

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.196/2001

PEOPLE'S UNION FOR CIVIL LIBERTIES

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(With applns.(s) for interim relief and office report)

Date : 17/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL  
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. Colin Gonsalvez, Adv.  
Dr. Yug Chaudhary, Mr. Jawahar Raja,  
Mr. P Ramesh Kumar, Ms. Aparna Bhat and  
Ms. Usha Pulu, Advs.

For Respondent (s)  
U O I Mr. Soli J Sorabjee, Attorney General  
Ms. Meenakshi Arora, Adv.  
Mr. B V Balaram Das, Adv.

F C I Ms. Indra Sawhney, Adv.

State of Orissa Mr. Radha Shyam Jena, Adv.

State of Rajasthan Dr. A M Singhvi, Sr. Adv.  
Ms. Sandhya Goswami and Mr. M P S Tomar,  
Advs.

State of Himachal Pradesh Mr. Naresh K Sharma, Adv.

State of Uttranchal Ms. Rachana Srivastava, Adv.

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

State of U.P. Mr. Ajay K Agrawal, Adv.  
Ms. Alka Agrawal, Adv.  
Mr. Ashok K Srivastava, Adv.

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

State of Sikkim Mr. A Mariarputham, Adv.  
Ms. Aruna Mathur and Mr. Anurag D Mathur,  
Advs. for M/s. Arputham, Aruna & Co., Advs.

Govt. of Pondicherry	Mr. V G Pragasam, Adv.
State of Arunachal Pradesh	Mr. Anil Shrivastav, Adv.
State of Meghalaya	Mr. Ranjan Mukherjee, Adv.
State of Nagaland	Mr. S K Shandilya, Adv. Ms. V D Khanna, Adv.
State of Goa	Ms. A Subhashini, Adv.
State of Punjab	Ms. Jayshree Anand, Addl.Adv.Genl., Pb. Mr. G Sivabalamurugan, Mr. Rajeev Sharma and Mr. R S Suri, Adv.
State of Maharashtra	Mr. S S Shinde, Adv. Mr. S V Deshpande, Adv.
State of Manipur	Mr K H Nobin Singh, Adv.
State of Gujarat	Mr. P Chidambaram, Sr. Adv. Ms. Hemantika Wahi, Adv. Ms. Sumita Hazarika, Adv.
State of M.P.	Mr. Satish K Agnihotri, Adv. Mr. Anil K Pandey and Mr. Rohit Kumar Singh, Adv.
State of Chhattisgarh	Mr. Ashwani Kumar, Sr. Adv. Mr. Prakash Shrivastava, Adv.
State of Tripura	Mr. Gopal Singh, Adv.
State of Kerala	Mr. Ramesh Babu M R, Adv.
UT of Chandigarh	Ms. Kamini Jaiswal, Adv. Ms. Shomila Bakshi and Ms. Aishwarya Rao, Adv.
State of West Bengal	Mr. Tara Chandra Sharma, Adv.
State of Tamil Nadu	Mr. P N Ramalingam, Adv. Mr. V Balaji, Adv.
NCT Delhi	Mr. Ashok Bhan, Adv. Mr. K C Kaushik and Mr. D S Mahra, Adv.
UTs of Andaman & Nicobar, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep	Mr. Ashok Bhan, Adv. Mr. K C Kaushik, Adv. Mr. D S Mahra, Adv.
State of Haryana	Mr. C S Ashri, Adv. Mr. Mahabir Singh, Adv.
State of Andhra Pradesh	Mr. T V Ratnam, Adv. Mr. K Subba Rao, Adv.  Mr. B S Banthia, Adv.

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

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With reference to this Court's direction dated 3rd September, 2001 requiring 16 States and Union Territories who, according to the learned Attorney General, had not identified the below poverty line families under the Antyodaya Anna Yojana, to identify, we are not satisfied that any such exercise in the right earnestness has been undertaken. Some of the States mention that the exercise is underway. Considering the seriousness of the matter, one further opportunity is granted to these 16 States and Union Territories to comply with the Central Government's directions within three weeks and to inform the Central Government about the number of below poverty line families under the Antyodaya Anna Yojana which they have identified. Copies of the communication said by the said 16 States/Union Territories should also be forwarded to the Attorney General who will inform the Court on the next date of hearing whether compliance has been made or not.

In I.A. No. 8/2001 at pages 66-68, certain schemes of the Central Government are mentioned which are required to be implemented by the State Governments. These schemes are : Employment Assurance Scheme which may have been replaced by a Sampurna Gramin Yojana, Mid-day Meal Scheme, Integrated Child Development Scheme, National Benefit Maternity Scheme for BPL pregnant women, National Old Age Pension Scheme for destitute persons of over 65 years, Annapurna Scheme, ...4/-

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Antyodaya Anna Yojana, National Family Benefit Scheme and Public Distribution Scheme for BPL & APL families. The Chief Secretaries of all the States and the Union Territories are hereby directed to report to the Cabinet Secretary, with copy to the learned Attorney General, within three weeks from today with regard to the implementation of all or any of these Schemes with or without any modification and if all or any of the Schemes have not been implemented then the reasons for the same.

The Central Government shall collate all the facts and thereafter take necessary action in order to ensure the implementation of the said Schemes. A Status Report with regard thereto may be filed in Court within five weeks. Before giving the Status Report, the Central Government will also ascertain with regard to the actual implementation of the various Schemes.

In the meantime, we direct all the State Governments to forthwith lift the entire allotment of foodgrains from the Central Government under the various Schemes and disburse the same in accordance with the Schemes.

The Food for Work Programme in the scarcity areas should also be implemented by the various States to the extent possible.

To come up on 5th November, 2001.

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(D.P. WALIA)  
Court Master

(S.L. GOYAL)  
Court Master

