |  | 201 |  |  | 371 |  |  |
|  |  |  |  |  |  | Main Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Ring** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II/** |  |  | Malleswaram |  |  | Maruthi |  |  | 64560 |  |  | 100 |  |  | 6456000 |  |  | 176 |  |  | 220 |  |  | 409 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **II** |  |  |  |  |  | Extension |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Jayanagar |  |  | Jaynagar |  |  | 96840 |  |  | 100 |  |  | 9684000 |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 265 |  |  | 220 |  |  | 614 |  |  |
|  |  |  |  |  |  | 3rd block |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Rajajinagar |  |  | Industrial |  |  | 43040 |  |  | 100 |  |  | 4304000 |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 118 |  |  | 220 |  |  | 273 |  |  |
|  |  |  |  |  |  | Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Jakkasandr |  |  |  |  |  |  |  |  |  |  |  | 162 |  |  | 220 |  |  | 375 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Koramangala |  |  | a Main |  |  | 59180 |  |  | 100 |  |  | 5918000 |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Hebbala |  |  | Varthula |  |  | 56490 |  |  | 100 |  |  | 5649000 |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  | |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 154 |  |  | 220 |  |  | 358 |  |  |
|  |  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | **Ring** |  |  |  |  |  | Bagmane |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III/** |  |  | Mahadevpura |  |  |  |  | 47021 |  |  | 100 |  |  | 4702120 |  |  | 129 |  |  | 162 |  |  | 220 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Zone** |  |  |  |  | MTB |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **III** |  |  |  |  |  | Techpark |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Yelahanka |  |  | Yelahanka |  |  | 38897 |  |  | 100 |  |  | 3889740 |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 106 |  |  | 134 |  |  | 220 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | New Town |  |  | New Town |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  | LIC Office |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Kengeri |  |  |  |  |  |  |  |  |  |  |  | 49 |  |  | 61 |  |  | 220 |  |  |
|  |  | Kengeri |  |  | Golahalli |  |  | 17754 |  |  | 100 |  |  | 1775400 |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | Golahalli |  |  | (B.D.A. |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  | Layout) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Peenya |  |  |  |  |  |  |  |  |  |  |  | 74 |  |  | 94 |  |  | 220 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | Peenya |  |  | Industrial |  |  | 27223 |  |  | 100 |  |  | 2722280 |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | Area |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  | B.T.M.Lay |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | BTM Layout |  |  | out 4th |  |  | 42610 |  |  | 100 |  |  | 4260960 |  |  | 116 |  |  | 146 |  |  | 220 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | Stage Main |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  | road |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

ADVANTAGES & DISADVANTAGE OF THIS MODEL

This model makes TDR compensation comparable to New Land Acquisition Act. This model

has the following advantages and disadvantages:

1. It helps regulate urban density through a regulation of TDR through land prices.
2. It is however, difficult to administer this process as every road has a different land price.
3. It does not provide concrete compensation at the tenure of auquisition as the owner os not aware where the DRC maybe utilized.

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1. RECOMMENDED MODEL

Based on a comparative analysis of all the 3 models, it is felt that model one is the most practical as well as fair model for implementation. The model in a modified version of the exsiting factor based model. It can be summarized as follwos:

**Compensation factor = 2.2**

**Utilisation factor for zone as follows:**

Table 34: Proposed Utilisation factor for zones

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Zone 1** | **Zone 2** | **Zone 3** |
|  |  |  |  |
| Zone 1 | 1 | 1.8 | 2.5 |
|  |  |  |  |
| Zone 2 | 0.9 | 1 | 2 |
|  |  |  |  |
| Zone 3 | 0.6 | 0.8 | 1 |
|  |  |  |  |

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* 1. RECOMMENDATION FOR INCREASE TDR UTILISATION

1. **Creating TDR slab in the FAR scheme**: To increase utilization of TDR, it isproposed to include a slab of TDR in the existing TDR scheme. For e.g. if the FAR of a particular plot is 3.25, then the FAR slab can be modified to include a base FAR and the TDR to reach the final FAR.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Total FAR** | **Base FAR** | **TDR** |
|  |  |  |  |
|  | 3.25 | 3 | .25 |
|  |  |  |  |

1. **Create zones for use of TDR**. The government may choose to identify ***densification* *zones*** in the city focused with infrastructure and transport development. Such areascould be bestowed with *higher FAR where a part of the FAR* can be achieved only through TDR. These would create high absorption zones for TDR.

Illustrative FAR scheme for densification zones:

|  |  |  |
| --- | --- | --- |
| **Total FAR** | **Base FAR** | **TDR** |
|  |  |  |
| 3.5 | 3.25 | .5 |
|  |  |  |
| 4.25 | 4 | .25 |

**Transit Oriented Development schemes** could be pursued as densification zones.

Such zone should essentially be included in the Revised Master Plan 2031 of Bangalore.

1. For projects like Tannery Road, Avenue Road, Chikpete, etc. where the project involves financial as well as social implications, projects should be brought under integrated development scheme along the lines of integrated urban redevelopment and slum rehabilitation in Mumbai. Such **“integrated urban redevelopment/renewal** **areas”** should be marked in the Statutory master Plan under the KTCP Act. Suchschemes may be taken up by the government or private organisations

In the Mumbai model, a percentage of the rehabilitated area is given to the developer as an incentive. In a similar manner incentive for development of public infrastructure (road) & rehabilitated area can be given as incentive to the party. Detailed study may

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be taken up by the government to form the guidelines and regulations of such

schemes.

*Such schemes may also be integrated with the National Smart City program.*

1. RECOMMENDATIONS FOR INCREASING TRANSPARENCY IN TDR PROCESS
2. A **web based portal** should be created to form an operational and transaction platform for TDR. It should perform the function of database creation and maintanence generation, transaction and utilisation of TDR.
   * The platform should consist of real time database of TDR beneficiaries. Details of DRCs (owner, site location, DRC area) should be appended on the portal.
   * It should act as an online transaction portal: It should be modeled to include information of DRC owners with detail of price, DRC area, geographical location etc. The portal would also contain option of registering oneself as potential buyer of TDR. It would help all TDR owners to fetch reasonable price for their TDR.
   * Transaction should essentially happen over the online platform to avoid further black-market formation.Such platform could be maintained by the Government or a government subsidiary or by financial institutions selected by the government.
3. TDR bank: The concept of a transparent TDR transaction portal can be further fortified by creating a TDR Bank. The bank could be owned by the government or it could be handled by a set of selected financial institutions. In this model, the DRC owners can sell their DRCs to the bank at negotiated prices. The bank can further sell them to the buyers through an online portal.
4. Periodical reports on TDR status should be published by the government.
5. Annual list of projects to be executed using TDR should be published by the government to give ample notice to land losers.

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10.3 OTHER RECOMMENDATIONS

1. For all the functions detailed above, a separate TDR body should be created to administer and process TDR. The committee should encompass functions of TDR generation, TDR transaction platform and eventually tract the utilisation of such TDRs.
2. The TDR zones in Bangalore were proposed almost a decade ago. The land price gradient and dynamics have changes considerably over the last few years. Hence the TDR zones should be redrawn based on equal land value contours.
3. The KTCP Act should be updated to include the new provisions of TDR & the existing TDR Zoning regulations needs to be updated as per the present market value and demand periodically.
4. TDR should also be used in the Local Planning areas of the BMR. Such measures would help utilisation of TDR.
5. TDR is presently used in Bangalore for the purpose of road widening. The KTCP Act has provisions for use of TDR for purposes other than road widening. Slum rehabilitation, metro rail and lake conservations are recommended to be taken up using TDR. A memorandum or circular delineating the purpose and scope of such work can immediately bring to affect such purposes.
6. Record keeping should be updated as detailed in Annexure 7 on the line of Municipal Corporation of Greater Mumbai.
7. All previous records should be digitized.
8. Undertake capacity building programme to educate staff in the concerned departments to handle TDR process efficiently.
9. Undertake awareness program to educate the general public about the facts, detail and benefits of TDR.

