

**Delhi Urban Shelter Improvement Board**  
Govt. of NCT of Delhi  
Punarwas Bhawan, I.P. Estate  
NEW DELHI – 110054

No. D-07/Meeting Cell/DUSIB/2014

Dated : 23/06/2014

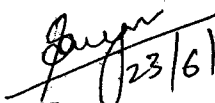
**Sub :- 10<sup>th</sup> Meeting of Delhi Urban Shelter Improvement Board**

**Sir/Madam,**

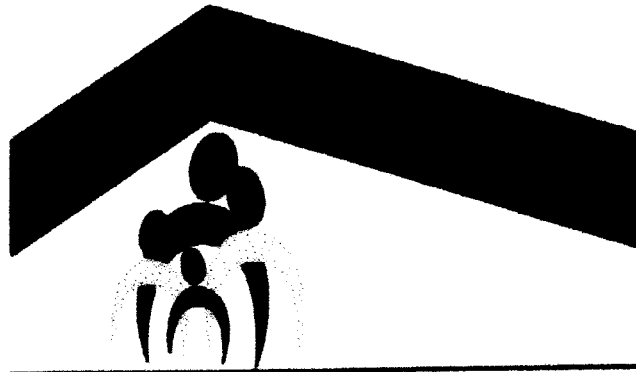
Please find enclosed herewith the Agenda Items for discussion in the 10<sup>th</sup> meeting of Delhi Urban Shelter Improvement Board scheduled to be held on 25.06.2014 at 3.00 p.m. in the Conference Hall No.-2, Level-2, Delhi Secretariat, I.P. Estate, New Delhi – 110002. Secretary (UD), UD Deptt., GNCTD will preside over the meeting.

Kindly make it convenient to attend the meeting as scheduled.

**Encl:- As Above**

  
(23/6/14)  
**(Sanjeev Sharma)**  
Dy. Director (BOARD)

- ALL MEMBERS OF DELHI URBAN SHELTER IMPROVEMENT BOARD.



**Delhi Urban Shelter Improvement Board**

**10<sup>th</sup> MEETING OF  
DELHI URBAN SHELTER IMPROVEMENT  
BOARD (DUSIB)  
GOVT. OF NCT OF DELHI**

**25.06.2014**

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

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**AGENDA ITEM NO. 1**

**Subject: Confirmation of Minutes of the 9<sup>th</sup> Meeting of the BOARD**

The minutes of the 9<sup>th</sup> Meeting of the BOARD held on 14.08.2013 were approved by the Hon'ble Chief Minister, Delhi/Chairperson of the BOARD and circulated vide letter No. Meeting Cell/DUSIB/DD(Admn)2013/D-945 on dated 12.09.2013 for kind information of all Members of the BOARD. No observation/comments have been received from any member.

Board may confirm the Minutes of 9<sup>th</sup> Meeting.

## AGENDA ITEM NO. 2

### Action taken Report on the Minutes of the 9<sup>th</sup> Meeting of the BOARD

Agenda Item	Action Taken
<b>Item No. 3</b> Approval of the DUSIB Budget for the year 2013-14.	Budget Approved & Circulated.
<b>Item no. 4</b> The Interest/Penalty Waiver Scheme – In respect of Special Registration Scheme, 1985.	As decided in the 9 <sup>th</sup> Board Meeting the scheme has been implemented & uploaded on the website of DUSIB for the information of the general public.
<b>Item no. 5</b> Accord of Administrative Approval & Expenditure Sanction for the Project of Mobile Toilet Vans with Bio-Digester on Public-Private-People-Partnership basis.	The Agenda Item for the Project of providing 10 Seater Tractor Mounted Mobile Toilet Vans with DRDO approved Bio-digester Technology for installation, management, operation and maintenance on PPP Partnership basis is placed as separate item for consideration of the BOARD.
<b>Item no. 6</b> Regarding Allotment of land to Delhi Police for construction of Office Building at Block-C, Shahbad Dairy, Delhi-110041.	As approved in the minutes, a letter to Deputy Commissioner of Police (L&B Cell) Delhi Police Headquarter has been sent raising a demand of Rs. 2,67,94,335/- as cost of land measuring 708.47 Sq. Mt.
<b>Item no. 7</b> Creation of a Post of Chief Engineer.	O/o regarding creation of post of CE issued.
<b>Item No. 8</b> Appointment of Appellate Authority.	The matter relating to Appointment of Appellate Authority has been deferred for the time being since the proposal for relocation is being referred to Govt. Of India.
<b>Item no. 9</b> Recruitment Regulations for the post of Dy. Director (Planning, Monitoring & Survey), Asstt. Director (Planning, Monitoring & Survey), Senior Investigators and Field Investigators.	It has been intimated that the recruitment regulations for the posts have been sent to Dy. Secretary (BSUP), UD Department, Govt. Of India for notification in the Gazette and is under process.
<b>TABLE AGENDA</b>	
<b>Item No. 1</b> Construction of Community Hall at Ram Garh, Jahangir Puri.	The work for construction of community hall has been approved by the competent authority and work has been awarded to M/s. Pushpa Builders vide acceptance letter no. F/WC/4479/17/TC/AL/13-14/D-617 dated 23.09.10. The date of completion of work is 11.10.2014. The work is in progress. About 35% of the work has been done till date.
<b>Item No. 2</b> Regarding acceptance of tender for work of special repair of common passages of Slum tenements in Block-B & C at Tilak Vihar	As per the directions of the BOARD, this agenda item was circulated to all the members of the BOARD and later on approve by the Chairperson for immediate start of work. The work is completed and item is placed separately for ratification.

