

ARUNACHAL PRADESH PROPERTY RIGHTS TO SLUM DWELLERS RULES, 2014

The No. 132, Arunachal Pradesh Gazette EXTRAORDINARY PUBLISHED BY AUTHORITY Vol. XXI, Nahariagun, Friday, July 18, 2014, Asadha 27, 1936 (Saka) LAW REVISED GOVERNMENT OF ARUNACHAL PRADESH DEPARTMENT OF URBAN DEVELOPMENT AND HOUSING ITANAGAR NOTIFICATION The 16th July, 2014 No. DUD/RAY-30/2010-11 (Pt-I).—In exercise of the power conferred by Section 6, 8, 9, 10, 11 and 16 read with section 26 of the Arunachal Pradesh Property Rights to Slum Dwellers Act, 2012 (No. 1 of 2013) the Governor of the Arunachal Pradesh hereby makes the following rules to regulate the procedure of identification to property rights of the eligible slum dwellers; composition of slum development committees; preparation of schemes for slum development by various agencies, constitution of Tribunals etc. in the state of Arunachal Pradesh, namely ; 1. Short title, extent and commencement : (i) These rules may be called the Arunachal Pradesh Property Right to Slum Dwellers (Procedure of Identification ; Composition of Slum Development Committees and Miscellaneous functions etc) Rules, 2014. (ii) They shall come into force on the date of their publication in the Arunachal Pradesh Gazette

2. Procedures for identification of Slum Dwellers : Under these rules, the State Level Nodal Agency/ ULB shall be required to conduct periodic survey for identification of slum dwellers through biometric survey in accordance of with the provision of Section 6

3. Legal entitlements of Eligible Slum Dwellers : (i) **Any tribal landless person living in a slum area in any town/ urban areas/city at least for the period of 10 years shall be entitlement to have a dwelling space of atleast an area of 25 sqmtr at an affordable cost at such rate as the Government by and order decide.**(ii) Every tribal dwellers shall be given legal document of entitlement which shall be in the name of the female head of the household or in the joint name of the male head of the household and his wife. Provided that the dwelling space so provided under sub-rule : (i) Of rule 3 to such person shall not be transferable by sublease, sale gift, mortgage or any other manner to any person whatsoever except by inheritance, without the permission of the Government for a period of 7 years from the date of allotment of the said dwelling space. Consequently on such transfer, the allotment shall stand automatically cancelled on the date on which such transfer was effected and the same shall be treated as null and void, and that no ownership or occupation rights shall accrue to the transferee of such dwelling space. Further that the Authorized Officer on the direction of the City/Urban Areas Slum Redevelopment Committee shall be empowered to dispossess the person who is in actual possession of such dwelling space it or when such transfer comes to its notice. (ii) The person who is ineligible as per sub-section (1) of Section 3 shall be provided all weather space with all basic amenities or rental basis by the Government. Constitution and composition of the City/Urban Areas Slum Redevelopment 4. Committee : (i) Under the said rule, the State Government shall constitute and notify City/Urban Area Slums Redevelopment Committee for every city urban areas as required under the Act. (ii) The composition of the State Slum Redevelopment Authority shall consist of such members as provided in the Act

5. Powers and Function : The City/Urban Area Slums Redevelopment Committee constituted under section 8 of the Act shall perform all the function as provided in section 9

6. Number of members and their term and conditions of appointment of City/Urban Area Slums Redevelopment Committee etc.: (i) The total number of Members City/Urban Area Slum Redevelopment Committee shall be 14. (ii) The tenure of each member shall be 5 years from the date of their appointment. (iii) The members shall work with true spirit and transparency shall be maintained during all business transaction/proceeding of the committee. 2 The Arunachal Pradesh Extraordinary Gazette, July 18, 2014 7. Terms and conditions for engagement of experts for technical and legal work to assist the City/urban Area Slum Redevelopment Committee and the remuneration payable to such experts : (i) Under the provision of sub-section 3 of section 8, the Government shall be competent to nominate such persons to assist the said committee and also to notify the terms and conditions for appointment of Experts for technical and legal work to assist them. (ii) The technical expert shall comprise of the following backgrounds such as Urban Planner, PHE Engineer, Social development specialist, MIS/GIS expert. The remuneration shall be

fixed as per admissibility of Government from time to time. The terms and condition shall be governed by section (8) of sub-section (3)

8. Appointment of Special Committee and officers and employees of the City/Urban Area Slum Redevelopment Committee, their salary and allowances etc.: (i) As per the provisions of sub- section 5 of section 9, the Government shall also constitute and notify special committees headed by members of the committee with appointment of officers and officials from state government of line department. (ii) The salaries and allowances shall be borne by the respective department from where the employees have been deputed

9. Preparation of schemes, implementation of schemes for slum, Redevelopment, upgradation/resettlement through designated agencies : As per section 10, the Government shall notify the Nodal Department for preparation of Schemes, implementation of schemes. IO. Procedure and framework for fixing responsibility for the maintenance and sustainability for schemes undertaken : The nodal department in accordance with City/Urban Areas Slum Redevelopment Committee shall prepare schemes, implement schemes at par with section 10 and also fix the responsibility for maintenance and sustainability of schemes etc

11. The composition, powers and functions of the State Slum Redevelopment Authority the powers and functions thereof, the number of members and their terms and conditions of appointment and other matters connected therewith : (i) The composition of the State Slum redevelopment Authority shall consist with such members as provided in the Act. (ii) The state Government shall frame procedure and conduct of business of the authority including its budget

12. Appointment of officers and employees of the State Authority, their salary and allowances etc. (i) As per section 11, State Authority shall appoint expert and technical person for monitoring the work of City/Urban Areas Slum Redevelopment Committee. (ii) The expert and technical officers shall be deputed from line department to oversee the work of officers/officials of the committee. (iii) The salary and allowance shall be borne from the parent department from where the employees have been deputed

13. The composition, powers, functions and procedures of the Tribunal constituted : (i) The Government shall constitute by an order notify and constitute one or more tribunals within the state for the purpose of hearing appeals as preferred under the Act. (ii) The Tribunals constituted for the said purposes shall comprise of a judge not below the level of Assistant District Judge as may be nominated by the Government and a Technical Member from such back- ground as provided at Rule 7 of the said rules for assessment and settlement of final compensation to any claims as may arise in this Act. (iii) To hear the appeals from any person who does not agree to the amount of the compensation offered claims a sum in excess of that amount and the decision of the State

14. Process of determination, appointment and procedure of payment of compensation in case of acquisition of land : The State Government shall be entitled to provide compensation to every person whose land shall be acquired for the purpose of allotment to the slum dwellers under the provision of sub-section (1) and section 15. The State Government shall paid the compensation to the affected land owner which may be in the form of monetary, in the form of confessional building right in lieu of value of land forgone, partially or wholly transferable or a combination of both as per sub-section (2) of section 15. The procedure of payment of compensation shall be at par with the Government prescribed rate notified from time to time. TT. Gamdik, IAS Secretary (UD), Government of Arunachal Pradesh, Itanagar. Published and printed at Directorate of Printing—627/2014-DoP-250+Urban Deu -100-7-2014.