



**GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT
(LOCAL GOVERNMENT-4 BRANCH)
[PUNJAB MUNICIPAL BHAWAN, SECTOR 35-A, CHANDIGARH]**

Notification

The Department of Local Governmnet, Punjab has enacted the Punjab Slum Dwellers (Proprietary Rights) Act, 2020. The rules of the Act has also been notified vide No. G.S.R. 95/P.A.7/2020/S.15/2020 dated 17.11.2020.

2. And now to implement 'BASERA- Chief Minsiter's Slum Developmnet Programme' prepared by the Department, following documents are sent herewith for further necessary action:-

1. BASERA scheme
2. SLUM Survey 2020 Form

Dated Chandigarh the

Ajoy Kumar Sinha, IAS
Secretary, Government of Punjab
Department of Local Government

Endst. No.5/24/2020-11g4/2406-2413

27.11.2020
Chandigarh, dated the

A copy each is forwarded for information and necessary action to the following:-

1. The Chief Principal Secretary, Hon'ble to Chief Minister, Punjab;
2. The OSD to Chief Secretary to Government, Punjab.
3. The Private Secretary to Minister, Local Government, Punjab.
4. CEO/PMIDC/PWSSB.
5. Director, Local Governmnet.
6. Joint Deputy Director, Local Government.
7. All commissioners of Municipal Corporations, Local Government.
8. All Regional Deputy Director, Local Government.

Ajoy Kumar Sinha

Under Secretary





CHIEF MINISTER'S SLUM DEVELOPMENT PROGRAMME

'BASERA'



Department of Local Government
Punjab

2020

GOVERNMENT OF PUNJAB

Preface

Among the 10.4 million urban dwellers in Punjab, about 13 per cent (1.4 million) resided in slums as of 2011, which are areas, often characterised by dilapidated housing, overcrowding, unsanitary living conditions and a looming threat of eviction. With India's increasing urbanisation, an inadvertent increase in the slum population may be expected and must be accounted for in urban planning systems and land management practices. Towards this end, the contribution of the slum dwellers must be recognised as essential to the urban economy while also redressing their fundamental pretexts for inequity that ties them down to poverty, including the lack of tenure security.

As a milestone step towards inclusive urban development and planning, the Government of Punjab enacted The Punjab Slum Dwellers (Proprietary Rights) Act, 2020 (the Act). Striving to address the challenges of slums, this legislation provides for sustainable growth of basic civic services in slum areas in urban towns and cities of Punjab by conferring proprietary rights of land to the slum HHs and ensuring their development through optimal utilisation of resources. The certificate of proprietary rights of land granted to the slum HHs under the Act will not only ensure tenure security among the slum dwellers but also empower them by allowing them financial stability and functioning as legal proof of residence.

Furthering the objectives of the Act, the Government of Punjab is now launching the Chief Minister's Slum Development Programme ('BASERA') in accordance with Section 17 of the PSD Act 2020. 'BASERA' outlines the guiding framework for the Urban Local Bodies (ULBs) to implement the Act, supported by The Punjab Management and Transfer of Municipal Properties Act, 2020. The objectives of the 'BASERA' will also be facilitated through convergence with various national and state-level schemes/programmes/funding opportunities and other Departments/land-owning agencies in the urban areas/Financial Institutions/and other Stakeholders to unlock land and flow of institutional finances for the slum HHs.

'BASERA', guided by the Act, lays the foundation for creating an urban environment that fosters a dignified quality of life among the slum HHs and is a progressive and inclusive step towards extending affordable housing to all. It enables unlocking the potential of land and recognising it as the most important asset in the context of slums in cities, through assigning legal proprietary rights to the slum HHs. In this regard, the 'BASERA' guides the vision of the formal acceptance of slum HHs in the urban fabric and realise the goal of "Slum free Punjab".

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Definitions

The definitions, as enlisted below, including those specified in the PSD Act 2020, its ensuing rules, along with a few others that are relevant for this scheme.

Act means Punjab Slum Dwellers (Proprietary Rights) Act, 2020.

Basic Civic Services means "services of drinking water supply, sanitation, drainage, sewerage, solid waste disposal, street lighting and urban environment improvement" as defined in PSD Act 2020.

Committee means "the Slum Area Redevelopment and Rehabilitation Committee constituted under section 6 of the Punjab Slum Dwellers (Proprietary Rights) Act, 2020" as defined in PSD Act 2020.

Eligibility Certificate means a certificate which will be provided to a slum HH living in an untenable slum for an interim period. Slum dweller carrying this eligibility certificate can claim entitlement as and when a resettlement scheme is operationalised in a ULB on a later date subject to fulfilment of conditions in the Act and the allied rules.

EWS Household means the section of beneficiaries whose household income is up to INR 300,000 per annum, as defined under Notification no. 5/24/2020-11g4/ dated 21.08.2020 of the Department of Local Government, Government of Punjab, or up to such limit as may be notified by the government from time to time and is landless. Self-certificate/ affidavit with regard to the household income will be admissible as proof of income.

Financial Institution means "any institution or Company possessing license under the Banking Regulation Act, 1949 to carry out banking business and includes a Housing Finance Institution which has obtained a certificate of registration under the National Housing Bank Act, 1987" as defined in PSD Act 2020;

Floor Area Ratio (FAR) means the quotient obtained by dividing the total covered area (plinth area) on all the floors by the area of the plot: $FAR = \frac{\text{Total covered area on all the floors} \times 100}{\text{Plot Area}}$.

Lock-in Period means 30 years from the date of issue of the certificate of proprietary rights during which the proprietary rights of the land so settled are non-transferable by sub-lease, sale or gift or any other manner whatsoever.

Mutation in Land Records means to transfer or change of title entry in revenue records of the local municipal corporation in accordance with the provisions of The Punjab Land Revenue Act, 1845.

Proprietary Rights means "rights to land assigned to slum HHs under section 3 of the Punjab Slum Dwellers (Proprietary Rights) Act, 2020" as defined in PSD Act 2020.

Redevelopment means "improvement to the existing slum by providing basic civic services and facilitating improvement of housing conditions in accordance with the housing scheme framed by the Government from time to time" as defined in PSD Act 2020.

