

Resettlement of Slum Dwellers

A Handbook for City Governments

(Draft)

Prepared by:

Pranav Singh and Dr. Renu Khosla



Centre for Urban and Regional Excellence
302, Building Number 3, Sona Apartments, Kaushalya
Park, Hauz Khas, New Delhi - 110016

Introduction

The Handbook on Resettlement has been prepared to guide City Governments on the process of relocation and resettlement of slum dwellers and to make the experience less distressing for the families.

Local governments see resettlement as one solution to dealing with the issue of slums and affordable housing for the poor, lack of which is responsible for the formation of slums. Under the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) sub mission on Basic Services for the Urban Poor (BSUP), large numbers of houses have been built in cities to resettle slum dwellers from inner city areas. Most housing for the poor under BSUP has been developed on the city fringes where the land is cheaper. However, this has meant that slum families, who usually live in settlements close to their places of work in the inner city areas, get moved far away from their work sites, schools, social institutions and networks. This results in both economic and social hardship for the people pushing them into poverty. Families take several years to recover from the economic shock of relocation. Usually, relocation is not accompanied by support for resettlement.

Resettlement also impacts the city's growth by increasing stress on transportation services, increased investment demands for extending basic infrastructure to new areas and increasing the cost of services provided by these informal workers in their neighbourhoods and to the city.

This Handbook is aimed at setting out the challenges of resettlement from the perspective of the slum dwellers and the city; the processes involved and the operational requirements for resettlement. It also aims to simplify the process for both the developing agency and the people affected by resettlement, by integrating all the processes and formalities involved in the resettlement processes. In view of the distressing change in the built, social, and economic environment of the people to be resettled, this manual seeks an intermediary process that smooth's over the difficulties faced by people and reduce their socio-economic shock. The objective is to also ensure that the city also gains in this process of creating affordable housing for the poor.

This Handbook is for all city officials who may be involved in the processes of relocation and resettlement of slum dwellers. It is also useful for the various public agencies that provide services to the slum communities and families. Namely Development Authorities, Municipal Corporations, PWD, PHED, Food and Civil Supplies Department, Slum Boards, Housing Boards, Urban and Poverty alleviation cell and implementing agencies of various Government schemes, NGOs, Centre/State/Local Government etc.

This Handbook has been prepared by the Centre for Urban and Regional Excellence (CURE) a development organization working with slum and slum communities in several cities of India, after having thorough discussions with the resettled community of Savda Ghevra (a resettlement colony and area of work for CURE for last four years). It is based on our experience of working with large numbers of such communities and understanding of the adversities that these families face when relocated from their homes and includes suggestions of the resettled community. It is a practical guide to the city officials to ensure relocation happens with a human face and with assistance to the families in resettling in their new homes.

The Handbook is about **Unthinking and Reimagining Resettlement**. We hope that it will meet the needs of planners and implementers to reimagine slum resettlement approaches for minimizing the suffering of the poor, and restoring their living conditions and livelihoods to at least as well off after the project as they were before it.

The Handbook

Contents

Understanding Resettlement	1
Important Terms	1
What is Resettlement?	1
To resettle or not to resettle	2
Challenges involved in Resettlement:	3
Pre-relocation	3
Post-relocation:.....	4
The Positives of Resettlement:	5
Weighted analysis of Negatives and Positives of Resettlement:.....	6
The Right Path.....	6
Institutional Framework	6
Planning the Resettlement	6
Pre relocation:.....	6
Orientation.....	6
Understanding Community.....	7
Photo documentation and Bio-metric Record of Household:	8
Preparing the beneficiary's list	9
Identifying the One:	9
Plan for Non-eligible Families (the Other 'One').....	11
Taking the odd one out:.....	11
The Plan	11
Design Workshop:.....	11
Content:	11
Things to remember:	12
Participatory Planning and Design of the Site:.....	12
Site visit and Redesign the Site Layout	12
Relocation.....	14
Date of shifting:	14
Things to Remember:.....	14
Displacement and political landscape.....	15
Post relocation	15
Community Organization:.....	15

Formation of a Housing Cooperative	15
Form Block Committees:.....	15
Housing Cooperative:.....	15
Income Restoration:	16
Include People in Implementation.....	16
Community Development Fund.....	17
Access to Housing Credit	17
Criteria and strategy for allotment of plots/houses.....	17
Social impact assessment:	17
Institutional Framework:	18
Establishing a Resettlement Unit/ CIC:.....	18
Grievance Redressal:	19
Legal/Policy Framework	19
Good Practices	20
Annexure:	21
Centralized Form for access to services:	21
Working with NGOs	21
Eligibility Criterion set for previous resettlement by GNCTD	23

Understanding Resettlement

What is Resettlement?

Resettlement is the process of identification and transfer of a group, large or small, from their local habitat/ native place to a host place, which may or may not have agreed to admit them. It may happen **voluntarily**, when people or communities migrate from one place to another on will. It may also happen **involuntarily**, when it is forced by the public agency for the larger public good/benefit. Resettlement usually happens with some compensation; the benefits, monetary or non-monetary or in any form, that the person resettled is provided in lieu of the lost locale, assets, work places, relationships, etc. In the case of slum dwellers, compensation is provided in the form of land or housing at highly subsidized rates to eligible slum families.

The term resettlement is often interchangeably used with relocation and rehabilitation. **Relocation refers to the physical dislocation of people from their host place to a newer location. On the other hand rehabilitation is about restructuring/ rearrangement of the existing physical layout to a better and conducive environment so as to attain better standard of living.**

When resettling large numbers of families from one site to another, city officials are required to prepare a Resettlement Plan that details the strategy to be adopted by the concerned agency in the process of resettlement. It also contains a physical plan for the site and services, with or without housing. What it does not usually include is a plan for the rehabilitation of livelihoods of the affected families by creating new income generating opportunities or restoring the lost economic activities.

Resettlement Losses: - The losses incurred by resettled population may be of different kinds.

It involves loss of various systems and structures. Physical losses like land, assets and services; economic losses including livelihood losses and income limitations; social losses like loss of

Important Terms

Eminent Domain: the power vested in the state to take over control on any such land that may be required for a larger public purpose.

Social preparation: The pre-relocation public/ community consultation to build their capacity and facilitate a structured and resettlement in a planned way.

Vulnerable group: a distinct group including the disabled, destitute, orphans, widows, **unmarried daughter**, abandoned/ divorced women and senior citizens, who may not be provided with any immediate and alternative livelihood, and who are not otherwise covered as part of a family.

Originating zone: The area from where people are being relocated to an outer/receiving zone. It is the place of existing habitat for the dwellers.

Receiving zone: An area in the periphery of the city. The area is a semi-urban in nature and the people still engage in the agricultural activities. The land is comparatively cheap and provides a good alternative for resettlement of squatters in the inner parts of the city. It is the area where the people are relocated to.

Host population – The population living in the receiving zone. The population is generally agrarian and enjoys better social and economic position in the society.

community structures and habitat and cultural losses like loss of religious places, Public spaces and rituals and routines; all leading to mental distress and trauma.

Development Opportunity: - There is another take on resettlement that sees the process as a way to develop the new areas and the core city areas. General practice has shown that the resettlement of the inner city slums is generally planned in the peri-urban area, which means planning of newer infrastructure systems in the outer areas and integrating in to the existing services. In this way newer areas are developed in a continuum to existing development of the city.