### AGENDA ITEM NO. 3

**Organisation of Night Shelters at Yamuna Pushta and adjoining areas of Central Distt. in three clusters on pilot basis.**

1. The Delhi Urban Shelter Improvement Board (DUSIB) was a part of Delhi Municipal Corporation as the erstwhile Slum & JJ Department of MCD. On 30<sup>th</sup> July, 2010 the Slum & JJ Wing was hived off as a separate Board called DUSIB and the work of Night Shelters was also entrusted to it.
2. In the year 2010, the total expenditure on creation and maintenance of night shelters was Rs. 60 lacs only and there were approximately 60 Night Shelters at that time. Last Year, DUSIB was maintaining and running 231 night shelters including permanent, temporary and tents and the annual expenditure increased to Rs.15 Crs.. In the current financial year, the total number of night shelters is 181 .
3. It can be seen that both the numbers of night shelters and expenditure on them has increased exponentially. There are large number of homeless still present and sleeping on the streets of Delhi. It can also be seen that the number of homeless persons availing the services of these night shelters also till last year was approximately 8000 in 183 night shelters and approximately 11000 homeless in the night shelters during February, 2014.
4. The Hon'ble Supreme Court of India and Hon'ble High Court of Delhi in its various judgements have been stressing on the following points:
  - a) All cities covered under JNNURM and above 5 lacs of population to have on 24 Hrs, 365 days a year, Homeless Shelters with a capacity of 100 persons for every one lac population.
  - b) Basic amenities to include mattress, bed roll, blankets, portable drinking water, functional latrines, first and primary health facilities, de-addiction and recreation facilities etc.
  - c) 30% of these to be special Shelter ( Women, Old and infirm, recovery shelters)
  - d) Undertake a detailed survey on the homeless and respond to their entitlements accordingly.
  - e) Formulate comprehensive policies protecting the rights of the homeless.
5. Hence at present there are 81 permanent night shelters and 102 temporary night shelters running in porta cabins. This has resulted in approaching the issue of night shelters in a fractured and un-cohesive and arbitrary manner in dealing with this very sensitive issue of night shelters. The following factors

either have contributed to the present position or further complications have also arisen, which are as given below:

- a) Large number of night shelters were put up in pursuance of Hon'ble High Court of Delhi Orders and were raised in a hurry, without looking actual requirement, spatial and town planning issues.
  - b) Since, the department had to go through a sudden large scale expansion, it was not possible for DUSIB to maintain these night shelters on its own. It also has to be pointed out that the most of the staff which was manning the night shelters earlier were temporary and had no skills whatsoever required for management of night shelters. Hence, the department was forced to bring in / take help & services of non-Governmental sector.
6. **The Role and Working of NGOs:** Due to involvement of large number of NGOs, it has not been possible for DUSIB to monitor them on regular basis and ensure standardisation of practices in the running of Night Shelters.
- a) The various audit agencies like AGCR and CAG have also raised a large number of objections on the functioning of these NGOs.
  - b) In order to mobilise, convince and transport the homeless sleeping on the roads of Delhi, six Human Resource Centres who were earlier working with Mission Convergence were deployed alongwith three volunteers and a van. These HRCs were given bubble sheets to cover those people who were still not ready to go into the night shelters. This availability of men and materials were reviewed periodically and were increased as and when required.
  - c) As it can be seen that despite opening up of new night shelters, increasing the capacity of old ones, handing over of these night shelters to NGOs for their daily upkeep, cleanliness etc., the mobilisation work being done by HRCs, CATS and other ambulances and a 24 hours Control Room, still a large number of homeless people have been found sleeping on streets of Delhi. Even though the expenditure on these night shelters has increased from Rs. 60.00 lacs in 2010 to Rs. 15.00 crores, the optimum utilisation of facilities has not been taking place.
7. The management of these night shelters has to be done in an holistic manner and there is a definite need to identify an agency who can take up the responsibilities and synergise the whole night shelter sector in atleast Delhi. Such kind of Shelter Management Agency can utilise the resources in a better manner thereby reaping the economies of scale to its own benefits and the Deptt. There is an urgent need to create professional agencies for standardisation, timely, effective and better delivery of services to this most

disadvantageous group of the society. Such a Shelter Management Agency will look after the following functions which are at present have been bifurcated and undertaken by various Agencies at various levels.

- a) Management of Night Shelters-This will include day to day maintenance, cleanliness and record keeping services at the night shelter level.
  - b) Taking up the role of Human Resource Centre:- This will be a specialised role which will be undertaken by the Service Management Agency. In this role, they will have to persuade the homeless sleeping on the streets of Delhi and move them to the nearest night shelters. This will remove the frictions caused between NGOs and HRCs. This will also made the Service Management Agency responsible for the area which has been allocated to them.
  - c) The Shelter Management Agency will also interact with other Agencies both governmental and non-governmental, so as to provide a single window for all the agencies to interact with these other agencies.
8. The Cluster Management approach through the Shelter Management Agency has been adopted to widen the scope of Institutions/ Agencies like Corporate Houses, NGOs, Commercial Entities/ Companies, Universities, People's Collectives etc. This will also enable the DUSIB to deal with 10 to 12 agencies at the most instead of 54 NGOs at present which will help in ensuring better monitoring and adoption of Standard Management Practices.

