

# **Right to Food Campaign –Tamil Nadu**

## **REPORT OF THE CONSULTATION HELD ON PUBLIC DISTRIBUTION SYSTEM (PDS)**

HELD IN CHENNAI

ON 10.07.2007

SUBMITTED TO DR.N.C.SAXANA, COMMISSIONER TO THE SUPREME COURT OF INDIA IN WRIT PETITION  
(CIVIL) NO.196 OF 2001

### **PRELUDE:**

This report serves to illuminate the findings, observations, and experiences held by 27 activists, economists, and social workers from community based organizations in Tamil Nadu. The members of these organisations convened at a Consultation on the Public Distribution System in Tamil Nadu organised by the **Right to Food Campaign Tamil Nadu** on 10.07.2007. This consultation was facilitated by Convener of the Right to Food Campaign .S. Kannaiyan, Professor Venkatesh Athreya (leading economist and specialist in food security study), Ms. Sujata Mody (President of Penn Thozhilargal Sangam), and Mr. Murthy (social activist).

*We hope this report would help the Supreme Court Commissioner to assist the Supreme Court in dealing with the food security issues of the millions of the poor countrymen through the Public Distribution System.* We see PDS as having the scope of a major poverty alleviation scheme and hope that action is taken in order to allow the full, uncorrupt functioning of this system. This report will address the functioning of the PDS system in Tamil Nadu, the modalities as to how the Committees already in place can function better and how further transparency in PDS can occur. Examples from experiences of citizens of Tamil Nadu will help in demonstrating these points.

### **TAMIL NADU OVERVIEW:**

Despite a large number of running fair price shops and a PDS system that is often called a ‘model’ for other states, Tamil Nadu still has a large population which does not have access to the scheme. Such groups include, pavement dwellers, slum dwellers, dalits, adivasis, single women, women headed households (as mentioned by the Tamil Nadu Human Development Report 2003), aged people, etc. According to the 2003 Action Aid survey, there are 40,533 homeless in Chennai, out of those, 69% do not have ration cards. This is a major issue that must be addressed, as those who aren’t even able to afford a house are those who really do need the food grains under subsidised price given through PDS. Furthermore, migrant workers, especially the poorest – working in brick-kilns, stone quarries, and construction sites are being left out of the scheme and are unable to access the subsidised price of food. In addition to the above listed, there are reports of:

- frequent smuggling of large quantities of PDS food grains and other PDS commodities
- improper quantity and quality allocation of PDS
- irregular shop hours
- an inability of the poorest to access and pay the 2 rupee subsidized price of food
- caste discrimination
- Food grains being imported for PDS due to the state’s failure to maintain buffer stock and its systematic attempt to weaken procurement from our farmers.
- Lack of community monitoring and rampant corruption at various levels of the implementing agencies.

### **Functioning of the PDS system:**

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Among the problems in Tamil Nadu are problems such as a lack of access to ration cards for many citizens, red tape and delays in acquiring ration cards, underweighment and misallocation, smuggling, irregular shop hours, and other forms of corruption.

### **LACK OF RATION CARDS:**

*Tamil Nadu:* Newly married persons, migrant workers and inter-state migrant workers who are living in migrated areas don't have ration cards. Furthermore, street dwellers in Tamil Nadu are a largely neglected group. Many of them apply for ration cards optimistically, only to wait years and years without a sign of them. We feel it is unjust that those without a 'house' or permanent address should not be given ration cards. As these citizens are registered voters and remain in the same location all their lives, some means should be devised to ensure that they are also given access to the subsidized prices under PDS

*Thiruvallur District, Tamil Nadu:* More than 1.5 lakh workers migrate from other districts to work in brick kilns in Thiruvallur District; they arrive in the month of January and leave in the month of July. During these periods, they are not provided access to ration cards despite being of the lowest socioeconomic tier and living with large families. While the government of Tamil Nadu has issued an order, whereby a migrant labor may temporarily cancel his card and can enroll him or herself in the migrated area with the Taluk Supply Officer's concern, in practicality, this is very difficult. It is impossible for these illiterate beneficiaries to approach Taluk Supply Officers. In similar situations, lakhs of other migrant workers all over Tamil Nadu have no access to subsidized food.

### **RED TAPISM AND DELAYS:**

*Chennai, Tamil Nadu:* In July 2007, over 25 ration card 'slips' were collected from street dwellers living in front of the High Court who have already waited for nearly two years for their ration cards. This delay is unacceptable, as the maximum amount of time for acquiring a ration card should only be 6 months. The total number of street dwellers in this plight is estimated to be around 300+ people surrounding the High Court of Chennai.

