


Government of India
Ministry of Housing & Urban Affairs
(UPA Division)

Nirman Bhawan, New Delhi

Dated: 12.10.2017

To


Advocate Raj Bahadur,
Central Agency Section,
Supreme Court of India,
Tilak Marg, New Delhi -110001

Subject: Writ Petition(C) No. 55 of 2003 with W.P (C) 572 of 2003 of Supreme Court of India in the matter of E.R. Kumar & ANR. Vs Union of India & ORS- reg.


Sir,

I am directed to refer to the Hon'ble Supreme Court's order dated 13.09.2017 (copy enclosed) and to furnish herewith the compiled information as furnished by the States/UTs and that available in this Division for taking further necessary action at your end.

Encl: As above.

Yours faithfully,



(Surender Kumar) 12/10/17

 Under Secretary to the Government of India
Tele: 23061185

 Copy for information to:

Smt Sunita Singh, Advocate, Chamber Number 114, Supreme Court, New Delhi-110001: It is requested to contact Central Agency Section, Supreme Court and take further action if required.


(Surender Kumar) 12/10/17

 Under Secretary to the Government of India
Tele: 23061185

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

WRIT PETITION (C) NO.55 OF 2003

IN THE MATTER OF:

K.R. KUMAR & ANR.

...PETITIONERS

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

(FOR IMPLEADMENT)

INDEX

<u>Sl.No.</u>	<u>Particulars</u>	<u>Pages</u>
1.	Affidavit on behalf of the Respondent (Union of India)	1 - 2
2.	A copy of the order dated 13.09.2017 passed by this Hon'ble Court in Writ Petition (C) No.55/2003	3 - 7
3.	A copy of the Status Report (Based on the Information furnished by the States/UTs) in compliance of the order dated 13.09.2017 of Hon'ble Supreme Court)	8 - 35

FILED BY:

(ANIL KATIYAR)

Advocate for the Respondent

FILED ON:

15/10/17
V/D

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

WRIT PETITION (C) NO.55 OF 2003

IN THE MATTER OF:

K.R. KUMAR & ANR.

...PETITIONERS

VERSUS

UNION OF INDIA & ORS.

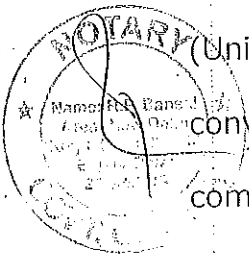
...RESPONDENTS

(FOR IMPLEADMENT)

AFFIDAVIT

I, Surender Kumar, Under Secretary, Ministry of Housing & Urban Affairs (UPA Division), Government of India, Nirman, Bhawan, New Delhi, do hereby solemnly state and affirm as under:-

1. That I am the Under Secretary, Ministry of Housing & Urban Affairs on behalf of Respondent (Union of India) in the above matter and am well conversant with the facts of the case. I am competent to swear this affidavit.



2. That the order dated 13.09.2017 passed by this Hon'ble Court in Writ Petition (C) No.55/2003 and Status Report (Based on the Information furnished

by the States/UTs) in compliance of the order dated 13.09.2017 of Hon'ble Supreme Court) are enclosed herewith.

3. That the facts stated in the above affidavit are true and correct to the best of my knowledge and belief nothing material has been concealed therefrom.

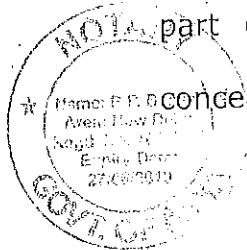
VERIFICATION:

Verified at New Delhi on this 12th day of October, 2017, that the contents of my above affidavit

are true and correct to my knowledge and belief and no

part of it is false and nothing material has been

concealed therefrom.



ATTESTED

Notary Public, Delhi
(As Presented)

[Signature]
12/10/2017
SURENDER KUMAR
Under Secretary
Ministry of Housing and Urban Affairs
Government of India
New Delhi-110011

[Signature]
12/10/2017
SURENDER KUMAR
Under Secretary
Ministry of Housing and Urban Affairs
Government of India
New Delhi-110011

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 : 13-09-2017 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Petitioner-in-person
Ms. Raveena Rai, Adv.

Ms. Amiy Shukla, Adv.
Mr. Shakti Vardhan, Adv.
Mr. Aditya Shrivastav, Adv.
Cheryl D' Souza, Adv.
Mr. T. Sudhakar, Adv.
Ms. Amita Joseph, Adv.
For Mr. Prashant Bhushan, AOR [NP]

For Respondent(s)
Union of India Mr. Ranjit Kumar, SG
Ms. V. Mohana, Sr. Adv.
Mr. Kailash Vasudev, Sr. Adv.
Mr. Mohan Prasad Gupta, Adv.
Ms. Sunita Sharma, Adv.
Ms. Sunita Rani Singh, Adv.
Ms. Rashmi Malhotra, Adv.
Mr. R.R. Rajesh, Adv.
Mr. M.K. Maroria, Adv.
Mr. B.K. Prasad, Adv.
Mr. D.S. Mahra, AOR
Ms. Sushma Suri, AOR
Mr. Raj Bahadur, Adv.
Mr. B.V. Balram Das, Adv.