Rehabilitation means "relocation of slum HHs to other location in accordance with the housing scheme or policy framed by the Government from time to time" as defined in PSD Act 2020.

Slum HH means family as defined under Section 2(f) of the PSD Act 2020, which is a household residing in slum or slum area comprising husband, wife and unmarried children.

The slum household should not own a pucca house (an all-weather dwelling unit) either in his/her name or in the name of any member of his/her family in any part of India.

Slum or slum area means a compact settlement of at least 25 households with a collection of poorly built tenements, mostly of temporary nature, crowded together usually with inadequate sanitary and drinking water facilities in unhygienic conditions, as defined under the Punjab Slum Dwellers (Proprietary Rights) Act, 2020. They shall extend to all existing slums including but not limited to notified or non-notified or recognised or authorised slums or the slums identified in accordance with the Act.

Tenable Habitations means "*habitations as decided by the SARRC, where the existence of human population does not entail undue risk to the safety or health or life of the residents or habitation or such sites is not considered contrary to the public interest or the land is not required for any public or development purpose*" as defined in PSD Act 2020.

Untenable Habitations means "*such areas where the existence of human population entails undue risk to the safety or health or life of the inhabitants themselves or where habitation on such areas is considered by the SARRC not to be in the public interest;*" as defined in PSD Act 2020.

Urban area means "*the area comprised within the limits of Urban Local Bodies*" as defined in PSD Act 2020.

Urban Local Bodies means "*the municipal bodies established under the Punjab Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976*" as defined in PSD Act 2020.

List of Acronyms

CB	Capacity Building
CBO	Community-based Organisation
CTSU	City Technical Support Unit
DLG	Department of Local Government
DWSS	Department of Water Supply and Sanitation
EWS	Economically Weaker Section
FAR	Floor Area Ratio
GIS	Geographic Information System
HH	Household
IEC	Information Education and Communication
MADF	Municipal Area Development Fund
MIS	Management Information system
MoHUPA	Ministry of Housing and Urban Poverty Alleviation
MoU	Memorandum of Understanding
NAC	Notified Area Council
NGO	Non-Government Organisation
NULM	National Urban Livelihood Mission
PPP	Public Private Partnership
PRC	Certificate of Proprietary Rights
PSDAct 2020	The Punjab Slum Dwellers (Proprietary Rights) Act, 2020
BASERA	Chief Minister's Slum Development Programme
SARRC	Slum Area Redevelopment & Rehabilitation Committee
SBM	Swachh Bharat Mission
SDPO	Sub-divisional Police Officer
SOP	Standard Operating Procedure
TAG	Technical Advisory Group
STSU	State Technical Support Unit
TSU	Technical Support Unit
UAS	Unmanned Ariel System
ULB	Urban Local Body

1. Vision

Chief Minister's Slum Development Programme ('BASERA') envisages a "Slum free Punjab" with inclusive and equitable cities in which every citizen has access to basic civic services, social amenities and decent shelter.

2. Mission

Encourage all the urban towns/cities (Municipal Corporation/ Municipal Council/ Notified Area Committee), hereinafter referred as Urban Local Bodies (ULBs), in the State of Punjab to tackle slums definitively, by focusing on:

- 2.1. Empowering slum dwellers by conferring proprietary rights of land, as far as practicable on an in-situ basis, in accordance with the provisions of the Punjab Slum Dwellers (Proprietary Rights) Act, 2020.
- 2.2. Bringing all existing slums, notified or non-notified (including recognised and identified), as per the definitions of The Punjab Slum Dwellers (Proprietary Rights) Act (PSD), 2020, within the formal system and enabling them to avail basic civic services (Drinking water supply, sanitation, drainage, sewerage, solid waste disposal, street lighting, pucca roads and in-house electricity) that is available for the rest of the city.

3. Objectives

- 3.1. Conferring proprietary rights to every slum HH in urban towns and cities of Punjab in line with the provisions of the PSD Act, 2020.
- 3.2. Improving and provisioning of basic civic services in intervened slums at par with the non-slum areas of the urban towns and cities of Punjab.
- 3.3. Upon upgradation, delisting of slums to integrate them into the city fabric.
- 3.4. Enabling adequate shelter and other urban environment improvements through convergence with national and state level schemes/programmes/missions and facilitating a supportive environment for expanding institutional credit linkages for the urban poor.
- 3.5. Empowering community by ensuring their participation at every stage of decision making through creating and strengthening local community and its association.
- 3.6. Strengthening institutional and human resource capacities at the state, district, city and slum levels through comprehensive capacity building and strengthening of resource networks.

4. Scope

- 4.1. 'BASERA' is formulated in accordance with Section 17 of the PSD Act 2020 and will be executed in a mission mode to guide the implementation of 'The Punjab Slum Dwellers (Proprietary Rights) Act, 2020 supported by The Punjab Management and Transfer of Municipal Properties Act, 2020.
- 4.2. 1st April 2020 the date of notification of PSD Act, 2020, will serve as the cut-off date to ascertain the eligibility of the slum HHs for grant of proprietary rights.
- 4.3. 'BASERA' will guide Urban Local Bodies (ULBs) to prioritise the improvement of basic civic services in each selected slum.
- 4.4. 'BASERA' will support ULBs to leverage and converge with various national and state level schemes/programmes/funding opportunities available to improve housing and urban environment in the slums.

- 4.5. 'BASERA' will foster collaboration among various other Departments/land owning entities in the urban areas/Financial Institutions/ and other Stakeholders to unlock land and flow of institutional finances for the slum dwellers.
- 4.6. The implementation of the scheme will be for five years 2020-2025. It will be implemented in two phases:
 - a. The Phase I for 12 months from the date of launch and will focus on undertaking geospatial and primary HH surveys in slums, updating the spatial and textual records based on the survey, tenability analysis of slums in Punjab and conferring proprietary rights to the eligible slum HHs across the state. This phase will also identify a list of slum HHs for issuance of Eligibility Certificates in case of untenable slums as indicated, subsequently in the scheme. Additionally, select districts will be identified to undertake pilots for comprehensive slum upgradation during this phase based on which relevant SOPs for slum upgradation and delisting will be drawn up.
 - b. The Phase II will be till 2025 and will focus on comprehensive upgradation of basic civic infrastructure in slums across all the urban towns and cities in Punjab and delist them upon upgradation. Efforts initiated for slum upgradation and delisting in pilot slums during phase I will be scaled up across the state based on SOPs issued post-testing their applicability.

