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IN THE HIGH COURT OF ORISSA: CUTTACK

W.P.(C) No.13403 Of 2015

Bipini Bihari Pradhan

Petitioner

-Versus-

State of Odisha And Others

Opp. Parties

<u> 1 N D E X</u>

Sl. No.	Description of documents	Pages
1.	Affidavit on behalf of Commissioner-cum-Secretary to Government, SS & EPD Department.	1-6
2.	Annexure – A. Copy of letter No.2020, dtd.10.03.2022	7-8
3.	Annexure – B Series. Copies of status report implementation of 'An umbrella scheme for Rehabilitation of Cured Leprosy Persons' submitted by the district administration	9-15
4.	Annexure – C. Copies of the reports submitted by the Sub-committees	16-22

Cuttack

Date: 14/05/2022

ADDL. GOVERNMENT ADVOCATE



1 4 MAY 2022

IN THE HIGH COURT OF ORISSA: CUTTACK

W.P.(C) No.13403 Of 2015

Bipini Bihari Pradhan

Petitioner

-Versus-

State of Odisha And Others

Opp. Parties

AFFIDAVIT ON BEHALF OF THE COMMISSIONER-CUM- SECRETARY TO GOVERNMENT, SS&EPD DEPARTMENT, GOVERNMENT OF ODISHA:

I, Ms. Madhumita Nayak, aged about 50 years, Daughter of Sri Harihar Nayak, at present working as Additional Secretary to Government, Social Security & Empowerment of Persons with Disabilities (SS & EPD) Department, Odisha, Loka Seva Bhawan, Bhubaneswar, Dist.: Khurda, do hereby solemnly affirm and state as follows:

1. That, I am working as Additional Secretary to Government, Social Security & Empowerment of Persons with Disabilities (SS & EPD) Department, Odisha and have been duly authorised to file this Affidavit on behalf of Commissioner-cum-Secretary to Government, Social

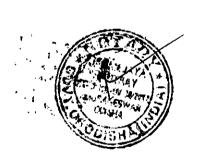
Mathematic Kayen

Security & Empowerment of Persons with Disabilities (SS & EPD) Department, Odisha

2. That, this Hon'ble Court Vide Order dtd. 23.02.2022 in Paragraph – 5 directed as follows:

"XXX XXX XXX

- 5. The above suggestion is acceptable to the Additional Chief Secretary, Health who participated in the virtual hearing. It is accordingly, directed that:
- (i) The Technical Committee will instruct its SubCommittees or any other personnel authorized by it to immediately undertake, in next 10 days, visits to the aforementioned nine Colonies in addition to the three colonies mentioned in the Para-1 of the order dated 30th November, 2021 and prepare reports of the present condition of those Colonies.
- (ii) The Resolution dated 23rd February, 2021 will be implemented in the aforementioned 12 Colonies in the next 12 weeks. A follow-up visit will be undertaken by the same sub-Committees/personnel in the week beginning 9th May, 2022 to ascertain the status of the implementation of the said Resolution in the aforementioned Colonies.



(iii) The sub-Committees/personnel will, during the visits, interact with the inmates of the Colonies to ascertain what kind of rehabilitation measures would be best suited for them.

- (iv) A further report of such follow-up visit will be prepared and placed for consideration of the larger Technical Committee at least one week prior to the next date of hearing of this case.
- (v) While implementing the above Resolution the guidelines on the 'BHIMA BHOI BHINNAKSHYAMA SAMARTHYA ABHIYAN' (BBSA) as revised on 1st April, 2018 issued by the Government and the guidelines 'Sahaya' issued by the DSSEPWD should be kept in view.

XXX XXX XXX"



3. That, with regard to the directions contained in $\frac{\text{Paragraph} - 5(i)}{\text{Ommittee}}$, it is submitted that the Technical Committee instructed concerned Sub-Committees to visit the Leprosy Colonies. Though the Hon'ble Court ordered to visit 09 colonies as mentioned in Para-4 of Order dtd.23.02.2022 and 03 colonies as mentioned in Para - 1 of the Order dtd.30.11.2021 but there are only 11 colonies mentioned in the Orders (09 colonies in Order dtd.23.02.2022 and 02 colonies in Para - 1 of the Order dtd.30.11.2021). Accordingly, instruction was issued Vide letter No.2020,

dtd.10.03.2022 (Annexure – A) to visit the following 11 Leprosy Colonies and prepare reports of present condition of inhabitants living in these colonies.

