

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO. 196 OF 2001@@
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PEOPLE'S UNION FOR CIVIL LIBERTIES

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.
(With appln. for interim relief and office report)

Respondent (s)

Date : 28/11/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Ms. Aparna Bhat, Adv.
Mr. Yug Choudhary, Adv.
Ms. Tashi D. Bhutia, Adv.

For Respondent (s) Mr. Soli J. Sorabjee, A.G.
Mr. Manish Singhvi, Adv.
Mr. B V B Das, Adv.

State of Karnataka Mr. Sanjay R. Hegde, Adv.
Mr. Satya Mitra, Adv.

State of A.P. Mr. T V Ratnam, Adv.

State of Goa Ms. A Subhashini, Adv.

State of U.P. Mr. Prakash Kumar Singh, Adv.
Mr. Ashok Srivastava, Adv.

State of Bihar Mr. Kumar Rajesh Singh, Adv.
Mr. B B Singh, Adv.

State of Haryana Mr. J P Dhanda, Adv.

State of Assam Ms. Krishna Sarma, Adv.
Ms. Asha G. Nair, Adv.
Mr. V K Sidharthan, Adv.
for M/s. Corporate Law Group.

State of Gujarat & Mizoram Ms. H Wahi, Adv.
Ms. Sumita Hazarika, Adv.

State of Arunachal Pradesh	Mr. Anil Shrivastav, Adv.
State of Kerala	Mr. Ramesh Babu M.R., Adv.
State of Nagaland	Mr. Sanjay K. Shandilya, Adv. Ms. V D Khanna, Adv.
State of Punjab	Ms. Jayshree Anand, AAG Mr. G Sivabalamurugan, Adv. Mr. R S Suri, Adv.
State of Sikkim	Mr. A Mariarputham, Adv. Ms. Aruna Mathur, Adv. Mr. Anurag D. Mathur, Adv.
Govt. of Pondicherry	Mr. V G Pragasam, Adv.
State of Chhattisgarh	Mr. Ashwani Kumar, Sr. Adv. Mr. Prakash Shrivastava, Adv.
	Mr. J R Das, Adv. M/s. Sinha & Das, Advs.
	Mr. K C Kaushik, Adv. Ms. Sunita Sharma, Adv. Mr. D S Mehra, Adv.
	Mr. Prashant Kumar, Adv. Ms. Triveni Potekker, Adv. Mr. K H Nobin Singh, Adv.
	Mr. P N Ramalingam, Adv. Mr. V Balaji, Adv.
	Mr. Jana Kalyan Das, Adv.
	Mr. Naresh K. Sharma, Adv.
	Ms. Indra Sawhney, Adv.
	Ms. Sandhya Goswami, Adv.
	Ms. Rachana Srivastava, Adv.
	Mr. S.V. Deshpande, Adv.
	Mr. Mahabir Singh, Adv.
	Ms. Kamini Jaiswal, Adv.
	Mr. Ranjan Mukherjee, Adv.
	Mr. Gopal Singh, Adv.
	Mr. Tara Chandra Sharma, Adv.

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Mr. B.S. Banthia, Adv.
Mr. Ashok Mathur, Adv.
Mr. Anis Suhrawardy, Adv.

UPON hearing counsel the Court made the following
O R D E R

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A number of directions are issued with regard to implementation of various Schemes in terms of the signed order.

List the matter for further orders on 11th February, 2002.

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(S.L. Goyal) (Kanchan Jain)
Court Master AR-cum-PS

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 196 OF 2001@@
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People's Union for Civil LibertiesPetitioner

VS.

Union of India & Ors.Respondents

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After hearing learned counsel for the parties, we issue, as an interim measure, the following directions:

1. TARGETED PUBLIC DISTRIBUTION SCHEME (TPDS)@@
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(i) It is the case of the Union of India that there has been full compliance with regard to the allotment of foodgrain in relation to the TPDS. However, if any of the States gives a specific instance of non-compliance, the Union of India will do the needful within the framework of the Scheme.

(ii) The States are directed to complete the identification of BPL families, issuing of cards and commencement of distribution of 25 kgs. grain per family per month latest by 1st January, 2002.

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(iii) The Delhi Govt. will ensure that TPDS application forms are freely available and are given and received free of charge and there is an effective mechanism in place to ensure speedy and effective redressal of grievances.

2. ANTYODAYA ANNA YOJANA@@
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(i) It is the case of the Union of India that there has been full compliance with regard to the allotment of foodgrain in relation to Antyodaya Anna Yojana. However, if any of the States gives a specific instance of non-compliance, the Union of India will do the needful within the framework of the Scheme.

