

Subject: Framing of guidelines in respect of Urban Homeless Shelters in the light of recent direction of Hon'ble Supreme Court in W.P.No (civil) 196/2001.

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Read:

1. Order dated: 27-02-2012 in W.P.No: 196/2001 by the Hon'ble Supreme Court of India
2. Government Order No: UDD 81 MNG 2010, dated: 14-03-2012.
3. Letter No: ಪೌನಿ/ಯುಪಿಎವರಿಯು/ಮುಯೋ/ಸಿಆರ್-6/ 2013-14, dated: 19-01-2013 & 03-12-2013 of the Director of Municipal Administration

Preamble:

In the order dated: 27-02-2012 read at (1) above the Hon'ble Supreme Court of India in W.P (Civil) No: 196/2001 Peoples Union for Civil Liberties V/s Union of India and others case, has opined that proper rules and regulations for monitoring night shelters must be enacted by each State and Union Territories which would have some statutory force.

2. In the Government Order dated: 14-03-2012, read at (2) above, Government has constituted a committee in the Chairmanship of the Commissioner of Municipal Administration for preparing comprehensive Rules and regulation for monitoring the Night Shelters.

3. The Director of Municipal Administration in her letter dated read at (3) above has submitted the draft of the Operational Guidelines for Urban Homeless Shelters prepared by the committee.

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Government has considered and accepted the draft of the Guidelines submitted by the Committee Hence this Order.

Government Order No: UDD 81 MNG 2010 (P),
Bangalore, dated: 29-05-2014

In view of the above the Government are pleased to issue "Operational Guidelines for Urban Homeless Shelters" as appended to this order with immediate effect and until further orders.

By orders and in the name of the
Governor of Karnataka


(N. Gopalaiah)

Under Secretary to Government
Urban Development Department.

To:

1. The Accountant General, (A & E), (G & SSA) (E & RSA), Karnataka Bangalore-01.
2. The Chief Secretary To Government of Karnataka, Vidhana soudha, Bangalore.
3. Sri Harsh Mander, Special Commissioner to the Hon'ble Supreme Court, B-68, 2nd Floor, Sarvedaya Enclave New Dehil-110017.
4. Sri Clifton D'Rozario, Advisor to the Commissioners to the Hon'ble Supreme Court in W.P. 196/2001, No. 122/4, Infantry Road, Opposite Infantry widding Hall, Bangalore-01.
5. The Additional Chief Secretary to Government Vidhana soudha, Bangalore.
6. The Additional Chief Secretary to Government Finance Department, Vidhana soudha, Bangalore.
7. The Secretary to Government Urban Development Department (M & UDA) Vikasa-soudha, Bangalore.
8. The Commissioner, Bruhat Bangalore Mahanagara Palike, Bangalore.
9. The Director of Municipal Administration, V.V. Tower, Bangalore.
10. The Commissioner's of all the Corporations in the State, through the DMA.

Copy to:

1. PS to ACS, Urban Development Department, Vikasa soudha, Bangalore.
2. PA to AS/DS-1/DS-2, Urban Development Department Vikasa soudha, Bangalore.
3. SGF/Spares /Departmental Web site.

ANNEXURE TO G.O. NO. UDD 81 MNG 2010 (Part) Dated: 29-05-2014

Operational Guidelines for Urban Homeless Shelters

Chapter I:

Preamble:

The Urban Homeless (UH) populations are among the most vulnerable populations in the country, forced to lead brutalised lives without dignity. Homeless people in our cities virtually are non-citizens forced to live and sleep each night under the open sky braving the bitter winter cold, the merciless summer heat and the deluge of the monsoons. The largest majority of homeless people sleep on pavements and sidewalks, under ledges of shops and homes, in market corridors, at bus-stands and railways stations, and outside places of worship, often in daily danger to their lives from rash and drunken drivers.

There is need to include these homeless people in decision-making and offer opportunities for secure tenure rights, credit, basic education, health care, water and sanitation. Needless to add these populations do not possess any legal documents including election cards or ration cards and do not have access to proper health and educational opportunities or to the benefits of social assistance programmes such as old age pensions, widow pensions, maternal benefits, etc.

