

Food Security Schemes Details

Indira Gandhi National Old Age Pension Scheme (IGNOAP):

Supreme Court Order on Indira Gandhi National Old Age Pension Scheme:

1. State governments have been directed to complete the identification of persons entitled to pensions under NOAPS, and to ensure that the pensions are paid regularly
2. Payment of pensions is to be made by the 7th day of each month.
3. The scheme must not be discontinued or restricted without the permission of the Supreme Court. This actually applies to all the schemes covered by the interim order of 28th November 2001 (see Section 2.1). However it is particularly relevant to schemes such as NOAPS, because these schemes are quite "fragile": there are no strong lobbies to defend them, and they often come under the financial axe when State Governments face a financial crisis.
4. The NOAPS grants paid by the Central Government to the State Governments under "Additional Central Assistance" should not be diverted for any other purposes."

Questions:

1. Has the State Government issued instructions to the District Collectors/Panchayats/Autonomous Councils that each old person who is above 65 yrs and BPL is entitled to the pension? Please send us a copy of the same.
2. Has it been clarified to District Collectors/Panchayats/Autonomous Councils/ BDOs that old people who share the same roof and hearth with other family members, including grown sons and daughters, are still eligible for pensions if BPL and above 65 years?
3. Has each panchayat, block and district prepared a complete list of all the old age people who are above 65 years and BPL? Please send us the details of the survey.
4. What is the grievance redressal system for those who are eligible for pension but are left out in the identification process (either because they have been left out of the BPL list, or because their age is disputed)? Please send us a copy of the same.
5. Has the state government placed any official or unofficial ceilings on numbers of old age pension beneficiaries at District Collectors/Panchayats/Autonomous Councils/ BDOs levels? If yes, please give us details? What are the instructions if the numbers of BPL old people exceed the ceilings?
6. Is the State doing anything to cover more old people other than what is provided in the guidelines and Supreme Court orders? If so, please send us details.

7. Does the state government have a policy that the same person cannot get both old age pensions and Annapurna cards? If so, give details.
8. What steps has the state government taken, if any, for ensuring that pensions are paid every month regularly and through a transparent processes? If there are any provisions, please send us a copy of the administration instructions issued in this context.
9. Are there any good practices of National Old Age Pension Scheme that you can share with us?
10. What monitoring mechanism has been adopted by the State government to monitor the implementation of the scheme? Please send us details.

National Family Benefit Scheme (NFBS):

Supreme Court Order on National Family Benefit Scheme:

1. *As with other food-related schemes, the Supreme Court order of 28th November 2001 calls for prompt implementation of the National Family Benefit Scheme. BPL families are to be paid Rs 10,000 within four weeks through the local Sarpanch when the breadwinner dies.*
 2. *As with NOAPS, this scheme is not to be discontinued or restricted in any way without the permission of the Supreme Court.*
 3. *None of the benefits should be withdrawn from this scheme as a result of this order till further orders, by any of the State Governments or Union Territories.*
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Questions:

1. Has the State Government made any estimates of the numbers of the expected beneficiaries of NFBS in the state? Please send us the basis of calculation and details of the same.
2. Please send us the detailed guidelines for implementation of NFBS issued by the State Government. What is the process of application for benefits under the scheme? Kindly attach the detailed instructions including time limits, required documents and grievance redressal systems, if any.
3. As per Central guidelines of NFBS *"The 'primary breadwinner' is the member of the household, male or female whose earnings contribute substantially to the total household income."* Has the State Government ensured that both men and women are treated as primary breadwinner as per central guidelines?
4. What kind of investigation is conducted into the deaths of adults of the BPL families to determine whether the person who died was primary breadwinner in the family? Please send us the details of the same.

National Maternity Benefit Scheme (NMBS)

Supreme Court Order on National Maternity Benefit Scheme:

1. As with other food-related schemes, the Supreme Court order of 28th November 2001 calls for prompt implementation of the National Maternity Benefit Scheme.
 2. As with NOAPS, this scheme is not to be discontinued or restricted in any way without the permission of the Supreme Court.
 3. On 9th May 2005, the Supreme Court refused to allow the Government of India to phase out NMBS and provide maternity benefits under a new scheme, Janani Suraksha Yojana (JSY).
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Questions:

1. Has the State Government issued directions, in compliance with Supreme Court orders, to all Districts and PHCs to ensure payment of Rs 500.00 to all BPL pregnant women including AAY without restriction on number of children and age of mother before delivery? Please send us a copy.
2. What is the system of payment of the benefit amount to women, including identification, timing of payment and mode of payment? Please give details.

