

**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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February 14th,2008.  
NMBS/547/ Orissa.

Shri. Ajit Kumar Tripathy  
Chief Secretary  
Government of Orissa  
Orissa Secretariat  
Bhuvaneshwar  
Orissa.

**Sub: Status of Implementation of NMBS/JSY in Orissa.**

Dear Shri. A K Tripathy,

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 Orissa.

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. Based on projected population, birth rates and poverty rates, we estimate that around 2.6 lakh women in Orissa would be eligible for benefit under the NMBS each year. The number of beneficiaries of NMBS/JSY in the state in 2006-07 was 2.3 lakhs which is 86% of eligible beneficiaries.
2. With regard to utilisation of funds, it is seen that the state spent 98% of the funds allocated under JSY by the Government of India. We appreciate the efforts by the state government regarding coverage and utilisation. Although the statistics are better than most of the other states, we are sure you would agree with us that there is certainly room for further improvement.
3. Of the JSY beneficiaries, it has been reported that only 33.3% were those who had home deliveries. NFHS shows that in Orissa, 61% of all women have home deliveries. We hope that there is no confusion regarding the scheme and urge the government to ensure that all BPL women are being given Rs. 500 during pregnancy, *irrespective of place of delivery*.

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We request the Government of Orissa to look into the above listed matters on a priority basis and send us an action taken report at the earliest.

With regards,

Dr. N.C. Saxena

Harsh Mander

CC: Smt. Vidya Das, Advisor to the Commissioners to the Supreme Court, Orissa.