Signature Not Verified

Digitally signed by
MEENAKSHI KOHLI
Date: 2014.09.14
10:33:40 IST
Reason:

Delhi Urban Shelter Ms. Uttara Babbar, Adv.
Improvement Board Ms. Akanksha Choudhary, 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. Mr. Sayooj Mohan Das M., Adv. Mr. Rohit K. M., Adv.
Bihar	Mr. M. Shoeb Alam, AOR Ms. Fauzia Shakil, Adv. Mr. Ujjwal Singh, Adv. Mr. Mojahid Karim Khan, Adv.
Chhattisgarh	Mr. Jugal Kishor Gilda, AAG Mr. Aniruddh P. Mayee, Adv. Mr. Avnish Oza, Adv. Mr. Chirag Jain, Adv. Mr. C.D. Singh, Adv. Ms. Sakshi Kakkar, Adv. Mr. Gaurav Shukla, Adv.
Gujarat	Ms. Hemantika Wahi, AOR Ms. Jesal Wahi, Adv. Ms. Puja Singh, Adv. Ms. Shodhika Sharma, Adv.
Haryana	Mr. Dinesh Chander Yadav, AAG Dr. Sukhdev Sharma, Adv. Mr. Arun Tewatia, Adv. Mr. Sanjay Visen, Adv. Dr. Kailash Chand, Adv.
H.P.	Mr. D.K. Thakur, AAG Ms. Seema Sharma, Adv. Mr. Varinder Kr. Sharma, Adv.
J&K	Mr. M. Shoeb Alam, Adv. Ms. Fauzia Shakil, Adv. Mr. Ujjwal Singh, Adv. Mr. Mojahid Karim Khan, Adv.
Jharkhand	Mr. Tapeshe Kr. Singh, Adv. Mohd. Waquas, Adv. Mr. Aditya Pratap Singh, Adv. Mr. Jayesh Gaurav, Adv. Mr. Gopal Prasad, Adv.

Karnataka	Mr. V.N. Raghupathy, AOR Mr. Lagnesh Mishra, Adv. Mr. Parikshit P. Angadi, Adv.
Kerala	Mr. Nishe Rajen Shonker, Adv. Mr. Anu K. Joy, Adv. Mr. Abdul Kabeer, Adv.
Madhya Pradesh	Mr. Saurabh Mishra, AOR Mr. Ankit Kr. Lal, Adv.
Maharashtra	Mr. Kunal A. Cheema, Adv. Mr. Nishant Katneshwarkar, Adv.
Manipur	Mr. Ashok Kumar Singh, AOR
Meghalaya	Mr. Ranjan Mukherjee, Adv. Mr. Subhro Sanyal, Adv.
Mizoram	Mr. Pragyan Sharma, Adv. Mr. Shikhar Garg, Adv. Mr. P. V. Yogeswaran, AOR
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. Mr. Sylona Mohapatra, Adv.
Punjab	Ms. Ranjeeta Rohatgi, Adv.
Rajasthan	Mr. S.S. Shamschery, Adv. Mr. Amit Sharma, Adv. Mr. Ankit Raj, Adv. Mr. Milind Kumar, Adv.
Sikkim	Ms. Aruna Mathur, Adv. Mr. Avneesh Arputham, Adv. Ms. Anuradha Arputham, Adv. for M/s Arputham Aruna & Co.
Tamil Nadu	Mr. B. Vinodh Kanna, Adv. Mr. A. Sriram, Adv. Mr. M. Yogesh Kanna, Adv.
Telangana	Mr. S. Udaya Kumar Sagar, Adv. Mr. Mrityunjai Singh, Adv.
Tripura	Mr. Gopal Singh, Adv.

	Mr. Rituraj Biswas, Adv.
Uttar Pradesh	Mr. D.K. Singh, AAG Mr. Vinay Garg, AOR Mr. Kamendra Mishra, Adv. Mr. Rajeev Kumar Dubey, Adv. Mr. Upendra Mishra, Adv. Ms. Komal Mundhra, Adv. Mr. Saurabh Agrawal, Adv.
Uttarakhand	Mr. Jatinder Kumar Bhatia, AOR Mr. Ashutosh Kr. Sharma, Adv.
West Bengal	Mr. Chanchal Kr. Ganguli, AOR Mr. Raja Chatterjee, Adv. Mr. Piyush Sachdev, Adv. Ms. Shikha Aggarwal, Adv. Mr. Adeel Ahmed, Adv.
A&N Islands	Mr. K.V. Jagdishvaran, Adv. Mrs. G. Indira, AOR
Chandigarh	Ms. Manpreet S., Adv. Mr. S.S. Rawat, Adv.
Puducherry	Mr. V.G. Pragasaam, AOR Mr. S. Prabu Ramasubramanian, Adv. Mr. Manu Sundaram, Adv.
	Mr. Adarsh Upadhyay, AOR
	Mr. Aruneshwar Gupta, AOR
	Mr. Kunal Verma, AOR
	Mr. Sunil Fernandes, AOR
	Ms. Kaveeta Wadia, AOR
	Ms. Pragati Neekhara, AOR
	Ms. A. Subhashini, Adv.
	Mr. Avijit Bhattacharjee, AOR
	Mr. B. S. Banthia, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard the learned Solicitor General as well as Mr.

E.R. Kumar appearing in person. We have also gone through the report.

In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board.

The Registry is directed not to accept any affidavit filed by any State. Whatever affidavits have been filed should be returned to the learned counsel.

