



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

VOL - XLIII Aizawl, Friday 21.11.2014 Kartika 30, S.E. 1936, Issue No. 540

NOTIFICATION

No. C. 18015/2/2010-UD&PA, the 31 st October, 2014. In pursuance of Hon'ble Supreme Court order case WP(C) No. 196/2011/PUCL-vs-Union of India 'Guidelines for setting up and Management of Night Shelter for Urban Shelterless in Mizoram' is hereby published for general information.

R. Lalvena,
Secretary to the Govt. of Mizoram,
Urban Development & Poverty Alleviation Department.

1. Introduction:
 - 1.1 The ultimate goal of the National Housing and Habitat Policy 1998 is to ensure that the basic need to Shelter for all is fulfilled in a time bound manner and a better quality of life is provided to all the citizens of the country by harnessing the unused potential in the public, private and the household sectors. Till such time this goal is achieved, it is necessary to provide some kind of shelter to the absolutely shelterless urban population including street children and destitute women in urgent need of shelter to protect themselves against the vagaries of nature throughout the year so that no life is lost in Mizoram due to absence of Night Shelter.
 - 1.2 Those Guidelines provide a framework for construction and management of night shelters for provision of a minimum of 25 square feet area for sleeping and storage per one shelterless person in the urban areas. The Government recognized the necessity to provide some kind of shelter to the shelterless urban population, including street children and destitute women in urgent need of shelter, to protect themselves against vagaries of nature all throughout the year. The Night Shelters should provide common toilets and bath, kitchen in addition to sleeping purposes separately for men and women. There should be dormitories or halls with plain flooring for sleeping at night and for other social purposes during the day time such as health care, training for unemployed youth and for adult education programme.
 - 1.3 The Hon'ble Supreme Court of India in its direction in IA No. 94 and 96 in WP(C) No. 196/2001-PUCL VS Union of India & Ors. and sequel to communication received from Standing Counsel Corporate Law Group vide letter Dated: November, 15th 2010 and in subsequent order Dated: 16-12-2010, expressed deep anguish concerning deaths of homeless persons taken place during winter/rain affected areas of the country and failure to provide adequate protection to them. Immediate steps are to be taken with direction to concerned authorities not to demolish any night shelter without providing proper alternate night shelter till further orders.

2. Objective

- 2.1 The objectives of such infrastructure is to ensure that no life is lost due to absence of Temporary Night Shelter for the shelterless people during night hours in all seasons throughout the year and to ascertain that there is no loss of life for want of adequate and proper Night Shelter.

3. Strategy

- 3.1 Government of Mizoram has taken necessary steps to ensure that no life is lost in the absence of Night Shelters. These guidelines have been framed in line with the direction of the Supreme Court. Accordingly, NGOs/Civil society's organizations having land, building trained man power and other resources to manage night shelter home for shelter less people within Urban Area in partnership with state Government have been discussed.
- 3.2 The guidelines recommended that the convenient **sites will be identified** so as to ensure maximum convenience to beneficiaries.
- 3.3 The **strategy** adopted by the Government for the other urban areas in Mizoram is that there should be at least one model night shelter home for shelterless men, women and children in each District headquarters in the State and ultimately to have overnight shelter for over 1,00,000 population.

4. Management Committee for Night Shelter:

- 4.1 **State Level Committee on Night Shelter:** The Government shall constitute a State Level Committee on Night Shelter with the following composition:

1)	Chief Secretary, Govt. of Mizoram	:	Chairman
2)	Director General of Police	:	Member Secretary
3)	Principal Secretary/Commissioner/ Secretary, Social Welfare/ Law & Judicial/UD&PA Deptt.	:	Member
4)	Chief Executive Officer, AMC	:	Member
5)	Director, Social Welfare/ Health Services/ UD&PA Deptt.	:	Member
6)	All Deputy Commissioners	:	Member
7)	President, CYMA/MUP/MHIP	:	Member

4.2 Night Shelter Management Committee for Aizawl City

1)	Chief Executive Officer, AMC	:	Chairman
2)	Secretary, AMC	:	Member Secretary
3)	Deputy Commissioner, Aizawl	:	Member
4)	Director, Social Welfare Deptt. GOM	:	Member
5)	Director, UD&PA Deptt. GOM	:	Member
6)	Director, Health Services, GOM	:	Member
7)	Superintendent of Police	:	Member
8)	Representative from Local Councils	:	Member

4.3 Night Shelter Management Committee for District Headquarters and other Urban Areas:

1)	Deputy Commissioner	:	Chairman
2)	DSWO, Social Welfare Deptt.	:	Member Secretary
3)	Superintendent of Police	:	Member
4)	Chief Medical Officer	:	Member
5)	DUDO, UD&PA Deptt.	:	Member

- 6) Addl. Deputy Commissioner : Member
- 7) Chief Judicial Magistrate : Member

5. Management of Night Shelters:

- 5.1 Night Shelters may either be directly managed by the Government Department or Agency under the supervision on Management Committee; it may also be managed through NGOs selected by the committee.
- 5.2 In case where a Night Shelter is managed by an NGO, the Government will provide necessary recurring expenditure for management through Management Committee.

6. Provisions to be made available in the Night Shelter:-

- 6.1 The intake capacity of each Night Shelter Homes as service provider should be of 20 nos. of shelterless persons. Accordingly necessary provision for such capacity should be made available.
- 6.2 The premises of Night Shelter should be well protected surrounded by boundary walls. There must be signboard in front of the Night Shelter premises indicating the name of the Homes with address and phone number along with its accommodation capacities. Sign board should also indicate that the Home is monitored by the Management Committee.
- 6.3 Campus of Night Shelter Home should be properly secured and protected with boundary wall with a provision of adequate lighting.
- 6.4 There will be a provision of kitchen with all required utensils in each & every Night Shelter Home to enable the person/persons availing the benefit of Night Shelter Home to enable to cook food during the night so that they need not go out. However, meals may be provided to the inmates on cost basis. However no profit is to be generated in the meals provided.
- 6.5 There will be provision for recreational facilities in each and every Night Shelter.

7. Principles governing management of Night Shelter:

- 7.1 Any kinds of Alcoholic beverages and intoxicating items should be strictly prohibited in the Temporary Night Shelter Home.
- 7.2 Immediately after arrival of the persons in need of Temporary Night Shelter, either lifted by the competent authority, their names along with the address, age, occupation etc. should be entered in the register maintained by the In-charge of the Night Shelter Home during night hours.
- 7.3 After necessary entry in the register, he/she should be given proper accommodation with basic facilities like bed and bed sheet with mattress, pillow, mosquito net, quilt or rug (in winter season), Provision for fan (in summer season)
- 7.4 There must be sufficient provision for safe drinking water in each and every Night Shelter Homes along with provision for hygienic latrine/urinal attached to the Night Shelter Homes where the persons in question are accommodated. There should also be provisions for required numbers of bucket (medium size), mug, and soap etc. along with first-aid facilities and fire extinguisher. Provision for taking a bath by the inmates during his/her stay in Home should also be made.
- 7.5 In case of a sick person, considering the gravity of illness, there should be provision for shifting him/her either to Government run Hospital or to the nearest hospital. There should also be an attendant who will accompany the person to the hospital.
- 7.6 There must be separate provision for Male and Female inmates in the Night Shelter Homes along with separate provision for children, with provision of watchman etc.
- 7.7 Arrival and departure time with date, for persons in need of Temporary Night Shelter should invariably record in the concerned register. Once accommodated in the Temporary Night Shelter

Home, the person who avail the facilities, should not be allowed to leave the home in question without prior permission of the authority concerned of the Night Shelter Homes during night hours (7:00PM to 4:00AM).

- 7.8** Accommodation (to such person in need of night shelter in Night Shelter Homes) will be provided, if he or she is of no criminal record/referred by Government officials or by Government agency/agencies, reputed person etc.,/lifted by police, observing all required formalities. However, before accommodating the person in the Night Shelter Home/Homes, immediately after arrival, he or she should be properly frisked and in case, any doubt or his/her belongings arise, action should be taken accordingly as per law.
- 7.9** Campus of Temporary Night Shelter Home should invariably be non-smoking or tobacco free zone as per the rules of COTP Act 2006.
- 8. Conclusion & Suggestion:**
- 8.1** The guidelines emphasizes that preferences would be given to extremely vulnerable and marginalized sections in the society among the homeless population. In this regards, it may include **Vegetable Vendors** came from rural areas to sell their vegetables on Saturday in the markets who often slept insecurely at road sides/Pavements in the street on Friday night in particulars.
- 8.2** The Social Development Specialist/Officers will identify the convenient **sites** so as to ensure maximum convenience to beneficiaries in consultation with the Local councils in each selected sites.
- 8.3** It must be noted to include that shelterless having any fixed duration of stay in the town, without requirement of identity proof or other qualification would be eligible to reside in the shelter.

ANNEXURE

Tentative List of Items

Sl.no.	Item	Size	Quality
1.	Bed	3ft x 7ft	1 st Class wood
2.	Mattress	3ft x 7ft	Best Quality
3.	Bed sheet (cotton)	4ft x 7ft	Best Quality
4.	Mosquito net (cotton)	3ft x 7ft x 4ft	Best Quality
5.	Blanket/Quilt	4ft x 7ft	Best Quality
6.	Pillow	Medium size	Best Quality
7.	Bucket (Plastic)	Medium size (16ltr)	Best Quality
8.	Mug (Plastic)	11tr. Capacity	Best Quality
9.	Water filter/Aqua Guard	Big size	Best Quality
10.	Washing Machine	Standard Size	ISI
11.	Inverter	Standard Size	ISI