5. Coverage

- 5.1. The scheme applies to all slums, including but not limited to notified or non-notified or recognised or authorised slums or the slums identified in accordance with the provisions of 'The Punjab Slum Dwellers (Proprietary Rights) Act, 2020' situated on Land owned by the state government or any of its entities.
- 5.2. For the purpose of this scheme, urban towns and cities in Punjab include all the Municipal Corporations, Municipal Councils and Notified Area Committee (NAC) Areas in the State of Punjab as mentioned in section 2 and are referred to as ULBs in this scheme.

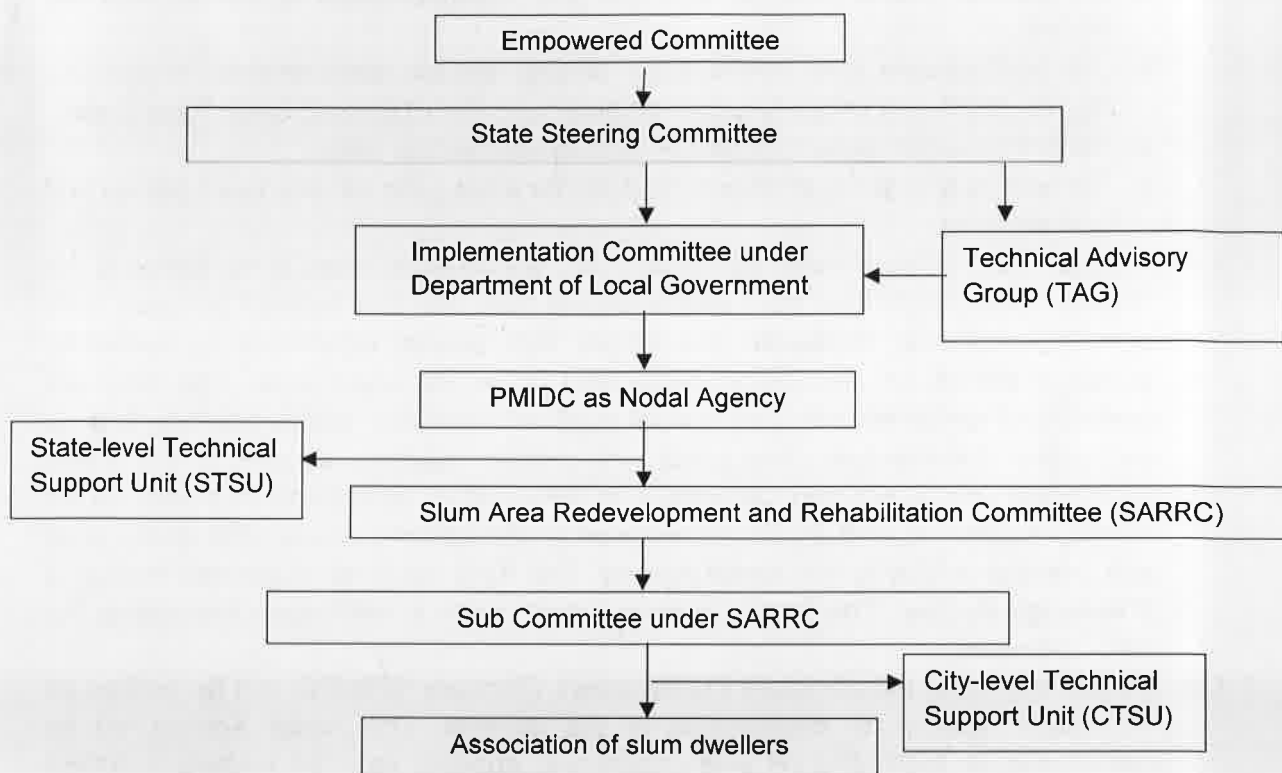
6. Eligibility

- 6.1. Every slum HH, occupying land in a slum in any urban area on the date of notification of PSD Act, 2020, i.e. 1st April 2020, will be eligible under the scheme.
- 6.2. Any one of the following documents/ records may be used to ascertain the eligibility.
 - a. The government authorised documents such as Aadhaar card, voter identity card, ration card under National Food Security Act, 2013, the smart card under Sarbat Sehat Bima Yojana (SSBY) or passport; or
 - b. Government records such as Census, survey, maps, satellite imagery, plans, reports, reports of committees and commissions, Government orders, notifications, circulars or resolutions.
- 6.3. The government will issue the notification in this regard from time to time.

7 Administration and Implementation Structure

The Mission will be housed at the Department of Local Government, Government of Punjab and will follow a four-tier interdependent Mission structure at state, district, city and community level as enunciated below:

Administrative structure:



7.1 At State Level

7.1.1 An Empowered Committee will be notified at the state level, headed by the Hon'ble Chief Minister comprising Ministers of Finance, Department of Local Government, Public Works Department (PWD), Revenue and Housing and Urban Development Department, as its members. The Empowered Committee will be responsible for guiding the overall implementation of the Act and ensuing rules and enable frameworks for taking decisions concerned with the transfer of land by enabling interdepartmental coordination.

7.1.2 A Steering Committee headed by the Chief Secretary will be notified. It will comprise of Administrative Secretaries of relevant departments including but not limited to Department of Local Government, Revenue, Finance, Forest, Power, Public Works, Water Resources Departments as its members. This Committee will set the overall vision and direction to the Mission by facilitating interdepartmental coordination among the concerned departments. The Committee will meet at least once in two months to review the progress. The empowered committee shall guide the functions of the steering committee. The central role of the committee will be:

- a. To resolve all, interdepartmental issues in the implementation of the Act, or review and monitor the progress regularly.
- b. To make such recommendations to the Empowered Committee as may be necessary to achieve the objectives of this Act.

