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# **Rights and Risks Analysis Group**

C-3/441, Janakpuri, New Delhi-110058, India Website: www.rightsrisks.org; Email: suhaschakma@rightsrisks.org Mob:9810893440

27 April 2020

Shri Narendra Modi Hon'ble Prime Minister of India South Block, Raisina Hill New Delhi-110011

Subject: Massive hunger and starvation during national lockdown among 65,875 Chakmas and Hajongs of Arunachal Pradesh because of their exclusion from "economic package for vulnerable sections in these difficult times of Covid-19 pandemic" dated 12<sup>th</sup> April 2020 and the State Government selling rice @ Rs 29.00 per kg

Honourable Prime Minister,

The Rights and Risks Analysis Group (RRAG) is writing to seek Your Honour's kind intervention against massive hunger and starvation during national lockdown among 65,875 Chakmas and Hajongs of Arunachal Pradesh because of their exclusion from "economic package for vulnerable sections in these difficult times of Covid-19 pandemic" dated 12<sup>th</sup> April 2020 and the State Government selling rice @ Rs 29.00 per kg to them. About 30% of the 65,875 i.e. about 22,000 Chakmas and Hajongs are children; and hunger and starvation have engulfed them. This denial of food to children is nothing but a grave inhumane and cruel act.

The brief facts are given below:

- 1. Since 24 March 2020, India has been lockdown to deal with COVID-19 and the poor including those below the poverty line and daily wage earners were severely affected because of the inability to go and work because of the lockdown.
- 2. On 9<sup>th</sup> April 2020, to ensure that no one in India goes hungry, the Government of India directed the Food Corporation of India "to provide food grains @5 Kg per person per month for 3 months at the rates of Rs. 21/Kg for wheat and Rs.22/Kg for rice uniformly across the country to all beneficiaries not covered under the National Food Security Act" i.e. those who do not have ration cards. Even the NGOs were given at that rate. The order of the Government of India is reproduced below:

"Government of India has directed Food Corporation of India (FCI) to provide food grains @5 Kg per person per month for 3 months at the rates of Rs. 21/Kg for wheat and Rs. 22/Kg for rice uniformly across the country to all beneficiaries not covered under the National

Food Security Act to whom ration cards have been issued by state governments under their schemes....

In order to support the NGOs/Charitable organizations involved in relief operations, Government has given directions to FCI to provide wheat @Rs. 21/Kg and Rice @22/Kg uniformly across the country to all such organizations without any upper limit on quantity. These directions are expected to have a salutary effect on the food grain supply position in the country by ensuring that every section of the society is provided access to adequate food grains at reasonable prices during the Covid 19 pandemic."

A copy of the press release issued by Press Information Bureau on 9<sup>th</sup> April 2020 is appended as **ANNEXURE -1**.

**3.** On 12<sup>th</sup> April 2020, the State Government of Arunachal Pradesh vide order No. STF (E&W)/Monitoring/001/2020 announced its "economic package for vulnerable sections in these difficult times of Covid-19 pandemic" and directed all the Deputy Commissioners "to personally monitor implementation of all these schemes at the district level so that benefits reach the beneficiaries at the earliest and also provide information on daily basis for number of beneficiaries covered in each scheme for reporting to higher authorities including Gol." The details of the schemes covered under the economic package are given below:

"1. Providing 5 kg Rice / person and 1 kg pulses / person to PHH and AAY beneficiaries under Pradhan Mantri Garib Ann Yojana;

**2.** Providing one time aid of Rs 1000 to BPL families by Govt, of Arunachal Pradesh;

3. Rs 1000 to vulnerable sections- poor old age citizens and widows and disabled persons under Pradhan Mantri Garib Kalyan Yojana;

4. Rs 2000 for 2 months to non Government workers of unorganised sector;

5. Free LPG to BPL for 3 months under Ujjawala;

**6.** 1<sup>sT</sup> instalment of Rs 2000 from Gol and 1<sup>sT</sup> installment of Rs 1000 from GoAP to farmers under Pradhan Mantri Kisan Sammaan Yojana;

7. Rs 500/- per woman for 3 months having Jan Dhan accounts;

8. Giving wages under MNREGA at Rs. 202;

**9.** Giving collateral free loans up to Rs 20 lakhs instead of Rs 10 lakhs to SHGs;

**10.** Funds from SDRF for helping those who lost their livelihood during the time of lockdown."

A copy of the order of the State Government of Arunachal Pradesh vide No. STF (E&W)/Monitoring/001/2020 dated 12<sup>th</sup> April, 2020 is appended as **ANNEXURE-2**.

4. On 14 April 2020, Mr Devensh Yadav, Addl. Deputy Commissioner of Bordumsa, Changlang district, Arunachal Pradesh issued a notification stating that "any Tea Estates/ Commercial establishments/ individuals" of Diyun circle can purchase the Open Market Sale Scheme (OMSS) of the rice received from Food Corporation of India at the "rate of Rs 27.00 per kg for wholesale selling and at the rate of Rs 29 for retail selling price", superseding earlier directions dated 12 April 2020.

A copy of the notification NO.B/SUP-ll(COVID-19)/2020/1615-1619 dated Bordumsa the 14th April'2020 is appended as **ANNEXURE-3**.

