

OFFICE OF THE CHIEF EXECUTIVE OFFICER
DELHI URBAN SHELTER IMPROVEMENT BOARD
PUNERVAS BHAWAN, I.P. ESTATE,
NEW DELHI-110 002

No. PS/CEO(DUSIB)/2013/D-117

Date: 29/04/2013

Subject: Instructions for resolving the issues arising while determining the eligibility of JJ Dwellers for allotment of flats under JNNURM

1. The Government of National Capital Territory of Delhi, vide its orders No. F.18(7)/UD/DUSIB/2011/Vol-I/2350 dated 25-02-2013, issued Guidelines for implementation of 'Scheme for relocation/rehabilitation and allotment of flats to the Jhuggi Jhopri (JJ) dwellers under JNNURM-2013'. The Delhi Urban Shelter Improvement Board (DUSIB) has been made the Nodal Agency for implementation of above Guidelines.
2. To facilitate the applicants, camps are being organized for each JJ Cluster wherein the eligibility of JJ dwellers is being determined by DUSIB on the basis of documents submitted by the applicant at the camp.
3. In terms of Para 6 of the Guidelines, Eligibility Determination Committees have been constituted headed by Deputy Director (DUSIB) to decide the eligibility of the applicants.
4. During the operations of camps, instances have been noticed wherein the minor mistakes/variations in the name or address of the applicant or name of father or name of spouse have been noticed while cross-referencing various documents submitted by the applicant. Similarly some issues have cropped up for clarification, which though not explicitly mentioned in the Guidelines but are implicit. In terms of Para 14 of the Guidelines, CEO, DUSIB has been empowered to decide such cases on the basis of documentation and verification. Further, in terms of Para 19 of the Guidelines, CEO, DUSIB has been authorized to consider other left out cases also so as no genuine JJ dweller is left out.
5. Therefore, in exercise of the powers conferred in Para 14, read with Para 19, the following clarifications/instructions are being issued to enable the Eligibility Determination Committee to decide the eligibility or otherwise of an applicant. The Eligibility Determination Committees

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29.04.2013

constituted under Para 6 of the Guidelines may decide various cases as mentioned below to ensure that genuine and eligible JJ Dweller are not left out:

- a. **Documents submitted by applicant have different information for same field.** There may be cases where documents presented by applicant may have different information for the same field, for example, name(s) may be spelt differently or address may differ on two or more documents or some fields of information may be missing in some documents.

Resolution: In such cases Primacy of documents to be followed to resolve such conflicts will be as below:

- a. Form filled by Applicant
- b. Affidavit filed by the applicant
- c. Electoral Roll-latest
- d. Aadhar Card
- e. EPIC
- f. Survey list prepared by DUSIB
- g. Other identity documents.

The eligibility determination committee may satisfy itself whether the difference is due to typographical error/incorrect spelling and/or typical to the cluster etc. If the name, address, parents' name, spouse's name etc. can be substantiated by two or more of the above documents then the case may be considered. Importance has to be given to establish the correct identity of the applicant and his/her spouse.

- b. **Photo copy of document available but original document is not available.**

Resolution: The applicant will need to produce original document within specified time to be declared eligible and for further processing of his/her case. However, the applicant's case may not be rejected and it should be kept pending. It should be rejected if the applicant is not able to produce original document even after giving sufficient opportunity.

- c. **Applicant produces proof of depositing original document with the issuing Department but the replacement document has not been issued.**

This issue has been often been observed in the case of ration cards. The validity of Ration card might have expired or the old Ration card deposited with Food and Supplies Department but renewed ration card not issued.

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29.04.2013

Resolution: The applicant will be declared ineligible. The applicant however, can be declared eligible if he can get the document validated, renewed or fresh document issued in continuity of the old document from issuing Department.

d. **Applicant's name not found in the electoral roll of the year of survey.**

Resolution: The applicant can be declared eligible if:

1. Applicant's name exists in later and current years' Electoral Roll
2. Other documents prescribed in the policy indicate his residence in the cluster.

e. **Applicant's name not in current year's electoral roll.**

Resolution: Ineligible. The policy of relocation envisages rehabilitation of such JJ dwellers who are staying in the Jhuggi cluster at the time of relocation. Hence if the JJ dweller's name is not available in the current year's Electoral Roll it can be surmised that the dweller may not be staying in the cluster now. However, if the documents of the spouse of the applicant are complete in all respects as per policy then the spouse can be declared eligible considering him/her as the applicant provided the name of the spouse also exists in the survey list.

f. **The spouse does not stay with the applicant**

Resolution: Applicant is eligible. However, since the allotment is to be made in the joint name of applicant and spouse, details of the spouse have to be collected and spouse's identity authenticated through UID/EID before possession of flat is handed over.

g. **No document in the name of the spouse of the Applicant.**

Resolution: Applicant is eligible. However, since the allotment has to be made in joint name information about the spouse has to be collected and authentication done before possession.

h. **In Ration Card submitted as supporting document, the applicant's name exists but document issued in the name of some other family member**

The ration card may be issued in the name of father/mother/spouse of the applicant and the ration card carries name of the applicant.

