2025 INSC 1115

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 12216 OF 2025
[Arising out of SLP (C) No. 878 of 2004]

M.S. PATTER **... APPELLANT**

VERSUS

STATE OF NCT OF DELHI AND OTHERS **... RESPONDENTS**

J U D G M E N T

R. MAHADEVAN, J.

1. Leave granted.

2. Aggrieved by the order dated 08.07.2003 passed by the High Court of Judicature at Delhi[1], in C.M. No. 11595 of 2002 in CWP No. 3118 of 2000, the appellant has preferred the present appeal. By the impugned order, the High Court, without passing a speaking order, disposed of the said application by granting liberty to the appellant to approach the appropriate forum for redressal, if he remained dissatisfied with the steps taken by the respondents in

[1] Hereinafter referred to as "the High Court"

compliance with the High Court's earlier order dated 15.10.2001 in CWP No. 3118 of 2000.

3. Originally, the appellant instituted a Public Interest Litigation, CWP No. 3118 of 2000, after coming across an article published in the Hindi daily *Rashtriya Sahara* on 17.05.2000 under the caption "*Dozens of Beggars suffering from Cholera and Gastroenteritis and around 50 of them, admitted in Hospital*". The news item further reported that 107 patients suffering from gastroenteritis had been admitted to the Maharishi Valmiki Infectious Diseases Hospital, Kingsway Camp, Delhi. These patients had been brought from the Beggars' Home at Lampur (Narela) and were identified as suffering from cholera.

4. It was further stated in the writ petition that on 19.05.2000, another news item appeared in the Hindi daily *Dainik Jagran*, reporting that six inmates of the Beggars' Home at Lampur (Narela) had died, and that a magisterial inquiry had been ordered by the Chief Minister of Delhi. On the same day, *Rashtriya Sahara* published another report stating that the condition of several beggars suffering from gastroenteritis remained serious. *The Hindustan Times*, an English daily, also reported on 19.05.2000 that the Chief Minister had ordered a magisterial inquiry, and that various departments of the Delhi Government were accusing one another of negligence in this matter.

5. According to the appellant, the Minister of Social Welfare, Government of NCT of Delhi, issued a statement – allegedly by suppressing material facts – in order to shirk responsibility, claiming that all the beggars had died natural deaths. This statement was reported in *Rashtriya Sahara* on 20.05.2000. On the same day, *The Times of India* reported that six inmates of the Beggars' Home had died of cholera. On 23.05.2000, *Rashtriya Sahara* carried another report stating that the Municipal Commissioner of Delhi had confirmed the death of eight beggars in the Beggars Home. The Superintendent of the Certified Institution, Lampur (Narela), however, denied that such deaths had occurred in the home.

6. It was also stated in the writ petition that further reports appeared on 30.05.2000 in both *Rashtriya Sahara* (Hindi) and *The Hindustan Times* (English), indicating, *inter alia*, that the magisterial probe initially entrusted to SDM Shri J.K. Jain had been disregarded, and that a fresh probe had been initiated by the Additional District Magistrate of North-West District, Delhi. These reports also mentioned that a Pakistani national had escaped from the Beggars' Home, and that his confinement there, instead of in jail, was itself a mystery. The articles described the Delhi Government's claims of improvement in the Beggars' Home as "a bundle of lies" asserting that a large number of the beggars were, in fact, destitute.

7. Alleging that the authorities were misleading the public and concealing the real facts and figures concerning the loss of valuable lives, and further contending that citizens of India – whether free, confined, or detained in jail – are entitled to live dignified lives as guaranteed under Article 21 of the Constitution, and that the inmates of the Beggars' Home are equally entitled to such protection, the appellant approached the High Court seeking the following reliefs:

(i) A writ, order, or direction in the nature of mandamus under Article 226 of the Constitution directing the respondents to fix responsibility upon those accountable for the deaths of the inmates in the Beggars' Home;

(ii) Directions to the respondents to grant compensation to the dependents of the inmates who died in the Beggars' Home, at the rate of at least Rs.5,00,000/- per head;

(iii) Appropriate orders to punish, in accordance with law, the respondents or their subordinates found responsible, severally and jointly; and

(iv) Such further orders or directions as the Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

8. During the pendency of the petition, the Additional District Magistrate (ADM) submitted his report to the Government on 01.06.2000, concluding that the deaths of inmates were primarily attributable to the consumption of water

from hand-pumps, for which the Beggars' Home authorities as well as the Public Works Department (Civil) were mainly responsible. On the other hand, the Superintendent of Beggars' Home, by letter dated 15.07.2000 addressed to the National Human Rights Commission, asserted that all the deaths in the Beggars' Home were natural deaths.

9. By order dated 28.11.2000, the High Court directed the committee already appointed in CWP. No. 667/1997 [*Som Datt and others v. NCT of Delhi and others*] to visit the Lampur Beggars' Home Complex and Tahirpur Shahdara Beggars' Home, ascertain the conditions prevailing therein, and submit a report, besides finding out the reasons for the death of beggars in Lampur Beggars' Home. The respondents filed their reply, setting out the remedial measures taken to improve the conditions in the Beggars' Home, but without effectively contradicting the alleged causes of disease and death. After inquiry, the committee submitted its interim report dated 09.01.2001. The appellant filed a rejoinder affidavit reiterating the facts stated in the writ petition.

10. Taking note of the affidavits and the committee's report, the High Court disposed of the writ petition, by order dated 15.10.2001, the relevant paragraphs of which are reproduced below, for better appreciation:

> *"An affidavit has been filed by Mr. N. Diwakar, Director, Department of Social Welfare dated 5th January, 2001 annexing the death certificates of various beggars detained at Lampur. The cause of death is mentioned as Cardio*

Respiratory failure. A brief fact finding Administrative Report has been filed by the SDM, Narela about the death of six beggars in the Lampur home. The report shows that there was contamination in the water supply and it did not measure up to the hygienic standards. It was also found that the chlorinator plant was not functioning and the chlorine was never checked for maintenance. The hand pumps were found to be unsatisfactory and as a consequence thereof a large number of inmates suffered from gastroenteritis. The report found the presence of E. coli which indicated faecal contamination in water and the probable cause of death is stated to be the passage of human excreta into the drinking water and subsequent passage of vibrio cholera bacteria from one inmate to another by way of simple transmission by contact through the water. It was found that the shallow ground water table as well as soil near the sources of water has been contaminated. Various suggestions were made to improve the conditions.

A detailed investigation pursuant to the report of SDM, Narela, was carried out by Shri. Manpreet Singh, Inquiry Officer, who submitted a report dated 1st June, 2000. The report noted that there was cholera out break in the beggars home and since contamination of water is reason for the same, there could be not doubt about the cause of deaths. It is further stated that since no post mortem had been carried out in all the six cases, the fact that the patients died of cholera cannot be established, notwithstanding the report of the part time doctor, sh. Sukhija declaring the deaths to be natural. The report found that the superintendents of in-charge of the Home had failed to take certain precautions and if they had been vigilant enough, immediate medical attention could have been provided to the inmates. The PWD was held responsible for the lapse insofar as the leakage of the water from the rear wall of the bathroom was concerned which contaminated the water and the PWD, Electrical, was mainly held responsible for the generators not being functioning for operation of the tube wells.

