

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 55/2003

E.R. KUMAR & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.
(FOR IMPLEADMENT)

Respondent(s)

WITH

W.P.(C) No. 572/2003 (PIL-W)
(FOR INTERIM DIRECTIONS)

Date : 22-03-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE DEEPAK GUPTAFor Petitioner(s) Mr. E.R. Kumar, Petitioner-in-person
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Ms. Aishwarya Dash, Adv.
Ms. Amita Joseph, Adv.Mr. Colin Gonsalves, Sr. Adv.
Mr. Aditya Srivastva, Adv.
Mr. Satya Mitra, Adv.Mr. Prashant Bhushan, AOR
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Mr. Raj Bahadur, Adv.

For States of Andhra Pradesh	Mr. Guntur Prabhakar, Adv. Ms. Prerna Singh, Adv.
Arunachal Pradesh	Mr. Anil Shrivastav, AOR Mr. Rituraj Biswas, Adv.
Assam	Mr. Shuvodeep Roy, Adv.
Bihar	Mr. M. Shoeb Alam, Adv. Ms. Fauzia Shakil, Adv. Mr. Ujjwal Singh, Adv. Mr. Mojahid Karim Khan, Adv.
Chhattisgarh	Mr. Aniruddh P. Mayee, Adv. Mr. Avnish M. Oza, Adv. Mr. Chirag Jain, Adv. Mr. A. Selvin Raja, Adv.
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H.P.	Mr. V.K. Sharma, Adv.
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Mr. Rohit Chandra, Adv.

Maharashtra Mr. Kunal Cheema, Adv.
Mr. Nishant R. Katneshwarkar, Adv.

Manipur Mr. Leishangthem Roshmani Kh., Adv.
Ms. Maibam Babina, Adv.

Meghalaya Mr. Ranjan Mukherjee, Adv.
Mr. S. Bhowmick, Adv.
Mr. S.C. Ghosh, Adv.
Mr. Daniel Stone Lyngdoh, Adv.

Mizoram Mr. P.V. Yogeswaran, Adv.

Nagaland Mrs. K. Enatoli Sema, Adv.
Mr. Edward Belho, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. K. Luikang Michael, Adv.
Mr. Z.H. Isaac Haiding, Adv.

Odisha Mr. Shibashish Mishra, Adv.

Punjab Ms. Uttara Babbar, Adv.
Ms. Akanksha Choudhary, Adv.
Ms. Bhavana Duhoon, Adv.

Rajasthan Mr. S.S. Shamsbery, Adv.
Mr. Amit Sharma, Adv.
Mr. Ankit Raj, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, Adv.

Sikkim Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Ms. Simran Jeet, Adv.
for M/s Arputham Aruna & Co.

Tamil Nadu Mr. B. Vinodh Kanna, Adv.
Mr. A. Sriram, Adv.

Tripura Mr. Gopal Singh, Adv.
Mr. Rituraj Biswas, Adv.

Uttar Pradesh Ms. Aishwarya Bhati, AAG.
Mr. Rajeev Kumar Dubey, Adv.
Mr. Kamendra Mishra, Adv.

West Bengal Mr. Chanchal Kr. Ganguli, AOR
Mr. Piyush Sachdev, Adv.

Mr. Raja Chatterjee, Adv.

Uttarakhand

Mr. Jatinder Kumar Bhatia, AOR
Mr. Ashutosh K. Sharma, Adv.

A&N Islands

Mr. Bhupesh Narula, Adv.
Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, AOR

Puducherry

Mr. V.G. Pragasam, Adv.
Mr. S. Prabu Ramasubramanian, Adv.
Mr. S. Manuraj, Adv.

Mr. Rajvinder Singh, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. T.V. Talwar, Adv.

Mr. P. Venkat Reddy, Adv.
Mr. Prashant Tyagi, Adv.
For M/s Venkat Palwai Law Ass.

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Mr. Sunil Fernandes, AOR

Ms. Kaveeta Wadia, AOR

Ms. Pragati Neekhara, AOR

Ms. A. Subhashini, Adv.

Mr. Avijit Bhattacharjee, AOR

Mr. Binay Kumar Tiwari, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Dipak Namdhari, Adv.
Mr. B. S. Banthia, AOR

UPON hearing the counsel the Court made the following

O R D E R

Subsequent to our order dated 10.01.2018, we are glad to note that there is agreement between the petitioners and the Union of India with regard to setting up of the Committees as proposed by the Union of India in its affidavit of 12.12.2017.

In an affidavit filed today by Mr. Y.S. Awana, Deputy Secretary to the Government of India, Ministry of Housing and Urban Affairs, a list has been furnished as Annexure A-6 giving the nomination for the State Level Committee for monitoring progress of Shelters for Urban Homeless as informed by the State / Union Territory and as suggested by the petitioner.