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10.4 WAY FORWARD

1. Study should be undertaken to investigate the feasibility and identification of densification zones and increasing FAR in the city.
2. Guidelines should be developed on “Integrated Redevelopment Schemes” to be taken up in dense city areas like Pete, Avenue Road, and Tannery road.
3. The Gov. should initiate to form a committee to pursue the change in TDR model with necessary process and approval.
4. Detail study should be undertaken for detail planning and design of web based portal.
5. Detail study should be undertaken for analyzing feasibility and detail planning of TDR Bank.

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1. CATEGORISATON OF THE RECOMMENDATIONS AS SHORT TERM, MEDIUM TERM AND LONG TERM

As per the terms of reference of the project, the recommendations have been classified in to short, medium and long term. Short term recommendations are those which can be acted upon without any major policy change and expenditure and can be affected within a year. Medium term recommendations can be acted upon in the next four to five financial years with sizable expenditure or both but does not involve policy changes. Long term recommendations are those involving policy changes.

Table 35: Short Medium and long terms recommendations for TDR in Bangalore

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **SL** | **Short Term proposals** | **Medium Term Proposals** | **Long Term Proposals** |  |
|  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 1 |  | Commencing the use of TDR |  |  |  |
|  |  |  |  |  |
|  |  |  | for purposes other than road |  |  |  |
|  |  |  | widening. |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |

|  |  |
| --- | --- |
|  |  |
| Creation of web based TDR | Revision of TDR Model in |
| platform | Bangalore |
|  |  |
|  |  |

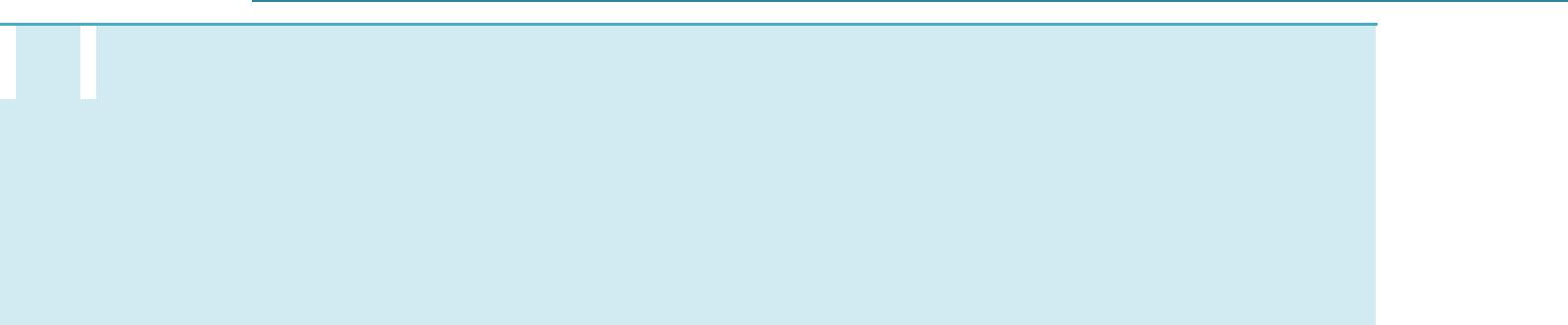
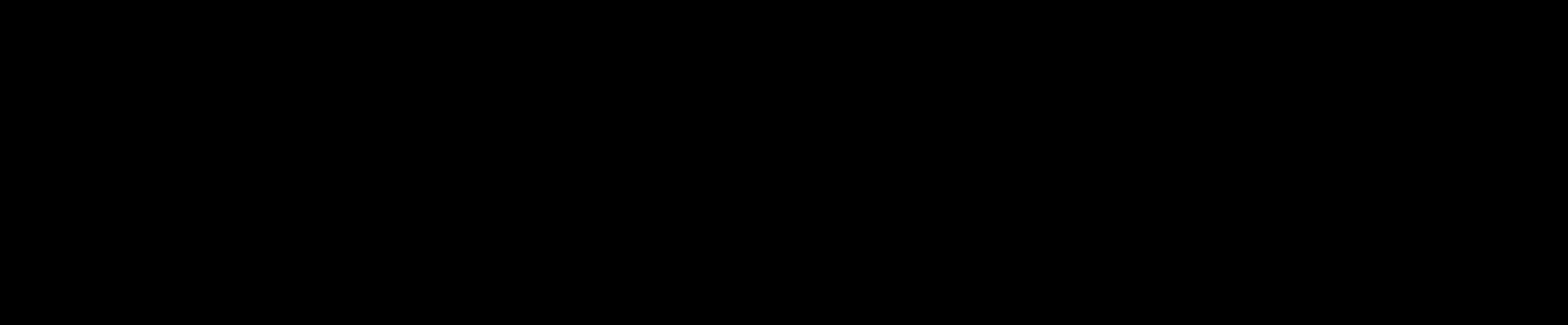
|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 2 | |  | Digitization of previous TDR | |  | Creation of TDR slab in |  | Creation of TDR bank |  |  |
|  |  |  | records | |  | FAR |  |  |  |
|  |  |  |  |  |  |  |  |
|  | |  |  |  |  |  |  |  |  |  |
|  | 3 |  | Updating of record keeping for |  |  | Identification of |  | Updation of the KTCP Act to |  |  |
|  |  |  |  |  |
|  |  |  |  |  | densification zones for use |  | include the provisions of |  |  |
|  |  |  | TDR. |  |  |  |  |  |
|  |  |  |  |  | of TDR |  | TDR. |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | |  |  |  |  |  |  |  |  |  |
| 4 | |  | Undertake capacity building | |  |  |  |  |  |  |
|  |  |  | programme to educate staff in | |  | Identification of |  |  |  |  |
|  |  |  | the concerned departments to | |  |  |  |  |  |
|  |  |  |  | redevelopment zones |  |  |  |  |
|  |  |  | handle TDR process | |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  | efficiently. | |  |  |  |  |  |  |
|  | |  |  | |  |  |  |  |  |  |
|  | 5 |  | Undertake awareness program |  |  |  |  |  |  |  |
|  |  |  | to educate the general public |  |  | Creation of TDR |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  | about the facts, detail and |  |  | management body |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  | benefits of TDR |  |  |  |  |  |  |  |
|  | |  |  |  |  |  |  |  |  |  |
| 6 | |  | Periodical reports on TDR | |  | Permitting the use of BBMP |  |  |  |  |
|  |  |  |  | TDR in other local planning |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |

status by the govt.

areas in BMR

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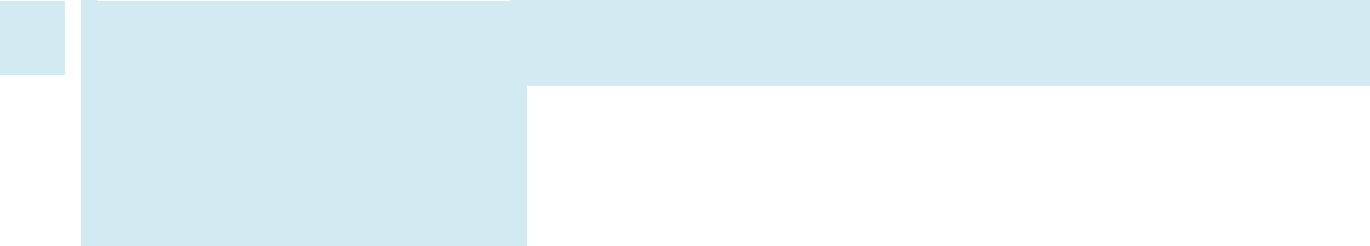
7  Annual list of projects to be executed using TDR should be

published by the government to give ample notice to land losers.

