

बिहार सरकार  
ग्रामीण विकास विभाग

पत्रांक :- 166675

ग्रा.वि.-7(आ0)-18/2012

पटना, दिनांक :- 22-10-2013

प्रेषक,

अमृत लाल मीणा,  
सचिव ।

सेवा में,

सभी जिला पदाधिकारी -सह- जिला कार्यक्रम समन्वयक,  
सभी उप विकास आयुक्त -सह- अपर जिला कार्यक्रम समन्वयक,  
बिहार ।

विषय :- मनरेगा अंतर्गत राज्य के एच0आई0वी0 (HIV) संक्रमित व्यक्तियों को रोजगार उपलब्ध कराने के संबंध में ।

प्रसंग :-

1. माननीय उच्च न्यायालय, पटना में सी0डब्लू0जे0सी0 संख्या-5440/2011 संजीत सिंह बनाम भारत सरकार एवं अन्य,
2. भारत सरकार द्वारा निर्गत अद्यतन दिशा-निर्देश, 2013 का अध्याय 9 तथा
3. विभागीय पत्रांक 148618 दिनांक 17.05.2013 ।

महाशय,

उपयुक्त विषयक प्रासंगिक पत्रों का कृपया संदर्भ लिया जाय (सुलभ प्रसंग हेतु छाया प्रतियाँ संलग्न) ।

मनरेगा के अद्यतन मार्गदर्शिका, 2013 के कंडिका 9.1 में कमजोर समूहों को विशेष श्रेणी में चिन्हित किया गया है, जिसमें एच0आई0वी0 (HIV) संक्रमित व्यक्तियों को भी शामिल किया गया है ।

कंडिका 9.1.1 में इन विशेष श्रेणियों को मनरेगा में शामिल करने के लिये विशेष योजना तैयार करने तथा अलग-अलग कार्यनीति तैयार करने का प्रावधान किया गया है ।

इस क्रम में एच0आई0वी0 (HIV) संक्रमित व्यक्तियों को मनरेगा अंतर्गत काम उपलब्ध कराने के लिये मनरेगा कर्मियों एवं योजनांतर्गत कार्यरत अन्य जॉब कार्डधारियों को संवेदनशील बनाने पर जोर दिया गया है ।

विदित हो कि माननीय उच्च न्यायालय, पटना में सी0डब्लू0जे0सी0 संख्या-5440/2011 संजीत सिंह बनाम भारत सरकार एवं अन्य में दायर याचिका तथा स्वास्थ्य विभाग द्वारा दिये गये परामर्श कि राज्य के एच0आई0वी0 (HIV) संक्रमित व्यक्तियों को उनके शारीरिक क्षमता के अनुरूप हलका एवं आसान कार्य करने का अवसर प्रदान किया जाय, के आलोक में निर्णय लिया गया है कि राज्य

A

22.10.13

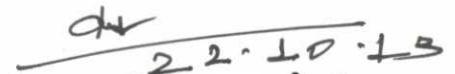
के एच0आई0वी0 (HIV) संक्रमित व्यक्तियों को मनरेगा योजना अंतर्गत रोजगार के समुचित अवसर उपलब्ध कराने की दिशा में निम्नलिखित कार्रवाई सुनिश्चित की जाय :-

1. जिला स्तर पर राज्य स्वास्थ्य समिति के जिला इकाई के सहयोग से, चिन्हित सभी एच0आई0वी0 (HIV) संक्रमित व्यक्तियों का पंचायतवार सूची तैयार कर लिया जाय ।
2. इन सभी से आवेदन प्राप्त कर इनका जॉब कार्ड बना दिया जाय ।
3. सभी मनरेगा कर्मी अपने-अपने क्षेत्रों में राज्य स्वास्थ्य समिति के सहयोग से आशा कार्यकर्ता आदि के माध्यम से इस बिमारी के बारे में जानकारी दें तथा यह बतायें कि एच0आई0वी0 हवा, पानी, कीड़े, मच्छर, लार, आँसू या पसीने, थूकने, हाथ मिलाने या व्यंजन साझा करने जैसे आकस्मिक संपर्क द्वारा नहीं फैलता है । इसीलिये एच0आई0वी0 (HIV) संक्रमित व्यक्तियों को रोजगार के अवसर देने तथा इन्हें योजना अंतर्गत कार्यरत जॉब कार्डधारियों के साथ मिलकर मनरेगा के कार्य निष्पादन में भाग लेने का प्रावधान किया गया है ।
4. विशेष प्रयास कर इनके काम के माँग को दर्ज किया जाय । इसके लिये पंचायत रोजगार सेवक/मेट HIV संक्रमित व्यक्तियों की सूची प्राप्त कर, उनसे व्यक्तिगत सम्पर्क करके उनको मनरेगा अंतर्गत काम प्राप्त करने के प्रावधान आदि की जानकारी देंगे । उनके काम के माँग का आवेदन प्राप्त करेंगे और उसका निबंधन करेंगे/करायेंगे । यदि किसी के द्वारा अनिच्छा प्रकट की जाती है तो अनिच्छा आवेदन (संलग्न प्रपत्र के अनुसार) प्राप्त करेंगे ।
5. प्राप्त माँग के विरुद्ध ससमय कार्य उपलब्ध कराया जायेगा । एच0आई0वी0 (HIV) संक्रमित व्यक्तियों हेतु अभी अलग SoR नहीं बना है । अतः विभागीय पत्रांक 148618 दिनांक 17.05.2013 के तर्ज पर संक्रमित जॉब कार्डधारियों को भी वन-पोषक के रूप में कार्य दिया जाय ।
6. MIS पर इनके विशेष श्रेणी संबंधी सूचनायें अवश्य दर्ज की जाय और इनके आच्छादन एवं कूल दिये गये रोजगार का सतत अनुश्रवण किया जाय ।