Insofar as the improvement of the conditions of the homes are concerned, the reports have been filed from time to time to slow the progress of the work.

It has been stated before us on 3rd October, 2001 by the learned counsel for the respondents that in pursuance to the report of the SDM, Narela and the subsequent report, Shri B.S Tolia and Shri M.S Meena have been placed under suspension and are facing departmental proceedings. It is stated that proceedings for major penalties are in progress against these officers for the negligence in handling of the homes resulting in death of the inmates.

In view of the action which has already been initiated the only direction necessary is that the respondents will proceed expeditiously with the departmental proceedings and conclude the same within a period of six months from today. Order accordingly. Thus the first and third prayer in the petition

stand satisfied in view of an enquiry having been held into the incident and the responsibility having been fixed. The respondent will take all further necessary action against the persons responsible for the tragedy.

Insofar as relief No. 2 is concerned, no relation has so far come forth in respect of the death of these beggars. If such a claim is received by the Department, it shall be duly examined and appropriate compensation will be assessed and disbursed to them.

We have already indicated that the present writ petition is being confined to the reliefs claimed for. We, however, note that in pursuance to the report of the special committee and the departmental action to remedy the situation in the beggars home, steps have been taken from time to time and reports have been filed. In view of this, we are inclined to issue a further direction to the respondents to complete the action in terms of making the homes more habitable in consonance with the reports of the fact finding committee within a maximum period of six months from today."

11. Thereafter, the appellant filed C.M. No. 11595 of 2002 seeking implementation of the order dated 15.10.2001. The said application was disposed of by the High Court, merely granting liberty to the appellant to approach the appropriate forum if still dissatisfied. Hence, the appellant has approached this Court by way of the present appeal.

12. The learned counsel for the appellant submitted that the High Court, on 28.11.2000, had appointed a committee comprising Court Officers (Deputy Registrar and Legal Assistant of the High Court) and three advocates – Mr. R.K. Saini, Ms. Rekha Agarwal, and Ms. Sushmita Lal – to investigate the episode of eight unnatural deaths and the outbreak of a cholera epidemic in the Beggars' Home, Lampur, Narela, New Delhi, in May 2000. This committee was directed to submit a fact-finding report at the earliest, and on 09.1.2001, submitted only

an interim report, seeking more time for a final report due to the gravity of the matter involving large-scale deaths, a serious epidemic, criminal negligence, misfeasance, and atrocities on inmates. Thereafter, no extension was granted, and the High Court, on 08.07.2003, passed the final order without ascertaining compliance with its earlier order dated 15.10.2001 and without obtaining the committee's final report.

12.1. It was further submitted that the interim findings revealed shocking lapses, including human excreta mixing with drinking and cooking water, food unfit for human consumption, physical assaults on inmates and the use of ferocious dogs to terrorize inmates and force them to work in nearby private agricultural fields for the vested interests of caretakers and managing officers. The committee also found officers absent or intoxicated during inspections and had sought more time for a thorough inquiry to fix responsibility and recommend remedies, which request was ignored by the High Court.

12.2. Learned counsel further alleged that the respondents filed false and misleading reports before the National Human Rights Commission and the High Court, concealing facts from multiple authorities including the Sub Divisional Magistrate, Narela, ADM North-west Delhi, Municipal Commissioner, relevant medical and ministerial authorities, the Chief Minister, and the Lt. Governor of Delhi. It was also submitted that the respondents misled the court in WP (C) No. 3118/2000, as noted by the Director of Vigilance, Government of NCT of Delhi. The High Court wrongly relied solely on the respondents' counter

affidavit and the interim committee report, ignoring the appellant's rejoinder, the need for final verification of claimed improvements, and the responsibility for criminal negligence and atrocities. The order dated 15.10.2001 had directed completion of remedial actions within six months, yet no final report was filed after that period, and the affidavit along with the Vigilance Director's letter dated 20.05.2002 indicating false averments, was disregard by the High Court in the impugned order. It was also submitted that no officer has been held accountable, and Beggars' Homes continue to suffer from serious shortcomings, bottlenecks, and problems.

12.3. With these submissions, the learned counsel prayed for appropriate directions to ensure accountability, proper inspection, and genuine improvement in the conditions of certified institutions under the Government of NCT of Delhi.

13. On the other hand, the learned counsel for the respondents submitted that the High Court carefully considered the report of the fact-finding committee and the affidavit filed by the respondents regarding the improvements and actions taken by the second respondent based on the reports submitted by SDM and ADM. Being satisfied with the status report submitted by the respondents, the High Court passed a justifiable order in the writ petition, with respect to the reliefs claimed by the appellant, which had been duly complied with by the respondents.

13.1. According to the learned counsel, based on the special committee's report relating to remedial measures in Beggars' Homes, steps were taken from time to time and reports were filed by the respondents. The respondents are strictly following the provisions of the Begging Act and Rules. However, the appellant raked up fresh developments by filing the present application, which is not only a gross abuse of process of law but also not maintainable. In this regard, reference was made to the decision of this court in ***State of Uttar Pradesh v. Brahm Datt Sharma and another***[2], wherein it was held that 'when proceedings stand terminated by final disposal of a writ petition, it is not open to the Court to reopen the proceedings by means of a miscellaneous application in respect of a matter which provides a fresh cause of action'.

13.2. Continuing further, the learned counsel submitted that after passing of the order dated 15.10.2001 by the High Court, all efforts were taken to complete the disciplinary proceedings initiated against the delinquent officials. Accordingly, inquiry was completed and the competent authority imposed the punishment of penalty on them. The delay in completion of inquiry was occasioned on account of the requirement of obtaining concurrence from the Department of Vigilance, Government of NCT of Delhi, and the Central Vigilance Commission, as per the procedure laid down.

13.3. It was further submitted that the second respondent, namely, the Department of Social Welfare, Government of NCT of Delhi, administers

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[2] (1987) 2 SCC 179

various statutory and non-statutory social welfare programmes for the weaker sections of society and is entrusted with the implementation of social legislations such as the Probation of Offenders Act, 1958, the Juvenile Justice (Care and Protection of Children) Act, and the Bombay Prevention of Begging Act, 1959 (BPBA). The Department of Social Welfare functions as the nodal agency for the implementation of the BPBA, which was extended to the NCT of Delhi in the year, 1960. For the purpose of operationalising the Act, the Government notified the Delhi Prevention of Begging Rules, 1960.

13.4. It was further pointed out that there are eleven statutory institutions established for accommodating beggars during their trial and sentence periods, as determined by the Beggars' Court. In addition to the regular Beggar's Court, two Mobile Beggars' Courts were also set up in 2009. The duration of detention in these institutions varies according to the merits of each case. The daily life of the inmates is regulated in accordance with the Department's Manual, which provides for free food, lodging, boarding, clothing, bedding, medical care, recreation, and rehabilitation facilities.