According to the 2001 Census, the urban houseless population in the state of Karnataka, at that point in time was 40,328. In March 2010, about 29 NGOs carried out a rapid survey of urban homeless in Bangalore city and found that there are at least 17,141 urban homeless persons are living in Bangalore city alone. However, it can be said that there is no accurate estimate of the homeless people living in the state.

It is in such a situation that the Hon'ble Supreme Court has taken serious cognizance of the issue of Urban Homeless in W.P. 196/2001, and has issued a series of Orders in regard to the fulfillment of their constitutional and fundamental rights. The major guidelines provided by the Supreme Court on specificities of shelter (Order dated 20th January 2010) are as follows:

- 1) All cities covered under JNNURM and above 5 lakhs, to have one 24 hrs. 365 days a year, homeless shelter with a capacity of 100 persons for every one lakh population.
- 2) There should be basic amenities provided in the shelters, which are to include mattress, bed roll, blanket, portable drinking water, functional latrines, first aid, primary health facilities, de-addiction and recreation facilities etc.
- 3) 30% of these to be special shelters (women, old and infirm, recovery shelters)

Further States and Union Territories, were ordered vide Order dated 5th May, 2010 to undertake a detailed survey on the homeless and respond to their entitlements accordingly; construct a shelter for a lakh population in all urban centers and provide basic facilities and amenities such as clean drinking water, light, toilet and provisions for their security and; formulate comprehensive policies protecting the rights of the homeless. Subsequent orders of the Hon'ble Supreme Court have reiterated these obligations of the State Governments and in fact through its Order dated 19th April, 2011 a deadline of 31st October 2011 was set for the establishment of permanent shelters with all basic amenities. Subsequently this deadline has been extended and in its Order dated 9th May, 2011, the Hon'ble Supreme Court directed the States to put up shelters according to the settled norms without further loss of time because even during the summer and monsoon seasons, it is imperative to have night shelters for the homeless people and that all the shelters must have the basic facilities of drinking water, toilets, bathing, electricity, security and emergency medical checkup. By its Order dated 12th December, 2011 the states were directed to put up permanent shelters at the earliest and in the absence of that, only for the winters the States are to put up temporary shelters to ensure that no homeless person dies due to severe cold.



The Hon'ble Supreme Court reiterated on January 9, 2012, that the right to dignified shelters was a necessary component of the Right to Life under Article 21 of the Constitution of India. It is necessary to remember that in *Francis Coralie v. Administrator, Union Territory of Delhi and Ors.* [(1981) 1 SCC 608] the Hon'ble Supreme Court observed: "We think that the right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter and facilities for reading, writing and expressing one-self in diverse forms, freely moving about and mixing and commingling with fellow human beings. Of course, the magnitude and content of the components of this right would depend upon the extent of the economic development of the country, but it must, in any view of the matter, include the right to the basic necessities of life and also the right to carry on such functions and activities as constitute the bare minimum expression of the human-self."

The obligation of urban local bodies to provide shelters to destitute and homeless persons also flows from section 59(21) of the Kamataka Municipal Corporation Act, 1976 Act and sections 88(a) and 91(b), (c) and (d) of the Kamataka Municipalities Act, 1964.

Further, the National Urban Housing and Habitat Policy, 2007 provides that the Urban Local Bodies/Development Authorities/Housing Boards would ensure that Development Plans/Master Plans as well as Zonal Plans and Local Area Plans are made and updated regularly so that adequate provision is made for the homeless.

Hence, in fulfilment of its constitutional and statutory obligations and in compliance with the orders of the Hon'ble Supreme Court the State Government hereby resolves to take steps to realise the rights of the urban homeless persons and to provide them with permanent shelter and all benefits as per their entitlements.

Chapter II:

Principles

- (i) The State Government intends to realise the constitutional, statutory and human rights of the urban homeless populations and the provision of permanent shelters shall be the first step.
- (ii) The State Government recognises the contribution of the urban homeless to the urban economy.
- (iii) It recognises that lack of shelter also implies a life without dignity with lack of access to drinking water, toilets, etc.
- (iv) The State Government intends to ensure the participation of the urban homeless persons in the decision-making process.