Targeted Public Distribution System (TPDS):

Supreme Court Order on Targeted Public Distribution System:

1. **Accessibility of ration shops and regular supply of grain:** On several occasions, the Supreme Court directed the government to ensure that all ration shops open regularly. For instance, one of the very first interim orders (dated 23 July 2001), states: "We direct the States to see that all the PDS shops, if closed, are re-opened and start functioning within one week from today and regular supplies made." Similarly, an interim order dated 8 May 2002 states: "The respondents shall ensure that the ration shops remain open throughout the month, during fixed hours, the details of which will be displayed on the notice board."
2. **Accountability of PDS dealers:** The licenses of PDS dealers and shop-keepers should be cancelled if they: "(a) do not keep their shops open throughout the month during the stipulated period; (b) fail to provide grain to BPL families strictly at BPL rates and no higher; (c) keep the cards of BPL households with them; (d) make false entries in the BPL cards; (e) engage in black-marketing or siphoning away of grains to the open market and hand over such ration shops to such other person/organizations". Further, "the concerned authorities/functionaries would not show any laxity on the subject".

3. **Monitoring of the PDS: As mentioned earlier,** a Central Vigilance Committee has been constituted to investigate the problems affecting the proper functioning of the public distribution system and suggest remedial measures. "For this purpose, the Committee shall, amongst other things, focus on: (a) The mode of appointment of the dealers; (b) the ideal commission or the rates payable to the dealer and; (c) modalities as to how the Committees already in place, can function better. (d) Modes as to how there can be transparency in allotment of the food stock to be sold at the shops." Aside from this, the Committee was asked to suggest a transparent mode of appointing PDS dealers and ways to make the existing vigilance committees more effective.
4. **Permission to buy in installments:** Arrangements must be made to "permit the BPL household to buy the ration in installments".
5. **Awareness generation:** "Wide publicity shall be given so as to make BPL families aware of their entitlement."
6. **BPL list:** Orders relating to the "BPL list" are also relevant to the Public Distribution System, since the BPL list is the basis on which BPL and APL ration cards are distributed. These orders are discussed in Section 2.12. Note in particular that (1) the Central and State Governments have been directed to "frame clear guidelines for proper identification of BPL families"²⁰ in consultation with the Supreme Court Commissioners;²¹ and (2) no-one is supposed to be removed from the BPL list until such time as the Court deliberates this matter.

Supreme Court Orders on Antyodaya Anna Yojna:

1. The State Governments were requested to consider providing grain free of cost to those who are so poor that they are unable to lift their quota, even at the highly subsidized AAY prices.
2. The Central Government "shall formulate the scheme to extend the benefits of the Antyodaya Anna Yojana to the destitute section of the population".
3. On 2nd May 2003, the Supreme Court declared that all households belonging to six "priority groups" would be entitled to Antyodaya cards. More precisely, the Government of India was directed "to place on AAY category the following groups of persons
 - (1) Aged, infirm, disabled, destitute men and women, pregnant and lactating women, destitute women;
 - (2) widows and other single women with no regular support;
 - (3) old persons (aged 60 or above) with no regular support and no assured means of subsistence;
 - (4) households with a disabled adult and assured means of subsistence;
 - (5) households where due to old age, lack of physical or mental fitness, social customs, need to care for a disabled, or other reasons, no adult member is available to engage in gainful employment outside the house;
 - (6) primitive tribes."
4. Possession of a BPL card is not necessary for inclusions in the AAY category. The Central Government was directed to issue guidelines to this effect.
5. In April 2004, the Court asked the Central Government to direct the State Governments to "accelerate the issue of Antyodaya cards especially to primitive tribes". Further, "the guidelines issued to State Governments shall be implemented in letter and spirit".
6. In the order dated 17th October 2004, the State Governments were directed to complete the identification of AAY families and the distribution of AAY cards "by the end of the year", and to begin the distribution of grain to AAY

cardholders "immediately". Further, the AAY cardholders "should not be made to pay, directly or indirectly, any amount other than what they are liable to pay for the supply taken".