(MEENAKSHI KOHLI)
COURT MASTER (SH)

(KAILASH CHANDER)
COURT MASTER

W.P. (C) No. 55 of 2003 with W.P. (C) 572 of 2003 in the Hon'ble Supreme Court Filed by E.R. Kumar & Anr

Status report (Based on the information furnished by the States/UTs) in compliance of the order dated 13.09.2017 of Hon'ble Supreme Court

Procedure for Release of Central Funds to States/ UTs under DAY-NULM

The audit of the accounts is done by respective States/UTs from time to time as per the provision of GFR. The release of funds to States/UTs for implementation of Centrally Sponsored Scheme, is governed by provisions under General Financial Rules, 2017. As per Rule 236(2) of GFR, 2017, the accounts of all Grantee Institutions or Organisations shall be open to inspection by the sanctioning authority and audit, both by the Comptroller and Auditor General of India under the provision of CAG(DPC) Act 1971 and internal audit by the Principal Accounts Office of the Ministry or Department, whenever the Institution or Organisation is called upon to do so. Further, the Grantee Institutions or Organizations including the State Level Implementing Agency is required to get its accounts audited from Chartered Accountants of its own choice.

Further, as per Rule 238(2) of GFR, 2017 In respect of recurring Grants, Ministry or Department concerned should release any amount sanctioned for the subsequent financial year only after Utilization Certificate in respect of Grants of preceding financial year is submitted. Release of Grants-in- aid in excess of 75 percent of the total amount sanctioned for the subsequent financial year shall be done only after utilisation certificate and the annual audited statement relating to Grants-in- aid released in the preceding year are submitted to the satisfaction of the Ministry/Department concerned.

Grants-in- aid released to States/UTs under DAY-NULM, is subject to provisions of General Financial Rules, 2017. The first instalment of grant-in- aid to a State/UT is released only after provisional Utilization Certificate for grant-in- aid released in the preceding years and Final Utilization Certificate and Annual Audited Statement for the penultimate year, is received. Quantum of the first instalment is limited to 75 percent of grant-in- aid allocated to the State/UT for the financial year. More than 75% of funds allocated can be released only after Final Utilization Certificate and Annual Audited Statement for the preceding financial year is received. This practice ensures that accounts of Implementing Agencies of DAY-NULM, are audited regularly and if auditing is not done, no further grant-in- aid will be released to the defaulting Implementing Agencies.

Status of States/ UTs regarding audit of accounts and release of funds

S. No.	State/ UT	Status of Audit for 2015-16	Funds Released in 2017-18 (Amount in Rs. Crore)
1.	Andhra Pradesh	Received	19.33
2.	Arunachal Pradesh	Received	2.4523
3.	Assam	Received	0
4.	Bihar	No	0
5.	Chhattisgarh	Received	15.4298
6.	Goa	Received	1.0612
7.	Gujarat	Received	0
8.	Haryana	No	0
9.	Himachal Pradesh	Received	6.0411
10.	Jammu & Kashmir	Yes	0
11.	Jharkhand	Received	9.2986
12.	Karnataka	Received	23.0771
13.	Kerala	Received	10.7898
14.	Madhya Pradesh	Received	15.7938
15.	Maharashtra	No	0
16.	Manipur	No	0
17.	Meghalaya	No	0
18.	Mizoram	No	0
19.	Nagaland	Received	0
20.	Odisha	Received	12.7907
21.	Punjab	Received	6.12
22.	Rajasthan	Received	21.38
23.	Sikkim	Received	2.31

24.	Tamil Nadu	Received	59.40
25.	Telangana	Received	15.19
26.	Tripura	No	0
27.	Uttarakhand	Received	3.3987
28.	Uttar Pradesh	Received	40.2837
29.	West Bengal	Received	17.5144
30.	A & N Island <i>(Had refunded the SJSRY funds and no funds were available with them)</i>	Not required	0
31.	Chandigarh (UT)	Received	1.99
32.	D & N Haveli	No	0
33.	Daman & Diu	No	0
34.	Delhi	No	0
35.	Puducherry	Received	2.97
Total			286.6212

It would be observed that there are a total of 10 States/ UTs viz. Delhi, Meghalaya, Tripura, Manipur, Maharashtra, Haryana, Mizoram, Bihar, Dadra & Nagar Haveli and Daman & Diu which have not furnished audited statements for 2015-16 and none of these have been released any grants during the current year as per provisions of GFR. The UTs of Dadra & Nagar Haveli and Daman & Diu have not started implementation of DAY-NULM. In respect of the remaining eight States/ UTs viz. Delhi, Meghalaya, Tripura, Manipur, Maharashtra, Haryana, Mizoram, Bihar, the Ministry has at the level of Joint Secretary written a letter on 4th October, 2017 (Annexure-I) to their Principal Secretaries (UD) drawing their attention to the Order of Hon'ble Supreme Court and asking them to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. Further, to expedite the audit, it has been suggested that they may consider requesting the C & AG to conduct it.

Status of Project Sanctioning Committee by States/ UTs

The provision as per Operational Guidelines of Shelter for Urban Homeless are as under:

Para 10: A project Sanction Committee shall be constituted at the State level under the Chairmanship of Principal Secretary/ Secretary in-charge of DAY-NULM with representatives of all concerned departments in the State for consideration and approval of proposals submitted by ULBs/ SULM under this component of NULM. A Representative of the Ministry of Housing and Urban

Affairs shall be a member of this Sanctioning Committee. This Ministry vide letter dated 23.12.2014 (Annexure-II) has authorised HUDCO officer posted in the various regional offices of the State to participate in the meetings of Project Sanction Committee constituted by the States/UTs as Ministry's representative and send its observation/report to the Ministry.