- i. Jamunda, Katapali, Bargaon in Bargarh
- ii. Gandhi Pali, Nayabazar, Cuttack
- iii. NeheruPali, Nayabazar, Cuttack
- iv. Gandhi Nagar Colony, J.K.Road, Jajpur
- v. Indra Ashram Kulemura, Beheramal, Jharsuguda
- vi. Saraswati Colony, Baripada, Mayurbhanj
- vii. Durgapur-B, Colony, Malgodam, Rourkela,
 Sundargarh
- viii. Ramakrushnapalli, Kharvel Nagar, Unit-III, Bhubaneswar, Khordha
- ix. Jaganath Leprosy Colony, Mancheswar, Khordha
- x. Dharabani Leprosy Colony, Jatni, Khordha
- xi. Bapuji Leprosy Colony, Jatni, Khordha



4. That, in compliance to the directions contained in Paragraph – 5(ii), it is submitted that the 11 Leprosy Colonies were visited by the concerned Sub-Committees and eligible beneficiaries were identified to be covered under the Resolution dated 23rd February, 2021 in the stipulated timeline. The benefits received by the inhabitants under BBSA and SAHAYA have also been mentioned in the said report.

The status of implementation of 'An umbrella scheme for Rehabilitation of Cured Leprosy Persons' submitted by the district administration are annexed as <u>Annexure-B</u> <u>Series</u>.

5. That, with regard to the directions contained in Paragraph – 5(iii), the Officials during their visit to the Leprosy Colonies took note of the rehabilitation measures by interacting with the eligible Cured Leprosy Persons living in the Colonies.

Copies of the reports submitted by the Sub-committees are filed herewith and annexed as **Annexure - C Series**.

- 6. That, with regard to the directions contained in Paragraph 5(iv), it is submitted that for the second time, the Sub-Committees will visit the said 11 Leprosy Colonies in the month of May, 2022 and submit their reports.
- 7. That, with regard to the directions contained in Paragraph 5(v), it is submitted that while implementing the said resolution SS & EPD Department will keep in view to implement the "BHIMA BHOI BHINNAKSHYAMA SAMARTHYA ABHIYAN" {(BBSA) as revised on 1st APRIL, 2018 and "SAHAYA".



8. That, the facts stated above are true to the best of my knowledge and based on available Official records.

Identified by

Advocate

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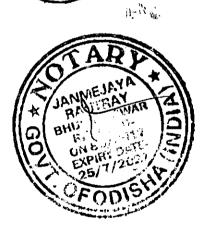
Madhunila Nayak DEPONENT, 4.05.22. Addl. Secretary to Govt.

Cuttack

Date: 14/05/2022

Certified that cartridge papers are not available.

ADDL. GOVERNMENT ADVOCTE.



Appears before at A.A. States on ceth the contact true to the bear of the reference of the

JANMEJAYA RAUTRAY NOTARY, BHURANESWAY REGD.NO. CM ROLEO 2 GOVT. OF CORNA PH- 9737 774772

Departember)

Notary, Th



GOVERNMENT OF ODISHA

Department of Social Security & Empowerment of Persons with Disabilities

No_______/SSEPD SSEPD-DA4-CASEOP-0003-2021 Dt. 10-03-2022

From

Madhumita Nayak, OAS (SAG)

Additional Secretary to Government

To

Collector

(Bargarh/ Cuttack/ Jajpur/ Jharsuguda/ Khordha/ Mayurbhanj/ Sundargarh)

Sub: Implementation of the orders Dt. 23.02.2022 of Hon'ble High Court of Orissa in WP(C) No.13403 of 2015 (Bipini Bihari Pradhan Vrs State of Odisha and others).

Sir/Madam.

