

DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT. OF NCT OF DELHI
(Meeting Cell)

NO: DD (Board)/DUSIB/2017/D-38

Dated: 03.12.2018

Meeting Notice

The 25th Meeting of the Delhi Urban Shelter improvement Board (DUSIB) is scheduled to be held on **05.12.2018 at 12.00 noon** in Conference Hall No.2, Level-2, Delhi Secretariat under the Chairmanship of Hon'ble Chief Minister, Delhi.

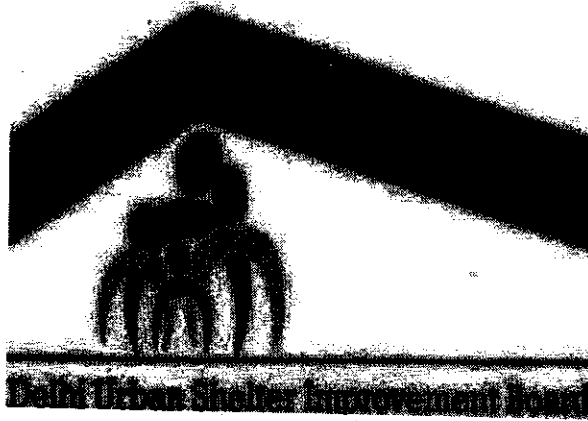
All the Members are requested to make it convenient to attend the meeting on the scheduled date and time. The agenda of the meeting is enclosed for kind perusal and information.

Encl : As Above


Dy. Director (Board)

To:

1. Hon'ble Chief Minister, GNCT of Delhi/Chairperson of DUSIB.
2. Hon'ble Dy. Chief Minister, GNCT of Delhi – Special Invitee.
3. Hon'ble Minister of Urban Development, GNCT of Delhi/Vice Chairperson of DUSIB.
4. Shri Sahi Ram, MLA, Tughlakabad (AC. No. 52)
5. Shri AkhileshPati Tripathi, MLA, Model Town (AC. No. 18)
6. Shri HazariLal Chauhan, MLA, Patel Nagar (AC No. 24)
7. Vice Chairman, DDA.
8. Jt. Secretary (L&W), M/o UD, Gol, NirmanBhawan-representative of M/o UD.
9. Pr. Secretary (UD), UD Deptt, GNCT of Delhi.
10. Chairman, NDMC.
11. CEO, Delhi Jal Board.
12. Director (Local Bodies), GNCT of Delhi.
13. CEO, DUSIB.
14. Member (Admn/Finance/Power), DUSIB.
15. Shri Bipin Kumar Rai, Expert (non-official).
16. Shri A.K. Gupta, Expert (non-official).



**Agenda Notes for the 25th Meeting of
Delhi Urban Shelter Improvement Board (DUSIB)
GOVT. OF NCT OF DELHI
05.12.2018**

**Venue: Conference Hall No.2, Level 2,
Delhi Secretariat**

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AGENDA ITEM NO. 25/01

CONFIRMATION OF THE MINUTES OF THE 24th MEETING OF THE BOARD HELD ON 12.10.2018.

The minutes of the 24th Meeting of the BOARD held on 12.10.2018 were approved by the Hon'ble Chairman, Delhi Urban Shelter Improvement Board / Chief Minister, Govt. of NCT of Delhi. The approved minutes was circulated vide letter No. Meeting Cell/DUSIB/DD(Board)2017/D-37 dated 25.10.2018 for the kind information of all Members of the BOARD. No observation/comment has been received from any Member.

Hence, Board may confirm the Minutes of the 24th Meeting held on 12.10.2018.

AGENDA ITEM NO. 25/02

ACTION TAKEN REPORT ON THE MINUTES OF THE 24th BOARD MEETING

DUSIB has initiated action on all the decisions taken in 24th Board Meeting held on 12.10.2018. Detailed action taken report will be submitted in the next Board Meeting.

AGENDA ITEM NO. 25/03

Accord of A/A&E/S for providing portable toilets as service facility including operation, management and maintenance at various locations under Circle I & II/ or any other location where water supply and sewage facility are not available and to call e-tenders for the same.