To resettle or not to resettle

Most city Engineers prefer the option of resettlement of slums as to in-situ upgrading of slums while addressing the issue of slums; despite the fact shown by previous studies that there is a decreased per capita income and asset holding in resettlement of slum population, leaving them poorer and more vulnerable. The earlier process is more economically viable as well as convenient as compared to the latter option.

The biggest loss is of the jobs and livelihoods, and then follows the social disorganization; loss of personal and community resources makes it even more challenging to adjust to the situation.

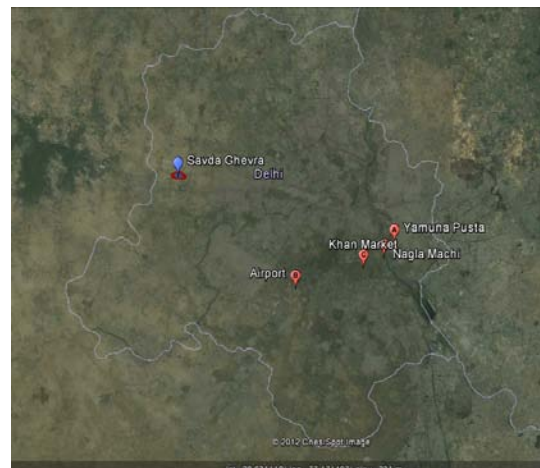
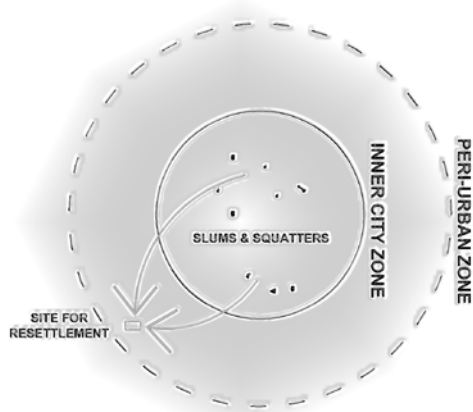
Usually, resettlement happens from inner core city area to the outer periphery of the city. This takes people very far away from their work places. Being on the city fringe, there are fewer opportunities of livelihoods. The area lack basic services such as roads and transport connectivity, water supply, sewerage, sanitation, facility of schools and health care. These infra facilities are absolutely important for people to be able to live in any area.

In 2002, communities from Yamuna Pusta, Nagla Machi, Khan Market and Airport were resettled 30KMs west to Savda Ghevra, a peri-urban area just short of Rohtak in Haryana. By 2010, almost 8000 families has been resettled there but people still find it difficult to commute from Savda as there's no Bus connectivity, no piped supply of water, no sewerage network, chocked drains and brick roads (kharanja).

The Economics of Resettlement:

In a previous study conducted by CURE to understand the cost and the benefits of resettlement versus rehabilitation, CURE brought out an important observation. It was seen that the monthly income of the slum households those were resettled, decrease by almost 7% as compared to an increase of almost 12% in those which were rehabilitated at the same place; showing an almost 20% loss in income as compared to relocation.

By shifting poor people to a new place, we in-fact reduce them to poverty, or worse than they suffer already.



Although, this requires costly investment by the city to deliver infrastructure and services; it is only after a long period, through natural market forces, that the resettlement area and the transport corridor that connects it to the city begin to develop and grow.

Challenges involved in Resettlement:

The community that is being resettled faces numerous challenges while resettlement; some catastrophic, some workable. For better interpretation, the challenges are categorized in two broad categories for the purpose; pre-relocation and post-relocation.

Pre-relocation

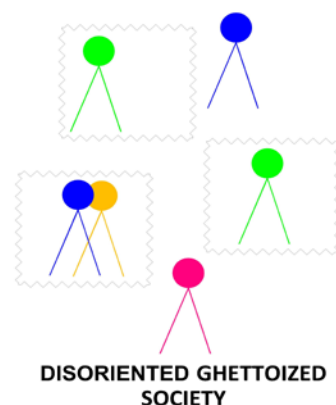
Community's first encounter of the vast challenge ahead, is the news of resettlement itself. The news comes as a shocking for the slum residents. It is hard to digest the very fact that the families will have to relocate to newer, farther and unknown setting and there will be a general distress within the family and community. The secondary challenge to it which aggravates the plight of the community is the date of news, the manner of news delivery and the seemingly lesser days left in the Relocation process. And the current practice only adds to the worries.

Although the notices may be timely issued/ released by the concerned agency, there is no guarantee whether these notices are known to the slum residents. It is only at the last moment that they come to know of any such plan. (It may be deliberate to keep silent on the planned action as a measure of precautionary step to avoid opposition and violence). **It is therefore utmost important to make sure that the notice of resettlement or evacuation orders are sent in community well in advance and it should be made sure by the concerned agency that the message has indeed been taken among community.**

Second Challenge faced by the community is the breakdown of social networks. It marks one of the most devastating parts of the resettlement process. This majorly impacts on two things, one on the breakdown of social infra and other on the breakdown of the community itself. The loss of livelihoods of the families and the education (schooling) of the children in families are two key challenges that the residents face. The bread earners either loses their job or do extra travelling, expenses for continuing the current employment, similarly the children suffers a loss of a year due to lost schools.

Challenges in Savda Ghevra:

While working with resettled population of Savda Ghevra, CURE observed that while there were no basic infrastructures available on site, people were majorly concerned by the lost income opportunities. The situation was further worsened by the lack of health facilities, lack of water supply and toilets. The temporary camps in midst of large open space possessed the threats from local people and wild animals especially in Dark. Another major challenge that the people of Savda faced was the lack of Ration supply. The Ration suppliers were inadequate with limited supply and since there was no market in or around site it was more so difficult surviving in initial days of resettlement



Amidst the hue and cry in the community few people choose to depart to their native place, and other few move to nearby areas to avoid such trauma.

It is therefore most important for the government agencies to converge together in order to make the resettlement process smooth, less formal and simplistic.

Third challenge is the physical transfer of people and their belongings. It is the stage when the community feels and is the most vulnerable. The agitation among slum residents, the unplanned processes and neglect of public cooperation leads to a situation that is second to barbarian. The time given for packing is often kept less and this results in loss of assets of the family. The losses are physical, social and cultural. Community as a whole loses its resources like public spaces, community center, religious place, etc. The cultural activities, rituals and routines, and habitat of the slum residents are lost; all leading to mental distress and trauma.

The government agencies must facilitate the process of packing and transportation of assets of the family to the resettlement site, with the intention of minimum breakage or damage to them. It can be best done at the level of Government agencies. The days prior to relocation must be sufficient that the resettled population can search some livelihood means in the newer area and that these communities are well accustomed with the area. For this there has to be a consultation process with the people.