कृपया इसे उच्च प्राथमिकता दी जाय ।

अनुलग्नक :- यथोक्त ।

विश्वासभाजन

  
(अमृत लाल मीणा)  
सचिव

A

**अनिच्छा आवेदन पत्र**

1. जॉब कार्डधारी का नाम:
2. जॉब कार्ड संख्या:
3. महादलित टोले का नाम/ वार्ड संख्या :
4. गाँव का नाम:
5. पंचायत का नाम:
6. प्रखण्ड का नाम:
7. पंचायत रोजगार सेवक का नाम:

मुझे पंचायत रोजगार सेवक, श्री ..... द्वारा मनरेगा कार्यक्रम की सभी आवश्यक जानकारियाँ, जैसे कि 100 दिनों के काम की गारंटी जिसे हक के रूप में मांगा जाना है, 100 दिनों के रोजगार की गारंटी, 15 दिनों के अन्दर काम दिये जाने की बाध्यता, 15 दिनों के अन्दर काम नहीं दिए जाने पर बेरोजगारी भत्ते का प्रावधान, न्यूनतम मजदूरी तथा उसे प्राप्त करने के लिये किये जाने वाले कार्यों की मात्रा से संबंधित प्रावधान, मजदूरी भुगतान के तरीके आदि तथा विशेष श्रेणी अथवा शारीरिक रूप से कमजोर व्यक्तियों को किस प्रकार का कार्य दिया जायेगा, दे दी गई है।

मैं वर्तमान में मनरेगा के तहत कार्य करने को इच्छुक नहीं हूँ। इस क्रम में मैं अपना अनिच्छा आवेदन पत्र दे रहा हूँ। इस आवेदन में लिखे सारे वाक्यों को मुझे पढ़ के सुना दी गयी है। सहमत होकर मैंने अपना अंगूठा लगाया है / हस्ताक्षर किया है।

.....  
हस्ताक्षर/ अंगूठे का निशान

जॉब कार्डधारी का नाम .....

दिनांक ..... को मैंने श्री ..... से व्यक्तिगत सम्पर्क कर मनरेगा संबंधित सभी आवश्यक जानकारी दी। उस दौरान इन्होंने योजनांतर्गत काम ना करने की इच्छा दर्शायी अतः श्री ..... का अनिच्छा आवेदन पत्र प्राप्त किया।

पंचायत में कूल एचआईवी (HIV) संक्रमित व्यक्तियों संख्या ?	अनिच्छा आवेदन देनेवालों एचआईवी (HIV) संक्रमित व्यक्तियों की कूल संख्या ?	उपर्युक्त आवेदक का क्रम
1	2	3

.....  
पंचायत रोजगार सेवक



**बिहार सरकार**  
**ग्रामीण विकास विभाग**

पत्रांक 148618  
ग्रा.वि.-7(आं0)-16/2012

पटना, दिनांक 17/05/2013

प्रेषक,

**अमृत लाल मीणा,**  
सचिव ।

सेवा में,

**सभी जिला पदाधिकारी-सह जिला कार्यक्रम समन्वयक,**


**विषय:-** मनरेगा अन्तर्गत आर्थिक एवं सामाजिक रूप से कमजोर परिवारों यथा अनुसूचित जाति / अनुसूचित जनजाति परिवारों, महिलाओं विकलांगों आदि की भागीदारी सुनिश्चित करने के संबंध में ।

महाशय,

महात्मा गाँधी राष्ट्रीय ग्रामीण रोजगार गारंटी योजना का उद्देश्य ग्रामीण क्षेत्रों में रहने वाले परिवारों को रोजगार के अवसर प्रदान करते हुए आजीविका की सुरक्षा प्रदान करना है । इस क्रम में आर्थिक एवं सामाजिक रूप से कमजोर परिवारों यथा अनुसूचित जाति / अनुसूचित जनजाति परिवारों, महिलाओं विकलांगों, 65 वर्ष से उपर आयु के व्यक्तियों को रोजगार उपलब्ध कराने के लिए विशेष प्रयास किया जाना है । भारत सरकार द्वारा निर्गत अद्यतन दिशा-निर्देश (MGNREGA Operational Guidelines, 2013) के अध्याय-9 में इन वर्गों को रोजगार उपलब्ध कराने के लिए व्यापक प्रावधान किये गये हैं ।

