

Relief Colonies for People Affected by Mass Violence in Gujarat

Food security and the availability of public services:

A survey of compliance of the State government with the
Commissioner's instructions

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Food Security Situation and Availability of Public Services: Survey of the Compliance of State Government with Commissioner's Instructions

Background

The Commissioners of the Supreme Court had received disturbing information about acute food and livelihood distress of people who were internally displaced by the 2002 riots in Gujarat. It was informed that many families continued to live in relief colonies in very difficult conditions, with acute problems of food and livelihoods security. It was brought to notice that the directions of the Hon'ble Supreme Court of India (in CWP 196/ 2001) on the food and employment schemes including the ICDS, MDMS, PDS, NREGA, Antyodayaa and Annapurna Yojana, NOAPS, NFBS and NMBS were being violated.

The Commissioners, mandated by the Honorable Supreme Court to monitor all the food and employment schemes in Writ 196/ 2001, subsequently wrote to the Government of Gujarat requesting them to look into the matter and ensure that food schemes were implemented by the Government of Gujarat as per the directions of the Honorable Court in Writ 196/ 2001. The Government of Gujarat responded saying that no relief colonies were displaced in the riots.

Shortly thereafter, the National Commission for Minorities deputed 3 members to visit the state from 13 to 17 October 2006, and they went to 17 relief colonies. They observed the kind of difficulties that were faced by the residents of these colonies and the non-implementation of state programmes. The report of the NCM clearly established that the Government of Gujarat had mis-represented the situation to the Commissioners of the Hon'ble Court by denying the existence of these colonies. It also established prima-facie evidence of the fact that the directions of the Hon'ble Supreme Court with regard to food and employment schemes were being violated.

The Special Commissioner to the Supreme Court along with others further completed a full survey of the state and found similar conditions in 81 such relief colonies across the state of Gujarat. The report of this investigation (guided by senior academic Dr Ghanshyam Shah and state advisor Dr Indira Hirway) found 4545 families comprising around 30,000 persons were still living in very difficult conditions in 81 relief colonies.

The study found that none of the colonies had been set up or assisted by the state government. Only 5 of the 81 colonies had government or government recognized schools, and only 4 served mid-day meals to the children. Only 5 had ICDS centres, of which 4 served supplementary nutrition to the children, and 1 to nursing and expectant mothers. Only 3 had PDS shops, and only 725 out of 4545 families were recognized as BPL, although their intense poverty as internally displaced persons facing economic boycott was acute. People who had BPL cards were reluctant to apply for a transfer of the card, because they fear that this may be cancelled.

Based on this information, the Commissioners directed the Government of Gujarat that the following steps be immediately undertaken to ensure state accountability for the food and livelihood rights of its citizens who remain internally displaced nearly 5 years after the 2002 communal carnage.

1. All families who continue to live in relief colonies must be given Antyodaya cards, as internally displaced persons, who lost all their belongings, face fear and economic boycott, and are too afraid to return to their original homes.
2. Primary schools with mid-day meals should be opened in all 81 relief colonies immediately. The location of the school should be such that it is accessible not only to the residents of the camp, but to the surrounding host communities, as also to promote integration.
3. All 81 colonies should have fully functioning ICDS centres with the entire contingent of nutrition and health services.
4. PDS shops should be opened in all colonies where these are not available within a distance of 3 kilometers.
5. There should be a drive within 3 months to ensure that all eligible persons for NOAPS and widows pensions receive them.
6. Job cards under NREGA should be issued in all NREGA districts to all residents of relief colonies who are desirous of these.

This was also conveyed to the Hon'ble Supreme Court through a letter from the Commissioners in March 2007. In this letter the Commissioners also recommended that contempt of court notices be issued to the Chief Secretary and other officials of the Government of Gujarat for misrepresenting facts and furnishing incomplete and inaccurate information to the Commissioners appointed by the Supreme Court.

In response to this letter the Government of Gujarat filed an affidavit in the Supreme Court in August 2007 denying deliberate misrepresentation and presenting a report of action taken on

the directions of the Commissioners regarding implementation of food and employment schemes in the relief colonies. Following this the Supreme Court Commissioners Office along with local civil society organizations in Gujarat decided to undertake a survey of all the colonies in the state to verify the claims of compliance by the state government, as reported in their affidavit to the Supreme Court. The first round of data was collected between Jan-Feb 2008, which was subsequently corrected and checked by Antarik Hakk Vishthapit Samiti, CSJ, ANANDI, Nyayagrah in the second round during August - September 2008.