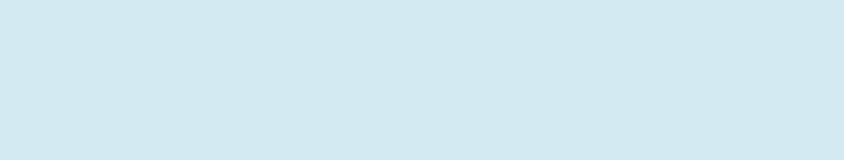
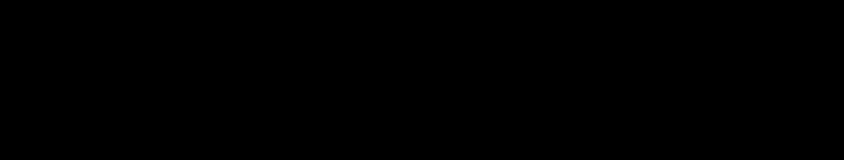
1. Study should be undertaken to investigate the feasibility and identification of densification zones and increasing FAR in the city.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 9 | Guidelines |  | should | be |  |  |
|  | developed | on | “Integrated | |  |  |
|  | Redevelopment | | Schemes” to | |  |  |
|  |  |  |
|  | be taken up in dense city areas | | | |  |  |
|  |  |  |
|  | like Pete, | Avenue | | Road, |  |  |
|  | Tannery road. | |  |  |  |  |
|  |  |  |  |  |  |  |

1. The Gov. should initiate for form a committee to pursue the change in TDR model with necessary process and approval.



11  Detail study should be undertaken for detail planning and design of web based portal.



1. Detail study should be undertaken for analyzing feasibility and detail planning of TDR Bank

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CHAPTER 11: INCREASING TRANSPARENCY IN TDR PROCESS: RECOMMENDATIONS

11.1 INTRODUCTION AND BACK GROUND

The process of Transfer of Development Rights in Bangalore is controlled by the Bruhat Bangalore Mahanagara Palike since its introduction in 2005. TDR management is still largely a manual process for all procedures related to TDR certificate generation, utilisation, transaction and record keeping. Till date 2168 TDR certificates have been generated from the BBMP, hence management of the existing TDR certificates as well as new applications requires huge manpower and infrastructure which is considerably cost intensive. At the same time, manual process and decentralized structure also introduces chances of error and bias.

From the several primary surveys carried out under this study it has been clear that lack of information with respect to availability of TDR has been one of the major reasons preventing the realization of TDR value, formation of cartels and middlemanship. It has also come out from the study that lack of a digital database also creates opportunities of duplication of compensation.

Government administration as seen from global best practices is largely moving into a digital mode which is more transparent and efficient. From these perspectives it is evident that creating a transparent process for TDR is the way forward in the future.

1. GAPS IN EXISTING SCENARIO
   1. TDR PROJECT PORTFOLIO

The portfolio of projects to be taken up by the govt. for execution using TDR is to be notified every year through a public notice or a circular. Annual notice is not being published

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currently by the BBMP. Hence the potential land losers do not have any opportunity to plan for such changes in land ownership.

11.2.2 TDR ELIGIBILITY DETERMINATION

After the TDR notification is provided by the road infrastructure department, the all land parcels assigned for acquisition go for an engineering and legal verification. The engineering process included detailed engineering survey and verification of actual acquisition area. The legal process included verification of all legal documents related to the land. No digital copies of the verification documents are maintained at BBMP for auditing or other purposes in future. There are no registered surveyors or legal auditors mandated by the BBMP for this process, putting the entire matter to possible debate and questioning in terms of quality.

11.2.3 TDR CERTIFICATE AWARD

Once the verification of all the documents is successfully completed, the relinquishment deed is signed by the owner at the zonal BBMP offices and then sent to the head office for signing of the TDR certificate by the commissioner. At the head office the verification process is repeated and hereafter after compliance to rules, the TDR certificate is signed by the commissioner.

There is duplication of function at the zonal and head offices as per the present business process. It is also subject to time lag, manual error and other damages. The process can be streamlined by using digital mode of work.

11.2.4 TDR CERTIFICATE AND DATABASE MANAGEMENT

Two copies of the TDR certificate is maintained, one remains with the land loser and the other remains with the BBMP. There are no digital copies and hence the process is subject to damages in handling, calamities etc. and also requires huge space.

There is no unified digital database maintained for record keeping of TDRs generated at the BBMP. Information related to TDR availability does not exist on real-time basis to the general public or to the government. There is some information available in a compiled format on the BBMP website but updation of the same doesn’t happen on a regular basis.

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11.2.5 TDR TRANSACTION

In the user survey carried out under this study, it was revealed that majority of the TDR transaction happens through liasoners or middle men. There is no direct transaction between the TDR owner and the utilising entity. This can be reasoned with the lack of information availability in the market about potential TDR sellers and potential TDR buyers. Hence it forms a virtual market where the price of TDR can be highly manipulated and skewed for the benefit of the middle men.

11.2.6 TDR UTILISATION

The sanctioning of the TDR being utilized happens at the BBMP town planning division where the existing plan along with the TDR certificate is verified for the sanctioning purpose. Again there is no digital record available to verify the sanctity of the TDR certificate apart from the applicant’s copy. There is also no way to digitally update the status of the TDR certificate after the utilisation of the same. Hence this process can be highly susceptible to manipulation and fraud.

1. RECOMMENDATIONS FOR INCREASING TRANSPARENCY IN TDR PROCESS

To address the above mentioned gaps and especially stress upon prevention of cartel

formation the following recommendation have been proposed.

1. A **web based portal** should be created to form an operational and transaction platform for TDR. It should perform the function of database creation and maintenance generation, transaction and utilisation of TDR.
   * The platform should consist of real time database of TDR beneficiaries. Details of DRCs (owner, site location, DRC area) should be appended on the portal.
   * It should act as an online transaction portal: It should be modeled to include information of DRC owners with detail of price, DRC area, geographical location etc. The portal would also contain option of registering oneself as

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potential buyer of TDR. It would help all TDR owners to fetch reasonable

price for their TDR.

* + Transaction should essentially happen over the online platform to avoid further black-market formation. Such platform could be maintained by the Government or a government subsidiary or by financial institutions selected by the government.
  + All previous TDR records should be updated as per these standards.