1. The Agenda as reproduced here under was placed before the BOARD during its 22nd Meeting held on 13.07.2018.

" 1. DUSIB has taken up the work of providing toilet facilities in JJ Bastis under its jurisdiction to make the JJ Bastis Open defecation free by providing adequate toilet facilities. It has been noted that at some locations neither the sewage disposal arrangement nor water is available. Apart from it, the land owning agencies also do not permit either pucca or temporary structure with septic tank etc at some of the locations. Providing toilet facilities at such locations is a huge challenge and one of the considered options is to provide portable/moveable toilet cubicles as service facility with end to end solution on the part of service provider. In this type of arrangement the moveable/portable toilet alongwith water/disposal of human waste/care taking facility shall be arranged by the service provider. The service provider shall be paid monthly service charges for the above facilities.

2. In accordance with approval, accorded by the DUSIB BOARD during its 18th Meeting held on 06/02/2017, circulated vide minutes of the said meeting vide no. Meeting cell/DUSIB/DD(Board) 2017/D-09 dated 07/02/2017, the DUSIB has been providing Portable toilets at various locations through different agreements with service provider agency(s) with original stipulation of Rs. 1/- as user charge which subsequent to 01/01/2018 has been waived off and the facility is now being provided free of charge to users. The agency is being compensated @ Rs. 900 per toilet seat per month in lieu of making facility free of any user charge in accordance with approval accorded by competent authority. As at present 435 nos. of portable toilet cubicle @ Rs. 4140 + Rs. 900 per cubicle per month as reimbursement in lieu of providing the facility free of any user charges (maximum), have been provided at 25 Nos. of locations and the present proposal covers for the scope of having 700 portable toilet cubicle at 43 Nos. of identified locations in JJ Basties under DUSIB. However to continue the facility on market determined rates and to arrive at more competitive rates single estimate amounting to Rs. 10,01,75,738/- for all the identified locations under DUSIB, as per directions of the competent authority,

which has already been examined by Planning wing, P&M wing and Finance wing of DUSIB.

3. Accordingly the case was placed before the BOARD for :-

(i) Accord of approval by BOARD to pay to Work Executing Agency @ 900/- per toilet cubicle per month or an amount arrived at for the number of monthly pass holders whichever is less over and above the awarded rates per toilet cubicle in lieu of free usage charges till the contract for the present proposal for 700 Portable Toilet Cubicle is awarded by BOARD.

(ii) Accord of A/A&E/S for Rs.10,01,75,738/- for subject work with permission to invite E-tender and award the entire quantum of work to the eligible agency who quotes lowest rates with the approval of BOARD."

2. During the meeting, the BOARD accorded approval for the 3(i) above and that for the 3(ii) it was desired by Hon'ble Chairperson that a constituency wise feedback from all the respective MLAs about these portable toilet shall be obtained in the first instance so as to take any further decision in this respect.

3. In compliance to the above the constituency wise feedback from the respective MLAs about these portable toilet cubicles have been received and tabulated here under:-

S.No.	Hon'ble MLA	Feedback Ref. dated.	Annexure.
1	Sh. Manish Sisodia	807316089 dated 31/07/2018	A
2	Sh. Kartar Singh Tanwar	AAP/CHH/2018/1369 dated 28/07/2018	B
3	Sh. Sahi Ram	AC/52/18/1309 dated 19/07/2018	C
4	Col. Devinder Sehrawat	DS/3010/34/01 dated 21/07/2018	D
5	Sh. Om Parkash Sharma	NIL	E

6	Sh. S.K. Bagga	AC-60/7353/2018 dated 09/08/2018	F
7	Ms. Sarita Singh	SS/RN/MLA/DDC/68/18/077 3dated 20/08/2018	G
8	Ms. Bandana Kumari	AC-14/2018/304 dated 19/07/2018.	H

4. Accordingly the case is placed before the BOARD for consideration of accord of A/A&E/S for Rs. 10,01,75,738/- for subject work with permission to invite E-tender and award the entire quantum of work to the eligible agency who quotes lowest rates with the approval of BOARD.

