

**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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December 16<sup>th</sup>, 2009.

All schemes/777/Orissa.

Ms. Devyani Chakrabarty  
District Collector,  
Keonjhar.

**Sub: Implementation of food and livelihood schemes in Keonjhar district of Orissa.**

Dear Devyani,

Thank you for all the support to the study undertaken by the Commissioners of Supreme Court of India for the Right to Food, of food security conditions of PTG communities in 3 states. As part of this tribal hunger study, intensive field research was undertaken in 5 Juanga villages / hamlets in your district (Tangarpada village of Kudipasa GP, Saria village of Barhagad GP, Talapansanasa village of Kuanra GP, Uppar Champei village of Tala Champei GP and Baitarini village of Gonasika GP) of Banspal block).

As part of the study process, I too visited Tangarpada, Kuladera and Guptaganga villages. I am grateful for the support given by your district and block officials during my field visits.

We will forward the detailed report of the study after it is completed. But there are some issues meanwhile which I request receive your urgent attention. I summarise these below.

**Public Distribution System / Antyodaya Anna Yojana:**

PTG families reported that they regularly receive their quotas of monthly rice at 2 rupees from the panchayat-run shop, and that they regard this to be their life-line.

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This is appreciable. However, our surveys reveal that the Supreme Court order dated 2<sup>nd</sup> May 2003, by which all families belonging to the Primitive Tribal Groups are entitled to Antodaya cards has not been fully complied with. In the surveyed villages, we found that many Juang households have not been covered under Antodaya ration cards. We request you to kindly undertake a campaign to ensure that all PTG families must be issued Antodaya cards in a maximum of 2 months.

**Mid Day Meals Scheme:**

In Saria and Talapanasnasa village the school was found to be opened during our visit and MDM was found to be provided to the children on a regular basis. However, the cook is getting low and irregular salary, and therefore she is irregular leading to disruptions on cooking. Egg supply is quite irregular also broken supplied eggs force the school management to provide eggs four to five days continuously after it is delivered to the schools.

During our visit to Tangarpada (four consecutive days) the school was found to be closed. Finally the VEC Chairman informed us that as because the paddy harvesting is going on, the teacher has declared the school closed. Villagers were of the opinion that whenever the school remain opens they get MDM but not sure when it opens. The teacher now is staying in Keonjhar for her children studies. When I visited, the school was open, but the headmaster was absent and the cook had not been paid wages for many months.

Baitarani and Uppar Champei village does not have any primary school, so most of the children are not attending school from these villages. But it was found to be encouraging that around 14 children (including girls) from Baitarini and around same number of students from Uppar Champei have been enrolled in Gonasika residential girls and boys school. The rest of the boys are left out in the villages without any

education and school. I request that we take early steps for residential ashram schools especially to cover all Juang boys and girls of school going age.

**Integrated Child Development Services:**

The survey found very high levels of malnutrition both among children and women. But among many of the PTG communities' hamlets, we found ICDS to be virtually non-functional. PTG hamlets should have separate AWCs, with staff from the Juang community, but this was not found by us. Only Saria and Talapanasnasa villages have AWC buildings. In the other villages, the AWC are functioning either from AWW or AWH houses.

In Talapanasnasa and Baitarini AWC are found to be functional where all the services are provided to the beneficiaries including pre-school activities. But the main stress even here is on THRs. In Talapanasnasa it was found that the children are provided only with morning snacks. In the remaining three villages Anganwadis are not functional. There is no AWW, registers are not maintained and people seldom get SNP. The level of awareness among the beneficiaries are found to be low in all the places and the quantity of SNP (both dry ration and spot feeding) provided to the beneficiaries are less than the prescribed norms and found to be irregular.

ICDS in the surveyed areas seems to rely primarily on take home rations, both for children and mothers. But this is the least preferred option, as it is likely to simply add to the family pot, but not ensure nutrition of small children or mothers. The survey also found that the SNP (THR) is provided to the beneficiaries in less quantity than the prescribed norms. Record keeping at the AWC level is found to be poor, suggesting further leakages. Out of five surveyed villages, three village AWCs have no AWC buildings. The activities, mainly monthly THR distribution, are under the open sky.

The pre-school and health activities are either irregular or non-functioning. We found no weight monitoring.

**National Rural Employment Guarantee Scheme:**

The performance of NREGA among the PTGs was most disappointing. Most officials claim that Juangs are not interested in manual work, but that was not our finding. In fact, through the intervention of our researcher, the Collector ordered commencement of NREGA works very recently in Tangarpada, and Kuladera villages, and the response from the villagers was substantial with both men and women from virtually every household turning up for work.

The awareness level among the beneficiaries and potential beneficiaries are quite low. The villagers still think it as a supply driven programme and are not provided with job cards, or even if they have these cards, these do not guarantee them work. In the few works that were undertaken, there is delayed wage payment. The villagers of Uppar Champei said that they were paid the wages in kind, that is inferior quality rice. The villagers in Tangarpada are keen to work under NREGS but they do not know how to get it. During our survey the team helped the villagers (39) to apply for work in the GP office.

I suggest that plans are made including for land development and micro-minor irrigation to cover all Juang households who are given pattas under the FRA, or government land allocations. There can also be major afforestation plans for the area. It would be easily possible to provide all Juang families 100 days of work annually, which would go a long way in alleviating their destitution.

**Indira Gandhi National Old Age Pension Scheme:**

Under the revised norms of the central government, all BPL men and women who have crossed 65 years of age, must be universally covered with old age pensions.

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However, it was found in the survey that substantial numbers of eligible old people have not been covered under NOAPS despite the fact that they have reached the desired age, and hold BPL or AAY cards. The researchers could find 9 aged people in Tangarpada, 7 in Saria who came forward and testify that they are not getting OAP despite their repeated application. (In the case of the Juang community, since all households are AAY under SC orders, this means that every single person above 65 years from the community is eligible for old age pensions).

Similarly the survey found cases where widows are eligible for widow pension but not getting this, in the surveyed villages. Also there were members who are physically challenged but are not getting Disability Pension. I request that there is a drive in the PTG community, to cover all old people, widows and disabled people with pensions, within 3 months.

The survey found that some were debarred because the age recorded in the voter ID cards is far below the real age of beneficiaries. Kindly ensure that they are examined by health personnel, and are treated as old people even if the voters' ID does not acknowledge their age.

Apart from these problems relating to right to food schemes, there are also problem of potable drinking water and communication which need immediate attention from the district administration.

**National Family Benefit Scheme:**

The survey found that the NFBS programme of insurance payment when the bread-earner dies, is virtually non-functional at least in the Juang villages. The villagers are not aware of this entitlement. The researchers also found recent cases of deaths in the

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last one year, in the sample villages, where the eligible beneficiaries have not been benefited from NFBS.

Yours sincerely,



(Harsh Mander)

CC: Mr. Raj Kishor, Advisor to the Commissioners to the Supreme Court, Orissa.