1. TDR bank: The concept of a transparent TDR transaction portal can be further fortified by creating a TDR Bank. The bank could be owned by the government or it could be handled by a set of selected financial institutions. In this model, the DRC owners can sell their DRCs to the bank at negotiated prices. The bank can further sell them to the buyers through an online portal.
2. The business process of TDR generation is proposed to be automatized. A centrally accessibly Enterprise Resource Management System (digital platform) can be created to accommodate the same. Such platforms are generally multi login enabled where officers with pre-assigned login-id and password can login and carry out the task of engineering validation, legal validation, notice generation etc. It also comes with the option of uploading relevant documents hence saving space requirement and harm from damages. This also saves time for manual file transfer between the zonal and head offices, prevents manual error and bias.
3. Periodical reports on TDR status should be published by the government.
4. Annual list of projects to be executed using TDR should be published by the government to give ample notice to land losers.

Adoption of these recommendations would ensure transparency in the TDR process. It would

provide more information to land losers, TDR sellers and buyers.

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ANNEXURES

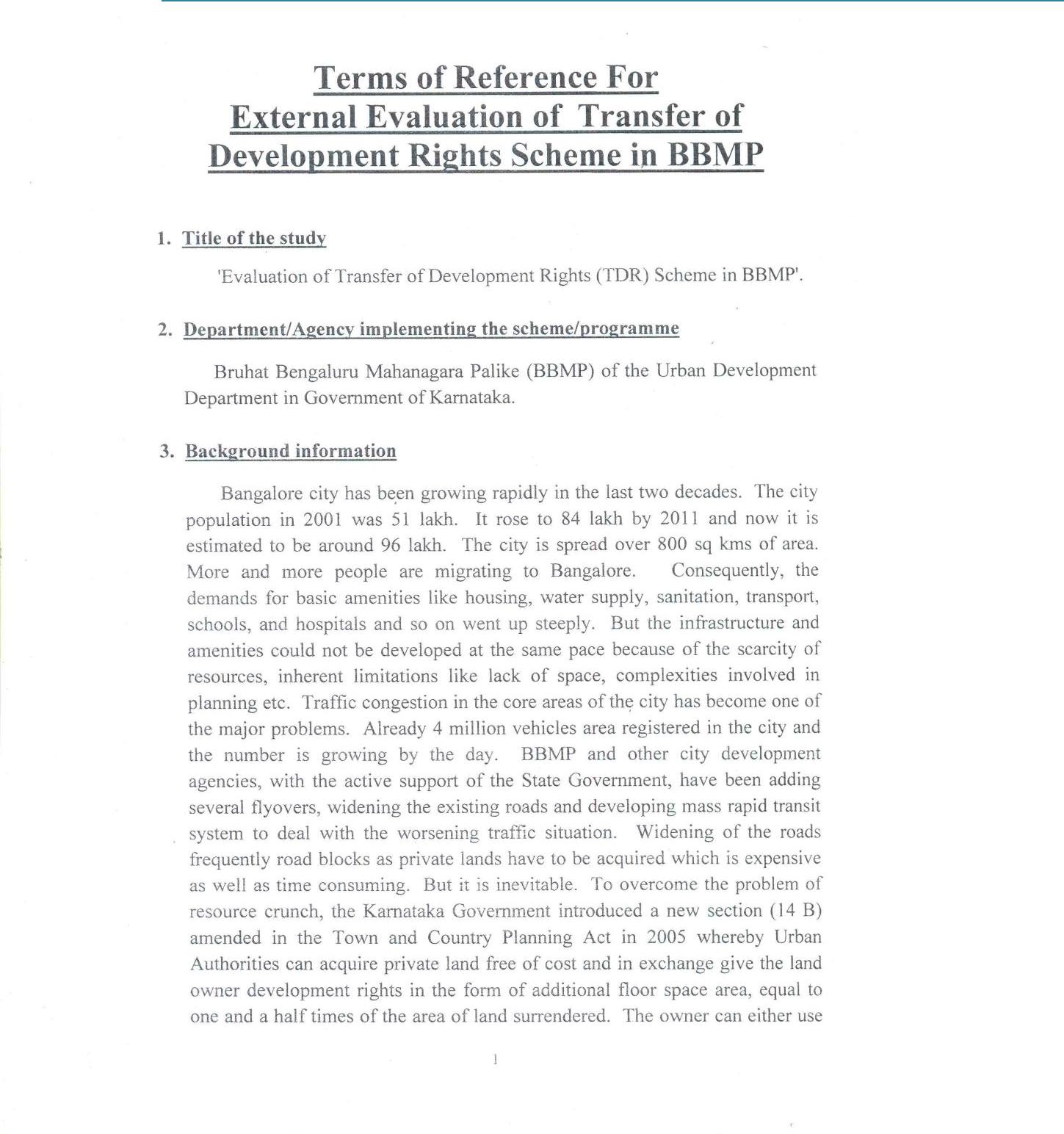
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Annexure 1: Terms of References for External Evaluation of Transfer of Development Rights Scheme in BBMP

