

LETTER HEAD OF THE CBO

Dated

To

.....State AIDS Control Society

..... CITY

..... STATE

**Re: Implementation of the Hon'ble Supreme Court of India's order dated 14.12.2021 in
Budhadev Karmaskar v State of West Bengal, Criminal Appeal No. 135 of 2010,
I.A.No.80140 of 2020 re distribution of monthly dry ration and issuance of ration cards,
voter identification and Aadhar cards to sex workers in the State**

Dear Madam/Sir,

We write to you on behalf ofa Community Based Organization ("CBO") of sex workers in district instate. Our membership comprises(give number) sex workers(break up, if available ..FSW, Transgender...MSM....) The CBO is registered as avide registration numberOR is unregistered, but is actively working withsince.....

As you may be aware, the Hon'ble Supreme Court of India has issued a series of directions to State Governments and Union Territories vide orders dated 29.09.2020, 28.10.2020 and 29.11.2021 in the aforementioned case to mitigate the insurmountable hardships faced by sex workers due to the Covid-19 pandemic which began in March 2020 and continues till date.

In particular, the Hon'ble Supreme Court has directed the States and the Union Territories to distribute monthly dry ration to sex workers without insistence on proof of identity like ration card, as part of the realization of fundamental right to life under Article 21 of the Constitution of

India which includes the right to food and the right to dignity. Further directions passed by the Court in this regard include an order not to involve the police in the distribution of ration and ensuring confidentiality in the exercise.

Vide its recent order dated 14.12.2021, the Hon'ble Supreme Court has directed that sex workers be issued ration cards, voter-id cards and Aadhar cards. This is in addition to the instruction to provide monthly dry ration to those who do not possess ration cards.

Towards this end, the Hon'ble Supreme Court has directed that:-

“The State Governments/Union Territories and other authorities are directed to commence the process of issuance of ration cards/ Voters Identity cards immediately to sex workers from the list that is maintained by NACO. The authorities can take the assistance of State AIDS Control Societies who are directed to prepare a list of sex workers after verifying the information provided to them by Community Based Organisations. A status report relating to the issuance of ration cards and Voters Identity cards and Aadhar Card shall be filed within a period of four weeks from today. In the meanwhile, the State Governments and Union Territories are directed to continue distribution of dry rations to sex workers without insisting on ration cards and other proof of residence and profession by following the procedure as mentioned in the orders of this Court on 29.09.2020 and 28.10.2020. In the process, the names of the sex workers should be kept confidential.”

In view of the above order, as a CBO working indistrict/State, **we are hereby submitting a list of sex workers who are entitled to receive the aforesaid relief in the State.**

Kindly add them in the aggregated list prepared by the State for issuance of ration cards, voter-id cards and Aadhar cards as well as distribution of dry ration as per the orders of the Hon'ble Supreme Court.

Please note that we have verified the information and obtained consent of the concerned individual before preparing and sharing the annexed list. **Specifically, we have taken consent to put their names on the annexed list on the condition that, as directed by the order of the Court,**

you will keep their names confidential and not release to anyone except the authorities who will be implementing this order, who will also need to keep their name confidential and will be informed of the same. We reiterate that you and those with whom the list of names will be shared for the purpose of implementing the Court's order will keep the same confidential and ensure that there is no disclosure of the identity and occupation of the persons on the list in the process.

A copy of this letter and the list is being sent to the District Legal Services Authority and the State Legal Services Authority, who have been directed to assist the concerned authorities both in the issuance of identity cards, Aadhar cards and voter identity cards, for sex workers as well as in the distribution of dry ration.

Please do not hesitate to contact us for any other information or clarification.

Thanking you,
Yours sincerely,

For,
CBO
Address:
Phone:
Email:

Annexures:

1. Hon'ble Supreme Court's order dated 14.12.2021 in *Budhadev Karmaskar v State of West Bengal*, Criminal Appeal No. 135 of 2010, I.A.No.80140 of 2020.
2. List of sex workers (.....give number) for issuance of ration cards, Aadhar cards and voter identity cards and for distribution of dry ration in the State.

Copy to:

1. District Legal Services Authority
2. State Legal Services Authority