

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

June 29th, 2007
allschemes/ 496/orissa

Shri. Ajit Tripathy,
Chief Secretary
Government of Orissa
Secretariat
Bhubaneshwar
Orissa.

Dear Shri. Ajit Tripathy ,

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 employment related schemes in the country and regularly submit reports to the Supreme Court.

Based on the data available with us, the following issues have emerged with regard to the state of Orissa, which demand immediate intervention by the State Government. Many of the Supreme Court orders are not complied within the State.

Integrated Child Development Services

1. The Supreme Court has directed that all hamlets must be provided with an anganwadi centre by December 2008. Towards this, the Government of India has sanctioned new anganwadi centres in two phases in 2005-06 and 2006-07. Of the 3279 newly sanctioned anganwadi centres in 2005-06, the Government of Orissa has managed to operationalise only 796 anganwadi centres as on September 2006. Here it must be mentioned that on 20 March 2007 the Supreme Court directed that all these anganwadi centres be operationalised by June 30 2007. Please let us know the progress made in Orissa regarding operationalisation of anganwadi centres and the plans of the Government of Orissa to ensure compliance with the above order.
2. The average number of SNP beneficiaries (children) per anganwadi centres in Orissa is around 145. This figure is too high to be handled by the resources available at one anganwadi centre. We are concerned that either the coverage figures are inflated or the quality of services being provided very poor because of overburdened centres. We request you to kindly enquire into this.
3. According to Census 2001, there are about 53.5 lakh children under-6 years of age in Orissa. The total population of 0-6 year children according to anganwadi survey register in 2006 is about 44.2 lakh. However the number of children covered under the supplementary nutrition programme was about 36.6 lakh children. 68.35% children in the state are being covered under ICDS and this above the national average. The Supreme Court order states

that every child under 6 must be provided services by the ICDS. The GoOrissa must work towards further increasing the coverage.

4. An analysis based on the expenditure on SNP by GoOrissa in 2005-06 and the number of beneficiaries of SNP, it is seen that GoOrissa has spent only Rs.0.58 per beneficiary per day under SNP. This amount is just about a quarter of the Rs. 2 per beneficiary per day amount set by MoWCD and also insufficient to meet the need of the malnourished child. Please increase the expenditure as per the norms.
5. About 62.5% of the funds allocated for SNP were utilized in Orissa in the year 2005-06. Efforts must be made to utilize 100% of funds allocated.
6. The funds allocated by Government of Orissa for supplementary nutrition are hugely inadequate, as the total amount allocated by the State in the 2005-06 financial year for supplementary nutrition is only Rs. 122 crores. This allocated amount is nowhere near the Rs. 320 crores required to cover the entire 0-6 year old population of the State. If the allowance for rightful beneficiaries of the other three categories, namely pregnant women, nursing mothers and adolescent girls is considered, the magnitude of the shortfall will shoot up further by several counts. We request you to ensure the resource allocation as per the requirements of the state.
7. We request you to provide us status report on coverage of SC/ST settlements under ICDS projects in Orissa. Please also give us details regarding the numbers of ST/SC children and women out of the total population covered under the scheme.

National Rural Employment Guarantee Scheme

1. It is appreciated that almost all those who applied for work under the NREGS were provided with work. However it is seen that barely 48% of those provided with job cards made a demand for work. The provisions under this scheme must be more widely publicized and people must be made aware that under this scheme they are given work when they demand for it.
2. On an average each household was provided with only 37.6 days of work. Efforts should be made to ensure that the households are given 100 days of work as provided under the act.
3. Of the total person days work generated under NREGS in Orissa, 34.3% work days were given to women. The share of STs at 46.5% and SCs at 23.1% show that the scheme is reaching the vulnerable sections of the population
4. The Government of Orissa has however performed poorly when we look at the utilization of the allocated amount under the scheme. Only 35.8% of total available funds has been spent.
5. We request you to provide us details of availability of crèches at worksites, wages being paid to workers, status of State Employment Guarantee Council and steps being taken to ensure that people with disabilities are also provided work under the NREGS in Orissa.

Midday Meal Scheme (MDMS)

1. As reported by the State Government to the Government of India, all the eligible primary school enrolled students are covered by the scheme in Orissa. This is appreciated.
2. However in spite of 100% coverage, only 82.2% of the foodgrain allocated has been utilized. The reason for this under-utilisation must be explained.

3. The per child per day offtake of foodgrain is only 75.4 grams. This means that either fewer number of children than reported are being provided with mid-day meal or that each child is being given less than the entitled amount of 100gms per child per day.
4. We request to data on provision of mid-day meal in summer vacations in drought districts and the provision of varied menus, appointment of SC/ST cooks under the mid-day meal programme and the infrastructure available at schools for provision of mid-day meals..

National Maternity Benefit Scheme

1. While about 2.6 lakh women would be eligible for NMBS in Orissa, about 2.2 women were provided benefit under the JSY (this would include all NMBS beneficiaries), i.e the coverage is about 86%. Efforts must be made to reach out to all women in compliance with the Supreme Court order of 2001, directing governments to provide benefit under the NMBS to all BPL pregnant women.
2. Even in terms of utilisation of allocated funds for JSY, Orissa seems to be performing well with 98% utilisation of funds allocated for JSY in 2006-07.
3. An analysis of the details of the beneficiaries of the scheme shows that of all the women who were given cash assistance under JSY only 33.3% women had home deliveries while the % of home deliveries in the state (according to NFHS 3) is 61%. This shows that in spite of revised guidelines the focus of the scheme continues to be only on those women having institutional deliveries. This needs to be corrected and the NMBS component of the benefit must be made available to all BPL pregnant women irrespective of place of delivery.
4. We request you to look into this urgently and ensure that the NMBS scheme is implemented with all seriousness.

National Social Assistance Programme

1. The coverage of old people under the National Old Age Pension Scheme in relation to the number of eligible people based on the current norms of Government of India is 100%. This is greatly appreciated.
2. The offtake of foodgrain under Annapurna is also high, at 94%.
3. However, under the National Family Benefit Scheme, while the number of eligible beneficiaries would be around 35000, only about 8000 families have received benefit under this scheme, i.e. the coverage is as low as about 22%. This must be corrected immediately and it must be ensured that all poor families who lose a working member must be provided with the cash assistance.
4. The combined allocation for the three schemes under NSAP for Orissa was about Rs. 170 crores for the year 2006-07, of which about Rs.141 crores has been spent i.e. about 82% of allocated amount has been utilised.
5. We would request you to look into any shortfalls in the implementation of the National Social Assistance Programmes.
6. There is a need to further decentralise the distribution of the pensions, either through the means of postal orders or through bank accounts, as may be deemed appropriate by the Government of Orissa.

Public Distribution System

1. The offtake of foodgrains under the BPL category is as low as 58% and under AAY is 81.6%. Efforts must be made to ensure that the entire allocated amount is utilised so that the poor are provided with adequate foodgrains at affordable prices in the state.
2. We are also concerned that the APL Off take in the State is much lower than the allocation at only 16.4%.

Joint Commission of Enquiry – Simplipal

We would request you to look into these issues and send us an action taken report at the earliest. We are hoping that you will do the needful to ensure that the full potential of these schemes is realised in the State of Orissa.

With Regards,

Harsh Mander