

ITEM NO.71
(Part-heard)

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO. 196 OF 2001

PEOPLE'S UNION FOR CIVIL LIBERTIES

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(Regarding reports submitted by Justice D.P. Wadhwa, Retd. Judge,
Supreme Court of India)

WITH

I.A. Nos.90, 93, 94, 98, 102 to 108 in W.P.(C) NO. 196/2001
(For permission on behalf of respondent No.17 i.e. State of
Maharashtra, modification and directions, intervention on behalf
of West Bengal M.R. Dealers Association and All Bengal Price
Shop Dealers Welfare Association, impleadment and exemption
from filing O.T., direction and extension of time on behalf of
State of Rajasthan)

WITH

CONTEMPT PETITION (CIVIL) No.99/2009 in W.P.(C) No.196/2001
(With appln. from exemption from filing O.T.)

W.P.(C) No. 277/2010
(With office report)

Date:10/01/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.
Ms. Divya Jyoti, Adv.
Ms. Jyoti Mendiratta, Adv.

2

For Respondent(s) Mr. G.E. Vahanvati, AG
Mrs. Indira Jaisingh, ASG
Mr. Devadatt Kamat, Adv.
Mr. T.A. Khan, Adv.
Mr. S. Wasim A. Qadri, Adv.
Ms. Sunita Sharma, Adv.
Mr. D.L. Chidananda, Adv.
Ms. Sushma Suri, Adv.
Ms. Anil Katiyar, Adv.
Mr. D.S. Mehra, Adv.

Mr. Jana Kalyan Das, Adv.

Mr. Ranjan Mukherjee, Adv.
Mr. S. Bhowmick, Adv.
Mr. S.C. Ghosh, Adv.

Ms. Hemantika Wahi, Adv.
Ms. Nupur Kanungo, Adv.

Mr. D.K. Goswami,Adv.
Mr. Shirish Kr. Mishra,Adv.

Mr. Pragyan P. Sharma,Adv.
Mr. P.V. Yogeswaran,Adv.

Mr. H.P. Rava,ASG
Ms. Indra Sawhney,Adv.

Dr. Manish Singhvi,AAG,Raj.
Mr. Devanshu Kumar Devesh,Adv.
Mr. Milind Kumar,Adv.

Mrs. Aruna Mathur,Adv.
Mr. Amarjeet Singh Girsra,Adv.

Mr. Riku Sharma,Adv.
for M/s. Corporate Law Group,Advs.

Mr. A.P. Sahay,Adv.
Ms. Rachana Srivastava,Adv.

Mr. Manoj Saxena,Adv.
Mr. Mayank Nigam,Adv.
Mr. T.V. George,Adv.

Ms. Kamini Jaiswal,Adv.

Ms. Priya Ningorani,Adv.
Dr. Aman Hingorani,Adv.
Ms. Swati Sumbly,Adv.

3

Mr. Shish Pal Laler,Adv.

Mr. Khwairakpam Nobin Singh,Adv.
Mr. Sapam Biswajit Meitei,Adv.

Mr. Ranjan Mukherjee,Adv.

Mr. R. Sundaravaradan,Sr.Adv.
Mr. V.G. Pragasam,Adv.
Mr. S.J. Aristotle,Adv.
Mr. Prabu Ramasubramanian,Adv.

Mr. Jatinder Kumar Bhatia,Adv.

Mr. G.V. Rao,Adv.
Mr. Ravi Prakash Mehrotra,Adv.

Mr. Gopal Singh,Adv.
Mr. Chandan Kumar,Adv.

Mr. M.N. Krishnamani,Sr.Adv.
Mr. Bikas Kar Gutpa,Adv.
Mr. Abhijit Sengupta,Adv.
Mr. Amit Kumar,Adv.

Mr. S.K. Keshote,Sr.Adv.
Mr. Sachin Das,Adv.
Mr. Abhijit Sengupta,Adv.

Mr. Rituraj Biswas,Adv.

Mr. P.S. Patwalia,Sr.Adv.
Mr. Manish Pitale,Adv.
Mr. Wasi Haider,Adv.

For Mr. C.S. Ashri, Adv.
Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sahrma, Adv.
Mr. B.B. Singh, Adv.
Mr. Kumar Rajesh Singh, Adv.
Ms. Prema Kumari Singh, Adv.
Mr. Anil Shrivastav, Adv.
Mr. Ritu Raj, Adv.
Mr. Edward Belho, Adv.
Mr. Enatoli Sema, Adv.
Mr. Rituraj Biswas, Adv.

