

POLICY FOR IN-SITU SLUM REDEVELOPMENT/REHABILITATION BY THE DDA

A. Preamble

The National Capital of Delhi, the focus of the socio-economic and political life of India, a symbol of ancient values and aspirations and capital of largest democracy of the world is assuming increasing eminence among the great cities of the world.

The vision of Master Plan of Delhi – 2021 is to make Delhi a global metropolis and a world class city where all the people would be engaged in productive work with a better quality of life living in a sustainable environment. This will amongst other things necessitate planning and action to meet the challenge and population growth and immigration into Delhi. Provision of housing particularly for the weaker sections of the society dealing with the issue of slums within a frame work of sustainable and inclusive development & public private and community participation is one of the important visions of MPD-2021.

The pace of urbanization has left far behind the efforts and initiative of planners, local bodies, housing authorities and real estate developers in providing affordable housing to a large number of its residents. As long as shelter is not affordable keeping in view of the wages paid in the city, literally there is no alternative except the growth of slums or rather squatter developments. As a result, the people are forced to live in unhygienic and deplorable settlements called slums.

Most of the slums have come up on the DDA/State Govt./ Central Government's prime lands. At the same time, the slum dwellers have a share in the growth, status and prosperity of this great city. They have had and continue to have a share in building up and maintaining the commercial, industrial and economic importance of Delhi. The slum dwellers deserve to be part of the mainstream of social, cultural and economic fabric of this pulsating city and leading a dignified and humane life for its development.

The in-situ slum re-development projects under PMAY have to envisage an integrated scheme having an optimum mix of the EWS component and the remunerative component, so that a wide range of the Developer Entities come forward to participate in a competitive manner.

B. Objectives

- i) In-situ re-development and rehabilitation of tenable slums situated on DDA and Central Govt. Lands in order to make Delhi slum free and achieve the mission – Housing for All by 2022.
- ii) Provision of pucca houses having two rooms, kitchen, bath room, WC and balcony for slum dwellers' families with basic amenities against payment of prevalent cost as determined/approved by the Government from time to time.
- iii) The beneficiary will be allotted EWS flat on leasehold basis with a lock-in period of 10 years. Thereafter, the title/ownership will be transferred only in the name of the beneficiary or his legatee subject to payment of all dues, utility bills, property tax and any other charges levied by the local bodies.
- iv) Providing hygienic, healthy and dignified life style to the slum dwellers.
- v) Qualitative improvement in socio-economic and environmental conditions of the surrounding areas and cleanliness as part of Swachh Bharat Mission.
- vi) Attracting private investment by public-private partnership for this purpose.
- vii) Simple and transparent policy framework to rehabilitate tenable slums in-situ on public land through public private partnership, using the land as a resource.
- viii) Planned Development/re-development of these colonies
- ix) Proper utilization of vacant/encroached land parcels of DDA/Central Government agencies/Departments.
- x) Reclaiming the encroached Govt. lands to the possible extent and using it optimally for creating maximum affordable houses/facilities.

C. Role of DDA

- i) To function as regulator, mediator and enabler.
- ii) To set up institutional structure for implementation of the policy, constitute various committees for formulation of Action Plan as per PMAY guidelines.
- iii) Clubbing of one, two or more slum pockets for development depending upon the viability of the project.
- iv) To prepare the list of eligible beneficiaries prepared on the basis of survey. The eligibility criteria to identify the beneficiary of a JJ cluster would be strictly in accordance with DUSIB policy dated 11.12.2017 including changes made therein by the DUSIB from time to time.
- v) To resolve issues related to interpretation and implementation of the policy.
- vi) Planning and supervising rehabilitation of slums under this policy.

- vii) To prepare schemes for in-situ rehabilitation of the tenable slums except those untenable slums which are on green land or on right of way as the land encroached by those slum clusters cannot be monetized/used as a resource.
- viii) DDA will also undertake in-situ redevelopment/rehabilitation of JJ clusters on the lands of central government and its agencies on 'PPP' mode as per MPD-2021 norms under this policy on mutually agreed terms with the land owning agencies.
- ix) To prescribe benchmark specification of the scheme.
- x) To select private developers by open and transparent bidding process
- xi) To provide external trunk infrastructure facilities for basic civic amenities.
- xii) To execute Development Agreements for in-situ slum redevelopment/rehabilitation with the developers.
- xiii) To ensure by periodic inspections by developer entity that the beneficiaries are residing in the alternative transit accommodation or rented houses provided by the developer entity. In case, it is found that any of the dwellers are not residing in the transit accommodation or rented houses, after giving due notice, his/her right of alternative allotment in lieu of jhuggi will be forfeited. If any malafide or criminal act is found to be involved, necessary action will be taken in accordance with law.
- xiv) To supervise/allot houses constructed under the slum rehabilitation projects by computerized draw.
- xv) To ensure administrative/police assistance for implementing the projects/execution of the Development Agreements.
- xvi) Obtaining of prior consent of eligible slum beneficiaries will not be required for in-situ Slum Redevelopment/Rehabilitation in view of Section 10 of DUSIB Act. However, all eligible beneficiaries will be required to form a Society under the Societies Registration Act, 1860 to provide structured interface between slum dwellers and DDA/developer.