Hence, it is proposed that the cluster approach may be followed on a pilot basis at Yamuna Pushta and adjoining Areas of Central District where the number of night shelters and NGOs running these night shelters is highest in this smallest concentration. The request for Proposal and Agreement for engagement of Shelter Management Agency in respect of these three clusters on Pilot Basis is annexed as ANNEXURE- A & B.

BOARD may kindly approve.



## AGENDA ITEM NO. 4

### Allotment of DUSIB Land to Delhi Metro Rail Corporation Ltd. (DMRC).

The DUSIB has received 07 (seven) proposals from Delhi Metro Rail Corporation for allotment of land and out of these 04(four) proposal relate to permanent allotment of land and 03 (three) proposals relate to temporary allotment of land for two years.

The information in respect of 04(four) cases for allotment of land to DMRC on permanent basis is as given below:

S.No	Name of Agency	Locality	Area in sq.mtr.	Land use as per the LOP	Cost of Land on rates basis	Cost of Land on inter-departmental rates basis	Ground Rent @ 2.5% p.a. on Circle rate/inter-departmental rates
1.	DMRC	GT Road Seelampur	953.00	Petrol Pump	11,00,71,500	70,68,514	27,51,788 / 1,76,713
2.	DMRC	Trilokpuri	11,138.83	Residential	42,88,44,955	8,26,18,017	1,07,21,124 / 20,65,450
3.	DMRC	Shakurpur	1211.80	Green to CNG	21,23,07,360	89,88,065	53,07,684 / 2,24,702
4.	DMRC	Sarai Kalekhan	337.00	Green /Housing	3,89,23,500	24,99,570	9,73,088 / 62,490
5.	TOTAL		13640.63		79,01,47,315	10,11,74,166	1,97,53,684 / 25,29,355

The information in respect of 03 (three) cases of allotment of land to DMRC on temporary basis for 2 years is detailed below:

S.No.	Name of Agency	Locality	Area in sq.mtr.	Land use as per the LOP	Cost of Land on circle rate	Cost of Land as per inter-departmental rates	Ground Rent @ 5% p.a. On Circle rates/Inter-departmental rates
1.	DMRC	Rajouri Garden.	701.14	Petrol Pump	22,38,03,888	52,00,438	11,90,195 / 2,60,022
2.	DMRC	Rajouri Gdn.(Mall)	1607.28	Green	51,30,43,800	1,19,21,390	2,56,52,190 / 5,96,070
3.	DMRC	SaraiKalekhan	2895.00	Residential	33,43,72,500/	2,14,72,560	1,67,18,625 / 10,73,628
	TOTAL		5203.42		1,07,12,20,188	3,85,94,388	5,35,61,010 / 19,29,720

The Board in its 7<sup>th</sup> meeting has decided that Govt. Institutions like Hospital and PSU's may be allotted land on the basis of circle rates. The DMRC has made payment on the basis of the inter-departmental rates @ Rs.300.15 lakhs notified by the Ministry of Urban Development, Govt. of India and vide orders dated 29.04.14 issued by Additional Secretary, Land and Building Department, GNCT of Delhi with the prior approval of the Hon'ble LG of Delhi. The cost of land to be allotted to DMRC at inter-departmental rates of Rs.300.15 lakhs is Rs. 13,97,68,554/-.

Further, Section 28 of the DUSIB Act, 2010 specifies as thus: The Government may, at any time, issue directions to the Board in relating to the management of the Board and the Board shall comply with such directions.

Provided that the Government shall obtain and consider the opinion of the Board before issuing any such direction (extract of DUSIB Act, Section 28 placed as Annexure 'A1').

Provided further that the Government shall make due provision for any financial liability to the Board arising directly in consequence of any such directions.

Provided also that all directions issued to the Board by the Government shall be reported to the Legislative Assembly of Delhi at the end of each year.

The difference between cost at circle rates and inter-departmental rates is Rs.1,72,15,98,949/-.

The Board may like to accord approval to the above proposal for allotment of land to DMRC as per directions of the Government and request the Government to recoup the Board funds to the tune of Rs. 1,72,15,98,949/- arising out of allotment of land at rates lesser than approved by the Board.

appointed by him in connection with the audit of accounts of the Board shall have the same right, privilege and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Board.

(5) The accounts of the Board as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Government and the Government shall cause a copy of the same to be laid before the Legislative Assembly of Delhi.

Annual  
report  
of the  
Board.

25. The Board shall prepare for every year a report of its activities during that year and submit the report to the Government in such form and on or before such date as may be prescribed by rules, and the Government shall cause a copy of the report to be laid before the Legislative Assembly of Delhi.

## CHAPTER - V

### MISCELLANEOUS

Production of record. 26. The Government may at any time require the Board -  
(a) to produce any record, correspondence or other document in possession of the Board, and  
(b) to furnish any report, written plan, estimate, statement of accounts or statistics relating to the functions of the Board.

Inspection and examination of works, records, etc. of the Board by the Government.

27. The Government may depute any officer to inspect or examine any office of the Board or any service or work undertaken by the Board or property belonging to the Board and to report thereon and the Board and all its officers shall be bound to provide access to such person, at all reasonable times, to the premises and properties of the Board as well as of all records, accounts and other documents the inspection of which such officer may consider necessary to enable him to discharge his duties.

Board to comply with directions of the

28. The Government may, at any time, issue directions to the Board in relation to the management of the Board and the Board shall comply with such directions.