With reference to the subject-cited above, I am directed to say that Hon'ble High Court of Orissa while hearing WP(C) No.13403 of 2015 (Bipini Bihari Pradhan Vrs State of Odisha and others) on Dt. 23.02.2022 has issued certain orders (copy enclosed). Sub-committees of the 'Technical committee for formulation and monitoring of rehabilitation programmes of cured leprosy persons' have already been constituted at district level.

As per the orders of the Hon'ble Court, you are requested to ensure the following actions and submit compliance to this Department for taking further necessary action at this end for compliance of the order passed by Hon'ble Court:

- a) Members of the Sub-committee are to visit the following 11 colonies and report their present condition within 10 days:
 - i. Jamunda, Katapali, Bargaon in Bargarh
 - ii. Gandhi Pali, Nayabazar, Cuttack
 - iii. Neheru Pali, Nayabazar, Cuttack
 - iv. Gandhi Nagar Colony, J.K.Road, Jajpur
 - v. Indra Ashram Kulemura, Beheramal, Jharsuguda
 - vi. Saraswati Colony, Baripada, Mayurbhanj
 - vii. Durgapur-B, Colony, Malgodam, Rourkela, Sundargarh
 - viii. Ramakrushnapalli, Kharvel Nagar, Unit-III, Bhubaneswar, Khordha
 - ix. Jaganath Leprosy Colony, Mancheswar, Khordha
 - x. Dharabani Leprosy Colony, Jatni, Khordha
 - xi. Bhagaral Leprosy Colony, Jatni, Khordha

b) Implementation of the scheme 'An umbrella scheme for Rehabilitation of Cured Leprosy Persons' in the above-mentioned colonies in next 12 weeks. A follow-up visit to be undertaken by the same sub-Committees/personnel in the to Govt.

SSEPD Department

T. C. afterfor

week beginning 9th May, 2022 to ascertain the status of the implementation of the said scheme in the aforementioned Colonies.

c) Submission of follow-up visit reports to the Technical Committee at least one week prior to the next date of hearing of this case.

Funds may be available under relevant scheme placed in the year 2020-21 and 2021-22. Further, funds available under SAHAYA and BBSA may also be utilized for the purpose under intimation to this Department.

Encl: As above.

Yours faithfully,

Additional Secretary to Government

Memo No. 2021

/SSEPD

Dt. 10.03.2022

Copy along with a copy of the enclosure forwarded to concerned DSSOs for information and necessary action.

Additional Secretary to Government

			<u> </u>	Ani lo. of benef	nexure-					
SI. No.	District	Name of the Colony	No. of CLPs identified in the Colony	Supply of Aids & Appliances	Pre & Post Matric Scholarshi	Supportive Money/Assis tance to Parents	Self- Employm ent Kit	Self Help Group	Marriage Incentives	Any Other Scheme e.g BBSA/SAHAYA
	·.	3	4	5	6	7	8 /	9	10	11
1	Ramarh	Jamuda Bargaon Colony	165	3	O	07	0	01	02	BBSA & SAHAYA

T. C. affested

Additional Secretary to Govt. SSEPD Department

Collector & District Magistrate

Bargarh

						Annexure-A eficiaries Assis	ted with				
SI No.	District	Name of the Colony	No. of CLPs Identified in the Colony	Supply of Aids and Appliances	Pre & Post Matric Scholarship	Supportive Money/Assis tance to Parents	Self Emplóyment Kit	Self Help Group	Marriage Incentive	Any Other Scheme e.g. BBSA/SAHAYA(CLP kit Distributed under SAHAYA Scheme)	Educational Kit Distributed under SAHAYA Scheme
1	2	3	4	5	6	7	8	9	10	11	12
1	CUTTACK	Gandhipalli, Nayabazar, Cuttack	474	161	35 applications under process for sanction	35 under process	Nil ·	1	1 application under process for sanction	277	121
2	כחב	Neherupalli, Nayabazar, Cuttack	318	195	37 applications under process for sanction	37 under process	Nil	1	1 application under process for sanction	248	171

N.B.: Out of 269 no. Students enrolled during the A.Y. 2021-22 at Gandipalli & Neherupalli, 72 nos. of applications have already been collected and under process for sanction of scholarship. Remaining 197 nos. of applications will be collected within a week for sanction of scholarship.