7.1.3 An Implementation Committee headed by the Administrative Secretary, Department of Local Government as Convenor and a group of Commissioners /Deputy Commissioners of ULBs will be notified to implement the provisions of the PSD Act 2020. The powers and responsibilities of this committee, in accordance with the PSD Rule 2020, include, among others:

- a. To provide overall strategic direction and implementation of the Act and the Rules.
 - b. To facilitate state-level coordination among various functionaries; horizontally across ULBs and vertically coordination among the ULB level, District and State.
 - c. To facilitate inter-departmental coordination across the state.
 - d. To resolve any genre of dispute or discords among the various functionaries and stakeholders.
- 7.1.4 A State level Technical Advisory Group (TAG) will be established at the launch of the Mission. The group draw from senior experts from the civil society/ research think tank organisations/ Academia and others with proven experience in mobilising collective action for implementing the Mission at the state level. The TAG will comprise of sector experts from across legal, environment, social, housing, finance and urban development. This group will provide advisory support to the Nodal Agency and Implementation Committee. It will meet at least twice in a year on six monthly basis to monitor the implementation of the scheme and provide policy, legal and financial advice to the Nodal Agency. The TAG could be supported through a Knowledge Partner. The State Government will issue a notification formulating the said committee.
- 7.1.5 Punjab Municipal Infrastructure Development Company (PMIDC) will be notified as the Nodal Agency for coordination of the scheme. The Nodal Agency will be responsible for facilitating all policy decisions, approve required budgetary outlays and undertake necessary administrative and regulatory measures to implement the mission.
- 7.1.6 The State Technical Support Unit (STSU) drawn on contract basis will be constituted, as may be required, to support the functions of the Nodal Agency. The experts will be drawn from the fields of Architecture, Planning, MIS, GIS, Economics, Social Development, Project Engineering, Capacity Building or any other as may be decided by the Nodal Agency. The maximum number of resource persons to be put on the STSU will be decided by the Nodal Agency subsequently. This unit will be responsible for providing technical expertise, support policies and guidelines formulations and implementation of the scheme, maintain coordination among the Nodal Agency and the district and city level committees. The unit will also be responsible for capacity building at the state and the district level.

7.2 At the ULB level

- 7.2.1 At the ULB level, Slum Area Redevelopment & Rehabilitation Committee (SARRC) shall be constituted as per the provisions of The Punjab Slum Dwellers (Proprietary Rights) Act, 2020, and shall be headed by the Deputy Commissioner cum District Collector of the concerned district and will comprise of such other members
- a. Mayor of Municipal Corporation/President of the Municipal Council/Nagar Panchayat
 - b. Commissioner of the concerned Municipal Corporation
 - c. Sub-divisional magistrate of the area in which slum is located
 - d. A representative from the Revenue Department in charge of the concerned urban local body

- e. Concerned elected municipal councillor from the area in whose ward the slum is located
- f. One representative from any community-based organisation of slum dwellers who are resident in the slums in the respective urban areas (to be nominated by the chairperson)
- g. One representative of a reputed non-governmental organisation or civil society organisations working in the urban areas of the state (to be nominated by the chairperson)
- h. In corporation area, an officer not below the rank of assistant commissioners (to be nominated by commissioners) and Executive Officers of the concerned ULBs in Municipal Council/Nagar Panchayat area as Member Secretary.
- i. The district may choose to have representatives from other relevant departments as may deem necessary.

A notification formulating SARRC will be issued by the State Government subsequently.

- 7.2.2 SARRC will be responsible for facilitating the slum surveys, fixing physical boundaries of the slum, prepare a list of slums, identifying beneficiaries for conferring proprietary rights, slum upgradation, delisting of slum and any other activities as prescribed under the PSD Act 2020 and its allied rules.
- 7.2.3 A city-level subcommittee of the SARRC will be constituted and will be headed by the Commissioner/Executive Officer of the Urban Local Body (ULB). This committee will have other members as:
 - a. Additional/Deputy Commissioner or his representative
 - b. Senior Municipal Engineer
 - c. A representative of the local community or its associations
 - d. Representatives of the NGO/CBO and
 - e. Other officials/persons as a special invitee
- 7.2.4 The subcommittee will meet at least once a month to review the progress of implementation of various provisions of the scheme, identify bottlenecks and resort to solutions, ensure timely sanction of projects, evaluate proposals for slum delisting, validate household information and supporting material for the applications for settlements by the local community or its association, and determine eligibility for issuance of land rights and submit the proposal to SARRC for approval.
- 7.2.5 This subcommittee will be supported by a City level Technical Support Unit (CTSU) suggested having the experts on a contract basis, As may be required and as recommended for STSU explained in para 7.1.6 above. CTSU will be responsible for the on-ground implementation of the scheme along with the local communities and will undertake surveys, campaigns for awareness generation, prepare GIS/MIS database, undertake participatory upgradation and coordinate between the local communities and the ULBs.

