

KATHPUTLI COLONY, ALLOWED/REJECTED CASE LIST OF 01.04.2025 TO 30-04-2025 APRIL 2025

Sr.	Appl No	Year	Appl. Date	Applicant Name	Father Name	Jhuggi	Decision	ORDER DATE
1	261	2023	27-10-2023	Vishnu	Laxman	A75/1184/60A	Rejected	15-04-2025
2	258	2023	27-10-2023	Usha Gautam	Rakesh	W07/2/253	Rejected	16-04-2025
3	260	2023	27-10-2023	Bunty	Babu Lal	R58/341	Rejected	17-04-2025
4	274	2023	16-05-2024	Rafique	Md. Sabir	E-446	Rejected	21-04-2025
5	88	2023	02-12-2021	Madan Lal	Chela Ram	K-167	Rejected	22-04-2025
6	11	2023	28-04-2022	Madan	Navrang	B137/17/H156	Rejected	23-04-2025
7	161	2023	03-11-2021	Manju	Raj Bahadur	A110/H13	Rejected	24-04-2025
8	81	2023	29-11-2021	Manoj Kumar	Suresh Chand	B-355	Rejected	25-04-2025
9	25	2023	03-12-2021	Nasib Shah	English Shah	B620	Rejected	28-04-2025
10	254	2023	27-10-2023	Sageeran	Amzad Khan	K350A	Rejected	29-04-2025
11	28	2023	29-11-2021	Gul Chaman	Sh Akhtar Hussain	B606/H244	Rejected	30-04-2025
12	80	2023	07-12-2021	Rajesh	Jai Singh	B346/120	Rejected	30-04-2025

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 261 of 2023

Date of Institution: 27.10.2023

Date of Order: 15.04.2025

Present: None for the Appellant/ Claimant Vishnu S/o Laxman
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he is living in Jhuggi bearing No. A-75/1184/60A in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 261 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. A-75/1184/60A was found to exist but he had failed to submit required documents, i.e., a valid Voter ID

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15/4/2025

Sh. Radhe Shyam Meena
15/4/2025

Card, etc., as on 01.01.2015 as per the policy guidelines for alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"Voter card not verified from the record of AERO-AC-39"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 17.11.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at

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Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 17.11.2023.

7. Further, vide order dated 17.11.2023 the Appeal was fixed for 04.12.2023 to procure the presence of the Appellant/Claimant but he did not appear on 04.12.2023 and the Appeal was fixed for 22.12.2023 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 22.12.2023 the matter was adjourned to 03.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 03.01.2024 and continuously absented subsequently on 09.01.2024, 01.02.2024, 16.02.2024, 23.02.2024, 06.03.2024, 21.03.2024, 08.04.2024, 18.04.2024, 29.04.2024, 14.05.2024, 03.06.2024, 25.06.2024, 08.07.2024, 29.07.2024, 07.08.2024, 19.08.2024, 02.09.2024 & 26.09.2024 despite the issuance of repeated notices.
9. On 26.09.2024 a fresh notice was issued to procure his presence on 18.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant did not appear on 18.10.2024 and accordingly fresh notice for 07.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli

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Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

11. But he did not appear and accordingly, on 07.11.2024 a fresh notice was issued to procure his presence on 10.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
12. The Appellant/Claimant again did not appear on 10.12.2024 and a fresh notice was issued for 10.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. The Appellant/ Claimant again did not appear on 10.01.2025 and accordingly fresh notice for 31.01.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. The Appellant/Claimant did not appear on 31.01.2025. On 31.01.2025 fresh notice was issued for 26.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 26.02.2025.

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15. In the interest of justice Final Notice was given to the Appellant/Claimant for 28.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
16. However, still none appeared on 28.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 15.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
17. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 15.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 261 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.
18. The bare perusal of the Policy shows that for claiming allotment for ground floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of

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survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.

19. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
20. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(1381)13/Survey/LM/WZ/3760 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 261 of 2023 is dismissed being devoid of any merit.
21. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.


(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)
CHAIRMAN


(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 258 of 2023

Date of Institution: 27.10.2023

Date of Order: 16.04.2025

Present: None for the Appellant/ Claimant Usha W/o Rakesh
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that she is living in Jhuggi bearing No. W-07/2/253 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that she fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 258 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. W-07/2/253 was found to exist but she had failed to submit required documents, i.e., a valid Voter ID Card, etc., as on 01.01.2015 as per the policy guidelines for alternate allotment.


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Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to her by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"Voter card not verified from the record of AERO-AC-39"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure her presence but without any response she has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 16.11.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made

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to intimate the Appellant/Claimant by calling her on her mobile number. But she failed to appear on 16.11.2023.