68/c



ANNEXURE-A
Manish Sisodia
MLA, Patparganj, Delhi
Tel. No. : 011-22782590

Sl. No/80731689

Date 31/07/2018

To,

The chief Executive Officer
Delhi Urban Shelter Improvement Board
Punarvas Bhawan, I.P.Estate
New Delhi

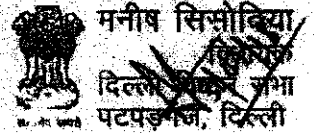
Subject:- Regarding Toilet facilities (portable toilet cubicles.)

Sir,

The toilet facilities in the form of portable toilet cubicles have been provided at Following location in AC-57 Patparganj East Delhi

s.no.	No.of cubicles
1. Yamuna khaddar	12 nos.

These portable toilets are very useful for the preventing open defecation and working properly and needs to be continued.



Manish Sisodia

69/c

ANNEXURE-B

Kartar Singh Tanwar
M.L.A.
Chhatarpur Vidhan Sabha



H.No. 38, Fatehpur Beri,
New Delhi-110074
M: 9810273095

Ref. AA/CHM/2018/1369

Dated: 28/7/2018

To,

The Executive Officer,
Delhi Urban Shelter Improvement Board

SUBJECT :- REGARDING TOILET FACILITIES (PORTABLE TOILETS CUBICLES)

1. It is submitted that the Toilet facilities in the form of Portable Toilets Cubcles have been provided at the following locations in Chhatarpur Constituency AC-46:

S. No.	Location	Number of Cubicles
I	Dispensary Sanjay Colony, Bhatti Mines	50
II	Ram Leela Ground Sanjay Colony, Bhatti Mines	40
III	Barat Ghar Sanjay Colony, Bhatti Mines	50

These Portable Toilets have been very useful for preventing open defection and are working properly and this facility needs to be continued.

2. Portable Toilets are required to be provided in the following locations :

(I). Arjun Sadi Mohalla, Sanjay Colony, Bhatti Mines 20 Nos.

Thanking you,

Yours,

KARTAR SINGH TANWAR
M.L.A.
Chhatarpur, Vidhan Sabha

सही राम
सदस्य
दिल्ली विधानसभा



ANNEXURE - C

अध्यक्ष
अन्य पिछड़ा वर्ग कल्याण समिति
दिल्ली विधान सभा
सदस्य
दिल्ली राहरी आश्रय सुधार बोर्ड
रा०रा०क्षे० दिल्ली सरकार

क्रमांक /AC-52/18/1309

दिनांक 19-07-2018

To,
The CEO
DUSIB
Punarvas Bhawan, I.P Estate
New Delhi

Subject : Regarding Toilet Facilities (Portable Toilet Cubicles)

Dear Sir,

The Toilet Facilities in the form of portable toilet cubicles have been provided at following locations in assembly constituency:

S No.	Location	Number of Cubicles
01.	Majdoor Kalyan Camp in Plot No. W-1 to W-5 and back lane Okhla Industrial Area Phase -II	10
02.	Manav Kalyan Plot No. 23 & 17 Okhla Industrial Area, Phase : II	20
03.	Janta Jeewan Camp in plot No. C43 on 80 feet road, Okhla Industrial Area Phase - II	10
04.	Majdoor Kalyan Camp in Plot No C-23, OIA, Phase - I	10
05.	New Sanjay Camp OIA Phase- I, Near KTI Factory (Plot B220)	10
06.	Mazdoor Kalyan Camp Plot No. A-7,8,12 & Back Lane of A9 to A17 OIA PH-I	10
07.	Yogshala Camp in back lane of D-120 to D-126 OIA PH- I	10
08.	Yogshala Camp in back lane of D-153 to D-157 OIA PH- I	10
09.	YOGshala Camp D-88/1 OIA PH- I	10
10.	JJ Lohar Basti T-Point Red Light Lal Kuan (Site-I)	10
11.	JJ Lohar Basti T-Point Red Light Lal Kuan (Site- II)	10
12.	JJ Camp Near Ratio office OIA PH-I	10
Total		130

These portable Toilets are very useful for preventing open defecation and are working properly and this facility needs to be continued.

