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File No. M-13/23/2017-UPA-I Section-MHUPA
Government of India
Ministry of Housing and Urban Affairs
(UPA-II Section)

Nirman Bhawan, New Delhi
Dated: 25th October, 2018

To,

The Chairman,
State Level Shelter Monitoring Committee (SLSMC)
All States/ UTs (implementing SUH)

Subject: Suggested TORs for State Level Shelter Monitoring Committee
(SLSMCs).

Sir/Madam,

I am directed to refer to this Ministry's letter of even No. dated May 28, 2018 addressed to the Chief Secretaries of all States/ UTs vide which a copy of the guidelines on the role of the Committees for monitoring progress of Shelter for Urban Homeless (SUH) component, as provided by the petitioners and the comments of the Ministry thereon, was sent for guidance. It was expected that these would be forwarded to the Chairmen of the Committees by the State Governments. However, a copy of the same is forwarded again for ease of reference.

2. The Ministry has received a few references from the Committees suggesting a lack of clarity of their role in monitoring of SUH. The matter has been considered accordingly and it has been decided to lay down the guidelines for facilitating the work of the State Level Shelter Monitoring Committees. This Ministry has prepared Guidelines based on the document on 'Role of the Committees' forwarded earlier to the states/UTs as per Order of Hon'ble Court, and also the Guidelines on Scheme of Shelter for Urban Homeless. A copy of the guidelines is attached herewith for reference.

3. You may kindly submit the report to this Ministry through the concerned State government/UT Administration so that the same could be filed with Hon'ble Supreme Court.

Yours faithfully,

Encl: As above.

(Y.S. Awana)
Deputy Secretary to the Government of India
Tele: 23062923

Copy to:

Mission Directors (NULM),
All States/UTs

**GUIDELINES FOR FACILITATING MONITORING OF SHELTER FOR URBAN
HOMELESS OF DAY-NULM BY THE STATE LEVEL COMMITTEES
CONSTITUTED AS PER ORDER OF HON'BLE SUPREME COURT**

Deendayal Antyodaya Yojana-National Urban Livelihoods Mission (DAY-NULM) was launched on September 23, 2013. The Mission is being implemented through the State/UT Governments. The Mission has seven components. One of the components is Scheme for Shelter for Urban Homeless (SUH). Under this, permanent all weather shelters for urban homeless are being established.

2. These guidelines are based on the document on 'Role of the Committees' forwarded earlier to the states/UTs as per Order of Hon'ble Court, and also the Guidelines on Scheme of Shelter for Urban Homeless (SUH). However, for facilitating the Committees, these have been prepared in a concise manner and reproduced below:

a. Allocation of Resources:

Under the Mission, central funds in a consolidate manner are released to the States/ UTs. Thereafter, States/UTs then release their matching share as per defined percentage and then allocate funds to various components depending upon the requirement and spending capacity. Implementation of various components is in accordance with the targets for various components set in the Annual Action Plans. The financing of the Mission is shared between the Centre and the States/UTs on the following basis:

S. No.	State/UT	Central Share (percent)	State Share (percent)
1	North Eastern and Special Category States (Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim; Uttarakhand, Himachal Pradesh, Jammu & Kashmir)	90	10
2	All other states	60	40
3.	Union Territories (with or without legislatures)	100	--

Issues for Consideration:

- Whether the state has released its matching share against the funds released by the Ministry on an annual basis?
- Whether out of the total Mission funds at the state level, the funds have been allocated and released to the ULBs for SUH component, as per their Action Plan?
- The funds earmarked and allocated for SUH should not be parked in an

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unproductive manner in the State/ULB; or lying unspent without any valid justification. This may be confirmed from the States/UTs.

- The guidelines provide that State/UTs may also construct shelters with CSR support and other donations. If required the name of the corporate/donor can be displayed on the shelter. For such shelters also the O&M support can be availed under DAY-NULM. The corporate / donor resources are considered an important resources and thus must be tapped by the states. The initiatives taken by the States/UTs in this regard may be ascertained and recorded.
- Any other relevant issue.

b. Third Party Survey of Urban Homeless:

The census 2011 brought out the figures of urban homeless. Being old these, however, need to be validated. The Committee on Shelter for Urban Homeless under the Chairmanship of Justice (Retd) Kailash Gambhir had, accordingly, recommended for conducting a survey of urban homeless in ULBs by a third party. In pursuance of the recommendations, instructions have been issued by the Ministry to the States/UTs vide letter dated November 15, 2017. The third party survey, which is done in a systematic manner, should give a clear picture of the actual number of urban homeless and their concentration areas. The findings will facilitate planning the number of shelters, their respective locations and capacities. The States/UTs need to complete the survey in an expeditious manner. Further, most of the homeless persons are found in the big metropolitan cities, and therefore, the third party survey of urban homeless must cover these cities first.

Issues for Consideration:

- What is the ULB-wise number of urban homeless as per third party survey?
- Whether the survey has been conducted in the metropolitan cities?
- Any other relevant issue.

c. Preparing a Roadmap for Establishment of Shelters:

Based upon the figures of urban homeless emerging from the third party survey, the states have to prepare a roadmap to establish shelters near to the areas of concentration of urban homeless.