The survey involved visiting all the colonies and conducting focus group discussions with the residents to understand the functioning of the food and employment schemes in the relief colonies. Lists were also made of eligible residents who were not receiving benefits.

Number of colonies

While in the first study done by the Special Commissioner and his team, 81 relief colonies were identified; the Government of Gujarat reported that of these 7 colonies do not exist and added another 12 colonies as a result of an exercise undertaken by the District Administration. Therefore the Government of Gujarat recognized 86 colonies and said that the food and employment schemes were being implemented in these colonies.

In the present re-survey 85 of the government's list of colonies could be traced and a further 18 colonies that were not included in the Government's list were also found. So a total of 103 colonies were visited (a list of these 103 colonies is presented in Annexure 1).

Of the 103 colonies surveyed, a majority of them (55) were in urban areas and another 48 colonies were in rural areas.

Table 1: Nature of colonies' location

Sr.	Location type	No. of colonies	Percent
1	Urban	55	53.4
2	Rural	48	46.6
	Total	103	100

The district-wise location of the colonies is given in the following table. The relief colonies are present in 10 districts, with most of them (26) being in Sabarkantha, followed by 19 colonies in Anand and 18 colonies in Ahmedabad. Mehsana and Panchmhal have 10 colonies

each, there are 9 in Vadodara, 5 in Kheda, 4 in Bhahruch and 1 each in Dahod and Gandhinagar.

Table 2: Number of colonies in each surveyed district

Sr.	District	No. of colonies	Percent
1	Ahmedabad	18	17.5
2	Anand	19	18.4
3	Bharuch	4	3.9
4	Dahod	1	1.0
5	Gandhinagar	1	1.0
6	Kheda	5	4.9
7	Mehsana	10	9.7
8	Panchmhal	10	9.7
9	Sabarkhantha	26	25.3
10	Vadodara	9	8.7
	Total	103	100

Basic features of the colonies

42 of the colonies have a mosque, 10 of them have a community hall, 16 colonies have a school and 12 colonies have a separate anganwadi building. One colony has a madarsa building.

Table 3: Number of colonies with community places

Sr.	Types of community places	No. of colonies	Percent
1	Mosque	42	40.8
2	Community hall	10	9.7
3	School	16	15.5
4	Anganwadi	12	11.7
5	Madarsa	1	1

The colonies are still not very well equipped in terms of basic amenities. Only 21 of the colonies have an internal road and only 18 colonies have an all weather approach road. There were proper drainage/sewerage facilities in about half the colonies and street lights were

present in 13 colonies. Most of the colonies had a regular supply of drinking water (97) and electricity (84). However only 67 colonies had clean drinking water sources.

Table 4: Availability of basic amenities

Sr.	Amenities	No. of colonies	Percentage
1	Internal road	21	20.4
2	All weather approach road	18	17.5
3	Drainage/sewerage	46	44.7
4	Street light	13	12.6
5	Electricity	84	81.6
6	Clean drinking water sources	67	65
7	Regular supply of drinking water	97	94.2
8	NA certificate	57	55.3
9	Nurse visit	48	46.6

Only about half the colonies had a NA certificate and less than half reported that a nurse visited the colony. Out of the government recognized colonies about 4 colonies are yet to receive NA certificates.

Most of the colonies have less than 30 occupied tenements each. 11 colonies have more than 11 households living in it. Overall, there were 4649 households living in the colonies.

Table 5: Number of families living in the relief colonies

Sr.	Numbers of occupied tenements	No. of colonies	Percent
1	Up to 15	26	25.2
2	16 to 30	29	28.2
3	31 to 50	19	18.4
4	51 to 100	18	17.5
5	101 to 150	6	5.8
6	151 to 200	4	3.9
7	More than 200	1	1.0
	Total occupied tenements = 4649	103	100.0

Further there were 959 tenements in the colonies surveyed that were unoccupied.

Table 6: Number of unoccupied tenements in the relief colonies

Sr.	Numbers of unoccupied tenements	No. of colonies	Percent
1	Up to 15	81	78.6
2	16 to 30	12	11.7
3	31 to 50	7	6.8
4	51 to 100	3	2.9
	Total unoccupied tenements = 959	103	100.0

Therefore, in total there are 5608 houses in these colonies.

Integrated Child Development Scheme

The Commissioners directed that all colonies should have fully functioning ICDS centres with the entire provision of nutrition and health services. The Government of Gujarat reported that 85 colonies have the facility of fully functional I.C.D.S. centres.

It was found that 21 colonies had an anganwadi centre in the colony. Of the remaining colonies, 33 had an anganwadi centre that was less than half a kilometer away from the colony. Another 29 colonies had the nearest anganwadi less than 1 km from the colony but more than 500mts. away. In 17 colonies the nearest anganwadi was more than 1 km away.