D. Role of Beneficiaries

- i) To pay the cost fixed by the Government within prescribed time limits to the DDA. If beneficiary does not pay the cost fixed by the Government within the prescribed time limit to the DDA, beneficiary will have to pay penal interest/penalty on the delayed payment as per DDA's rules prevalent on the date upto time period which will be defined in the guidelines of scheme.
- ii) To pay electricity/water maintenance charges in time.
- iii) To provide structured interface between the slum dwellers and DDA/developer all eligible beneficiaries of a slum will be required to form a Society under the Societies Registration Act, 1860. The eligibility

shall be determined on the basis of survey conducted by DUSIB. The model Memorandum of Association to be adopted by the society for the purpose will be finalized and approved separately by the V.C. in consultation with Chief Legal Advisor, DDA.

- iv) To constructively participate in Government's scheme(s).
- v) To vacate/facilitate land development and construction in a time bound manner.
- vi) To reside in the alternative transit accommodation or rented accommodation provided by the developer entity during the construction period or provide address of the rented accommodation taken by dwellers themselves. In case, it is found that any of the dwellers are not residing in the transit/rented accommodation, after giving due notice, his/her right of alternative allotment in lieu of jhuggi will be forfeited. If any malafide or criminal act is found to be involved, necessary action will be taken in accordance with law.
- vii) To get themselves duly identified/jhuggies photographed & videographed.
- viii) Not to sell their DUs and squat again and getting linked with Aadhaar.
- ix) To provide details of the address where the dweller is residing on rent and also the change of address, if any, during the construction stage.

E. Benefits to the Slum dwellers

- i) The jhuggi jhopri basti in which the jhuggi jhopri dwellers are residing must be in existence prior to 1.1.2006. However, the cut off date of residing in the jhuggi for becoming eligible for rehabilitation shall be 01.01.2015. The name of JJ Dweller must appear in at least one of the voter lists of the year 2012, 2013, 2014 and 2015 (prior to 1.1.2015) and also in the year of survey for the purpose of rehabilitation. He/she must possess any one of the 12 documents including Aadhar Card mentioned in para 2 of DUSIB policy issued before 01.01.2015 and office orders dated 11.12.2017 issued by DUSIB.
- ii) Under this Policy, the beneficiaries in slums will be given a pucca house having carpet area up to 30 sq.mts with two rooms, kitchen, bath-room balcony and WC against payment of prevalent cost as determined/approved by the Government from time to time.
- iii) The beneficiaries will be provided basic civic facilities of safe drinking water, sewerage line and electricity connections. The beneficiaries will be responsible for payment of operational and maintenance cost, electricity, water, propertytax bills and any other tax levied by urban local self-government bodies.
- iv) Facility of Anganwadi/Heath Center and other social infrastructure as per provision of Master Plan of Delhi will be provided.
- v) The beneficiary will be allotted EWS flat on leasehold basis with a lock-in period of 10 years. Thereafter, the title/ownership will be

transferred only in the name of the beneficiary or his legatee subject to payment of all dues, utility bills, property tax and any other charges levied by the local bodies.

- vi) Ownership right of the allotted house will be in the joint names with the spouse after clearing all dues in conformity with PMAY guidelines.