However as per area requirement additional portable toilets are required at following locations as well. These are required to be provided immediately.

[Handwritten signature]
23/7
CSC (Sub)

कार्यालय : टी-58, तेखण्ड एक्सटेंशन, ओखला फेस-1, नई दिल्ली-110020
निवास : मकान नं. 321, छुरिया मोहल्ला, तेखण्ड गांव, नई दिल्ली-110020
दूरभाष : 26811254 मोबाइल : 09910049797

721 C

ANNEXURE-D

Col. Devinder Sehrawat

कर्नल देवेन्द्र सहरावत

विधायक, बिजवासन
दिल्ली विधानसभा

सत्यमेव जयते

Khasra No-754, IInd Floor,
Near Mahipalpur, Rangpuri Traffic Signal,
Main Mahipalpur Vasant Kunj Road,
New Delhi-110037खसरा नम्बर-754, दूसरी मंजिल,
नजदीक महिपालपुर-रंगपुरी लाल बत्ती,
मैन महिपालपुर-बसंतकुंज रोड, नई दिल्ली-110037E-mail: mlabijwasan@gmail.com
Ph.: 011-41687447

DS/3010/34/01

Date: 21 July 2018

To

Chief Executive Officer
Delhi Urban Shelter Improvement Board**REGARDING TOILET FACILITIES (PORTABLE TOILETS CUBICLES)**

1. It is submitted that the Toilet facilities in the form of Portable Toilets Cubicles have been provided at the following locations in Bijwasan Constituency AC-36:

Sr. No.	Location	Number of Cubicles
1.	JJ Cluster Hoti Camp Rangpuri Pahari	20
2.	JJ Cluster Isrial Camp Rangpuri Pahari	20
3.	JJ Cluster Shankar Camp Rangpuri Pahari	20
4.	JJ Cluster Harizan Balmiki Camp Site-II Rangpuri Pahari	20

2. These Portable Toilets have been very useful for preventing open defecation and are working properly and this facility needs to continued and provided in the following locations in Bijwasan Constituency AC-36:
- Sonia Gandhi Camp, Samlaka
 - Nehru Camp, Bijwasan
 - Arjun Camp, Mahipalpur
 - Inder Camp, Rangpuri
 - Nala Camp, Rangpuri
3. An early action is requested please.

Thanking You



Col. Devinder Sehrawat

To,

The Chief Executive Officer
 Delhi Urban Shelter Improvement Board
 Punarvas Bhawan, J.P. Estate
 New Delhi.

Sub: Regarding toilet facilities (Portable toilet cubicles.)


Sir,

The toilet facilities in the form of portable toilet cubicles have been provided at following locations in AC - 59

S.No	Location	No. of cubicles.
1	ANAND Vihar	15 nos.

These portable toilets are very useful for preventing open defecation and are working properly and this facilities needs to be continued with.

Thanking you.

 ओम प्रकाश शर्मा
 आ. इ. अधिकारी
 विकास और विश्वसनीयता

74/C

ANNEXURE - F

S.K. BAGGA (Advocate)

M.L.A. Govt. of NCT of Delhi
Member : D.D.A.



8A/1, Geeta Colony,
Near Jheel Chowk,
Tanga Stand, Delhi-31
Ph. : 9811054835, 8527652349
Off. : 011-22521748, 011-22414376
E-mail : aapmlaskbagga@gmail.com
bagga.co@gmail.com

Ref. No. AC-60/7353/2018

Date 09/08/18

To

The Executive Officer
Delhi Urban Shelter Improvement Board

Sub:- REGARDING TOILET FACILITY (PORTABLE TOILETS CUBICLES)

1. It is submitted that the Toilet Facility in the form of Portable Toilet Cubcles have been provided at the following location in Krishna Nagar Vidhan Sabha AC-60.

S.No	Location	Number of cubicles
1	Geeta Colony Shamsan Ghat	18

These portable toilets have been very useful for preventing open defecation and are working properly and this facility need to be continue.