Chapter III:

Objectives

The basic objective of the State Government shall be to ensure that the basic need to Shelter for All, access to basic services, education, health and other benefits are fulfilled for all urban homeless persons in a time-bound manner and a life with dignity is provided to all.

Further the objectives are to:

- (i) As a first step to establish 24x7 permanent shelters and provide the urban homeless with all benefits as per entitlement including ration cards, election cards, pensions, etc.
- (ii) To ensure every homeless person - whether man, woman, child or others, has a safe, clean, comfortable, secure and free shelter.
- (iii) To provide special arrangements for the weaker sections of society.
- (iv) To ensure that these shelters are located in proximity to their place of work or former places of dwelling.
- (v) To ensure that these shelters are a participative, inclusive, non-threatening, non-discriminatory space.

- (vi) To ensure that these shelters are at a permanent location and that there will be no dislocation
- (vii) Shelters will be the first step towards providing permanent housing, education, health, livelihood, etc.

Chapter IV:

Definition

The term "**homeless**" refers to such persons who:

- (i) Do not have a home, either self-owned or rented
- (ii) Spend their nights sleeping in the place of work such as shops (including dhabas), factories, construction sites and offices etc.
- (iii) Spend their nights in/on their means of livelihood such as hand/push carts, rickshaw etc.
- (iv) Live and sleep at pavements, parks, railway stations, bus stations and places of worship, outside shops and **factories, at construction sites,** under bridges, in hume pipes and other places under the open sky or places unfit for human habitation
- (v) Spend their nights/ or days at shelters, transit homes, short stay homes, **beggars' homes** and childrens' homes;
- (vi) Live in temporary structures without walls under plastic sheets or thatch roofs on pavements, parks, nallah beds and other common spaces.

Chapter V:

Project implementation, monitoring and review

A. Nodal Agency: The Directorate of Municipal Administration shall be notified to be the State Level Nodal Agency in order to coordinate and effectively implement the Urban Homeless Programme in City Corporations and BBMP. It shall coordinate for effective facilitation of this programme at the field level and be responsible for compliance with the Urban Homeless Programme and shall



regularly review, monitor and prepare reports periodically and keep the Government and the State Level Committee informed of the same.

B. State Level Committee: The State Government shall constitute a committee at state level for effective conceptualisation, supervision and monitoring of the urban homeless programme.

The Committee shall consist of the following Chairperson and members:

- 1) Chief Secretary to Government of Karnataka
- 2) ACS/Principal Secretary to Government, Urban Development Department
- 3) Principal Secretary to Government, Social Welfare Department
- 4) Principal Secretary/Secretary to Government, Department of Women and Child Development
- 5) Principal Secretary/Secretary to Government Department of Health and Family Welfare
- 6) Principal Secretary/Secretary to Government, Housing Department
- 7) Secretary to Government, Urban Development Department
- 8) Commissioner, Bruhat Bangalore Mahanagara Palike
- 9) Additional Director General of Police (Grievance Cell and Human Rights)
- 10) Principal Secretary/Secretary to Government, (Primary and Secondary Education) Education Department
- 11) Commissioner, Labour Department
- 12) Commissioner, Employment and Training Department of Labour
- 13) Commissioner, Food and Civil Supplies, Food and civil supplies and Consumer affairs Department
- 14) Commissioner, Karnataka Slum Development Board, Housing Department
- 15) Director, Directorate of Social Security and Pension, Revenue Department
- 16) Director, Directorate of Agriculture Marketing, Agriculture Department
- 17) Commissioner, Directorate of Disabled and Senior Citizens, Women and Child Development Department
- 18) Project Director, Karnataka State AIDS Prevention Society

- 19) Adviser to the Commissioners of the Hon'ble Supreme Court in W.P. No. 196/2001
- 20) Three representatives of NGOs
- 21) Two Representatives of City Makers (Urban Homeless citizens)
- 22) Commissioner, Directorate of Municipal Administration ... Member Secretary