Questions:

1. Does the state government rely on the BPL survey conducted by the Rural Development Department, or any other method, for identifying rural BPL? When was the last survey done?
2. What is the method to identify urban BPL?
3. What is the per family per month allocation of food grains (in kgs) for each BPL and AAY family in the State? Please provide the latest circular.
4. What is the Consumer Issue Price for Rice and Wheat that is being provided to BPL families? Please provide the latest circular.
5. The Supreme Court has ordered the coverage of the following categories that have to be included in AAY, even if they do not fall in BPL list. Has this been ensured?
 - a. Aged, infirm, disabled;
 - b. widows and other single women with no regular support;
 - c. old persons (aged 60 or above) with no regular support and no assured means of subsistence;
 - d. households with a disabled adult and assured means of subsistence;
 - e. households where due to old age, lack of physical or mental fitness, social customs, need to care for a disabled, or other reasons, no adult member is available to engage in gainful employment outside the house;
 - f. Primitive tribes.
6. With regard to these mandatory AAY categories, did the State Government enumerate the numbers of the various categories of people (from a. to f. above) by conducting a house to house survey? If so, could you please share a copy of the order on the Antodaya survey. If no such survey has been undertaken, how is the state government ensuring that these categories are being fully covered in accordance with Supreme Court guidelines.
7. Were all persons in the state in the above listed groups, provided with Antodaya ration cards in line with Supreme Court Orders? If not, why not? What percentage, if any, has been covered? Please attach a copy of the administrative instructions that were issued to ensure this process.
8. Was a grievance redressal mechanism put in place to address those cases where there was a grievance regarding the identification process for these vulnerable categories? If so, a copy of the order setting up the grievance redressal mechanism may kindly be attached with this note?
9. What is the Consumer Issue Price for Rice and Wheat that is being provided to Antodaya families?

10. What is the procedure to identify ghost cards? Has any drive been launched by the State Government to eliminate ghost cards? If so, details of the number of ghost cards that have been eliminated in the last three years may kindly be provided (district-wise) with the note.
11. Has any drive been launched by the State Government to take action against FPS dealers who have not fulfilled the orders of the Supreme Court? Kindly provide the number of FPS dealerships (district-wise) of all shops which have been suspended and all shops which have been cancelled in the last three years, together with reasons for each.
12. Has the State Government issued orders for coverage of urban homeless people in the State? If so, kindly append all the relevant orders in your note.
13. How many days a week are FPS shops open in a week? What are the timings of FPS shops?
14. Is there any provision/ issued order by state government that card holders can obtain their ration in installments? If yes, send us details?
15. What is the mechanism of accountability by which the State Government monitors the performance of the Autonomous Councils in following the Supreme Court Orders? What is the current performance level of the Autonomus Councils?

Mid Day Meal Scheme:

Supreme Court Order on Mid Day Meal:

1. **No charge:** *The meal is to be provided free of cost. Money for the meal is not to be collected from parents or children under any circumstances.*
2. **Priority to SC/ST cooks and helpers:** *“In appointment of cooks and helpers, preference shall be given to Dalits, Scheduled Castes and Scheduled Tribes.”*
3. **Extension to summer vacations in drought-affected areas:** *“In drought-affected areas, mid-day meal shall be supplied even during summer vacations.”*
4. **Kitchen sheds:** *The Central Government was directed to “make provisions for construction of kitchen sheds” and also to contribute to the cooking costs.*
5. **Quality improvements:** *“Attempts shall be made for better infrastructure, improved facilities (safe drinking water etc.), closer monitoring (regular inspection) and other quality safeguards as also the improvement of the contents of the meal so as to provide nutritious meal to the children of the primary schools.”*
6. **Fair quality of grain:** *The Food Corporation of India (FCI) is to “ensure provision of fair average quality grain” for mid-day meals. Joint inspections of the grain are to be conducted by the FCI and State Governments. “If the food grain is found, on joint inspection, not to be of fair average quality, it will be replaced by the FCI prior to lifting.”*
7. **Extension to Class 10:** *On 20th April 2004, the Government of India was directed to file an affidavit within three months, “stating as to when it is possible to extend the scheme up to 10th Standard in compliance with the*

announcement made by the Prime Minister.” In response to this, an affidavit was filed by the Department of Elementary Education (Ministry of Human Resources Development) in 2004, but the Court is yet to examine it.