13.5. With respect to improvements of living conditions and hygiene in the Beggars' Home in dispute, affidavits had been filed earlier and accepted by the High Court. Additional measures included regular inspection of food by Welfare officers, provision of clothing and bedding, supply of safe drinking water from Delhi Jal Board, a functional ambulance for emergencies, vocational training in trades like weaving, tailoring, and cycle repair, PWD maintenance

and repairs, installation of false ceilings in dormitories, and engagement of the NGO Caring Foundation for counselling, rehabilitation, detoxification, acupuncture therapy, and recreational programmes. A new sewerage tank was operational, and anti-begging squads were given arrest guidelines. Volunteers from NGOs and Delhi University's Faculty of Law visited the Reception-cum-Classification Centre for counselling and legal aid. Family members of detainees were informed by post or phone, workshops were held for caretakers, procurement guidelines were streamlined, and food, water supply, and health services were monitored regularly. In view of these measures, the learned counsel submitted that nothing survives in this appeal and it deserves to be dismissed.

14. Mr. Ranjit Kumar, learned senior counsel, appointed as amicus curiae, submitted that a detailed synopsis of the functioning of Beggars' Homes, along with suggestions and proposed directions to the respondents, had already been placed before this Court. Pursuant thereto, this Court issued various directions to the respondents, which have also been complied with to the considerable extent. He further submitted that such remedial measures ought to be extended to all Beggars' Homes across the country, so as to prevent recurrence of lapses in hygiene, health care, and living conditions, and to secure the dignity and fundamental rights of the inmates.

15. We have carefully considered the submissions advanced by the learned counsel appearing for all the parties, including Mr. Ranjit Kumar, learned senior counsel, who has ably assisted the Court as Amicus Curiae. We have also perused the entire materials available on record.

16. Historically, the treatment of the indigent persons has oscillated between two diametrically opposed paradigms – criminalisation on the one hand and compassion on the other. In early modern England, the Elizabethan Poor Laws of 1601 institutionalised a moral distinction between the "deserving poor" – those unable to work due to age, disability, or illness – and the "undeserving poor", typically the able-bodied unemployed, vagrants, or itinerants. While the former could receive parish relief, the latter were subjected to harsh punitive measures, including confinement in workhouses, corporal punishment, or forced labour. These measures were grounded not in a rehabilitative ethic but in a disciplinary and deterrent framework aimed at social control.

16.1. This colonial attitude travelled to India under British rule. Vagrancy laws – including the Bombay Prevention of Begging Act, 1959 (and its variants in other states) – were introduced not as instruments of social welfare, but as tools of public order and colonial governance. Their design mirrored the Victorian and Edwardian suspicion of poverty as a moral failing rather than a socio-economic condition. Even in the post-independence period, this punitive legacy has endured in the anti-begging statutes of several Indian States, which often

permit the arrest, detention, and forced confinement of persons merely on the basis of appearance or circumstance, without commission of any substantive offence.

16.2. In contrast, the Indian Constitutional framework post – 1950 marks a decisive normative shift. The founding vision is explicitly welfare- centric, committed to dismantling structural inequalities and ensuring the dignity of every individual. This ethos is embodied in the Directive Principles of State Policy – particularly Article 38 (promoting welfare of the people), Article 39(e) (protecting workers' health and strength), Article 41 (right to work, education, and public assistance), and Article 47 (raising the level of nutrition and public health). Together, these provisions articulate the constitutional expectation of a compassionate State, one that acts as a trustee of the well-being of the poor, the sick, and the destitute.

16.3. In this constitutional context, beggars' homes cannot be conceived as quasi-penal facilities. Their role must be restorative, not retributive – places of recovery, skill-building, and reintegration into society. The term "home" itself carries semantic and normative weight: it denotes safety, dignity, belonging, and care. Any arrangement that degenerates into a prison-like environment – characterised by overcrowding, unhygienic conditions, arbitrary or involuntary confinement, denial of medical treatment, neglect of mental health needs, or restrictions on personal liberty – is not merely a policy failure, but a constitutional infraction striking at the very heart of Article 21.

16.4. Article 21 of the Constitution of India, which guarantees the right to life and personal liberty, has been interpreted by this Court in an expansive and purposive manner. It is no longer confined to mere animal existence; it embraces within its fold the rights to dignity, health, shelter, privacy, and humane treatment, with heightened protection for the most vulnerable groups. In ***Francis Coralie Mullin v. Administrator, Union Territory of Delhi***[3], the Court held:

> *"The right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessaries of life such as adequate nutrition, clothing and shelter…"*

This judicial articulation leaves no doubt that the State's responsibility towards indigent persons is affirmative and non-derogable. A beggars' home, maintained by the State, is thus a constitutional trust, not a discretionary charity. Its administration must reflect the values of constitutional morality – ensuring liberty, privacy, bodily autonomy, and dignified living conditions.

16.5. This Court's decision in ***Inhuman Conditions in 1382 Prisons, In Re***[4] provides further normative guidance. Speaking in the context of prisons, the Court observed that prisoners too are entitled to basic human rights, including the right to live with dignity. The State has a duty to ensure that its institutions do not function in a manner repugnant to constitutional morality.

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[3] (1981) 1 SCC 608
[4] (2016) 3 SCC 700

16.6. If such protections are owed to convicts and undertrials – individuals lawfully deprived of liberty pursuant to criminal conviction or prosecution – a fortiori, they must apply to residents of beggars' homes, who are not offenders at all. Many are victims of structural poverty, mental illness, abandonment, domestic violence, caste discrimination, or social exclusion. Their confinement, if necessary, at all, must be in the nature of protective custody accompanied by comprehensive rehabilitation services, rather than coercive detention.

16.7. In sum, the constitutional evaluation of beggars' homes requires a paradigm shift – from viewing them as instruments of social control to recognising them as spaces of social justice. The failure to ensure humane conditions in such homes does not merely amount to maladministration; it represents a constitutional breach of the fundamental right to life with dignity, thereby inviting judicial intervention. With the above principles in mind, we shall now delve into the facts of the present case.

17. At the outset, it is necessary to understand the scope, ambit, and purpose of the Bombay Prevention of Begging Act, 1959 (in short, "BPBA"), as extended to the National Capital Territory of Delhi. Originally, enacted in Maharashtra, the BPBA has been adopted or adapted by several States and Union Territories to regulate and control begging. Its enforcement, however, varies significantly, across jurisdictions, and its constitutional validity has been tested on multiple occasions.

17.1. Notably, in ***Harsh Mander v. Union of India***[5], the Delhi High Court struck down certain provisions of the BPBA which criminalized begging, holding them to be violative of the fundamental rights guaranteed under the Constitution. Importantly, there is no central law uniformly governing begging in India. The subject falls within the competence of both Union and State legislatures, and is predominantly regulated through State or UT legislation.

17.2. Several States and Union Territories have enacted their own laws modelled substantially on the BPBA. These include:

- The Andhra Pradesh Prevention of Begging Act, 1977
- Assam Prevention of Begging Act, 1964
- The Bihar Prevention of Beggary Act, 1951
- The Goa, Daman and Diu Prevention of Begging Act, 1972
- The Madhya Pradesh Biksha Vritti Nivaran Adhiniyam, 1973
- The Gujarat Prevention of Begging Act, 1959
- The Haryana Prevention of Beggary Act, 1971
- The Himachal Pradesh Prevention of Beggary Act, 1979
- The Punjab Prevention of Beggary Act, 1971
- The Uttar Pradesh Prohibition of Beggary Act, 1975 (adopted by Uttarakhand)
- The Karnataka Prohibition of Beggary Act, 1975

[5] AIR 2018 Del 188

- The Tamil Nadu Prevention of Begging Act, 1945 (earlier known as The Madras Prevention of Begging Act, 1945)
- The Sikkim Prohibition of Beggary Act, 2004
- The Bengal Vagrancy Act, 1943
- The Jammu & Kashmir Prevention of Beggary Act, 1960.