Government

Provided that the Government shall obtain and consider the opinion of the Board before issuing any such direction.

Provided further that the Government shall make due provision for any financial liability to the Board arising directly in consequence of any such directions.

Provided also that all directions issued to the Board by the Government shall be reported to the Legislative Assembly of Delhi at the end of each year.

Transitional provisions.

29. Notwithstanding anything contained in this Act, the Government may, if necessary, appoint a special officer to exercise the powers and discharge the functions of the Board until the day on which the first meeting of the Board is held after the commencement of this Act.

Taking over the Services of officers and employees.

30. In administering the provisions of this Act, the Board may, with the prior approval of the Government, take over the services of the officers and other employees of any existing organization of the Government or any other local authority with such designations as the Board may determine and they shall hold office for the same tenure, and at the same remuneration and on same terms and conditions of service, as they would have held if the Board had not been established and shall continue to do so until such tenure, remuneration and terms and conditions are duly altered by the Board:

Provided that the tenure, remuneration and terms and conditions of service of any such officer or employee shall not be altered to his disadvantage without the previous approval of the Government:

Provided further that any services rendered by any such officer or employee before the establishment of the Board shall be deemed to be services rendered under the Board:

Provided also that the Board may employ any such officer or other employee in the discharge of such functions under this Act as the Board may think proper and every such officer or other employee shall discharge those functions accordingly.

AGENDA ITEM NO. 5

**Accord of approval for the Project of providing 10 seater trailer mounted Mobile Toilet Vans with DRDO approved Bio-Digester technology for installation, management, operation and maintenance on Public-Private-People-Partnership basis in JJ Clusters.**

There are more than 680 JJ clusters in Delhi. However, there is deficit of toilet facilities in these clusters. Deficiency is due to the reason that either sufficient space is not available in these clusters to build toilets /or due to the objection of Land Owning Agency/ or sewer may not be available to connect the effluent of Mobile Toilet Vans. DRDO has developed eco-friendly bio-degradable technology for human waste disposal which has been adopted by DUSIB in Night Shelters besides Armed Forces and Railways.

Therefore, in principal, approval was given by DUSIB Board during its' 8<sup>th</sup> Meeting for implementing bio-degradable toilets scheme in JJ Clusters and Administrative Approval and Expenditure Sanction for the Mobile Toilet Vans with Bio-Digester amounting to Rs. 12.50 Crores in its 9<sup>th</sup> Board Meeting held on 16.08.2013.

DUSIB, as a pilot Project has prepared a Tender Document in consultation with Infrastructure Development Finance Corporation (I.D.F.C) to implement this project in the jurisdiction of Circle-II comprising to cover 53 JJ Clusters with 67 Mobile Toilet Vans with Bio-Digesters. The likely net grant payable to the Developers by D.U.S.I.B. during the currency of contract of seven Years shall be about Rs. 9.50 Crores.

Accordingly, this proposal is placed before the BOARD to accord Administrative and Expenditure sanction to the proposal and Tender Document on PPPP Basis (attached as ANNEXURE- I & II) for publication in the leading News Papers.

**AGENDA ITEM NO. 6**

**Regarding authorization to DJB for setting up decentralized drinking water plants at various locations of Slum Clusters and Squatter Resettlement Scheme for five years.**