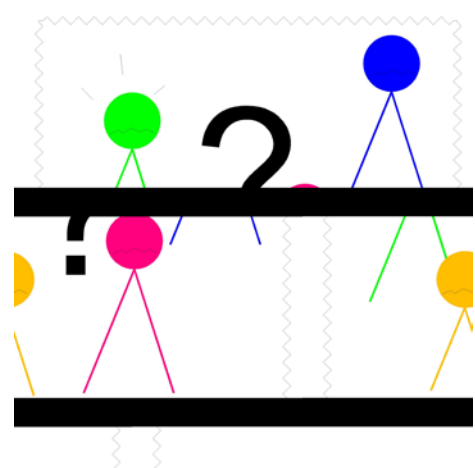
Challenges in Savda Ghevra (contd.):
When some 200 odd families first went to Savda, it was clear from first day that the life for them indeed has not improved but actually degraded multifold. There was not even a single School, Healthcare centre and Ration Shop present in Savda. It took almost ____ (month, year) for ration shop to set up and start functioning. The first school came after ____ (month, year) and first health care center came ____ (month, year). In the meantime the residents were forced to come to the city (which is at minimum 10-12km far).

Apart from these various challenges arise due to lack of legal knowledge, political will and monetary support for the communities, during and after the relocation process.

Post-relocation:

Once the communities are relocated to peri-urban areas the challenges that they face go different in nature from what they had faced before. The immediate challenge is of coming to terms with losses that the community incurred, and finding the right track of one's life.

Livelihoods and Transport: The biggest realization for these families is the lack of employment opportunities in the new area. The major employer of these families is the informal sector, but since the peri-urban areas have less developed informal market, they have limited employment opportunities. The skills that these people possess are limited and often found unfit for any skilled or semi-skilled work that may be available in the area. Very few of the working population continue to go to the old jobs, but since these jobs are now farther from their new 'homes', the increased cost of transportation inflates the expenditure of the families and the net income of the family decreases significantly to the point that it is not worth continuing the jobs. The irregular or complete absence of transport modes further increases the problems for these families. It is a vicious circle that they enter in to.



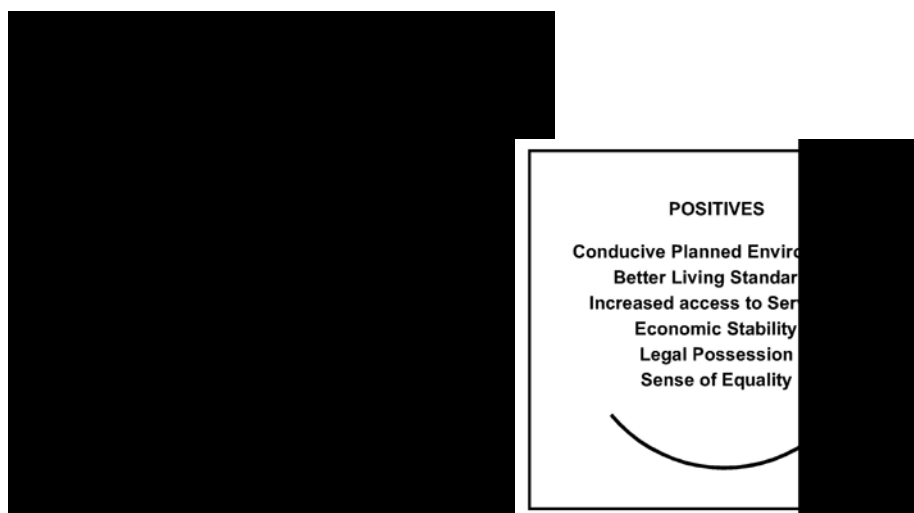
Education and Health: The education and health facilities are absent in these areas. And if present the government schools and hospitals may be far from the resettlement site. Moreover, there is the difficulty in transferring the students from the previous schools to new schools in these areas. This discourages the students, as it lead to the loss of one year or even in drop outs from the studies. The health facilities are hit even worse. As the health facilities are minimal and possibly far from the resettlement site, there is a lack of emergency redressal mechanisms for people making the life harder for them. Pregnant women, elder people and infants in these areas are the worst hit. Also the dispensary cards are to be reapplied before they can enjoy the treatments and government supplies of medicines.

Ration and Food supplies: Another important challenge, the resettled communities face, is the reapplication of ration cards on the newer address and limited food supplies present. This reapplication of cards is difficult for them as often some people leave their homes for jobs and some in search of work and in both the cases the officers responsible for issuing the cards find the homes locked. **Therefore it is utmost necessary to have planned dates for covering a set number of families and the notice for that should be done well in advance.**

Security and Gender specific Challenges: The most severely hit by the process of relocation are the children, women and elder population. Basic infrastructure like road, water, sewerage and drainage are non-existent. Services like toilet and water facility are key essentials for women. The families are now challenged to restart their lives and find the rhythm back, which is easier said than done.

The Positives of Resettlement:

A different school of thought argues resettlement to be a good way for development. According to them resettlement can ensure positive developmental impacts not only on the resettlers but on the City as whole. Since resettlement happens from inner core areas to outer peri-urban areas, it implicates planning of newer infrastructure systems like roads and water supply that is required for a better and sound environment for development, in the outer areas and integrating it in to the existing services. In this way newer areas are developed in a continuum to existing development of the city. On one hand the existing unhygienic conditions of slums can be converted in to better places on the other the communities living in shanty conditions gets a chance to have an appropriate, planned and hygienic conditions to dwell.



Weighted analysis of Negatives and Positives of Resettlement:

Resettlement has its pros and cons. If resettlement possesses the negatives it also brings a share of positives with it too. But the real question is which part of it is outweighed as compared to one other. From a broad view, it seems that the negatives are far more than the positives that resettlement has, but it is also important to accept the fact that resettlement when done in a well thought out manner and in participation of Resettled Community, CBOs and NGOs, it can indeed bring about the developmental changes in both originating zone and receiving zone.

The Right Path

What must be considered as the model Resettlement? What should be the precise process? What should a resettlement plan include? Who's responsible for what? These questions seemingly tough to answer hold a very simple setting i.e. to minimise the hard ship of the resettled population and to have an overall development that's beneficial for city. The following section tries to detail out the steps and things to do while preparing a resettlement plan.

Institutional Framework: The process of 'Resettlement' involves various agencies and departments and requires a collaborative, committed and persistent effort from every department. This is difficult a task to be performed by present government agencies given the prevailing overstretched working schedules, pressures and limited capacity. It is therefore advised to form a short term committee comprising of officials from all the concerned departments, along with a panel of social experts and advisors on policy planning. This committee may be responsible to oversee and fast track the process in a steadfast manner; which is able to give keen attention on the given tasks.

Resettlement Officer: The committee shall appoint a Resettlement officer who shall be the head of the committee, dedicated for the work and responsible for smooth handling of all the events involved in the resettlement process.

Pre relocation: Planning the Resettlement

Planning a resettlement is more than just an engineering and statistical task. It requires a holistic approach with a deep sociological and economic understanding too. It is therefore important that the government engineers, social experts and planners must come together for achieving the task of minimising the social and economic shock of the poor slum dwellers.

Orientation: Probably the most important feature of any such plan is to accept the fact that the exercise of resettling people from their homes is a deep trauma for these people and it should be handled by utmost care and sensitivity. For a government agency responsible for such task it is important to minimise the extent of social unjust towards them. Towards this the first thing to have is an orientation programme for government officials including all concerned departments on the issues of Resettlement. The orientation programme should clearly transfer the knowledge on the losses of resettled population, the challenges ahead for resettled population as well as government agencies, examples from previous resettlements and some best practices, concluded with a mock plan making session for resettlement taking into consideration the necessary steps aimed to minimize **the social, economic and mental shock.**



Understanding Community: To make a better plan, it is empirical to understand the context, the area and the existing conditions on ground. In the case of a resettlement plan, it is first necessary to understand the following:

- Understand people, their background/ origin and present socio-economic as well as environmental living standards;
- Understand the social and cultural practices;
- Understand the community resources and ethnic diversity in the community;
- And finally understand the aspirations of the community.