2. Portable Toilet are required to be provided in the following location.
 - (i) Patparganj Raod Khureji to Geeta Colony Police Station 16

Thanking You

S.K. Bagga

 S.K. BAGGA (Adv.)
 MLA
 LA
 Krishna Nagar, AC-60

75/C

ANNEXURE-9

SARITA SINGH

CHAIRPERSON

District Development Committee (Shahdara)
Member of Legislative Assembly, Rohtash Nagar



सत्यमेव जयते

M. 8588833506
M. 8588833464

Ref. No. SS/RNML/DDC/ 08/12/0773

Dated 20-Aug-2018

To,

The Executive Officer

Della Urban Shelter Improvement Board

Sub: - REGARDING TOILET FACILITY (PORTABLE TOILETS CUBICLES)

1. It is submitted that the Toilet Facility in th form of Portable Toilet Cubcles have been provided at the following location in Rohtash Nagar AC-64:

S.No.	Location	No. of Cubicles
1	Lal bagh Jhuggi	40

These portable toilets have been very useful for preventing open defection and are working properly and this facility need to be continue.

2. Portable Toilets are required to be provided in the following location.
Rohtash Nagar Area. 50

Thanking You

Sarita Singh

(Cheirperson Shahdara zila Vikas parishad)

Off : C-Block, Ground-Floor, D.C. Office Complex, Nand Nagri, Delhi-93
MLA Off : Near Jal Board Office, G.T. Road, Shahdara, Delhi-32
Website : aamaadniparty.org.

Resi : 435/8, Near Bhagat Ji Sweet, Hardev Puri
Shahdara, Delhi-110093
E-mail : aapsarita@gmail.com

बन्दिना कुमारी
BANDANA KUMARI



विधायक-शालीमार बाग क्षेत्र
Member of Legislative Assembly (MLA)
Govt. of National Capital Territory of Delhi
Constituency No. 14

D.O.D. AC-14/2018/304

Date 19/07/2018

To,

The CEO
DUSIB
Punarvas Bhawan, I.P Estate
New Delhi

Subject : Regarding Toilet Facilities (Portable Toilet Cubicles)

Dear Sir,

The Toilet Facilities in the form of portable toilet cubicles have been provided at following locations in assembly constituency:

S No.	Location	Number of Cubicles
01.	JJ Cluster CA Block, Shalimar Bagh	10
02.	JJ Cluster UV Block, Shalimar Bagh	10
Total		20

These portable Toilets are very useful for preventing open defecation and are working properly and this facility needs to be continued.

However as per area requirement additional portable toilets are required at following locations as well. These are required to be provided immediately.

S No.	Location	Number of Cubicles
01.	CA Block, Shalimar Bagh	10
02.	UV Block, Shalimar Bagh	10
03.	GP Block Pitam Pura	50
Total		70

Your Faithfully


Bandana Kumari



CE (Urban)

TABLE AGENDA NO. 1

HANDING OVER OF 92 NOS. JSC'S WHICH WERE BEING CONSTRUCTED UNDER THE SCHEME OF CONSTRUCTION AND SUBSEQUENT MAINTENANCE OF JSC FOR 30 YEARS TO THE NEW AGENCIES AS APPOINTED FOR OPERATION, MAINTENANCE AND JSC'S ALL OVER DELHI THROUGH E-TENDERING.