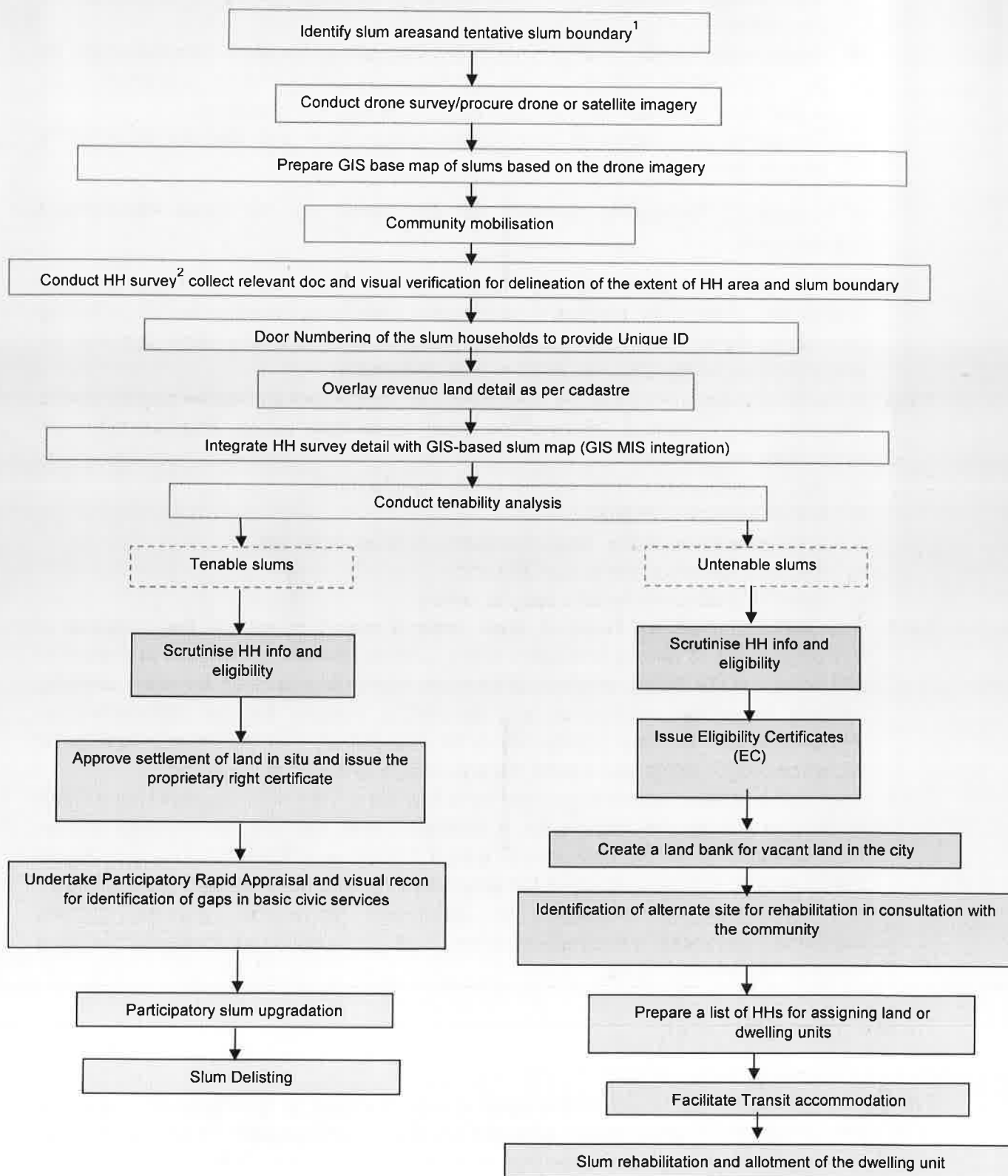
7.3 At Community Level

To ensure community participation, the cities are encouraged to form associations of the slum communities. Such associations will have adequate representation of women, persons with disabilities, transgenders and other marginalised communities from the slum.

8 Implementation Approach

The key constituents of the 'BASERA' are indicatively visualised below as a process flow that will be taken up for implementation of the scheme. The scheme will be implemented in two phases, as mentioned in Section 4 of this document.

Process flow for the implementation approach*



Note Below:

* The process flow is indicative and may vary depending on the context

1. The tentative slum boundary will be mapped in consultation with the community and the local agencies for drone mapping/procuring of satellite imagery.
2. A survey questionnaire is placed at Annexure 1 for undertaking the HH survey

8.1 Slum identification and notification

- 8.1.1 The slum identification and notification for the same will be taken up across the State during the Phase I. Sufficient number of teams will be formed by SARRC consisting of ULB officials and Revenue officials to update the existing list of the slums. Community will be informed about the scheme and key influencers will be identified. SARRC can decide either to use existing community mobilization staff from other schemes such as SBM / NULM or can hire NGOs for community mobilization.
- 8.1.2 The community will be informed about the scheme, and key influencers will be identified. SARRC can decide either to use existing community mobilisation staff from other schemes such as SBM / NULM or can hire NGOs for community mobilisation.
- 8.1.3 The following indicative steps will be undertaken to roll out this process:
 - a. Undertake spatial surveys using Unmanned Ariel System (UAS)/procure satellite imagery of each slum to accurately identify the slum boundary including the area occupied by each household and major topographic features of the slum occupied lands such as roads, water bodies, community buildings/spaces (school, clubs, places of worship etc.), and existing slum amenities (community toilet etc.), among others. This will be used to generate a slum layout map to assess the tenability of slums and development of slum amenities (road access, sanitation, etc.) in future.
 - b. Visual verification will follow the aerial survey/assessment of satellite imagery to verify the nature of amenities on the ground.
 - c. Once the aerial survey is completed the images will be collated, and orthoimage map of slum will be created which will be then laid over the cadastre from the revenue department, to identify the actual slum boundary in consultation with slum dwellers and ascertain the existing ownership details of the slum HHs on the occupied land.
 - d. Each slum household will be numbered, and stickers will be pasted on each slum household. If more than one family is residing in the same premises, one sticker per family will be pasted on the slum household.
 - e. Household survey at the slum level will be carried out to collect the demographic, socio-economic, plot area, access to basic civic services, among other data points at the dwelling unit and slum area level. It shall also collect the Aadhar numbers of all the family members. A Mobile app may be developed for collecting this data. Simultaneously, the households will be required to submit an application in a prescribed format along with the necessary documents to determine the eligibility. A survey questionnaire is enclosed at Annexure 1.
 - f. The eligibility of the slum household and applicant for settlement will be ascertained, based on the validity of the documents submitted; on the cut-off date and cross verifying the database to ensure that neither the applicant nor his

- family members are in possession of Proprietary Right Certificate in any other ULB of the state.
- g. The collected HH survey data will be integrated with the spatial data collected from the aerial survey to create a comprehensive list of slums in the state. Subsequently, detailed SOPs may be issued by the Department of Local Government of Punjab for GIS, MIS and GIS-MIS Integration.
 - h. The GIS MIS integration will be done at two levels at slum level (with city base map) for tenability analysis and the household level (with slum base map) for preparation of DPR at a later stage. Features like administrative boundaries (planning area, municipal, zones & wards), key physical features such as roads, rivers, railways, water bodies, important landmarks, land use & land cover can be extracted from the satellite image for preparation of city base map. Subsequently, slum boundaries will be marked on the city base map using GPS survey points and satellite image.
 - i. A dynamic dashboard and a mobile application may be designed for real-time data visualisation and status monitoring for the ease of decision making and performing analytics.
 - j. List of slums, as well as HHs, identified through the survey, will be notified by the Department of Local Government of Punjab.
 - k. The slum boundaries will then be overlaid on the Cadastral map and RoR for tenability analysis and identification of slums dwellers eligible for conferring proprietary rights under the PSD Act 2020.