Roles and responsibilities:

- 1) The Committee shall meet quarterly to review the implementation of the policy and the urban homeless programme in the State
- 2) The Committee shall coordinate between various departments for convergence of benefits of Government Schemes and Programmes for the urban homeless.
- 3) The Committee shall take necessary steps and interventions for effective implementation of the Urban Homeless Programme as per the Constitutional and statutory obligations and the directions of the Hon'ble Supreme Court for ameliorating the hardship of the urban homeless people.
- 4) The Committee may co-opt representatives from other organisations/NGOs/CBOs which are working in this field especially with street children, destitute women, rag pickers, physically and mentally disabled persons, HIV/AIDS affected persons, etc.

City Level Empowered Committee.

In every city, a City Level Empowered Committee should be constituted by the urban local body or state government, as may be the case, for planning and overseeing facilities.

The said Committee shall consist of designated officials of relevant departments, elected representatives and non-officials such as experts from local institutions of social work, social sciences, planning and architecture if they exist, homeless collectives, collectives of unorganised workers such as head-loaders and construction workers, youth and women organisations, and NGOs with expertise in working with homeless populations, and shall be set up in each urban area.

In million plus cities, such committees may be led by the Municipal Commissioner, and in other cities of less than a million population the Deputy Commissioner may be given the lead, ensuring convergence of all relevant departments.

The National Urban Livelihoods Mission city level management committee headed by Deputy Commissioner of the district will oversee the activities of Urban Homeless shelters at city level.

The National Urban Livelihoods Mission city level management committee

1)	Deputy Commissioner	Chairperson
2)	Project Director, DUDC	Member
3)	District Officer in-charge of NULM	Member
4)	Joint Director, Department of Industries and Commerce	Member
5)	District Officer, Employment and Training, Department of Labour	Member
6)	District Health and Family Welfare Officer, Health and Family Welfare Department	Member
7)	District Social Welfare Officer, BCM/Minorities/Tribal welfare, Social Welfare Department	Member
8)	Deputy Director of Food and civil supplies Food and civil supplies and Consumer affairs Department	Member

9)	Deputy Director for Public Instruction. Education Department	Member
10)	Executive Engineer, Public Works Department	Member
11)	Two Representative of Lead District Banks	Member
12)	Two Representatives of SHGs Federations	Member
13)	Representatives of NGOs in the field of SUH	Member
14)	Two Representatives of city makers (Urban Homeless citizens)	Member
15)	Any other member (s) co-opted by the Chairperson	Member
16)	Municipal Commissioner (City Project Officer NULM)	Member - Convener

ole:

- (i) Overview of planning and implementation of the programme for homeless shelters and allied services for the urban homeless
- (ii) Identifying and approving the locations and buildings in which the shelters will be constructed, the numbers and kind of shelters, and the building and refurbishment of buildings for the homeless shelters
- (iii) Identification of agencies for operating the shelters
- (iv) Building capacities of shelter operators, concerned officials and ensuring regular financial support for running the shelters
- (v) Establishing effective transparency and grievance redressal systems
- (vi) Monitoring and evaluation, including effective MIS systems, and periodic financial, social and quality audits
- (vii) Ensuring individual entitlements to homeless residents of shelters and other homeless persons, including to affordable housing and working men and women shelters
- (viii) Periodical visits to shelters and urban homeless settlements/pockets across the city

- (ix) The Projects under SUH would be formulated, constructed and operated by the municipal bodies or other agencies including the private organisations identified by the State Government or local bodies. Sanctions of suitable and viable and projects under SUH after appraised of each project will be done at the level of State Empowered committee.