This information shall be the genesis of the plan and will provides the basic structure, content of the plan around which the whole plan will be formulated. It will guide the nature of the plan (how the plan should look like, in order to be efficient and meaningful to both the parties). Once this information is gathered, the second task for the agency should be, to organize and assess the data and prepare a checklist of essential things that must be ensured in the Plan (*Identifying the key ingredients of the plan i.e. Develop Criteria for Relocation.*)

The information collection and analysis of the information serves two purposes. One is imperative i.e. to have data for the plan and second is veiled i.e. to act as an ice breaker for agency and community. Both these objectives should be performed in order to have a wide-ranging structural and functional analysis of the community.

How to 'Do' it/Approach:

Participatory Learning and Action Tools – The information mentioned above is best assembled through a participatory mode. PLA tools provide the perfect solution for fulfilling both above mentioned criteria. It provides the necessary quantitative base line data and also provides the necessary qualitative data. **It's the statistical tool with a human touch.**

The tools like 'Street Meetings', 'Resource mappings' are very basic PLA tools to have an idea of the community and its people. These tools can later be replaced by multifaceted tools like ranking matrix and vulnerability assessment. The idea is to have Public consultation process which is a key aspect of project planning that enables projects to respond to people's needs and hence improve their sustainability. This must start right from the inception of the project and consultations must happen with all key stakeholders at various stages of the project. Since public consultation as a process infers tracking down public's input on matters affecting them, it also implies that the people's suggestions are taken in to account while formulating designs and proposals for them.

Participatory Learning and Action Tools

Participatory Learning and Action (PLA) is an approach for learning about and engaging with communities. It combines participatory and visual methods with natural interviewing techniques and is intended to facilitate a process of collective analysis and learning.

The approach can be used in identifying needs of the community, planning with and for community, monitoring or evaluating projects and programmes.

PLA Tools:

- Resource Mapping
- Street Meetings
- Time lines
- Trend Analysis
- Chapatti Diagram (Venn Diagram)
- Well-being Ranking and Matrix
- Capabilities and Vulnerability
- Conflict Analysis
- Interviews and FGDs

The process of public consultations should begin right at the time of site is being prepared for relocation. It should be held in the community and all households in the community should be informed about the meeting so that as many people as possible come to attend.

The **first consultation** should be aimed at explaining to the people the process for relocation. People will be very apprehensive about relocation, about losing their jobs, homes, social networks etc. Most of the time, this fear comes from lack of proper information. Information that comes directly from the government can help alleviate fears. People should be allowed to ask questions and all questions should be answered.

It is also important that the public discussions and consultation is fragmented as per the societal fragmentations. This ensures that the consultation is inclusive of the views of the marginalised groups such as renters, women, elderly, etc. At the smaller street meetings, the area engineers or community development officers may explain to the people in greater detail about the relocation plan, the site, the services in the area, the date, the transportation system, schools, health clinics, transport systems, plans for non-eligible persons, etc. and ask for suggestions and their concerns on the process.

Involving people in the process and working on their suggestions greatly reduces their fears and also help the agency and officials to take suitable decisions based on ground realities. Communities come up with better, commonly agreed and doable solutions. A sign of a successful resettlement plan.




Photo documentation and Bio-metric Record of Household:

Household Survey: It is very important to do a quick household survey of the settlements. This is important to ensure that only the real beneficiaries are targeted for services.

It is also important not to overburden the questionnaire with lots of desirable questions, but to prepare it on the essential indices only. A quick survey can be done using just the following indicators:

- Name of head of HH
- House /jhuggi number
- Year when moved into the settlement
- Proof of stay (tick)
 - Ration card
 - Voter ID cards
 - UID
 - School admission certificate of child
 - Electricity bill
 - Any other
- Jhuggi owner or renter
- Family Member details
- Place of Work of employed members
- Detail of social services availed

For a “Sample Household Form”, please see annexure.

S. No.	PHOTO	HEAD OF THE FAMILY	ADDRESS	SURVEY FORM No.	CENSUS or NPR No.	No. in 2002 VOTER LIST	No. in 2007 VOTER LIST	No. in 2010 VOTER LIST	UID No.	RATION CARD No.
1		Jasveer Singh	Jhuggi No. 11/120						1180/30108/0808 0	

Participatory Photo Documentation of Slum Families of Shadipur

A rapid survey of households with their photos was undertaken by CURE, (Centre for Urban and Regional Excellence) to document people currently living in the slum settlements of Shadipur, Delhi. Focus Group Discussions were organized with the community in small street corner meetings, to discuss and prioritize their key concerns. Photographs of the meeting helped to tag participants to their house numbers. Gaps in house numbers, of people who did not attend the meetings, were identified and filled by visiting these homes and clicking photographs. Not only was this process quick, it was also very reliable, as the meetings were attended by only those currently residing in the settlements.

Biometric Survey: Once the household survey is done and the biometric survey must be carried out, this is important to ensure the record of population living in the Slum. The beneficiaries will later be identified. For this, you may need to contract an agency. If the Biometric survey is not opted for, a photo-documentation must be done, which is quick and reliable alternate.

Once the household survey and photo-documentation is over, it must be linked to a centralised server that is accessible for all the departments. This would be useful as the database for planning the services of all the various departments and for all the future references. Next, it is time to assess the data to find the Right 'beneficiary' of the plan.

Preparing the beneficiary's list

Identifying the One: 'Who receives the benefits of the plan and who doesn't? This question comes as the most crucial decision stage involved in the whole process. It is indeed tough to answer this question. As a government agency it is the duty of the urban local bodies to provide its population with a liveable, environmentally safe space. But it also brings an immense pressure on the ULBs. It is therefore desirable to find the way around. And therefore it is important to develop a few criterions that would help us to correctly identify the right beneficiary of the benefits of the Resettlement process.

Typology of beneficiaries: In any general slum, there may be the following types of families; these families may be categorised in terms of the duration of stay, ownership of JJ and proof of documentation.

Eligibility Criteria for Resettlement in Delhi

Delhi Urban Shelter Board (DUSIB) has the following criteria for identifying beneficiaries for resettlement:

The Households/ families having ration cards with the cut-off date of 31st January, 1990 were allocated plots of size 18 sq. mtrs. And those possessing post-1990 but till December, 1998 ration cards are provided plots of size 12.5 sq. mtrs.

As regards to the possibility of flats allotted on leasehold basis going into the hands of ineligible and unauthorized persons and contravention of the court orders, it was suggested to allot the flats on license basis initially for a period of 15 years which may be extended later if needed.