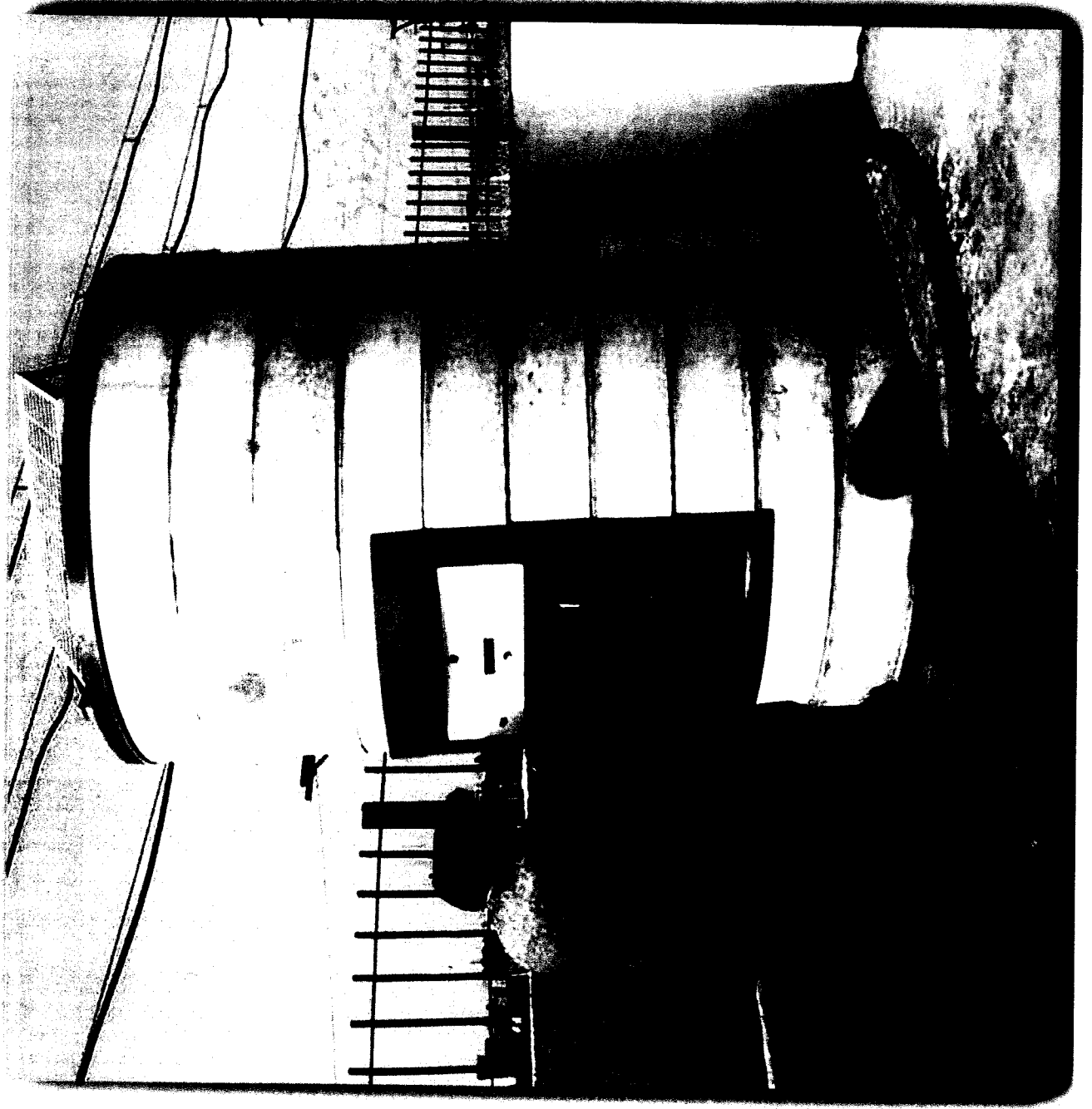
The Squatter Resettlement Scheme, Savda Ghewra was developed in the year 2006 in three phases to provide better living of jhuggie dwellers of Delhi. The total land acquired for this purpose was 259.65 acres. At this location of SRS most of civic amenities have been provided by DUSIB, such as Street light, Roads, Drains, Parks, Toilets blocks, Community Hall, Basti Vikas Kendra etc. except drinking water. The drinking water is being supplied through tankers by Delhi Jal Board, which is not adequate. People were facing a lot of problems for drinking water. Ground water at Savda Ghewra is not fit for drinking purpose, as the raw water is having high percentage of soluble salts in it. There is acute shortage of drinking water supply which becomes drastic during summer season.

DJB shortlisted a private vendor for setting up decentralized plant to provide water through ATM at Savda Ghewra SRS Colony for eradicating this problem on nominal charges. 1400 Sq.ft. land for setting up decentralized plant was needed by them and various locations for ATMs installed in sufficient Nos. in all the blocks of Savda Ghewra, Phase-I and Phase-II. DUSIB Board approved the said 1400 sq.ft. land out of area earmarked for water supply arrangement to DJB on "right to use basis" without any user charges to set up the project as it will cater to the basic needs of the people, for a period of 10 years or duration of project, whichever is earlier.

In the similar manner, now DJB is planning various ATMs at our locations of Slum as well as SRS / Resettlement Colonies. CEO DUSIB may be delegated the power to authorize DJB in the similar terms wherever it is possible and demanded by DJB for said purpose.

Board may kindly approve.

TREATED DRINKING WATER ATM



**Agenda Item No. 7**

**Disposal of Sample House (s) through auction/tender bids situated in various JJR/Rehabilitation colonies.**

The sample houses were constructed by the Department in early 1977 in JJR colonies as per a standard design so that allottees may adopt the same design during construction of their plots. Presently, 30 Nos. of sample houses are available as vacant as reported by the Engineering Division and out of 60, 20 Sample Houses. are occupied by the Other Department i.e. Malaria Office, Sanitation Office, Dispensary and Building centre HUDCO etc. and 10 houses are occupied by the Engineering Staff of DUSIB. The condition of some houses is dangerous and not fit for human habitation. These houses were never allotted to the Jhuggie dwellers and presently, there is no policy for allotment of these sample houses in JJR colonies to the Jhuggie dwellers.

Since, as the Board is facing acute shortage of funds and to generate the revenue for the Department, these houses may be allowed to be disposed off through auction/ tender bids on freehold basis on as is where is basis, as per prescribed terms and conditions on the basis of the Reserve Price as fixed / arrived by Reserve Price Fixation Committee to prevent them from encroachment.

The Board may kindly approve.



AGENDA ITEM NO. 8

**Ex-post facto approval & ratification of tender for the work of Special Repair of common passages (Staircases) of slum tenements in block-B & C at Tilak Vihar under Maintenance of Slum Tenements (Grant in Aid to DUSIB for existing infrastructure).**

