

\2100ITEM NO.1  
(Part-heard)

COURT NO.3

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, 110 & 111  
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 and for modification of Court's order dated 22.4.2009 impleadment on behalf of Karnataka State Taluka Co-operative Marketing Society Association to be impleaded as respondents)

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:20/04/2011 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.  
Mr. Divya Jyoti,Adv.  
Ms. Jyoti Mendiratta,Adv.

Ms. Priya Ningorani,Adv.  
Dr. Aman Hingorani,Adv.  
forM/s. Hingorani & Associates,Advs.

Mr. Ashok Kumar Sharma,Adv.  
Mr. Avinash Kumar Jain,Adv.

For Respondent(s)Mr. Mohan Parasaran,ASG  
Ms. Sunita Sharma,Adv.  
Mr. D.L. Chidananda,Adv.  
Mr. D.S. Mahra,Adv.  
Mr. S. Wasim A. Qadri,Adv.  
Ms. Anil Katiyar,Adv.  
Ms. Sushma Suri,Adv.  
Ms. Saima Bakshi,Adv.  
Mr. T.A. Khan,Adv.  
Ms. Supriya Jain,Adv.

Mr. A.K. Singh Tarun,Adv.

Mr. Debasis Misra, Adv.  
Mr. Kumar Rajeev, Adv.

Mr. Jana Kalyan Das, Adv.

Mr. Atul Jha, Adv.  
Mr. D.K. Sinha, Adv.

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

Ms. Hemantika Wahni, 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.

Ms. Indra Sawhney, Adv.

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

Mrs. Aruna Mathur, Adv.  
Ms. Megha Gaur, Adv.  
Mr. Avneesh Arputham, Adv.  
Mr. Yusuf Khan, Adv.

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

Mr. Rahul Verma, Adv.  
Ms. Rachana Srivastava, Adv.

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

Mr. V.N. Raghupathy, Adv.  
Mr. P.N. Aryan, Adv.

Ms. Kamini Jaiswal, Adv.

Mr. Shish Pal Laler, Adv.

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

Mr. Ranjan Mukherjee, 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. Rituraj Biswas, Adv.

Mr. Abhijit Sengupta, Adv.  
Ms. Anima Kujur, Adv.

Mr. Abhijit Sengupta,Adv.

Mr. Rituraj Biswas,Adv.

Mr. Manish Pitale,Adv.

Mr. Wasi Haider,Adv.

ForMr. C.S. Ashri,Adv.

Mr. Tara Chandra Sharma,Adv.

Ms. Neelam Sahrma,Adv.

Mr. Kumar Rajesh Singh,Adv.

Mr. Ritu Raj,Adv.

Mr. Anil Shrivastav,Adv.

Mr. Edward Belho,Adv.

Mr. Enatoli Sema,Adv.

Mr. Rituraj Biswas,Adv.

forMr. Balaji Srinivasan,Adv.

Mr. T. Harish Kumar,Adv.

Mr. Sanjiv Sen,Adv.

Mr. P. Parmeswaran,Adv.

Mr. Prashant Kumar,Adv.

Mr. Gopal Prasad,Adv.

Mr. G.V. Chandrashekhhar,Adv.

Ms. Anjana Chandrashekar,Adv.

Mr. D. Mahesh Babu,Adv.

Mr. Ramesh Allanki,Adv.

Ms. Savita Dhanda,Adv.

Mr. Sunil Fernandes,Adv.

Mr. Suhaas Joshi,Adv.

Ms. Ashta Sharma,Adv.

Mr. Ramesh Babu M.R.,Adv.

Ms. Anuradha Rustagi,Adv.

Ms. D. Bharathi Reddy,Adv.

Mr. Sanjay R. Hegde,Adv.

Ms. Sumita Hazarika,Adv.

Mr. Ajay Pal,Adv.

Mr. Manjit Singh,Adv.

Ms. Vivekkta Singh,Adv.

Mr. Tarjit Singh,Adv.

ForMr. Kamal Mohan Gupta,Adv.

Ms. A. Subhashini,Adv.

Mr. Gopal Singh,Adv.

Mr. Manish Kumar,Adv.

Mr. Kuldip Singh,Adv.

