

**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**

January 2nd, 2008.

ICDS/525/Maharashtra.

Shri. Johnny Joseph
Chief Secretary
Government of Maharashtra
Mantralaya Annex
Mumbai

Sub: Status of Implementation of ICDS in Maharashtra.

Dear Shri. Johnny Joseph,

As you know we have been appointed by the Supreme Court to monitor food and employment schemes under PUCL vs. Union of India, CWP 196/2001. We have recently submitted the seventh report on the implementation of these schemes all across the country to the Supreme Court. We would like to bring to your notice some issues of concern in relation to the ICDS in Maharashtra.

1. Firstly, we appreciate the efforts of the Government of Maharashtra towards ensuring transparency in making available all the information related to the ICDS on its website.
2. Based on the Monthly Progress Report, October 2007 it is seen that the number of pregnant and lactating women according to the anganwadi survey register is 1274979. Of this, 918785 are recipients of SNP. Therefore, 72% of women identified are being covered under the SNP. The number of children in the 0-6 age group according to the anganwadi survey register is 78,32,872 and of this 55,06,091 children (about 70%) are beneficiaries of the SNP programme. Efforts must be made to improve the coverage so that all children receive the benefits of the SNP which is a critical part of the ICDS programme. We would be grateful if you could please also examine and let us know the reasons why such a gap still persists in this basic element of ICDS operationalisation.
3. Moreover, the number of 0-6 children in the state are 1,31,87,087. Therefore only about 42% (~ 78 lakh) of the eligible children have been identified by the anganwadi survey. A mapping must please be done to ensure that every habitation and slum has been covered by an anganwadi centre and within each area every child has been reached out to (as per Supreme Court orders).
4. It is a matter of concern that while 78% of children were completely immunised in Maharashtra as per NFHS-2, this figure decreased to 59% during NFHS-3. Kindly examine the reasons for this, and let us know the assessment of the state government for this very worrying decrease.
5. The information on expenditure of funds for SNP available with us is reported only up to December 2006. Please send us detailed information on allocations (State and Central) and expenditure for the entire year 2006-07 and also the current year 2007-08.
6. We acknowledge that Maharashtra is one of the states in the country that is making concerted efforts to comply with the Supreme Court order of October 2004 banning contractors in supply of SNP. About 85% of the supply under the ICDS is now being

done through SNPs/Mahila Mandals. We hope that the rest of the supply is also soon handed over to local groups.

7. The Office of Commissioners along with the Poorest Areas Civil Society (PACS) programme conducted a survey in six states on the status of food and employment schemes. This survey covered Yavatmal and Nanded districts in Maharashtra. The following are some of the findings:
 - About 95% of the respondents reported that the anganwadi centres are open everyday and about 89% that SNP is provided everyday.
 - A high percent (71.7%) of the respondents also reported that the anganwadi worker makes home visits.
 - It is a matter of concern that a high percent (42%) reported that BPL is still used as a criterion for getting benefit under ICDS. The Supreme Court has clearly stated that no such conditions should be applied restricting access to ICDS services. Every child under six, every pregnant and lactating mother and every adolescent girl should be eligible for ICDS.
8. Our advisor in the state of Maharashtra also conducted a study on the performance of all the food schemes in the state. The survey on ICDS covered seven districts. While this study too showed that ICDS is a functioning scheme in the state, the following issues related to the quality of the programme were identified:
 - Only 27% had their own or separate structure. Infrastructure for the anganwadi centres needs to be improved.
 - Only 26.8 percent of the beneficiaries said that adolescent girls (11 to 18 years) are also beneficiaries of ICDS. The orders of the Supreme Court clearly state that every adolescent girl must be provided SNP at the anganwadi.
 - Almost 50 percent of the centers visited did not have one or more of the stipulated registers.
 - Only 79.3 percent of the centers gave food to all the beneficiaries present on the day of the visit. Thus over one in five of those present did not receive food.
 - Poor quality of food in terms of it being not eatable, not tasty, not fresh and not properly cooked was found in 20 percent to the centers visited.
 - During the study 38.8 percent of the Anganwadi workers said that they did not receive the funds for ICDS from the CDPO/BDO's office with any regularity. When asked about the extent of delay in getting payments nearly 89 percent said that the delay was between two to five months
 - In 55.3 percent of cases the Anganwadi workers were not paid salaries regularly.
 - In 27.6 percent of cases it was the contractor who supplied the food materials.

The above concerns need to be addressed for the programme to make any qualitative impact.

9. We recently sent you a letter requesting for information on coverage of SC/ST habitations and urban slums under ICDS (icds.coverage/518/allstates dated 30.11.2007). Kindly respond to this letter at the earliest.
10. Further, we urge you to conduct a campaign to include disabled children under ICDS. For this Anganwadi level survey of disabled children should be undertaken in a time bound manner, and in future data at ICDS centre upwards to project, district and state levels disaggregated for coverage of disabled children.

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11. We would be grateful if the State Government ensures that necessary steps are taken to ensure that children of all migrant workers have access to all the six services of the ICDS. Please send us a copy of the state government's instructions in this regard.

We request the Government of Maharashtra to look into the above listed matters and send us an action taken report on the same at the earliest.

With regards

Dr. N.C. Saxena

Harsh Mander

CC: Mr. Josantony Joseph, Advisor to the Commissioners to the Supreme Court, Maharashtra.