S.No.	Categories of Families based on duration of stay, ownership of JJ and availability of proofs	legally entitled to be included in the Beneficiary list	Consideration for inclusion
1	Those owning the house and have been living there prior to the cut-off date set by the Government for resettlement. They usually have proof of address and stay in the city.	Yes	Yes
2	Those owning the house but came post cut-off date set by the Government for resettlement.	No	may be (depending up on the number of such families)
3	Those living in the settlement on a rent, but have been living there prior to the cut-off date. Note: It is important to ponder that they may or may not have proof of address, which may be available with the landlord only.	No	Yes
4	Family owning more than two Jhuggis/houses in JJ clusters; living in one and other rented.	Yes	Yes (considered for only one)
5	Family owning one or more jhuggi since pre-cut off date set by government but currently living in another settlement	Yes	No
6	Families living in owned house in JJ cluster since pre-cut off date set and having a property anywhere in Delhi	Yes	No
7	Women headed households, currently living in the settlement, own the house they live in and have been living there prior to the cut-off date set by the Government for resettlement. Note: all documents may be in the name of the male head of the household who is either dead or has deserted the family	May be	Yes
8	Those currently living in the settlement on rental and have moved in after the cut-off date set by the Government for resettlement. They are however below poverty line families.	No	may be (depending up on the number of such families)

Record Keeping: Apart from collecting the data, and identifying the eligible people for resettlement, it is very important to make the data accessible to all the departments and to link these Departments to a common platform. Also it is necessary to make sure that the data is used to plan various activities by all involved departments.

Note: It is rather much more important that the activities are planned in cohesion and that the dates or timing of two different activities does not collide. However, wherever there is a possibility of having two similar activities of different departments, the timings must be converged to make the process efficient, speedy and without replications.

For ex. The Food and Supplies Department should identify all such people holding 'Ration Cards' and are eligible for resettlement; prior to relocation. The eligible ration card holders should be processed for change of Ration Card at the originating site itself, before the relocation process starts. It should also be made sure that the ration shops are planned and distributed at the resettlement sites, bearing in mind the given number of these peoples.

Plan for Non-eligible Families (the Other 'One'): As discussed earlier, while those households with proof of their stay before the cut-off date are deemed fit for resettlement and entitled to benefit subsidized housing, it is important to recognize that many households without proof of identity may actually be more underprivileged and vulnerable and such families need greater support to make alternate arrangements, otherwise they will move into other slums in the area or create new slums or get in to grave poverty.

Alternate arrangements for non-eligible families may include:

- **Rental Housing**: provision of rental housing for such families at the site of Resettlement can be a viable option. Rental housing may also be permitted in low-income authorized settlements.
- Creation of affordable serviced plots or houses available on hire-purchase linked to housing finance.
- Provision of cooperative society scheme especially for such families. If such families can buy a piece of land collectively they may be facilitated with cheap, decentralised technologies for infrastructure and may be connected to the city infra at no cost to the People.

Taking the odd one out: Since, it takes time to settle down and takes quite a few years to develop relations and social interaction, if a person has not spent these few years, he must not be compensated. There has to be a minimum of 5-9 years of stay for being eligible as a beneficiary, as in such time period a person is expected to be in the Voter's list and considered a part of that constituency.

The Plan

The Resettlement Plan has to be collaborative effort of government officials and the community. It is necessary that the plan preparation should allow active and meaningful participation from the people. The suggestions and views of people must reflect in to the plan/strategy. A development strategy shall be prepared under this plan which revolves around resettling the affected people, the compensation packages and restoring their habitat in a new environment that is conducive to their growth not the other way round. The strategy must clearly be aimed at minimising the hard ships of the people.

Design Workshop: Before starting working on the plan a design workshop must be conducted by and for government agencies along with representatives of the community, including women, young people, elderly and people with special needs. The site plan should be presented to the community and their suggestions invited. Comments and suggestions made by the people should be considered and included in the design subject to feasibility. In case the plan is to rehouse the people, then the housing designs and layouts should also be shared.

Content: The plan is a comprehensive planning exercise having an approach and level of details, which may vary with circumstances, including Objectives, policies, and methodology. The plan must cover the following (i) organizational responsibilities; (ii) Public participation and community involvement, (iii) socioeconomic survey; (iv) Legal framework, (v) mechanism for resolution of conflicts and appeal procedures, (vi) identification of alternative sites and selection, (vii) valuation and compensation of the lost assets, (viii) land ownership, tenure, acquisition and transfer, (ix) housing, physical and social infrastructure, (x) training, livelihood creation and credit, (xi) Housing Credit (xii) environmental protection and management; and (xiii) implementation schedule, monitoring, and evaluation.

Things to remember: While planning a resettlement site it should be the duty of planners to make sure that the plan is such that it enriches the lives of the resettled community not deplete. It is therefore necessary that the following considerations are made in to the thought process, and that these are assessed prior to framing strategies:

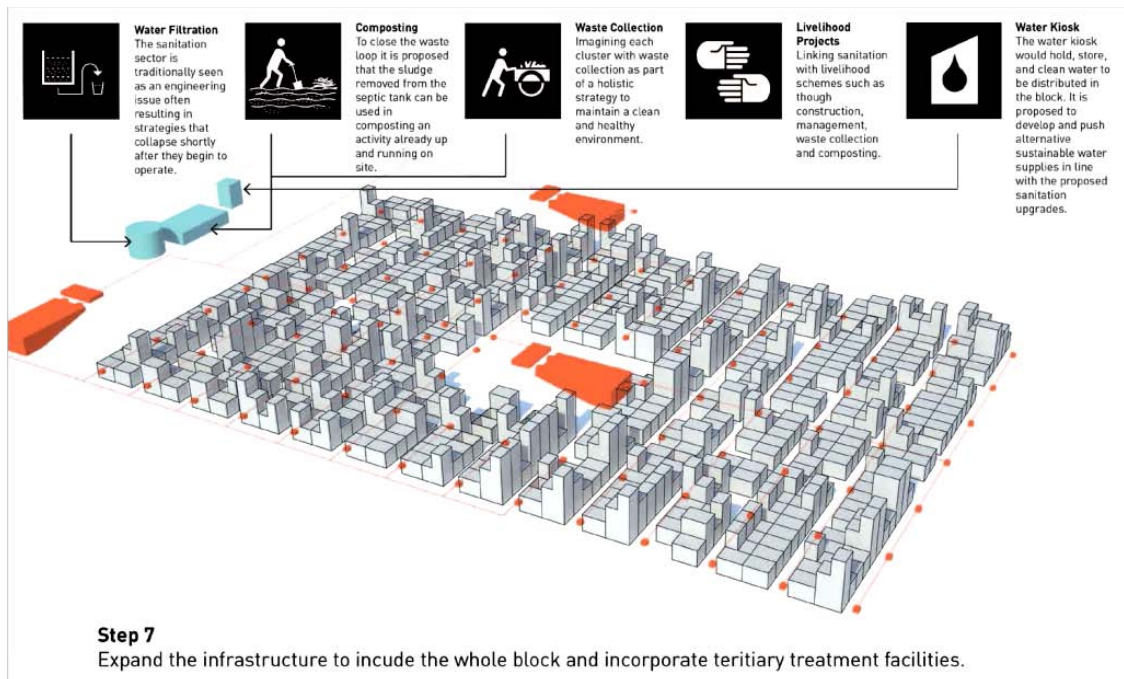
- *Is there caste, tribal or other ethnic differences among the people being resettled and host population?*
- *What was the settlement pattern of the affected community?*
- *What are the present community social services in the affected area?*
- *What is the average age, income status or other factors?*
- *What are the range of plot sizes and average plot area in the affected areas?*
- *Are there any related activities between the originating zone and the host zone?*
- *Does the host zone have access to market centers and places of work?*
- *Availability of transport and communication facilities in the host zone?*
- *What is the condition of infrastructure services available in the host zone?*
- *How the cultural and religious patterns of two different communities bridge the gap between them?*

Participatory Planning and Design of the Site: The Participatory approach of the plan is about working with people in the creation of a design that is comprehensive and meets the needs of the people. To make a truly inclusive plan, people must be involved in taking key decisions such as; identification of site for resettlement, layout of the sites and location of services, design of houses and other spaces and the implementation processes. However, in most cities senior government officials usually take the decisions with regard to land acquisition, sites for relocation, design of housing in multi-level or flatted development, etc. Even where the basic blueprint of the housing /site is prepared, the plots identified, the housing blocks designed, etc. there is plenty of scope for people’s involvement in ensuring the sites and services respond to their needs.