Mr. R.K. Pandey,Adv.

Mr. H.S. Sandhu,Adv.

Mr. K.K. Pandey,Adv.

Mr. Mohit Mudgil,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. 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.

Miss Chhaya Kumari, Adv.

Mr. Vikas Mehta, Adv.

Mr. Naresh K. Sharma, Adv.

Mr. Pramod Swaruop, Sr. Adv.

Mr. Raj Kumar Gupta, Adv.

Mr. Kamlendra Mishra, Adv.

Mr. S.M. Jadhav, Adv.

UPON hearing counsel the Court made the following

O R D E R

PUBLIC DISTRIBUTION SYSTEM:

Mr. Mohan Parasaran, learned Additional Solicitor General has filed in Court an affidavit of Shri C. Viswanath, Joint Secretary, Government of India, Minister of Consumer Affairs, Food and Public Distribution, Department of Food and Public Distribution, New Delhi. In the affidavit, it is mentioned that it is proposed to constitute a High Powered Committee under the Chairmanship of Justice D.P. Wadhwa (Retd.), Chairman, Central Vigilance Committee to monitor the status of computerization of the PDS operations in the country at the level of the Centre as well as the States/Union Territories and Director General, NIC, Director General, UIDAI, and Secretary, Department of Food and Public Distribution, may be included as the members of the High Powered Committee.

In consonance with the affidavit of Union of India to expedite the whole process of computerization, Justice D.P. Wadhwa be appointed as a Chairman of the High Powered Committee along with the other members which have been suggested in paragraph 15 of the affidavit. The Committee m

ay also have Commissioner or his representatives in it.

It is mentioned in the affidavit that Chhattisgarh has made considerable progress in computerization of public distribution system. Chhattisgarh is one of the pilot States under the Government of India's project on Computerization of TPDS operations . Unified Ration Card database: New Computerized Ration Cards are issued having two unique identifiers a numeric code and a bar code printed on Ration Cards. The maintenance of the ration cards database is now done through a web based module. Thus, ration card issue process has been streamlined in the State of Chhattisgarh.

Chhattisgarh has FPS Database with attached ration card information. This has enabled automated allotment by entering per card parameters every month. Chhattisgarh State Civil Supplies Corporation Distribution Centre Module is implemented at 120 warehouses of 108 distribution centres. The stocks and sales figures of previous month of all the FPSs are entered into this module and the actual amount of PDS commodities to be issued to FPS is calculated by this web based software and delivery order is issued thereafter.

Citizen Interface or Jan Bhagidari website has all information relating to public distribution system, including lists of all ration card holders, list of Fair Price Shops, details of lifting and sales of PDS commodities by fair price shops.

Mr. Gonsalves, learned senior counsel for the petitioner submitted that Chhattisgarh model seems to be quite advanced model and the Committee may seriously consider this model and according to him, with some modifications, this model can be applied for the entire country.

The Committee may also examine other models which have been prepared by the different States and Union Territories and with the assistance of the experts, including the Commissioner or his representatives, may prepare the model which can be applied in the entire country. We request the Committee to expedite the whole process and submit a short report to this Court on or before 8th July, 2011.

List this matter for further directions on 11th July, 2011.

PLANNING COMMISSION OF INDIA:

On the oral request made by the learned counsel, the Planning Commission of India is impleaded as a party in this matter.

Learned counsel appearing for the Planning Commission of India prays for one week's time to file a comprehensive affidavit. Let that be done within a week with an advance copy to the learned counsel for the petitioner and the Union of India and other counsels. Reply to that, if any, be filed within one week thereafter.

List this matter on 10th May, 2011 at the end of the Board.

Mr. Mohan Parasaran, learned Additional Solicitor General undertakes to file a comprehensive affidavit about the problem of malnutrition in various pockets/districts of the country and would also take instructions of allocating additional food-grains to eradicate or at least to reduce the problem of malnutrition to a large extent. Let the comprehensive affidavit be filed within a week and reply thereto by the learned counsel for the petitioner be filed within a week thereafter.

List this matter on 10th May, 2011.

(A.S. BISHT)  
COURT MASTER

(NEERU BALA VIJ)  
COURT MASTER