### **UNDER-WEIGHTMENT AND MISALLOCATION:**

*Trichy, Tamil Nadu:* Mr. Ganesan, an activist, explains that there have been frequent incidences of people receiving only 17 kgs of rice when paying for 20 kgs or getting some of the commodities while not receiving the others. Also, cardholders are often sent back home empty-handed with officials claiming that commodity stock has been exhausted.

*Thiruparangundram, O. Alangulam Panchayat of Madurai:* Rice meant to be supplied to beneficiaries of Sampoorna Grama Yogana is not distributed to the beneficiaries as rice is sold to the contractors.

### **SMUGGLING:**

*Dharapuram, Tamil Nadu:* Sugar and Kerosene are smuggled to tea stalls in Kerala.  
*Dindigul district:* Kerosene is often smuggled in the same tankers and Lorries that supply PDS materials to retail shops. Furthermore, PDS rice is often smuggled to rice mills and converted to cattle feed by grinding and mixing it with paddy husk; this is then sold in the market for rupees 6 per kg while the price of PDS rice in Tamil Nadu is only two rupees.

*Thalai Poondi, Thiruvannamalai District:* PDS rice is smuggled and polished in rice mills; later these are sold in the open market for Rs. 8/- per kg. This complaint is heard from other parts of Tamil Nadu as well, a pervasive practice followed throughout the state.

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### **RATION SHOP WORKING HOURS:**

*P.Kallupatty, Madurai District:* Part-time ration shops are opened only twice in a month and only from 7 a.m. to 10 a.m. Ms. Padma, has strongly opposed the concept and practice of part-time ration shop, yet when seeking remedial measures from higher officials, change occurs for a short period of time and then reverts to the old system - a continuum of past wrongs.

### **OTHER FORMS OF CORRUPTION**

*Arani, Tamil Nadu:* People are forced to buy soaps and other consumer items that they can scarcely afford, along with ration commodities defeating the purpose of subsidized food. In addition, there is rampant misappropriation in the Anthyodhaya Anna Yojana Cards, as shopkeepers deduct 5 kg of rice from AAY cardholders.

*North Chennai, Madras:* Each ration shop has 1,600 to 2000 cards, while according to government order; there should not be more than 1000 cards to one shop. Corruption in the inner city exists at the ration shop level in weighing and distribution. However, it is harder to tackle the problem as shopkeepers are hand-in-glove with local heavy weights and it's impossible for individual card holders to fight the system on an everyday basis. Corruption and misappropriation have become systematized at transporting supplies and distribution levels, throughout the state, the above mentioned is illustrations of the larger problems in the PDS system. In this light, vigilance, enforcement and monitoring needs to be overhauled to include public participation and create systems of accountability to the public.

### **TRANSPARENCY AND ACCOUNTABILITY:**

The participants unanimously expressed their concern and views about the ineffectiveness of the inspection and auditing of the scheme by the state authorities. Despite the Supreme Court order, which empowers the Gram Sabhas to monitor the implementation of the Food and employment schemes, no such social auditing conducted in Tamil Nadu. There was strong and unified opinion among participants that complete transparency and accountability of the system be ensured by making social audit of the PDS system mandatory.

### **THE IDEA OF INTRODUCING FOOD STAMP SYSTEM;**

The consultation discussed about the recent news in the media about the idea of introducing a Food Stamp System by The Government of India as an alternative to the Public Distribution System. The participants unanimously opposed to such an attempt and raised their concern that it would mean the end of PDS in India and deprive the Poor people's access to the food.

### **RECOMMENDATIONS:**

*Based on the Consultation held in Tamil Nadu the Right to Food Campaign recommend the following for the improvement of the Public Distribution System that may be applicable in both Tamil Nadu and in other parts of India.*

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## **EMPOWER PANCHAYAT RAJ INSTITUTIONS TO MONITOR PDS**

- While it is true that in some districts, where people have identified problems and exposed smugglers to higher officials, changes have been made, in most other situations problems persist. Even where problems have been solved relating supply and distribution, these have been of temporary nature and after a few months the old problem resurfaces. Therefore, a long term solution to corruption and misappropriation is required. It is recommended that village level committees under the Panchayat Raj Institutions be empowered to monitor the PDS.

## **MORE GRAINS FOR LARGER FAMILIES**

- The 20 kg per family provision is insufficient food for families of 6 or more; this should be better examined and larger families should be able to buy more from the PDS.