Site visit and Redesign the Site Layout: Even if the site is pre-decided, people can still be taken for a site visit and be part of the design work. Selected leaders of the settlement and/or anyone who may wish to go should be assisted with a site visit with appropriate transportation arrangements by the government. Following the site visit a meeting should be held with the community to discuss people’s observations and concerns and as many as possible, should be accommodated. These could include the location of the bus stand closer to the settlement gate, timing and frequency of bus services, sites for schools or health services, or the distribution of the PDS shops; assuming that all houses shall have personal toilets, in-house water and metered power supply.

When CURE went in to Savda in 2008, there were insufficient sanitation services, which lead to the degraded health of the residents. It was therefore sensible for CURE to think of an interim solution that can provide an alternate to the conventional services given by the Local Bodies. The idea of having toilets brought in the concept of having a common septic tank since having septic tanks below each house was not possible, given the small size of plot and the semi-permanent buildings of the houses. The design had to be such that the existing structures are not disturbed and that it is efficient and scalable. Below is the conceptual design of cluster septic tank that is designed in consultation with residents of Savda and the engineers of CURE providing Toilet/sanitation solution to 320 households of A-Block.



Relocation

Planning and executing the most important event of Resettlement process, Relocation holds a significant importance in Resettlement plan. It can be considered as one of the key indicators on which the success of the resettlement can be assessed. The very fact that how efficiently the people were shifted from their originating place to the resettlement site is important as it can bring about a good or bad name to the whole project.

Date of shifting:

Selecting a timing and day of shifting for relocation is an important exercise for the authority. It should be placed such that there are minimal disturbance of people's schedule and lives; especially for the working population, elder people and students in the community.

For example, the authority may change the date of shifting by a few days to enable school children to sit for their examinations or study for these without any stress. You may also decide the date and timing for shifting during non-festival seasons when people usually have a lot of work. You will also understand about the numbers of trucks that may be needed to transport assets based on inventories made by people, or label the items so that there is minimum loss or breakage during shifting. Efforts should be made to accommodate all these.

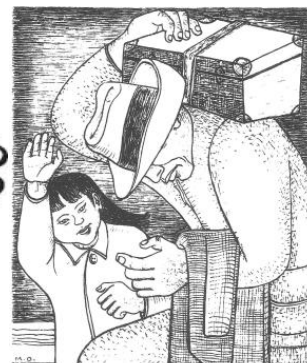
Things to Remember:

While the event of relocating communities from the originating zones to newer areas, the Responsible authority should make sure that the following things are well thought of:

- It is important there is no false information given to the residents.
- No violence happens and that the unlawful elements are minimised. The preventive measures like fire brigades and police vans must be present at the location on the date of shifting.
- Relocation of people from their habitat to a newer setting is complicated both for people being resettled and the host population. Hence it is utmost important to create a synergy between both.

The potential resettlers and host groups should participate in the selection of the best alternative(s). The various options will certainly have different impacts, requiring varying degrees of support and assistance in the relocation process.

Supreme court ruling on shifting/ relocation (Annexure)



Displacement and political landscape

??

Post relocation

This would ensure that families would maintain their livelihoods and could continue to walk to their work, children could continue their schooling without interruption, social networks in the community would stay and people would get help from their neighbours or friends to watch over their children or store water, and families would be able to borrow from their neighbours in case of need.

Community Organization:

Formation of a Housing Cooperative

DUSIB shall help organize the families to be resettled into a housing cooperative. Towards this DUSIB shall undertake the following steps:

Form Block Committees: All households moved into a block of flats shall be organized into a Block Committee. A meeting of each Block Committee shall be organized to ensure that families get to know each other and discuss their common concerns. The Block Committees shall be required to meet once every week in the first few months. After 4-5 meetings, the Block Committee shall choose representatives for the Housing cooperative.

DUSIB shall orient the Block Committees on their responsibilities. It is expected that the Block Committees shall be responsible for the following tasks:

- Cleanliness of staircases and open and common areas in their blocks
- Management of the water supply from the storage system to the overhead tanks to prevent leakages
- Maintenance of parks in front of their blocks
- Participation in the door-to-door waste collection system
- Collection of a small (agreed by the Block Committee members) amount for the above maintenance works.

Housing Cooperative:

One Housing Cooperative shall be formed for the entire resettlement colony. Each Block shall nominate 2 representatives; 1 male and 1 female for the Housing Cooperative. The nominated members should include a person with disability, an elderly person, woman from a woman-headed household and people from different religious and social groups.

The members of the Housing Cooperative shall meet once every week at the beginning and as per need /or agreed rules later on. At the end of 2 months, they shall be required to hold a formal election to elect 7 Committee members, 3 of who must be women. The President of the Housing Cooperative shall always be a woman. The Committee, with the support of the general committee members, shall draft the rules and bye-laws of the Housing Cooperative. These shall be shared with all the Block Committees for their consent and agreement before being

finalised. DUSIB with the support of Cooperative Department shall help the Housing Cooperative to get formally registered once the bye laws are developed.

DUSIB shall organise an orientation programme for the Housing Cooperative Group to discuss with them some functions and responsibilities. It is expected that the Housing Cooperative shall be responsible for the following tasks:

- Preparing the rules and regulations for the use and maintenance of common spaces
- Overseeing the cleanliness of the above spaces
- Supporting DUSIB in the collection of family contribution for housing
- Keeping track of housing sales/ transfers
- Collection and operation of Community Development Fund for the maintenance of spaces
- Setting up and monitoring a door-to-door waste collection and solid waste disposal system
- Maintenance of parks, composting sites, etc.
- Allocation of spaces for local vending activities
- Complaint registration system and interactions with concerned officials for complaint redressal

Income Restoration:

The most important element for having a successful resettlement is to retain if not increase the present level of economic, physical and social state of the resettled people. The jobs or businesses that the resettled people have lost is the most vital part for their stay in the originating place at the first place. Hence the source of income for the people is utmost essential to be restored.

Planners need to take account of the links between relocation and income generation activities. For example, the standard of living and quality of life for APs in the new sites will be linked to good access to and control over resources (e.g., land) or income-generating sources (e.g., employment, businesses).