1. There are 848 slum tenements in block B& C at Tilak Vihar which had been constructed about 20 years back. The common passages of these tenements were in very bad condition. The brick walls on landings, in mumty portions & in staircase portions were damaged and same was the condition of cement plaster which was damaged to great extent. The RCC components such as staircase flights, landings, beams, mumties were mostly damaged as the concrete has come off from these components and reinforcement in these components was exposed and corroded/ rusted at number of places. During a meeting held in the chamber of Hon'ble Minister of UD, GNCTD on dated 06.09.2011, it was decided to carry out the special repairs of common passages/services such as staircases, landings, mumty slabs etc. of said tenements. The minutes of meeting were circulated vide no. 4786-4787 dated 13.09.2011. Though the flats are allotted to riots victims on lease hold basis, the decision had been taken by the Govt. of NCT of Delhi to carry-out one time repairs of common services of these tenements as the same are in bad condition and not maintained for a long time.
2. The Administrative Approval and Expenditure Sanction for the work has already been accorded by the CEO(DUSIB) on dated 05.03.2013 for Rs.142.95lac. The estimate also stands technically examined and accorded Technical Sanction by the competent authority.
3. The percentage rate tender for said work was invited vide No. D-43/EE,C-1/2013-14 dated 06.06.2013 (NIT No.5). Wide publicity of the tender was ensured by publishing the NIT on tender website of GNCTD as well as in three leading Newspapers of English, Hindi & Urdu on 08.06.2013 .The date of closing of bid was 18.06.2013.
4. The Technical bid (1st envelope) was opened on dated 19.06.2013 & it was found that only one agency-Sh. Mukesh Kumar Goyal had participated in the bid. The agency is registered with Irrigation & Flood Control Deptt., GNCTD in class-II category & found eligible for opening of his financial bid. The agency has deposited the EM of Rs.2,24,000/-
5. On opening of financial bid on dated 17.07.2013, it was found that

Sh. Mukesh Kumar Goyal has quoted his rate for the said work @ 16.26% above the estimated cost put to tender with contractual amount being Rs.1,30,20,067/-. The market rate justification for the work has been checked out to be 31.35% above the estimated cost put to tender.

6. The quoted rate of the single tenderer Sh. Mukesh Kumar Goyal @ 16.26% above the EC is well within the market rate justification @ 31.35% above the Estimated Cost.
7. The finance has given financial concurrence. Though the competency to accept this tender vest with CEO (DUSIB) but due to being the single tender, the competent authority to accept the tender in this case was the next higher authority i.e Board (DUSIB).
8. Therefore, the proposal for acceptance of the tender was placed before the Board during its IXth Board Meeting held on dated 16.08.2013 as Table Agenda Item. But, during the meeting, the Chief Secretary pointed out that such tender should not be put as Table Agenda and adequate time should be given to the Board members.
9. Since the case was already examined technically as well as financially by the concerned and appropriate officers in the department; and also looking at the urgent requirement to carry out the work and public demand for the same, it was considered necessary to get the same approved by the Vice Chairman and Chairperson of the Board. The approval was obtained on 08.09.2013 with the stipulation that the Agenda will be placed before the Board in its next meeting for Ex-post facto approval and ratification.
10. Subsequently, the work has been awarded to the agency- Sh. Mukesh Kumar Goyal @ 16.26% above the estimated cost put to tender vide award letter No. WA/4222/AL-15/EE,C-1/2013-14/D-345 dated 19.09.2013 and the work is in progress at site.
11. Accordingly, the Board is requested to kindly consider the agenda to accord Ex-post facto approval & ratification in respect of the tender for said work in favour of Sh.Mukesh Kumar Goyal @ 16.26% above the estimated cost put to tender at contractual amount of Rs.1,30,20,067/- (Rs. one crore thirty lac twenty thousand & sixty seven).

**AGENDA ITEM NO. 9**

**Appointment of Sh. Sanjeev Kumar (DJS) by the Board as Competent Authority in accordance with Section 6(1) of DUSIB Act- 2010.**

In accordance with the provisions contained in Section 3(2) of DUSIB Act- 2010, the Board constituted under (sub section 1) of Section 3 shall be the Competent Authority to implement the provisions of the Slum Areas (I&C) Act-1956. Further, as per Section 6 (1) of DUSIB Act the Board may appoint such officer as it may consider necessary for the efficient performance of its functions under this Act. Hence, it is to be construed that the powers of the Board as Competent Authority under Slum Areas Act can be delegated to any officer as per the discretion of the Board.

Sh. Sanjeev Kumar, an officer of Delhi Judicial Service has already been posted to DUSIB on deputation basis vide office of Registrar General, Hon'ble High Court of Delhi order No. 2099/DHC/Gez/DUSIB/2014 dated 05.04.2014 for the aforesaid purpose.

In view of the above, the Board being the Competent Authority in terms of Section 6(1) of DUSIB Act- 2010 may appoint Sh. Sanjeev Kumar an officer of Delhi Judicial Service to exercise powers of Competent Authority to implement the provisions of the Slum Areas (I&C) Act-1956.

Board may kindly approve.

AGENDA ITEM NO. 10

Appeal filed by Sh. Ashok Bhatia, Dy. Director (Retd.) against penalty order bearing No. D- 1132/DD/Vig./DUSIB/2013 dated 6.9.2013.

A charge-sheet vide memorandum bearing No. D-638/DD/Vig./DUSIB/2012 dated 6.9.12 was issued to Sh. Ashok Bhatia, Dy. Director (now Retd.). It was alleged against him that while working as Dy. Director, in the year 2009, in addition to his duties vide office order No. GA/1072/1/Admn.-/1/08/D-81 dated 19.5.2009 he was designated as Ex. Officio, Asstt. Commissioner (PP) without any change in his status so that he may exercise the powers as Estate Officer under the Public Premises (Eviction of unauthorised occupants) Act, 1971.

A file pertaining to a most valuable Land measuring 4125 sq. meters (approx.) situated at Khasra No. 824, 825 & 826min. Village Madipur, Delhi was required to be dealt by Sh. Ashok Bhatia, Director in the capacity of Estate Officer and orders were required to be passed in that case in accordance with law.