Status as reported by States:

S. No.	State/ UT	Status	Date of constitution	Status of meetings
1.	Andhra Pradesh	Constituted	27.01.2014	30.12.2014, 6.2.2015, 10.8.2015,15.2.2016, 22.10.2016
2.	Arunachal Pradesh	Not required	State has reported that there are no urban homeless.	
3.	Assam	Constituted	22.01.2015	19.11.2015, 23.03.2017
4.	Bihar	Constituted	8.9.2014	29.12.2014, 1.07.2017, 22.02.2017
5.	Chhattisgarh	Constituted	19.03.2014	12.08.2014, 8.12.2015, 21.09.2016, 20.12.2016, 7.9.2017
6.	Goa	Constituted	30.07.2014	Information not available
7.	Gujarat	Constituted	29.12.2015 revised on 11.07.2017	28.03.2016, 18.07.2017, 15.9.2017
8.	Haryana	Constituted	10.02.2016	4.10.2017
9.	Himachal Pradesh	Constituted	8.12.2014	05.11.2015, 09.06.2016
10.	Jammu & Kashmir	Constituted	7.8.2014	Information not available
11.	Jharkhand	Constituted	7.7.2014	3.12.2015, 28.7.2016
12.	Karnataka	Constituted	05.06.2014	24.11.2014, 10.03.2015, 15.05.2015, 9.10.2015, 29.02.2016, 14.09.2016, 30.08.2017
13.	Kerala	Constituted	21.8.2014	Information not available
14.	Madhya Pradesh	Constituted	8.05.2014	31.12.2014, 18.12.2015, 14.03.2016, 23.09.2016, 24.05.2017

15.	Maharashtra	Constituted	28.11.2014	26.08.2015, 12.10.2015, 18.11.2015, 30.11.2016, 28.12.2016, 05.01.2017, 2.2.2017, 30.03.2017, 12.04.2017
16.	Manipur	Constituted	5.11.2014	Information not available
17.	Meghalaya	Constituted	28.7.2014	12.01.2016
18.	Mizoram	Constituted	28.12.2014	19.1.2015, 17.6.2015, 18.1.2016, 30.03.2016, 21.11.2016, 25.1.2017, 17.2.2017
19.	Nagaland	Constituted	08.05.2015	15.07.2016
20.	Odisha	Constituted	23.05.2014	12.1.2015, 14.12.2015, 30.3.2016, 24.06.2016, 16.11.2016
21.	Punjab	Constituted	19.09.2016	05.04.2017
22.	Rajasthan	Constituted	19.11.2014	31.03.2017(last)
23.	Sikkim	Not constituted	--	--
24.	Tamil Nadu	Constituted	7.05.2014	10.12.2014, 30.11.2016
25.	Telangana	Constituted	19.1.2015	26.2.2015, 16.2.2016, 4.6.2016, 27.1.2017
26.	Tripura	Constituted	28.06.2014	10.12.2015
27.	Uttarakhand	Constituted	28.4.2014	16.01.2015, 28.5.2015, 21.10.2015, 6.12.2016
28.	Uttar Pradesh	Constituted	23.05.2014	06.08.2014, 16.10.2014, 28.11.2014, 19.12.2014, 23.01.2015, 12.03.2015, 21.05.2015, 30.06.2015, 02.02.2016, 14.03.2016, 02.08.2016, 18.11.2016
29.	West Bengal	Constituted	10.04.2014	20.08.2014, 18.03.2015,

			19.06.2015, 31.07.2015, 16.12.2015, 26.05.2016, 4.10.2016, 9.2.2017, 5.06.2017, 3.08.2017
30.	A& N Island	Not required	The UT vide letter dated 11.12.2015 has informed that the shelters available in the UT is sufficient to accommodate the urban homeless.
31.	Chandigarh (UT)	Constituted	29.06.2015 18.01.2016
32.	D & N Haveli	Not required	No urban homeless was found in the survey conducted by UT Administration as per the report dated 16.07.2015 received.
33.	Daman & Diu	Not required	No urban homeless was found in the entire urban area of Daman & Diu as per the report dated 30.11.2015 received.
34.	Delhi	Constituted	20.06.2014 14.3.2016, 1.7.2016
35.	Puducherry	Information not available	Information not available

Status of Executive Committee by States/ ULBs

Para 13.1 of SUH Guidelines: Under DAY-NULM, an Executive Committee under the Chairmanship of the Municipal Commissioner is required to be constituted to manage the affairs of DAY-NULM. This EC at the city level will be responsible for review and supervision of the working of shelters with the participation of community representatives, civil society organizations, line departments and elected representatives, etc.

