

Memorandum submitted to Justice Wadhwa Committee on PDS in Karnataka

By CIVIC, CFAR & the Right to Food Campaign

**KAS Officers' Association
Infantry Rd. Bangalore 560001
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Background to CFAR & CIVIC:

CFAR (Centre for Advocacy and Research) is a non-profit organization committed to advocacy on the rights of marginalized populations. This includes urban and rural poor, HIV positive people, people with disability, women in sex work, sexual minorities.

Formally established in 1998, CFAR has over the last decade and a half built a rich resource of primary evidence from the field, testimonies from the community, field-based surveys and documentation of best practices around empowerment of marginal communities. CFAR's attempt has been to empower the less privileged sections of society and enable them to work in partnership with all concerned stakeholders and institutions responsible for administering their basic entitlements and rights.

CIVIC Bangalore is also a not-for-profit NGO working in Bangalore since 1992 to realize the implementation of the 74th Constitutional Amendment in its true spirit. It is also working through a network of NGOs to empower the urban poor on using Right to Information to access their basic rights. CIVIC has been working on the issue of the PDS in Bangalore with the urban poor extensively, coordinating with the department in conducting grievance redressal melas in slum areas and has conducted a survey on efficiency/effectiveness of PDS system in four wards.

Several city and state-level consultations and public hearings have been organized by CFAR, CIVIC and Right to Food Campaign– Karnataka with the support of the following:

- Officials of the FCS&CA department, Mr. Shivappa, then Addl. Commissioner, Mr. Hafeez, Dy. Director (Hqs.), and all the Bangalore city zonal Deputy Directors.
- The national advisor to the Supreme Court-appointed Commissioners in the Right to Food case, Mr. Biraj Patnaik
- The state advisor to the Supreme Court-appointed Commissioners in the Right to Food case, Sri S. R. Hiremath
- Conveners of the State-wide Right to Food Campaign – Karnataka, Mr. Praveen, Mr. Roopa Naik and NGOs affiliated to it.
- Members of NGO Forum of Bangalore City working with the urban poor
- Members of All-India Democratic Women's Association (AIDWA), Stree Jagruthi Samiti, Karnataka Prantha Krishi Koolikarara Sangha, trade unions, consumer rights activists, academicians and concerned citizens.

The workshops discussed grievances of slum-dwellers, survey findings of CIVIC and CFAR in a few wards of Bangalore city, and the challenges faced by the people and the PDS system in the background of the Supreme Court orders in the Right to Food case. The members ultimately came up with a "Citizens' Charter" incorporating suggestions/requests to improve the system.

The survey findings and suggestions on the issue were also presented to the Chief Secretary on 30th October, 2008. A review meeting was also held with the Commissioner, Food & Civil Supplies, on 22nd December 2008.

I Survey findings

1. Incomplete display board at the Fair Price Shops (FPS)

It is observed that crucial information like the list of vigilance committee members, name and phone number of the Food Inspector, Supreme Court rulings which are to be mandatory displayed at every shop, government school and ward/GP office was found missing in most of the shops.

2. Irregular opening of shops and distribution of grain in FPS

During the survey it was found that most of the distribution happens in the second half of every month. Some said kerosene is distributed at 3 AM. Some shops were found closed all the time. Some customers said shops open only once or twice in a month causing long queues/waiting period. Also, when citizens have money at the beginning of the month, there is no grain in the shop, and when there is grain, they do not have money to buy it. This also goes against the Supreme Court ruling that everyone must get a chance to buy in at least six installments.

3. Financial unviability of the private PDS shops

Survey shows that running a shop by the book is highly unprofitable for licensee. The shop-owner is forced to engage in malpractices. Government shops where salary is paid to owner are functioning better. All the shops in Tamil Nadu are government-owned, which are doing very well.

II Suggestions

1. Income criteria for selection of the BPL families are illogical

The income criteria of Rs.12,000 and Rs.17,000 per year per family for identifying BPL families in rural and urban areas respectively are too low. This works out to about Rs. 47 per day per household or Rs. 10 per person in Bangalore city on which no one can survive. It also means that a family has to earn about half the prescribed minimum wage of Rs. 84 (which itself is less than subsistence wage) to qualify as BPL. Strictly, all those earning less than the minimum wage should be considered as BPL.

2. Current proxy criteria are exclusionary; they need to be inclusive

Many true BPL families are left out of the system. The present set of proxy indicators is exclusionary. Positive and inclusive criteria need to be used. In Delhi, spatial vulnerability, i.e., living in an under-privileged area, social vulnerability, such as woman-headed household, and occupational vulnerability, such as rag-picking, daily and casual wage-labour, etc., are the criteria being used to identify the poor.

3. Planning Commission % of poor in Karnataka differs from state figures

The Planning Commission has set 31 lakh households as cut-off figure for the number of BPL families in Karnataka, which runs counter to the number of BPL families identified by the department, which is close to 82 lakhs. There is a need to advocate with the Planning

Commission to let States decide on the number of poor as per the findings of their door-to-door surveys. The identification and announcement of BPL families could all be done transparently in formal platforms such as Gram/Ward Sabhas.

4. Need for universalizing the PDS

There is a need to universalize the PDS so that the poor get self-selected as in the NREGA. The cost of trying to identify who is genuinely poor and who is not and trying to prevent misuse is itself large. In TN it is universal and State governments in AP and TN are providing a subsidy of more than Rs. 2,000 crores for the PDS. Karnataka is currently giving only Rs. 800 crore and this could be raised to the level of other Southern states. If income level is raised to Rs. 30,000, only 14 lakh households will be left out, who may as well be included. The difference in cost will be negligible.

