

ITEM NO.307

COURT NO.9

SECTION PIL

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.

Respondent(s)

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

WITH

W.P.(C) No. 572/2003

(With Office Report)

Date : 24/04/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s)

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For States of
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UPON hearing the counsel the Court made the following
O R D E R

In our order dated 13th February, 2015, we had directed that one week before the next date of hearing the Union of India should file a status report with regard to the setting up of the Executive Committee in all States/Union Territories and a gist of the progress made in the implementation of the National Urban Livelihood Mission (NULM).

Today, we are told that the affidavit has been prepared but it will be filed in a few days' time. A copy of the affidavit has been handed over to us today in Court.

For this totally unnecessary adjournment, we impose costs of Rs.10,000/- on the Ministry of Housing and Urban Poverty Alleviation to be deposited with the Supreme Court Legal Services Committee within two weeks.

We have gone through the affidavit of Mr. Sailesh Jogiani in conjunction with the financial status (Annexure A-5), as mentioned in the affidavit filed by him on 20th February, 2015. We find from the affidavit of 20th February, 2015 that more than Rs.1,000 crores were made available to the States/Union Territories as on 31.01.2015 under the NULM. For example, the funds available with the State of Maharashtra were about

Rs.170 crores and the funds available with the State of Uttar Pradesh were about Rs.118 crores.

In the affidavit that has been shown to us today, which is also sworn by Mr. Sailesh Jogiani, in the State of Maharashtra, the new construction, refurbishment and the number of operational shelters are shown to be zero. It is not clear where and how the amount of Rs.170 crores has been utilized by the State of Maharashtra. Similarly, in the State of Uttar Pradesh, there are said to be 37 new constructions, 5 refurbishments and zero number of operational shelters. Again, it is not clear where and how the amount of Rs.118 crores has been utilized.

With regard to some of the other States, such as Assam, Kerala, etc., there is not even a single construction, refurbishment or operational shelter, but huge amounts have been made available to those States under the NULM as on 31.01.2015. This needs a serious look into.

The NULM postulates monitoring and evaluation, but we do not find any sort of monitoring or evaluation being done by the concerned Ministry and huge amounts running into over rupees one thousand crores is just being 'wasted' without any substantial action.

The Ministry should give an account of the expenditure incurred through a proper affidavit to be

filed within six weeks. It should also explain if the funds released are being audited or not and if audited, a gist of the audit reports should be filed.

List the matter on 24th July, 2015.

(SANJAY KUMAR-I)
COURT MASTER

(RENU DIWAN)
COURT MASTER