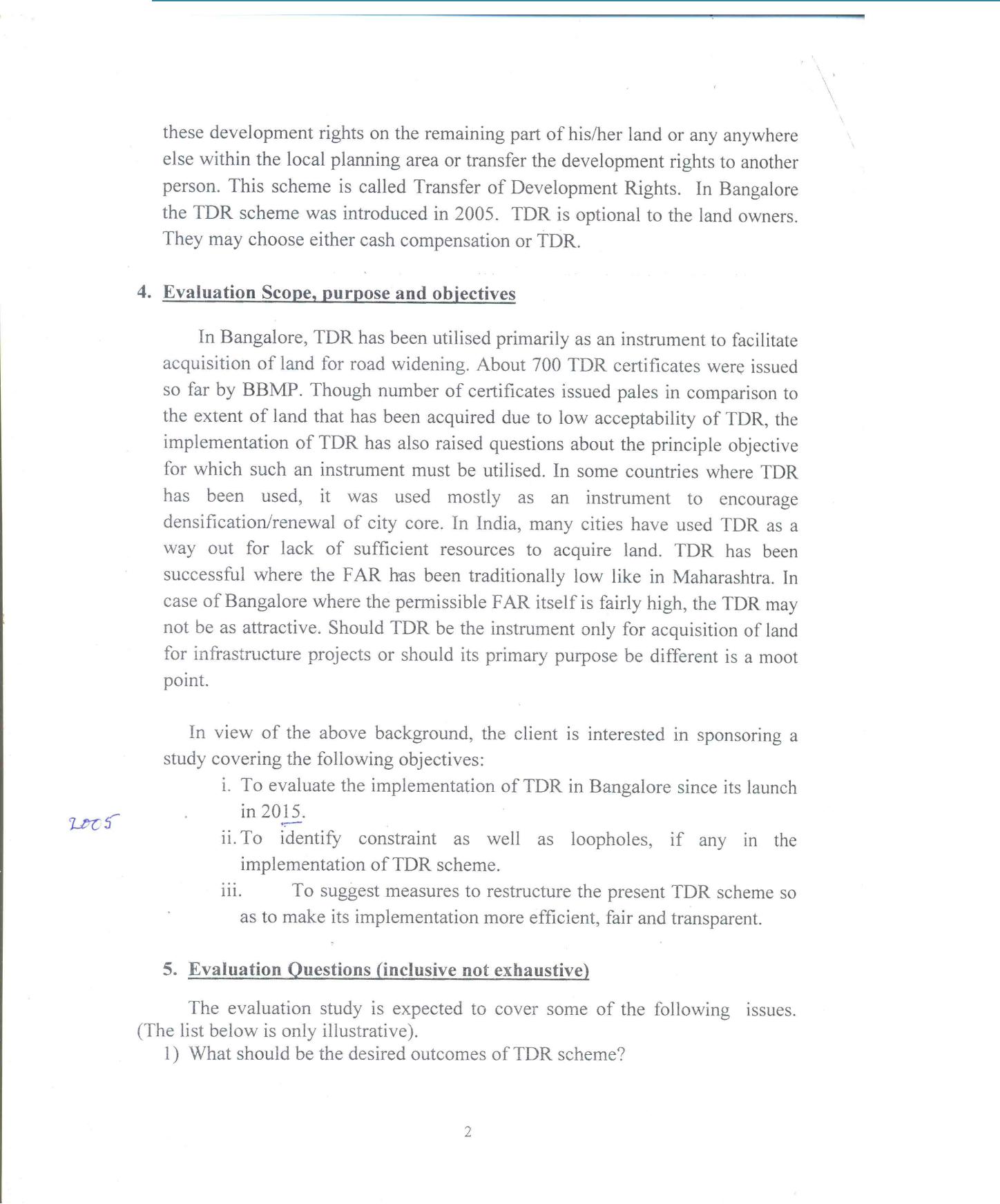
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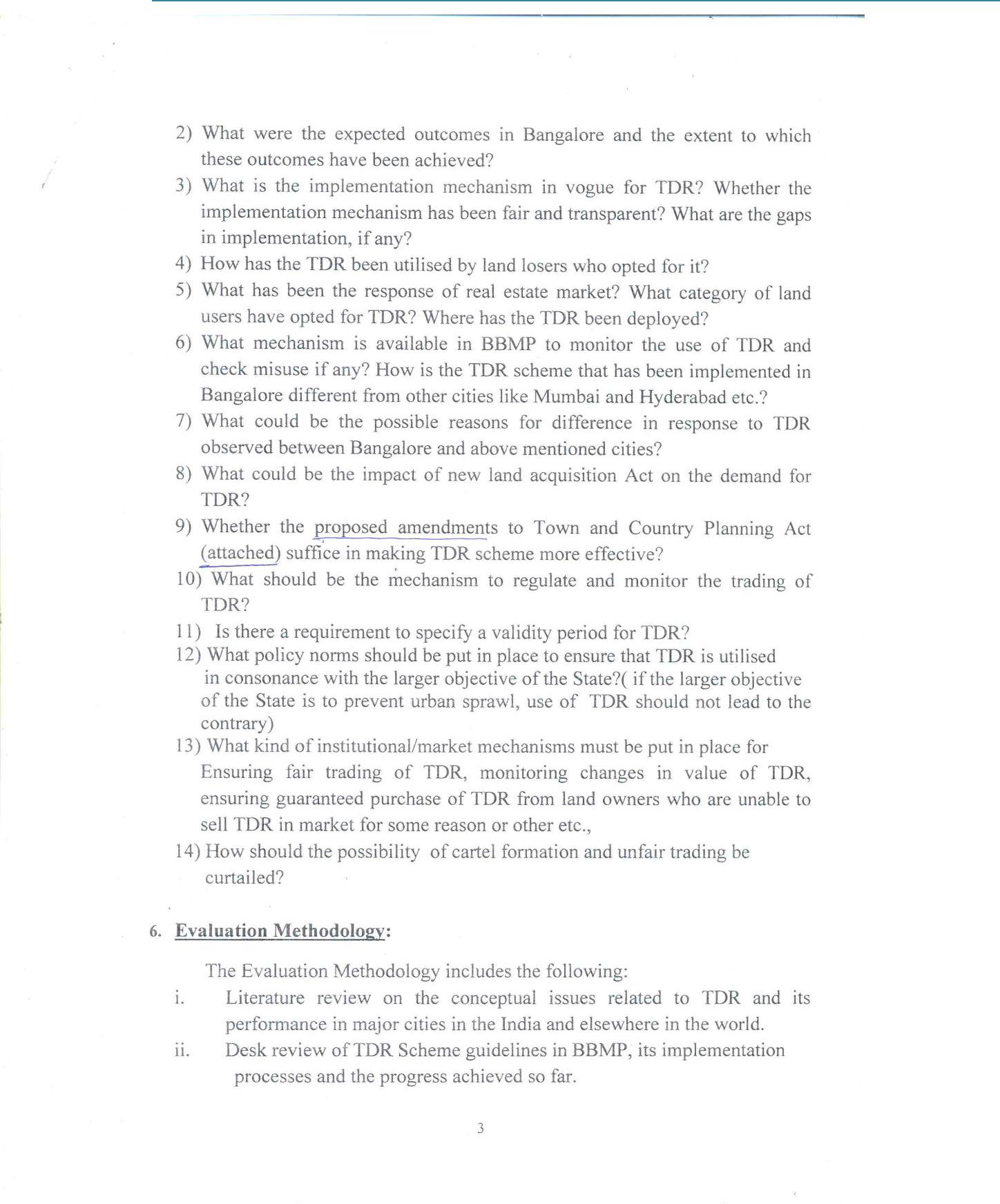
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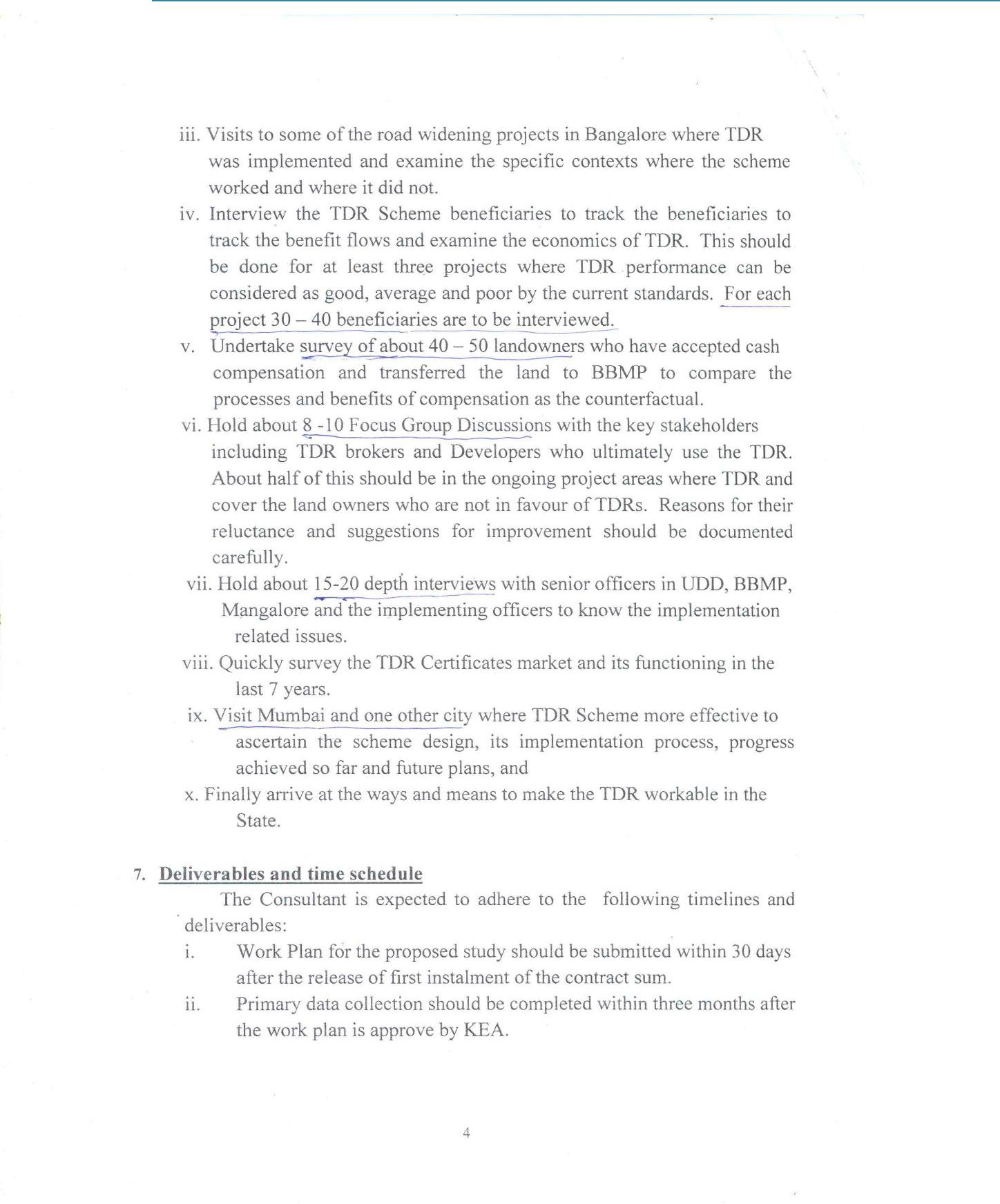
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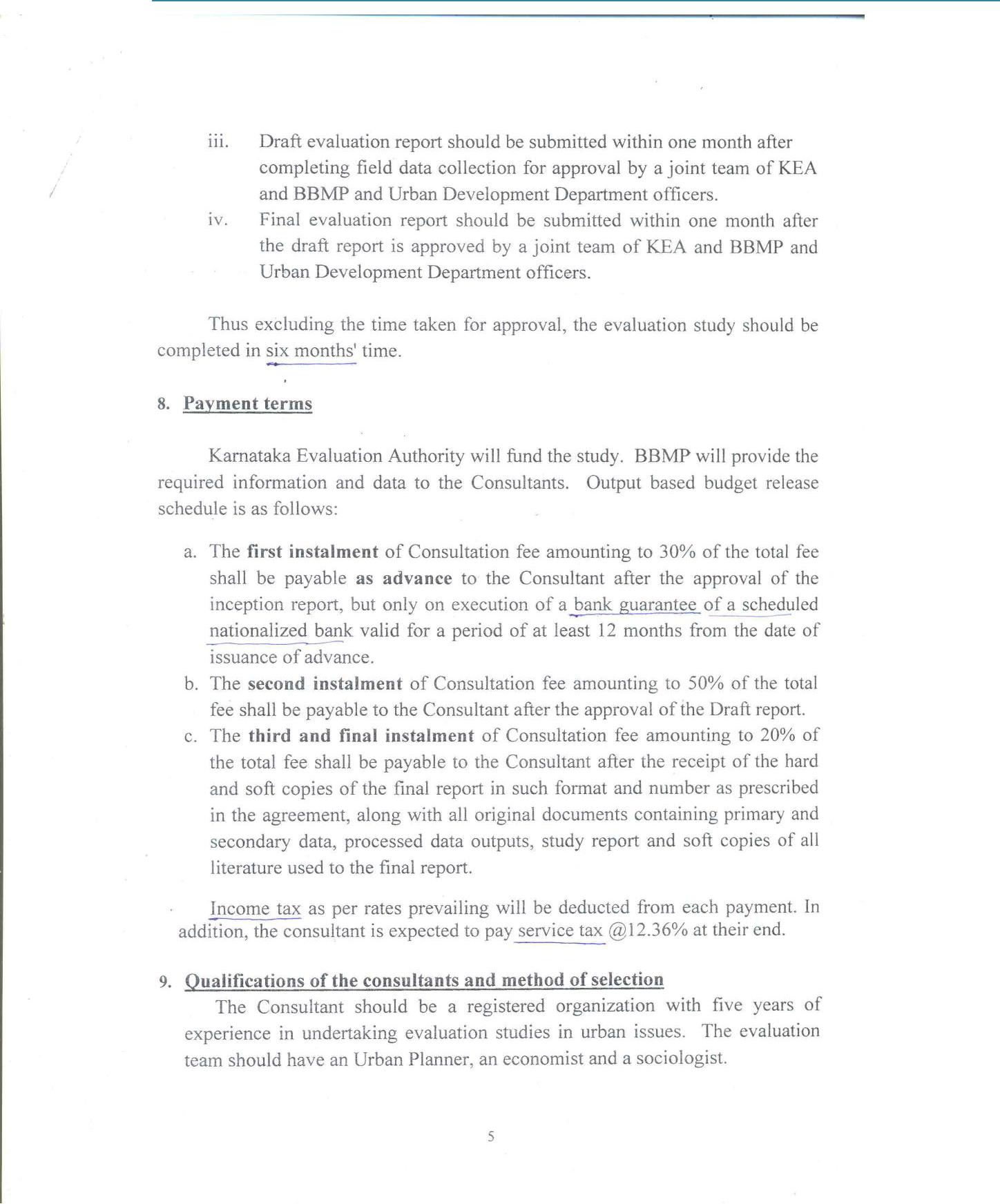