We are glad to note that the petitioner in person, learned counsel for the petitioners and the learned ASG appearing on behalf of the Union of India are agreeable to all the names mentioned in Annexure A6. Accordingly, the State Level Committee, as agreed to, by all the parties is as follows:-

NOMINATION FOR THE STATE LEVEL COMMITTEE FOR MONITORING PROGRESS OF SUH AS INFORMED BY STATE/UT GOVT. AND AS SUGGESTED BY PETITIONER

Sl. No	Name of the State/UT	Chairman	Member	Person from Civil society	Names of social workers as suggested by Petitioner
1.	Andhra Pradesh	Shri J.C. Sharma, I.A.S. (Retd)	Principal Secretary (MA&UD)	Dr. C.L. Venkat Rao, Executive Vice-Chairman, Swachh Andhara Corporation	Irfan Babu
2.	Assam	Shri Bhaskar Barua, IAS (Retd.), Former Secretary, M/o Agriculture, Govt. of India	Principal Secretary to the Govt. of Assam, Urban Development Department	Dr. Manoranjan Das, Retired Principal, BHB College, Sarupeta, Dist- Barpeta, Lifetime member of Asom Sahitya Sabha, Asom Satra Mahasabha & Assam Science Society, Ex MLA.	Mr. Mukul Chandra Goswami
3.	Arunachal Pradesh	State has informed that there is no urban homeless persons. Hence Committee is not required			Mr. Sunil Mow
4.	A&N Islands	Not received	Not received	Not received	Not Suggested
5.	Bihar	Shri Girish Shankar, I.A.S. (Retd.)	Principal Secretary, Urban Development and Housing Department	Ms. Dorothi Fernandez, Social Worker	Tarique Mohd.
6.	Chandigarh (UT)	Ms. Kiran Aggarwal, I.A.S. (Retd.), Retired as Adviser in the Planning Commission	Secretary, Local Government, UT	Major Gen. (Retd.) M.S. Kandal , Social Worker	Dr. (Ms.) Areet Singh
7.	Chhattisgarh	Shri Suyogya Kumar Mishra, Chief Secretary (Retd.), Chhattisgarh	Secretary, Urban Administration and Development Department	Dr. Sandeep Sharma, Samarjit Sansthan, Bilaspur	Gautam Bahdyopadhyay
8.	Delhi	Officer who has	1. Principal Secretary	A member from Civil Society	Indu Prakash Singh

		retired from GNCTD at the level equivalent to Secretary to Govt. of India	(UD), Govt. of NCT of Delhi 2. Chief Executive Officer, Delhi Urban Shelter Improvement Board 3. Mission Director, State Urban Livelihood Mission (SULM)	who is sensitive to the issues of homeless person	
9.	Goa	Chief Secretary (Serving)	1. Secretary (UD) 2. Director, Institute of Public Assistance 3. Mission Director DAY-NULM	Mr. Maverick Fernandes, Director, Caritas, Goa	Amit Narkar
10.	Gujarat	Shri P.K. Taneja, IAS (Retd.) Additional Chief Secretary to the Govt. of Gujarat	Principal Secretary to Govt. of Gujarat, Urban Development & Urban Housing Deptt.	Shri Gunwantbhai Delawala, President, Sargam Club, Jagnath Mandir Chowk, Yagnik Road, Rajkot- 360001	Dr. Bhushan Punani
11.	Haryana	Shri Dharamvir, IAS (Retd.) Ex- Chief Secretary, Haryana	Principal Secretary to Govt. of Haryana, Urban Local Bodies Department, Haryana	Shri D.R. Sharma, General Secretary, Indian Red Cross Society, Haryana State Branch	Mashkoo Alam
12.	Himachal Pradesh	Shri P.C. Dhiman, Addl. Chief Secretary (Retd.), Govt. of Himachal Pradesh	Add. Chief Secretary (UD), Govt. of Himachal Pradesh	Representative of Civil Society (to be notified later)	Nisha Singh
13.	Jammu & Kashmir	Not received	Not received	Not received	Shafia Nashqbandi
14.	Jharkhand	Shri A.K. Pandey, I.A.S. (Retd.)	Principal Secretary, Urban Development and Housing Department	Shri Tripurari Sharma, Civil Society	Sharad Kumari
15.	Karnataka	Dr. Subhash Chandra Khuntia, Chief Secretary (Retd.) to	Secretary, Urban Development Department, Government of Karnataka	Shri Gopinath R., Managing Trustee, Murfi Town, BBMP, East Zone.	Narasimhappa TV

