

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

April 9, 2010
JCE.Reminder/843/Bihar

Shri. Anup Mukerji,
Chief Secretary,
Government of Bihar
Patna

Dear Shri Anup,

We write in continuation of our letter dated February 24th, 2010 reference no. JCE/787/Jharkhand, regarding the **constitution of a Joint Commission of Enquiry (JCE) to look into the incidents of reported starvation in your state.**

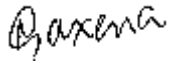
The purpose of the formation of the Joint Commission of Enquiry (JCE) is to assess for the Supreme Court the cases reported and to look into the status of implementation of food-related welfare schemes under our purview in various parts of the state of Bihar, in particular Gaya, Bagusarai, Muzzarpur and Nalanda districts..

However, we feel it would be most productive if senior officials of the state government are also involved in the investigation, so that the facts ascertained are doubly verified, and they can also immediately initiate remedial measures wherever necessary. It is for this reason that , as mentioned in our previous letter, the members of the JCE would comprise state government officials including a senior official, not less than the rank of a Joint Secretary, in addition to the persons nominated by the Commissioners. It could be an opportunity for Commissioners as well for State government to do ground level investigation jointly.

You would agree that reports of starvation need to be investigated with great urgency, to save lives. However, we have learnt that the state government has not nominated any members to the JCE so far. We request that the state government appoints and notifies its nominees latest by 30 April, 2010, and that the enquiry be completed latest by 31 May, 2010. In case the state government does not nominate the officers by the stated date, and they are not available for completing the enquiry again by the stated deadline, then we will assume that the state government wishes to forego the chance to nominate its members into the

enquiry. In that case the Commissioners' nominees will undertake the enquiry and submit it to the Supreme Court independently.

Thank you,
With regards,



Dr. N C Saxena



Harsh Mander

Copy to: Shri Rupesh, Adviser to the Commissioners to the Supreme Court, Bihar