

7 28.09.2020 The matter is taken up through video conferencing.

Heard Mr. Ishwar Mohanty, learned counsel for the petitioner and Mr. M.S. Sahoo, learned Additional Government Advocate.

This Court on 18.08.2020 passed a specific order which reads as under:

"Heard Mr. Ishwar Mohanty, learned counsel for the petitioner and Mr. M.S. Sahoo, learned A.G.A. for the State opposite party.

Learned A.G.A. for the State-opposite party submits that the issue raised in this writ petition filed by the petitioner Prafulla Samantara has already been agitated in W.P.(C) Nos.7966 of 2013, 13371 of 2012 & 16216 of 2019. He further submits that he will file a specific affidavit giving the district wise data of the persons who are not having ration card and distributed the food grains under the Schemes of the State Government as well as Central Government sponsored Schemes and also what special steps are being taken by the Government to ensure the nutritional needs of children and pregnant women in the districts of Bolangir, Kalahandi, Rayagada, Koraput, Mayurbhanj, Nabarangpur, Nuapada, Boudh, Bargarh, Kandhamal, Keonjhar and Malkangiri.

In view of the above submissions, list this matter on 09.09.2020 along with W.P.(C) Nos.7966 of 2013, 13371 of 2012 & 16216 of 2019."

Mr. M.S. Sahoo, learned Additional Government Advocate contended that the opposite party has filed an affidavit today.

It is regrettable to say that the affidavit has not given the particulars, which were asked for by this Court in the above quoted order passed on 18.08.2020. The affidavit seeks to rely upon the data of 2011

Census population of Odisha and percentage of population covered under the National Food Security Act, 2013. It is stated that the State Government implemented the Act from November/December, 2015 by providing food security to 77.4% of 2011 Census population. In paragraph-5 of the affidavit, it is stated that till date 2,18,952 families comprising of 5,00,000/- individuals, who did not have ration cards, have been identified during COVID-19 pandemic situation and have been provided new ration cards along with foodgrains from April, 2020 onwards. So the total beneficiaries coverage under the State Food Security Scheme is 3,53,000 families comprising of 11,10,007 members. Paragraph-8 of the affidavit states that in order to provide cost-free foodgrains and pulses to migrant workers in the State to mitigate COVID-19 pandemic situation, the Government of India launched 'Atma Nirbhar Bharat Yojana (ANBY). Under the scheme, 5 kgs of rice per person per month and 1 kg of chana whole per family per month, free of cost, has been distributed to 40,029 families comprising of 96,150 members for May and June 2020, those who are not covered under National Food Security Act or State Food Security Scheme and do not possess ration cards.

In response to query of this Court that how many persons in the district wise data are not having ration cards and were yet distributed the food grains under the Schemes of the State Government as well as

Central Government sponsored Schemes and also what special steps are being taken by the Government to ensure the nutritional needs of children and pregnant women in the districts of Bolangir, Kalahandi, Rayagada, Koraput, Mayurbhanj, Nabarangpur, Nuapada, Boudh, Bargarh, Kandhamal, Keonjhar and Malkangiri, Mr. M.S. Sahoo, learned Additional Government Advocate prays for time to obtain instructions. The opposite parties should also clarify whether foodgrains have been distributed to the individual or families not having ration cards even beyond June, 2020. All the required details be furnished on the affidavit of the Secretary to the Government of Odisha, Food Supplies & Consumer Welfare Department by the next date.

Put up this matter on 12.10.2020.

(Mohammad Rafiq)
Chief Justice

(DR. B.R. SARANGI)
JUDGE