1. In the 1990's erstwhile slum & JJ department, Presently DUSIB had constructed 92 nos. of JSC and had an agreement for subsequent maintenance of JSC for 30 years at various locations in Delhi. Presently 28 agencies are maintaining the above JSC's.
2. A decision has already been taken in the 22nd Board Meeting held on 13.07.2018 that the existing agencies already under process of operation may be preferred through right to first refusal.
3. Subsequent to above decision various representations opposing the tender process and for not participation in the tendering were received from the agencies presently maintaining the JSC's constructed under scheme of 30 year scheme saying " That we are not going to participate in the illegal & unjustified "tendering process" and will exercise our fundamental right to call this action null and void before judicial forums.
4. In context to above reference, legal opinion from Special counsel Sh. Rajeev Sharma Advocate was obtained. (Annexure 1) Which is summed up as under :
" In the circumstances, I am of the opinion that in view of the change in policy, it is open to the querist to terminate the contracts notwithstanding the fact that the termination clause under the contracts are not attracted . The termination being founded on a change in policy would be sustainable and not be termed as arbitrary and malafide. However, that would not take away the right of the concerned entities to seek damages for premature termination". It also stated, "The law of damages is quite strict and a person can only be entitled to actual loss suffered by way of damages. Therefore, though the concerned entities would have the right to claim damages, it will not be easy for them to prove substantial losses".
5. In view of the above, it is proposed that department may terminate the existing contracts, on the following grounds.
 - i. This is due to change in the existing policy of Govt. of NCT of Delhi.
 - ii. After change of policy, these agencies are being paid by DUSIB@ 50 Paise per user, and approximately charges are being paid @ Rs. 950/wc/month to Rs. 1700/wc/month.

III. In addition to above, the electrical consumption charges and periodically cleaning of septic tank are being done by DUSIB at cost of DUSIB.

6. It is pertinent to mention here that / presently tenders were invited by DUSIB for operation, maintenance of JSC all over Delhi (excluding 92 nos. JSC's which were under 30 year maintenance contract) and work awarded to four agencies circle wise.
7. The lowest rate received and awarded to various agencies varies from Rs. 1717/- to Rs. 2095/- per wc/month **which include Elect. Consumption charges and cleaning is being done through Mechanical Scavenging.**
8. In case the tenders were called for these 92 nos. JSC's which were being operated and maintained by 28 nos. agencies to implement right to first refuse principle already approved by DUSIB board, 28 nos. tenders were to be called for these 92 nos. complexes, in this process the agencies of smaller capacity would have participated which will have resulted in poor cleaning & maintenance process as these agencies do not have the mechanized system of cleaning and other infrastructure.
9. Presently works of JSC's all over Delhi (excluding 92 nos. JSC's were awarded to four major agencies Circle wise) through tenders which are assessed through this progress and financial capacity and **have the provision for extending services to addition complexes with in the vicinity.**
10. It is proposed to reconsider and modify the earlier decision taken by DUSIB in its 22nd Board Meeting with the proposal that operation and maintenance of 92 nos. JSC's which were constructed under the scheme of construction and subsequent maintenance of JSC for 30 years be handed over to the new agencies as appointed for operation, maintenance and JSC's all over Delhi which have been already selected through e-tendering process for proper and smooth functioning and to minimize financial implications. With this proposal following additional allotments for operation and maintenance of JSC's are proposed to be made.
 - i. Group I M/S Aakash enterprises – 22 nos. complexes @ Rs. 1717/- wc/month.
 - ii. Group II Acme Excellent Management Pvt. Ltd. – 10 nos. complexes @ Rs. 2095/- wc/month.
 - iii. Group III Sainath Sales and Services Pvt Ltd. -19 nos. complexes @ Rs. 1990/- wc/month.
 - iv. Group IV Sainath Sales and services Pvt. Ltd. – 41 nos. complexes @ Rs. 2080/- wc/month.

14th November, 2018

OPINION

Querist: Delhi Urban Shelter Improvement Board (DUSIB)

The querist seeks my opinion on the question as to whether it is open to it terminate the existing contracts entered into by it for construction and maintenance of Jan Suvidha Complexes (JSCs) in view of a change in policy.

The factual matrix leading to the request for opinion is as under:

The querist is a statutory body under the Delhi Urban Shelter Improvement Board. The querist is cast with statutory responsibilities of re-location of slums and working out schemes for collective community rehabilitation, redevelopment of jhuggi jhopri bastis and bringing about improvement in the living conditions of the residents. In discharge of its statutory responsibilities, the querist has been setting up toilet complexes called Jan Suvidha Complexes.

In the past as per the prevailing policy, users of the JSCs had to pay a specified amount which used to be collected by the agencies nominated by the querist for the construction and maintenance of such complexes. Way back in the 1990s, the predecessor of the querist had entered into 30 year agreements for the construction and maintenance of JSCs. These agreements contemplated construction of the JSCs and charge of an amount by the agency entrusted with the task of construction and maintenance from the users.

