

**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 14th, 2009.
Colonies/689/Gujarat.

Shri. D. Rajgopalan,
Chief Secretary
Government of Gujarat
Gandhi Nagar.

Sub: Implementation of Food and Employment Schemes in Relief Colonies

Dear Shri. Rajgopalan,

As you are aware, in our capacity as Commissioners of the Supreme Court in CWP 196/2001, PUCL v. UOI and others, we monitor the implementation of the food and employment related schemes in the country which fall under the purview of the case including the ICDS, MDMS, NREGA, NOAPS, TPDS, NMBS/JSY and NFBS. We have been corresponding with the Government of Gujarat regarding the provision of food and employment schemes in the relief colonies of people internally displaced by the 2002 riots in the state.

The Government of Gujarat in its affidavit to the Supreme Court in August 2007 reported compliance with most of our recommendations for the provision of benefits of food and employment schemes in the colonies. Our office, along with civil society groups from the state, conducted a re-survey in the colonies to verify the status of implementation of the food and employment schemes, as reported in the affidavit of the state government. Based on our survey results, we are happy to note that much progress has been made in making available the benefits of the various schemes to the residents of the colonies compared to the findings of the previous survey conducted by the Special Commissioner and others in 2006. (A copy of the report of the re-survey is enclosed.)

However, a few gaps still remain in ensuring that all the interim orders of the Supreme Court and our recommendations in relation to the food and employment schemes are met with. We would like to bring these to your notice and request you to take necessary steps to ensure that these gaps are filled:

1. In the present re-survey 85 of the government's list of colonies could be traced and a further 18 colonies that were not included in the Government's list were also found. So a total of 103 colonies were visited (See Annexure 1 of the report).
2. Only 57 out of the 103 colonies had a NA certificate. Out of the government recognized colonies about 4 colonies have yet to receive NA certificates.
3. In 17 colonies the nearest anganwadi was more than 1 km away. Kindly make arrangements for anganwadi centres to be set up in these colonies.
4. The Commissioners directed that all families who continue to live in relief colonies must be given Antyodaya cards and PDS shops should be opened in all colonies where these are not available within a distance of 3 kilometres. 3 colonies do not have access

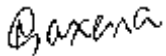
**DR. N. C. SAXENA, COMMISSIONER AND
HARSH MANDER, SPECIAL COMMISSIONER OF THE SUPREME COURT
IN THE CASE: PUCL v. UOI & Ors. WRIT PETITION (Civil) No. 196 of 2001**

to PDS shops within 3 kms and there are 721 families that have not yet received the Antyodaya cards (See Annexure 2 of report for list of families without AAY cards). We request to please issue AAY cards to all these families at the earliest.

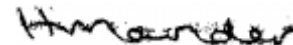
5. The Government of Gujarat's affidavit does not mention any details of whether the cash benefit for pregnant mothers is being given in the relief colonies. The survey team found that the awareness and coverage of this scheme is very low with people in only about 24 colonies knowing about it and saying that pregnant women in the colony have received any benefit from it. We identified 139 women who are eligible for this scheme, but have not been benefited from it (See Annexure 3 of report for list women). We request you to ensure that all these women are given benefit under the National Maternity Benefit Schemes and to set up a system to ensure that from now on, all pregnant women are paid their benefits in time.
6. The Commissioners directed that there should be a drive within 3 months to ensure that all eligible persons for NOAPS and widows pensions receive these. The survey identified a total of 113 eligible persons are yet to receive the old age pension from all the colonies and about 104 widows who are eligible but yet to receive the widow pension. (The names of the people eligible have been attached in Annexure 4 of the report). We request you to ensure that all eligible old persons and widows receive their pensions regularly.
7. In 14 colonies the residents reported that their children did not get mid day meals in the school. Please enquire into this and ensure that all government school-going children are served a hot cooked meal on every working day.

We request you to kindly take steps on the above and send us an action taken report within one month.

With Regards,



Dr. N.C. Saxena



Harsh Mander