17.3. The State undeniably has a legitimate interest in maintaining public order, safety, and cleanliness. Begging in public spaces may cause obstructions, harassment, and unsanitary conditions, thereby impacting citizens' rights to move freely and enjoy public areas. The BPBA provides a legal framework to identify, care for, and rehabilitate persons who beg – many of whom are vulnerable due to poverty, disability, or social exclusion. The Act envisages their placement in certified institutions, where they may receive shelter, food, medical treatment, and vocational training. In certain instances, begging also serves as a front for human trafficking, child labour, or organized exploitation, warranting State intervention for the victims' protection.

17.4. Section 4 of the BPBA empowers any police officer or authorized person to arrest, without warrant, anyone found begging, and to produce them before the Court. Under Section 5, a summary inquiry is conducted by a Metropolitan Magistrate, and if the Court is not satisfied that the person was found begging, they must be released forthwith. However, if found guilty, the Court shall order detention in a certified institution for not less than one year and not more than three years. For repeat offenders, Section 6 provides for enhanced detention of

up to 10 years, with a discretion to convert a portion of such detention, not exceeding two years, into a term of imprisonment.

17.5. Pending inquiry or trial, detainees are housed at Reception-cum-Classification Centres (RCCs). In Delhi, the Department of Social Welfare / Rehabilitation Services operates 11 certified custodial / residential institutions for beggars, with a total capacity of 2,180 inmates. These institutions provide food, lodging, medical care, recreation, counselling, and skill development aimed at rehabilitating inmates and enabling them to give up begging. Presently, three Courts are notified under the BPBA in Delhi – one at Sewa Kutir, Kingsway Camp, and two Mobile Courts – assisted by three anti-begging squads that conduct regular raids across the city. While such laws are necessary for States to address begging as a social concern, maintain public order, and facilitate rehabilitation of vulnerable persons, their design and implementation must conform to constitutional guarantees, uphold individual dignity, and reflect constitutional morality, ensuring that regulation does not degenerate into the criminalisation of poverty.

18. The present case arises out of a grave and unfortunate incident at the Beggars' Home, Lampur (Narela), where contamination of the drinking and cooking water with coliform bacteria resulted in an outbreak of cholera and gastroenteritis among the inmates. This outbreak led to multiple deaths and widespread illness, exposing serious lapses in sanitation, hygiene, and

healthcare facilities within the institution. The incident has given rise to the present public interest litigation, instituted at the behest of the appellant, seeking accountability, systemic reforms, and effective safeguarding of the constitutional rights of these highly vulnerable individuals.

19. By order dated 15.10.2001, the High Court considered the reliefs sought by the appellant and disposed of the writ petition in the following terms:

- Reports filed from time to time indicated progress in improving the conditions of the Home.
- The respondents were directed to complete the departmental proceedings initiated against the erring officials within a period of six months and to take all necessary action against those responsible for the tragedy.
- Further, the respondents were directed to complete the measures for making the Homes more habitable, in line with the recommendations of the fact-finding committee, within a maximum period of six months.

20. The appellant thereafter, filed an application before the High Court, complaining of non-compliance with the aforesaid order dated 15.10.2001. However, the High court, without going into the merits or passing a reasoned order, merely disposed of the application, granting liberty to the appellant to approach the appropriate forum if still aggrieved. Aggrieved thereby, the appellant has come forward with the present appeal.

21. According to the respondents, the officers responsible for the incident that occurred in May, 2000, were subjected to departmental proceedings, and

upon completion of the inquiry, penalty was imposed on them, as punishment. There is no serious dispute on this aspect. Accordingly, the direction of the High Court in this regard stands complied with by the respondents.

22. With respect to the other directions issued by the High Court, it is pertinent to note that since the inception of the present proceedings, this Court has been issuing various directions to the concerned authorities and continuously monitoring compliance. For the sake of clarity, certain significant orders and developments are set out hereinbelow:

22.1. On 13.04.2004, after hearing learned counsel for the parties, this Court considered it just and appropriate to direct the same Committee, which had earlier submitted an interim report dated 09.01.2001 to the High Court, to undertake a site visit and submit a report on the existing conditions within eight weeks.

22.2. Pursuant to the aforesaid order, the committee conducted inspection of Tahirpur Home for Leaper Beggars (HTLB) and Lampur Border Beggars' Home, and submitted its report detailing the pathetic conditions of the Homes along with its recommendation, on 04.07.2005.

22.3. On 24.04.2006, when the matter was taken up, this Court appointed Mr. Ranjit Kumar, Senior Advocate and Mr. Sanjay Kapur, Advocate -on-Record, as Amicus Curiae to assist the court and requested them to suggest guidelines to be laid down for the future.

22.4. As directed by this Court, the Amicus Curiae analysed the earlier reports filed by the SDM, ADM, and special committee, the responses filed by the respondents, as well as the legal framework, and submitted a synopsis of the case along with suggestions and proposed directions to be issued to the Government of NCT of Delhi for the maintenance and upkeep of Beggars' Homes.

22.5. By order dated 24.03.2017, this Court appointed the Secretary, Delhi Legal Services Authority, as the third member of the already constituted committee in place of Shri D.K. Batra. The Committee was directed to conduct a fresh inspection within three months to ascertain, in comparison to the previous report, the present position and whether there had been improvement or deterioration. The Secretary, Department of Social Welfare, NCT of Delhi, was also directed to file an affidavit regarding the current status of the Beggars' Homes, and the proposals for improvement.

22.6. On 06.09.2018, when the matter was taken up, the respondents submitted that coordination with other departments was required to implement this Court's orders and sought time to submit a concrete proposal and secure financial sanction for improving the Beggars' Homes. While acceding to the said request, this Court directed that the quality of breakfast and meals be improved within three days, and that at least one fruit be served daily to each inmate, with a compliance affidavit to be filed within seven days. A concrete proposal addressing other deficiencies noted in the report was directed to be submitted

within six weeks. All concerned departments – namely, the Public Works Department, the Municipal Corporation of Delhi, and the Delhi Development Authority – were directed to act in tandem without delay, and any laxity in this regard was expressly deprecated.