The City Level Empowered Committee should lead the Rapid Mapping process including the following components:

- (i) Identifying the areas with high concentration of homeless population along with a categorization of the homeless concentrations in terms of large, medium and small
- (ii) To ascertain the demographic profile of the populations in these concentrations in terms of gender, age, earning vs. dependent, occupational categories and special needs
- (iii) Resource mapping of the identified needs with the current resources (mainly buildings, relevant services and land which are being or can be redeployed for use for this purpose) available with government or to be provided for in the respective locations
- (iv) Identifying the deterrents preventing specific sub-groups of homeless people from using the shelters if available in their location, as well as identifying the aspirations of the homeless for a shelter by various specific sub-groups

D. Shelter Management Committee:

A Committee consisting of three permanent shelter staff, four members elected by residents of the shelters and two representatives of NGOs should be constituted for each shelter.

Given the possibility of shifting populations in the shelters, elections will be held every 6 months, or earlier if three or four of the elected shelter residents cease to live in the shelter.

The Shelter Management Agency responsible for running the shelter, in collaboration with the educational institution which is attached to each shelter, would constitute a Shelter Advisory Committee, comprising student and college staff volunteers, volunteers from the local community, members of homeless collectives, civil society members, to provide support for improvement of services in the shelter, and assisting residents to access individual entitlements, including to permanent housing and eventual re-integration.

Role:

This Committee would oversee the daily management, upkeep, and cleanliness of the shelter, as well as develop programmes and guidelines for re-integration, discipline and improvement.

In order to promote participation of the people living in the homes and a sense of ownership and control over their place of residence, the Shelter Management Committee would constitute from among the regular residents of the shelter sub-committees for the following:

- Health and hygiene
- Food
- Infrastructure and maintenance
- Inductions of new residents
- Discipline

This Committee shall coordinate with the concerned departments in regard to its above roles and responsibilities and it shall be duty of the departments to co-operate and facilitate smooth functioning of the shelters.

E. Role and responsibilities of the Central and State Government:

The following are the roles of the centre and states with respect to programme:

- i. The Central Government would partially provide for: capital costs of construction/refurbishment or improvement to existing infrastructure/buildings
- ii. The State Government and concerned local authorities shall provide capital costs, existing infrastructure, and unused buildings to be refurbished and redeployed as permanent shelters where available.
- iii. There shall a separate allocation of funds in the annual budget of the state government and the concerned urban local bodies towards shelter home and the needs of the urban homeless.
- iv. Where such existing buildings and infrastructure are unavailable, land would need to be set aside free of cost for the numbers of permanent shelters required. All land for the purposes of construction of shelters under will be provided by the state or local governments.
- v. The administration and running of the shelters shall be the responsibility of the urban local bodies and city level management committee.
- vi. Central Government would provide 75 percent of the Operational & Maintenance cost, for each shelter for each shelter for 5 years.
- vii. Nominal charges as rent could be collected depending on the income levels of the urban homeless at rates ranging from 1/10 to 1/20 of their income, so as to bring in commitment of the beneficiaries. This fund could be utilized for maintenance of the facilities. For those with no payment capacities, total exemption could be granted.

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The Shelter Management Agency responsible for running the shelter, in collaboration with the educational institution which is attached to each shelter, would constitute a Shelter Advisory Committee, comprising student and college staff volunteers, volunteers from the local community, members of homeless collectives, civil society members, to provide support for improvement of services in the shelter, and assisting residents to access individual entitlements, including to permanent housing and eventual re-integration.

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Chapter VI:Planning of shelters

Planning for establishment of shelters:

- i) Every ULB shall take up the task of providing and monitoring 24X7 permanent shelters in their respective locations. It is the primary duty of the ULB to run the centres. CBOs, unions and NGOs can be used for supervision of the centre.
- ii) Rapid mapping should be done regularly with a maximum interval of 3 months.

iii) While planning for shelters the following shall be primary factors:

- (a) **Location:** The location of shelters must be in areas close to their livelihood opportunities, as revealed by the rapid mapping exercise. Experience of work with homeless people country-wide, indeed world-wide, shows that urban homeless persons will access shelters only if these are located in the concentration areas of where homeless people ordinarily reside and work. Other considerations for deciding the location of shelters are hygiene, sanitation, ventilation, open spaces, and the possibilities of ensuring sufficient water and electricity connections, and special space requirements for certain livelihoods

(b) **Special Needs**

- (i) Permanent and all weather day and night Special Shelters: At least a third of all shelters in the city should be devoted to homeless people with special needs and build in their location, with design and services catering to their special needs.
- (ii) State governments would make separate shelters for homeless single women and their dependents etc.