T.C. Ottertal

Additional Secretary to Govt.
SSEPD Department

District Social Security Officer

Cuttack

Annexure-A

No. of beneficiaries assisted with

SI. No.	District	Name of the Colony	No. of CLPs identified in the colony	Supply of Aids and appliances	Pre& Post- Matric Scholarship	Supportive Money/Assista nce to Parents	Self employment kit	Self Help Group	Marriage Incentive	Any other scheme e.g BBSA/SAHAYA
										The relief kit was
					•					distributed among
				·						the Cured Leprosy
				"		,				Persons in
							İ		Salar Sa Maria Salar Sa	February'2020.The
						,				livelihood kit
		Gandhi Nagar			١		:	1.144		@5000/- will be
1	Jajpur	Colony,J.K.	36	Tricycle-07	NIL	NIL	NIL	NIL	NIL	provided soon to
	·	Road,Jajpur			, .					these CLP holder
			, · . ,]		· ,	`				through bank
			.		·					account.
-										

Additional Secretary to Govt. SSEPD Department

District Social Security Officer

Compliance on all miscellaneious aspects.

Annexure-A

No. of beneficiaries assisted with

SI. No	District	Name of the Colony	No. of CLPs identified in the Colony	Supply of Aids and Appliances	Pre & Post- Matric Scholarship	Supportive Money/ Assistance to Parents	Self- employmen t kit	Self Help Group	Marriage Incentive	Any Other Scheme BBSA/SAHAYA
1		Brundaban Colony, Beheramal	26	26 MCR Shoes, 02 Tricycles, 04 Wheel Chairs, 02 Crutches	2 (as per admissibility)	No living parents of CLP in the colony	Ö	1 (one) Group @ Rs.50,000/- has been provided		23 nos. of families have been provided Utility Kit under SAHAYA Scheme
2	Jharsuguda	Indira Ashram , Kulemura	.55	40 MCR Shoes, 05 Tricycles, 06 Wheel Chairs, 03 Crutchs	8 (as per admissibility)	No living parents of CLP in the colony	°O	0		40 nos. of families are given Utility Kit under SAHAYA Scheme

T. C. Atterted

Additional Secretary to Govt. SSEPD Department COLLECTOR, JHARSUGUDA

	54. <u>.</u>													
2		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					ANNEXURE-							
	SI	District	Name of the	NT- C		No. of be	neficiaries as	sisted wit	h		· · · · ·		· · · · · · · · · · · · · · · · · · ·	<u> </u>
	SI No		Leprosy Colony	No. of CLPs identifie d in the Colony	Identifie d for supply of Aids & Applian ces in BBSA Camp	Identified for Pre & Post matric Scholarshi p(Class-V & above)	Supportive Money/Assi stance to Parents	Self- Employ ment Kit identifie d during Survey	Self Help Grou p	No. of Househo Id Kit provided	Mar riag e Ince ntiv es	Any Other Scheme, e.g. BBSA/ SAHAYA	Supply of MCR Footwea r Grade- I	Supply of MCR Footwea r Grade- II
•	1	Khordha	Bapuji Leprosy Colony, Jatni	13	03	00	. 00	00	00	30	00.		01	08
•	2	Khordha	Dharabati Leprosy Colony, Jatni	10	08	02	00	00	00	14	02	BBSA Camp has	00	10
	3	Khordha	Jagannath Leprosy Colony, Rasulgarh, BBSR	35 .	07	00	00	.00	00	70	00	been organized from . 30.04.202 2 to	02	09
	4	Khordha	Ramakrushna Pally Leprosy Colony, Sriya Talkies Road, Kharavel	71	46	04	00	00	01	118	00	05.05.202	00	00
			Nagar, BBSR			- I - wise from 30	1 03.2022 to 05.	04.2022.				· > T.	C. and	242/

N.B:- i) Survey has been undertaken in 11 Leprosy Colonies from 30.03.2022 to 05.04.2022.

ii) 2 no. of Tricycle have been supplied to CLPs of Dharabati Leprosy Colony, Jatni on dated.27.18.2021.

iii) 2 no. of Wheel Chairs have been supplied to the CLPs of Ramakrushna Palli Leprosy Colony on dated.04.05.2022. iv) Pre & Post matric Scholarship:- The benefit of scholarship will be given to the child of CLPs in respect of Dharabati & Ramakrushna Pan Coping artment

Colony after production of RET conficato by the CLPs

Colony after production of RFT certificate by the CLPs.

