

**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/526/Bihar.

Shri. R J Mohan Pillai
Chief Secretary
Government of Bihar
Main Secretariat
Patna
Bihar.

Sub: Status of Implementation of ICDS in Bihar.

Dear Shri. R J Mohan Pillai,

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 Bihar.

1. Despite data being collected, compiled and Monthly Progress Reports being prepared on ICDS, it is noted that this is not made available on the state ICDS website. Even the data related to funds is only available upto the year 2004-05. We request you to please take necessary steps to make these reports and all the information related to the ICDS available on the website. The ICDS website of the Maharashtra Government (www.icds.gov.in), for instance, is not only very informative but is also a very good example of proactive disclosure of information about the programme. You may consider re-modelling your ICDS website along the lines that Maharashtra has done.
2. The number of children in the 0-6 age group according to the anganwadi survey register is 1,05,45,140 and of this 34,63,564 children (about 33%) are beneficiaries of the SNP programme. Efforts must be made to improve the coverage as more than 60% of identified children do not 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 large gap still persists in this basic element of ICDS operationalisation.
3. Moreover, the number of 0-6 children in the state as per Census 2001 is 1,68,06,063. Therefore only about 21% of all children in the state are being covered under ICDS and only 63% 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 great concern that the percentage of children who are underweight actually *increased* from 54 to 58 between NFHS-2 and NFHS-3. Kindly examine the reasons for this, and let us know the assessment of the state government for this very worrying increase.

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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 Bihar is making concerted efforts to comply with the Supreme Court order of October 2004 banning contractors in supply of SNP. This must happen both for the 0-3 age group, lactating and pregnant women and adolescent girls where THR is being provided as well as the 3-6 age group where hot, cooked meals are being provided at the centre.
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 Saharsa and Nawada in Bihar. The following are some of the findings:
 - Only about 60% of the respondents reported that the anganwadi centres are open everyday and less than half reported (48.2%) that SNP is provided everyday.
 - Only 27.7 per cent of the respondents reported that the anganwadi worker makes home visits.
 - It is appreciated that almost 90% of the respondents said that hot-cooked meals are being provided in the anganwadi centre (for 3-6 year olds)
 - As few as about 12.2% of the respondents found the quality of SNP provided to be "good".
 - Almost 43% of all the respondents from the state reported that BPL is being used as eligibility criteria for admission to anganwadis. This is despite there being a clear Supreme Court order stating that BPL must not be used as a criterion for enrolment into the anganwadi centre.

The results show that Bihar is one of the worst performing states in relation to the ICDS programme. The ICDS programme is not functioning at an optimal level in the state and a lot could be improved.

8. Of the 25,522 SC/ST habitations of the states, 3233 are yet to have an Anganwadi Centre. We would therefore request you to accord this the highest priority in the ICDS expansion since the Supreme Court order specifically directs State Governments/UTs to ensure universal coverage of SC/ST habitations as a priority.
9. Similarly, in line with the Supreme Court orders, we would also request a detailed survey of all urban slums and universal coverage of children living in all urban slums, across the State on a priority basis. Please separately list the numbers of SC ST dominated hamlets and the population in each urban area under slums (both authorised and unauthorised) in the state, what is the current coverage of ICDS centres in these hamlets and slums, and the plans for filling the gap. 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.
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.

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We request the Government of Bihar 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: Shri. Rupesh, Advisor to the Commissioners to the Supreme Court, Bihar.