In this case, earlier Sh. K.N. Kandpal working as Dy. Director was designated as Estate Officer. He passed orders dated 22.9.2008 by which undue advantage was tried to be given to the private party. Sh. K.N. Kandpal was placed under suspension and RDA for major penalty was later booked against him. The order passed by him was challenged by Slum & JJ Department of MCD before the hon'ble court of Sh. Rakesh Kapoor, hon'ble District Judge-III (West), Delhi. After hearing the appeal of the erstwhile Slum & JJ department of M.C.D., the court had passed orders dated 31.3.2009 and remanded back the matter to the Estate Officer for reconsideration. The Appellate court had fixed the date of 13.4.2009 at 3.00 p.m. as the next date of hearing before the Estate Officer. But no hearing was held by the Estate Officer on 13.4.2009. Since no hearing was held on 13.4.2009 before the Estate Officer the party namely Sh. Ajay Berry filed a writ petition vide no. 8627/2009 and CMs 5755-56/2009 in the hon'ble High court of Delhi. The hon'ble High court of Delhi after hearing the matter had passed clear orders/directions to the Estate Officer to hear the parties on 20.5.2009 at 3.00 p.m. In the above said orders the hon'ble High court had fixed the next date of hearing as 20.5.2009 before the Estate Officer. The Estate Officer was duty bound to hear the parties as directed by the hon'ble High court of Delhi. But on 20.5.2009 no hearing was undertaken by Sh. Ashok Bhatia on the pretext that staff was not provided to him. The order of hon'ble High court was not complied with by the Estate officer. The file was unnecessarily tossed by Sh. Ashok Bhatia. To .escape from duties, he sought unnecessary

clarifications from Admn. branch vide letters dated 1.7.2009 about the gazette notification regarding appointment of Estate Officer under section 3 of the PP Act. An order dated 21.09.2011 passed subsequently by the hon'ble L.G., Delhi in case Ajay Berry Vs. Estate Officer with prior consultation of Law Department of G.N.C.T. of Delhi proves that there was no need for fresh notification under the P.P. Act. even after the formation of Delhi Urban Shelter Improvement Board. Thereafter on 21.7.2009 he wrote another letter to Administration branch to provide him staff i.e. reader, Steno etc. He was working as Dy. Director and sufficient staff was already posted with him.

Keeping in view the misconduct of Sh. Ashok Bhatia, a note was put up by the then D.C. (S&JJ) to the then Addl. Commissioner (Slum & JJ). The Addl. Commissioner vide order dated 26/3/2010 had directed to DC to put up for immediate suspension of Sh. Ashok Bhatia and for initiation of major penalty proceedings against him. Sh. Ashok Bhatia assured to dispose of the case in a time bound manner. The suspension was therefore withdrawn by the Addl. Commissioner.

But, Sh. Ashok Bhatia in active connivance with the opposite private party and on the pretext of due procedure further delayed the matter. He did not decide the case on merits. He remained passing the case for further dates. The proceedings under P.P. Act are a summary trial but Shri Bhatia failed to adhere to the provisions of the law.

The Disciplinary Authority (CEO-DUSIB) had placed Sh. Ashok Bhatia, Director under suspension vide order dated 24.4.2012 and ordered to issue Regular Disciplinary Action for major penalty against him. The Central Vigilance Commission's first stage advice was sought. The Central Vigilance Commission vide OM No.012/DLH/012-178799 dated 25.6.12 in agreement to DUSIB advised to initiate Disciplinary Proceedings for major penalty against Sh. Ashok Bhatia.

The CBI had also registered a case bearing No. PE-DAI-2012-A-0005 against Sh. Ashok Bhatia & others. In report dt. 04/6/2013 the CBI had observed that Sh. Ashok Bhatia had committed mis-conduct while conducting eviction proceedings and departmental had already proceeded against him for major penalty proceedings. The CBI had advised that department inquiry against Sh. Ashok Bhatia, Estate Officer may be expeditiously completed.

A regular Inquiry was held by Sh. Vivin Ahuja, Director, DDA. In the meantime, Sh. Ashok Bhatia, Dy. Director Charges were proved except one charge against Sh. Bhatia. The verdict in the Inquiry as mentioned in para No. 6.7 of the Inquiry report is as under:-

"6.7 After analysing the evidence on record, the assessment in respect of the ingredients cited in Para-6.4 above is as under:-

(i) Reference is made to sub-paras 6.5.1 and 6.5.2. Sufficient staff was available with CO as he was working as Dy. Director and it was possible for him to proceed in the matter under reference with the available staff instead of making a precondition to not proceed with the case till such time the staff required exclusively for Estate Officer-II is posted with him. CO delayed the proceedings w.e.f. 20.05.2009 to 30.06.09. Therefore, ingredient (i) of the charge cited in Para-6.4 is held Proved.

(ii) Reference is made to sub-paras 6.5.3, 6.5.4 and 6.5.5. It is observed that CO sought unnecessary clarifications from Administration Branch about the gazette notification regarding appointment of Estate Officer under section 3 of the PP Act. CO further delayed the proceedings upto 19.04.2010 even though he was entrusted with this case on 19.04.2009. Therefore, ingredient (ii) of the charge cited in Para-6.4 is held proved.