Table 7: Provision of ICDS (Anganwadi) in the colony

Sr.	Presence of ICDS	No. of colonies	Percent
1	Yes	21	20.4
2	No	82	79.6
	Total	103	100

Table 8: Nearest Anganwadi in case Anganwadi is not in the colony

Sr.	Distance of Anganwadi from colony	No. of colonies	Percent
1	Up to 100 mts	6	7.3
2	101 to 500 mts	27	32.9

3	501 mts to 1 km	29	35.4
4	More than 1 km	17	20.7
5	Don't know	3	3.7
	Total	82	100.0

In terms of provision of services in these anganwadi centres, in 70 colonies people reported that the anganwadi centre that children from the colony access opens regularly. In almost all these centres, supplementary nutrition for children is regularly provided. However, in only 36 centres did people say that supplementary nutrition was given regularly to pregnant and lactating mothers. In 59 colonies people said that pre-school activities were being conducted, and about 70 children were being immunized and only 59 pregnant women were being administered tetanus injections regularly.

Table 9: Provision of ICDS Services

Sr.	ICDS Service	No. of colonies	Percent
1	Anganwadi centre open regularly	70	68
2	Supplementary nutrition for children given regularly	69	67
3	Supplementary nutrition for pregnant and lactating mothers given regularly	36	35
4	Pre-school activities conducted	59	57.3
5	Children being immunised	70	68
6	Pregnant women being immunised	59	57.3

Public Distribution System

The Commissioners directed that all families who continue to live in relief colonies must be given Antyodaya cards and PDS shops should be opened in all colonies where these are not available within a distance of 3 kilometers.

The Government of Gujarat reported that all Antyodaya cards have been issued, except for 313 families. These families were reportedly not issued Antyodayaa cards because in 165 families of Ahmedabad, the houses wer closed and the people were not available, and among the 148 families of Sabarkantha district, the people had gone to their native villages. The

Government of Gujarat also reported that all the 86 colonies have P.D.S. shop facilities within a distance of 3 kms.

The survey found that while 12 colonies had a PDS shop, 88 had access to a ration shop within 3 km distance. Further, in 68 colonies people said that the ration shop was open every day, and in 44 colonies they said that all the residents had a ration card. In 61 colonies people said that they lifted 35kg of grain regularly from the shops and only in 39 colonies did they say that it was possible to buy grain in more than one instalment.

Table 10: Status of PDS functioning

Status of PDS functioning	No. of colonies	Percent
PDS shop located in the colony	12	11.7
Access to a ration shop within 3 km	88	85.4
Ration shop is open everyday	68	66.0
All residents have a ration card	44	42.7
Ration is available regularly	84	81.6
35 kg of grain is lifted regularly by everyone	61	59.2
Ration can be lifted in instalments	39	37.9

Under the Antyodayaa Anna Yojana each family is eligible to receive 35 kgs of grain each month (16 kg rice and 19 kg wheat). However in 11 colonies people said that they were given less than 16 kg of rice each month and in as many as 38 colonies people reported being given less than 25 kg of wheat each month. Nobody reported getting more than 16 kg of rice or 19 kg of wheat in a month. Most of the colonies now receive wheat flour instead of wheat, and there were complaints regarding the quality of the wheat flour. The wheat flour cannot be stored, and if stored, within a few days gets infested with insects. Thus people have urged to stop the supply of wheat flour.

Table 11: Quantity of grain received

Quantity of grain received	No. of colonies	Percent
Rice less than 16 kg	11	10.7
Rice 16 kg	92	89.3
Wheat less than 19 kg	38	36.9
Wheat 19 kg	65	63.1

Among those who said that they did not lift the entire quota regularly in 34 colonies they said it was because of problems of access to the ration shop, and in 31 colonies they said it was because all did not have ration cards. In other colonies people reported ration shops not being open (17), fear and discrimination (6) and being unable to lift the entire quota in one instalment as reasons for all people not lifting the entire quota of grain from the PDS.

Table 12: Reasons for not lifting entire quota

Reasons for not lifting entire quota	No. of colonies	Percent
Non-availability of ration shop	34	33
Non-availability of ration card	31	30.1
Ration shop not open	17	16.5
Fear and discrimination	6	5.8
Not able to lift the entire quota in one instalment	10	9.7
Non-availability of stock at the ration shop	11	10.7

Issuance of the Antyodaya cards

After the re-survey in the month of March, there are 721 families that have not yet received the Antyodaya cards. There are a few houses in the colonies that have been given out on rent, therefore those families do not have antyodaya cards.

