

**ADVISOR (ASSAM) TO THE COMMISSIONERS APPOINTED BY THE HON'BLE
SUPREME COURT IN THE RIGHT TO FOOD PIL wrp 196/2001**

20th October 2001

The Commissioner & Secretary
Department of Social Welfare
Govt of Assam
Secretariat,
G S Road, Dispur

Sub: Implementation of Supreme Court Orders in the wrp 196/2001

Sir,

Apropos the orders of the SC orders in the above mentioned PIL, i would like to bring to your notice certain **widespread violations** of the said orders. These have been reported to me and confirmed by myself or my staff and as they do not appear to be isolated incidents, it will require intervention at your level.

1. ICDS

a. Only once has some dry rations been supplied to any Anganwadi Centres supposedly for one month - as weighing is not done at the time of supply and no signatures taken from AWWs, it is not clear to the AWWs. As 6 months of this financial year have already passed by, children will not be able to avail of the 300 days SNP as given out in these orders. An early establishment of the chain of supply has to be established.

b. No money or material for converting this SNP to edible form has been provided to Anganwadi Centres in the last 3 to 5 years and hence the AWWs are distributing the food material directly to the families once a month, thus defeating the purpose of setting up the Anganwadi itself.

c. The AWW has not received any orders either for distributing SNP to ALL PREGNANT MOTHERS and to ALL ADOLESCENT GIRLS. This is leading to conflicts between the public who have been disseminated the SC orders and the ICDS functionaries and is highly avoidable.

d. CDPOs are not entertaining requests for starting Anganwadi Centres within one month - as per the latest SC orders - when community elders approach them with lists of 40 children aged 0 to 6 years. I did see a public notice issued by the GoA giving a deadline for the same - but there is no public knowledge or within the departments at district or block levels as to when these orders will get operational.

e. Many of the new AWWs appointed in the last few years have yet not received the weighing kits or training for carrying out their roles effectively. I have heard personal testimonies of tens of AWWs in Dhubri District and also confirmed the unavailability of the kits in areas of Baksa District (earlier under Nalbari district). Further, the platform weighing scales that have been given to many AWWs earlier are ineffective to monitor children's weights as they are prone to large inaccuracies both on account of design and if not kept on absolutely level flat ground. Salter Scales provided by UNICEF earlier are good for this purpose but require recalibration and maintenance every year. This may be please looked into, especially while procuring scales for newer AWCs.

f. AWWs in Chirang District have reported that the same old contractors are supplying the SNP rations even today, despite your department's pronouncements regarding abolishing the contractors and SC orders on the subject.

2. NOAPS

a. During the July 07 visit of the Special Commissioner, Mr Harsh Mander, at the Secretary level meeting in the Secretariat we had learnt that Assam Government had added Rs 50 per month

**ADVISOR (ASSAM) TO THE COMMISSIONERS APPOINTED BY THE HON'BLE
SUPREME COURT IN THE RIGHT TO FOOD PIL wrp 196/2001**

to the Rs 200 announced by the Centre. However, my feedback from NOAPS beneficiaries from at least 5 districts of Baksa, Bongaigaon, Chirang, Dhemaji and Golaghat is that they are getting only Rs 200 from the Central quota. Even this money is not coming regularly by the 7th to their Bank accounts and they need to make repeated visits to the banks to find when the money has been deposited.

b. Further, the move to make the NOAPS payments to the banks directly is indeed laudable and has reduced the irregularities at that level. It would be however, even more helpful if Post Office accounts are permitted as they would be closer to the poor beneficiaries and would prevent travelling costs.

3. NFBS

a. Most of the NFBS beneficiaries are being denied any payment within the time frame of one month stipulated by the SC, mainly because of the beneficiary having to run around for certificates as per the whims and fancies of the officials. Even the website of various Assam districts where the application status can be checked mentions conditions that appear irrelevant. For example, absence of a copy of the voters list indicating the deceased and the beneficiaries name, or the fact that the deceased is not registered as a Head of Household or BPL card or land holding status or due to dying of old age. BPL ration card is not to be used for any other purposes except for drawing rations as per the SC orders on the subject. A wife having just attained 18 years may not be on the voters list yet and should not be denied the facility. Most people do not get a death certificate especially when they die of old age.

Even so, a certificate from the Panchayat or VCDC regarding the index number on the official BPL list or a certificate about his land and income status - there is no evidence to show that they would be more corruptible than Circle or District officials - should be enough along with a death certificate. And this list of documents needed and that the beneficiary has an entitlement to receive the NFBS money within 30 days of filing the application could be printed behind the application forms/format so that they need not have to keep running around.

I would request you to look into the above things and a response in this regard would be appreciated.

Yours sincerely,



dr sunil kaul

cc/ Mr Harsh Mander, Special Commissioner, RTF, Delhi