Status as reported by States:

S. No.	State/ UT	Status	Status of Meetings/ Remarks
1.	Andhra Pradesh	Constituted in 47 out of 110 ULBs	37 ULBs- One meeting each 05 ULBs – Two meetings each 02 ULB – Three meetings each 02 ULBs- Four meetings each 01 ULB- Five meetings
2.	Arunachal Pradesh	Constituted in 20 out of 32 ULBs	Information not available
3.	Assam	Constituted in 25 out of 97 ULBs	20ULBs- One meeting each 2 ULBs- Two meetings each

			02 ULBs - Three meetings each
4.	Bihar	Constituted in 33 out of 140 ULBs	11 ULBs- One meeting each 01 ULB- Two meetings 01 ULB- Three meetings
5.	Chhattisgarh	Not constituted (Total 77 ULBs)	--
6.	Goa	Not constituted (Total 14 ULBs)	33 permanent shelters are being run by the Government/grant – in – aid institutions having a capacity to accommodate 2180 homeless which are being supported by Directorate of Public Assistance and the Department of Women and Child Development of the State Government.
7.	Gujarat	Constituted in 8 out of 169 ULBs	3ULBs - One meeting each 01 ULB – Two meetings 02 ULB- Three meetings each 01 ULBs- Eight meetings
8.	Haryana	--	Information not available
9.	Himachal Pradesh	Constituted in 10 out of 54 ULBs	05 ULBs- One meeting each 02 ULBs- Two meetings each
10.	Jammu & Kashmir	Constituted in 9 DUDA out of 81 ULBs	Information not available
11.	Jharkhand	Constituted in 8 out of 43 ULBs	01 ULB- One meeting 01 ULB- Two meetings 01 ULB- Three meetings
12.	Karnataka	Constituted in 21 out of 278 ULBs	06 ULBs- One meeting each 05 ULBs- Two meetings each 01 ULB- Three meetings 01 ULB- Four meetings 01 ULB – Five meetings 01 ULB –Six meetings
13.	Kerala	Constituted in 07 out of 93 ULBs	03 ULBs- One meetings each 04 ULBs- Two meetings each
14.	Madhya Pradesh	Constituted in 18 out of 87 ULBs	08ULBs – One meetings each 03ULB – Two meetings each 01 ULB – Three meetings.
15.	Maharashtra	Constituted in 52 out of 259 ULBs	45 ULBs- One meeting each 06 ULBs- Two meetings each 01 ULB- Three meetings

16.	Manipur	Constituted in 9 out of 27 ULBs	01ULB- One meeting, 07 ULBs- Two meetings each
17.	Meghalaya	Constituted	Information not available
18.	Mizoram	Constituted in 8 out of 15 ULBs	02 ULBs- One meeting each 04ULBs-Three meetings each 01ULB- Four meetings each 01 ULB- Six meetings each
19.	Nagaland	Not Constituted (Total 11 ULBs)	
20.	Odisha	Constituted in 03 out of 112 ULBs	02 ULBs- One meeting each 01 ULB- Four meetings
21.	Punjab	Constituted in 18 out of 165 ULBs	08 ULBs- One meeting each, 01 ULB- Two meetings, 01ULB – Three meetings 02 ULBs- Four meetings each 01 ULB- Five meetings 01ULB- Six meetings.
22.	Rajasthan	Constituted in 20 out of 191 ULBs (DLSRC not EC)	14 ULBs- One meeting each
23.	Sikkim	Not constituted (Total 8 ULBs)	
24.	Tamil Nadu	Constituted in 48 out of 664 ULBs	27 ULBs- One meeting each 11 ULBs- Two meetings each 03ULBs-Three meetings each 01 ULB- Four meetings 01 ULB- Five meetings 02 ULBs- Six meetings each 01 ULB- Eight meetings
25.	Telangana	Constituted in 62 out of 74 ULBs	29ULBs – One meeting each 06 ULBs- Two meeting each, 07 ULBs- Three meetings each 02ULBs - Four meetings each 01 ULB- Eight meetings 01 ULB- Twenty two meetings 03 ULBs- Every month each
26.	Tripura	Not constituted (Total 17 ULBs)	
27.	Uttarakhand	Constituted in 05 out of 93 ULBs	01 ULB- One meeting

28.	Uttar Pradesh	Constituted in 74 out of 130 ULBs	36ULBs- One meeting each
			22 ULBs- Two meetings each
			07 ULBs- Three meetings each
			04 ULBs- Five meetings each
			01 ULB- Fifteen meetings.
29.	West Bengal	Constituted in 06 out of 125 ULBs	02 ULBs- Three meetings each
			01 ULB- Four meetings
			02 ULBs- Five meetings each,
			01 ULB - Every month in
30.	A& N Island	Information not available	Information not available
31.	Chandigarh (UT)	Constituted (Total 1 ULB)	Information not available
32.	D & N Haveli	Information not available	Information not available
33.	Daman & Diu	Information not available	Information not available
34.	Delhi	Not Constituted (Total 3 ULBs)	
35.	Puducherry	Information not available	Information not available

Status of Shelter Management Committee by States/ ULBs

Para 8.3 of SUH Guidelines: A Shelter Management Committee (SMC) will be constituted with local ward members, ULB representative, caretaker, and few nominated residents of the shelter as member. The SMC shall supervise the day-to day functioning of the Shelter.