22.7. On 31.10.2018, after considering the affidavit of the Deputy Director (Social Defence), Department of Social Welfare, Government of NCT of Delhi, this Court passed the following order:

> *"....*
> *Affidavit has been filed that is not only wholly unsatisfactory but it shows the apathetic attitude of the department towards need and the requirement.*
> *Considering the various averments made in the affidavit, we issue the following directions:*
> *1) Let the two part-time dressers, three nursing orderlies and one staff nurse, part-time and full-time doctors and medical officer who has been appointed and has not joined be appointed within a period of one month from today.*
> *2) Remaining sanctioned staff be appointed as mentioned at para 6 and 7 within a period of one month from today.*
> *3) Food Chart which is served twice shown in Annexures 1 and 2, the same needs to be verified along with its quality by dietitian.*
> *4) Let fresh drink be served on every day not only in summers but the requisite suitable drink in winters also as may be advised by dietician.*
> *5) With respect to the renovation of building, the boundary wall, floors, roof, walls be renovated. Suitable tile work be also done.*
> *6) There shall be proper drainage facilities as well as proper ventilation provided in each and every room within a month. Respondent to ensure that there is no mosquito breeding and water logging or foul smell.*
> *7) Let the renovation work be completed by the end of December, 2018. It will be personal responsibility of the Engineers to supervise and get the work done of very good quality. If there is any remiss found in the same, he will be hauled not only for disobedience but for otherwise for doing the job properly and appropriate action shall be recommended against him by this Court in case any remiss is found.*
> *8) Let the proper laundry facility be made available within fifteen days from today. Mr. H.P.Sharma, Electrical Engineer of CPWD would be responsible for providing this facility and any remiss on his part shall be treated seriously and appropriate action shall be taken against him.*

9) Renovation of bathroom and toilets has to be done on war basis. Let the renovation of bathroom and toilets be completed within a period of three weeks from today and report be filed in this Court. Let the tiles and modern flush system be also provided in the toilets and bathroom should also be adequately equipped with hot water facility as well as showers etc. During renovation etc. there shall not be any impediment created by anybody or any order of stoppage of work and this has to be done on top priority and no ban created by any authority shall come in the way of the renovation.

10) With respect to the restoration of Leprosy Board, let the proposal be submitted on the next date of hearing.

11) Let Training-cum-Production Centre (TCPC) be also functionalised within one month from today.

12) The counselling work be done on regular basis and report be filed in this Court as to who is doing the counselling and on which dates.

13) We direct the Senior most/Chief dietician of Guru Teg Bahadur Hospital to make a surprise visit to the leprosy home and submit a report in this Court. Dietician is also requested to collect food chart that is being served and give advice for better food and what diet should be added for proper nourishment. Let the chart be revised by the dietician considering the health requirement for such persons and for providing the proper and adequate good diet and be submitted in this Court on the next date.

14) Let the Secretary of Delhi Legal Services Authority and the counsel for the petitioner jointly visit the leprosy home. We request the secretary of Delhi Legal Services Authority to get videography done of the entire premises including bathroom, kitchen etc. also and to submit a report in this court, on the next date of hearing.

15) We appreciate the gesture of the learned senior counsel appearing on behalf of the State of NCT of Delhi. It has been offered that in case any immediate improvement is required, learned counsel for the petitioner is free to approach the learned senior counsel appearing on behalf of the State for doing the needful.

List on 27.11.2018."

22.8. Pursuant to the aforesaid order dated 31.10.2018, the Delhi State Legal Services Authority (DSLSA) filed its report dated 22.11.2018, *inter alia* stating that the infrastructural facilities – such as wards, kitchen, drinking water, laundry, bathrooms, toilets, sewage system, and medical/dispensary rooms – as

well as the living conditions of inmates including cleanliness and hygiene, were in a miserable state. The report emphasised that substantial initiatives were required and that the number of staff working in the Home also needed to be increased considerably in order to execute welfare measures for the benefit of inmates.

22.9. On 05.12.2018, when the matter was taken up, the Principal Secretary, Social Welfare, assured that diet improvements suggested for the winter would be implemented within three days, and this Court directed accordingly.

22.10. On 13.12.2018, this Court observed that the condition of the Lepers' Home was 'pathetic'. The Principal Chief Engineer, PWD, East (M), submitted a comprehensive plan along with an affidavit. The Court directed that the work be carried out in terms of the plan, with plastering and other necessary improvements included. Estimates for additional work were to be submitted within one week to the Social Welfare Department, which was directed to sanction the amount within three days of submission. The comprehensive plan was to be implemented by the end of December 2018, and the additional work completed by 10th January 2019. The Dietician's report was accepted in toto and ordered to be implemented forthwith. The Superintendent of the Lepers' Home was directed to file a compliance report. Improvements suggested in the kitchen, including water supply and other facilities, were to be attended to by the Chief Engineer, along with steps suggested by DSLSA. The court mandated that food of proper quality and adequate quantity be supplied to all inmates.

22.11. On 19.02.2019, when the matter was taken up, upon perusal of the DSLSA report, this Court passed the following order:

> *"...*
> *Certain deficiencies have been found at the Home for Leprosy and T.B. Affected Beggars (HLTB) and Home for Leprosy Affected Beggars, Tahirpur Complex, Delhi-95. The following deficiencies have been found:*
> *1. The electric switch board and toilets in the Medical Care Unit need repair and the table lying in the Medical Care Unit is to be replaced.*
> *2. The bathroom and toilet behind medical room were not repaired and the backdoor entrance of the medical room was also not in good condition. One cooler was still lying in dirty condition and the windows and grills of the medical room were also not painted.*
> *3. Drainage system was found blocked at the bathing area. The clamps on the water pipes was not fitted properly. Slopping on the floor was not proper and the water cooler needed to be replaced/painted. PWD had been requested to provide stainless steel unbreakable sanitary fittings which had low maintenance and there was no unusual risk of damage and theft to the same.*
> *4. Geysers for hot water supply were yet to be provided. Old water pump house was yet to be repaired. Grill in the area surrounding the pump was yet to be painted. Grills over the drains were yet to be provided.*
> *5. No exhaust fan had been provided in the urinal block. At least two fans should be provided so that the block does not stink.*
> *6. Additional trained staff is required for the laundry to operate the machines but the requisition had not been sent to the concerned authority.*
> *7. The collapsible iron gate which appeared to be of no use, is to be removed. Door frame had to be painted. Lot of water logging was found inside the laundry area because of insufficient slope of the floor. The backside area around the ground water pump was required to be repaired.*
> *8. Outside laundry area, the electrical poles are yet to be painted and street lights are yet to be provided.*
> *9. Though broken cots had been repaired, yet the height of cots was found inappropriate as per the requirements of inmates and the cots were still found to be supported on bricks to raise their height. The work providing and fitting of window panes was yet to be completed.*
> *10. Exhaust fans at most of the places were yet to be provided and fitted. The drainage pipe of rain water fitted on the wall of wards was not properly connected. It has to be connected with proper clamping. The approach road to the wards were required to be properly repaired.*
> *11. One of the rooms kept for entertainment in the wards with the facility of LED TV requires proper sitting arrangements by providing mats, chairs etc.*
> *12. The dark spot areas in the home should be appropriately fenced and lighted to check unauthorized entry and commission of thefts etc.*

13. No substantial work had been done in the kitchen for renovation except repairing of some tiles.

14. There was no supervisory staff to check the preparation of food items. Superintendent informed that he would seek advice from Dietician for posting of supervisory staff to check preparation of various food items, their quantity and quality etc.

15. Repairing work in open space between kitchen and dormitory is yet to be completed.

16. In the dining room, painting of roof, window, grills, frames and shutters were required to be done. Exhaust fan was also required to be installed. There was sitting capacity of around 80 inmates at one time. The repair work of roof of the corridor was required to be done in two dining rooms. It was noticed that one of these rooms was situated much away from kitchen area which is not advisable.

17. Four food distribution trolleys had been hired for one month for a sum of Rs.20,000/- per month and the trolleys were yet to be purchased.

18. Painting of exhaust fans, window frames, shutters and stools were yet to be done.

19. Grills and dwarf walls around the temple/worship place were yet to be painted.

20. Some toilets in the sick ward still require repair work.

21. Inmates of sick ward stated that the trees at the complex of sick ward needs to be pruned from time to time for proper sun light.

