



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 75 of 2023

IN THE MATTER OF SUO MOTO PUBLIC INTEREST LITIGATION
versus THE CHIEF SECRETARY

Order Sheet

12/12/2024	<p>Heard Mr.Yashwant Singh Thakur, learned Additional Advocate General appearing for the respondent-State, Mr.Ramakant Mishra, learned Deputy Solicitor General with Ms.Annapurna Tiwari and Mr.Rishabh Dev Singh, learned Central Government Counsel for the respondent-Railways and Mr.Ashish Tiwari, learned counsel for the respondent-Municipal Corporation Bhilai-Charoda. Also heard Mr.Ishan Verma, Mr.Siddharth Dubey and Mr.Amiyakant Tiwari, learned Court Commissioners, appointed by the Court.</p> <p>In compliance of the Court's order dated 12.11.2024, the Director, Women and Child</p>

Development Indrawati Bhawan, Nawa Raipur, Raipur has filed his affidavit, which is reproduced herein under :-

“1. That, vide order dated 12.11.2024 the Hon’ble Court was pleased to take cognizance of the issue of Special Child coming to Anganbadi Centers. The Hon’ble Court had observed that there is no mechanism to identify the Special Child and to provide requisite assistance to them. It was also observed by the Hon’ble Court that the Department has not taken in its ambit any mechanism to identify the Special Child and to provide requisite assistance to them.

2. It is respectfully submitted that in pursuance to observations made by the Hon’ble Court the Government of India has issued a protocol for Special Children in Anganbadi Centers. The protocol consisting of Identification of Special Children in accordance with the Persons with Disability Act, 2016. According to the Act, 2016 as many as 21 disabilities have been identified. The protocol is issued by the Government of India, Ministry of

Women and Child Development along with the Department of Empowerment of Persons with Disability and Ministry of Health and Family Welfare. The Government of India has issued detailed guideline of methods of a providing assistance to Special Children. A copy of protocol issued by the Government herewith as **ANNEXURE X/1**.

3. It is respectfully submitted that the protocol provides for identification and registration of Special Children and their quarterly assessment. The protocol directs the Anganbadi Centers to motivate the parents of the Special Child to meet the Doctor and to give proper medical care. It also provides to educate the parents to care for Special Child. It is also directed in the protocol that the Anganbadi Worker should make the child do simple exercises for flexibility of muscles and overall movements. The protocol issued by the Government of India has been adopted by the State Government.

4. It is respectfully submitted that the Directorate of Women and Child Development Chhattisgarh has issued a

memo dated 03.07.2024 seeking for identification of Special Child in Anganbadi Centers. The memo is addressed to the District Programme Officer and Project Officer of all the Districts of the Chhattisgarh. A format has been annexed to the memo dated 03.07.2024. Vide memo dated 06.12.2023 the Directorate of Women and Child Development has informed all the District Programme Officer and other concerned staff about the protocol for special children in Anganbadi Centers and have called for detail of the Special Child and the facilities available to the Special Child in Anganbadi Centers. A copy of memo dated 06.12.2023 and memo dated 03.07.2024 along with proforma of report and filed herewith as **ANNEXURE X/2 & X/3**. It is submitted that the Department of Women and Child Development is in the process for collection of relevant data relating to Special Children in Anganbadi Centers.”

Learned Court Commissioners state that they have received a copy of the affidavit which has been filed by the State today. They are directed to go through

the same and verify the averments which have been made in the present affidavit after physical verification of Anganwadi Centers of the State and submit the report accordingly.

Mr.Ishan Verma, Court Commissioner, has filed the report on 4.9.2024 wherein he has drawn the attention of the Court towards the letter dated 15.09.2023 in his report, which has been annexed at page No.63, whereby the rate of pulses (mix dal) which is being purchased at Rs.90/- per kg. appears to be too low as compared to the current market rate. It further goes to show that the pulses which has been purchased for the said Anganwadi Centers is sub-standard, to which learned Additional Advocate General for the State has submitted that there are some Corporations from which the pulses are being purchased, hence, it cannot be said that the pulses which is purchased is sub-standard, but he shall assure the Court that he will verify the said fact and submit the report accordingly on the next date fixed.

Mr.Ramakant Mishra, learned counsel appearing for the respondent-Railways has submitted that as per Indian Railway Engineering Code there is no provision to give 'No Objection Certificate' for construction of Anganwadi Centers at the land located in Railway area. He states that if the State makes a request, then the land can be transferred, to which, Mr.Y.S.Thakur, learned Additional Advocate General states that he would do the needful in the matter and inform the Court accordingly by the next date fixed.

The Court Commissioners are permitted to visit the places of all Anganwadi Centers in addition to the places which have been directed by this Court and submit the report accordingly. The concerned Department/State shall pay Rs.20,000/- to each of the Court Commissioners for the said purpose.

List this matter on **30.01.2025**.

Sd/-

(Amitendra Kishore Prasad)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

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