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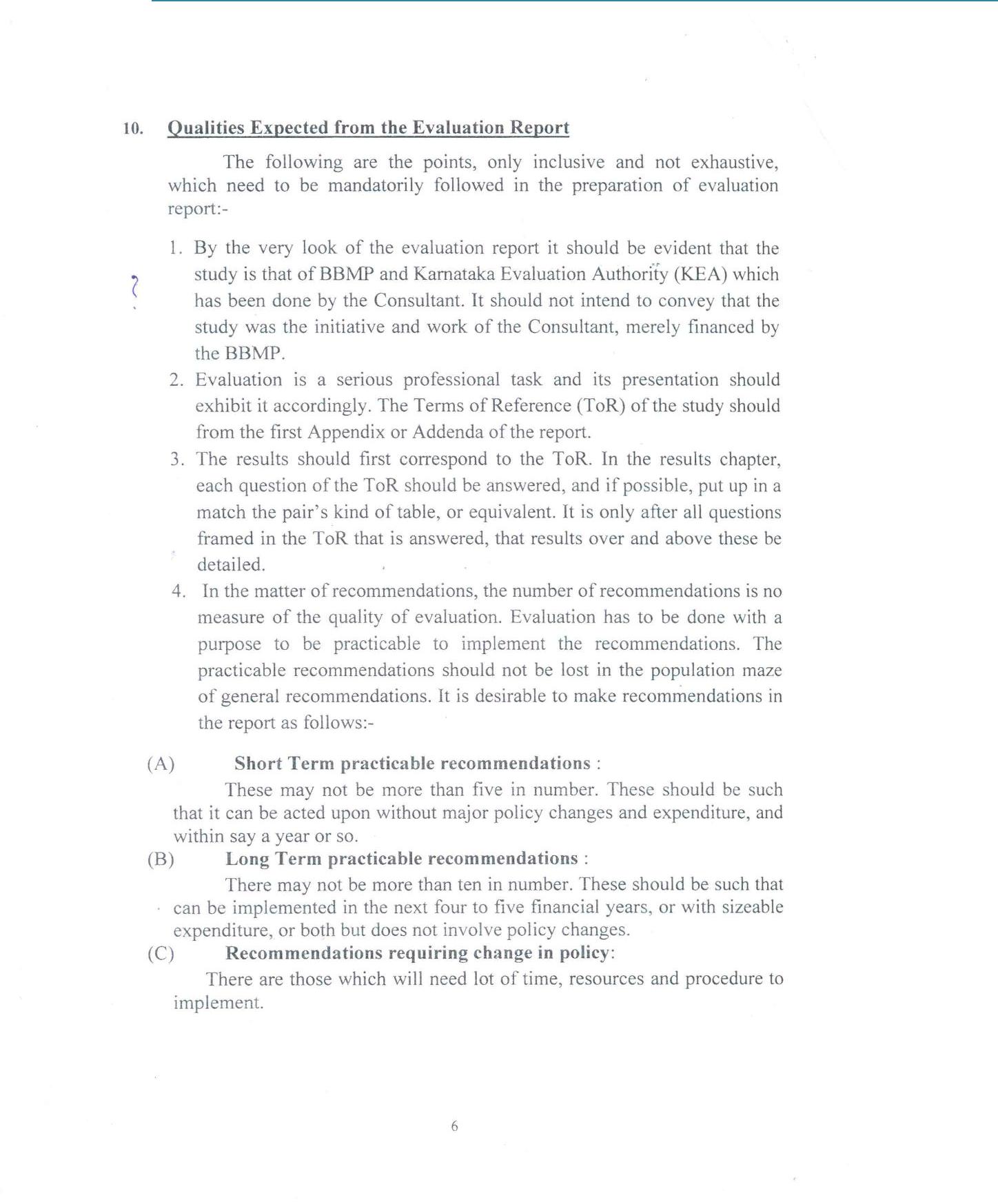
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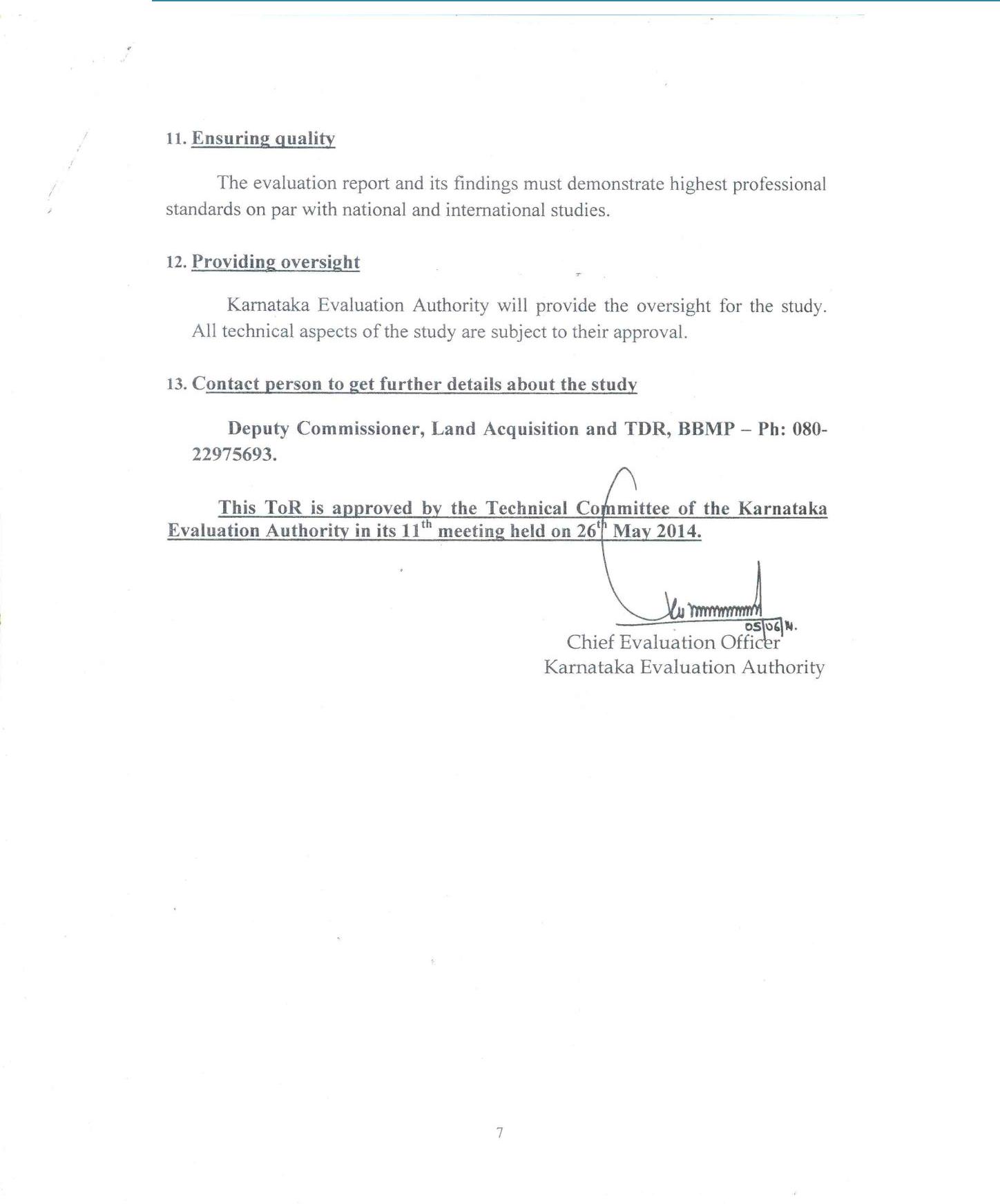
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Annexure 2: Detailed Guidelines for Transfer of Development Rights in Chennai