· · · · · ·						XURE-A ries assisted wit	-h			
•			No. of CLPs		Pre& nost	Supportivemo		Self Help	Marriage	Any other scheme e.g
SI No.	District	INIama of the	identified in the colony		Matric Scholarship	ney / Assistance to parents	employme nt kit	group	incentive	BBSA/SAHAYA
1	Mayurbahnj	Saraswati Leprosy Colony, Raghunathpur , Baripada	77	Tri- cycle-22 Wheel Chair -3 Blind Stck-2 Auxilary Crutches- 18 Hearing aid-3 Orthosis-2 MCR shoes-38 walker-2	3	1	2	2 ×		1.Catract Surgery- 24 2.Power Glass-38 3.Livelihood support of Rs. 5000/- has been provided to 55 CLP families

25.4.2012 District Leprosy Officer

Mayurbhanj

Mayurbhanj

	Annexure-A											
	No. of Beneficiaries assisted with											
SI. No.	District		No. of CLPs identified in the colony		Pre & Post Matric Scholarship	Supportive money/ Assistance to Parents	Self employme nt kit	Self Help Group	Marriage Incentives	Any other scheme e.g BBSR/ SAHAYA		
1	Sundargarh	Durgapur-B , Malgodam, Rourkela	233	i.Prothesis-05 ii. Orthosis-02 iii.wheel chair-05 iv. Tri-Cycle-03 v. Robothic Therapy- 01	3	5 (@Rs.1000/- per Child per month)	Nil	Nil	01 (Rs. 50,000/-)	Supply of Essential Commodities-71 Families		

N.B- Identified for supply of Aids & appliances

1.Identified for Prothesis-03

2.Identified for Clutches-01

3. Identified for Surgical Shoes-11

T. C. Hotelder

Additional Secretary to Govt. SSEPD Department

Collector & District Magistrate,
Sundargarh.

Anneryne - C series

		ANNEX	URE -B									
	No. of Beneficiaries Assisted with											
SI.No	Housing under Rural Housing	Ration Card under NFSA Scheme	Reconstructive Surgery	Pension under MBPY	Physiotherapy							
4	7	3	4	5	6							
1	<u>2</u>	108	0	123	0							

T. C. Added to

Additional Secretary to Govt. SSEPD Department Collector & District Magistrate

Bargarh

			Α	nnexure-⊹B					
			No. of Bene	ficiaries Assisted v	with				
SI No.	Name of the Colony	Housing under Rural Housing Ration Card		ler NFSA Scheme	Reconstructive Surgery	Pension under MBPY	Pension under NSAP	Physiotherapy	
			PHH Card	AAY Card				<u> </u>	
1	Gandhipalli, Nayabazar, Cuttack	48	368	310	13	345	267	330	
2	Neherupalli, Nayabazar, Cuttack	67	236	166	3	324	192	162	

for District Social Security Officer
Cuttack

Tr.C. Approximal,

Annexure-B

		No. of benef	iciaries assisted with		
SI. No	Housing under Rural Housing Scheme	Ration Card under NFSA Scheme	Reconstructive Surgery	Pension under MBPY	Physiotherapy
1	All homeless CLPs residing at the Gandhi Nagar Colony are not covered under housing scheme as the land over which they are reside comes under Jangal kisam. District administration has proposed to set up houses for CLPs in the area of Jodabara in Govt. land to cover them under rural housing scheme but they have refused to be resettled in the said place.	covering 111 no.of family members have availed ration card under NFSA scheme and the left out beneficiaries will be covered shortly after aunthentication of their Aadhaar.	CLP for reconstructive surgery in the colony at present.	Pension under MBPY scheme and the left over cases are not covered under MBPY as no deformity was	were provided by the Health Department the left out beneficiaries