7. Further, vide order dated 16.11.2023 the Appeal was fixed for 04.12.2023 to procure the presence of the Appellant/Claimant but she did not appear on 04.12.2023 and the Appeal was fixed for 22.12.2023 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
8. As the Appellant/Claimant did not appear on 22.12.2023 the matter was adjourned to 03.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 03.01.2024 and continuously absented subsequently on 09.01.2024, 01.02.2024, 16.02.2024, 22.02.2024, 05.03.2024, 12.03.2024, 19.03.2024, 08.04.2024, 16.04.2024, 30.04.2024, 13.05.2024, 04.06.2024, 24.06.2024, 03.07.2024, 15.07.2024, 16.08.2024, 02.09.2024 & 26.09.2024 despite the issuance of repeated notices.
9. On 26.09.2024 a fresh notice was issued to procure her presence on 18.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
10. The Appellant/ Claimant did not appear on 18.10.2024 and accordingly fresh notice for 07.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.


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11. But she did not appear and accordingly, on 07.11.2024 a fresh notice was issued to procure her presence on 10.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
12. The Appellant/Claimant again did not appear on 10.12.2024 and a fresh notice was issued for 10.01.2025 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
13. The Appellant/ Claimant again did not appear on 10.01.2025 and accordingly fresh notice for 31.01.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
14. The Appellant/Claimant did not appear on 31.01.2025. In the interest of justice Final Notice was given to the Appellant/Claimant for 28.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
15. However, still none appeared on 28.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 15.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand


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Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.

16. However, still none appeared on 15.04.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 16.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
17. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 16.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue her Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 258 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether she is entitled for alternate allotment as per policy guidelines issued by DDA.
18. The bare perusal of the Policy shows that for claiming allotment against the ground floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.


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19. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card as on 01.01.2015 and her name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
20. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected her claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(490)13/Survey/LM/WZ/3495 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 258 of 2023 is dismissed being devoid of any merit.
21. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.


(Ranbir Singh)
16/4/2025

Jt. Secretary (Retd.) GOI
MEMBER


(Satish Ahlawat)
16/4/2025

Addl. District & Sessions Judge (Retd.)
CHAIRMAN


(Rachna Tiwary)
16/4/2025

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 260 of 2023

Date of Institution: 27.10.2023

Date of Order: 17.04.2025

Present: None for the Appellant/ Claimant Bunt S/o Babu Lal
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he was living in Jhuggi bearing No. R-58/341 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 260 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. R-58/341 was found to exist on the upper floor but he had failed to submit required documents, i.e., a valid Voter ID Card & a separate Ration Card as on 01.01.2015 as per the policy guidelines for alternate allotment. Accordingly, the Eligibility Determination Committee has

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rejected the claim of the Appellant/Claimant, which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"UPPER FLOOR JHUGGI as per policy guidelines separate Ration card is required"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 17.11.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made

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to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 17.11.2023.

7. Further, vide order dated 17.11.2023 the Appeal was fixed for 06.12.2023 to procure the presence of the Appellant/Claimant but he did not appear on 06.12.2023 and the Appeal was fixed for 18.12.2023 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 18.12.2023 the matter was adjourned to 05.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 05.01.2024 and continuously absented subsequently on 18.01.2024, 09.02.2024, 19.02.2024, 26.02.2024, 07.03.2024, 13.03.2024, 20.03.2024, 01.04.2024, 10.04.2024, 22.04.2024, 02.05.2024, 20.05.2024, 04.06.2024, 24.06.2024, 03.07.2024, 15.07.2024, 01.08.2024, 16.08.2024, 02.09.2024 & 26.09.2024 despite the issuance of repeated notices.
9. On 26.09.2024 a fresh notice was issued to procure his presence on 18.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant did not appear on 18.10.2024 and accordingly fresh notice for 07.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

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11. But he did not appear and accordingly, on 07.11.2024 a fresh notice was issued to procure his presence on 10.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
12. The Appellant/Claimant again did not appear on 10.12.2024 and a fresh notice was issued for 10.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. The Appellant/ Claimant again did not appear on 10.01.2025 and accordingly fresh notice for 31.01.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. The Appellant/Claimant did not appear on 31.01.2025. On 31.01.2025 fresh notice was issued for 26.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 26.02.2025.
15. In the interest of justice Final Notice was given to the Appellant/Claimant for 28.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli

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Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

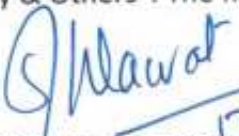
16. However, still none appeared on 28.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 15.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
17. However, still none appeared on 15.04.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 17.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
18. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 17.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 260 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.
19. The bare perusal of the Policy shows that for claiming allotment for upper floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card & a separate Ration Card on the cutoff date of 01.01.2015 and further his/her name must appear

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in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.

20. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card & Ration Card etc. as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
21. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(N00120)13/Survey/LM/WZ/4060 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 260 of 2023 is dismissed being devoid of any merit.
22. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.


(SATISH AHLAWAT) 17/4/2025

Addl. District & Sessions Judge (Retd.)

CHAIRMAN


(RACHNA TIWARY) 17/4/2025

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 274 of 2023

Date of Institution: 16.05.2024

Date of Order: 21.04.2025

Present: None for the Appellant/ Claimant Mohd. Rafique S/o Mohd. Sabir
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he was living in Jhuggi bearing No. E-446 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 274 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. E-446 was found to exist on the upper floor but he had failed to submit required documents, i.e., a valid Voter ID Card & a separate Ration Card as on 01.01.2015 as per the policy guidelines

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Radhe Shyam Meena
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for alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"UPPER FLOOR JHUGGI as per policy guidelines separate Ration card is required"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 03.07.2024 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at

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Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 03.07.2024.