- Skill development trainings are to be provided with consultation and facilitation of active local NGO's. The various schemes like SJSRY should be exploited for such reasons.
- Assistance for education and vocational trainings should be provided
- The project should consider the resettled people for the employment.
- Facilitate self-help groups and credit societies.

Include People in Implementation

Most slum dwellers work in the construction sector. It is therefore possible to involve them in the construction of housing /site development. This can be done through

- Including in contract of the builder, a provision to use at least 10-20% local workers in the construction works;
- Design small service contracts for organized groups of slum dwellers.

This can help save costs, ensure people can monitor and oversee the construction process ensuring better quality construction and get regular work during the construction periods.

Community Development Fund

The Block Committee shall collect from the families' a monthly payment that will be used for Operation and Maintenance (O&M) purposes. This shall be a small amount that shall be agreed by the households.

The Housing Cooperative shall also collect a fund that will be used for area improvements such as park beautification, community meetings and events, participation in meetings etc.

The Housing Cooperative shall share the accounts of the Community Development Fund with all residents to ensure transparency.

Access to Housing Credit

Even though resettlement projects are hugely subsidized, families need to contribute about 10% of the housing or plot cost. For poor families, this can be a lot of money that they may not have saved up. It is therefore important for the city to link the houses to Housing Finance organizations that will lend the poor households money at government prescribed interest rates.

Criteria and strategy for allotment of plots/houses

Criteria and strategy for allotment of plots/houses is usually a very contentious exercise. All households want to have a house on the ground floor or on the main street, as these are considered prime areas. To avoid trouble, we follow a lottery method. However, this also results in a breakdown of the social networks that people have formed and which allow them to survive in these hostile conditions. For example, neighbours or friends may keep a watch on small children while the mother is at work, or may walk and pick up children from the school, or may collect ration, etc. Planning with people can help develop the criteria for allotment of plots which will be accepted by all and in the long term will require less work by officials in reallocation.

Some Criteria for House /Plot Allotment:

- Ground Floors for households having 'disabled member'
- Crèches and Preschools
- On the nature of employments of the People viz. People with small shops (self-entrepreneurs with need to store material such as vegetables, etc.) ???
- Upper floors

Social impact assessment:

After the communities are resettled, it is very important that a social impact assessment must be done to understand the hardships of the people while resettlement, the lacunae of the process, the benefits and welfares received as planned, the issues and concerns of the involved departments and the learning from the exercise. This must be important to do so as modify/recommend changes in the future resettlement processes and to make the process efficient.

Institutional Framework:

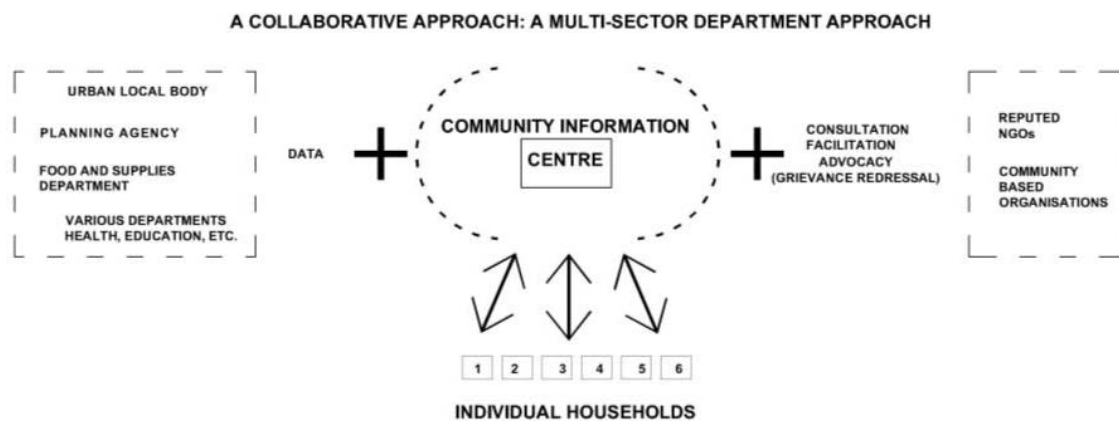
Convergence with Other Departments

DUSIB shall engage with the following departments for the setting up of new /augmentation of existing services in the new resettlement sites. Information shall be sent to these departments of the impending relocation of slum households for necessary action.

Key departments that need to be prepared for services in the resettlement housing sites shall include:

- Urban Local Body/ Planning Agency
- Food and Civil Supplies Department
- Department of Education
- Department of Health
- Various line departments, etc.

Establishing a Resettlement Unit/ CIC:



Grievance Redressal:

It is utmost important to set up a grievance redressal mechanism for the affected people, so that the problems faced by these people before/after or while the process of the resettlement is done, can be addressed. It is also important to make the application and the process is transparent, so that there are no hidden biases behind the redressal of complaints.

Legal/Policy Framework

LA ACT 1894, (amended in 1984)

One of the most important laws administering the resettlement of people is the Land Acquisition Act, 1984. The law governs the acquisition of any land by the State for public Purpose.

Eminent Domain:

The State has the power to take property for public use without the owner's consent. This is known as the right of 'eminent domain' of the State. The Supreme Court has held that "payment of compensation, though not an essential ingredient of the connotation of such power, is an essential element of the valid exercise of such power." (State of Bihar vs. Kameshwar Singh, AIR 1952 SC 252).

This right of eminent domain is the basis of the Land Acquisition Act, 1894, which is directly and exclusively concerned with the acquisition of land by the Central as well as State Government.

Public Purpose:

The expression 'public purpose' means a purpose, which is in the general interest of the community as opposed to the particular interest of individuals.

This provision is capable of being misused because it does not specify the purpose for which land can be acquired for such a corporation under the LA Act. This has been left to the discretion of the Government.

ii) Provision of land for (residential purpose) the poor, the landless and those whose homes are affected by calamities such as floods and earthquakes.

iii) Provision of land to persons affected or displaced by reason of the implementation of any scheme undertaken by the Government, any local authority or a State owned or controlled corporation.

'Person Interested'

'Person interested' under the Act, is who fulfills these following conditions:

- One should have an interest in the land, which is being acquired. Such an interest may be an absolute one such as that of an owner or a limited one such as that of a tenant.
- One should have or claim to have an interest in the compensation, which is to be awarded for the land.

A very grave shortcoming of this definition of 'person interested' is that it ignores landless labourers and artisans who form an integral part of the social and economic fabric of the village community.

They are neither entitled to voice their objections to the acquisition nor receive any compensation on the ground of loss of earnings.

National Resettlement and Rehabilitation Policy 2007 (NRRP);

Good Practices

The key elements of good practice in resettlement planning and implementation are:

Promoting in-situ up gradation as the primary way of development as it safeguards both the interests. And take all necessary steps to ensure a feasible option by exploring viable alternatives.

Consider all parameters of resettlement process and conduct complete surveys and fact findings of the affected people.

Inclusion of the people at every stage of plan making process. The plan making must be with a view of 'Plan for the people and people for the plan'.

Conceptualize and implement resettlement measures as development programs, to be part of all projects, including sector, private sector and co-financed projects, and loans to development finance institutions.

Annexure:

1. Centralized Form for access to services:

The centralized form for resettled households:

2. Working with NGOs

- **Identify the existing NGOs**
- **Work with their groups**
- **Possible Responsibility transfer:** Experienced NGOs or CBOs must be engaged to take responsibility for the social preparation process.

