

**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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January 24<sup>th</sup>,2008.  
Starvation/534/U.P.

Shri. P K Mishra  
Chief Secretary  
Mantralaya  
Lucknow  
Uttar Pradesh.

**Sub: Hunger and Starvation reports from Uttar Pradesh.**

Dear Shri. Mishra,

As you are aware we have been appointed by the Supreme Court in the case CWP 196/2001 to monitor the food schemes in the country. We are alarmed by the reports of hunger, starvation and unemployment from the Bundelkhand region in the state of Uttar Pradesh. We would like to bring to your notice a report by our advisors for Uttar Pradesh, Ms. Arundhati Dhuru and Shri. Pradip Bhargava, and her team on the situation of Sahariya tribes, agrarian distress and indebtedness and the functioning of the national rural employment guarantee scheme in the area. The report is based on the visit of the team to villages in Lalitpur, Mahoba and Banda districts.

We are enclosing a copy of their report with this letter. Some of the observations of the team were as follows:

1. There is widespread hunger and malnutrition among the Sahariyas in the region. While this has been documented in the past, there seems to be no improvement in their socio-economic context nor in their nutritional indices. They do not have access to the food schemes of the government. The team has documented instances of beneficiaries being overcharged for foodgrains under the PDS and further that half of the population do not even have BPL or Antodaya cards. The team could not find a single family that has been given more than eight days of work under the NREGS in this year.
2. The team has also highlighted the plight of single women who have not even been given job cards on the ground that they will not be able to deliver the required output.
3. The team recorded six cases of untimely deaths where the cause of death was linked to indebtedness.
4. Distress migration was reported from almost all villages that the Team visited in Lalitpur, Banda and Mahoba districts.
5. While drought is a contributing factor, the loan market and the lending process in the area is also leading to distress in the area. The team has recoded 11 cases where the debtors had to pay a bribe to get the loan amount.

In this context, we would like to make the following recommendations:

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1. Identify all cases of starvation or hunger-related deaths and families that are living in near-starvation conditions. For all such cases we would request you to kindly ensure that:
  - a. Immediate relief to the survivors in the affected family is provided by the State Government. You may consider providing gratuitous relief in the form of food grains, corresponding to at least two months quota (70 kgs) to the survivors in the affected family.
  - b. longer term rehabilitation of the survivors in the affected families, including livelihood assurance and education of children in case the deceased is a bread winner.
  - c. identify which are the communities that are living with starvation, what are the causes, and initiate longer term responses to address these problems
  - d. set up possibly with the leadership of the advisor a citizens group, that will closely monitor all of the above.
2. The State Government should recommend the recognition of the Sahariyas as a Primitive Tribal Group (PTG) just as they are in the states of Madhya Pradesh, Chhattisgarh and Rajasthan. In line with Supreme Court orders, this would entitle them to Antodaya cards enabling them to purchase rice at Rs. 2/- per kg. and wheat at Rs. 3/- per kg.
3. Since this is likely to take time, we would be grateful if all Sahariyas are covered under the Antodaya Anna Yojana with immediate effect.
4. We would request you to conduct a detailed review of the performance of all the food and employment schemes in the Bundelkhand region and identify the gaps in implementation.
5. We request you to take immediate steps to ensure coverage of all eligible persons under all food and livelihood schemes for such as ICDS, MDM, NREGA and pensions; and effective functioning of the institutions implementing these food and livelihood schemes
6. We request you to send us the following information related to food schemes in the districts of Lalitpur, Mahoba and Banda:
  - a. Coverage of habitations of anganwadi centres, coverage of children under six, pregnant and lactating mothers and adolescent girls under ICDS and the regularity in supply of SNP.
  - b. Coverage of primary schools under the mid day meal scheme and regularity of the same.
  - c. Number of pregnant women eligible and given benefit under the National Maternity Benefit Scheme in the last one year.
  - d. Number of eligible old people and number of old people being given old age pensions, the regularity with which old age pensions are paid and the amount paid in the last one year.
  - e. Number of eligible families for benefit under NFBS and number of families that received benefit in the last one year.
  - f. Number of APL, BPL and Antodaya card holders and allocation and offtake of foodgrains under PDS in these districts.

We do hope that you treat this matter with utmost urgency and take steps so that the people in Bundelkhand region are provided with all the support to ensure their food security.

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We understand that the Government of Uttar Pradesh has taken cognizance of the high levels of agrarian distress in the Bundelkhand region and announced a special package. We would be grateful if you could also send us the details of this package.

Kindly send us an action taken report within two weeks of receipt of this letter.

Thanking You.

With Regards,

Dr. N.C.Saxena

Harsh Mander

CC: Ms. Arundhati Dhuru, Advisor to the Commissioners to the Supreme Court,  
Uttar Pradesh.