

दिल्ली शहरी आश्रय सुधार बोर्ड
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
संसद कक्ष

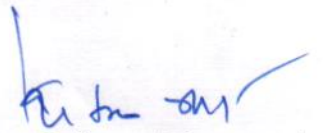
दिनांक-27/02/2019

प्रश्नकर्ता-श्री मनजिंदर सिंह सिरसा

तारांकित प्रश्न संख्या-34

क्र. सं.	प्रश्न	उत्तर
क	क्या सरकार का राजौरी गार्डन विधान सभा क्षेत्र में सीकरी भट्टा और श्याम नगर से झुग्गी-झोपड़ी पट्टियों को दूसरी जगह न बसाने और उन्हें पक्के मकानों में न बसाने के क्या कारण है;	जे जे बस्ती सीकरी भट्टा व श्याम नगर की झुग्गीयाँ दिल्ली शहरी आश्रय सुधार बोर्ड की जमीन पर स्थित है। इन झुग्गीयाँ को हटाने के लिए विभाग द्वारा एक योजना बनाई गई थी। परन्तु विभाग द्वारा तीन बार प्रयास के बावजूद भी झुग्गीवासियों के भारी विरोध के कारण सर्वे नहीं हो सका। वर्तमान में मुख्यमंत्री आवास योजना के अर्न्तगत दिल्ली की सभी झुग्गी वस्तियों का डिमान्ड सर्वे किया जा रहा है। इस सर्वे के आधार पर डुसिब द्वारा दिल्ली सरकार एवं एम.सी.डी की भूमि पर स्थित झुग्गी बस्तियों के पुर्नवास की योजना बनाई जाएगी। प्रति संलग्न है।
ख	यदि हाँ, तो इन झुग्गी-झोपड़ी पट्टियों को दूसरी जगह न बसाने और उन्हें पक्के मकानों में न बसाने के क्या कारण हैं;	उपरोक्त।
ग	क्या यह सत्य है कि संबंधित विभाग द्वारा सर्वेक्षण कराने के बाद भी इन झुग्गी-झोपड़ी पट्टियों को दूसरी जगह नहीं बसाया गया और ना ही उन्हें पक्के मकान दिये गये है और झुग्गीयाँ की संख्या बढ़ती जा रही है; और	सर्वेक्षण का कार्य पूरा होने पर ही एक योजना के अनुसार इन झुग्गी बस्तियों के पुर्नवास का कार्य शुरू किया जा सकेगा। झुग्गीयाँ के बढ़ने के बारे में विभाग के पास कोई सूचना उपलब्ध नहीं है।
घ	यदि हां, तो ये झुग्गी-झोपड़ी पट्टियों को दूसरी जगह कब बसाया जायेगा और झुग्गी डालने वालों को पक्के मकान कब तक दिये जायेंगे	उपरोक्त।

यह उत्तर सक्षम अधिकारी की पूर्व अनुमति से प्रेषित किया जाता है।


उप निदेशक (संसद कक्ष)

उप सचिव, संसदीय शाखा
दिल्ली सचिवालय, दिल्ली सरकार

यू 247 रातमडा

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12/2/19

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R-158/DIR. (R) / F.T.O. / 19
14/2/19

Government of NCT of Delhi
Department of Urban Development
9th Level, C-Wing, Delhi Secretariat
I.P. Estate, New Delhi-110002

18 IP CEO
172
15-02-19

F.No.692(7)/UD/BSUP/2015/4010-16

Dated: 08/02/2019

ORDER

The Delhi Slum and Jhuggi Jhopri Rehabilitation and Relocation Policy, 2015, formulated under Section 10(1) of the Delhi Urban Shelter Improvement Board (DUSIB) Act, 2010, has been issued by the Govt of NCT of Delhi vide Order F.No.730(7)/UD/BSUP/2016/CD-021366111/3014-22 dated 11.12.2017, after due approval of the Competent Authority, Govt of NCT of Delhi. The Council of Ministers, Govt. of NCT of Delhi vide Cabinet Decision No.2673 dated 29.01.2019 has decided to rename "The Delhi Slum & JJ Rehabilitation and Relocation Policy, 2015" as "Mukhya Mantri Awas Yojna", applicable in the National Capital Territory of Delhi.

Reproced
for Govt
Secretary
CEO
M(A)

This decision of the Council of Minister, Govt. of NCT of Delhi is enforced with immediate effect, henceforth, "The Delhi Slum & JJ Rehabilitation and Relocation Policy, 2015" is renamed as "Mukhya Mantri Awas Yojna", applicable in the National Capital Territory of Delhi.

This issues with the approval of Hon'ble Minister for Urban Development, Govt. of NCT of Delhi.

IP
G-401
12/2/19

Deputy Secretary (BSUP)
Phone No. 23392247
Dated: 08/02/2019

F.No.692(7)/UD/BSUP/2015/4010-16
Copy for information to:

1. Pr. Secretary to Hon'ble Lt. Governor, Delhi, Raj Niwas, Delhi-54.
 2. Joint Secretary to Hon'ble Chief Minister, GNCT of Delhi.
 3. Secretary to all Hon'ble Ministers, GNCT of Delhi.
 4. Secretary, Ministry of Housing & Urban Affairs, Govt. of India, Nirman Bhawan, New Delhi-11.
 5. Vice-Chairman (DDA), Vikas Sadan, INA, New Delhi.
 6. All Pr. Secretaries/Secretary/HODs of GNCTD.
- CEO, DUSIB, Punarwas Bhawan, I.P. Estate, New Delhi

R-498/M(A)/19 IP
12/2/19

Pl. put up on file for further action urgently

Dir/Rehab.
12/2/19
DD(S) H.C.