8.2 Conferring Proprietary Rights Certificates to slum HHs

- 8.2.1 Subsequent to the slum identification and the survey, Proprietary Rights will be conferred by SARRC to all the eligible slum HHs residing on tenable land owned by the ULBs or the Department of the Local Government. In accordance with the provisions of the PSD Act, 2020; the Municipalities desirous of transferring Municipal Properties in accordance with the provisions of this Act, shall pass a resolution with simple majority to this effect. The proprietary rights of land conferred shall, as far as practicable, be provided in-situ and on as-is where-is basis as per the PSD Act 2020 and its ensuing rules.
- 8.2.2 In case the eligible slum HHs are residing on tenable land belonging to any statutory Board or Corporation or any other Department of the Punjab Government except the Department of Local Government; the Department of Local Government will seek the consent of such Board or Corporation or the Department. On receiving the comments from the department concerned, the proposal will be put up for the consideration of the Empowered Committee through the steering Committee. After the approval from the Empowered Committee, Proprietary Rights will be conferred to all the eligible slum HHs. As far as practicable, Proprietary rights will be provided in-situ and on an as-is-where-is basis as per the PSD Act 2020 and its ensuing rules.
- 8.2.3 The Certificate of Proprietary Rights (PRC) will be issued by the Authorized Officer, jointly in the name of both the spouses in case of married persons and in the name of single head of the HH in the case of a household is headed by a single person. The PRC issued will be inheritable and will have a lock in period of 30 years, wherein it shall be not transferable by sub-lease, sale, gift, or any other manner whatsoever. However, the land can be mortgaged for the purpose of raising finance in the form of

housing loan from any financial institution. The PRC will be issued subject to surrender of the excess land to the Authorised Officer or only after the due payment of the amount determined for such excess land.

8.2.4 For untenable sites, Eligibility Certificates (EC) will be issued by the Authorized Officer, on a case by case basis as illustrated hereunder.

a. The slum HHs occupying land owned by the state government or any of its entities that are declared untenable will be further carefully examined on a case to case basis to seek inter-departmental consensus to reclassify the land, if need be, from untenable to tenable. The slum HHs on such land will be provided with Eligibility Certificates (EC) and subsequently may be converted to PRC, upon reclassification.

b. Slums situated on untenable land where existence of human population entails undue risk to the safety or health or life of the inhabitants themselves or where habitation on such areas is considered by the SARRC not to be in the public interest, may be taken up for rehabilitation and may be granted Eligibility Certificate (EC). The Eligibility Certificate (EC) issued can be used by slum HHs for claiming entitlement as and when a resettlement / rehabilitation scheme is floated by the ULB concerned on a later date.

8.2.5 In normal circumstances, if the slum HH is in occupation of land in excess of the permissible limit as per the Act and its ensuing rules, then he/she shall voluntarily vacate such excess land. For the excess land not severable, the Slum HH who is in possession of excess land should, in unequivocal terms, express intent to own the excess land upon additional payment in accordance with the Act. Based on the intent expressed by the Slum HH, a Letter of Intent (LOI) will be issued. The LOI will be valid for a period of 90 days and will intimate the extent of excess land to be settled, cost determined for such excess land, in accordance with the PSD Act and the Allied Rules. The eligible Slum HH will pay in lieu of the excess land within 90 days, only upon which PRC will be issued to the Slum HH. The excess land surrendered shall be repossessed by the Authorised Officer within a stipulated time period as may be determined by the government from time to time. The entire process will be facilitated by the Government of Punjab. The grant of excess land will be subject to:

a. Occupation of the excess land, only for habitation purposes and excludes any attempts to amalgamate land such as creating a boundary wall etc.

b. Principle of equitable distribution of land

c. And any other procedure and guidelines as may be laid down by the government from time to time.

8.2.6 Cancellation of Proprietary Rights Certificate

The Proprietary Rights Certificate may be cancelled, if the slum HH, upon settling the proprietary rights under this Act, transfers such land except in accordance with the provisions of Act or have got the certificate of proprietary rights by misrepresentation of the facts or the land is not used for the residential purposes. Such cancellation will be made as per the provisions mentioned in section 3 of the Act.

8.2.7 Appeal

Every appeal against any order of the authorised officer will be filed, heard and disposed of as per the procedure laid down under the provisions of the PSD Act, 2020 and its allied rules.

8.3 Participatory slum upgradation and delisting

The process of participatory slum upgradation will be undertaken to enable the provision of basic civic services in all the slums across the state and will be delisted upon upgradation. The following indicative broad steps will be undertaken during this process:

- 8.3.1 Awareness generation and mobilisation of the community to ensure that slum dwellers extend their cooperation and remain an active part of driving change on the ground by being at the centre of the process.
- 8.3.2 Lay down the procedure and benchmarks for undertaking participatory integrated slum level infrastructure upgradation projects. Slum upgradation will be sent out for approval by the ULBs together departments like DWSS, Electricity department at the city level etc. as the case may be.
- 8.3.3 Implementing and monitoring the infrastructure upgradation projects by the community and moving forward the process of delisting of the slum post upgradation.
- 8.3.4 Subsequently, detailed SOPs may be issued by the Department of Local Government of Punjab related to the implementation of this process on specific issues of slum upgradation and delisting, Preparation of Detailed Project Report (DPR) among others.

