

**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

February 8th, 2008
NMBS/538/Andhra Pradesh

Shri. J. Harinarayan
Chief Secretary
Government of Andhra Pradesh
C-Block, IIIrd floor, AP Secretariat
Hyderabad
Andhra Pradesh.

Sub: Status of Implementation of NMBS/JSY in Andhra Pradesh.

Dear Shri. J. Harinarayan,

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 National Maternity Benefit Scheme (NMBS) in Andhra Pradesh.

We would also like to bring to your notice the latest order of the Supreme Court (dated 20.11.2007) which states that, "The Union of India and all the State Governments and the Union Territories shall (i) continue with the NMBS and (ii) ensure that all BPL pregnant women get cash assistance 8-12 weeks prior to the delivery." The above order also states that, "The amount shall be Rs.500/- per birth irrespective of number of children and the age of the women".

1. The number of beneficiaries of NMBS/JSY in the state in 2006-07 show acceptable coverage and also the State has been able to spent appreciable amount of funds allocated under JSY, however, there have been reports of undercoverage of beneficiaries under NMBS who had home deliveries. Even though the scheme was modified in consonance with the Supreme Court's mandate that no existing eligibilities for food rights can be abridged without the consent of the court (court order dated 27th April 2004), it appears that this revised guideline has not been communicated adequately to or been sufficiently internalized by the state

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government. We request that steps must be made to increase the reach of the scheme to all those who deserve.

2. Since no data have been made available by the State, we don't have figures as to the percentage of JSY beneficiaries, who had home deliveries. We hope that there is no confusion regarding the scheme and that all BPL women are being given Rs. 500 during pregnancy, *irrespective* of place of delivery. The state needs to take care that all the pregnant women from BPL households receives RS. 500 six to eight weeks before their delivery. We would be very grateful if you can please send figures on home deliveries to the central government as well as to us.

We request the Government of Andhra Pradesh 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

CC: Shri. M Kodandaram, Advisor to the Commissioners to the Supreme Court,
Andhra Pradesh.

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