Deputy Secretary (BSUP)
Phone No. 23392247

15/2/19
su-kish

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Government of NCT of Delhi
Department of Urban Development
9th Level, C-Wing, Delhi Secretariat
I.P. Estate, New Delhi-110002

F.No.730(7)/UD/BSUP/2016/ CD No.021366111/3014-22

Dated: 11/12/2017

ORDER

In pursuance of the provision of sub-section (1) of Section 10 of the Delhi Urban Shelter Improvement Board (DUSIB) Act, 2010 (The Delhi Act 07 of 2010), the Delhi Urban Shelter Improvement Board in its 16th Meeting on 11.04.2016 approved the Delhi Slum Rehabilitation and Relocation Policy-2015. The Council of Ministers, Government of National Capital Territory of Delhi, vide Cabinet Decision No.2384 dated 08.07.2016 has approved the Delhi Slum and Jhuggi Jhopri Relocation and Rehabilitation Policy, 2015 and subsequently modified the same vide Cabinet Decision No.2482 dated 20.06.2017.

The Hon'ble Lt. Governor, Government of National Capital Territory of Delhi, has approved the said Delhi Slum and Jhuggi Jhopri Relocation and Rehabilitation Policy, 2015, which will supersede all previous guidelines of this Government in this matter and modifications thereof. It will also be applicable in all such cases where relocation of slum and Jhuggi Jhopri dwellers has already been done as per this policy.

This Order is issued in supersession of Order F.No.730(7)/UD/BSUP/2016/CD No.021366111/3002-10 dated 07.12.2017.

Delhi Slum and Jhuggi Jhopri Rehabilitation and Relocation Policy, 2015 (PART-A)

1. This policy is based on the following principles:

- (i) The people living in jhuggis perform critical economic activities in Delhi like drivers, vegetable vendors, maid servants, auto and taxi drivers, etc.
- (ii) In the past, adequate housing was not planned for these people in middle or upper class areas, to which they provide services. As a result, a number of jhuggi bastis mushroomed all over Delhi close to the areas, where they provide services.
- (iii) They have encroached upon the lands on which they live.
- (iv) The decisions of the Hon'ble Supreme Court of India in Chameli Singh Vs. State of UP [1996 (2) SCC 549] and in Shantistar Builders Vs. N.K. Toitame, [1990 (1) SCC 520] and numerous other judgments have laid down that the right to life is not a right to *mere animal existence* and that the right to housing is a Fundamental Right. Going further, in Ahmedabad Municipal Corporation Vs. Nawab Khan Gulab Khan, [1997 (11) SCC 123], the Supreme Court held that even poverty stricken persons on public lands have a Fundamental Right to housing. The Court laid down that when slum dwellers have been at a place for some time, it is the duty of the Government to make schemes for housing the jhuggi dwellers. In the most recent decision of the Chief Justice's Bench in the Delhi High Court in Sudama Singh Vs. Government of Delhi [168 (2010) DLT 218], the Court referred to the provisions of the Delhi Master Plan and emphasised in-situ rehabilitation. It is only in the extra ordinary situation, when in-situ rehabilitation is not possible, then only, rehabilitation by relocation is to be done. The normal rule is in-situ up-gradation and re-development.

- (v) The recent Supreme Court decision in Gaiinda Ram Vs. Municipal Corporation of Delhi, [2010(10) SCC 715] reiterates that hawkers have a fundamental right to hawk. It is, therefore, clear that the poor, who come to the city for work, must reside reasonably close to their place of work. Even apart from the legal aspect, studies have shown that resettlement at far way places invariably force the poor to return to their informal housing arrangements close to their place of work.
- (vi) Government of National Capital Territory of Delhi recognizes that the habitat and environment in which Jhuggi Jhopri Bastis exist is often dirty, unfit for human habitation and unhygienic both for the inhabitants living in that area as well as for the people living in surrounding areas.
- (vii) Government of National Capital Territory of Delhi, therefore, wishes to put in place and implement this policy to house the poor in a permanent and humane manner; at the same time, clear lands for specific public projects and roads etc.
2. Keeping the above principles in mind, Government of National Capital Territory of Delhi announces the following policy for rehabilitation and relocation of Jhuggi Jhopri basti.

(a) Nodal Agency

The Delhi Urban Shelter Improvement Board (DUSIB) will be the Nodal Agency for relocation/rehabilitation of Jhuggi Jhopri bastis in respect of the lands belonging to MCD and Delhi Government and its Department/Agencies. In case of Jhuggi Jhopri colonies existing in lands belonging to Central Government/Agencies like Railways, Delhi Development Authority, Land & Development Office, Delhi Cantonment Board, New Delhi Municipal Council, etc. the respective agency may either carry out the relocation/rehabilitation themselves as per the policy of the Delhi Government or may entrust the job to the DUSIB:

Provided that, the Agencies while doing relocation rehabilitation/in-situ redevelopment of the dwellers of Jhuggi Jhopri Bastis must ensure that the methodology, benefits and provisions adopted in such tasks are in conformity with the guidelines of Pradhan Mantri Awas Yojna and provisions which have been notified by the Central Government from time to time

(i) Who is eligible for rehabilitation or relocation

Jhuggi Jhopri Bastis which have come up before 01.01.2006 shall not be removed (as per National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011) without providing them alternate housing. Jhuggis which have come up in such Jhuggi Jhopri Bastis before 01.01.2015 shall not be demolished without providing alternate housing; *(this is in supersession of the earlier cut-off date of 04.06.2009 as notified in the guidelines of 2013)*

(ii) No new jhuggis to be allowed in Delhi

Government of National Capital Territory of Delhi shall ensure that no new jhuggi comes up after 01.01.2015. If any jhuggi comes up after this date, the same shall immediately be removed without providing them any

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