2. मनरेगा अधिनियम में यह प्रावधान किया गया है कि कम से कम एक तिहाई लाभान्वित महिलाएँ होनी चाहिए ।
3. राज्य में सामाजिक वानिकी के अन्तर्गत अत्यधिक बड़े पैमाने पर वृक्षारोपण की योजना चल रही है जिसमें वृक्ष लगाने तथा वृक्ष संपोषण के कार्य में रोजगार उपलब्ध कराया जा रहा है । इस योजना में अन्य कार्यों से कम प्रयास निहित है तथा उपरोक्त श्रेणी के लोगों के लिए उपयुक्त है ।
4. उपरोक्त वर्गों की समुचित भागीदारी सुनिश्चित करने के लिए यह मार्गनिर्देश दिया जाता है कि संपोषण के कार्यों में लगे हुए वनपोषकों में कम से कम 50% वनपोषक अनुसूचित जाति / अनुसूचित जनजाति की महिलाएँ अथवा विकलांग होने चाहिए । इसमें भी प्राथमिकता महादलित वर्ग की महिलाओं / विकलांगों को दी जाए ।
5. तदनुसार प्रत्येक ग्राम पंचायत में सामाजिक वानिकी के योजनाओं के संपोषण में लगे हुए मजदूरों को कार्य आबंटित करते समय इस दिशा-निर्देश का अनुपालन सभी ग्राम पंचायतें अनिवार्यतः करेंगी ।
6. कार्यक्रम पदाधिकारी इसका पर्यवेक्षण सुनिश्चित करके अनुपालन करायेंगे ।
7. जिला कार्यक्रम समन्वयक समीक्षा के क्रम में इसका अनुपालन सुनिश्चित करेंगे तथा इसके सतत अनुश्रवण के लिए एक नोडल पदाधिकारी नामित करेंगे ।
8. इस निर्देश का अनुपालन सभी जिलों में माह जून, 2013-14 से MIS पर दृष्टिगोचर होना अनिवार्य है ।
9. इस परिपत्र को ग्राम पंचायतों की कार्यकारिणी समिति की बैठकों / पंचायत समिति की बैठकों में पढ़कर सुनाया जाय तथा तदनुसार कार्यवाही में अंकित किया जाय ।

विश्वासभाजन

  
16/5/13  
(अमृत लाल मीणा)

04 सचिव

The screenshot shows an email client window titled "NIC Messenger Express". The address bar displays "Welcome rlrsec-bih". The menu bar includes "Folders", "Inbox", "Sent", "Trash", "Drafts", "Addresses", and "Options". The email header shows it was sent from "rlrsec-bih@nic.in" on Friday, May 17, 2013 at 3:48 am. The recipient list is long, listing numerous districts in Bihar such as araria, arwal, aurangabad, banka, begusarai, bettiah, bhabhua, bhojpur, bhagalpur, buxar, darbhanga, gaya, gopalganj, jamui, jehanabad, katihar, khagaria, kishanganj, lakhisarai, madhepura, madhubani, motihari, munger, muzaffarpur, nalanda, nawadah, patna, purnea, rohtas, saharsa, samastipur, saran, sheikhpura, sheohar, sitamarhi, siwan, supaul, and vaishali. The subject line reads: "पत्रांक 148618 दिनांक 17.05.13 : मनरेगा अन्तर्गत आर्थिक एवं सामाजिक रूप से कमजोर परिवारों यथा अनुसूचित जाति/अनुसूचित जनजाति परिवारों, महिलाओं विकलांगों आदि की भागीदारी सुनिश्चित करने के संबंध में". There are two attachments: "148618.PDF" and "208K". Below the email content, there is a section labeled "----- Original Message -----" which repeats the same information. At the bottom, there is a handwritten note in Hindi: "ह/०- अमृत लाल मीणा सचिव ग्रामीण विकास विभाग, बिहार, पटना।"



## 9 Strategy for Vulnerable Groups

### 9.1 SPECIAL CATEGORIES

The objective of enhancing the livelihood security of the poor households in rural areas of the country can be met only if special attention is focussed on vulnerable sections of the rural society.

While providing a strong social safety net for vulnerable groups under MGNREGA, extra efforts need to be made for certain special categories of vulnerable people who will otherwise remain excluded. Some of the special categories are:

- i) Persons with disabilities
- ii) Primitive Tribal Groups
- iii) Nomadic Tribal Groups
- iv) De-notified Tribes
- v) Women in special circumstances
- vi) Senior citizens above 65 years of age
- vii) HIV positive persons
- viii) Internally displaced persons

**9.1.1** Each State Government should formulate a specific plan to include these special categories in MGNREGA. The strategy has to be different for different special categories. In order to develop this plan, volunteers may be identified and trained to engage with the special categories to ascertain their needs and requirements. These volunteers could also handhold the vulnerable persons during the initial period to remove problems. Cutting-edge level officers at gram panchayat and block panchayat levels should be specially sensitized on the issues related to the special categories and the approach to be followed.