4

Mr. T. Harish Kumar, Adv.
Mr. P. Prasanth, Adv.
Mr. V. Vasudevan, Adv.
Mr. Sanjiv Sen, Adv.
Mr. Ujjawal Banerjee, Adv.
Mr. P. Parmeswaran, Adv.
Mr. Sanjiv Sen, Adv.
Mr. Ujjawal Banerjee, Adv.
Mr. Prashant Kumar, Adv.
Mr. Gopal Prasad, Adv.
Mr. G.V. Chandrashekhar, Adv.
Mr. N.K. Verma, Adv.
Ms. Anjana Chandrashekar, Adv.
Mr. I. Venkatanarayana, Sr. Adv.
Mr. D. Mahesh Babu, Adv.
Mr. Ramesh Allanki, Adv.
Mr. Sunil Fernandes, Adv.
Mr. Vikrant Nagpal, Adv.
Mr. Sidhant Goel, Adv.
Ms. Renu Gupta, Adv.
Mr. Ramesh Babu M.R., Adv.
Ms. Anuradha Rustagi, Adv.
Ms. D. Bharathi Reddy, Adv.
Mr. Sanjay R. Hegde, Adv.
Mr. Ramesh Kr. Mishra, Adv.
Ms. Sumita Hazarika, Adv.
Ms. Jayshree Anand, AAG.
Mr. K.K. Mahalik, Adv.
Mr. Ajay Pal, Adv.
Mr. Manjit Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.
Ms. A. Subhashini, Adv.
Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.

5

Mr. Kuldip Singh, Adv.
Mr. R.K. Pandey, Adv.

Mr. H.S. Sandhu, Adv.
Mr. Ravindra Keshavrao Adsure, Adv.
Mr. Prashant Kumar, Adv.
Mr. Vishwajit Singh, Adv.
Mr. Sanjay V. Kharde, Adv.
Ms. Asha G. Nair, Adv.
Mr. K.V. Mohan, Adv.
Mr. A.K. Panigrahi, Adv.
Mr. N.M. Varghese, Adv.
Mr. Tessy Varghese, Adv.
Mr. Rajesh Srivastava, Adv.
Mr. Anuvrat Sharma, Adv.
Mr. K.N. Madhusoodhanan, Adv.
Mr. R. Sathish, Adv.
Mr. Naushad Ahmad Khan, Adv.
Mr. Rajesh Kumar Verma, Adv.
Mr. Elan V. Chezyian, Adv.
Mr. R.C. Kaushik, Adv.
Mr. Pradeep Misra, Adv.
Mr. Venkateswara Rao Anumolu, Adv.
Mr. Vikas Upadhyay, Adv.
Mr. B.S. Banthia, Adv.
Mr. Sandeep Gupta, Sr. Adv.
Mr. G. Prakash, Adv.
Ms. Beena Prakash, Adv.
Mr. V. Senthil, Adv.
Mr. Navneet Kumar, Adv.
Mr. Anil Kumar Jha, Adv.
Mr. Vikas Mehta, Adv.
Mr. Naresh K. Sharma, Adv.

6

Mr. Pramod Swarup, Sr. Adv.
Mr. Raj Kumar Gupta, Adv.
Mr. Rajiv Dubey, Adv.
Mr. Kamalendra Mishra, Adv.

Mr. Anis Suhrawardy, Adv.
Mr. S. Mehdi Imam, Adv.
Mr. Tabrooz Ahmed, Adv.

Mr. S.M. Jadhav, Adv.

UPON hearing counsel the Court made the following
O R D E R

We have briefly heard the learned Attorney General
for India and learned senior counsel for the petitioner.

Learned Attorney General for India prays for some time to file additional affidavit. Let the same be filed within two weeks and reply thereto, if any, be filed within three weeks thereafter. The parties would be at liberty to file additional documents, if any, within the time specified above.

Learned Attorney General for India has drawn our attention to a letter dated January 7, 2011 sent by the Joint Secretary to the Government of India, Ministry of Consumer Affairs, Department of Food and Public Distribution, Krishi Bhawan, New Delhi, to the learned Attorney General for India, which reads as under:

7

"To
Learned Attorney General for India,
26, Supreme Court,
New Delhi-110001.

Sub: W.P.(C) No.196/2001, PUCL vs. Union of India

Sir,
This has reference to your letter of 11th November 2010 conveying the Hon'ble Supreme Court's observation during the hearing in WP(Civil) No.196/2001 - PUCL vs. UOI on the 11th November, 2010 in which the Court had, inter alia, desired to know whether allocation of food grains to BPL families can be increased beyond 25 lakh tons made by the Government.

2. It may be mentioned that additional allocation of food grains are made by the Government from time to time based on requests received from States/UTs and availability of food grains in the Central Pool. In the above context, I would like to inform that in addition to the allocation of 25 lakh tons of food grains made by the Government in September 2010 for distribution to BPL families at BPL prices, Government of India has now, vide orders dated 6.1.2011, made a further ad hoc allocation of 25 lakh tons of rice and wheat to all States/UTs for distribution to BPL families at BPL prices.

3. In addition to the above, the Government has also made an ad hoc additional allocation of 25 lakh tons of food grains to States/UTs

8

for distribution to APL families at a price of Rs.8.45 per kg for wheat and Rs.11.85 per kg for rice.

4. The above additional ad hoc allocations may be suitably brought to the notice of the Hon'ble Supreme Court."

We are happy that in pursuance to our direction, the Government of India has allocated an additional amount of 25 lakh tons food grains to BPL families.

List this matter for final disposal on 24th
February, 2011.

(A.S. BISHT)
COURT MASTER

(NEERU BALA VIJ)
COURT MASTER