Additional Secretary to Govt. SSEPD Department District Social Security Officer

Annexure-B - 19 ~

No. of beneficiaries assisted with

•	SI.N	District	Name:of the Colony	Housing under Rural housing scheme	Ration Card under NFSA Scheme	Reconstr uctive Surgery	Pension under MBPY	Physiotheraphy
	1	Jharsuguda	Brundaban Colony, Beheramat	As the Khata No.747/4474 Plot No.777 stand recorded in the name of Society of Cent Ursula through I/c Sister Reeta Dicilva, D/o. Dharamraj Decilva, Caste-Christian, No LRC and housing has been provided. However the they were living in the houses connstructed by missionaries. We have started the process of relocating them on a suitable Govt. patch as per their choice.	23	NIL	26	NIL
	2	ı	Indira Ashram , Kulemura	14 The remaining elligible 22 nos. of family will be provided housing and LRC in 2nd phase before 5th May 2022. (N.B Out of 40 household 1 death Case and 03 nos of family have moved in after the cut-off date, i.e. 10.08.2017.)	40	NIL	55:	ŇIL

COLLECTOR, JHARSUGUDA

T.C. Att & See

	No. of beneficia Housing under	ries assisted w	th		·
		To Cond		· — •	Tit: - th or on
Sl. District Name of the Leprosy Colony		Ration Card under NFSA Scheme	Reconstructive Surgery	Pension under MBPY	Physiotherapy
apuji Lepsosy Colony, atni	13	13	Nil	13	Nil
harabati Leprosy	07	10	Nil	10	Nil
gannath Leprosy	35	35	Nil	35	Nil
amakrushna Pally eprosy Colony, Sriya alkies Road, Kharavel	71	71	Nil	71	Nil
h o o a e a a	ni Jarabati Leprosy Jony, Jatni Jannath Leprosy Jony, Rasulgarh, BBSR makrushna Pally prosy Colony, Sriya	ni larabati Leprosy lony, Jatni gannath Leprosy lony, Rasulgarh, BBSR makrushna Pally prosy Colony, Sriya lkies Road, Kharavel	puji Lepsosy Colony, 13 13 13 13 13 13 13 15 16 16 16 17 17 17 17 18 18 18 18 18 18 18 18 18 18 18 18 18	puji Lepsosy Colony, 13 13 Nil ni 13 Nil Nil Isarabati Leprosy 07 10 Nil Isarabati Leprosy 35 35 Nil Isarah Leprosy 35 Nil Isarah Leprosy Nil Isarah Leprosy Nil Isarah Leprosy Nil Isarah Pally prosy Colony, Sriya 71 71 Nil Ikies Road, Kharavel	puji Lepsosy Colony, 13 13 Nil 13 ni 13 ni 14 ni 15 ni 15 ni 16 ni 16 ni 17 ni 17 ni 18 ni 18 ni 18 ni 19 ni

Carlo Carlo

T. C. Affished,

ANNEXURE-B No. of Beneficiaries assisted with									
1	o	77	5	77	2				

District Leprosy Officer

Mayurbhanj

District Social Security office?

T.C. Athertal

Annexure-B								
No. of Beneficiaries assisted with								
SI. No.	Housing under Rural Housing Scheme	Ration Card under NFSA Scheme	Reconstructive Surgery	Pension under MBPY	Physiotherapy			
1	Nil	176	Nil	94	Nil			

N.B:-

1. House under Rural Housing could not made available to the CLPs since the land where they have been established their colony does not belong to Govt. land. The land is under the administrative control of Rourkela Steel Plant. However Rourkela Municipal Corporation, Rourkela has provided 39 nos. of Toilets in the Colony.

- 2. Identified for Reconstructive Surgery- 03nos. (Fit & Willing)
- 3. Identified for Pension- 02
- 4. Identified for physiotherapy- 08

Collector & District Magistrate, Sundargarh.

254.22