22. Welfare Officers who were doing counselling of inmates were stated to be possessing the Master degree in social welfare. Thus it was stated that meanwhile they were providing counselling to the inmates, the professional counsellors were yet to be appointed.

23. Upon interaction with inmates, it was enquired as to whether the diet chart provided by the dietician was followed or not. Around 20-25 inmates confirmed that the diet had been provided as per the chart but they were not satisfied with the quantity.

24. The Inspection Team is of the opinion that painting of windows, grills, frames and shutters are required to be done in all the dormitories and dining room. The surface which is being painted has not been properly cleaned and shall be peeled off to increase durability of paint/white wash.

25. The team also visited the temple adjacent to the Laundry room and found that it was required to be properly painted and some plantation should be done for its beautification.

26. It is reported that there are only seven Safai Karamcharis for cleaning the entire premise and keeping in view of the huge area around 20 Safai Saramcharis are required to be deputed/appointed. It has been further reported that the demand in this regard has already been sent to the Department of social Welfare but there is no progress so far.

27. The team also observed that for the security purpose, there was no security guard in the entire premises and no CCTV camera was installed at any place of the entire premises of HLTB or TCPC, which are considered very necessary to have a better supervision over the security and activities going on.
28. No improvement was found at Training-cum-Production Centre (TCPC) by the team. It was as bad as it was noticed during visit on 12.12.2018.

Let all the aforesaid deficiencies be removed and requisite improvements be made within four weeks from today except as directed by us hereinafter for kitchen and food quantity.

In case the deficiencies are not removed, the concerned official shall be responsible for non-compliance and violating the mandate of this Court and will have to be present in the court on the next date of hearing.

However, with respect to the quantity and quality of the food, the same should be done within one week after consulting a Dietician. The kitchen be repaired within two months and compliance affidavit be filed.

The compliance affidavits filed on behalf of the respondent – Social Welfare Department is taken on record.

List this matter on 27.3.2019."

22.12. Notably, the deficiencies pointed out in the aforesaid order, were rectified and a compliance report was filed by the learned counsel for respondent(s) on 27.03.2019.

22.13. On 25.04.2019, this Court directed the respondents to furnish a response regarding non-installation of CCTV cameras, and further directed that security guards be posted within ten days.

22.14. On 09.05.2019, when the matter was taken up, the learned Amicus Curiae, Mr. Ranjit Kumar, pointed out persistent deficiencies in the compliance / status report filed by the Social Welfare Department. The Court

recorded these deficiencies and proceeded with further monitoring. For better understanding, the said order is reproduced below:

> *"...*
> *Mr. Ranjit Kumar, learned senior counsel has pointed out that in the compliance / status report filed on behalf of the Social Welfare Department, there are deficiencies which still exist. Following deficiencies have been pointed out:*
>
> *1) There is shortage of care taking staff. There are only 5 care taking staff whereas the requirement is that of 10 care taking staff.*
>
> *Let the respondent(s) appoint 5 more care taking staff within a period of six weeks from today.*
>
> *2) It was also pointed that there is requirement of 20 Safai Karamcharis. However, only 10 Safai Karamcharis have been provided. Let 10 more Safai Karamcharis be provided within six weeks.*
>
> *(3) It was also pointed out that the bathroom fittings are not up to the mark. Let this work be looked into.*
>
> *(4) Out of 22 geysers, only 12 have been installed. Let 10 geysers be installed which are lying in the store within four weeks.*
>
> *(5) There is requirement of additional staff for laundry as pointed out in the report. Let additional staff be provided within six weeks as pointed out in the report.*
>
> *(6) Let the care takers be trained within a period of one month from today so that laundry machine may be operated with their help.*
>
> *(7) There are certain inappropriate cots whose height was not sufficient. Let those cots be changed within one month from today.*
>
> *(8) There are certain holes due to removal of the exhaust fans. Those holes have not been closed. Let those holes be closed within a period of 3 weeks from today, especially in Ward Nos. 36 to 39.*
>
> *(9) Repair/renovation of Kitchen be completed within by 30th June, 2019.*
>
> *(10) It was also pointed out that the quantity and quality of food/diet provided to the inmates required is to be increased/improved and there was complaint of*

deficiencies of quality and quantity. Let the quantity/quantity be increased/improved. With respect to which we request the Dietician of GTB Hospital to make surprise inspection every month and submit periodical reports to this Court. Let fresh inspection be done in 10 days and report be submitted and concerned authorities be advised for improving the quality and quantity which shall be strictly followed forthwith without any further order of this Court.

Let the advice so made by Dietician be placed on record within a period of 6 weeks from today.

(11) Let the ROs which are not functioning be replaced within 15 days as water is an absolute necessity during the time of summers.

(12) Professional Psychiatric Counsellor be provided within a period of six weeks from today. Only one Psychiatry Social Worker has been provided at HLTB that cannot be said to be compliance of the order passed by this Court.

(13) With respect to Security Guards as well as CCTV installation, it was pointed out by learned Amicus as well as learned counsel on behalf of the petitioner that some officers of Centre create unrest in the inmates so that no security guard and CCTV is installed to check their activities and also the pilferage which is being made by the officers. This aspect is required to be seriously looked into. We request learned counsel on behalf of the petitioner and State also to look into this aspect and there should be no room for any such complaint. Report be submitted by next date as to what is the basis of the objection by the inmates/officers for security guards and CCTV installation. In case counsel for the petitioner wants to visit the centre, let police protection be provided to him. The Member Secretary of Delhi Legal Services Authority is requested to look into and investigate the matter at his own level and submit a report in this Court as regards Security Guard and CCTV installation.
List in the last week of July, 2019."

22.15. The record of proceedings dated 09.11.2022 is also of significance, wherein, this Court took note of remedial measures adopted by the respondent authorities and directed the Department to furnish details regarding the number of residents undergoing training, the carrying capacity of the training centres, and the feasibility of reopening the second training centre at Lampur, Narela.

The Court had further called upon the Department to explore the possibility of introducing additional trade activities to promote economic self-reliance among the residents. For ease of reference, the said order is extracted below:

> *"A further affidavit-in-reply on behalf of respondent No.2 – Department of Social Welfare, Government of NCT of Delhi, to the Status Report dated 10.12.2021 is filed which is dated 04.05.2022.*
>
> *In the affidavit-in-reply, it is stated that the Training-cum-Production Centres (TCPC) at the Home for Leprosy & TB affected Beggars' (HLTB), Tahirpur Complex in North-East Delhi is functional. It is stated that Leprosy Affected Persons (LAPs) residing in this Complex are being provided training in the trade of handloom weaving and for this purpose, an Instructor had been engaged to manage and oversee training of residents under the supervision of the Superintendent, TCPC(L). It appears that during the pandemic, the training programme was temporarily suspended. However, thereafter, training at TCPC(L) has been resumed. It is reported that the Instructor has retired w.e.f. 28.02.2022.*
>
> *Ms. Madhavi Divan, learned ASG, has stated at the Bar, under the instruction, that the new Instructor has taken over the charge.*
>
> *In the affidavit-in-reply, it is further stated that there is adequate quantity of raw materials available for the training programme at the TCPC. Procurement of additional quantities of raw material for future needs is under process.*
>
> *It is further stated in the reply that the Department is presently identifying and exploring the possibility of providing training in other trades, based on the abilities of the residents at the Complex and also the current market demand and the Department is liaising with the NGOs for that purpose.*
>
> *Shri Ranjit Kumar, learned Amicus Curiae, has drawn our attention to paras 8, 11, 13 & 15 of the further affidavit-in reply. Paras 8, 11, 13 & 15 reads as under:*
> *"8. The answering Department is presently considering proposals for training collaborations with non-government organizations. The collaborations will facilitate engagement of trainer on salary basis, internships for trainees who can assist during the training programmes, provision for stipends to be offered to trainees based on the sale of products and creation of market linkages for sale of the products etc. The answering Department is considering whether pilot Batch of 50 residents can be created to test the feasibility of certain training*

programmes over others. Further, the answering Department will ensure space allocations and water and electricity for the training programmes to be conducted. Suitable personnel will be authorized to take care of the stock of finished goods, and also to assist the trainers and other staff to acclimatize at the TCPC(L).