		Government of Karnataka			
16.	Kerala	Not received	Not received	Not received	Magilynn Yohannan
17.	Madhya Pradesh	Shri K. Shankar Narayan, I.A.S. (Retd.)	Principal Secretary (UD & Housing Deptt.), Madhya Pradesh	Shri Ramesh Maheshwari, President, Swea Bharti, Aanand Dham, Bhopal, Madhya Pradesh	Sachin Kumar Jain
18.	Maharashtra	Not received	Not received	Not received	Mahesh Kamble
19.	Manipur	Not received	Not received	Not received	Mr. Khumlo Sunny Anal
20.	Meghalaya	Not received	Not received	Not received	Rev. Kyrsoibor Pyrtuh
21.	Mizoram	Shri R.L. Rinawma, Principal Secretary (Retd.) UD & PA Deptt	Secretary to the Govt. of Mizoram, UD & PA Deptt.	President, Mizoram, Hmeichhe Insuihkhawm Pawl	President, Mizoram, Hmeichhe Insuihkhawm Pawl
22.	Nagaland	Smti. Banuo A. Jamir, IAS (Retd.) Chief Secretary	The Secretary, Urban Development Department, Govt. of Nagaland	Dr. Kepelhouse Terhuja, President, Angami Public Organisation, Kohima	Ms. T.N. Keny
23.	Odisha	Sri J.D. Sharma, IFS (Retd.)	Commissioner-cum- Secretary, H&UD Deptt.	Abharani Choudhury, Secretary, Odisha Patita Udhar Samiti, Bhubaneswar	Biplab Mishra
24.	Puducherry	Not received	Not received	Not received	Ponnusamy Balasundaram
25.	Punjab	Shri S.C. Aggarwal, IAS (Retd.), Chief Secretary, Government of Punjab	Principal Secretary, Govt. of Punjab, Deptt. of local Government	Secretary, Indian Red Cross Society, Punjab	Jai Singh
26.	Rajasthan	Mr. Rajendra Bhanawat IAS (Retd.)	Principal Secretary (Local Self Govt. Dept.)	Smt. Abha Mishra (Aajeevika Bureau- NGO)	Ashok Khandelwal
27.	Sikkim	Mrs. R Ongmu, IAS,	Secretary, Urban Development	Dr. B.B. Rai, Executive	Dr. B.B. Rai, Executive

		(Retd.) Chief Secretary, Govt. of Sikkim	and Housing Deptt.	Director, Voluntary Health Association of Sikkim, Tadong	Director, Voluntary Health Association of Sikkim, Tadong
28.	Tamil Nadu	Dr. N Sundaradevan, I.A.S. (Retd.)	Principal Secretary to Government, Municipal Administration & Water Supply Department, Chennai-9	Ms. Vanessa Peter, Policy Researcher, Information & Resource Centre for the Deprived Urban Communities (IRCDUC), Chennai-31	Ms. Vanessa Peter
29.	Telangana	Dr. Rajiv Sharma, IAS, The Hon'ble Chief Adviser, Govt. of Telangana	Principal Secretary (MA&UD), Govt. of Telangana	Shri Anjaneyulu Madduluri, Regional Manager, Action Aid NGO	Shri Anjaneyulu Madduluri
30.	Tripura	Shri G.K. Rao (Retd.), Ex- Chief Secretary, Tripura	Principal Secretary, UD Deptt.	Mrs. B. Maitra, Secretary, Chetana, Agartala	Mrs. B. Maitra
31.	Uttrakhand	Shri N. Ravishankar, I.A.S (Retd.), former Chief Secretary, Uttrakhand	Principal Secretary/Secretary, Urban Development Department, Government of Uttrakhand.	Dr. J. N. Kalhan, Vice Chairman, Doon Shelter Society for the Homeless, Dehradun	Prem Pancholi
32.	Uttar Pradesh	Shri Balvinder Kumar, I.A.S. (Retd.)	Chief Secretary, Urban Development and Urban Employment and Poverty Alleviation Deptt. Govt of Uttar Pradesh	Shri Vinod Kumar Yadav, Progressive Foundation	Sandeep Khare
33.	West Bengal	Shri Sutirtha Bhattacharya, I.A.S. (Retd.)	Secretary, Urban Development & Municipal Affairs Deptt. Govt. of West Bengal	Authorized representative of Ramkrishna Mission	Anuradha Talwar

There are 8 States / Union Territories that have not yet made any suggestion for constitution of the State Level Committee. We make it clear that where no name has been given in Annexure A6, the name should be supplied by their State Government / UT Administration within two weeks from today.

However, this will not preclude the Committees set up by today's order from carrying out their functions with immediate effect so that urban homeless can be provided some shelter. Housing is a basic need for all.

Since the Committees have been set up at the instance of the Central Government, for the benefit of the State Government / UT Administration, the State Government will ensure that all facilities are made available to the Members of the Committee in accordance with the DDU NULM scheme; including transportation etc.

Learned counsel for the petitioner has handed over in Court suggested guidelines and the role of the State Level Monitoring Committee for urban homeless shelters. Learned ASG may have a look into it.

List the matter on 19.04.2018.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER