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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 16346/2025**

DELHI SHELTER HOME WORKERS UNIONPetitioner

Through: Ms. Kawalpreet Kaur and Mr. Vinod
Kumar Singh, Advocates

versus

GOVERNMENT OF NCT OF DELHI AND ORSRespondents

Through: Mr. Rajesh Kumar Agnihotri, Advocate
for R-1/GNCTD.
Mr. Anuj Chaturvedi, Ms. Shivani
Thakur, Advocates for DUSIB/R-2.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER
29.10.2025

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CM APPL. 66953/2025

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 16346/2025

3. Heard the learned counsel for the parties.
4. This Public Interest Litigation petition has been filed by Delhi Shelter Home Workers Union, which alleges itself to be Union of unorganized sector of contractual workers affiliated with Hindustan Engineering and General Mazdoor Union, a registered Trade Union under the Trade Unions Act, 1926.
5. The petition has been filed with certain allegations against the functioning of Delhi Urban Shelter Improvement Board (DUSIB) constituted under Section 3 of the Delhi Urban Shelter Improvement Board Act, 2010. It

W.P.(C) 16346/2025

Page 1 of 4



has been alleged in the writ petition that the DUSIB and the contracting Non-Governmental Organizations, which have been arrayed as respondents in this petition, are indulging in large scale siphoning of public funds which are otherwise meant for operating the night shelters and facilities created for protection of urban homeless and other vulnerable sections of the society. Various allegations of irregularities and corruption have also been leveled in the writ petition.

6. The averments made in the writ petition also relate to the alleged illegal and unauthorized labour practices in which the Non-Governmental Organizations being engaged by DUSIB, and the DUSIB itself, is said to be indulging.

7. Certain instances have also been cited in the writ petition where the workers have been engaged without appropriate documenting, such as Aadhaar Card and ESI numbers.

8. In view of the allegations contained in the writ petition, we find it appropriate that the issue raised may be inquired first at the Government level.

9. We may notice certain provisions of the Delhi Urban Shelter Improvement Board Act, 2010 which entrusts the Government with ample authority to take appropriate action which may be warranted in law, if any irregularity is noticed in the functioning of the Board. Section 26 empowers the Government to require the Board to produce any record/correspondence or other documents and to furnish any report or written plan, estimate, statement of accounts, etc. Section 27 permits the State to inspect and examine the works and records, etc. of the Board. The Government is also empowered to depute any officer to inspect and examine office of the Board or any service or work undertaken by the Board and to report thereon. It further provides that the Board and all its officers shall be bound to provide access to such person, to the premises and properties of the Board as well as all records, accounts and other



documents.

10. Section 28 vests power in the Government to issue directions to the Board in relation to the management of the Board and it further provides that Board shall comply with such directions. The first proviso appended to Section 28, however mandates that the Government before issuing any such direction shall obtain and consider the opinion of the Board as well. The third proviso mandates that the directions issued to the Board by the Government shall be reported to the Legislative Assembly of Delhi at the end of each year.

11. Having regard to the nature of allegations contained in this PIL petition and also to the provisions contained in Sections 26, 27 and 28 of Delhi Urban Shelter Improvement Board Act 2010, we permit the petitioner to approach the State Government by making an appropriate representation, taking all the pleas which may be available to the petitioner and enclosing therewith all the documents on which it intends to rely. Such representation shall be made by the petitioner within a fortnight from today. Once any such representation is made, the Government shall consider to initiate proceedings/action in terms of Sections 26, 27, and 28 of Delhi Urban Shelter Improvement Board Act, 2010. We further provide that if any such action is initiated on the representation to be preferred by the petitioner under this order, appropriate opportunity of hearing shall be provided not only to the Board but to all concerned, including the Non-Governmental Organizations and also those who have been arrayed in this petition as respondent Nos. 3 to 10.

12. We may clarify that we have permitted the petitioner to make the representation only with a view to address the grievances and the issues raised by the petitioner in the writ petition, however any of our observations made or directions contained in this order shall not in any manner be construed to be any kind of insinuation on the functioning of the Board. The Government shall be at liberty to form its opinion on the basis of material which may be presented by



the petitioner as also by the Board and other Non-Governmental Organizations.

13. With the aforesaid observations and directions, the petition stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

OCTOBER 29, 2025

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