7. Further, vide order dated 03.07.2024 the Appeal was fixed for 22.07.2024 to procure the presence of the Appellant/Claimant but he did not appear on 22.07.2024 and the Appeal was fixed for 16.08.2024 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 16.08.2024 the matter was adjourned to 04.09.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 04.09.2024 and continuously absented subsequently on 26.09.2024, 23.10.2024, 14.11.2024 & 17.12.2024 despite the issuance of repeated notices.
9. The Appellant/Claimant again did not appear on 17.12.2024 and a fresh notice was issued for 15.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant again did not appear on 15.01.2025 and accordingly fresh notice for 06.02.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

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11. The Appellant/Claimant did not appear on 06.02.2025. On 06.02.2025 fresh notice was issued for 25.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 25.02.2025.
12. In the interest of justice Final Notice was given to the Appellant/Claimant for 25.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. However, still none appeared on 25.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 21.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 21.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 274 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.
15. The bare perusal of the Policy shows that for claiming allotment for upper floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also

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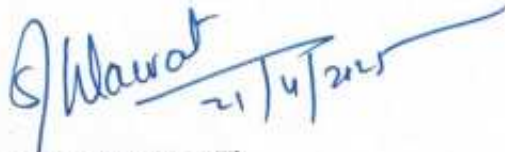
that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card & a separate Ration Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.

16. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card & Ration Card etc. as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
17. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(N3028)13/Survey/LM/WZ/4119 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 274 of 2023 is dismissed being devoid of any merit.
18. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018

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titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.

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(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN

Handwritten signature of Rachna Tiwary in blue ink, with the date 21/4/2025 written below it.

(RACHNA TIWARY)

EXPERT MEMBER

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**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 88 of 2023

Date of Institution: 02.12.2021

Date of Order: 22.04.2025

Present: None for the Appellant/ Claimant Madan Lal S/o Chela Ram
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he was living in Jhuggi bearing No. K-167 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 88 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. K-167 was found to exist but he had failed to submit required documents, i.e., a valid Voter ID Card, etc., as on 01.01.2015 as per the policy guidelines for alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant,

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which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"Voter card not verified from the record of AERO-AC-39"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 03.11.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 03.11.2023.

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7. Further, vide order dated 03.11.2023 the Appeal was fixed for 21.11.2023 to procure the presence of the Appellant/Claimant but he did not appear on 21.11.2023 and the Appeal was fixed for 19.12.2023 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 19.12.2023 the matter was adjourned to 31.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 31.01.2024 and continuously absented subsequently on 15.02.2024, 27.02.2024, 08.03.2024, 28.03.2024, 15.04.2024, 06.05.2024, 29.05.2024, 24.06.2024, 18.07.2024, 12.08.2024, 06.09.2024 & 27.09.2024 despite the issuance of repeated notices.
9. On 27.09.2024 a fresh notice was issued to procure his presence on 23.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant did not appear on 23.10.2024 and accordingly fresh notice for 13.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
11. But he did not appear and accordingly, on 13.11.2024 a fresh notice was issued to procure his presence on 17.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA

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at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

12. The Appellant/Claimant again did not appear on 17.12.2024 and a fresh notice was issued for 14.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. The Appellant/ Claimant again did not appear on 14.01.2025 and accordingly fresh notice for 04.02.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. The Appellant/Claimant did not appear on 04.02.2025. On 04.02.2025, in the interest of justice Final Notice was given to the Appellant/Claimant for 17.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 17.02.2025.
15. In the interest of justice Final Notice was given to the Appellant/Claimant for 11.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
16. However, still none appeared on 11.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 26.03.2025 with the direction that it be got served by deputing an official/special messenger and

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24/4/2025

the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

17. However, still none appeared on 26.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 22.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
18. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 22.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 88 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.
19. The bare perusal of the Policy shows that for claiming allotment for ground floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.
20. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card as on 01.01.2015 and his name also does

G. Mawar
22/4/2025

G. Mawar
24/4/2025

not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.

21. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(1090)13/Survey/ LM/WZ/3684 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 88 of 2023 is dismissed being devoid of any merit.

22. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.



(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN



(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 11 of 2023

Date of Institution: 28.04.2022

Date of Order: 23.04.2025

Present: None for the Appellant/ Claimant Madan S/o Navrang
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he was living in Jhuggi bearing No. B-137/17 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 11 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. B-137/17 was found to exist but he had failed to submit required documents, i.e., a valid Voter ID Card,

G. K. Meena
23/4/2025

Radhe Shyam Meena
23/4/2025

etc., as on 01.01.2015 as per the policy guidelines for alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"No valid mendatory document submitted and name also not found in any voter list of y"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 27.10.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice

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23/4/2025

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Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 27.10.2023.

7. Further, vide order dated 27.10.2023 the Appeal was fixed for 28.11.2023 to procure the presence of the Appellant/Claimant but he did not appear on 28.11.2023 and the Appeal was fixed for 27.12.2023 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 27.12.2023 the matter was adjourned to 24.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 24.01.2024 and continuously absented subsequently on 28.02.2024, 20.03.2024, 16.04.2024, 03.05.2024, 04.06.2024, 01.07.2024, 18.07.2024, 12.08.2024, 06.09.2024 & 27.09.2024 despite the issuance of repeated notices.
9. On 27.09.2024 a fresh notice was issued to procure his presence on 23.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant did not appear on 23.10.2024 and accordingly fresh notice for 13.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli

S. K. Khatwat
23/4/2025

P. Khatwat
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Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

11. But he did not appear and accordingly, on 13.11.2024 a fresh notice was issued to procure his presence on 17.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
12. The Appellant/Claimant again did not appear on 17.12.2024 and a fresh notice was issued for 14.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. The Appellant/ Claimant again did not appear on 14.01.2025 and accordingly fresh notice for 03.02.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. The Appellant/Claimant did not appear on 03.02.2025. On 03.02.2025, in the interest of justice Final Notice was given to the Appellant/Claimant for 27.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 27.02.2025.

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R. Singh
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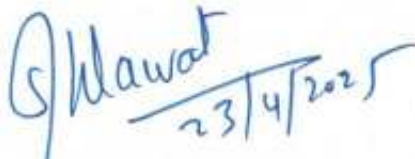
15. In the interest of justice Final Notice was given to the Appellant/Claimant for 26.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
16. However, still none appeared on 26.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 23.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
17. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 23.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 11 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.
18. The bare perusal of the Policy shows that for claiming allotment against the ground floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the

S. Mahawat
23/4/2025

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23/4/2025

12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.

19. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
20. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(181-A)13/Survey/LM/WZ/3448 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 11 of 2023 is dismissed being devoid of any merit.
21. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.


23/4/2025

(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN


23/4/2025

(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 161 of 2023

Date of Institution: 03.12.2021

Date of Order: 24.04.2025

Present: None for the Appellant/ Claimant Manju W/o Raj Bahadur
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that she is living in Jhuggi bearing No. A-110/H-13 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that she fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 161 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. A-110/H-13 was found to exist but she had failed to submit required documents, i.e., a valid Voter ID Card, etc., as on 01.01.2015 as per the policy guidelines for alternate allotment.

Sh. Meena
24/4/2025

Sh. Meena
24/4/2025

Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to her by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"Voter card not verified from the record of AERO-AC-39"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure her presence but without any response she has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 10.11.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made

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24/4/2025

Shirany
24/4/2025

to intimate the Appellant/Claimant by calling her on her mobile number. But she failed to appear on 10.11.2023.

7. Further, vide order dated 10.11.2023 the Appeal was fixed for 14.12.2023 to procure the presence of the Appellant/Claimant but she did not appear on 14.12.2023 and the Appeal was fixed for 30.01.2024 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
8. As the Appellant/Claimant did not appear on 30.01.2024 the matter was adjourned to 15.02.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 15.02.2024 and continuously absented subsequently on 28.02.2024, 21.03.2024, 19.04.2024, 14.05.2024, 10.06.2024, 10.07.2024, 05.08.2024, 29.08.2024, 19.09.2024 & 15.10.2024 despite the issuance of repeated notices.
9. On 15.10.2024 a fresh notice was issued to procure her presence on 06.11.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
10. The Appellant/ Claimant did not appear on 06.11.2024. On 06.11.2024 a fresh notice was issued to procure her presence on 06.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
11. The Appellant/ Claimant did not appear on 06.12.2024 and accordingly fresh notice for 08.01.2025 was issued to procure the appearance of the present Appellant/

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24/4/2025

R. Singh
24/4/2025

Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.

12. But she did not appear and accordingly, on 08.01.2025 a fresh notice was issued to procure her presence on 24.01.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
13. The Appellant/Claimant again did not appear on 24.01.2025 and a fresh notice was issued for 18.02.2025 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
14. The Appellant/ Claimant again did not appear on 18.02.2025 and accordingly fresh notice for 05.03.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
15. The Appellant/Claimant did not appear on 05.03.2025. In the interest of justice Final Notice was given to the Appellant/Claimant for 12.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.

G. Kaur
24/4/2025

R. Kaur
24/4/2025

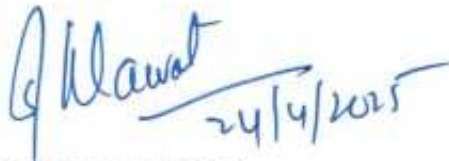
16. However, still none appeared on 12.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 31.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
17. However, still none appeared on 31.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 24.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
18. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 24.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue her Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 161 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether she is entitled for alternate allotment as per policy guidelines issued by DDA.
19. The bare perusal of the Policy shows that for claiming allotment against the ground floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the

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12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.

20. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card as on 01.01.2015 and her name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
21. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected her claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(2522)13/Survey/LM/WZ/3985 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 161 of 2023 is dismissed being devoid of any merit.
22. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.

 24/4/2025

(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN

 24/4/2025

(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 81 of 2023

Date of Institution: 29.11.2021

Date of Order: 25.04.2025

Present: None for the Appellant/ Claimant Manoj Kumar S/o Suresh Chand
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he was living in Jhuggi bearing No. B-355 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 81 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. B-355 was found to exist on the upper floor but he had failed to submit required documents, i.e., a valid Voter ID Card & a separate Ration Card as on 01.01.2015 as per the policy guidelines for

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alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"UPPER FLOOR JHUGGI as per policy guidelines separate Ration card is required"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 03.11.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition

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to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 03.11.2023.

7. Further, vide order dated 03.11.2023 the Appeal was fixed for 16.11.2023 to procure the presence of the Appellant/Claimant but he did not appear on 16.11.2023 and the Appeal was fixed for 15.12.2023 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 15.12.2023 the matter was adjourned to 24.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 24.01.2024 and continuously absented subsequently on 28.02.2024, 20.03.2024, 15.04.2024, 07.05.2024, 03.06.2024, 25.06.2024, 16.07.2024, 09.08.2024, 03.09.2024 & 26.09.2024 despite the issuance of repeated notices.
9. On 26.09.2024 a fresh notice was issued to procure his presence on 23.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant did not appear on 23.10.2024 and accordingly fresh notice for 13.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
11. But he did not appear and accordingly, on 13.11.2024 a fresh notice was issued to procure his presence on 17.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board

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in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

12. The Appellant/Claimant again did not appear on 17.12.2024 and a fresh notice was issued for 14.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. The Appellant/ Claimant again did not appear on 14.01.2025 and accordingly fresh notice for 03.02.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. The Appellant/Claimant did not appear on 03.02.2025. On 03.02.2025, in the interest of justice Final Notice was given to the Appellant/Claimant for 27.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 27.02.2025.
15. In the interest of justice Final Notice was given to the Appellant/Claimant for 27.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

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16. However, still none appeared on 27.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 25.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
17. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 25.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 81 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.
18. The bare perusal of the Policy shows that for claiming allotment for upper floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card & a separate Ration Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.
19. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card & Ration Card etc. as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the

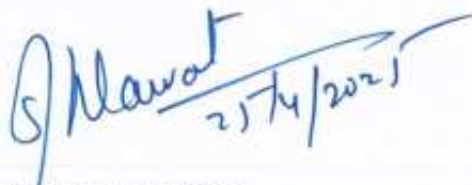
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Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.

20. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(960)13/Survey/ LM/WZ/3650 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 81 of 2023 is dismissed being devoid of any merit.

21. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.



(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN



(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 25 of 2023

Date of Institution: 03.12.2021

Date of Order: 28.04.2025

Present: None for the Appellant/ Claimant Nasib Shah (Gulhasan) S/o English Shah
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he was living in Jhuggi bearing No. B-620 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 25 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. B-620 was found to exist but he had failed to submit required documents, i.e., a valid Voter ID Card, etc.,

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as on 01.01.2015 as per the policy guidelines for alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"Voter card not verified from the record of AERO-AC-39"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 30.10.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at

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Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 30.10.2023.

7. Further, vide order dated 30.10.2023 the Appeal was fixed for 20.11.2023 to procure the presence of the Appellant/Claimant but he did not appear on 20.11.2023 and the Appeal was fixed for 21.12.2023 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 21.12.2023 the matter was adjourned to 22.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 22.01.2024 and continuously absented subsequently on 26.02.2024, 19.03.2024, 12.04.2024, 01.05.2024, 31.05.2024, 18.06.2024, 15.07.2024, 05.08.2024, 28.08.2024 & 23.09.2024 despite the issuance of repeated notices.
9. On 23.09.2024 a fresh notice was issued to procure his presence on 21.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant did not appear on 21.10.2024 and accordingly fresh notice for 12.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli

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Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

11. But he did not appear and accordingly, on 12.11.2024 a fresh notice was issued to procure his presence on 13.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
12. The Appellant/Claimant again did not appear on 13.12.2024 and a fresh notice was issued for 14.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. The Appellant/ Claimant again did not appear on 14.01.2025 and accordingly fresh notice for 03.02.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. The Appellant/Claimant did not appear on 03.02.2025. On 03.02.2025, Final Notice was given to the Appellant/Claimant for 27.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 27.02.2025.

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15. In the interest of justice Final Notice was given to the Appellant/Claimant for 26.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 26.03.2025.
16. In the interest of justice Final Notice was given to the Appellant/Claimant for 23.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
17. However, still none appeared on 23.04.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 28.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
18. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 28.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 25 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.

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19. The bare perusal of the Policy shows that for claiming allotment against the ground floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.
20. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
21. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(542)13/Survey/LM/WZ/3507 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 25 of 2023 is dismissed being devoid of any merit.
22. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its

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website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.


28/4/2021

(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)
CHAIRMAN


28/4/2021

(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 254 of 2023

Date of Institution: 27.10.2023

Date of Order: 29.04.2025

Present: None for the Appellant/ Claimant Sageeran W/o Amzad Khan
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that she is living in Jhuggi bearing No. K-350 A in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that she fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 254 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. K-350 A was found to exist on the upper floor but she had failed to submit required documents, i.e., a valid Voter ID Card & a separate Ration Card as on 01.01.2015 as per the policy

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Sh. Radhe Shyam Meena
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valid Voter ID Card & a separate Ration Card as on 01.01.2015 as per the policy guidelines for alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to her by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"UPPER FLOOR JHUGGI as per policy guidelines separate Ration card is required"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal..

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure her presence but without any response she has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 21.11.2023 was issued with the direction that it be got served by deputing an

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official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number. But she failed to appear on 21.11.2023.

7. Further, vide order dated 21.11.2023 the Appeal was fixed for 01.12.2023 to procure the presence of the Appellant/Claimant but she did not appear on 01.12.2023 and the Appeal was fixed for 14.12.2023 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
8. As the Appellant/Claimant did not appear on 14.12.2023 the matter was adjourned to 03.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 03.01.2024 and continuously absented subsequently on 15.01.2024, 05.02.2024, 19.02.2024, 27.02.2024, 07.03.2024, 13.03.2024, 19.03.2024, 15.04.2024, 25.04.2024, 06.05.2024, 24.05.2024, 06.06.2024, 02.07.2024, 19.07.2024, 02.08.2024, 21.08.2024, 13.09.2024, 03.10.2024 & 06.11.2024 despite the issuance of repeated notices.
9. On 06.11.2024 a fresh notice was issued to procure her presence on 06.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
10. The Appellant/ Claimant did not appear on 06.12.2024 and accordingly fresh notice for 08.01.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special

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messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.

11. But she did not appear and accordingly, on 08.01.2025 a fresh notice was issued to procure her presence on 24.01.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
12. The Appellant/Claimant again did not appear on 24.01.2025 and a fresh notice was issued for 18.02.2025 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
13. The Appellant/ Claimant again did not appear on 18.02.2025 and accordingly fresh notice for 05.03.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
14. The Appellant/Claimant did not appear on 05.03.2025. In the interest of justice Final Notice was given to the Appellant/Claimant for 12.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that

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an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.

15. However, still none appeared on 12.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 31.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
16. However, since 31.03.2025 was declared a public holiday, the file was taken up on 28.03.2025 and fixed for 24.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
17. However, still none appeared on 24.04.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 29.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
18. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 29.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue her Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 254 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the

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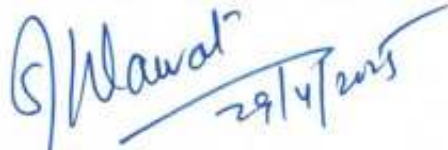
Appellant/Claimant as to whether she is entitled for alternate allotment as per policy guidelines issued by DDA.

19. The bare perusal of the Policy shows that for claiming allotment for upper floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card & a separate Ration Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.
20. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card & Ration Card etc. as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
21. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected her claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(N3034)13/Survey/LM/WZ/4123 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 254 of 2023 is dismissed being devoid of any merit.

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29/4/2025

22. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.

Handwritten signature of Satish Ahlawat in blue ink, with the date 29/4/2015 written below it.

(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN

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(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 28 of 2023

Date of Institution: 29.11.2021

Date of Order: 30.04.2025

Present: None for the Appellant/ Claimant Gul Chaman W/o Akhtar Hussain
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that she is living in Jhuggi bearing No. B-606/H-244 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that she fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 28 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. B-606/H-244 was found to exist on the upper floor but she had failed to submit required documents, i.e., a valid Voter ID Card & a separate Ration Card as on 01.01.2015 as per the policy

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guidelines for alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to her by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"UPPER FLOOR JHUGGI as per policy guidelines separate Ration card is required"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal..

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/ Claimant to procure her presence but without any response she has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 30.10.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made

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to intimate the Appellant/Claimant by calling her on her mobile number. But she failed to appear on 30.10.2023.

7. Further, vide order dated 30.10.2023 the Appeal was fixed for 21.11.2023 to procure the presence of the Appellant/Claimant but she did not appear on 21.11.2023 and the Appeal was fixed for 19.12.2023 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
8. As the Appellant/Claimant did not appear on 19.12.2023 the matter was adjourned to 31.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 31.01.2024 and continuously absented subsequently on 14.02.2024, 20.02.2024, 11.03.2024, 26.03.2024, 02.04.2024, 19.04.2024, 14.05.2024, 10.06.2024, 10.07.2024, 05.08.2024, 28.08.2024, 23.09.2024 & 21.10.2024 despite the issuance of repeated notices.
9. On 21.10.2024 a fresh notice was issued to procure her presence on 12.11.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
10. The Appellant/ Claimant did not appear on 12.11.2024 and accordingly fresh notice for 13.12.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.