(iii) Reference is made to para 6.6 and its sub-paras 6.6.1, 6.6.2 and 6.6.3. As already brought out, CO delayed the proceedings firstly on the pretext of his not being provided with exclusive staff for the functioning of Estate Officer. After CO was provided with the requisite staff he did not proceed in the matter on the pretext that gazette notification for his appointment as Estate Officer was not issued. Concerned with the delay on the part of CO, Addl. Commissioner (Slum & JJ) passed orders dated 26.03.2010 for immediate suspension of CO and for initiation of major penalty proceedings against him. Addl. Commissioner (Slum & JJ) discussed with CO on 29.03.2010 and CO promised to get the case listed/heard at the earliest in a time bound manner.

CO heard the case for the first time on 20.04.2010. Thus, the entire delay in proceeding with the case after his appointment on 19.05.2009 as Estate Officer till 20.04.2010 is attributed to CO.

CO held several hearings from time to time. On perusal of the dates fixed for hearings, it is observed that atleast on two occasions the hearings were fixed after interval of nearly one month. Considering the fact that the case was remanded by the District Judge and also the Hon'ble High Court and the promise made by the CO to Addl. Commissioner (Slum & JJ) to get the case listed at the earliest in a time bound manner, such large intervals of time between successive hearing are considered as inordinate delay in proceeding with the matter. Therefore, I hold that CO failed to discharge his duties diligently and expeditiously.

Hon'ble Lt. Governor, Delhi had granted interim stay till 20.10.2010. It is observed that CO did not hold any hearings after 20.10.2010. However, there is no documentary evidence to suggest that the interim stay was extended.

In view of the above analysis of evidence, I hold that the ingredient of charge cited in para 6.4(iii) is held **Proved**.

- (iv) It has already been established that there was inordinate delay on the part of CO in proceeding with the matter under reference. As a result of the said delay, which was certainly avoidable, it is natural that figures are pointed towards the CO suggesting his active connivance with the opposite private party with malafide intension. However, Prosecution has failed miserably to produce any evidence in support of this ingredient of charge. Accordingly, I hold that the ingredient of charge cited in para 6.4(iv) is held **not proved**.

After considering the inquiry report and grant of personal hearing to the charged officer, the CEO (D.A.) has accepted the inquiry report and found him guilty of the charges. The CVC vide stage-II advice also advised to impose a major penalty of cut in pension.

A penalty of 3% cut in pension for two years was imposed upon the charged officer vide **penalty order bearing No. D- 1132/DD/Vig./DUSIB/2013 dated 6.9.2013**. Suspension period of Sh. Bhatia was decided vide office order dated 10/10/2013 to be treated as "not spent on duty for all purposes and intents".

After issue of the charge-sheet, Sh. Ashok Bhatia, Director while remaining under suspension was reverted to the post of Dy. Director for certain administrative reasons. His successor, Estate Officer passed eviction order dated

2.4.13 against the unauthorised occupant on the land mentioned as above. The unauthorised occupant had filed an appeal in the court of the District Judge, Delhi. Subsequently, the govt. land has been ultimately successfully got vacated from the unauthorised occupant.

Now Sh. Ashok Bhatia has filed an appeal to chairperson (DUSIB) against the aforesaid penalty order. The Board may consider the appeal.



**AGENDA ITEM NO. 11**

**IS/ISO 9001:2008 certification for Quality Management System of the office of the Executive Engineer C-2 Delhi Urban Shelter Improvement Board (DUSIB), GNCTD.**

DUSIB is in process of e- management and digitalization of all its' activities. The adoption of it, will make DUSIB transparent and its' deliverables will be quick and Slum habitants friendly. The design and implementation of system is involving by varying needs, the services provided, and the intent to imply uniformity in the structure of quality management systems & documentation.

As a first step towards these efforts, based on the services provided by one of Civil Execution Division, it has been granted ISO 9001:2008 certification. It confirms that-

- a) The Civil Engineering Division-C2, demonstrate its ability to consistently provide services and facilities that meets regulatory requirements, and
- b) The Civil Engineering Division-C2, aims to enhance customer satisfaction through the effective application of the system, including processes for continual improvement of the System.

This information is placed for the information of DUSIB Board.

ISO 9001:2008

This is to Certify that  
Quality Management System of

OFFICE OF THE EXECUTIVE ENGINEER, C-2  
DELHI URBAN SHELTER IMPROVEMENT BOARD (DUSIB)  
GOVT. OF NCT OF DELHI

3RD FLOOR, CIRCLE OFFICE BUILDING, NEAR RAJA GARDEN BUS  
TERMINAL, ROAD NO. 25, SHIVAJI PLACE, RAJA GARDEN,  
NEW DELHI - 110017, INDIA.

has been assessed and found to conform to the requirements of

**ISO 9001:2008**

for the following scope :

PROVIDING LOW COST HOUSES FOR URBAN POOR, FACILITIES FOR  
SLUM DWELLERS & SCUM BASTIES

Certification No	: 1014QP78	Issuance Date	: 10/06/2014
Initial Registration Date	: 10/06/2014	Date of Expiry	: 09/06/2017
1st Surve. Due	: 10/05/2015	2nd Surve. Due	: 10/05/2016

**Managing Director**



**Absolute Quality Certification Pvt. Ltd.**  
 Accredited By: Joint Accreditation System of Australia & New Zealand (JAS-ANZ)  
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 Confirms to the property of AQCS and retains all the Copyrights      \* Subject to successful completion of surveillance audits      Valid for registration on record for our employees