National Maternity Benefit Scheme/Janani Suraksha Yojana

The Government of Gujarat's affidavit does not mention any details of whether the cash benefit for pregnant mothers was being given in the relief colonies. The survey team found that the awareness and coverage of this scheme is very low, with people in only about 24 colonies who knew about it and reported having seen pregnant women in the colony receive any benefit from it.

Table 13: Functioning of NMBS/JSY

NMBS/JSY	No. of colonies	Percent
Awareness of NMBS	24	23.3
Pregnant mothers getting the cash benefit	23	22.3

The major problem with this scheme is that there is barely any awareness about this scheme and ways as to how to avail the benefits.

The two main concerns that have surfaced are:

- 1: This scheme is available only for BPL card holders (therefore most people are not able to avail it).
- 2: People have not applied within the stipulated time.

There are 139 women who are eligible for this scheme, but have not benefited from it.

National Rural Employment Guarantee Scheme

When the survey was conducted the NREGA was being implemented only in four of the ten districts in which the relief colonies are located. These are Bahruch, Dahod, Panchmhal and Sabarkhantha. In these districts there are 23 colonies in rural areas and of these in 8 colonies people said that they had applied for job cards and were given job cards. Further in only 2 colonies did people say that anyone had applied for work and had worked under the NREGS. In 10 colonies people said that they would like to be given work under NREGS.

Table 14: NREGA functioning (in 23 rural colonies)

NREGA functioning	No. of colonies	Percent
Residents applied for job card	8	34.8
All members have job cards	8	34.8
Any residents made a demand for work under NREGA	2	8.7
Residents want NREGA works to occur in their colony	10	43.5
Any residents have done any work under NREGA	2	8.7

The Government of Gujarat affidavit states that 110 of the families of the affected colonies, falling under rural areas of the NREGA districts i.e. Bharuch, Panchmahals and Sabarkantha, applied for job cards and were issued job cards.

In some of the colonies Job cards have been issued to the people and some have even received employment under the scheme. Most people in the villages are unwilling to dig huge holes, as they find the job tedious and are not willing to do it. Most people are thus not willing to take up jobs under the scheme.

Old age and widow pensions

The Commissioners directed that there should be a drive within 3 months to ensure that all eligible persons for NOAPS and widows pensions receive these.

The affidavit of the Gujarat Government states that after detailed door-to-door verification, out of the total population in the affected colonies, 217 old age people were found residing in these colonies. 52 eligible persons have been sanctioned old age pension. The rest have been found ineligible. Similarly, as a result of the survey, 314 widows were found living in the relief colonies. 83 of these widows, who were eligible as per the norms, have been sanctioned the widow's pension and the rest have been rejected. However, given that all the residents of the colonies are now supposed to be Antyodaya card holders, it is not clear on what grounds some of the old people and widows have been found ineligible for receiving pensions.

In the survey, people in only 26 colonies said that all old people in the colony receive old age pensions. In only 37 colonies, people said that all widows are getting pensions. Further in 4 colonies there were people who were getting pensions before 2002 but these had stopped after they moved to the relief colonies. In 6 colonies only, could there be found beneficiaries of the National Family Benefit Scheme. A total of 113 eligible persons are yet to receive the old age pension from all the colonies and about 104 widows who are eligible from all the colonies have yet to receive the pension.

Table 15: Pension schemes

Scheme	No. of colonies	Percent
All old people above 60 years getting pensions	26	25.2
All women in the colony who are widows getting pension	37	35.9
Residents present who were getting pension before 2002 but not now	4	3.9
Any member in the colony has got NFBS	6	5.8

Mid-Day Meal Scheme

The Commissioners directed that primary schools providing hot, cooked meals should be opened in all relief colonies immediately. The location of the school should be such that it is accessible not only to the residents of the camp, but also to the surrounding host communities, to promote integration.

The Government of Gujarat's affidavit reports that government primary schools with MDM facilities are available to all the 86 colonies. In 72 colonies, schools are available within 0.5 to 1.0 km. distance. In the case of 9 colonies, the nearest government school is situated at a distance of 1.0 to 1.5 km and 5 colonies are such where the schools are at a distance of 2 kms.

The survey found that only 8 colonies had a government primary school. However in 102 colonies people said that they were able to access a school outside the colony. In 78 colonies people said that most children from the colony go to a government primary school and in 12 colonies it was reported that the nearest government primary school was more than 2 km away.

