

**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**

September 11th, 2008.
Allschemes/590/Bihar.

To
Shri. Nitish Kumar,
Chief Minister
Government of Bihar,
Patna.

Subject: Urgent Letter for preventing hunger in Bihar at flood affected area.

Dear Shri. Nitish Kumar ji,

We recognise that the Bihar is witnessing enormous challenges, in facing its worst flood in living memory. According to our reports, in the districts most affected are Supaul, Madhepura, Purina, Khagaria, Araria, Saharsa, Bhagalpur, Katihar, etc. Many areas are still under water, rendering 28 lakh people homeless. People died on a large scale, and this is not fully tabulated officially. The survivors have lost not just their homes, but also virtually everything including their income. Hunger stalks vast tracts of the State. Helping the flood-hit, pick up the shattered life of flood victims requires enormous relief work.

In the case PUCL v. UOI & Ors. (CWP 196 of 2001), The Supreme Court of India has authorised us to ensure that all people achieve their right to food. In this capacity, we are trying our best to make an assessment but right now it is very hard to do so. Still we are trying our level best to make a realistic picture of the devastation. We rely here on reports from our Advisor Mr. Roopesh Kumar, and eminent observers and activists Medha Patkar, Prof. Mahendra Narayan Karna, Vijay Kumar, Satyanarayan

Madan, Arshad Ajmal, Prakash Louis, Prof.Santosh Kumar, Vinay Kantha, Ramesh Pankaj, K K Purushotam, Dr. Razi Ahmed, Vinod Raina and other prominent persons who visited the affected districts.

You would be aware that people are evacuated from the affected area, but still many more are living surrounded by flood waters. The rescue and relief crews are either not able to reach the people in far remote village or are reluctant to move out leaving their home and health unprotected. People who are living in relief camps are not getting proper food clothes and medicine. Women and small children are affected on a large scale. Scarcity of drinking water is reported everywhere. Sanitation facilities are not properly provided. Conditions of health and hygiene are abysmal.

The survivors need immediate help in terms of food, temporary shelter, clothes, medicines, etc. The present situation of the districts appears to be such that may call for continuation of relief camps least for six months.

Urgent requirements for relief:

1. Relief work is required to commence immediately and continue for at least for six months in all affected villages.
2. For relief there should no discrimination in the affected area. People who are not living in relief camps, as they had chosen the place of habitat near embankment, highway and railways coaches etc. should get the facility of relief in the same way as those in relief camps.
3. Relief Camps should be established for each hamlet.
4. Near every relief camp, arrangements should be made of one Angan Bari Kendra (ICDS centre) having proper medicines, vaccination, education, food for pre school children and women.
5. Mid-day meal scheme (MDMS) should be converted into three times meal in affected districts. Dry food packets containing nutritious items for children, which

- don't get contaminated, should be arranged and properly distributed among children. Small children are getting *Khichadi* which is not a proper solution as it leads to infection. Children who belong to (0-6) age should get proper attention regarding food and medicine.
6. Large numbers of affected people are unable to make contact with government and NGOs. NGOs and civil society should be encouraged to run food and relief camps, and supported with funds and food allocations, including cereals, spices, pulses, firewood and utensils.
 7. Arrangements of bucket, mug, soap towel, bed sheets utensils should be made for all the affected people.
 8. There is scarcity of proper drinking water in affected areas. People are compelled to drink contaminated water. So, there should be arrangement for at least five-hand pump for every hundred persons near relief camp.
 9. Dead bodies are scattered in some pockets, which are decomposing day by day and making atmosphere unbreathable and unhygienic. Arrangement of bleaching powder and other reagent should be done.
 10. In flood affected areas large number of people are dying of hunger, Raghunandan Pasvan died due to hunger who is from village Lakshmania of Raghapur. One person died in the premises of Saharsa Hospital. Death due to hunger is not being registered anywhere. Officials should be instructed to prevent but not deny starvation deaths.

Other Important Initiatives

1. Affected people who are doing work in relief camps, or after facing the floods are making arrangement for their own home and shelter should be counted as employment and all these persons should get benefit under National Rural Employment Guarantee Scheme.
2. Benefits of National Maternity Benefit Scheme (NMBS) should be given to women. For pregnant women facility of medicine, nutritious food, requirement of delivery

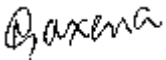
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should be made. Arrangement of ambulance is necessary near camps so that patient can be treated immediately. Best option is mobile medical van along with attendant provided.

3. Duration of relief camps are likely to be long, so facility of education should be provided to the children.

We appreciate the enormity of the challenges that your government faces, and wish you the best in these efforts.

With regards,



Dr. N.C. Saxena



Harsh Mander

CC: Shri. R J Mohan Pillai , Chief Secretary, Government of Bihar.
Mr. Rupesh, Adviser to Commissioners, Bihar.