Field staff and MGNREGA workers should be specially sensitized about HIV positive persons that HIV is not spread by air, water, insects, including mosquitoes, saliva, tears, or sweat, by spitting, casual contact like shaking hands or sharing dishes etc. Therefore, to facilitate the main streaming of HIV positive persons, they must be allowed to participate in execution of MGNREGA works with other MGNREGA workers.

**9.1.2** The plan for these special categories may have the following components:

- i) Specific works identified for these groups
- ii) Provision within the MIS for tracking their coverage.

### 9.2 INTERVENTIONS NEEDED FOR VULNERABLE GROUPS

**9.2.1 Identification:** Since the disabled and vulnerable groups have specific needs, special efforts have to be made to include them in the programme and the POs may procure the services of State governments welfare Department / specialized resource agencies / CSOs working for the disabled/ vulnerable. The resource agencies will be responsible for assisting the Gram Sabha in identifying and mobilising the disabled and vulnerable persons, and ensuring that they get their entitlements under the Act. The cost towards the resource agencies can be met from the administrative cost. The final list of such identified disabled people and vulnerable groups will be approved by the Gram Sabha.

- 9.2.2 Dedicated Officers:** Each State Government should designate one officer in each District as a Coordinator (Vulnerable Groups) who will exclusively look after the needs and requirements of the special categories and create enabling conditions for their inclusion in MGNREGA works. The Coordinator (Vulnerable Groups) shall necessarily be a person with prescribed educational qualification and experience of having worked with disabled persons and /or on disability issues. Qualified persons with disability may be encouraged.
- 9.2.3** The Coordinator (Vulnerable Groups) must undertake village level dissemination of information regarding the Scheme in order to encourage persons with disabilities as well as the other vulnerable groups for their active inclusion and protection of their right to work.
- 9.2.4** The MIS should register the vulnerable households under special categories and reports should be periodically reviewed and published to track the progress of MGNREGS implementation for the vulnerable groups.

### 9.3 DISABLED PERSONS

- 9.3.1** The disabled or differently-abled persons defined under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996) as persons with disabilities, the severity of which is 40% and above would be considered as special category of vulnerable persons for the purposes of MGNREGA. The disabled persons as defined in the National Trust for Welfare of Persons with Autism Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999) are also to be considered as disabled for the purpose of inclusion in MGNREGA.
- 9.3.2** Since this category of people are differently-abled, special conditions have to be created to facilitate their inclusion in MGNREGA. It is estimated that around 5% of the population in rural areas will fall in the category of disabled and this group is one of the most deprived and vulnerable.
- 9.3.3 Identification of works:** Each State Government will identify specific works, which can be done by the disabled and vulnerable persons. In a village, different categories of persons with disabilities will be organized to come together as a fixed group to accomplish the works proposed for them under the Scheme, in a way that makes it possible for them to exercise their choice. On no grounds, should the disabled and vulnerable persons be paid lower wages as compared to other persons employed in MGNREGA works.
- 9.3.4 Mobilisation:** The Coordinator (Vulnerable Groups) can utilize the services of a facilitator/Mate from among the disabled to mobilize the disabled and vulnerable persons for MGNREGA work. This facilitator will be responsible among other things, for bringing all the disabled persons to the work site and will function as a mate. Efforts should be made to mobilize the disabled and vulnerable into groups. Arrangements should also be made to orient the persons with disability to the suitable job as and when necessary. However, no individual with disability would be denied work where efforts to form a 'group' does not succeed.
- 9.3.5 Works:** Depending upon the demand for the work by disabled person / special category persons, works could be opened specifically for the disabled and In case of large GPs with substantial population of disabled and vulnerable, separate works could be opened at the habitation level. The efforts should be to ensure that the special category persons are given work close to their place of residence so that they need not travel long distances for MGNREGA works.
- 9.3.6 Engaging disabled and vulnerable persons in other works:** The disabled persons should be given preference for appointment as mates for MGNREGA works and as workers for providing drinking water, to manage crèches etc. at the work sites.



**9.3.7 Adaptation of tools and equipment/facilities at work places:** The Coordinator (Vulnerable Groups), in consultation with the workers with disabilities, will facilitate necessary modifications to the existing tools/equipment. The Coordinator (Vulnerable Groups) will then mobilise and or identify suitable institutions for making modified tools/assistive devices or making adaptation to the general tools/equipments being used in the work site. The workers with disabilities may be provided with modified tools/assistive devices or modified general tools/equipments required for the work.