Issues for consideration:

- How many total shelters are functional- These may include the NULM and Non-NULM shelters and their capacities.
- After adjusting the capacity of existing shelters how many more shelters need to be established?
- Has the road map for establishment of additional shelters required for accommodating uncovered urban homeless, been prepared by the State/UTs?
- As per the survey outcomes, what type of shelters and their capacity will be required? These may be men shelters, women shelter, family shelters or special shelters.
- Whether depending upon the requirement, a special shelter for recovering patients and homeless persons having AIDS, TB, Cancer etc has also been established/ planned?

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- Based upon the survey, whether the requisite amount of land has been identified and is available for construction of new shelters are the areas of concentration of shelters?
- Whether the location of existing shelters and those planned are close to the concentration of urban homeless?
- Whether there are any unused municipality buildings which can be used for purpose? Whether these buildings have been identified for refurbishment with the support of DAY-NULM?
- To meet the short term requirement, whether there are buildings which can be taken on rent to run the shelters till the new permanent shelters as per guidelines are constructed. If buildings have been hired on rent, whether the rent has been fixed as per applicable PWD rates?
- As per the road map, how many Detailed Project Reports (DPRs) have been considered and approved by the Project Sanctioning Committee (PSC) of the State under the Chairmanship of Principal Secretary (UD) or equivalent?
- In case of non-availability of land, whether the agencies like railways, port trust and other government organizations have been approached for constructing shelter on their land. This is to be ensured by the respective states?
- What are the timelines for construction/ refurbishment/hiring buildings for operationalising shelters?
- What are the plans for meeting the immediate need of shelters in the impending winter season?
- Any other relevant issue.

d. Design of Shelters:

The shelters under SUH have to be permanent all weather buildings. In the meetings of the Project Sanctioning Committees of the States, the representative of the HUDCO Regional Office is invited by States/UTs to participate on behalf of the Ministry. He/she can contribute in the meetings on the designs and the DPRs. The Ministry has also, vide its letter dated March 17, 2017 advised the States/UTs that they can draw upon the expertise of the agencies like HUDCO & HPL for using design of shelters and also use pre-fabricated slabs for timely construction of shelters.

The DPR of the shelter placed before the Project Sanctioning Committee must also include a plan for its sustenance after five years of O&M support from DAY-NULM.

Issues for Consideration:

- Whether 50 sq. ft per person space is being observed by the shelters (operational and planned as per road map)?
- Whether the shelters are of permanent nature which can be used 24x7 by the urban homeless?
- Whether in the shelters, the accessibility norms have been complied fully?
- In case of refurbishment of old buildings, whether necessary fitness certification from the concerned agencies on use of the building for the purpose has been obtained?
- Whether the sustenance support to the shelters operational or planned

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after five years of O&M support from DAY-NULM has been contemplated and approved?

e. Facilities at the Shelters which are Operational:

The guidelines prescribe certain facilities which are to be ensured at every shelter so as to enable the homeless person live with dignity.

Issues for Consideration:

- Whether the operational shelters provide facilities like ventilation of room, water arrangement, batching and toilet facility, standard lighting, fire protection measures, first aid kit, pest and vector control measures, regular cleaning of blankets and sheets, common kitchen/cooking space, child care facilities, locker facility, common recreation space and convergence with other schemes as per the guidelines?
- If any of the above facilities are not available what are the timelines for provision of them for dignified living of homeless?
- Whether free food to the eligible shelter residents being managed from the O&M support?

f. Operation and Management of Shelters:

Issues for Consideration:

- Whether the Executive Committee (EC) at the ULB level has been constituted and is monitoring the shelters within its area on a regular basis?
- Whether the Shelter Management Committee (SMC) has been constituted with the local ward member, ULB representative, caretakers and few nominated residents as member. The SMC should supervise day to day functioning of shelters. Whether the committee in place and functional?
- Whether it is being ensured that the homeless persons are not being denied entry into shelters in case they do not have any ID cards on their persons?
- What was the criteria adopted for selection of Shelter Management Agency (SMA) for management of shelters? Whether it was transparent and it succeeded in selection of best agencies?
- If the SMA is charging any fee from the shelter residents, then it must be ensured that it is in conformity with the guidelines.
- Whether the staff as per the guidelines is being provided by the Shelter Management Agency (SMA)?
- Whether shelter staff engaged by the SMA is being paid @ not below the minimum wages applicable?
- Whether the SMA staff has been sensitized by the ULBs for the needs of homeless persons?
- Whether the shelter inhabitants are being involved in the running of shelters?
- Whether publicity at the ULB level being made for availability of shelters for information of users?
- What measures are being adopted by the SMA for rescue of urban homeless to shelters?
- Whether the shelters have mandated grievance redressal mechanism in place? Further, are these being monitored in an effective manner?

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g. Convergence with other Govt Schemes:

These linkages and entitlements are listed in the operational guidelines on SUH which are to be assisted/ provided by the SMAs.

Issues for Consideration:

- Whether residents are being provided necessary assistance for convergence with other government schemes like Pradhan Mantri Awas Yojana (Urban) for allotment of permanent houses.
- Whether assistance is being provided to the shelter residents towards preparation of their voter ID cards / Aadhar cards etc.?
- Whether medical facilities to shelter residents are being provided to the residents?
- Whether the shelters have been attached to the nearby Colleges? For this instructions have been issued by the Ministry conveying the provisions of guidelines.
- Whether other entitlements for which the homeless persons are eligible, being facilitated by the SMA?