In the year 2017, the querist changed its policy regarding such complexes. It took a policy decision that no amount whatsoever would be charged from the users of such complexes. It also decided that the complexes should have better facilities than those available in the existing JSCs, including the facility of mechanised cleaning.

The querist is of the opinion that in the light of its policy decision, the earlier 30 year agreements entered into by it had lost their rationale in as much as in terms of the said agreements, the agency managing the JSCs was entitled to charge a specified amount from each user, whereas now under the new policy, no charge is permissible.

The querist, therefore, proposes to terminate the existing agreements. However, it proposes that the existing agencies would also have the right to submit bids when it invites applications for the management and maintenance of JSCs under the new policy.

It is in that light that the querist seeks my opinion on the question whether it is entitled to terminate the existing agreements and if it were to do so what would be the consequences.

A perusal of the existing agreements shows that there is a limited ground for termination of the same, which fundamentally relates to breach of contract or default in performance. Admittedly, the querist does not propose to terminate the agreements on the ground of breach of the contracts or default in performance. The querist seeks to terminate the contracts on the ground of a change in policy which renders its existing agreements and arrangements to be impracticable and not sub-serving its objectives and public interest.

I am of the opinion that in view of the change in policy, the querist can terminate the contracts. In such circumstances the termination cannot be said to be arbitrary or unsupported by reason or malafide. The contracts being terminable in nature, Courts would not insist on specific performance of the same. However, though there is a rationale for termination that would not take away the right of the concerned entities to seek damages for premature termination. The law of damages is quite strict and a person can only be entitled to actual loss suffered by way of damages. Therefore, though the concerned entities would have the right to claim damages, it will not be easy for them to prove substantial losses.

Russ

In the circumstances, I am of the opinion that in view of the change in policy, it is open to the guarant to terminate the contracts notwithstanding the fact that the termination clauses under the contracts are not attracted. The termination being founded on a change in policy would be sustainable and not be termed as arbitrary and mala fide. However, that would not take away the right of the concerned entities to seek damages for premature termination.



(Rajeev Sharma)

5/

TABLE AGENDA - 2

Allotment of Night Shelters of Free Category to SMAs:

1. The proposal is regarding allotment of night shelters by DUSIB on voluntary basis without any financial assistance to the Shelter Management Agencies for 2 years, who have requested for it.

2. In 2017, ten night shelters were allotted to various NGOs on voluntary basis without any financial assistance from DUSIB for a period of one year and after completion of tenure, they have now opted out and handed over back seven night shelters which have now been taken over by the Shelter Management Agencies to whom the work has been awarded upon approval of DUSIB BOARD in their respective cluster jurisdiction. The issue is now for remaining three night shelters.

3. The Night Shelter at Nand Nagri (Code No. 19) is proposed to be allotted to M/s Ashray Adhikar Abhiyan & the night shelter at Kela Godam (Code No. 108) to M/s Rachna Women's Development Association as these agencies have participated in the bids and have been declared to be technically qualified in the bids and have further agreed to execute the proposed night shelters on voluntary basis as per new RFP 2018 guidelines, without seeking any financial assistance from the DUSIB.

4. For the third night shelter namely at AIIMS which was being run by M/s Prerna, it is recommended that the request of Prerna cannot be considered for extension of agreement as the said NGO has not been in the list of qualified/eligible bidders for consideration for allotment of night shelters against the RFP 2018 Bid Procedure and, therefore, it is proposed that the night shelter at AIIMS bearing Code No. 148 be ordered to be handed over to the Shelter Management Agency namely SPYM which has been awarded the work of Cluster No. 14 and in its area the present night shelter falls and this night shelter shall become part of Cluster No. 14 increasing the allocated night shelter by one as permitted under RFP Agreement Document.

5. The above proposal is approved by the Hon'ble VC, DUSIB/ Minister (UD), GNCTD vide note dated 03.12.2018 (Annexure-A) and is submitted before Board for ratification please.