## **ISSUE OF RATION CARDS WITHOUT DELAY**

- Issue of new ration cards should not be delayed endlessly. The really poor and marginalized who require subsidized rations most are the ones left out of the system. The onus should be on the government for failure to issue ration cards and not on the poor; therefore officials should be held responsible for those who are left out of the system repeatedly. In fact, this problem can be solved only if application and issue of new ration cards can be done throughout the year.

## **RATION CARDS TO PAVEMENT DWELLERS**

- Pavement dwellers, houseless families, single women, women headed families should be specially identified and given the Right to ration cards. In case of pavement dwellers, as in most instances they reside permanently on a given street, the locality should be taken as their permanent address and for them lack of a house should not be an obstacle to getting a ration card.

## **SINGLE DEPARTMENT INSPECTION**

- There needs to be single department inspections in order to ensure accountability. The average value of stock by PDS shops in Tamil Nadu are normally one lakh rupees, but shopkeepers pay up to Rs. 2,500/- a month as bribe to various inspecting authorities. Presently in Tamil Nadu various authorities form multiple departments and inspect the PDS shops. For e.g. The department of co operation, revenue department inspect apart from other officials. From these two departments alone various Authorities, i.e. from the District Collector to Revenue Inspector and Joint Registrar of Co op societies to Junior Inspector in coop department are doing the inspection. It is recommended to have single department inspection of the PDS.

## **TRANSPARENCY**

- Social auditing of the scheme should be made mandatory in the scheme. Social audit should cover the various process of the scheme from procurement to distribution. The state and central governments should issue suitable guidelines and allocate necessary funds to facilitate social audit in the scheme. Central assistance should be discontinued if the social auditing is not conducted. The Supreme Court in its order dated May 2003, empowered the Gram Sabhas to conduct social audit in rural areas. The scope of conducting social audit has to be expanded to Town Panchayats and municipalities and corporations by interested public and voluntary organisations.

## **CONTINUE UNIVERSAL PDS AND DEFINITE “NO” TO “TPDS”**

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- Although we have mentioned many of the failings and issues within this state, when compared to many other states, Tamil Nadu fairs better. One of the major reasons for this is the universalized scheme. On the basis of our experience, we recommend a universalized scheme throughout India. Although this scheme has its faults, its coverage of the poor is better than the TPDS scheme. The Targeted PDS system puts the burden of identifying the poor on the bureaucracy and local officials and gives them ad hoc and arbitrary powers to control government subsidy. This would work against the prospects of the needy to access the system. Furthermore, the universal PDS does not rely on outdated statistics for measuring above and below poverty line citizens; this often dangerously leaves out ‘should-be’ beneficiaries. These poverty line indicators also seem to ignore the fact that 80% of people in India are spending 60% of their income on food grains alone, while also spending on other facets of life which have changed over the years. The Right to Food Campaign advocates for Universal PDS to continue in Tamil Nadu and TPDS should be replaced by Universal PDS in all other states.

### **PDS FOR MIGRANT WORKERS**

- Ration cards for migrant workers to be issued by all the states. Even though there is a government order in Tamil Nadu which is in favour of migrant labours within the state, the order is not implemented. There is no uniform scheme to address the entitlement of interstate migrant labours under PDS. The consultation suggests that a uniform scheme to be formulated to address the needs of the millions of interstate migrant workers and also to formulate a uniform scheme for all the states to address the issue of the entitlement of the migrant labours within the respective states under Public Distribution System.

### **“NO” TO THE IDEA OF FOOD STAMP**

- The idea of introducing Food Stamp System as an alternative to the Public Distribution System should not be implemented.

### **INITIATE CONTEMPT PROCEEDINGS**

- Contempt action may be initiated against the states which fail to publicise the various food and employment schemes and also the order of the Supreme Court providing those schemes.

*Thanking you Sir, for considering these suggestions and looking forward to seeing changes in the PDS.*

**S. Kannaiyan-Convener**

**Right to food Campaign – Tamil Nadu.**

**Secretariat:**

**No.319, Lingi chetty Street, 2<sup>nd</sup> Floor, George Town,  
Chennai – 600 001, TAMIL NADU**

**Phone: +91 44 25243246, 25243547.**

**E-mail: [rtf\\_tn@yahoo.com](mailto:rtf_tn@yahoo.com)**

**Copies to:**

- 1) Mr. Biraj Patnayak, Principal Advisor to the Commissioner.
- 2) Mr. Colin Gonsalves, Senior Counsel for the petitioner in WP No.196 of 2001 in the Supreme Court of India.
- 3) The office Secretary of the National Right to Food Campaign, New Delhi

