

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION(S)(CIVIL) NO(S). 55/2003

E.R. KUMAR & ANR.

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

[TOP OF THE BOARD]

IA No. 156017/2023 - APPLICATION FOR PERMISSION

IA No. 295426/2024 - EXEMPTION FROM FILING O.T.

IA No. 10106/2025 - EXEMPTION FROM FILING O.T.

IA No. 295697/2024 - EXEMPTION FROM FILING O.T.

WITH

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

(IA No. 45400/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 23228/2024 - CLARIFICATION/DIRECTION

W.P.(C) No. 413/2020 (PIL-W)

(IA No. 76436/2020 - AMENDMENT OF THE PETITION

IA No. 40224/2020 - EX-PARTE STAY

IA No. 40222/2020 - PERMISSION TO APPEAR AND ARGUE IN PERSON

W.P.(C) No. 353/2023 (PIL-W)

(FOR APPLICATION FOR PERMISSION ON IA 103543/2023)

Date : 12-02-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) :

Mr. E.R. Kumar (Petitioner-in-person)

Mr. Prashant Bhushan, AOR

Ms. Cheryl D'Souza, Adv.

Mr. Kamlesh Kumar Gupta, Adv.

Ms. Renu, Adv.

Mr. Akash Raj, Adv.

Mr. Kabir Dixit, AOR

For Respondent(s) :

Mr. R Venkataramani, Attorney General for India

Mrs. Aishwariya Bahti, A.S.G.

Mrs. Swarupama Chaturvedi, Sr. Adv.

Mrs. Ruchi Kohli, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Mrs. Sunita Sharma, Adv.
Mr. Mayank Pandey, Adv.
Mr. Rajan Kr. Chaurasia, Adv.
Ms. Sunanda Shukla, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Kartikeya Aggarwal, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Raman Yadav, Adv.

Mr. R. Venkatramani, Attorney General for India
Mrs. Aishwarya Bhati, A.S.G.
Ms. Ruchi Kohli, Adv.
Mr. V Mohana, Adv.
Ms. Sunita Sharma, Adv.
Mrs. Swarupama Chaturvedi, Adv.
Mr. Ishaan Sharma, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Sarthak Karol, Adv.
Mr. Kartikay Aggarwal, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Raman Yadav, Adv.
Mr. Abhishek Kr. Pandey, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. R. Venkataramani, Attorney General
Ms. Ameyavikrama Thanvi, Adv.
Mr. Kartik Agarwal, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Oorjasvi Goswami, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Raman Yadav, Adv.

Mr. Satya Mitra, AOR

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Santhosh K, Adv.

Mr. P. V. Yogeswaran, AOR
Mr. Gopal Prasad, AOR
Ms. G. Indira, AOR
Mr. Gopal Singh, AOR
Mr. Ranjan Mukherjee, AOR
Mr. M. Yogesh Kanna, AOR
Mr. S.. Udaya Kumar Sagar, AOR
Mr. Guntur Prabhakar, AOR
Mr. Parijat Sinha, AOR

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Ms. Hemantika Wahi, AOR
Mr. Shibashish Misra, AOR
Ms. Pragati Neekhara, AOR
Mr. Vinay Garg, AOR
Mr. Adarsh Upadhyay, AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Sudarshan Lamba, AOR
Mr. R.r.rajesh, Adv.
Ms. Rukhmini Bobde, Adv.
Ms. Sunita Sharma, Adv.
Mr. Pratyush Shrivastava, Adv.
Mr. Navanjay Mahapatra, Adv.
Ms. Neelakshi Bhadauria, Adv.

Mr. Rushab Aggarwal, Adv.
Mr. Pashupathi Nath Razdan, AOR

Ms. Sunieta Ojha, AOR

Mr. Prateek Kumar, AOR
Mr. Arjun S., Adv.

Mr. Anil Shrivastav, AOR

Mr. Vivek Kumar, Adv.
Mr. Abhishek Gautam, AOR
Mr. Vikramaditya Chouhan, Adv.
Dr. Ravinder Kumar Singh, Adv.

Mr. Siddhant Sharma, AOR
Mr. Prafull Bhardwaj, Adv.
Mr. Siddhant Sharma, Adv.

Mr. Devdatt Kamat, Sr. Adv.
Mr. Ajay Vikram Singh, AOR
Mrs. Priyanka Singh, Adv.
Mr. M Aamir Faiyaz, Adv.

Mr. Dinesh Chandra Yadav, A.A.G.
Mr. Samar Vijay Singh, AOR
Mr. Ishwar Chand, Adv.
Mr. Fateh Singh, Adv.
Mr. A. S. Rishi, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Sameer Mehndiratta, Adv.

Mr. Gyanesh Kumar Maheshwari, Adv.
Mr. Arun Tewatiya, Adv.
Mr. Gautam Sharma, Adv.
Mr. Gyaneshwar Kumar Maheshwari, Adv.

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Milind Kumar, AOR
Mr. Manish Chaubey, Adv.
Ms. Jyoti Rana, Adv.
Ms. Dipti Singh, Adv.

Ms. Deepanwita Priyanka, AOR
Mr. Prashant Bhagwati, Adv.

Mr. Rana Mukherjee, Sr. Adv.
Mr. Ajay Agarwal, A.A.G.
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Kamendra Mishra, AOR

Mr. Abhimanyu Singh Ga, Adv.
Mr. Sarad Kumar Singhanian, AOR
Ms. Samridhi S. Jain, Adv.

Mr. Azmat Hayat Amanullah, AOR
Ms. Rebecca Mishra, Adv.

Mr. Shantanu Sagar, AOR
Mr. Anil Kumar, Adv.
Mrs. Divya Mishra, Adv.
Mr. Manoneet Dwivedi, Adv.
Mr. Prakash Kumarmangalam, Adv.
Mr. Abhishek Gupta, Adv.
Mr. Ashish K Singh, Adv.

Mr. Jatinder Kumar Sethi, D.A.G.
Mr. Akshat Kumar, AOR
Mr. Piyush Hans, Adv.
Mr. Advitiya Awasthi, Adv.

Mr. V. N. Raghupathy, AOR
Ms. Mythili S, Adv.

Ms. Ankita Sharma, AOR
Mr. Arjun D Singh, Adv.

Mr. Kanu Agrawal, Adv.
Mr. Varun Chugh, Adv.
Mr. Bhuvan Kapoor, Adv.
Ms. Indira Bhakar, Adv.
Ms. Mrinal Elkar Mazumdar, Adv.
Mr. Harish Pandey, Adv.

Mr. Shashwat Parihar, Adv.
Mr. Rajesh Singh Chauhan, Adv.
Mr. Piyush Beriwal, Adv.
Mr. Mukul Singh, Adv.
Mr. Mukesh Kr. Verma, Adv.
Mr. Krishna Kant Dubey, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Dr. Ravindra Chingale, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.
Mr. Saurabh Tripathi, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. Daniel Lyngdoh, Adv.
Mr. T.k. Nayak, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.

Mr. Sameer Abhyankar, AOR
Ms. Ayushi Bansal, Adv.
Mr. Rahul Kumar, Adv.
Mr. Aakash Thakur, Adv.

Mr. Vinodh Kanna B., AOR

Mr. Aravindh S., AOR
Mr. Akshay Gupta, Adv.
Mr. Aadithya Aravindh, Adv.

M/S. Plr Chambers And Co., AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Sudarshan Lamba, AOR
Mr. R.r.rajesh, Adv.
Ms. Rukhmini Bobde, Adv.
Ms. Sunita Sharma, Adv.
Mr. Pratyush Shrivastava, Adv.
Mr. Navanjay Mahapatra, Adv.
Ms. Neelakshi Bhadauria, Adv.

Mr. Amrish Kumar, AOR

Mr. Sameer Abhyankar, AOR
Ms. Ayushi Bansal, Adv.
Mr. Rahul Kumar, Adv.
Mr. Aakash Thakur, Adv.

Ms. Ameyavikrama Thanvi , AOR

Mr. Abhay Anil Anturkar, Adv.
Mr. Dhruv Tank, Adv.
Mr. Aniruddha Awalgaonakar, Adv.
Ms. Surbhi Kapoor, AOR
Mr. Sarthak Mehrotra, Adv.
Mr. Bhagwant Deshpande, Adv.
Ms. Subhi Pastor, Adv.

Attorney General For India, AOR

Dr. Ravindra Chingale, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

Mr. Guntur Pramod Kumar, AOR
Ms. Prerna Singh, Adv.
Mr. Dhruv Yadav, Adv.

Ms. Astha Sharma, AOR

Ms. Devina Sehgal, AOR
Mr. Dhananjay Yadav, Adv.

Mr. Ajay Vikram Singh, AOR
Mr. Devdatt Kamat, Sr. Adv.
Mrs. Priyanka Singh, Adv.
Mr. M Aamir Faiyaz, Adv.

Mr. Sabarish Subramanian, Adv.
Mr. D.kumanan, AOR

Mr. Aravindh S., AOR
Mr. Akshay Gupta, Adv.
Mr. Aadithya Aravindh, Adv.

Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.

Ms. Aswathi M.k., AOR
M/S. K J John And Co, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Debanjan Mandal, Adv.
Mr. Kunal Mimani, Adv.
Mr. Abhinav Rana, Adv.

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

1. Shri E.R. Kumar, who by profession is an advocate, appears in person in W.P.(C) No. 55/2003, has handed over in Court a chart which shows state-wise position with regard to number of homeless people, number of shelters available, number of homeless people that can be accommodated in the said shelters available and actual number of homeless persons in each State. The said chart is marked as "X" and is taken on record.
2. Shri Kumar contends that the figure in the last column i.e. the actual number of homeless people in a particular State has been found out on the basis of authentic data of the Union of India. The column shows that the figures are as per the data provided by the Ministry of Home Affairs, India.
3. We find that it will be therefore appropriate that learned Attorney General for India finds out from the concerned Ministry (Ministry of Home Affairs or Ministry of Urban Development or any other Ministry) as to whether the said figures depict a correct position and as to whether the said figures are as per the actual data of the Union of India.
4. Learned Attorney General for India further states that the Union of India is in the process of finalizing Urban Poverty Alleviation Mission Scheme (hereinafer, 'said Scheme'), which will address all the issues regarding poverty alleviation including the provision of shelter for the urban homeless.
5. We, therefore, also request the learned Attorney General to verify from the Union of India as to within how much time the said scheme would be made applicable and also place on record the various aspects that would be covered by the said scheme.
6. In the meantime, the learned Attorney General is also requested to take instructions as to whether, till the implementation of the said scheme, the Union of India would continue the National Urban Livelihood Mission.
7. We would further request the Attorney General to impress upon the Union of India to get the relevant information from all the

States so that this Court can consider the issue on pan India basis.

8. List after six weeks.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
COURT MASTER

Encl: Annexure 'X'

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION(CIVIL) NO.55 of 2003**

IN THE MATTER OF:

E.R. Kumar & Anr.

...Petitioners

versus

Union of India & Ors.

...Respondents

**CHART PREPARED BY THE PETITIONER BASED ON THE AFFIDAVITS FILED BY THE STATES IN COMPLIANCE
WITH THE ORDER DATED 04.12.2024**

Sr.No	Name of State Filing the Affidavit	No. of Homeless People in the State as per the Affidavit	No. of shelters available in the State as mentioned in the Affidavit	No. of Homeless People that can be accommodated in the Shelters available in a particular State	No. of Homeless People in a State as per the data provided by the Ministry of Home Affairs, India. ¹
1.	Andhra Pradesh	11,173	95 ²	4900	1,45,211
2.	Assam	899	6	180	12,919
3.	Bihar	3927	127	5586	45,584

¹ <https://indiainfacts.in/homeless-people-in-india-data/>

² 3 Shelters are only for women and 92 Shelters are General Shelters.

Sr.No	Name of State Filing the Affidavit	No. of Homeless People in the State as per the Affidavit	No. of shelters available in the State as mentioned in the Affidavit	No. of Homeless People that can be accommodated in the Shelters available in a particular State	No. of Homeless People in a State as per the data provided by the Ministry of Home Affairs, India. ³
4.	Union Territory of Chandigarh.	2064	1 ⁴ +10 ⁵	105 ⁶ +450 ⁷	4139
5.	Chhattisgarh		47	1633	24,214
6.	Delhi			17434	47,076
7.	Goa	173	3 ⁸	8 women + 22 men ⁹	3,051
8.	Gujarat	35,292	86 ¹⁰	12,794 ¹¹	1,44,306
9.	Haryana	Not Provided		Not Provided	51,871
Sr.No	Name of State Filing the	No. of	No. of shelters available	No. of Homeless	No. of Homeless People

³ <https://indiainfacts.in/homeless-people-in-india-data/>

⁴ 1 Shelter namely Raen Basera, run by Red Cross Society, UT, Chandigarh.

⁵ 10 Temporary Shelters in Chandigarh.

⁶ Raen Basera shelter has 105 beds.

⁷ 10 Temporary shelters have capacity of 450 people.

⁸ 2 Shelters for the Urban Homeless in Verna and Mapusa are functional. One Institution in Margao for housing male urban homeless persons is under repairs since October 2024.

⁹ Shelter home at Mapusa has capacity to accommodate 20 women and shelter home at Verna has capacity to accommodate 40 men.

¹⁰ There are 86 functional shelters.

¹¹ The 86 functional shelters have a capacity 12,794.

	Affidavit	Homeless People in the State as per the Affidavit	in the State as mentioned in the Affidavit	People that can be accommodated in the Shelters available in a particular State	in a State as per the data provided by the Ministry of Home Affairs, India. ¹²
10.	Himachal Pradesh	3167 ¹³	40	844	4,098
11.	Jammu and Kashmir		100	35	
12.	Jharkhand	3043		1575	23,391
13.	Karnataka	7,372	108	4013 ¹⁴	76,735
14.	Kerala	3196	31 ¹⁵ +9 ¹⁶	2200	11,853
15.	Madhya Pradesh	3249	120 ¹⁷	4095 ¹⁸	1,46,435
16.	Maharashtra				210,908
17.	Manipur	Not provided	1 ¹⁹	20	3,212
Sr.No	Name of State Filing the Affidavit	No. of Homeless People in the	No. of shelters available in the State as mentioned in the Affidavit	No. of Homeless People that can be accommodated in the	No. of Homeless People in a State as per the data

¹² <https://indiainfacts.in/homeless-people-in-india-data/>

¹³ 3167 is the figure for the Financial year 2024-25.

¹⁴ 108 shelters have capacity to accommodate 4013 persons.

¹⁵ There are 31 functional shelters.

¹⁶ There are 9 shelters under construction.

¹⁷ 120 shelter homes in 62 cities have a capacity of 4095 beds.

¹⁸ 4095 beds are available in the shelter homes, 2412 are male beds and 1683 are female beds.

¹⁹ The Facility can accommodate 50 persons, there are 20 persons staying in the facility at present.

		State as per the Affidavit		Shelters available in a particular State	provided by the Ministry of Home Affairs, India. ²⁰
18.	Mizoram	5253	97	5253	
19.	Nagaland	344	4 ²¹	125	876
20.	Odisha	13,651	46	2196 ²²	34,061
21.	Sikkim	64			277
22.	Puducherry				1,590
23.	Punjab	6252	167	4369	46,714
24.	Tamil Nadu	1439	253	12,157 ²³	50,929
25.	Telangana	4547	37	1979	
Sr.No	Name of State Filing the Affidavit	No. of Homeless People in the State as per the Affidavit	No. of shelters available in the State as mentioned in the Affidavit	No. of Homeless People that can be accommodated in the Shelters available in a particular State	No. of Homeless People in a State as per the data provided by the Ministry of Home Affairs, India. ²⁴

²⁰ <https://indiainfacts.in/homeless-people-in-india-data/>

²¹ 2 Shelter Homes are under construction.

²² 2196 persons can be accommodated in 46 functional SUH.

²³ It is pertinent to mention that in the report, the State of Tamil Nadu has mentioned that total capacity of the shelters is 12,157. But, the State has mentioned that only 368 people have been accommodated in the existing shelters and remaining 1,071 require new shelters for accommodation, which is contrary to the total capacity for accommodating the homeless mentioned above.

²⁴ <https://indiainfacts.in/homeless-people-in-india-data/>

26.	Tripura	328	$9+1^{25}+2^{26}$	450^{27}	3,225
27.	Uttarakhand				11,824
28.	Uttar Pradesh	28,403	$146 + 9^{28}+206^{29}+699^{30}+6^{31}$	23,589	3,29,125
29.	West Bengal	10,565	72	5585^{32}	1,34,040

Filed by-
Mr. E.R. Kumar
(Petitioner-In-Person)

Place: New Delhi
Dated: 12.02.2025

25 There are 9 functional shelters in Tripura and 1 which is ready to function.

26 2 shelters are under construction.

27 Total capacity for accommodation is 450 persons

28 There are 146 operative shelter homes and 9 shelter homes which are under construction in UP.

29 206 permanent shelter homes are being operated by local bodies in UP.

30 699 temporary shelter homes are operated by local bodies in UP.

31 6 shelter homes are operated by private organizations/NGOs.

32 Total Capacity created till date is 5585 persons