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11. But she did not appear and accordingly, on 13.12.2025 a fresh notice was issued to procure her presence on 14.01.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
12. The Appellant/Claimant again did not appear on 14.01.2025 and a fresh notice was issued for 03.02.2025 to procure her presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
13. The Appellant/ Claimant again did not appear on 03.02.2025 and accordingly fresh notice for 27.02.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
14. The Appellant/Claimant did not appear on 27.02.2025. In the interest of justice Final Notice was given to the Appellant/Claimant for 26.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
15. However, still none appeared on 26.03.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 23.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand

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Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.

16. However, still none appeared on 23.04.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 30.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on her mobile number.
17. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 30.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue her Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 28 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether she is entitled for alternate allotment as per policy guidelines issued by DDA.
18. The bare perusal of the Policy shows that for claiming allotment for upper floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card & a separate Ration Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.

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19. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card & Ration Card etc. as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
20. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected her claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(605)13/Survey/LM/WZ/3522 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 28 of 2023 is dismissed being devoid of any merit.
21. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.


30/4/2025

(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN


30/4/2025

(RACHNA TIWARY)

EXPERT MEMBER

**BEFORE APPELLATE AUTHORITY TO HEAR THE APPEALS/
REDRESS THE GRIEVANCES RELATED TO DETERMINATION/
RELOCATION OF JJ DWELLERS OF KATHPUTLI COLONY**

Appeal No: 80 of 2023

Date of Institution: 07.12.2021

Date of Order: 30.04.2025

Present: None for the Appellant/ Claimant Rajesh S/o Jai Singh
Sh. Radhe Shyam Meena, Dy. Director, for DDA

ORDER

1. This order disposes off the present appeal filed by the Appellant/Claimant against order dated 10.11.2021 passed by the Eligibility Determination Committee.
2. In brief, the present Appellant/ Claimant had made a Representation to the Competent Authority, thereby, alleging that he was living in Jhuggi bearing No. B 346/120 in Kathputli Colony. A Notice by DDA was pasted on 31.05.2017 in the Kathputli Colony to inform the Jhuggi dwellers about the survey to be conducted in the said basti. The Appellant/ Claimant submitted representation to the competent authority along with requisite documents, thereby, alleging that he fulfills the eligibility criteria. However, the Eligibility Determination Committee rejected the claim of the present Appellant/ Claimant and the Nodal Officer, Kathputli Colony, duly communicated its order dated 10.11.2021 to the present Appellant/ Claimant. Aggrieved by the same, the Appellant/Claimant has filed Appeal No. 80 of 2023.
3. In response to the notice, the Appellant/Claimant has not appeared in person in spite of several notices/reminders. Whereas DDA is being represented by Sh. Radhe Shyam Meena, Dy. Director.
4. It is pointed out that as per survey records, the Jhuggi bearing No. B 346/120 was found to exist on the upper floor but he had failed to submit required documents, i.e., a valid Voter ID Card & a separate Ration Card as on 01.01.2015 as per the policy guidelines for

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Radhe Shyam Meena
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alternate allotment. Accordingly, the Eligibility Determination Committee has rejected the claim of the Appellant/Claimant, which was communicated to him by the Nodal Officer vide Rejection Order dated 10.11.2021 whereby the reasons for rejection is mentioned to be **"UPPER FLOOR JHUGGI as per policy guidelines separate Ration card is required"** and aggrieved by the same the Appellant/Claimant has come before us by way of filing the present Appeal.

5. First of all, we shall discuss the legal position under the DDA policy. The jurisdiction and procedure of the Appellate Authority are prescribed in Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi & the Standard Operating Protocol (SOP) for Appellate Authority. The salient points are reproduced below: -

"The Appellate Authority shall decide the appeal as per provisions of Delhi Slum and JJ Rehabilitation and Relocation Policy 2015 adopted by DDA and Protocol for removal of Jhuggis and JJ bastis in Delhi. The Appellate Authority may confirm, revoke or reverse the order appealed against and may pass such orders as deemed fit on the basis of documents submitted by the Appellant/Claimant during proceeding of appeal. The Standard Operating Protocol (SOP) for Appellate Authority also prescribes that the Appellate Authority shall decide the appeal maximum within one month. The appeal shall be disposed of on the day of first hearing itself. But in case due to some inevitable reason(s), if the appeal cannot be finalized on the given date and time, the Appellate Authority shall inform the next date of hearing to the Appellant/Claimant and record the same in the proceedings. The appeal shall however, be disposed off in such cases in not more than one hearings."

6. It is pertinent to point out that several notices/reminders were issued to the Appellant/Claimant to procure his presence but without any response he has never appeared before us. The perusal of the Zimni Orders shows that the Appeal was put up before us and the notice to procure the presence of the Appellant/Claimant for 03.11.2023 was issued with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition

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to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 03.11.2023.