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The present proposal is regarding allotment of night shelters on voluntary basis without any financial assistance by DUSIB to the Shelter Management Agencies who have requested for it. It is to add that earlier ten night shelters were being operated by various NGOs on voluntary basis without seeking any financial assistance from DUSIB and the same has been tabulated on page 34-35/N. Out of these 10 night shelters, NGOs who were earlier running on voluntary basis, have opted out and handed over back seven night shelters which have now been taken over by the Shelter Management Agencies to whom the work has been awarded upon approval of DUSIB BOARD in their respective cluster jurisdiction. Therefore, the decision now required to be taken for remaining three night shelter which are detailed as under:-

S.No.	Name of NGO	Name of night shelter with Code No.	Date of allotment	Date of execution of agreement	Date of completion of one year	Remarks
1.	Ashray Adhikar Abhiyan	Nand Nagri (Code No. 19)	03.08.2017	10.09.2017	15.09.2018	The NGO requested for the extension of agreement (Page 210/c & 214/c).
2.	Prerna	AIIMS (Code No. 148)	03.08.2017	19.09.2017	18.09.2018	- do - (Page 213/c)
3.	Rachna Women's Development Association	Kela Godam (Code No. 108)	03.08.2017	14.08.2017	13.08.2018	- do - Page 211-212/c)

87

Director (Night Shelter) has already examined the proposal to allot these three night shelters and sought approval to the recommendations made in Para 1, Para 2 & Para 3 at page 35-36/c.

88

The case has been examined and I agree with the recommendations of Director (Night Shelter) that the night shelters at Nand Nagri (Code No. 19) be allowed to M/s Ashray Adhikar Abhiyan, the night shelter at Kela Godam (Code No. 108) to M/s Rachna Women's Development Association as these agencies have participated in the bids and have been declared to be technically qualified in the bids, have been awarded contract for 1 & 2 clusters respectively and have further agreed to execute the proposed night shelter on voluntary basis without seeking any financial assistance from the DUSIB and following the new RFP 2018 guidelines under which night shelters have been allocated to other Shelter Management Agencies upon DUSIB BOARD approval.

Contd..38/N.

For the third night shelter namely at AIIMS which was being run by M/s Prerna, it is recommended that the request of Prerna cannot be considered for extension of agreement as the said NGO has not been in the list of qualified/eligible bidders for consideration for allotment of night shelters against the RFP 2018 Bid Procedure and, therefore, it is recommended that the night shelter at AIIMS bearing Code No. 148 be ordered to be handed over to the Shelter Management Agency namely SPYM which has been awarded the work of Cluster No. 14 and in its area the present night shelter falls and this night shelter shall become part of Cluster No. 14 increasing the allocated night shelter by one as permitted under RFP Agreement Document.

The proposal is accordingly being forwarded with the recommendation for seeking kind approval of Competent Authority and, if approved, Director (Night Shelter) shall issue allotment letter afresh and shall enter into an agreement stipulating that the Agency shall run this night shelter on voluntary basis without seeking any financial assistance from DUSIB and also comply with the service level standards as prescribed in the new RFP 2018 Document. It shall be further provisioned in the allotment letter to be issued by Director (Night Shelter), that wherever any financial assistance is to be made by DUSIB under its obligation like; deployment of care taking staff, supervision, electricity bill and other remaining services required under the maintenance contract etc., in the RFP 2018 agreement that shall now be borne by this new recommended Shelter Management Agency to whom this allocation of night shelter is proposed to be allocated on voluntary basis in Para 88, 89 & 90 above.

Submitted accordingly.

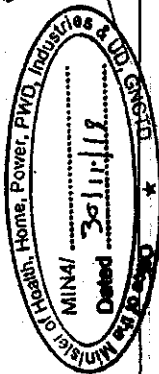
Arun Sharma
30/11/2018
ARUN SHARMA
CE (Elect.), DUSIB

CEO, DUSIB

Para 88, 89 & 90 for approval please

Shurbir Singh
3/12

SHURBIR SINGH, IAS
CEO, DUSIB



VC DUSIB (from below USM)

Do we need
notification in
board - 9

CE(MS)

Signature
3.12.18

Signature
3.12.18