**9.3.8 Treating Persons with Disabilities with Respect:** The persons with disabilities, at work-sites, shall be called by their own names alone. Similarly, their name as well as their surnames shall be properly registered in the job cards. The authorities shall take proper measures to ensure a stigma free environment at the work place so that the workers with disabilities shall not be ill treated/looked down upon or face any form of discrimination (using abusive language, calling them with their disability name, use of denigrating language, insulting them or hurting their feelings in any form) and the Coordinator (Vulnerable Groups) shall organize awareness programs to ensure the same.

**9.3.9 Monitoring and Time-frame:** There should be a special drive to identify all persons with disability and other vulnerable persons, enumerated in these guidelines, and provide 100 days of work to each of the household that they belong to in all the villages within a specified time-frame. The Coordinator (Vulnerable Groups) shall hold a monthly meeting to review the progress of such implementation with Block and Gram Panchayat level officials. The Coordinator (Vulnerable Groups) will submit monthly and quarterly progress reports to the DPC.

## 9.4 PARTICULARLY VULNERABLE TRIBAL GROUPS (PVTGs)

**9.4.1** Earlier known as Primitive Tribal Groups, the PVTGs live in remote and interior pockets and inaccessible forest and hills and are highly vulnerable to hunger/starvation, malnutrition and ill-health. Some of them are even on the verge of extinction. Today, several PVTGs have become nomadic, converted to bonded labor or found living in remote/ isolated locations and inaccessible forests or harsh deserts.

**9.4.2** Several PVTGs may not have been given MGNREGS Job Cards and those who have job cards may barely have worked under MGNREGS. Delays in payments and accessing these payments have added to the disadvantage of geographical remoteness of PVTGs. Typically the post offices/ banks are as far as 50km from PVTG habitations. Further, planning and opening of works under MGNREGS needs to be sensitive to seasonality of forest-based livelihoods of PVTGs which is different from agriculture-based livelihoods.

**9.4.3** Considering the geographical isolation and vulnerabilities of PVTGs, special strategies with appropriate program flexibility should be adopted by the State Governments to reach the benefits of MGNREGS to the PVTGs.

## 9.5 DE-NOTIFIED TRIBES AND NOMADIC TRIBES

**9.5.1** Nomadic tribes move from place to place and do not have a specific place to live. They may not get the benefit of MGNREGA as they do not belong to any particular Gram Panchayat and therefore do not find it easy to obtain job cards. They also lack documents to prove their identity. Since the nomadic tribes are very few in number, the DPC may estimate the number of nomadic tribes in the district and authorize the POs to issue special job cards, which will be honoured in any Gram Panchayat in the district. The nomadic tribes can take up work in any Gram Panchayat. Bank accounts should be opened for the nomadic tribes in a bank with core banking facility and an ATM/Debit Card.

## 9.6 WOMEN IN SPECIAL CIRCUMSTANCES

**9.6.1** Widowed women, deserted women and destitute women are highly vulnerable and require special attention. The GP should identify such women and ensure that they are provided 100 days of work. Pregnant women and lactating mothers (at least upto 8 months before delivery and 10 months after



delivery) should also be treated as a special category. Special works which require less effort and are close to their house should be identified and implemented for them.

## 9.7 SENIOR CITIZENS ABOVE 65 YEARS OF AGE

**9.7.1** Senior citizens particularly those who are not being taken care of by their families look up to MGNREGA for support. They should also be treated as a special category. They are often marginalized and excluded from labor groups due to their lower out-turn and lesser physical ability. Exclusive senior citizen groups may be formed and special works which require lesser physical effort identified and allotted to these groups.

## 9.8 INTERNALLY DISPLACED PERSONS

**9.8.1** In certain areas, families have been internally displaced either because of communal / ethnic / caste violence or violence due to left extremism. These groups are forced to migrate to neighbouring districts or States and have to be treated as a special group for providing work under MGNREGA. The DPC concerned may issue a special job card indicating that they are internally displaced persons. This job card will be valid till these families are displaced and will lose its validity as soon as they return to their original place of residence.

## 9.9 IDENTIFYING SUITABLE WORK FOR DIFFERENTLY ABLED PERSONS

An indicative list is summarised below:

<b>Possible classification of work according to the capacity of differently abled people under MGNREGA:</b>	
1. Drinking water arrangements	2. Helping in looking after children
3. Plantation	4. Irrigation - canal digging
5. Earth backfilling	6. Dumping mud outside or in trolleys
7. Building construction - making concrete material	8. Shifting concrete and other building material from one place to the other
9. Carrying cement and bricks	10. Filling sand or pebbles in pans
11. Sprinkling water on newly built wall	12. Well deepening – filling baskets with excavated mud inside the well
13. Helping in pulling out the sludge from the well	14. Transferring the sludge to trolley
15. Digging out the sludge from the ponds	16. Putting the waste in iron containers
17. Transferring contents of filled up pans into trolley	18. Carrying stones
19. Setting stones in the right place	20. Land leveling
21. Farm bunding	22. Digging pits in water conservation land
23. Setting the mud from the pits in a different place	24. Sprinkling water, putting pebbles

