

DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT OF NCT OF DELHI
(Rehabilitation Branch)
PunarwasBhawan, IP Estate, New Delhi-110002

No. F No:- RA-71/DD/Rehab/III/2021/D-62

Date: 19.12.22

OFFICE MEMORANDUM

Sub: Removal of the Jhuggi Jhopri basti on encroached street, road, footpath, Railway safety zone, or a park.

1. In pursuance 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 held on 11.04.2016 has 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 shall supersede all previous guidelines of this Government in this matter and modifications thereof. The Urban Development Department, Government of NCT of Delhi vide Order dated 11.12.2017 issued the said Delhi Slum and Jhuggi Jhopri Relocation and Rehabilitation Policy, 2015.

2. As per said policy, the Delhi Urban Shelter Improvement Board (DUSIB) is 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

3. The aforesaid policy dated 11.12.2017 envisages that Jhuggi Jhopri Bastis which have come up before 01.01.2006 shall not be removed 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. Land Owning Agency shall not demolish any Jhuggi Jhopri Basti who are eligible, as per para 2(i) of the aforesaid policy unless:

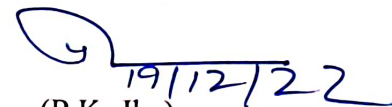
1. There is any Court order
2. That basti has encroached a street, road, footpath, Railway safety zone, or a park
3. The encroached land is required by the land owning agency for specific public project as envisaged in The National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011, which is extremely urgent and can't wait.



4. The requests from land owning agencies are received in DUSIB from time to time for removal/rehabilitation of jhuggis located on right of way/footpath/road berms etc. for which no 'No Objection Certificate (NOC)' is required. The land owning agency in such cases must initiate action for removal of encroachment without any NOC. However, it must ensure that a minimum of 15 days' notice is served even to ineligible & unauthorized encroachers & alternate arrangement for a minimum period of 03 months is made keeping in view the W.P. (C) No. 6779/2021, M/S Shakarpur Slum Union vs. DDA &Ors., decided on 2nd August, 2022, wherein Hon'ble Court has directed that any jhuggi cluster which was not a part of any notified jhuggi jhopri basti, and which was not in existence prior to 2006 was not entitled to the benefits of the 2015 policy. Further, the Hon'ble High Court disposed of the writ petition with a direction to the DDA to give sufficient time to the dwellers to make alternate arrangements or, alternatively, steps should be taken to accommodate the dwellers for three months so that the persons, whose jhuggis are being demolished, are able to find some alternate accommodation.

5. Further, in W.P. (C) No. 9625/2022, in the matter of M/S Urmila and others vs. DDA and others, Hon'ble High Court vide orders dated 04.08.2022 directed that even though the petitioners are not entitled to the benefits of the 2015 Policy, respondents cannot completely be absolved of their obligation to take suitable ameliorative measures to mitigate the sufferings of the Petitioners.

6. In view of the above, all land owning agencies are requested to take necessary action on their own in respect of jhuggis/jhuggi jhopri bastis which are not covered under the approved Rehabilitation and Relocation policy, 2015 issued vide order dated 11.12.2017. The concerned land owning agencies are further requested to comply with the directions of the Hon'ble High Court of Delhi in Writ Petition (Civil) no. 6779 of 2021 and 9625 of 2022 and to give notice of 15 days to each jhuggi dwellers before demolition & make alternate arrangements for stay of 3 months.


(P.K. Jha),

Director(Rehabilitation)


DUSIB

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Distribution :

1. The Commissioner, Municipal Corporation of Delhi, Dr. S.P.M, Civic Centre, J.L.N. Marg, New Delhi-110002
2. Chief Executive Officer, Delhi Jal Board, Varunalaya, PH-II, Karol Bagh, New Delhi-110005.
3. The Engineer-in-Chief, Public Works Department, 12th Floor, MSO Building, I.P Estate, New Delhi-110002.
4. The Divisional Commissioner, Revenue, Govt. of NCT of Delhi, 5, Sham Nath Marg, Delhi-110054,
5. Principle Secretary (I&FC), L.M. Bund Office Complex, Shastri Nagar, Delhi-110031
6. The Land Development Officer, L&DO, Room No. - 611, Nirman Bhawan, New Delhi-110011.
7. Defence Estate officer, Defence Estate office, Delhi Circle, Delhi Cantt.



8. Chairman, New Delhi Municipal Council, NDMC Head Office, Palika Kendra Parliament Street, New Delhi-110001.
9. Managing Director, Lok Nayak Hospital, JawaharLal Marg, Central, Delhi-110002
10. Principal Secretary, Irrigation and Water Resources Department, Haryana, Sector 5, Panchkula, Government of Haryana.
11. Principal Secretary, Irrigation and Water Resources Department, 90, Cantonment Rd, Udaiganj, Husainganj, Lucknow, Uttar Pradesh 226001.
12. The Vice Chairman, Delhi Development Authority, Vikas Sadan, INA, New Delhi-110023.
13. The General Manager, Northern Railways, Baroda House, New Delhi-110011.
14. Directorate General, (CPWD), A-Wing, Room No. 101 Nirman Bhawan, Delhi-110001.
15. Chairman & Managing Director, NTPC Limited NTPC Bhawan, Scope Complex, Institutional Area, Lodhi Road, New Delhi-110003.
16. Vice Chairman, Jamia Millia Islamia, Jamia Nagar, Okhla, New Delhi-110025.
17. Dean, 2, Bahadur Shah Zafar Marg, near Delhi Gate, Maulana Azad Medical College Campus, New Delhi, Delhi 110002.
18. Chairman (NSCI), Gate 3, Mathura Road, Matkapeer, Pragati Maidan, New Delhi, Delhi 110001.
19. Secretary, Central Waqf Council, P-13 & 14, Sector-6, Pushp Vihar, Opposite Family Court, Saket, New Delhi-110017.
20. The Director, The Indian Agricultural Research Institute, Pusa, New Delhi, Delhi-110012.

Copy for information:

1. Pr. Secretary to Hon'ble Lt. Governor, Delhi Raj Niwas, Delhi-110054.
2. Secretary (U.D.), GNCTD, 9th Level C-Wing, Delhi Secretariat, New Delhi-110002.
3. S.O to Chief Secretary, GNCTD, 6th Level, Delhi Secretariat New Delhi-110002.



विभाग -

पत्रांक -

पता -

दिनांक -

सूचना

1. आप सभी झुग्गी वासियों को सूचित किया जाता है कि सूचना चरपा करने के 15 दिन के अन्दर अपनी झुग्गी स्वेच्छा से तोड़कर चले जाये, अन्यथा, आपकी झुग्गी को पुलिस की सहायता से हटा दिया जाएगा एवं नजदीक के आश्रय गृह में भेज दिया जाएगा, जिसकी अधिकतम अवधि 03 महीने होगी ।

2. रहने की जगह

पता

(i)

(ii)

सभी झुग्गी वासियों को सूचनार्थ ।

भवदीय

नाम :

पद :

पता :