F. Role of Developer

- i) To prepare detailed architectural and structural drawings with planning of dwelling units including project implementation framework for rehabilitation work.
- ii) To arrange required funds for slum rehabilitation scheme
- iii) To obtain required statutory approval for slum rehabilitation scheme from the prescribed Authority/Authority as per Unified Building Bye-laws 2016.
- iv) To get the slum cleared for in-situ development with the administrative help of the Authority.
- v) The developer shall have the option of either providing rented accommodation or providing rent for accommodation to the beneficiaries during the transition period or transit camp to be constructed by the developer on its own land and at its own cost (including maintenance of the same) or a combination of all above.
- vi) In case of rented accommodation or rent for accommodation, the same should be on mutually agreed terms between the developer and the beneficiary. In case of rent to be paid by the developer to the beneficiary family during the transition period will be fixed at the time of preparation of Draft Project Report (DPR) keeping in view the cost of an EWS unit in the area in which the redevelopment/rehabilitation of JJ cluster is proposed to be carried out. At the time of preparation of DPR it will further be indexed to inflation in terms of Wholesale Price Index (WPI) for adjustment of inflation during the period. This will be approved by V.C., DDA in concurrence with Finance Department. This will take care of locational difference as well as the inflation in the rent in that area at the time of implementation of the project.
- vii) In case any transit camp is constructed by developer on any land available with him, the cost of construction, maintenance and the cost of basic amenities/infrastructure i.e. water, electricity, sewerage facility, toilets etc., at the alternative transit camp site shall be borne by the developer. The facilities so provided by developer shall be checked by DDA from time to time and issue necessary directions to developer for the proper up-keep of the facilities, so that, hygienic conditions are maintained in the transit camp.

- viii)** The developer Entity will provide the details of alternative transit/rented accommodation provided to the beneficiaries of the cluster to the DDA quarterly. The developer will periodically conduct surprise checks to ascertain whether the beneficiaries are residing in the transit accommodation (transit camp or rented accommodation provided by developer or arranged by beneficiary on rent paid by developer) so provided to them. If it is found that the beneficiary family(s) are not residing in the transit accommodation provided to them, the same will be intimated by the developer to the DDA. DDA will also randomly check the presence of the beneficiary family(s) on the provided transit accommodation. In case, it is found that any of the dwellers are not residing in the transit accommodation, after giving due notices, his/her right of alternative allotment in lieu of jhuggi will be forfeited. If any malafide or criminal act is found to be involved, necessary action will be taken in accordance with law.
- ix) The developer shall also provide basic amenities/infrastructure i.e. water, electricity, sewerage facility, toilets etc., at the alternative transit accommodation site at his cost and facilities so provided by developer should be checked by DDA from time to time and to issue necessary directions to developer for the proper up-keep of the facilities, so that, hygienic conditions are maintained in the transit camp.
- x) To provide basic amenities besides houses to the beneficiaries under the scheme.
- xi) To assist in forming an Association/RWA of the beneficiaries for the purpose of operation & maintenance for a period of 5 years.
- xii)** Structural Defect liability period of the developer for slum rehabilitation scheme shall be as per prevalent norms of the construction industry/RERA and shall take decennial professional liability insurance to cover for such liability, after it is in use.
- xiii) Developer will be responsible for re-development of plot area meant for EWS residential component, handing over of the same to DDA first and thereafter development of remunerative plot area.
- xiv) The Developer Entity will use latest construction technology for speedy completion of construction work and comply with all the latest related codes/standards/norms.

G. Planning Norms

For in-situ slum re-development relevant and extant norms of Master Plan of Delhi (MPD) will be applicable.

H. Miscellaneous

- i) Ministry of H&UA will coordinate and finally decide on all the issues between the DDA and other agencies in order to achieve the targets of Housing for All and making Delhi slum free within the prescribed timelines under the mission.
- ii) Vide Authority Resolution No. 33/2017 (**Annexure-C**), the policy for Rehabilitation of JJ colonies as promulgated by DUSIB, GNCTD, approved by Government of India, MoUD/HUPA was adopted in respect of deciding cut off date, rate to be charged from the prospective beneficiaries under Kathputli Colony and other projects of the DDA, protocol to be adopted for identification of the beneficiaries and removal/shifting of JJ clusters. The Policy has been revised by GNCTD with the approval of Hon'ble Lt. Governor, Delhi vide order dated 11.12.2017(**Annexure-D**) in view of the PMAY guidelines. The same will now be adopted by the DDA for the above purposes.
- iii) Dispute resolution mechanism between DDA and Developer Entity will be as per Project Development Agreement.
- iv) Regarding the grievance of JJ dwellers in relation to the eligibility, the Appellate Authority as appointed by DDA, on the lines of DUSIB policy, will decide.
- v) Delhi Development Authority and respective land owning agencies of central government will ensure that no new jhuggi comes up on its lands after 1.1.2015. If any jhuggi comes up after 1.1.2015, the same shall immediately be removed without providing them any alternative housing. The respective Departments of DDA will take preventive action as per the guidelines issued in this regard.
- vi) Transaction Advisor-cum-Financial Consultant for developing projects on 'PPP' mode and preparation of HFAPoA/AIPs and DPRs will be appointed as per provisions of PMAY for which financial assistance will be provided partly by the MoHUA, Gol.