### i) **Work which could be done by orthopedically handicapped people Possible work for a person with one weak hand**

1. Drinking water arrangements	5. Assisting in looking after children
2. Plantation	6. Carrying cement and bricks
3. Filling pans with sand/pebbles	7. Sprinkling water on newly built wall
4. Farm bunding	8. Pouring water, putting pebbles

12

**ii) Work which could be done by a person with both hands weak**

Assisting in looking after children (family members or children can also help. This way the handicapped person will feel more self confident)

**iii) Work which could be done by a person with one weak leg**

Work done with help	Work done independently
1. Drinking water arrangements 2. Assisting in looking after children 3. Plantation 4. Sprinkling water on newly built walls 5. Filling pans with sand or pebble	1. Drinking water arrangements 2. Assisting in looking after children 3. Plantation 4. Irrigation - digging canals 5. Filling earth 6. Digging out mud / putting in the trolley 7. Construction – repairing concrete material 8. Transferring concrete material from one place to other 9. Carrying cement and bricks 10. Filling metal containers with sand or pebble 11. Sprinkling water on newly built walls 12. Deepening wells – putting the sludge inside the well into baskets 13. Helping in pulling out the sludge from wells 14. Transferring the sludge to trolleys 15. Digging out the sludge from ponds 16. Filling up pans with waste 17. Transferring filled up pans to trolleys 18. Carrying stones 19. Setting stones in the right place 20. Land levelling 21. Farm bunding 22. Digging pits in land meant for water conservation work 23. Transferring the mud from pits to another site 24. Building roads 25. Sweeping kuchha roads with brooms 26. Sprinkling water, putting pebbles

**iv) Work which could be done by a person with both legs weak**

- Assisting in looking after children
- Plantation



- c. Filling pans with sand or pebble
- d. Pulling out the sludge from wells (the sludge from the wells is filled in huge containers and to pull it out at least 10 – 15 people are required. But if this sludge is filled in smaller containers, 3 – 4 disabled people can do the same, even while they are sitting. The benefit is that the work will be faster, the labour required will be less as well as the disabled people will be employed)

**v) Work which could be done by a person with one weak hand and one weak leg**

Work done with help	Work done independently
1. Organizing drinking water	1. Organizing drinking water
2. Assisting in looking after children	2. Assisting in looking after children
3. Planting trees	3. Planting trees
4. Sprinkling water on newly built wall	4. Sprinkling water on newly built wall
5. Filling pans with sand or pebble	5. Sprinkling water, putting pebbles

**vi) Work which could be done by hunch-backed persons**

- a. Drinking water arrangements
- b. Assisting in looking after children
- c. Plantation
- d. Sprinkling water on newly built wall on construction sites
- e. Sprinkling water, putting pebbles

**vii) Possible work for visually impaired people**

**a. Possible work for a person blind in one eye whose other eye is also weak**

1. Drinking water arrangements	2. Helping in looking after children
3. Plantation	4. Irrigation-digging canals
5. Filling earth	6. Dumping mud outside or in trolleys
7. Building construction- making concrete material	8. Shifting concrete and other materials from one place to the other
9. Carrying cement and bricks	10. Filling sand or pebbles in pans
11. Sprinkling water on newly built wall	12. Helping in pulling out the sludge from the well
13. Transferring the sludge to trolley	14. Digging out the sludge from the ponds
15. Putting the waste in pans	16. Transferring the filled up pans into trolley
17. Carrying stones	18. Setting stones in the right place
19. Land Levelling	20. Farm bunding
21. Digging pits in land for water conservation	22. Setting the excavated mud in a different place
23. Sprinkling water, putting pebbles	

**b. Work which could be done by completely blind people**

- i) Plantation
- ii) Filling pans with sand or pebble
- iii) Drinking water arrangements

Other family members should also be employed on the site so that they realize that the handicapped person is not a burden but is instead a source of income for the family.

The handicapped person should be patiently trained. Proper training should be given on the way to do work as well as to measure the distance covered in terms of their footsteps.

**viii) Work which could be done by a person with a weak vision**

1. Organizing drinking water	2. Helping in looking after children
3. Planting trees	4. Irrigation-digging canals
5. Filling soil	6. Dumping mud outside or in trolleys
7. Building construction- making concrete material	8. Shifting concrete and other materials from one place to the other
9. Carry cement and bricks	10. Filling sand or pebbles in metal pans
11. Sprinkling water on newly built wall	12. Helping in pulling out the sludge from the well
13. Transferring the sludge to trolley	14. Digging out the sludge from the ponds
15. Putting the waste in iron containers	16. Transferring the filled up metal container into the trolley
17. Carrying stones	18. Setting the stones in the right place
19. Land Levelling	20. Farm bunding
21. Digging pits in water conservation land	22. Setting the excavated mud in a different place
23. Sprinkling water, placing pebbles	