Table 16: Access to school and Mid-Day Meal

Access to school and MDM	No. of colonies	Percent
Government school in the colony	8	7.8
Children from colonies have access to school	102	98.1
Children from colonies where most children go to a government primary school	78	75.7
Number of colonies where school was more than 2 km away	12	11.7
Children go to a government school serving mid-day meal	89	86.4

Further, people in 89 colonies reported that there are children in the colony who go to government schools and that these children get mid-day meals in the school. Of these, in 85 schools hot cooked meals were served. In 2 colonies, people reported that Muslim children are discriminated against in the serving of the mid-day meal.

Annexure 1: List of Colonies

Sl. No	District Name	Taluka Name	Name of Colony
1	Ahmedabad	Ahmedabad	Siddiqabad
2			Madninagar
3			Imrat-e-Sariya
4			Mahetab Row Housing
5			Ekta Complex
6			Ektanagar (vatva)
7			Citizen Nagar
8			Mualana Azadnagr
9		Daskoi	Faizal Park
10			Ansh Colony
11		Viramgam	Islami Relief
12	Anand	Aanklav	Muhajirnagar
13			Faiz- e-Abrarnagar
14		Anand	Manejwala
15			Shabbirpark
16			Relief township
17			Hina Park
18			Sandeshar Agas Station Road Colony
19			Mogri Sisva Township
20			Rahimanagar
21			Jahangirbhai Nu Khetar (Jahangirbhai's field)
22			Rahimanagar Part-2
23			Borsad
24		Murtuza Nagar	
25		Khambhat	Rahematnagar
26		Sojetra	Al-Falahnagar
27		Tarapur	Gulistan-e-Shahadatnagar
28		Umareth	Navrangpura,Badapura
29		Bharuch	Bharuch
30	Islami Relief Committee Vasahat		
31	The Relief Fund Organization Trust		
32	Vishthapit Colony		
33	Dahod	Devgad-Bariya	Rahimabad
34	Gandhinagar	Kalol	Reliefnagar Mahmadi Park Sami
35	Kheda	Mahemdavad	Rahematnagar
36		Mahudha	Jamiyat Nagar

37			Imdadnagr	
38		Nadiyad	Abu-Bakar	
39	Mehsana	Kadi	Islimi Relief Colony	
40			Nasirabadnagar	
41			B P L Housing Colony	
42			Itihad Colony	
43			Ahemad Latif	
44			Mehsana	Shalimar Society
45		Vijapur	Garibnawaz Colony	
46		Visnagar	Islimi Relief Committee	
47			Sardarpura Relief Soccity	
48	Panchmhal	Ghodhamba	Kalim Colony	
49		Godhara	Aman Park	
50		Halol	Sanjri Colony	
51			Hajimajdkaka Colony	
52			Ikra Colony	
53			Falah-e-Aam-Colony	
54			Kasimabad	
55			Varchhesar Colony	
56	Sabarkhantha	Himmatnagar	Muhajinagar	
57			Noor Colony	
58			Patravali Vasahat	
59			Navalpur	
60			Al Fazal	
61			Satnagar	
62			New Meman Colony	
63			Husenabad Colony	
64			Kifayat Nagar	
65			Ider	Nusaratnagar Rahat Colony
66		Noor-e-Elahinagar		
67		Meman Colony		
68		Asraf Nagar		
69		Malpur	Samadnagar Colony	
70		Modasa	Rasidabad	
71			Shaikhul Hind Nagar	
72			Falahe-A-Am	
73			Mujahid-e-millatnagar	
74			Alliancenagar	
75			Sahara Colony	
76		Vadali	Aman Park	
77			Gulshan Park	
78		Vadodara	Baroda	Nurani Mohallo

79			Baitul Gafarpark
80			Fagvelnagar
81			K.G.N Relief Colony
82		Chotaudaipur	Munshifnagar
83			Saidnagar
84		Savli	Tamir-e-Millat
85			Kalim Coliny
<i>Colonies that have not been identified by the Government:</i>			
86	Ahmedabad	Ahmedabad	Siyasatnagar
87			Asimpark
88			Gulmohar
89			Kwaja Garib Nawaj
90			Naroda Patiya Makan
91		Daskoi	Hazrate Sumaiya
92			Baug-e-Aman
93	Anand	Anand	Mariyam Park
94		Borsad	Islamic colony
95	Kheda	Kheda	Muhajirnagar
96	Mehsana	Kadi	Mandali
97	Panchmhal	Kalol	P.W.D
98		Lunavada	Husenabad koloni
99	Sabarkhantha	Himmatnagar	Kanatakvala R-Hhuse
100			Aadarsh Meman Colony
101		Ider	Garib Nawaz Colony
102			Alflah Nagar
103	Vadodara	Baroda	Laxmipura