

## **Statement on the Supreme Court's decision on food grains left to rot in godowns and the Government's Response**

New Delhi, 4<sup>th</sup> September, 2010

### **CAMPAIGN URGES SUPREME COURT TO EXPAND THE PDS**

The Right to Food Campaign welcomes the Supreme Court's firm stance on food grains left to rot in godowns and their efforts to force the Government to take action. With a growing food emergency in the country and rampant spiraling prices, this is a step in the right direction. The Court has also suggested that instead of using the 2000 population figures to decide on the number of people under the BPL, the projected population figures for 2010 should be used for distribution of food grains. This will lead to an expansion of the number of people being covered and we welcome this move.

We would however like to express our apprehensions about the court's view regarding doing away with APL. Limiting the percentage of people covered under the BPL to only 36% has meant that huge numbers of the hungry get left out. The Planning Commission has also shown high targeting errors in the BPL list with more than 50 percent of the actual poor BPL families being left out of these lists. With the present situation of run away prices of food grains, and a nutritional and food emergency situation in the country, abolishing a system of subsidized food grains for those who are outside the BPL list will result in many going hungry. It is a proven fact that the adoption of universal coverage in distribution of grain is the only measure that will prevent exclusion of the poor. In the present scenario at least those poor who have been excluded from the BPL must have the right to avail of the APL grain, which is at less than half the market price of grain. We endorse the positions by the SC Commissioners and the Government of India on retaining the APL.

It is also our belief that for ensuring food security the Government needs to procure more grain. It needs to double the present procurement, which is only 25 % of the total production. We also believe that local procurement ought to be encouraged. This would not only reduce transport costs but also ensure better management of grain storage. The FCI needs to improve its storage systems and local bodies (including Panchayat) managed storage systems ought to be put in place. Instead of asking the Government to reduce procurement to present storage capacity, we would instead request the court to ask for an expansion in decentralized storage capacity and procurement so that public provisioning of subsidized food grains is expanded and strengthened.

We are also concerned about the Court's suggestion to introduce fortified *atta* instead of wheat. Replacing wheat with *atta* will lead to more corruption due to central processing of the wheat by private flour mills. Flour, has a shelf life of only a fortnight, as compared to wheat, which can last for upto an year. It is also difficult for consumer to discern the quality of *atta* as compared to the quality of food.

Regarding the Government's decision of 2nd September, 2010 to release 2.5 million excess food stocks for the next six months, we suggest that the grain be distributed in the following manner:

- Expansion of Antyodaya food grain entitlements (35 kgs at Rs 3/kg for rice and Rs 2/kg for wheat) and to all rural households (APL, BPL or Antyodaya) for an initial period of two years in all districts that were declared as drought-affected in 2009 or are so declared in 2010.
- Extension of Antyodaya cards and entitlements forthwith to all the priority groups without any quota/ limit on the number of households living at the risk of hunger as

per the order of the Government of India dated 3<sup>rd</sup> August 2004; **Order No. F.13(22)/2001/CFS(D)/Vol.III/1033**, which was issued on the basis of the SC order of 2nd May 2004 in the PUCL case 196/2001. This stipulates that, amongst others, all landless agriculture labourers, marginal farmers, rural artisans/craftsmen, slum dwellers and daily wage earners in rural or urban areas should be given Antodaya cards.

- The Antyodaya category also includes households headed by widows, single women, children or terminally ill persons or disabled persons or persons aged 60 years or more with no assured means of subsistence or societal support, persons living with HIV/AIDS, homeless persons, transgender and all primitive tribal households. Antyodaya cards and entitlements should be extended to all such people without any quota or limit on the number of people.

We urge the Supreme Court to ensure that all these households receive the full quota of 35 kgs without any restriction on the numbers of such households so long as they meet the criteria set above by the Government of India order.

We would request the court to maintain the APL quota till such time as the Government expands the PDS to cover most people in country.

The Government's decision to release of 2.5 million tons of food grains will result in an expansion of coverage of people who receive subsidized food grains. In view of the persistence of hunger in the country, we request the Court to ensure that this expansion in coverage is not just for a period of six months but is the first step in the long term expansion to universally cover our population.

We are,

The Steering group of the Right to Food Campaign

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