(iii) 50% shelters in any town must cater to families, homeless women and their dependents. In every city or town, no matter how small the populace, at least one such shelter for women must be constructed

(iv) All men and women shelters should be inclusive, in that they would not turn away residents who are disabled, aged, ailing and infirm.

(v) For these most vulnerable segments of homeless persons, such as old persons without care and mentally ill and challenged persons, there is need also for long term social protection institutions, but these should be open, dignified and voluntary, and with appropriate services.

(vi) All major public hospitals should create sufficient and appropriately designed shelters, both recovery shelters for recovering homeless persons.

(c) **Amenities:** It is mandatory for the following basic services to be provided at every shelter.

(i) A space of 50 square feet per person space (for storage and sleep. 10 people can sleep in 300sq feet bare minimum assuming 5.5 feet x 3 feet or sleeping alone, and space for movement).

(ii) Bed and bedding (blanket, mattress, pillow, bed-sheets) on a use basis, with arrangements to launder these periodically.

(iii) Personal lockers for personal storage space.

(iv) Every effort shall be made to make the shelter accessible for senior citizens and persons with disability.

(v) The doors have to be broad to enable easy access for the disabled.

- (vi) Adequate Water arrangements (potable drinking water and other needs) and sanitation with regular running water supply.
- (vii) Adequate toilet facilities with a minimum norm of one toilet and bathing space for 12 persons.
- (viii) Bathing and washing area to cater to the needs to all residents with running water.
- (ix) Adequate bathing facilities, including running water, water storage cans, buckets and mugs.
- (x) Cooling, ventilation and heating, as per need of the local area.
- (xi) Standard lighting for shelters, including emergency lights.
- (xii) Adequate fire protection measures, as under guidelines for enclosed public places, with clear and functional fire exits.
- (xiii) Common recreation space with television, reading space, etc.
- (xiv) First aid supplies to cover the total population at the shelter.
- (xv) Pest and vector (mosquito) control, with regular fumigation.
- (xvi) Regular cleaning of blankets, mattresses and sheets, and maintenance of other services.
- (xvii) Suitable waste management arrangements.
- (xviii) An open space, either on the ground or the terrace, with additional spaces based on livelihood and storage needs of residents, such as for parking rickshaws and carts, and storing sacks of collected waste.
- (xix) Kitchen /cooking space and necessary equipments such as cooking gas connections etc.
- (xx) Adequate utensils for cooking and serving.
- (xxi) Every shelter must have its own library or small reading room with subscriptions of daily newspapers as well as weekly or monthly magazines of people's choice. This facility should be run by users themselves.

(d) Staffing of Shelters: Each shelter will be managed by a full time staff comprising :

- (i) One Coordinator, preferably a trained social worker, overseeing the smooth functioning of the shelter, government interface convergence with government and community services reintegration services etc. One coordinator could be responsible for overseeing more than one shelter (maximum 2 with a capacity of 50 persons).
- (ii) One Social Mobiliser (mobilizing homeless as well as community and civil society partnerships). Again this could be a shared resource between two or maximum two shelters.
- (iii) Two Resident Home Managers (kitchen management, record maintenance, dispute resolution etc).
- (iv) Two cleaning staff member.

These may or may not be Government staff, depending on who is responsible for running the shelter. However, budgets for the salaries and functioning such personnel shall be budgeted and provided by the Government and concerned local bodies.

Chapter VII:

Monitoring, Grievance Redressal and Accountability

A. Grievance Redress Systems:

(a) Shelter Level :

All shelters need to maintain a complaint register and locked at the shelter wherein residents can record complaints or they can just inform the coordinator about the complaint. The Coordinator will be responsible for ensuring that complaints are redressed within a maximum of 15 days of being recorded. However, for complaints which require immediate redress, such clogged toilets, inadequate bedding, no drinking water such complaints shall be redressed within 24 hours. The Shelter Management Committee will ensure the timely redress of complaints, and this will be overseen also by the Shelter Advisory Committee.