8.4 Slum rehabilitation through community participation

- 8.4.1 Subsequent to the identification of slum HHs on the untenable land and conferring EC, rehabilitation may be taken up as decided by the ULBs, depending on the local context. In case of rehabilitation, the slum HHs will either be provided with proprietary right of land as per the provisions in the PSD Act 2020 or can be provided with dwelling unit in an alternative location.
- 8.4.2 The state will ensure the involvement of the community at every step of the process. Consent of the slum HHs in site selection and rehabilitation should be sought. In some instances, the government may decide to offer a suitable compensation package as may be required.
- 8.4.3 The indicative broad steps to be undertaken during this process are as follows:
 - Awareness generation and mobilisation of the community to ensure that slum HHs extend their cooperation and remain an active part of the process.
 - Lay down the procedure for allocating land or dwelling units in identified projects
 - Lay down the procedure of involving the private sector to undertake projects under PPP.

If need be, further detailed SOPs may be issued by the Department of Local Government of Punjab, subsequently on specific issues related to the implementation of the scheme.

9 Partnership with non-governmental stakeholders to ensure the success of the mission

- 9.1 The scheme involves a mix of high technology and grass root level mobilisation for the effective implementation of PDS Act 2020. Accordingly, the state will partner with a wide range of relevant organisations in the implementation process, such as non-governmental organisations (NGOs), philanthropic institutions, private sector service providers, think tanks, academic and research institutions at various levels to ensure efficient and effective rollout. The state will partner with a relevant organisation to take up surveying, planning, implementation and monitoring of scheme.

- 9.2 Technical partners: The scheme implementation will involve technical expertise for drone mapping, integration of GIS MIS database and creation of data centre. To address the technical issues in the implementation, the state government will strive to partner with non - governmental agencies as Technical partner.
- 9.3 Capacity building partners: State will strive to partner with non-governmental agencies to create a pool of master trainers to enhance capacity building of the stakeholders.
- 9.4 Knowledge partners: To create the guidelines and relevant operating procedures, the state will partner will non- governmental agencies as knowledge partners.
- 9.5 Implementation partners: The partners will play an important role in the implementation process and will be responsible for establishing the link between the community and other stakeholders. They will also be instrumental in creating awareness in the community on the PSD Act 2020, empower them to access and utilise the land rights that will be made available to them through the implementation of the Act.

10 Capacity Building and IEC activities

- 10.1 Comprehensive Capacity building programme will be conducted for the State/District/City level officials and other stakeholders, as decided by the Nodal Agency, involved in dealing with slums and urban poverty on the various contours of the 'BASERA'. A judicious mix of workshops and exposure visits will be conducted for building the capacities. The purpose of the capacity building programme will be to develop institutional capacity for effective implementation of the slum upgradation programme. This will facilitate institutional arrangements and capacity creation to enable the community to participate in the development process as partners. The focus will be on enhancing and developing new capacities of different stakeholders from the state, district and ULBs such as administrators, engineers, planners, elected representatives, members of the SARRC at the district and city level and any other stakeholders as may be identified by the Department of Local Government, Punjab.
- 10.2 For capacity building, training institutes empanelled by the Centre/state government may be identified, and a Centre of Excellence can be established within such training institutes. This setup will help the state to undertake periodic capacity building programmes during the implementation phases.
- 10.3 Funding support will be extended under the CB and IEC activity for supporting Technical Support Unit (TSU) at both State and City levels; engagement of local NGOs/firms; preparation of guideline/ SOPs including preparatory activities for the same; undertaking slum HH and spatial surveys; GIS/MIS hardware and data centre; and any other preparatory activities/tasks as may be decided by the Nodal Agency.
- 10.4 IEC activities for community mobilisation, awareness generation and communication would also be eligible for funding under this head. Along with expenditure required for administering the Mission at the state will also be met from this fund.

11 Funding Pattern

- 11.1 In accordance with the Act and its relevant rules, Municipal Area Development Fund (MADF) will be constituted at the level of each ULB, as a separate fund, will be administered in accordance with provisions of the Punjab Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976 and will have proceeds indicated as part of the PSD Act, 2020 and ensuing rules.

11.2 MADF shall be utilised for providing financial assistance, in the form of grants, for urban poor housing, urban infrastructure improvement including their operation and maintenance across the ULB with preferably they being used for improving access to basic civic and social infrastructure in the slums within the jurisdiction of the respective ULBs. Further details with regard to the management and administration of the fund is provided in Annexure 2.

12. Monitoring & Evaluation

- 12.1 The Mission will be monitored at three levels: State, City and community level.
- 12.2 At the state level, the Steering Committee will meet at least once quarter to review the progress and report the same and report to the Empowered Committee, which will also meet at least once in two months. The monitoring of the projects will also be done by the Nodal Agency supported by the STSU at least once every month. All the relevant state departments will be invited to the monitoring meetings along with the representatives from the SARRC, as may be decided. The progress reports will be sent to the Empowered Committee, Steering Committee and the TAG at least once every quarter.
- 12.3 At the city level, the CTSU will undertake monthly monitoring and report to SARRC.
- 12.4 At the community level, ULBs will encourage conducting concurrent Social Audits during the project implementation in conformity with SOP on social Audit that may be issued by the Department of Local Government of Punjab subsequently.
- 12.5 Dashboard and a mobile application may be created for effective monitoring and evaluation of the implementation of the scheme.

Annexure 1: Slum HH survey questionnaire

SLUM SURVEY - 2020				
<i>Information Required for Slum Survey</i>				
1	Name of ULB			
2	Name of Slum			
3	Address			
4	House no. (as per stickering unique house no).			
5	Name of head of the Household			
6	Father's Name / Spouse's name			
7	Gender of Head of the HH	1 -Male 2- Female 3- Transgender		
8	Age of Head of the Household			
9	Mobile No. of the Head of the Household			
10	Marital Status of the Head of the HH	1- Married 2- Unmarried 3- Divorced 4- Widow		
11	Identity Type of the Head of the HH	1- Aadhaar Card 2- Voter ID Card 3 -Ration card under National Food Security Act, 2013 4- Smart card under SarbatSehatBima Yojana (SSBY) 5- Passport 6- Utility bill (Electricity/Water/Sewerage) 7- Any other identification documents (specify)		
12	Date of Issue of ID			
13	Identity No			
14	Occupation of Head of the HH	1. Farmer 2. Casual labour 3. Skilled labour 4. Self Employed 5. Government Employee 6. Non-Government Employee 7. Homemaker 8. Retired 10. House help 11. Unemployed (Temporary) 12. Unemployed (Permanent) 13. Others (specify)		
15	Category	1- General 2- SC 3- ST 4- OBC		
16	Annual Family Income (Rs.) (Affidavit to be attached)			
17	Family Member Detail other than head of the HH			
	Name of Family Member	Relationship to the Head of the Household	Gender (1 -Male, 2- Female, 3- Transgender)	Age
				Marital Status (1- Married, 2- Unmarried, 3- Divorced,