(ii) We direct the States and the Union Territories to complete identification of beneficiaries, issuing of cards and distribution of grain under this Scheme latest by 1st January, 2002.

(iii) It appears that some Antyodaya beneficiaries may be unable to lift grain because of penury. In such cases, the Centre, the States and the Union Territories are requested to consider giving the quota free after satisfying itself in this behalf.

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MID DAY MEAL SCHEME (MDMS)@@
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(i) It is the case of the Union of India that there has been full compliance with regard to the Mid Day Meal Scheme (MDMS). However, if any of the States gives a specific instance of non-compliance, the Union of India will do the needful within the framework of the Scheme.

(ii) We direct the State Governments/ Union Territories to implement the Mid-Day Meal Scheme by providing every child in every Government and Government assisted Primary Schools with a prepared mid day meal with a minimum content of 300 calories and 8-12 grams of protein each day of school for a minimum of 200 days. Those Governments providing dry rations instead of cooked meals must within three months start providing cooked meals in all Govt. and Govt. aided Primary Schools in all half the Districts of the State (in order of poverty) and must within a further period of three months extend the provision of cooked meals to the remaining parts of the State.

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(iii) We direct the Union of India and the FCI to ensure provision of fair average quality grain for the Scheme on time. The States/ Union Territories and the FCI are directed to do joint inspection of food grains. 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.

4. NATIONAL OLD AGE PENSION SCHEME (NOAPS)@@
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(i) It is the case of the Union of India that there has been full compliance with regard to the National Old Age Pension Scheme. However, if any of the States gives a specific instance of non-compliance, the Union of India will do the needful within the framework of the Scheme.

(ii) The States are directed to identify the beneficiaries and to start making payments latest by 1st January, 2002.

(iii) We direct the State Govts./ Union Territories to make payments promptly by the 7th of each month.

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5. ANNAPURNA SCHEME@@
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The States/ Union Territories are directed to identify the beneficiaries and distribute the grain latest by 1st January, 2002.

6. INTEGRATED CHILD DEVELOPMENT SCHEME (ICDS)@@
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(i) We direct the State Govts./ Union Territories to implement the Integrated Child Development Scheme (ICDS) in full and to ensure that every ICDS disbursing centre in the country shall provide as under:

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(a) Each child up to 6 years of age to get 300 calories and 8-10 grams of protein;

(b) Each adolescent girl to get 500 calories and 20-25 grams of proetin;

(c) Each pregnant woman and each nursing mother to get 500 calories and 20-25 grams of protein;

(d) Each malnourished child to get 600 calories and 16-20 grams of protein;

(e) Have a disbursement centre in every settlement.

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(ii) It is the case of the Union of India that there has been full compliance of its obligations, if any, under the Scheme. However, if any of the States gives a specific instance of non-compliance, the Union of India will do the needful within the framework of the Scheme.

7. NATIONAL MATERNITY BENEFIT SCHEME (NMBS)@@
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(i) We direct the State Govts./ Union Territories to implement the National Maternity Benefit Scheme (NMBS) by paying all BPL pregnant women Rs. 500/- through the Sarpanch 8-12 weeks prior to delivery for each of the first two births.

(ii) It is the case of the Union of India that there has been full compliance of its obligations under the Scheme. However, if any of the States gives a specific instance of non-compliance, the Union of India will do the needful within the framework of the Scheme.

8. NATIONAL FAMILY BENEFIT SCHEME@@
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(i) We direct the State Govts./ Union Territories to implement the National Family Benefit Scheme and pay a BPL family Rs. 10,000/- within four ...7/-

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weeks through a local Sarpanch, whenever the primary bread winner of the family dies.

9. We direct that a copy of this order be translated in regional languages and in English by the respective States/ Union Territories and prominently displayed in all Gram Panchayats, Govt. School Buildings and Fair Price Shops.

10. In order to ensure transparency in selection of beneficiaries and their access to these Schemes, the Gram Panchayats will also display a list of all beneficiaries under the various Schemes. Copies of the Schemes and the list of beneficiaries shall be made available by the Gram Panchayats to members of public for inspection.

11. We direct Doordarshan and AIR to adequately publicise various Schemes and this order.

We direct the Chief Secretaries of each of the States and Union Territories to ensure compliance of this order. They will report compliance by filing affidavits in this Court within 8 weeks from today

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with copies to the Attorney General and counsel for the petitioner.

We grant liberty to the Union of India to file affidavit pursuant to the order of this Court dated 21st November, 2001.

List the matter for further orders on 11th February, 2002. In the meanwhile, liberty is granted to the parties to apply for further directions, if any.

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.....J.
(B. N. KIRPAL)

.....J.
(K. G. BALAKRISHNAN)

New Delhi
November 28, 2001.