**Encl : List of participants in the Annexure- 1**

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### Annexure – 1

#### LIST OF PARTICIPANTS OF THE CONSULTATION ON

#### ‘THE PUBLIC DISTRIBUTION SYSTEM IN TAMIL NADU’

AT ICSCA ,CHENNAI ON 09.07.2007

S.No.	Name & address	Organisation	E-Mail / Phone
1.	Mr. K.Chandrasekar, 42/A, Rajiv Gandhi Nagar, Trichy 620 012.	DEW	Dew <a href="mailto:Chandra@yahoo.co.uk">Chandra@yahoo.co.uk</a> 0431 – 2472878, 94426 10605
2.	Mr. S. Sankardayalan 77-A1, Arivoli Nfagar, Moolanur Post, Dharapuram Taluk, Erode Dist 638 106	Social Worker	98944 43314
3.	Mr. T. Pears Christopher, Samayapuram, Trichy 621 112.	CASA – Resource Centre	
4.	Mr. Ameer Khan, No. 8, G.N.Chetty Road, T.Nagar, Chennai 600 017.	Community Health Cell	Vijayameer25&vedithmail.com 94432 82718
5.	Ms.Sujata Mody	Penn Thozhilalar Sangam	<a href="mailto:Malarchi_wre@vsnl.net">Malarchi_wre@vsnl.net</a> 94440 87636
6.	Ms. L. Padma Jari Usilampatti, Jari Usilampatti Post, T.Kallupatti, Peraiur Taluk, Madurai Dist.		04549-293738
7.	Mr. R. Kalyana Raman, RC, P.Alangulam, Valayapatti, Madurai	CASA	04549 -320132
8.	Mr. T.Jayapaul, Nochi Odaipadi Post, Dindigul Dt.		94863 75865 95451 2550665
9.	Nr.S. Susaimanickam, Pugailai Patti, Dindigul Dt.		
10.	Mr.N. Thangavel Karur Dist.	Secretary, TRTLC TU	94869 16800
11.	Mr. K. Selvakumar, Erode District.	District Secretary TRLM CTU	98651 82939
12.	Mr.R. Seenipandi Keezhalagu Natchiapuram, Kuruvikulam (via), Sankarankovil Taluk, Tirunelveli.	TRLM CTU	94427 96761
13.	Mr. K. Murthy, No.10, Siruthondan 1 <sup>st</sup> Cross St., P.H. Road, Manavalanagar, Thiruvallur, Chennai - 602 002.	PASUMAI TRUST	94433 40137
14.	Mr.M. Senthilkumar, Manaveli St., 51, Kadalangudy, Varatharajapuram.	Youth Leader	03456 60100
15.	Ms. Kamala Shankar,	Plupuiian (abroad)	

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	2, Natuveerachi St., Mylapore, Chennai 600 004.		
16.	Mr. A. John, Vailanbkanni	VESA	99652 35325
17.	Mr. Karuna M. 38, II Main Road, Sai Nagar, Chennai 600 092.	Social Activist	94448 59240
18.	Mr.E.Madhavan, Uthukadu, Tiruvannamalai District	CASA	98653 23177
19.	Ms. A. Kalaivani, Karaipondi, Polur Taluk, Tiruvannamalai	93454 75378	
20.	Ms.Priya Shankar 6806, Corte Munas Pleasanton, CA 94566	Student. Interning with Human Right Law Net Work(HRLN)	9254171897 9252002502
21.	Prof. Venkatesh.P. Athreya	Bharathidasan University, Trichy.	94444 44294 98407 71688
22.	Ms.Ayshwarya Subramanian, 4/1, Mahalakshmy Apts., Rangarajapuram I Street. Chennai 600 024.	Student Interning with Human Right Law Net Work(HRLN)	00971505260146
23.	Mr. Emmi Viola 21, 6 <sup>th</sup> Main Road, Jawahar Nagar, Chennai 600 082.	MCCSS	99402 40685
24.	Mr.S. Baskar	MCCSS	98401 57197
25.	Mr.A.Sakthivel, 20, K.K. Nagar, Villupuram.	Pasumai Arakkattalai (Pasumai Trust)	94423 77760
26.	Mr. V. Ganesan, 77, Thanjavour Post., Arimalan Via, Tirumayar Taluk, Pudikkottai Dt.	Youth Leader (Pudukkottai) RC – Eachampatti.	99440 70585
27.	Mr. N. Umapathy, 227, 'B' Kalyanapuram, Chennai 600 039.	SCSTEDS	98415 83718