Status as reported by States:

S. No.	State/ UT	Number of shelters for which SMC constituted
1.	Andhra Pradesh	46 SMCs constituted (Total shelters:44)
2.	Arunachal Pradesh	Not required as there are no urban homeless/ shelters
3.	Assam	Not constituted (Total shelters: 0)
4.	Bihar	21 SMCs constituted (Total shelters: 31)
5.	Chhattisgarh	07 SMCs constituted (Total shelters: 6)
6.	Goa	Not Constituted (Total shelters: 0)

7.	Gujarat	Not Constituted (Total shelters: 5)
8.	Haryana	Information not available (Total shelters: 1)
9.	Himachal Pradesh	01 SMCs constituted (Total shelters: 2)
10.	Jammu & Kashmir	Not constituted (Total shelters: 0)
11.	Jharkhand	17 SMCs constituted (Total shelters: 26)
12.	Karnataka	15 SMCs constituted (Total shelters: 27)
13.	Kerala	12 SMCs constituted (Total shelters: 17)
14.	Madhya Pradesh	34 SMCs constituted (Total shelters: 129)
15.	Maharashtra	09 SMCs constituted (Total shelters:17)
16.	Manipur	Not constituted (Total shelters: 0)
17.	Meghalaya	Information not available
18.	Mizoram	06 SMCs constituted (Total shelters: 48)
19.	Nagaland	Not constituted (Total shelters: 0)
20.	Odisha	17 SMCs constituted (Total shelters: 22)
21.	Punjab	19 SMCs constituted (Total shelters: 9)
22.	Rajasthan	41 SMCs constituted (Total shelters: 58)
23.	Sikkim	Not constituted (Total shelters: 0)
24.	Tamil Nadu	48 SMCs constituted (Total shelters: 96)
25.	Telangana	22 SMCs constituted (Total shelters: 22)
26.	Tripura	Not constituted (Total shelters: 0)
27.	Uttarakhand	04 SMCs constituted (Total shelters: 5)
28.	Uttar Pradesh	06 SMCs constituted (Total shelters: 5)
29.	West Bengal	06 SMCs constituted (Total shelters: 6)
30.	A& N Island	Not required
31.	Chandigarh (UT)	Constituted (Total shelters: 0)
32.	D & N Haveli	Not required
33.	Daman & Diu	Not required
34.	Delhi	Not Constituted (Total shelters: 201)
35.	Puducherry	Information not available

SANJAY KUMAR, IAS
Joint Secretary
and Mission Director (DAY-NULM)
GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS



संजय कुमार *Signature - I*
संयुक्त सचिव
एवं निश्चय निदेशक (दी.अ.यो.-रा.श.आ.नि.)
भारत सरकार
आवासन और शहरी कार्य मंत्रालय

D.O. No. G-25014/412013-2017

Nirman Bhawan, New Delhi

Dated : 4th October, 2017

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

"In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board."

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2013-14 onwards. Furnishing of audit statement is mandatory for further release of funds.

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting the audit of accounts completed on time with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I therefore request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. To expedite the audit, you may consider to request the Comptroller and Auditor General to conduct it.

5. Action taken / proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Ms Renu Sharma
Principal Secretary (UD)
Government of NCT of Delhi, C-wing, Room No 902,
9th level, Delhi Secretariat, I P Estate, New Delhi - 110002.

Copy to: Mission Director (UD), UD Dept., Government of NCT of Delhi, A-wing, 10th floor, Room No 1004, Delhi Secretariat, I P Estate, New Delhi - 110002.



Nirman Bhawan, New Delhi

Dated : 4th October, 2017

D.O. No. G-25-14/4/2017-LPA-I

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

"In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board."

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2014-15 onwards. Furnishing of audit statement is mandatory for further release of funds.

13 of 28

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting audit of accounts completed on time, with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I, therefore, request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statement to this Ministry. To expedite the audit, you may consider to request the comptroller and Auditor General to conduct it.

5. Action taken / proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Shri F R Kharkongor
Principal Secretary (Urban Affairs Dept.)
Government of Meghalaya
Room No. 507, Additional Secretariat Building
Shillong - 793001

Copy to: Mission Director, Meghalaya Urban Development Agency, Government of Meghalaya, Raitong Building, Secretariat Hills, Shillong - 793001.

SANJAY KUMAR, IAS

Joint Secretary
and Mission Director (DAY-NULM)

GOVERNMENT OF INDIA

MINISTRY OF HOUSING AND URBAN AFFAIRS



संजय कुमार, आई.ए.एस.

संयुक्त सचिव

एवं निशान निदेशक (दी.अ.यो.-रा.श.आ.मि.)

भारत सरकार

आवासन और शहरी कार्य मंत्रालय

Nirman Bhawan, New Delhi

Dated : 4th October, 2017

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

"In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board."

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2013-14 onwards. Furnishing of audit statement is mandatory for further release of funds.

15 of 20

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting the audit of accounts completed on time with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I therefore request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. To expedite the audit, you may consider to request the Comptroller and Auditor General to conduct it.

5. Action taken / proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Shri Manoj Kumar
Principal Secretary (UD)
Government of Tripura,
Secretariat, New Capital Complex,
Agartala - 799010.

copy to: Mission Director, Urban Development, Govt. of Tripura, 3rd floor, Khadyan Bhawan, Pandit Nehru Complex, Agartala - 799001.



Nirman Bhawan, New Delhi

Dated : 4th October, 2017

D.O. M.C-25014/4/2017-UGA-1

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

“In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board.”

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2015-16 onwards. Furnishing of audit statement is mandatory for further release of funds.

17 of 28

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting the audit of accounts completed on time with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I therefore request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. To expedite the audit, you may consider to request the Comptroller and Auditor General to conduct it.

5. Action taken/ proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Dr Prem
Principal Secretary cum Commissioner (UD)
Government of Manipur,
Old Secretariat Complex, Imphal – 795001

✓ Copy to: Mission Director, SULM, Manipur Urban Development Agency, Govt. of Manipur, PDA Complex, North AOC, Imphal – 795001.

SANJAY KUMAR, IAS

Joint Secretary
and Mission Director (DAY-NULM)

GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS



संजय कुमार, आई.ए.एस.

संयुक्त सचिव

एवं मिशन निदेशक (दी.अ.यो.-रा.श.आ.मि.)

भारत सरकार

आवासन और शहरी कार्य मंत्रालय

D.O. No. C-2504/4120/7641A-5

Nirman Bhawan, New Delhi

Dated : 4th October, 2017

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

“In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board.”

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2014-15 onwards. Furnishing of audit statement is mandatory for further release of funds.

19 of 28

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting the audit of accounts completed on time with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I therefore request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. To expedite the audit, you may consider to request the Comptroller and Auditor General to conduct it.

5. Action taken / proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Ms Manisha Patankar Mhaiskar
Principal Secretary (UD)
Government of Maharashtra
4th Floor Mantralaya, Mumbai-400033.

Copy to: Mission Director, Directorate of Municipal Administration, Govt. of Maharashtra, Govt. Transport Service Building, Sir Pochakhanwala Road, Worli, Mumbai-400030.

SANJAY KUMAR, IAS

Joint Secretary
and Mission Director (DAY-NULM)

GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS



संजय कुमार, आई.ए.एस.

संयुक्त सचिव

एवं मिशन निदेशक (दी.अ.यो.-रा.श.आ.नि.)

भारत सरकार

आवासन और शहरी कार्य मंत्रालय

DO No - (G-25014/4/2017-UPA-1)

Nirman Bhawan, New Delhi

Dated : 4th October, 2017

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

"In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board."

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2015-16 onwards. Furnishing of audit statement is mandatory for further release of funds.

21 of 28

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting the audit of accounts completed on time with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I therefore request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. To expedite the audit, you may consider to request the Comptroller and Auditor General to conduct it.

5. Action taken / proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Shri Anand Mohan Sharan
Principal Secretary, Dept of ULB
Government of Haryana,
Room No 36, 7th Floor, Sector-1, Main Secretariat
Chandigarh-160017

Copy to: Mission Director (UD), SUDA, Urban Local Bodies, Bays No 11-14, Sector – 4, Panchkula – 134109.

SANJAY KUMAR, IAS

Joint Secretary
and Mission Director (DAY-NULM)

GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS



संजय कुमार, आई.ए.एस.

संयुक्त सचिव

एवं मिशन निदेशक (दी.अ.यो.-रा.श.आ.मि.)

भारत सरकार

आवासन और शहरी कार्य मंत्रालय

Nirman Bhawan, New Delhi

Dated : 4th October, 2017

Do. No. (7-25014/4/2017-624)-J

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

"In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board."

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2015-16 onwards. Furnishing of audit statement is mandatory for further release of funds.

23 of 28

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting the audit of accounts completed on time with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I therefore request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. To expedite the audit, you may consider to request the Comptroller and Auditor General to conduct it.

5. Action taken / proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Dr C. Vanlalramsanga
Principal Secretary (UD)
Government of Mizoram
Room No 203, 2nd floor, Civil Secretariat
Aizawl-796001

Copy to: Mission Director (NULM), Urban Development and Poverty Alleviation
Department, Thakthing Tlang, Aizawl - 796001.

SANJAY KUMAR, IAS

Joint Secretary

Joint Mission Director (DAY-NULM)

GOVERNMENT OF INDIA

MINISTRY OF HOUSING AND URBAN AFFAIRS



संजय कुमार, आई.ए.एस.

संयुक्त सचिव

एवं मिशन निदेशक (दी.अ.यो.-रा.श.आ.मि.)

भारत सरकार

आवासन और शहरी कार्य मंत्रालय

Nirman Bhawan, New Delhi

Dated : 4th October, 2017

DNM - G-25014/4/2017-CPA-1

Dear

Writ Petition (S) (Civil) No. 55/2003 and No.572/2003 with respect to provision of shelters for the urban homeless are being heard by the Hon'ble Supreme Court of India. Vide its Order dated 11.11.2016, Hon'ble Supreme Court had ordered for constitution of a Committee, the scope of which was to cause physical verification of the available shelters, their compliance with the operational guidelines of SUH and also to inquire into the reasons for slow progress in the setting up of shelter homes and in that connection to inquire about the non-utilization and / or diversion/ mis-utilisation of funds allocated for the Scheme for Shelter for Urban Homeless.

2. In its last hearing, the Hon'ble Supreme Court has passed the following order.

"In our opinion, for the present, there is a need to concentrate on the way forward. For this purpose, we would like the learned Solicitor General to inform us whether the Committees under the National Urban Livelihood Mission are in position in all the States and Union Territories; whether the accounts have been audited from time to time and if not which is the authority that can assist in auditing of accounts such as Comptroller and Auditor General; release of further funds and non-utilization of funds already released. There may be some other issues that may arise and therefore the hearing that will take place on 13.10.2017 should not be construed limited to these issues.

List the matter for final disposal on 13.10.2017 at the end of the Board."

