

ITEM NO.28

COURT NO.1  
SECTION PIL(W)  
S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.55/2003

E.R. KUMAR &amp; ANR.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(with appln. (s) for impleadment and office report)

WITH

W.P. (C) No.572/2003  
(With Office Report)

Date : 08/03/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s)

Mr. E.R. Kumar, Adv.  
Petitioner-in-person  
Mr. Abhinay, Adv.  
Ms. S. Lakshmi Iyer, Adv.

Mr. Prashant Bhushan, Adv.  
Ms. Amita Joseph, Adv.  
Mr. Aditya Shrivastava, Adv.  
Mr. Adil Sharjuddin, Adv.

For Respondent(s)

Mr. Ranjit Kumar, SG  
Ms. Pinky Anand, ASG  
Mr. V. Mohna, Sr. Adv.  
Ms. Sunita Sharma, Adv.  
Ms. Sunita Rani Singh, Adv.  
Mr. Kailash Vasudev, Adv.  
Ms. Rashmi Malhotra, Adv.  
Mr. D.S. Mahra, Adv.  
Ms. Sushma Suri, Adv.

(State of Jhar-  
khand)

Mr. Ajit Kr. Sinha, Sr. Adv.  
Mr. Jayesh Gaurav, Adv.  
Mr. Gopal Prasad, Adv.  
Mr. Shashank Singh, Adv.  
Mr. Mohd Waqvas, Adv.  
Mr. T.K. Singh, Adv.  
Mr. Guru Krishan Kumar, Sr. Adv.

Mr. T. Mehta, Adv.

(State of Chhattisgarh) Mr. C.D. Singh, AAG  
Ms. Saumya Kalra, Adv.  
Mr. Tenzing, Adv.  
Mr. A.P. Mayee, Adv.  
Mr. A. Selvin Raja, Adv.  
Mrs. Shashi Juneja, Adv.

(State of Uttarakhand) Mr. J.K. Bhatia, Adv.  
Mr. Mukesh Verma, Adv.

(State of Maharashtra) Mr. Rajshri Dubey, Adv.  
Mr. Nishant R. Katneshwarkar, Adv.

(State of A.P.) Mr. Anil Shrivastav, Adv.  
Mr. Rituraj Biswas, Adv.  
Mr. Rudreshwar Singh, Adv.  
Mr. Samir Ali Khan, Adv.

(State of Nagaland) Mrs. K. Enatoli Sema, Adv.  
Mr. Edward Belho, Adv.  
Mr. Amit Kumar Singh, Adv.

(State of Gujarat) Ms. Jesal Wahi, Adv.  
Ms. Hemantika Wahi, Adv.  
Ms. Puja Singh, Adv.

(State of Manipur) Mr. Sapam Biswajit Meitei, Adv.  
Mr. Naresh Kumar Gaur, Adv.  
Ms. B. Khushbansi, Adv.  
Mr. Ashok Kumar Singh, Adv.

(State of Tripura) Mr. Gopal Singh, Adv.  
Mr. Rituraj Biswas, Adv.  
Ms. Varsha Poddar, Adv.

(State of H.P.) Mr. Suryanarayana Singh, Sr. AAG  
Ms. Pragati Neekhra, Adv.

(UT of Andaman & Nicobar) Mr. K.V. Jagdishvaran, Adv.  
Mrs. G. Indira, Adv.  
Mr. Anurag Kashyap, Adv.

(Govt. of Puducherry) Mr. V.G. Pragasam, Adv.  
Mr. S.Prabu Ramasubramanian, Adv.

(State of Punjab) Mr. Ashok Aggarwal, AG & Sr. Adv.  
Mr. S.A. Gupta, AAG  
Mr. Nishant Bishnoi, Adv.  
Mr. Kuldeep Singh, Adv.

Mr. Pragyan Sharma, Adv.  
 Mr. Shikhar Garg, Adv.  
 Mr. Ravi Kant, Adv.  
 Mr. P.V. Yogeswaran, Adv.

Mr. T.L.V. Ramachari, Adv.  
 Mr. K.V.L. Raghavn, Adv.  
 Mr. Hitesh Kumar Sharma, Adv.

(State of Sikkim) Mr. Aruna Mathur, Adv.  
 Mr. Avneesh Arputham, Adv.  
 Ms. Anuradha Arputham, Adv.  
 Mr. Yusuf Khan, Adv.

(State of Assam) Mr. Riku Sarma, Adv.  
 Mr. Navnit Kumar, Adv.

(State of Tamil-  
 Nadu) Mr. M. Yogesh Kanna, Adv.  
 Mr. Jayant Patel, Adv.

(State of Rajasthan) Mr. S.S. Shamsbery, AAG  
 Mr. Amit Sharma, Adv.  
 Mr. Ishu Prayas, Adv.  
 Ms. S. Spandana Reddy, Adv.  
 Mr. Milind Kumar, Adv.

Mr. Sanjiv Sen, Sr. Adv.  
 Mr. Kunal Verma, Adv.  
 Ms. Yogendhara P. Jha, Adv.  
 Mr. Dev J. Roy, Adv.  
 Mr. Mohan P., Adv.

(State of M.P.) Mr. Sunny Choudhary, Adv.  
 Mr. Mishra Saurabh, Adv.

(State of J&K) Mr. Sunil Fernandes, Adv.  
 Ms. Astha Sharma, Adv.

Mr. Adarsh Upadhyay, Adv.

Mr. Aruneshwar Gupta, Adv.

Mr. B.S.Banthia, Adv.

Mr. Kamlendra Mishra, Adv.

Mr. Satya Mitra, Adv.

Mr. Vinay Garg, Adv.

Ms. Kaveeta Wadia, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Pursuant to our order dated 04.12.2015, Mr. Ranjit Kumar, learned Solicitor General has filed an additional affidavit, inter alia, giving details of the amounts sanctioned and/or spent on setting up of urban shelters in different States. The petitioner who appears in person submits that while the affidavit and the documents enclosed therewith mentions that such shelters have been set up, the ground position may be different. He prays for adoption of some mechanism to verify the claims made by the Central Government and the State Governments. Mr. Kumar, however, submits that although there is no reason to disbelieve the version given by the Union of India yet this Court may devise such mechanism for verification of the steps taken as the Court may deem fit.

In the circumstances, therefore, and keeping in view the nature of the controversy we direct Member Secretary, National Legal Services Authority (NALSA) to take up verification of the actual progress in the matter of setting up of the urban shelters with the help of the State Legal Service Authorities and to submit a report as to the actual position on the ground.

We are informed that while the allocation of funds and other aspects in the Central Government are looked after by the Ministry of Housing & Urban Poverty Alleviation in the States setting up of urban shelter is being looked after by the Ministry of Housing and Urban Development. The State Legal Services Authorities shall therefore coordinate with the concerned Ministries in the States for identification and verification of the progress made in the matter of setting up of such shelters. The National Legal Services Authority shall submit a report to this Court expeditiously and as far as possible within a period of eight weeks. A copy of this order along with a copy of the additional affidavits dated 04.01.2016 and 25.02.2016 filed by the Government of India shall be forwarded to National Legal Services Authority for appropriate

action in the matter.

A copy of the booklet published by the Government of India concerning the "Scheme of Shelter for Urban Homelands" shall also be forwarded to the NALSA.

Post after the report is received.

(Ashok Raj Singh)  
Court Master

(Saroj Saini)  
Court Master