

**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**

Attn: Mr. Sanjay Prasad, District Magistrate, Allahabad.

April 5th, 2010.
JCE/841/U.P.

Shri. Atul Kumar Gupta,
Chief Secretary,
Government of Uttar Pradesh
Lucknow.

Subject: Commission of Enquiry into the reports that children eating silica-laced mud to quell their hunger pangs in Allahabad.

Dear Shri. Gupta,

You will be aware that the Office of the Commissioners of the Supreme Court is designated to monitor the implementation of food related welfare schemes of the Government and the implementation of the orders of the Supreme Court in Writ Petition (Civil) 196/2001, PUCL v. Union of India and others. The incidence of deaths due to hunger and malnutrition has further been brought under the purview of the Commissioners by the Hon'ble Supreme Court.

We are perturbed by the news reported in the Hindustan Times (April 04, 2010) that in a village 'Ganne' in district Allahabad, poor children are eating silica-laced mud to quell their hunger pangs. This is sign of alarming hunger and chronic denials of food to the children and the community.

We have therefore decided to constitute a *Commission of Enquiry* to assess the cases reported and to look into the status of implementation of food-related welfare schemes under our purview in various parts of the district Allahabad.

We are requesting our advisor of Uttar Pradesh, Ms. Arundhatti Dhuru to convene the Commission of Enquiry immediately and would be helped by Prof. Jean Dreze and Dr S. Niranjana in this.

The purpose of the Commission of Enquiry is not just to investigate individual instances but also to suggest longer term measures for dealing with such problems.

The terms of reference of the Commission of Enquiry will be the following:

1. The team will visit villages and communities in which there are allegations of hunger and children eating mud to quell their hunger pangs. However, the team will enquire whether conditions of destitution and grave denial of access to rights of food and life prevail in the families of the children who have been found eating mud, as well in the local community. In other words, it will investigate whether people are living with starvation.

2. In case the team encounters such conditions of extreme destitution and grave denials of access to the right to food in any family of community, the team will enquire whether food, work and social security

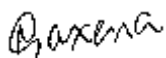
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schemes, such as TPDS, ICDS, MDM, pensions and NREGA actually are accessible to the affected families and communities. In case they are not, then what are the reasons for the failures of these programmes to protect the right to food and life of the affected families and communities.

3. Based on these investigations, the team will propose for a) the family; b) the affected community or social category; and c) the state as a whole, measures for strengthening the functioning and reach of the food, social security and livelihood schemes for the effective protection of their rights to food and life.

We request the state to fully cooperate with the team nominated for conducting the enquiry into the news reports and provide them support as requested by them. The phone number of Ms. Arundhati Dhuru is 09415022772.

Warm Regards,



Dr. N. C. Saxena



Harsh Mander

CC: Ms. Arundhati Dhuru, Advisor to the Commissioners to the Supreme Court, Uttar Pradesh.