3. As per the records available with the Ministry, it has been found that your State has not furnished audit statements in respect of allocations made under DAY-NULM for the years 2015-16 onwards. Furnishing of audit statement is mandatory for further release of funds.

25 of 20

4. It may be observed from above that Hon'ble Supreme Court appears to be concerned over non-utilisation of funds by states and not getting the audit of accounts completed on time with respect to funds under DAY-NULM in general and shelters to get for urban homeless in particular. I therefore request you to take immediate action to get the annual accounts of DAY-NULM audited at the earliest and forward the pending audit statements to this Ministry. To expedite the audit, you may consider to request the Comptroller and Auditor General to conduct it.

5. Action taken / proposed to be taken on the above, including the time frame within which the audit of accounts under DAY-NULM upto 2016-17 would be completed, may please be intimated to us at the earliest so that the same can be intimated to the Hon'ble Supreme Court accordingly.

Yours faithfully,

(Sanjay Kumar)

Shri Chaitanya Prasad
Principal Secretary (UD)
Government of Bihar
Room No 101, 1st floor,
Vikas Bhawan, New Secrtt, Patna-800015.

Copy to: Mission Director, SULM, Govt. of Bihar, Room No 107, Belly Road, Vikas Bhawan, New Secrtt, Patna-800015.

File No. E-14013/1/2013 USD FTS-9599
Government of India
Ministry of Housing & Urban Poverty Alleviation
(USD Section)

(172)

Nirman Bhavan, New Delhi.
Dated: 23rd December, 2014

✓ To
Shri M. Ravi Kanth
Chairman & Managing Director
HUDCO Bhawan, Core-7-A,
India Habitat Centre,
Lodhi Road,
New Delhi - 110 003

Subject: Nomination of representative of Ministry of HUPA in the Project Sanction Committee meetings constituted by the States/UTs for approval of Project proposals submitted by Urban Local Bodies (ULBs) under Scheme of Shelter for Urban Homeless (SUH) component of National Urban Livelihoods Mission (NULM)-reg.

Sir,

I am directed to refer the above mentioned subject and to say that as per the operational guidelines for Scheme of Shelter for Urban Homeless (SUH), a component of NULM, a Project Sanction Committee shall be constituted at the State level under the Chairmanship of Principal Secretary/Secretary in-charge of NULM with representatives of all concerned departments in the State for consideration and approval of proposals submitted by ULBs/SULM (State Urban Livelihoods Mission) under SUH component of NULM. A representative of the Ministry of HUPA shall be a member of this Sanctioning Committee.

2. In this regard, this Ministry has decided that a HUDCO officer posted in the regional offices of the State may participate on behalf of this Ministry in the meetings of the Project Sanction Committee constituted by the States & UTs.

3. The officer participating in the meeting is required to give his views on the basis of the operational guidelines of Scheme of Shelters for Urban Homeless (SUH) as available on website www.nulm.gov.in, while considering the project proposals. A few of these are given below for ready reference:

- i. The shelters under SUH would be established by the State/ULBs and operated either by them or through agencies identified by the State or ULBs. Convergence/ dovetailing of this scheme with similar programmes for urban homeless being implemented by States/UTs will be permissible.
- ii. ULB will be required to submit proposal for construction and management of shelters with Proposed Date of Completion (PDCs), other timelines and costing details.

Contd/-

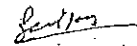
183

- iii. For construction of new shelters, it will be responsibility of the State Government/ULB to bring in the land. All the necessary clearances and approvals for the land must be obtained prior to preparation of the proposal. The cost of the land acquisition is not eligible for funding under the scheme.
- iv. For construction of new shelters, the current Central PWD rates applicable to the region/State Schedule of Rates (SOR) where construction is proposed will be applicable.
- v. The proposals should be accompanied by a Detailed Project Report (DPR) with all administrative and regulatory clearances.
- vi. For refurbishment of existing structures, the necessary approval, lease agreement, ownership deed and such necessary documents need to be submitted with the project proposal.
- vii. The proposal should also contain shelter management mechanism including details of the staff, construction, roles and responsibility of SMC, facilities/amenities being provided at the shelter, operational mechanism, Code of Conduct for the staff and residents, responsibilities of the shelter inmates, Delegation of Power to manage/ operate the shelter, etc. The Project should also clearly state the process to be adopted for sustaining the shelter after 5 years of operation with indicative source of funding support for operations and management of the shelter.
- viii. Mechanism for handing over assets created and its operations and maintenance should be clearly delineated before submission of a proposal by the ULB.

4. It is therefore requested that orders may be issued to nominate HUDCO officers posted in various regional offices to participate in the meetings of the Project Sanction Committee of the States & UTs on behalf of this Ministry. The nominated officer may contact Mrs. Archana Mittal Director, (UPA) (Ph 011-23062127 email: dsupa-mhupa@nic.in) for any clarification/guidance in this regard. He may also send report of such meetings to her.

5. This has the approval of Secretary, (Housing & Urban Poverty Alleviation).

Yours faithfully,



(Sailesh Jogiani)

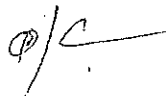
Under Secretary to the Govt. of India

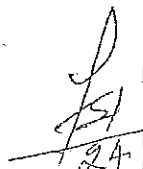
Tel fax: 23061185

Copy to:

All Regional Chiefs, HUDCO

ISSUED




24/12/14