Questions:

1. Does the State Government cover government-aided primary and middle schools, EGS/AIE/NFE centres, madrassas and SSA centres with regular hot cooked meal throughout the year? If so, please give a copy of instructions. If some schools or centres are uncovered, please explain the reasons for the same.
2. What is the process of appointment of cooks for MDMS, and the eligibility criteria? Please give a copy of any guidelines that may exist.
3. Has the State Government fixed any minimum quota for appointment of SC/ST cooks? If yes, what is this? How far has it been fulfilled? Please provide details of number of cooks appointed in MDMS and per cent of this who belong to SC/ST communities.
4. Have there been any complaints of discrimination against SC/ST cooks? If so, what steps have been taken?
5. What are the arrangements that have been made for MDM in summer vacations in terms of allocations, timings etc. Please send a copy of any guidelines on this.
6. If there is any weekly menu prescribed for the MDMS in the State, please send a copy of the same.
7. What are the systems if any for door-step and timely delivery of food grains and allocation of funds to schools for MDM.
8. Please send us details about mechanism for organizing MDM in rural and urban schools?
9. Do centralized kitchens supply food for MDM and ICDS in urban areas? If yes, what is their location? Who is responsible to run these centralized kitchens?
10. What is the mechanism of accountability by which the State Government monitors the performance of the Autonomous Councils in following the Supreme Court Orders? What is the current performance level of the Autonomous Councils?

Integrated Child Development Services:

Supreme Court Order on Universalization of ICDS:

1. *All the State Governments/UTs shall allocate funds for the ICDS on the basis of two rupee per child per day, 100 beneficiaries per AWCS and 300 days feeding in a year, i.e. on the same basis on which the centre makes the allocation.*
2. *All SC/ST habitations should have an anganwadis “as early as possible”. Until the SC/ST population is fully covered, all new anganwadis should be located in habitations with high SC/ST populations.*
3. *All State/UTs shall make earnest effort to cover the slums under the ICDS.*

4. *ICDS services should never restricted to BPL families ("BPL shall not be used as an eligibility criteria for ICDS").*
 5. *Contractors shall not be used for supply of nutrition in anganwadis and preferably ICDS funds shall be spent by making use of village communities, self-help groups and Mahila Mandals for buying of grains and preparation of meals.*
 6. *ICDS funds provided by the Central Government under the Pradhan Mantri Gramodaya Yojana (PMGY) should be fully utilised by the State Governments. Further these funds should supplement, and not substitute for, ICDS funds provided by the State Governments.*
 7. *The Central Government and States/UTs shall ensure that all amounts allocated are sanctioned in time so that there is no disruption whatsoever in the feeding of children.*
 8. *Local women's self-help groups and Mahila Mandals should be encouraged to supply the supplementary food distributed in anganwadi centers. They can make purchases, prepare the food locally, and supervise the distribution.*
 9. *Government of India shall sanction and operationalize a minimum of 14 lakh AWCs in a phased and even manner starting forthwith and ending December 2008. In doing so, the Central Government shall identify SC and ST hamlets/habitations for AWCs on a priority basis.*
 10. *Government of India shall ensure that population norms for opening of AWCs must not be revised upward under any circumstances. While maintaining the upper limit of one AWC per 1000 population, the minimum limit for opening of a new AWC is a population of 300 may be kept in view.*
Further, rural communities and slum dwellers should be entitled to an "Anganwadi on demand" (not later than three months) from the date of demand in cases where a settlement has at least 40 children under six but no Anganwadi.
 11. *The universalisation of the ICDS involves extending all ICDS services (Supplementary nutrition, growth monitoring, nutrition and health education, immunization, referral and pre-school education) to every child under the age of 6, all pregnant women and lactating mothers and all adolescent girls.*
 12. *The order also specifies the monetary allocation to be made per beneficiary under the ICDS scheme. The court instructs all State Governments and Union Territories to fully implement the ICDS scheme by, inter alia,*
 - (i). *allocating and spending at least Rs.2 per child per day for supplementary nutrition out of which the Central Government shall contribute Rs.1 per child per day.*
 - (ii). *allocating and spending at least Rs.2.70 for every severely malnourished child per day for supplementary nutrition out of which the Central Government shall contribute Rs.1.35 per child per day.*
 - (iii). *allocating and spending at least Rs.2.30 for every pregnant women, nursing mother/adolescent girl per day for supplementary nutrition out of which the Central Government shall contribute Rs.1.15.*
 13. *Chief Secretaries of all State Governments/UTs are directed to submit affidavits with details of all habitations with a majority of SC/ST households, the availability of AWCs in these habitations, and the plan of action for ensuring that all these habitations have functioning AWCs within two years.*
 14. *Chief Secretaries of all State Governments/UTs are directed to submit affidavits giving details of the steps that have been taken with regard to the order of this Court of October 7, 2004 directing that "contractors shall not be used for supply of nutrition in Anganwadis and preferably ICDS funds shall be spent by making use of village communities, self-help groups and Mahila Mandals for buying of grains and preparation of meals". Chief Secretaries of all State Governments/UTs must indicate a time-frame within which the decentralisation of the supply of SNP through local community shall be done."*
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Questions:

1. Has the State Government completed a full survey of all rural hamlets and recognized/unrecognized declared /undeclared urban slum settlements in the State, with details of whether they are covered by an anganwadi centre? Please send the details and findings of this survey. If survey has not been conducted, are there any plans to do so?
2. Based on a full survey and/or the new norms, has the State Government made an estimate of required anganwadi centres to ensure that every hamlet and recognized/unrecognized declared /undeclared slum settlement and slums relocation site has an anganwadi centre? If yes, please send details of the same.
3. Has the State Government conducted a listing of all hamlets that have more than 50% SC and/or ST population? If so, please send us the results of the same.
4. What numbers of the SC and/or ST hamlets and recognized/unrecognized declared /undeclared urban slums were covered with ICDS centres before 2005, and what numbers have been added after the expansion of the ICDS after 2005?
5. In the expansion after 2005, how many new anganwadi centres opened outside SC/ST hamlets or recognized/unrecognized declared/undeclared urban slums?
6. Has State Government issued instructions that hot cooked meals, by gram panchayats or SHGs in rural areas, or by SHGs or NGOs in urban areas, should be served in anganwadi centres for all children in the 3 to 6 years age group? If yes, copy of the same.
7. Have all existing contracts with private contractors or centralized State or non-State agencies for supply of SNP been cancelled? If not, why so?
8. What is the current system of procurement of SNP in the state? Please provide information in the following table :

	Age group	System of procurement	Hot cooked meal	Ready to eat food	Dry rations
Rural Areas	Under 3 children				
	3-6 years children				
	Pregnant and Lactating mothers				
	Adolescent girls				
	Severely malnourished children				
Urban Areas	Under 3 children				
	3-6 years children				
	Pregnant and Lactating mothers				
	Adolescent girls				
	Severely malnourished Children				

9. Has the State Government issued instructions to districts and project officers on responding to an anganwadi on demand? If yes, please send a copy of the same.
10. Have any funds been allocated by the State Government to set up an anganwadi on demand, when there is such a demand. If yes, please provide details.
11. Have there been any applications for new anganwadis under the provision of anganwadi on demand in the state? Please provide details of the number of applications received and the status of these at present.
12. Has the state government undertaken a survey to find out the number of disabled children (international research shows that at least 5 % children are disabled in any population)? If so, please send us the details of the survey.
13. Has any drive/campaign been launched to include all the disabled children under ICDS? Kindly attach the details and instructions issued to ensure this.
14. Has the data at ICDS centre upwards to project, district and state levels disaggregated for coverage of disabled children?
15. Has the state government issued any instruction that the children of all migrant workers would be automatically eligible to the nearby ICDS centres without any further paper work?
16. Has the government made any special effort to reach the ICDS scheme to temporary migrant settlements, nomadic and fishing settlements?
17. Has the government made any special effort to develop the ICDS programme so that SNP from ICDS is sent to children in crèches (including NREGA crèche facilities)?
18. Has the state government taken any special steps to promote breast feeding for children under 6 months? What are the budgetary allocations for this?
19. What is the mechanism of accountability by which the State Government monitors the performance of the Autonomous Councils in following the Supreme Court Orders? What is the current performance level of the Autonomous Councils?