

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

August 19, 2010
Minutes/899/Jhar

Mr. A K Singh
Chief Secretary,
Government of Jharkhand
Ranchi

Subject: Key issues of the review meeting dated July 22, 2010

Dear Mr. A K Singh,

We are grateful that you convened a productive review meeting at short notice on July 22, 2010 with Mr Harsh Mander, Special Commissioner, in order to review the food and social security schemes monitored by us for the Supreme Court. Compared to earlier visit we were heartened to note that under your leadership reforms have been set in motion with regard to many of the programs. We would like to encourage and support the State government in these reforms, consolidate the gains achieved in these programs and offer whatever assistance that is needed.

We summaries below the principal points that emerged from our meeting:

ICDS

1. It was agreed that the state government would undertake a survey of all hamlets and slums in the state and through this identify those hamlets/slums which qualify for ICDS / Mini ICDS Centres but are still uncovered. Accordingly the state government will make a proposal to the Centre in ensuring complete universalisation to comply with the Supreme Court Orders.
2. The Chief Secretary directed that all vacant supervisory position in the ICDS will be filled quickly. The Secretary, Social Welfare was directed to refer the same to the Staff Selection Commission and also simultaneously take steps to ensure those posts under the 'promotion quota' be filled within three months.
3. I (Harsh Mander, Special Commissioner), felt that a program of such complexity and ambition like the ICDS would benefit greatly from a dedicated technical resource unit, which would be responsible for training senior officials & master trainers,

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develop training materials, identify appropriate evidence based strategies for implementation and undertake research regarding all aspects of ICDS. It was agreed that this was needed and such a unit could possibly be located in units such as the Administrative Training Institute (SKIP), SIRD or the State Health Resource Centre of the Department of Health. Needed experts will be identified for the same.

4. I drew attention to the data from NFHS III which shows wasting amongst children 3-6 years to be 30% in Jharkhand, which is truly an enormous ongoing hidden emergency. He appreciated the initiative of the State government to start Malnutrition Treatment Centres and felt that they should be quickly expanded to every block in the state. However the MTC would be able to treat only the worst cases and large numbers of malnourished children would need to be treated and cared for within the community. For this it was agreed that a small consultation on Community based Nutrition Rehabilitation would be organised with the intervention of the commissioners, who would bring in National level experts to assist the State government to develop its strategies.
5. I observed that there is an enormous variation in the identification of malnourished children even between blocks of the same district. Further that the large numbers of referrals to the MTC are not being made by ICDS functionaries but rather by the Sahiyyas or *suo moto*. This underlines the great need for strengthening growth monitoring practices within ICDS.
6. I pointed out that the 'take home dry ration' prescribed at the moment for 6 months to 3 years tend to be diverted to the common family pot rather than specifically reaching the child. The State needs to replace this with locally processed, culturally appropriate, nutritious weaning food. I also observed that the field-studies indicate that the 'snacks' prescribed within the new model are mostly not being served even though funds have been made available for the same, this needs to be urgently remedied.

PDS

1. I brought to the notice that the Supreme Court orders for the full coverage of specified vulnerable groups such as PVTGs, Single Women headed households, etc has still not been accomplished, although we were told that the State government has issued

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necessary instructions. These must be complied with. I also observed that the BPL survey lists are being ignored in issuing ration cards. I therefore suggested that coverage of socially disadvantaged groups should be the basis of coverage. The CS agreed and directed that the state with the assistance of the Advisor to the Commissioners, Mr. Balram conduct a full census of PVTGs, and they'll be covered on priority with AAY cards without delay.

2. I recommended that the Chhattisgarh package of reforms be undertaken also by Jharkhand, specially
 1. De-privatisation of Ration shops
 2. Increasing economic viability of the ration shops
 3. Door step delivery of grains to the ration shops.
 4. Expanding local procurement and storage and
 5. Use of technology like smart cards, biometric tracking etc.

The CS agreed in principle with many of these suggestions, and stated that many of the reforms are underway and these need to be consolidated. The CS further directed the Principal Secretary to come up with a report on the status of reforms around each of the issue and propose measures for further improvement and reforms.

3. The Advisor (Balram) proposed that pre-package of the 35 kilos of grains would reduce pilferage. It was agreed to start this as a pilot basis with all PVTG families.

IGNOAPS:

1. I pointed out that field studies revealed that pension payments are often delayed. The CS directed that allocation should be made in advance as they are done for government salaries and pensions, so that pensions are paid without fail every month. I suggested adoption of the Andhra Pradesh Model of fixed day payment through Banking Correspondents appointed in every village. CS said that this is still not technically feasible in Jharkhand. He sought the intervention of the Commissioners at the central government level both in the context of pension and NREGA payment to ensure that Sub Post Offices handle a minimum of Rs. 2 lakhs at any point of time to be able to ensure timely payments at the local level.
2. I also pointed out that with the universalisation of pension to all persons above 65 years, the state has still not covered all eligible persons and this has to be expedited.

National Maternal Benefit Scheme (NMBS)

1. I pointed out that the state government has still not complied with the direction of the Supreme Courts that all BPL pregnant women are entitled Rs. 500 maternity benefit payable before delivery, with no conditionals of institutional delivery, age of mother, or number of children, etc. The CS assured that appropriate instructions would be issued by the State government.

NREGA

1. I suggested that the full potential of NREGA in the state requires the early establishment of NREGA cell, which would undertake the institutionalisation of social audits at all levels, grievance redressals, appropriate village level planning of works, timely payment of wages and monitoring and evaluation. He was assured that such a cell is already proposed and will be fully operational soon.

Mid-day Meals

1. I observed that the survey done by the commissioners showed that the teachers were overtly or covertly involved in the mid day meals and the construction of buildings. He stressed that teachers are not to be involved overtly or covertly in any financial dealings related to MDM and this be fully within the purview of the Mata Samitis of the VEC.
2. I also suggested that MDM menus incorporate nutrition rich traditional millet diets. This was agreed to and was suggested that a request for the Government to substitute part of the rice allocation with local millets.

Urban Homeless

1. The Secretary Urban Development informed that the Supreme Court direction for establishment of homeless shelters was being fully complied with and 31 shelters are in various stages of completion. I appreciated this compliance and made the following recommendations regarding the establishment of these shelters.
 1. The shelters should be permanent and open for 24 hours, and have all basic amenities to enable a life with dignity. These include beds and beddings, toilets,

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potable drinking water, first aid, primary health, de-addiction and recreation facilities, services for small savings & to receive letters, and community kitchens. The strength per shelter should be for a minimum of 100 occupants. Location should be close to homeless concentrations and work-sites.

2. At least 30% of the permanent shelter should be designated for specially vulnerable groups amongst the homeless, such as
 1. Single women
 2. Aged disabled and the mentally challenged persons
 3. Temporary recovery shelters for homeless persons recovering from grave illnesses.

Some of the special features of a women shelter would require that it be a 24 hour shelter with child care services, psycho social support counseling for mental health and substance abuse, and effective component of livelihood support, training and placement in marketable occupation. In particular each women shelter can be constituted into a self help group of women for production of ICDS supplementary nutrition including weaning foods.

3. Street children should be covered with residential hostels within a specified time frame.

We would be grateful if you would kindly confirm action on all these points within two months.

Thank you

Sincerely

Saxena



Dr. N C Saxena

Harsh Mander