(b) City Level:

Every City Empowered Committee should designate a Grievance Redressal Officer at the city level who can directly be accessed by shelter residents. Her/his role will be to hear the grievances and petitions of the homeless people and dispose of the complaints within 15 days of being lodged. The Commissioner or head of the municipal body will act as the first appellate authority. In case their grievance is still not addressed then the homeless citizen can approach the Principal Secretary Urban with their grievance.

B. Transparency Systems

- i. At each shelter, there would be a board that will display the rights and responsibilities of the residents.
- ii. Information on all funds at the shelter shall be in transparently presented and displayed prominently at the shelter.
- iii. Each shelter shall have a three monthly quality audit by a designated third-party agency,; the outcomes and action on the quality audit shall be shared with the concerned line department and ULB.
- iv. At the city level, all funds, details of shelters, MIS etc should be placed in public domain.
- v. Help-lines and rescue services to be created at state level and wide publicity given at railway stations, bus depots, religious places, schools, colleges. Nodal officers of each department who must be named and contact phone numbers to be made available in the public domain.

C. Social Audits**(a) Quality Audits:**

The quality rating audit will be conducted on a quarterly basis. The audit will be conducted by third party external reviewers, such as universities, independent institutes, civil society organizations appointed for the purpose by the city level empowered committee. The audit will be conducted unannounced. The audit will be qualitative in nature.



adopting methods of observation and interview. Interviews will be with staff and residents present in the shelter at the time of audit, separately. Interviews with residents must be closed-door in nature.

The outcomes and action on the quality audit shall be shared with residents, the shelter management and advisory committees, the concerned department and ULB. Audit reports must be made available for public view not more than one month after its completion. Items marked for follow up must be reviewed during the next audit. Action must be taken in case of lag in follow up.

The quality audits will investigate:

- Stakeholder Satisfaction
- Utilisation of the shelter
- Quality of services
- Financial management and probity
- Documentation
- Standards procedures and protocols

There shall be maximum 2 notices for poor quality rating or failure of compliance to the fixed guidelines after the social and quality audits. If there is a third poor quality finding in the quality audits, the agreement with the Shelter management Agency responsible for running the shelter will be automatically cancelled and a new agency put in place. In the interim, the ULB will directly run the shelter.

Social audits:

Social audit of each shelter should be organised at least once a year by state governments, by users of the services, with large and active participation, supported by schools of social work, reputed organizations, and homeless collectives. The outcomes of the social audits will be communicated to the agency responsible for quality audits.

Chapter VIII:

Complementary services, individual entitlements and housing continuum

A. Helpline:

The State Government shall establish a helpline similar to the childline model.

B. Complementary Services:

- i. Access to counselling and de-addiction services.
- ii. Referral services and transport facilities in case of health emergency.
The shelter should be well linked with the emergency services of the ULBs such as ambulance, police station and fire services. The contact numbers should be well displayed in the shelter.
- iii. Training, Livelihood Support and vocational training, support, linkages and placement must be provided. It must cater to the needs and wishes of the residents.
- iv. Dependent Children below the school going age, and upto ten years can stay at women's shelters. Creche facilities should be provided at all women's shelters. For pre-school children, in case the numbers of children at the shelter is ten and above, a separate mini-anganwadi should be set up at women's shelter. Where the numbers of children in preschool age are less than ten, then linkage needs to be ensured with chaperone services to the nearest anganwadi centre. School going children can be linked to residential schools with board and lodge facilities.
- v. Legal aid and emergency services: Legal support through linkage with CSOs working on legal aid, and an active linkage with Karnataka State Legal Services Authority for referral of cases would be provided. Linkage with the existing Protection Officer under the Protection of Women from Domestic Violence Act (PWDVA), for speedy follow up and immediate relief would also be facilitated at the shelter.