**ix) Work which could be done by mentally handicapped people**

**a. Work which could be done by a people who are severely mentally challenged**

1. Drinking water arrangements	2. Helping in looking after children
3. Plantation	4. Irrigation-digging canals
5. Filling earth	6. Dumping mud outside or in trolleys
7. Shifting concrete and other material from one place to the other	8. Carry cement and bricks
9. Filling sand or pebbles in metal pans	10. Transferring the sludge to trolley
11. Digging out the sludge from the ponds	12. Putting the waste in pans
13. Transferring the filled up pans into the trolley	14. Carrying stones
15. Setting the stones in the right place	16. Land Levelling
17. Farm bunding	18. Digging pits in land for water conservation
19. Setting the excavated mud in a different place	20. Sprinkling water, putting pebbles



**Note: Such people should be instructed sequentially and slowly. They can produce good work once they have understood it well.**

**b. Work which could be done by a person who is mildly mentally challenged**

1. Drinking water arrangements	2. Helping in looking after children
3. Plantation	4. Filling earth
5. Dumping mud outside or in trolleys	6. Filling sand or pebbles in metal pans
7. Transferring the sludge to trolley	8. Sprinkling water, putting pebbles

**Such people may be good at assisting and supporting others. They can carry pans of sludge and dump it if they are assisted in lifting them.**

**Work which could be done by people under treatment for mental illness – such people can do all kinds of work. Only the amount of work done may be quantitatively less.**

**Work which could be done by hearing and speech impaired people – such people can do all kinds of work but it is required that they are instructed properly in sign language.**

स्वास्थ्य विभाग  
बिहार सरकार

CN/102789/13

120

पत्रांक— AIDS-GIPA-28/12/2011-Ext-I—1098.  
प्रेषक,

दिनांक— 26.6.13

प्रधान सचिव  
स्वास्थ्य विभाग, बिहार सरकार

सेवा में,

सचिव  
ग्रामीण विकास विभाग,  
बिहार सरकार

विषय— राज्य के एच0 आई0 वी0 संक्रमित व्यक्तियों को महात्मा गाँधी राष्ट्रीय रोजगार गारंटी योजना के अंतर्गत रोजगार के अवसर उपलब्ध कराने के संबंध में।

संदर्भ— माननीय उच्च न्यायालय, पटना में दायर CWJC No.- 5440/2011, Sanjeet Singh vs GoI & Others.

महाशय,

उपर्युक्त विषय के संबंध में कहना है कि जनगणना 2011 के अनुसार, बिहार की कुल जनसंख्या 10,38,04,637 है। इन में से एच0 आई0 वी0 संक्रमित व्यक्तियों की अनुमानित संख्या 1,20,470 है। वर्ष 2002 से दिसंबर 2012 तक 56073 व्यक्ति एच0 आई0 वी0 संक्रमित चिह्नित हुए हैं, जिनमें से 1,777 महिलायें हैं। 56073 एच0 आई0 वी0 संक्रमित व्यक्तियों में से 36,666 व्यक्ति बिहार के 13 विभिन्न ए0 आर0 टी0 केन्द्रों में पंजीकृत हुए हैं। इनमें से 14,672 व्यक्तियों को निःशुल्क ए0 आर0 वी0 दवा उपलब्ध करायी जा रही है।

2. राष्ट्रीय एड्स नियंत्रण संगठन (नाको) और यू0 एन0 डी0 पी0 के द्वारा वर्ष 2006 में कराये गये सर्वेक्षण के अनुसार, नौकरीपेशा व्यक्तियों में एच0 आई0 वी0 संक्रमण की पहचान होने पर उन्हें नौकरी से निकाल दिया जाता है। नौकरी से हटा दिये जाने के कारण 66.25 प्रतिशत एच0 आई0 वी0 संक्रमित व्यक्तियों की आमदनी घट जाती है, जबकि अवसरवादी संक्रमणों के उपचार, रक्त जाँच व दवाईयों की लागत पर होनेवाले अतिरिक्त खर्च से पहले की अपेक्षा उनका खर्च चार गुना बढ़ जाता है।

3. माननीय उच्च न्यायालय, पटना में CWJC No.- 5440/2011, Sanjeet Singh vs GoI & Others. दायर याचिका से संबंधित **Statement of Fact** के अनुसार, "With regard to Job Card for PLHA, it is pertinent to mention that anybody applying for job card is entitled to get one provided he or she is at least 18 years old and resident of that Panchayat. Any PLHA who is willing to work can be granted job card as per the requirement of this scheme."

अतः आपसे अनुरोध है कि महात्मा गाँधी राष्ट्रीय रोजगार गारंटी योजना के अंतर्गत राज्य के एच0 आई0 वी0 संक्रमित व्यक्तियों को उनके शारीरिक क्षमता के अनुरूप हल्का और आसान कार्य करने का अवसर प्रदान करने की कृपा करें। साथ ही इस संबंध में राज्य के सभी जिला पदाधिकारी और उप विकास आयुक्त को अपने स्तर से निदेश प्रदान करने की कृपा करेंगे।

अनुलग्नक—

माननीय उच्च न्यायालय, पटना में CWJC No.- 5440/2011, Sanjeet Singh vs GoI & Others. दायर याचिका से संबंधित Statement of Fact के सुसंगत अंश की छायाप्रति।

विश्वासभाजन

प्रधान सचिव

दिनांक— 26.6.13

प्रधान सचिव

ज्ञापक— 1098

प्रतिलिपि— मुख्य सचिव, बिहार सरकार को सूचनार्थ प्रेषित।



पत्रांक— .....