**Detailed Guidelines for Transfer of Development Rights in Chennai**

1. The owner or lessee of a land who has right to transfer the land (a part or whole), which is, required for-
   1. any road widening/new road formation as proposed in the Master Plan or DDP,
   2. any traffic and transport infrastructure development such as bus stops/stands, metro rail, MRTS etc., and
   3. any urban infrastructure development such as water supply, sewerage, drainage, electricity, education, health, notified by the State Government Department or Government Agency or local body, is eligible for the award of Transfer of Development Rights [TDR] in the form of FSI [in lieu of monetary compensation] to the extent and on the conditions set out below.
2. The award will entitle the owner of the land to FSI in the form of Development Rights Certificate (DRC), which he may use himself or transfer to any other person.
3. Development Right Certificate will be granted to the owner or lessee only if the land is not affected by proceedings under Tamil Nadu Land Ceiling Act, 1978 (Under the Repeal and saving provision) and on production of certificates from the ULC Competent Authority to that effect.
4. Development rights are available for transfer only in cases where the public projects/schemes stated in para -1- above have not been implemented i.e. it will be available only for prospective developments. It shall not apply in the case of existing or retention users, or any compulsory reservation of space for public purpose or recreational use or EWS/social housing etc. in the cases of subdivisions/layouts/

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special buildings /group developments/ multistoreyed buildings or such other

developments prescribed in these Development Regulations.