11. The answering Department has obtained status reports from the respective PWD's regarding rectification of defects and work done at the HLTB Complex. It is respectfully submitted that a lot of progress has been made and most of the defects have been rectified.

13. The Executive Engineer (Civil), KKD Court Division, PWD has informed the answering Department that the following defects have also been rectified: repair of staircase of two storied building; repair/replacement of doors, sanitary and water supply fittings of toilets pursuant to complaints from time to time; laying of a new sewer line for the sick ward in front of the administration office; replacement of damaged overhead tank of 5000 litre capacity near the two storied building; and strengthening of pillars of the sick ward by fixing wall tiles. Further, work to make the building complex suitable for Persons with Disability will also be taken up in conformity with accessibility guidelines, and an estimate for the same has already been submitted.

15. The Assistant Director (Horticulture), PWD has also sought approvals for the horticultural work required to be completed at the HLTB Complex. Horticultural work at the Complex is also in progress.

A copy of the letter dated 25.10.2019 as received from the Assistant Director (Horticulture), PWD is marked and annexed herein as Annexure R/5. A sanction letter dated 21.03.22 amounting to Rs.5,28,700/- has been issued to Deputy Director (Horticulture) for maintenance of Horticulture works at HLTB Tahirpur."

Let the Department file a fresh Status Report on what further steps are taken to improve the condition of the TCPC as well as the infrastructure and other facilities and on what is stated in the aforesaid paras.

From the report of surprise visit held on 23.02.2022 by Mrs. Kamlesh Sethi, Dietician, Guru Teg Bahadur Hospital (GTBH), the following observations were made:

"HLTB centre is well organized and net & clean.

1. Quality of food items:- There is no complaint raised by the inmates regarding quality of food. Food preparation was satisfactory.

2. Quantity of food items:- Few suggestions given by inmates regarding quantity which are:-

A) Cereal intake i.e. Atta may be increased. We have already suggested this point earlier in meeting held at GTBH on 11/02/19 in the chamber of The Medical Director, GTBH.

B) To increase palatability, salt may be increased from 5 gm to 10 gm per inmate.

C) In winters milk intake may be increased instead of curd.

D) As mentioned in food charts 2 portions of fruits (1 banana + 1 citrus/seasonal fruit) to be instead of one, two medium size fruits may be served.

E) In dal portion size, they may include besan/kabuli chana/rajma/kala chana/soyabean as per inmates choice.

F) Instead of boiled egg, may be replaced with egg curry & egg bhurji/egg omelette as per inmates request."

Of course there are some further reports filed by the Dietics Department of GTBH, the copies be furnished to Shri Ranjit Kumar, learned Amicus Curiae, as well as learned counsel appearing on behalf of the petitioner as well as Ms. Madhavi Divan, learned ASG.

A specific report/answer be filed on behalf of the Department on the aforesaid aspects also.

In the further reply to be filed, the Department to specifically state how many affected persons are taking training/residing; what is the carrying capacity of the Training Centres and whether the second training Centre at Lampur, Narela can be reopened or not.

Further affidavit-in-reply to be filed within a period of four weeks pointing out the further steps taken as on today.

In the further report, the Department may also state whether any other trade activities other than handloom activities is being carried out or not and/or whether it can be carried out or not so that all those affected persons do not become dependent on others and they are economically sound.

To come up on 12.12.2022."

22.16. Pursuant to the aforesaid order, the Department filed its status report dated 10.03.2023, setting out the actions undertaken in compliance therewith. The relevant paragraphs of the same read as under:

> *"5....*
> *Report: Currently, the building complex is in good condition and it does not require modification. However, from time to time the need assessment is done, if need arises sanction is given accordingly.*
>
> *6...*
> *Report: Day to day maintenance of Horticulture Work are already being done against sanction of Rs 5,28,000/.*
>
> *7. It is submitted that further report with regards to the surprise visit held on 23.02.2022 by Mrs. Kamlesh Sethi, Dietician, Guru Teg Bahadur Hospital (GTBH) which was extracted in the order dated 09.11.2022...*
>
> *Action taken :- In accordance with the report the following actions has been undertaken*
> *2(B) to increasing the salt intake 5gm to 10gm, the proposal is under consideration for approval of the Department.*
> *2(C) In winters milk intake has been increased instead of Curd.*
> *2(D) As mentioned in food charts 2 portions of fruits (1 banana + 1 citrus/seasonal fruit) is being served.*
> *2(E) As per inmates choice besan/kabulichana/rajma/kala chana//soyabean has been included instead of Dal portion.*
> *2(F) As per inmate request egg curry & egg bhurji/egg omelette has been replaced instead of boiled egg.*
>
> *8. It is submitted that a surprise visit was held on 21/11/22 by Mrs. Sushma Bara (Sr. Dietician) and Mr. Anjali Sharma (Asstt. Dietician) of Dietetics Department, GTB Hospital and few of the observations from her report as under:*
>
> *I) HLTB Centre is well organized, neat and clean.*
> *II) There is no complaint raised by the inmates regarding quality and*
> *Ill) Quantity of food prepared and increased quantity of cereals.*
> *IV) Daily Menu is provided as per the choice of inmates and meal*
> *V) Checking register is also maintained by the Welfare Officer on duty.*
> *VI) In response to the earlier observation (letter No. FNo.11 (40)/Kitchen/GTBH/344-46 date 18/10/22, point no. (5) the Welfare Officer assured to make the relevant/required changes on the existing displayed board.*

...

9. It is submitted that another surprise visit was held on 10/01/23 by Mrs. Sushma Bara (Sr. Dietician) and Mr. Anjali Sharma (Asstt. Dietician) of Dietetics Department, GTB Hospital and few of the observations from her report as under: I) HLTB Centre is well organized, neat arid clean.
II) There is no complaint raised by the inmates regarding quality and Quantity of food prepared and increased quantity of cereals.
III) Daily Menu is provided as per the choice of inmates and meal
IV) Lunch prepared was inspected by the above officials and found satisfactory.
V) In response to the earlier observation, (letter no. F.No.11(40) /Kitchen/GTBH/344-46 date 18/10/22, point no. (05) the Welfare Officer assured has made the relevant/required changes on the existing displayed board.
...