Resolution: Applicant is eligible if the document is issued prior to cut-off date and on the same address. However, in such cases only one applicant would be made eligible against one ration card.

i. **Applicant applies as legal heir of the person surveyed (head of house**

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29.09.2013

hold).

Resolution: Applicant is eligible, provided following documents are submitted:

1) In case of spouse as a legal heir:

- i) Death certificate of the person surveyed (head of the house hold) is attached.
- ii) Documents of the spouse meet the requirements of eligibility.

2) In case both the surveyed dweller and the spouse are dead:

The applicant is eligible if:

- i) Applicant is able to establish the fact that s/he was residing in the jhuggi alongwith his/her father in the same jhuggi before their death.
- ii) Death certificate of both parents.
- iii) Affidavit regarding list of legal heirs
- iv) Indemnity Bond on Rs.100/- Stamp Paper duly registered with Sub Registrar.
- v) If more than one legal heir exist then disclaimer/relinquishment deed for the jhuggi/rights accruing from all other legal heirs must be attached on Rs 100 stamp paper duly registered with subregistrar.
- vi) Affidavit declaring the authenticity of all the information is presented before possession.

j. **Applicant submits ration card renewed after 2009.**

Resolution: Eligible, if photocopy of old ration card is attached and the renewed ration card carries the number of the old ration card whose photocopy is attached.

k. **Spouse missing and applicant asks for allotment in single name**

Resolution: The allotment should be made in joint name only.

l. **Spouse living separately but no legal separation**

Resolution: In such cases allotment would be in joint name. However, possession may be given to the applicant subject to production of affidavit by the applicant about the legal status of marriage, and an undertaking that in future if claim to property is made by the spouse then he/she would be given equal right in property.

m. **Widow/widower/ divorcee.**

Resolution: Allotment can be made in single name on production of relevant document and affidavit.

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n. Multiple members of the same family in separate jhuggis

Resolution: If at the time of survey separate jhuggis have been identified with separate survey numbers and the different family members are able to establish their eligibility independently, they may be considered eligible in their own rights. However, in such cases ration card, if it is being produced as an additional document, should have been issued in the name of the applicant.

o. More than one applicant having documents of the same Jhuggie address

Resolution: Normally only one applicant would be considered eligible against one jhuggie address. However if the address is general in nature giving the name of the cluster, and no specific jhuggie number; and at the same time separate jhuggis have been identified at the time of survey with separate survey numbers, then separate allotments can be made.

p. Identity card of ward from school issued prior to the cut-off date not available but applicant presenting the current identity card or claiming that their ward studied in the school prior to cut-off date.

Resolution: In such cases the applicant has to produce a certificate from the competent authority of the school that the ward with address as being claimed, was enrolled in the school during/prior to 2009; and either continues to study in the school or passed out from the school. Identity cards/certificates issued by Government College, government distance education institutes, vocational training institutes are also acceptable.

q. Jhuggie found locked at the time of survey and resurvey after 10 days but the applicant presents his case in the camp.

Resolution: The documents of such applicants may be examined. If the applicant is found eligible as per Guidelines, he/she has to further establish his continuity of stay in the cluster either through a functional ration card or proof of his children studying in school or electricity bills issued during that time, then he can be declared provisionally eligible. However, final possession to such applicants can only be handed after physical verification/resurvey and local enquiry in the cluster through neighbors with their signatures/thumb impression.

r. UID number of applicant or spouse not available.

Resolution: In the absence of UID number, the applicant has to produce EID number before his case can be processed. However, before possession UID

29.04.2013

authentication of beneficiary has to be done. In case of spouse at least the EID number to be collected before possession.

6. These instructions/clarifications are being issued to facilitate the Committee to decide the cases of genuine JJ dwellers. However, if the Committee has doubts about the genuineness of any applicant, the Committee may ask additional documents or separate out such cases for further inquiry. A separate mechanism can be worked out to take action on such cases.
7. All such cases which are being declared eligible as per these guidelines must be flagged in the database, so that they can be checked later on in case of requirement. The same should be mentioned on the form also.

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(Amar Nath)

Chief Executive Officer

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