1. DRC shall be issued by Member Secretary, CMDA himself/herself. In the certificate FSI credit to which the DRC holder is entitled in terms of the area of land surrendered and its location, and restrictions/conditions if any shall be stated.
2. The FSI credit in the form of DRC shall be equal to the surrendered land area multiplied by an FSI of 1.5 multiplied further by factor arrived at by dividing the guide line value of the land surrendered with the guide line value of the land at which the development right transferred is proposed to be received/utilized. Further as an incentive, TDR shall be based on one-and-a-half-times the Guide Line Value. Wherever lands surrendered qualify for FSI of 2.00 or more, the extent of additional FSI allowed in Transfer of Development Rights shall be 0.25. ∗
3. The land required for the project/scheme shall be surrendered before getting the DRC, through a registered gift deed in favour of Member Secretary, CMDA, after removal of structures if any in the land gifted, and, shall be free from any encumbrance.
4. In case of road widening, after leaving the road widening space surrendered, the compound wall and gates shall be reconstructured at the cost of the owner or lessee before getting the DRC.
5. If the holder of DRC intends to transfer it to any other person, it shall be done with the clearance of the Member Secretary, CMDA, by obtaining due endorsement on the DRC after submitting a formal application in the prescribed format. If this procedure is not followed then the transfer will not be valid, and the certificate will be available for use only by the original/earlier holder.
6. The holder of DRC who desires to utilize the FSI credit while making development in a site shall attach in his PPA a copy of the valid DRC.
7. Any DRC obtained by misrepresentation of facts shall be liable for cancellation and CMDA shall take further action as per Law against the act.
8. Site in the following areas is not liable for utilization of DRC FSI credit transferred from other areas:

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* 1. CRZ areas;
  2. Aquifer recharge area;
  3. Redhills Catchment area;
  4. G.T. area and CBA;
  5. Any other area as may be decided by the State Government and notified in the Government Gazette.

1. DRC may be used in one or more sites whether vacant or developed or by making additional constructions, in consistence with the Development Regulations. Further the FSI of plots shall not exceed 0.5 over and above the normally permissible FSI for that use in those receiving sites.
2. Before granting Planning Permission for development in the receiving plot, the endorsement on the valid original DRC shall be made by Member Secretary, CMDA regarding the extent of utilization of FSI credit, the balance credit of unutilized credit of FSI, if any.
3. DRC shall be issued on Rs.100/- stamp paper in an appropriate form prescribed and duly signed by Member Secretary, CMDA. Such a certificate will be a transferable negotiable instrument only after due endorsement by Member Secretary, CMDA as provided in regulation (9) above.
4. The Member Secretary, CMDA shall maintain a register in an appropriate form with regard to all transactions regarding grant and utilization of Development Rights.
5. The lands so surrendered for obtaining DRC shall become the public property for the purpose and CMDA may transfer these lands to the Departments/Government agency concerned on 'as- is- where- is' condition for taking further action on the execution of the project/scheme and maintenance.
6. The loss of DRC by the holder will not entitle for availing the FSI credit. It shall be the responsibility of the DRC holder to keep it safe and secure. No duplicate DRC will be issued.

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1. In all cases of sites wherein road widening, or link road/new road alignment is proposed in the Master Plan or Detailed Development Plan, Planning Permission for developments within the site shall be considered only if the land affected by the road widening/link road/is transferred to Member Secretary, CMDA through a registered Gift Deed. If the FSI eligible for above said land transferred is availed/ received in the remaining part of the available site itself, then the issue of DRC separately does not arise.
2. Further these provisions of grant of DRC will not arise in cases of sub divisions/ Layout developments where as part of the road network within the site, road widening or link road or new roads have to be provided.

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Annexure 3: Detailed Guidelines on Transferable Development Right in Hyderabad

**Detailed Guidelines on Transferable Development Right in Hyderabad:**

In order to adopt uniform guidelines throughout the State the following conditions and

guidelines are prescribed.

1. As and when the owner of the building intends to construct the building in the remaining area of the site, he is entitled to construct the building as per the provisions of these Building Rules. In the event the owner doesn't take up any construction, the owner is entitled for TDR which can be used I disposed depending on convenience.
2. A composite Register shall be maintained by the Sanctioning Authority as per the proforma enclosed at Annexure -VIII on the award of TDR and its sale / disposal and utilization. A responsible officer shall be the custodian of the Register.
3. At the time of sale / disposal / utilization of a particular TDR, the utilization details of the sale / disposal need to be entered at relevant columns in the register and that therefore the relevant file need to be referred to the custodian of the Register for making necessary entries in the register. The custodian is held responsible to enter relevant details in the register and also to enter utilization details in the TDR. When TDR Certificate is sold / utilized totally, the same shall be surrendered by the owners and the custodian shall take possession of the Certificate and make necessary entries in the register. As per Government Orders, TDR award is to be arrived on the basis of relevant land value at both export and import areas as per prevailing Registration value.
4. TDR can either be sold or can be utilized by the same owner depending on convenience.

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1. TDR can be allowed to be utilized for construction of one additional floor over the normal permissible floors without insisting additional setbacks subject to compliance of other norms.
2. Every TDR sold or disposed shall be accompanied by a prescribed agreement on Rs.l00/ - non-judiciary stamp paper between the person disposing the TDR and the person who intend to utilize the TDR. Draft agreement as per Annexure - XI.

**DOCUMENTS** **REQUIRED WITH APPLICATION FOR GRANT OF**

**TRANSFERRABLE DEVELOPMENT RIGHT CERTIFICATE:**

Application to be made by owner in the prescribed format giving the following details:

1. Name of the owner with clear address, contact phone number, etc.
2. Copy of the ownership documents along with clear site plan and location plan.
3. Site Plan showing the land surrendered, its extent, location with dimensions.
4. Building permission Plan for the site by the urban local body.
5. Details of Building permission granted / applied for like use or purpose of building, number of floors permitted, all-round setbacks, floor area permitted and utilized, parking area permitted; etc.
6. Whether already benefit of relaxations been utilized for the site?
7. Whether any Court case is pending against Urban Local Body?
8. Land value of the site where TDR is to be availed (latest copy from concerned Sub Registrar to be enclosed)
9. TDR admissible in terms of sqm and equivalent land value.

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Annexure 4: An abstract of TDR Regulation for Pune Municipal Corporation

**An abstract of TDR Regulation for Pune Municipal Corporation**

Regulations for the grant of Transferable Development Rights (TDR) to owners/developers and applicability, conditions for grant of such rights

The owner (or lessee) of a plot of land which is reserved for a public purpose, or road construction or road widening, in the Development plan and new road / road widening proposed under any provision of the B.P.M.C. Act, 1949 and for additional amenities deemed to be reservations provided in accordance with these Regulations, excepting in the case of an existing or retention user or to any required compulsory or recreational open space or any reservation proposed on compulsory open space, shall be eligible for the Transferable Development Rights (TDRs) in the form of Floor Space Index (FSI) to the extent and on the condition set out below. Such award will entitle the owner (or leasee) of the land, to FSI in the form of a Development Right Certificate (DRC) which may be used for himself or transferred to any other person.

TDR generation & utilisation proposal should be submitted through licensed Architect or Engineer with following necessary documents:-

1. TDR form with necessary fees paid.
2. Latest 7/12 extract/PRC,B-form, all Mutation entries,
3. Certified copy of Power of attorney, Sale deed regarding the reserved land etc. issued by concern Departments.
4. Original copy of Demarcation Plan issued by Department of Land Record.
5. Original copy of zoning demarcation based on above demarcation.
6. Declaration cum Indemnity Bond

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