10. It is submitted that currently, TCPC(L) has 10 persons who are engaged in Training. The carrying capacity of TCPC(L) Tahirpur is 50 (fifty). The Department is still in the process of identifying the dedicated NGO/Agencies who will help to upscale the existing activities and linked with market so that a handsome source of income may be created and sustainability of the trade be maintained. It is further stated that as far as starting other activities are concerned, it is submitted that there are very limited possibilities because of the deformities are such that they are restricted to do physical work.

11. It is further also submitted that the TCPC(L) Tahirpur's infrastructure is in good condition. The Drinking water facilities and 24 x7 electricity is available. A security guard is also available to maintain security for the TCPC(L).

12. It is submitted that Smt. Siya Dulari, Craft Instructor has been taken the charge on 16/08/22. She is also in charge of Goods & Raw Material. Further, ODO/HO has full power to purchase material vide F.10(530)/A-I/DSW/Estt/13445-13544 dated 13/10/22. Two months stocks are available for handloom.
...

13. It is submitted that TCPC does not exist at Lampur and Narela. It is also stated that no Leprosy Affected Person are staying at Lampur & Narela homes or nearby places.

..."

22.17. The records further reveal that a surprise inspection was most recently conducted on 29.03.2025 by Mrs. Vandana Arora, Senior Dietician, Dietetics Department, GTB Hospital, at the HLTB Centre, Tahirpur, Delhi, accompanied by the caretaker officer on duty and other staff members. The inspection noted that the Centre was well-organized, neat, and clean. The inmates raised no complaints regarding either the quality or the quantity of food served. The daily menu was found to be in conformity with the prescribed dietary protocol, with appropriate variations introduced to accommodate the food preferences of the inmates. A meal-checking register was being duly maintained by the Welfare Officer on duty. The lunch preparation was also inspected and found satisfactory. The report, however, recommended that a dedicated Dietician be recruited or designated within the Department to ensure regular verification of food quality and adherence to nutritional standards.

22.18. From the foregoing, it is evident that this Court has from time to time, issued a series of directions aimed at improving the conditions prevailing in Beggars' Homes, and that the concerned authorities have, by and large, complied therewith. The cumulative effect of these measures has been tangible improvement in infrastructure, health facilities, diet, sanitation, and the overall living conditions of the inmates. The most recent reports also record nil complaints from the inmates, with the sole recommendation being the appointment of a permanent Dietician. Thus, it stands established that the

respondents have duly complied with the order of the High Court dated 15.10.2001 in its entirety.

23. At the same time, we are of the considered view that the progress achieved should not remain confined to the Homes that were subject to scrutiny in the present case, but must extend to all Homes under the Government of NCT of Delhi. Moreover, all States and Union Territories are required to institutionalise similar reforms in Beggars' Homes and analogous institutions under their control, so that the constitutional guarantee of life with dignity is meaningfully secured for this most vulnerable section of society. As already emphasised, Beggars' Homes require a paradigm shift – from being perceived as instruments of social control to being recognised as spaces of social justice. The failure to ensure humane conditions in such Homes does not merely amount to maladministration; it constitutes a constitutional breach of the fundamental right to life with dignity. Accordingly, we deem it appropriate to issue the following directions, in respect of all Beggars' Homes across the country, including the subject institutions to ensure that the improved conditions are continuously maintained.

I. Preventive Healthcare and Sanitation

(1) Every individual admitted to a Beggars' Home shall mandatorily undergo a medical screening by a qualified medical officer within 24 hours of admission.

(2) Monthly health check-ups shall be conducted for all inmates by a designated medical team.

(3) A disease surveillance and early warning system shall be established in all Beggars' Homes, with special protocols for the prevention, detection, and containment of communicable and waterborne diseases.

(4) All State Governments / UTs shall frame, notify, and strictly enforce minimum hygiene and sanitation standards in Beggars' Homes, which shall mandatorily include:

(a) continuous access to potable drinking water

(b) functional toilets with proper drainage systems; and

(c) regular pest control and vector management measures.

II. Infrastructure and capacity

(5) All State Governments / UTs shall conduct an independent third-party infrastructure audit of every Beggars' Home within their jurisdiction at least once every two years.

(6) Occupancy in each Beggars' Home shall not exceed its sanctioned capacity, so as to prevent overcrowding and the spread of communicable diseases.

(7) Adequate provision shall be made for safe housing, ventilation, and access to open spaces, consistent with human dignity.

III. Nutrition and Food Safety

(8) Every Beggars' Home shall appoint, or designate from an associated Government Hospital, a qualified Dietician to regularly verify the quality and nutritional standards of food served to inmates.

(9) Standardised dietary protocols shall be framed, ensuring nutritional adequacy.

IV. Vocational Training and Rehabilitation

(10) All Beggars' Homes shall establish or expand vocational training facilities aimed at skill development and economic self-reliance of inmates.

(11) The State Governments / UTs shall explore partnerships with governmental agencies, NGOs, and private institutions to introduce diverse trades and employment-oriented training programmes.

(12) Periodic assessments shall be conducted to monitor the effectiveness of rehabilitation initiatives and to facilitate the reintegration of released inmates into society.

V. Legal Aid and Awareness

(13) Inmates shall be informed in a language they understand, of their legal rights, including the right to contest detention orders.

(14) State Legal Services Authorities shall designate panel lawyers to visit Beggars' Homes at least once every three months, to provide free legal assistance and facilitate access to bail, release, or appeal remedies.

VI. Child and Gender Sensitivity

(15) Where women or children are housed in such Homes, the States / UTs shall provide separate facilities ensuring privacy, safety, and access to child care, education, and counselling.

(16) Children found begging shall not be detained in Beggars' Homes but referred to child welfare institutions under the Juvenile Justice (Care and Protection of Children) Act, 2015.

VII. Accountability and Oversight

(17) Every State / UT shall constitute a Monitoring Committee for Beggars' Homes, comprising officials from the Social Welfare Department, Public Health authorities, and independent civil society members, to:

(a) prepare and publish annual reports on the condition of Beggars' Homes; and

(b) maintain accurate records of illnesses, deaths, and remedial actions taken.

(18) In every case where the death of an inmate is attributed to negligence, lack of basic facilities, or failure to provide timely medical care:

(a) the State / UT shall pay reasonable compensation to the next of kin of the deceased; and

(b) initiate departmental and, where warranted, criminal proceedings against the officials found responsible.

VIII. Implementation and Compliance

(19) State Governments / UTs shall maintain a centralised digital database of all inmates, recording details of admission, health, training, release, and follow-up.

(20) The above directions shall be implemented within six months from the date of this judgment.

23.1. The Union of India, through the Ministry of Social Justice and Empowerment, shall, within three months, frame and notify model guidelines to facilitate uniform implementation of the aforesaid directions across all States and Union Territories.

23.2. The Registrar (Judicial) shall circulate a copy of this judgment to the Chief Secretaries of all States and Union Territories as well as to the Secretary, Ministry of Social Justice and Empowerment, Government of India, for strict compliance.

23.3. Liberty is reserved to the parties to seek further directions, should any difficulty arise in the course of implementation.

24. This appeal stands disposed of, with the above observations and directions. There is no order as to costs.

25. Pending application(s), if any, stand disposed of.

.....J.
[J.B. PARDIWALA]

.....J.
[R. MAHADEVAN]

NEW DELHI;
SEPTEMBER 12, 2025.