

**DR. N. C. SAXENA, COMMISSIONER AND  
HARSH MANDER, SPECIAL COMMISSIONER OF THE SUPREME COURT  
IN THE CASE: PUCL v. UOI & Ors. WRIT PETITION (Civil) No. 196 of 2001**

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February 27, 2007  
allschemes/482/Madhya.Pradesh

Shri. R. C. Sahni  
Chief Secretary,  
Government of Madhya Pradesh,  
Bhopal

SUB: Status of implementation of Supreme Court orders

Dear Shri. Sahni,

As you are aware, in our capacity as Commissioners of the Supreme Court in CWP 196/2001, PUCL v. UOI and others, we monitor the implementation of the food and work related schemes in the country and regularly submit reports to the Supreme Court. There is a need to address the issues of food security, right to food and right to work in your state. Many of the Supreme Court orders are not complied with in the State.

Below are some of the key issues of concern with regard to the implementation of some of the food and employment schemes in your state.

**Integrated Child Development Services**

1. As per the September 2006 Status of Implementation Report of the Department of Women and Child Development, Government of India, **only 57.5%** are providing the service of supplementary nutrition. This is in violation of the Supreme Court order dated 29<sup>th</sup> April 2004, which states that all sanctioned AWCs are to be made fully operational immediately. We request you to take all steps to ensure that all the sanctioned AWCs are made operational and send us an action taken report in this regard.

STATE	No. of AWCs Sanctioned	No. of AWCs Operational	% AWCs Operational	No. of AWCs Providing SNP	% AWCs Providing SNP
Madhya Pradesh	59324	49806	84.0	34098	57.5

2. The Supreme Court in its order dated 13th December 2006 has directed all State Governments/UTs to submit affidavits with details of all habitations with a majority of SC/ST households, the availability of AWCs in these habitations, and the plan of action for ensuring that all these habitations have functioning AWCs within two years. Has a survey of SC/ST habitations in State been conducted? Please let us know the details of this.
3. What are the steps that have been taken with regard to the order of the Supreme Court (of October 7<sup>th</sup>, 2004) directing that "contractors shall not be used for supply of nutrition in Anganwadis and preferably ICDS funds shall be spent by making use of village communities, self-help groups and Mahila Mandals for buying of grains and preparation of meals"? The Court has further directed Chief Secretaries of all State Governments/UTs to indicate a time-frame within which the decentralisation of the supply of SNP through local community shall be done (13th December 2006) .

**Targeted Public Distribution System**

1. A recent study of Planning Commission<sup>1</sup> shows there is widespread misidentification in the state with 10.8 Lakh cards excess (bogus) cards having been issued. What are steps being taken to rectify this?
2. It seems that the State government has reduced the entitlements to 27.74 kg per month per household instead of 35 kg as allocated by GOI<sup>2</sup>. Further the entitlement of the poor is eroded by increase in Fair price level issue price by 35 paise per kg, more than the permitted cost for wheat and rice.
3. To check the level of leakages and corruption the State has not yet constituted vigilance committees. Vigilance committees must be set up immediately.
4. There is a need to strengthen the grievance redressal system. Any appeal by the BPL/AAY cardholder or person claiming to be eligible for BPL/AAY card should be dealt within a period of 60 days.

**Madhya Pradesh Rural Employment Guarantee Scheme**

1. Recent data on the implementation of the Madhya Pradesh Rural Employment Guarantee Scheme shows that only 14% SC households and 40% ST households to total households have been issued job cards in the state.
2. Further, while employment has been provided to 96 per cent households who demanded work the number of days of employment provided to each household needs to be looked into.
3. Statistics also show that the government of Madhya Pradesh has utilized only about 66 per cent of the total funds available to the state under NREGA. Why was such a large amount allocated to the State left unspent?

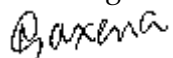
**National Maternity Benefit Scheme (Janani Suraksha Yojana):**

1. The Supreme Court has recently noted (01 February 2007) the poor implementation of the NMBS/JSY schemes. The Hon'ble Court has also directed the State of Madhya Pradesh, among other states, to file their response as to why there has been such dismal inaction in implementation of the schemes. What has been the action taken in this regard?
2. Further, the State Government must also take steps to make the beneficiaries aware of the benefits of the schemes and the entitlements flowing there from.

The Government of Madhya Pradesh is requested to look into the above listed matters on a priority basis.

We would request you to send us an action taken report on the same at the earliest.

With regards



Dr. N.C. Saxena



Harsh Mander

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<sup>1</sup> 'Performance Evaluation of Targeted Public Distribution System (TPDS)': March 2005, Programme Evaluation Organisation, Planning Commission, Government of India. The study covered 60 districts, 88 blocks, 16 towns, 176 village panchayats, 240 fair price shops and 3600 households spread over 18 States

<sup>2</sup> Total per month food grain allocation by GoI divided by total number of BPL/AAY cards

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