7. Further, vide order dated 03.11.2023 the Appeal was fixed for 16.11.2023 to procure the presence of the Appellant/Claimant but he did not appear on 16.11.2023 and the Appeal was fixed for 15.12.2023 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling her on his mobile number.
8. As the Appellant/Claimant did not appear on 15.12.2023 the matter was adjourned to 24.01.2024 for procuring the presence of the Appellant/ Claimant. But the Appellant/ Claimant absented on 24.01.2024 and continuously absented subsequently on 28.02.2024, 20.03.2024, 15.04.2024, 07.05.2024, 03.06.2024, 25.06.2024, 16.07.2024, 09.08.2024, 03.09.2024 & 26.09.2024 despite the issuance of repeated notices.
9. On 26.09.2024 a fresh notice was issued to procure his presence on 23.10.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
10. The Appellant/ Claimant did not appear on 23.10.2024 and accordingly fresh notice for 13.11.2024 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
11. But he did not appear and accordingly, on 13.11.2024 a fresh notice was issued to procure his presence on 16.12.2024 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board

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in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

12. The Appellant/Claimant again did not appear on 16.12.2024 and a fresh notice was issued for 14.01.2025 to procure his presence with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
13. The Appellant/ Claimant again did not appear on 14.01.2025 and accordingly fresh notice for 03.02.2025 was issued to procure the appearance of the present Appellant/ Claimant with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
14. The Appellant/Claimant did not appear on 03.02.2025. On 03.02.2025, in the interest of justice Final Notice was given to the Appellant/Claimant for 27.02.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number. But he failed to appear on 27.02.2025.
15. In the interest of justice Final Notice was given to the Appellant/Claimant for 27.03.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.

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R. Singh
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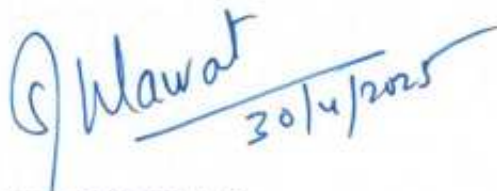
16. The Appellant/Claimant did not appear on 27.03.2025. On 27.03.2025, in the interest of justice Final Notice was given to the Appellant/Claimant for 25.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
17. However, still none appeared on 25.04.2025 on behalf of the Appellant/Claimant. In the interest of justice Final Notice was given to the Appellant/Claimant for 30.04.2025 with the direction that it be got served by deputing an official/special messenger and the copy of the same be also pasted on the Notice Board in Transit Camp, Anand Parbat/Narela as well as on the Site Office, DDA at Kathputli Colony/Transit Camp/Narela and in addition to that an attempt be also made to intimate the Appellant/Claimant by calling him on his mobile number.
18. But the Appellant/Claimant has neglected and failed to join the proceedings before us on 30.04.2025 in spite of issuance of repeated notice(s) through various modes. This shows that the Appellant/Claimant is not interested to pursue his Appeal. No further wait is warranted. In view of the matter before straightway dismissing the present Appeal No. 80 of 2023 in default and accordingly rejecting the same we shall appraise the documents available on record to determine the eligibility of the Appellant/Claimant as to whether he is entitled for alternate allotment as per policy guidelines issued by DDA.
19. The bare perusal of the Policy shows that for claiming allotment for upper floor the JJ dwellers must be a citizen of India and not less than 18 years of age and further also that the name of JJ dwellers must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey, for the purpose of rehabilitation. Therefore, the Appellant/Claimant is mandatorily required to be not less than 18 years of age and he/she must also possess a Voter ID Card & a separate Ration Card on the cutoff date of 01.01.2015 and further his/her name must appear in at least on the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in

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the year of survey and the Appellant/ Claimant must be having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015.

20. The material placed on file shows that the Appellant/ Claimant was not having required documents, i.e., valid Voter ID Card & Ration Card etc. as on 01.01.2015 and his name also does not appear in the voter list of the year's 2012, 2013, 2014 and 2015 (prior to 01-01-2015) & also in the year of survey and further the Appellant/ Claimant was not having "any one" out of the 12 documents issued before 01.01.2015 as enlisted in Clause 2 of the DDA policy, 2015. The documents available on file are of no help to the Appellant/Claimant because these documents do not create any right, title or interest in her favour to claim allotment from DDA.
21. In view of the matter the present we have no hesitation in holding that the Appellant/ Claimant has made misrepresentation and also futile attempt to suppress material facts. The Appellant/ Claimant does not fulfill the eligibility criteria as per guidelines issued by DDA. Hence the Eligibility Determination Committee has rightly rejected his claim. There is no infirmity and illegality in the impugned order bearing No. F/KPC(953)13/Survey/LM/WZ/3647 dated 10.11.2021. Hence the same is upheld. Consequently, the present Appeal No. 80 of 2023 is dismissed being devoid of any merit.
22. Copy of this order be supplied to both the parties as per rules within three days from the date of passing of this order. DDA is further directed to post this order on its website within one week from today in compliance of order dated 11.07.2018 passed by Hon'ble High Court of Delhi in WP(C) No. 6728/2018 and C.M. Appeal 25594/2018 titled "National Alliance of Peoples Movement & Others Vs Delhi Development Authority & Others". The file be consigned to records after due compliance.



(SATISH AHLAWAT)

Addl. District & Sessions Judge (Retd.)

CHAIRMAN



(RACHNA TIWARY)

EXPERT MEMBER