- vi. Community Kitchen: Each shelter should also be organised as a community kitchen for homeless people. (Such kitchens are mandated in the National Food Security Bill under consideration of Parliament. There are different options. One is to assist the residents of the shelter themselves to form a self-help group, and run a contributory kitchen with some subsidisation by the government to ensure that the prices of each meal are affordable. A second option is for the state or urban local government to run from the shelter a community kitchen which is open not just to the residents of the shelter, but to all homeless persons who seek to access its services. Food should be wholesome, hygienic, affordable, and served with dignity, possibly on the lines of the Gurudwara langars, in which they are seated on mats on the floor and served as much food as they want.
- vii. Health Centres: Each shelter could also be developed as a sub-health centre, with a multi-purpose health worker providing primary health services to the residents as well as other homeless persons. There could be weekly visits by doctors to each shelter, by linking with community health departments of various public and private hospitals in the city.

C. Government Programmes.

- a. Convergence of financing for the scheme in future. District Planning Committees shall be encouraged to consider proposals from the city level committee for developing these sites and services through various sources like MPLADS, MLA and local development funds, JNNURM and RAY.
- b. Each shelter should act as a convergence point for all residents to access various services and government programmes such as those listed below. The sole fact that a person is a resident of a shelter will be basis of identity document, and for availing any of the schemes above and benefits of other suitable government

programmes. All homeless persons, in shelters or outside these, should be automatically entitled to various individual entitlements without requirements of additional documents such as address and birth proof:

- (i) Old age, widows, and disability pensions
- (ii) BPL identification
- (iii) PDS ration cards
- (iv) Electoral cards
- (v) Bank or post office accounts
- (vi) ICDS services
- (vii) Admission to government schools
- (viii) Admission to private schools under RTE
- (ix) Rashtriya Swasthya Bima Yojana [Health Insurance programme]
- (x) Admission to all public hospitals with free medicines and treatment for BPL
- (xi) Admission against free beds in all private hospitals with free medicines and treatment.
- (xii) Linkage to RAY.

D. Housing Continuum:

As stated earlier, homeless shelters is the necessary first step for homeless persons to escape the disaster-like situation in which they find themselves, but homeless shelters are not their final destinations. The homeless people should be made eligible for the decent and affordable social housing schemes. The following are some of the possible steps in this housing continuum beginning with homeless shelters:

- (i) Permanent homeless shelters with amenities and facilities as outlined in this dedicated scheme
- (ii) Working women's and men's hostels for single working poor men and women
- (iii) Labour transit camps for construction workers.

- (iv) For the most vulnerable segments of homeless persons, such as old persons without care and mentally ill and challenged persons, there may be need for long term social protection institutions, but these should be open and voluntary, and with appropriate services
- (v) Rental accommodation of dwelling units
- (vi) Ownership of affordable dwelling units in programmes such as RAY

Chapter IX:

Publicity and awareness building:

In its order dated 20th September, 2011, the Hon'ble Supreme Court directed all state government and Union Territories to inform the public about the availability of the night shelters through print media and electronic media, so that the poor and needy people may avail the benefit of the night shelters.

Publicity campaign for the shelters:

Apart from publicizing the helpline numbers, there should also be a publicity campaign about the existence of the shelters, the exact location of them and the amenities/services they provide. This should be done across the country in various public places especially in areas of high concentration of homeless people. Homeless people should be informed of their exact rights. Use of all print and electronic media will be ensured.

Sensitisation of police and government officials

- (i) **Government representatives:** State government representatives should be oriented and sensitized to the need for shelters for the homeless, the needs of various homeless groups, implementation and monitoring strategies, budgetary aspects and grievance redressal mechanisms.

- (ii) **Urban local body representatives:** In addition to the abovementioned urban local body representatives must be familiarized with homeless and shelter identification processes in detail, reporting systems (quality audits And MIS), detailed shelter operational plans including implementation protocols, how to facilitate linkage of homeless persons with government schemes etc.
- (iii) **Public health officials, trained health workers associated with the shelters:** Public health officials overseeing the running of hospitals and health centres, as well as health workers assigned duty at the homeless shelters must be oriented with respect to their role in this service.
- (iv) **Police and Railway Police:** The local police forces must be sensitized to the needs and rights of the homeless.

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