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					4- Widow)
18	Duration of stay in the present House (In Years)				
19	Current area of land occupied by the Household (plot area in sq. mtrs.)				
20	Area of current House (built up area in sq. mtrs.)				
21	Is it a multi-storeyed construction?	Yes No			
22	if Q 21 is Yes, Total No. of stories/floors in the plot				
23	Condition of House	1- Pucca 2- Semi pucca 3- Kachha			
24	Access to toilet facility	1- Within premises for exclusive use 2- Within premises shared use 3- outside premises shared toilet 4- Community Toilet/Public toilet 5- Open defecation			
25	Access to metered electricity connection	Yes No			
26	Primary Source of drinking water	1 -Within premises piped water supply by public authority 2 - Within premises piped water supply by self 3 - Within premises Tube well/handpump 4- Within premises Open well 5 -Outside premises Public tap 6-Outside premises Tube well/Bore well/Hand pump 7-Outside premises Open well 8-Tank/pond, 9-River/Canal/Lake/Spring 10-Water tanker 11- Other (specify)			
27	Attachments				
	Self-Declaration in form of affidavit for annual income and other property ownership (JPG, JPEG, PNG)				
	Owner Along with the house Photo (JPG, JPEG, PNG)				
	Proof of Living before 01/04/2020 (JPG, JPEG, PNG of utility bill/Passport/Aadhaar card/Voter id/Smart card/Ration card)				

Annexure 2: Punjab Municipal Area Development Fund - Guidelines

1. Setting up of MADF

In accordance with the PSD Act 2020 and its relevant rules, Municipal Area Development Fund (MADF) - <ULB Name> will be constituted at the level of each urban local body, as a separate fund, and will be administered in accordance with provisions of the Punjab Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976. MADF will have proceeds from and as may be indicated as part of the PSD Act, 2020 and ensuing rules:

- a) Receipts from the slum HHs towards land settlement payable under the PSDA, 2020 and its allied rules
- b) Contributions from the State and Central Governments, if any;
- c) Contributions from organisations, philanthropists, individuals and Non-Government Organisations and
- d) The government may notify any other sources of funding including the Corporate Social Responsibility (CSR) funding

Separate instructions may be issued regarding the procedure for the operation and management of the said fund by the Government of Punjab from time to time.

2. Objective of MADF

MADF shall be utilised for providing financial assistance, in the form of grants, for urban poor housing, urban infrastructure improvement including their operation and maintenance across the ULB with preferably they being used for improving access to basic civic and social infrastructure in the slums within the jurisdiction of the respective ULBs. For urban development, by way of augmentation of services, the grants shall be given to the following social and physical infrastructure projects:

- (i) **Transportation:** Connecting roads in the city, roads within the slums, etc.
- (ii) **Sanitation:** FS collection and treatment, Sewage treatment, subsidising last-mile sewerage connectivity, Solid waste collection and disposal facilities, Stormwater drainage, individual HH toilets etc.;
- (iii) **Water:** Water conservation and recycling, Water distribution within slums, subsidising last mile connectivity etc.;
- (iv) **Power:** Power distribution, street lights, Energy efficiency initiatives, Renewable energy initiatives, etc.; and
- (v) **Social Infrastructure:** Primary Health Centres/ Dispensaries and Primary/ Secondary / Senior Secondary Schools for economically weaker sections, community facilities such as pre-schools, child care centres, informal sector markets, livelihoods centres, etc.
- (vi) **Urban Environment Improvement Infrastructure:** Parks and playgrounds, street furniture etc.

The financial assistance from MADF shall be available only to meet the capital and Operation & Maintenance expenditure of the capital assets for urban areas within the municipal jurisdiction, preferably directly benefiting the slum HHs. The financial assistance from MADF may also be used for acquiring land for resettling the untenable slums, providing for viability gap funding for Public-Private Partnership projects for building tenements for the urban poor, or others, as may be notified by the ULB from time to time.

MADF shall not be given for meeting the expenditure of revenue nature such as salaries & allowances, establishment cost, etc.

3. Managing/Administering Expenditure under MADF

3.1. The ULB shall spend the funds on admissible social and physical infrastructure project as illustrated in section 2 above in accordance with provisions of the Punjab Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976.

3.2. The ULB, while spending under this fund, will ensure:

- a) any adverse environmental and social impact has been taken care of to minimise the same through mitigation measures and compliance with extant laws and rules in this regard; and
- b) the technical parameters are sound, realistic, technically feasible and meet the various required/ recommended standard guidelines;
- c) the cost estimates are reasonable and as per the PWD common schedule of rates or any other such schedule of rates specified by the Government organisations or regulatory authorities;
- d) the project is economically viable;
- e) the required funding from all sources, besides MADF, has been tied up.

3.3. The Administrative Secretary, Department of Local Government, will be responsible for monitoring the utilisation of MADF. ULBs may invest the surplus funds in the short term/ long term deposits, securities, etc. in line with the provisions under the Punjab Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976. ULBs shall furnish a 'state of the fund report' quarterly to the Department of Local Government consisting of the following details:

- a) Opening balance at the beginning of the quarter;
- b) Accumulation and withdrawals during the quarter;
- c) The utilisation of withdrawal, project-wise, against the approved financing;
- d) Recoupment during the year, project-wise, relating to the withdrawal of the previous quarter indicating quarter-wise withdrawals; and
- e) Closing balance as on the date of submission of the said report.

3.4. **Audit:** The accounts of MADF shall form part of the ULB annual accounts, and shall be audited by the concerned agency, as per the existing practices in this regard.

3.5. **Savings:** Any savings accrued by way of investments as specified in 5.2 shall be made part of the available funding and shall be used as per the guidelines issued from time to time.