Method: Social preparation usually has four phases.

1. Identification of vulnerable people affected and targeting of particular sub-groups (for example, a very poor neighborhood, women, or indigenous peoples).

2. Mobilization. Community organizers generally work with the groups to engage their interest.

3. Organization. Community organizers help to build skills, leadership, and a sense of common purpose. The groups may work through a process of problem definition, review of constraints, and identification of opportunities, in the context of the proposed resettlement. The group may identify preferred options for relocation and income restoration.

4. Institutionalization. The small community groups are linked to broader entities, for example, to district-level agencies and the resettlement EA. At this stage the groups make a formal input into the preparation of the RP, and subsequently play an important role in implementation and monitoring.

Project Stage	Affected Person
Fact-Finding	<ul style="list-style-type: none">• Participate in public meetings.• Identify alternatives to avoid or minimize resettlement.• Assist in developing and choosing alternative options for relocation and income restoration.
Feasibility Study and Resettlement Planning	<ul style="list-style-type: none">• Help to choose resettlement site.• Participate in survey.• Contribute to formulating relocation and income restoration options through public meetings, groups, household survey.

	<ul style="list-style-type: none"> • Participate in meetings with host population. • Provide inputs to entitlement provisions. • Assist in RP preparation. • Suggest mechanisms for grievance redress and conflict resolution.
Project Implementation	<ul style="list-style-type: none"> • Join local groups to take part in implementation support activities. • Join local decision-making committees. • Decide on management of common property. • Use established mechanisms for grievance redress.

NGOs	HOST
<ul style="list-style-type: none"> • Assist in impact assessment. • Assist in census and survey. • Participate in meetings, groups. • Participate in coordination committees. 	<ul style="list-style-type: none"> • Provide information on various aspects of host communities. • Assist in data collection and design. • Provide inputs to site selection. • Identify possible conflict area with resettlers.
<ul style="list-style-type: none"> • Design and implement an information campaign. • Support group formation, problem identification and planning for APs and hosts. • Design a participatory process. • Design social preparation phase. • Assist in RP preparation. • Participate in coordination meetings. • Suggest mechanisms for grievance redress and conflict resolution. 	<ul style="list-style-type: none"> • Identify social and cultural facilities needed at resettlement site. • Assist APs in identifying income restoration options at resettlement site. • Help develop a process of consultation between hosts and relocatees. • Suggest mechanisms for grievance redress and conflict resolution.

<ul style="list-style-type: none"> • Assist implementing agency. • Provide support in RP implementation. • Train community workers. • Assist vulnerable groups. • Evaluate community process and social preparation. • Implement a social preparation phase. • Provide advice on grievance redress. 	<ul style="list-style-type: none"> • Assist APs in relocation. • Manage common property at site. • Take part in local committees. • Assist in integration with the host communities. • Use established mechanisms for grievance redress.
--	---

3. Eligibility Criterion set for previous resettlement by GNCTD

(c) Eligibility Conditions:

(i) The beneficiary JJ dweller must be a citizen of India and not less than 18 years of age.

(ii) The annual income of the family of the JJ dweller should not be more than Rs. 60000/-,(Rupees Sixty Thousand) as is also the criteria under Basic Services to Urban Poor, Government of India.

(iii) The JJ dweller cannot claim the allotment of a flat as a matter of right.

(iv) The name of JJ dweller should figure in the joint bio-metric survey conducted by DUSIB with the representative of the land owning agency concerned. Based on the joint survey/bio-metric survey done by the DUSIB and land owning agency, verification of documents and determination of eligibility, the eligibility list will be finalized by a Committee comprising of the Deputy Director (SUR), Food Supply Officer, Tehsildar, Assistant Electoral Registration Officer of the area concerned and Officer of the land owning agency of the cluster.

(v) The JJ dweller will be entitled for one residential flat only even if he/she is occupying more than one jhuggies.

(vi) No flat shall be allotted if the Jhuggie is used for commercial purpose.

(vii) The Jhuggie being used for both residential and commercial purpose can be considered for allotment of one residential flat only. In case the ground floor of the jhuggie is being used for commercial purpose and other floors for residential purpose, that will entitle the JJ dweller for one residential flat only if such commercial and residential parts are occupied by the same person.

(viii) In case of multi-storeyed jhuggie occupied by the same person or different persons for residential purpose, the allotment will be considered to the occupant of ground floor only.

(ix) Allotment will be made in the joint-name of the husband and wife occupying the jhuggie, Bio-metrics alongwith photos of both husband and wife and members of family will be prepared and maintained by Slum & JJ Department.

(x) The cut off date of residing in the jhuggie for making a JJ dweller eligible for allotment shall be 31.12.1998. The name of the JJ dweller should be in the voters' list as on 31.12.1998 and at the time of survey and he/she should also possess ration card issued on any date pre 31.12.1998 or thereafter, upto the date of survey.

(xi) The allotment of flat will be subject to the result of pending decision and outcome of the SLP (Civil No. 3166-3167/2003) in the Hon'ble Supreme Court of India and all other similar cases relating to Slums relocation pending in the various courts.

(xii) In case a JJ dweller expires after the survey but his/her legal heirs are in possession of jhuggie with all the required documents of eligibility as stated above, the claim of his/her, widow/widower, could be considered for allotment of flat. However, such allotment would be subject to completion of all other conditions. In such case, only one flat will be allotted.

(xiii) The allotment of the flat will be made by DUSIB on licence basis, initially for 15 years which may be extended. The licence is not transferable in any manner whatsoever except in case of death of the licensee. The licensee shall not rent out and part with the possession of the flat and the same will be exclusively used for his/her family members only.

(xiv) The licensee shall use the flat for residential purpose only.

(xv) Neither allottee nor any of his/her family member(s) should own any plot/pacca house, full or part in Delhi.

(xvi) The allottee shall abide by the terms and conditions of the allotment of flat on license basis and shall pay the license fee/ ground rent as to be determined by DUSIB in a reasonable manner and shall continue to pay the same timely.

(xvii) DUSIB has the right to cancel allotment of the flat and to takeover the possession of such flat in case the stipulated terms and conditions are violated by the allottee. In such event, such allottee cannot claim any compensation; whatsoever and such allottees shall handover the peaceful possession of the flat to the licensor.

(xviii) In case it is discovered that the allotment has been procured by misrepresentation, suppression of facts or fraud and producing fake documents, etc., the allotment shall stand cancelled and possession of the flat shall vest with the licensor without paying any compensation to the allottee. This shall be without any prejudice to any criminal action called for.

(d) Non-Eligibility Conditions:

Allotment of flats will not be made in the following cases:-

(i) If Jhuggie has come up after 31.12.1998 and a jhuggie dweller does not have sufficient proof/ documents of eligibility and is not covered by the above eligibility norms.

(ii) The owners of Jhuggies who have rented out/ sold out the Jhuggies and are not in possession of a jhuggie at the time of removal.

(iii) Vacant/ demolished/ unoccupied jhuggie at the time of survey.

(iv) The JJ dwellers squatting on road berms, foot-paths, right-of-way, community areas, safety zones of railways as per court orders.

(v) Jhuggie dweller once allotted plot/ flat will not be eligible for future allotment.