

Supreme Court summons nine Chief Secretaries

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Show-cause notice to 12 others for failure to obey directions on ICDS implementation

- *Huge amounts of money allocated for scheme unspent*
- *Governments pulled up for lack of action on anganwadis*

New Delhi: Taking a serious view of non-implementation of its orders, in particular the October 2004 directive, on the Integrated Child Development Scheme (ICDS), the Supreme Court on Wednesday directed the Chief Secretaries of nine States to personally explain the lapse. It issued notice to the Chief Secretaries of 12 other States and one Union Territory, asking them to show cause why contempt proceedings should not be initiated against them.

The Chief Secretaries of Assam, Bihar, Jharkhand, Madhya Pradesh, Manipur, Punjab, West Bengal, Haryana and Uttar Pradesh are directed to be present in the court. Those who received contempt notices are from Andhra Pradesh, Arunachal Pradesh, Goa, Manipur, Mizoram, Nagaland, Orissa, Punjab, Sikkim, Tamil Nadu, Uttar Pradesh, Delhi and Lakshadweep.

The scheme is meant for children under six, pregnant women, lactating mothers and adolescent girls. The Centre releases funds to the States.

The petitioner, People's Union for Civil Liberties, said a majority of the States had not implemented the court directions issued from time to time, and also the October 7, 2004 order.

"Serious lapses"

In its latest report dated July 19, 2006, a court-appointed two-member committee — with N.C. Saxena as Commissioner and Harsh Mander as Special Commissioner — found serious lapses in ICDS implementation and sought further directions.

A Bench, consisting of Justices Arijit Pasayat and S.H. Kapadia, said: "The reports of the Commissioner present a grim picture. Though directions were given by this court in relation to universalisation of coverage under the ICDS, immediate operationalisation of all sanctioned projects/centres without delay, and utilisation of all funds allocated, the implementation by the Central Government and the State Governments is more in the breach than observance."

The Bench noted that 14 lakh anganwadi centres were to be created. "It appears that the Central Government announced the sanction of 1.07 lakh in the last week of August 2006, which means the total number of sanctioned centres would be around 10.5 lakh, leaving a deficit of 3.5 lakh centres. It appears that even the earlier expansion of 1.88 lakh centres, which were sanctioned, has not yet become operational."

Despite allocations by the States and a corresponding grant from the Centre, huge amounts were unspent, and the beneficiaries were being denied critically needed supplementary nutrition.

Keeping in view the submissions and material placed on record, the Bench directed the Centre to sanction and operationalise a minimum of 14 lakh anganwadis in a phased and even manner, starting forthwith and ending in December 2008.

"In doing so, the Central Government shall identify SC and ST hamlets/habitations for anganwadi centres on a priority basis."

All State Governments and Union Territories should fully implement the ICDS scheme, allocating and spending at least Rs. 2 a child per day for supplementary nutrition, out of which the Centre would pay Re. 1.

The Bench directed the Chief Secretaries of all States and Union Territories to submit affidavits with details of habitations with a majority of SC/ST households, availability of anganwadis there, and a plan of action for ensuring that all these habitations had functioning anganwadis within two years.

Further, it asked them to file affidavits giving details of the steps taken on the October 7, 2004 order 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 grain and the preparation of meals."

The matter will be listed after three months of receipt of affidavits from all States, Union Territories and the Centre.