5. Malnourishment a national malady

Universalisation is necessary considering the high levels of malnutrition in the State, where close to 50% children are moderately malnourished and 75% women are anaemic. India is 66th among 88 countries on the World Hunger Index and Karnataka is about 63rd. As per official estimates, more than 70% of the population cannot meet the minimum calorie intake norm of 2400 Kcals. per day per person. Government is merely juggling the estimates to show that only 26% of population are under poverty line.

6. Ceiling on amount of foodgrains per family should go

- ◆ KF&CS Dept. is providing maximum of 23 KG grain per family – 4 Kg per head
- ◆ SC has ordered minimum 35 Kg per family
- ◆ Per head allocation should be large enough to meet the minimum of 2400 Calories per person per day or at least 1,750 Kcals.

i.e. about 14 kilos of cereals at the least per capita per month (Right to Food Campaign).

7. Need to create awareness about PDS functioning

Currently people are unaware of their entitlements under the FCS&CA Citizens' Charter. There is also severe lack of information on the members of the vigilance committees and their functioning and about the grievance redressal programmes conducted at district-levels on alternate Saturdays. There is a need to provide **information pamphlets** on the Citizens' Charter - the schemes, criteria, procedures, entitlements, grievance redressal mechanisms and ways to access them – to all the one crore twenty five lakh households in Karnataka. The information pamphlets could be placed in each shop for everyone to access. Alternatively, the Information Department could be asked to do this along with a mass media campaign. Suo motu information of FCS&CA dept. under Section 4.1.b of RTI should be in the public domain. The website needs to be constantly updated.

8. Grama sabha to select vigilance committee members

Currently, the PDS shop-owner is mostly selecting the members of the vigilance committee from among persons who are likely to favour him in various ways. It would be better to identify the members at a grama sabha meeting in rural areas. A mechanism for a similar process in urban areas needs to be evolved. Members of the vigilance committee, ration shop owners, BPL families all need to be selected by the Grama Sabha.

9. Need for single data-base on citizens and BPL families

There are multiple schemes for the BPL with different departments. Various departments conduct separate surveys to identify BPL, which is a waste of public funds. Each dept. has different sets of criteria for identifying BPL and different lists of identified families. There is a need for having a single survey, a single set of criteria and a common data-base of BPL families to be shared by all the departments, including the FCS&CA.

There is a need for a single unified card with all the data which can be used for different schemes of different departments. Every citizen should be given a unique citizen ID number and card (henceforward at birth). A centralized data-base and one at every GP and ward level needs to be maintained of every inhabitant and every BPL family. The same data-base could be shared by various departments. This could be used for multiple purposes such as the PDS, compulsory education and vaccination, electoral roll, tax and social security, etc.

10. Single-window system for claiming benefits

A single-window system (similar to Delhi's Samajik Suvidha Sangam) where people can apply for availing of various social assistance schemes should be initiated.

11. Need for Urban Poverty Alleviation (UPA) Authority in the Urban Development Department and UPA Cell in ULBs

There is a multiplicity of government departments and organizations dealing with the urban poor issues and hence difficulty in ensuring coordination. There is a need to bring all urban poverty alleviation schemes and programmes under a single umbrella. In fact, the guidelines of SJSRY require an Urban Poverty Alleviation Authority to be set up within the Urban Development Department at Secretariat level and an Urban Poverty Alleviation Cell in ULBs to bring the issue into focus and ensure coordination.

12. Food security to be made a function of municipalities

While monitoring PDS is a function of the PRIs and there is a food security committee at GP levels in the rural areas, there is none at the municipal or ward level in the urban areas. Ensuring food security is, in fact, not even one of the functions of municipalities. There is a need to devolve functions related to fulfillment of basic needs of citizens, such as PDS, to ULBs, and set up institutions such as food security committees at ward level to ensure food security in urban areas

13. Providing ration cards to migrant labourers

A large number of migrant labourers are left out of the system, especially in cities like Bangalore. They are mostly engaged in construction work and can be found close/around big construction sites. There is a need to evolve a system of ration cards for migrants.

14. Need for training of Food Security Committees and Vigilance Committees

The Abdul Nazeer Sab Training Institute in Mysore needs to be provided a training module for GP members on the functioning of the PDS and the training needs to be imparted by them. GP food security committee and vigilance committee members need to be trained on the functioning of the PDS, SC orders and their roles and responsibilities in it at taluk-level. **While**

activists are prepared to support this activity in the taluks where they are active, the F&CS Department has to ultimately take on this role at state-wide level given its reach and resources.

15. State-level committee

NGOs should be included in the State-Level Committee and the committee should meet quarterly.

16. Ration cards in women's names

Most of the family responsibilities are fulfilled by women, for example, children's education, fetching food grains from ration shops (sometimes children are fetching), etc. Men do not take responsibility for bringing ration from the ration shop. And yet, all the ration cards are in the name of the husband or head of the family (men). It was suggested that since all responsibilities are being taken by women, ration cards also should be issued in their name.

17. Ration shop licence to women's groups

Any one person or members of the same family should not be given licences for running several ration shops. **Women and women's groups should be given priority while issuing licenses of ration shops.** It was suggested that several licenses already issued to the same person or family should be cancelled. In Chhattisgarh, six thousand women's groups have been given licenses to run ration shops. This could be followed in Karnataka also.

18. Proper functioning of ration shops

The whole PDS system should follow the Supreme Court's orders. Aspects like false measurements, low quality of food grains, ration shops opening only for a few days a month, non-distribution of rations in installments, incomplete information boards, non-availability of complaint register, non-maintenance of registers, non-issue of receipts, etc., need to be looked into.

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