दिनांक— ...../05/2013

प्रेषक,

संजीव कुमार सिन्हा (भा0प्र0से0)

परियोजना निदेशक

बिहार राज्य एड्स नियंत्रण समिति, पटना।

सेवा में,

पुलिस महानिदेशक, बिहार सरकार, पटना।

प्रधान सचिव, वित्त विभाग, बिहार सरकार, पटना।

प्रधान सचिव, समाज कल्याण विभाग, बिहार सरकार, पटना।

प्रधान सचिव, ग्रामीण विकास विभाग, बिहार सरकार, पटना।

प्रधान सचिव, परिवहन विभाग, बिहार सरकार, पटना।

प्रधान सचिव, स्वास्थ्य एवं परिवार कल्याण विभाग, बिहार सरकार, पटना।

प्रधान सचिव, खाद्य एवं उपभोक्ता संरक्षण विभाग, बिहार सरकार, पटना।

विषय:— CWJC NO-5440/11 Sanjeet Singh v/s The Union of India & Others के सम्बन्ध में मुख्य सचिव के कार्यालय कक्ष में आयोजित बैठक में भाग लेने के सम्बन्ध में।

प्रसंग :- पत्रांक 707 दिनांक 24.04.2013

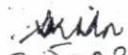
महाशय,

उपर्युक्त विषय के संदर्भ में कहना है कि माननीय उच्च न्यायालय, पटना में CWJC NO. 5440/2011 Sanjeet Singh Vs. The Union of India & Ors. दायर याचिका से सम्बन्धित Statement of Fact का प्रारूप तैयार कर आपके पास भेजी जा रही है।

अतः अनुरोध है कि अपने मंतव्य के साथ दिनांक 06.05.2013 को पूर्वाह्न 10.30 बजे होने वाली बैठक जो मुख्य सचिव के कार्यालय कक्ष में आहूत की गयी है उसमें भाग लेने की कृपा की जाए।

अनुलग्नक :-1. Statement of Fact के प्रारूप की छाया प्रति।

विश्वासभाजन

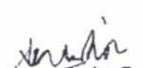
  
(परियोजना निदेशक)

ज्ञापांक— 771 .....


पटना, दिनांक— 03/05/2013

प्रतिलिपि :- 1. कार्यपालक निदेशक, राज्य स्वास्थ्य समिति, बिहार, पटना को SOF के प्रारूप की छायाप्रति भेजते हुए अनुरोध है कि अपने मंतव्य के साथ दिनांक 06.05.2013 को उपरोक्त बैठक में भाग लेने की कृपा करें।

ज्ञापांक— 771 .....

  
परियोजना निदेशक  
पटना, दिनांक— 03/05/2013

प्रतिलिपि :- 1. मुख्य सचिव, बिहार सरकार, के विशेष कार्य पदाधिकारी को SOF के प्रारूप की छायाप्रति के साथ सूचनार्थ प्रेषित।

  
परियोजना निदेशक

(Sanjit Singh vs Gol and others)

- (i) Antyodaya Yojana is a scheme of the Government of India. Quota fixed for this has already been fully utilized. In future, as quota is raised PLHAs may be included under this scheme.

However, State Govt. will launch similar scheme to include about 55,000 PLHAs, if Govt. of India does not provide support.

- (ii) With regard to Job Card for PLHA, it is pertinent to mention that anybody applying for job card is entitled to get one provided he or she is at least 18 years old and resident of that Panchayat. Any PLHA who is willing to work can be granted job card as per the requirements of this scheme.
- (iii) As far as Para of 1 (iii) is concerned, Govt. has an Essential Drugs List. All these drugs are distributed free of cost to all OPD and IPD patients in all the Government Medical College Hospitals and different health facilities of the State.

The health department shall make available Iron tablets, Vitamin tablets/ Syrup, Bactrim DS, Cough syrup to ART centers, so that these can be provided to the patients on the prescription of the Doctor at the ART centers.

- (iv) Children of PLHA over 6 (six) years of age shall be covered by Mid Day Meal scheme. Children of PLHA below 6 (six) years shall be provided nutrition at local Aganwadi Kendra. In order to provide Milk Powder up to the age of two years for children of PLHAs, a request to NACO will be sent after assessing the fund requirement for the same.
- (v) Criteria for inclusion as BPL are fixed by Govt. of India. State Government cannot make any amendment therein to include PLHIV. If any PLHIV fits in those criteria then he or she will get the benefits under this scheme. However, State Govt. will request the Govt. of India to make provisions under the schemes to include PLHAs in BPL.