5. The order dated 14 April 202 was issued to deny rice "even at the rate of (a)22/Kg uniformly across the country" including the NGOs. It is pertinent to mention that "any individual" includes Chakmas and Hajongs and others living in Arunachal Pradesh but has not been issued any ration cards. In fact, the State government of Arunachal Pradesh vide Order No. CS/PR-164/09/99 dated 25/10/91 illegally and arbitrarily had seized the rations cards from the Chakmas and Hajongs, and banned issuance of ration cards to them thereby violating the right to life guaranteed under Article 21 of the Constitution of India. The banning of ration cards which were enjoyed for decades by the Chakmas and Hajongs prior to 25 October 1991 was unfair, unjust, unreasonable, fanciful, oppressing and arbitrary and violated the principles laid down by the Hon'ble Supreme Court in Menaka Gandhi vs. Union of India [AIR 1978 SC 597)] that "The procedure prescribed by law has to be fair, just and reasonable, not fanciful, oppressive or arbitrary" with respect to Article 21 of the Constitution.

A copy of the Order No. CS/PR-164/09/99 dated 25/10/91 of the State Government of Arunachal Pradesh is appended as **ANNEXURE-4**.

- 6. The Hon'ble Supreme Court of India vide its judgment in *National Human Rights Commission Vs State of Arunachal Pradesh & Anr* [1996 AIR 1234 1996 SCC (1) 742] dated 9 January 1996 categorically directed that "(1) the first respondent, the State of Arunachal Pradesh, shall ensure that the life and personal liberty of each and every Chakma residing within the State".
- 7. The Supreme Court in numerous judgments including in Writ Petition (Civil) No. 196 of 2001 in *Peoples Union for Civil Liberties Vs Union of India & Anr* that the right to life includes the right to live with dignity and all that goes along with it, including the right to food. The NHRC itself had *subsequently* "taken the view that the Right to Food is inherent to a life with dignity, and Article 21 of the Constitution of India which guarantees a fundamental right to life and personal liberty should be read with Articles 39(a) and 47 to understand the nature of the obligations of the State in order to ensure the effective realization of this right."

The policy brief of the NHRC is appended as ANNEXURE-5.

- 8. That there is massive hunger among the Chakmas and Hajongs of Arunachal Pradesh as they cannot afford to buy @ Rs 29/per kg. As they are caught in lockdown, thousands of Chakmas and Hajongs who are daily wage labourers also cannot go to work. They and their children are facing starvation.
- **9.** The Chakmas and Hajongs of Arunachal Pradesh are citizens of India as described below:
  - Out of the 65,875 Chakmas and Hajongs, about 61,238 Chakmas and Hajongs are citizens by birth as per Section 3(1) of the Citizenship Act. The State government of Arunachal Pradesh informed the State Assembly that 5,097 Chakmas and Hajongs have been exercising the right to vote as citizens of India. Because of the acts of discrimination, others have not been included in the voter lists
  - Out of the total 65,875 Chakmas and Hajongs in the State, about 4,637 are survivors of migration during 1964-1969. Not a single application of these survivors of migration has been processed as on date despite the judgment of the Supreme Court dated 9 January 1997 in *National Human Rights Commission Vs State of Arunachal Pradesh & Anr* [1996 AIR 1234 1996 SCC (1) 742] and subsequent judgment dated 17 September 2015 in Writ Petition (Civil) No.510 Of 2007 in the case of *Committee For C.R.of C.A.P. & Ors vs State Of Arunachal Pradesh & Ors* directing the Union of India and the State of Arunachal Pradesh to complete the processing of the citizenship applications "at the earliest preferably within three months".

Copy of the press report, *Chakmas, Hajongs have voting rights in state*, Arunachal Times dated 9 January 2020 is appended as **ANNEXURE -6.** 

- 10. An overwhelming majority of the Chakmas and Hajongs, having faced State sponsored discrimination in the last 56 years are extremely poor. However, the State government has not taken any measure to include them under the National Food Security Act, 2013 despite being including some of them in the voter list.
- **11.** Be that as it may, the National Food Security Act, 2013 is "An Act to provide for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity and for matters connected therewith or incidental

*thereto*." The right to life guaranteed under the Citizenship Act is available to any "person" irrespective of his status.

12. The actions of the State of Arunachal Pradesh violate the fundamental rights of the Chakmas and Hajongs who are citizens of India and constitute inhumane and degrading treatment. The Union of India has the responsibility to ensure the right to food of every citizen.

# **13. PRAYERS:**

In the light of the blatant violations of the right to life including of the children under the current national lockdown to address COVID-19 pandemic which have made the daily wage earner Chakmas and Hajongs, and their children extremely vulnerable, the Rights and Risks Analysis Group urges Your Honour to:

- (a) Direct the State of Arunachal Pradesh and the Union Ministry of Consumer Affairs, Food & Public Distribution to provide all Chakmas and Hajongs rice at Rs 5 per kg immediately till June 2020 or any time as may be extended by the Union of India;
- (b) Direct the State of Arunachal Pradesh and Union Ministry of Consumer Affairs, Food & Public Distribution to take all necessary measures to fully implement the National Food Security Act including identification of eligible households among the Chakmas and Hajongs of Arunachal Pradesh, and their right to receive foodgrains at subsidised prices by persons belonging to eligible households under Targeted Public Distribution System, nutritional support to pregnant women and lactating mothers, nutritional support to children etc and submit compliance report with four weeks; and
- (c) Take any other measures that Your Honour deems fit and proper.

Looking forward to Your Honour's kind interventions.

With kind regards,

Yours sincerely



Suhas Chakma Director

Encl: As above.

#### ANNEXUR-1

<u>6</u>

# Food grains to be provided to non-NFSA beneficiaries with ration cards issued by State governments

# FCI sets new record transporting 77 rakes carrying about 2.16 Lakh MT food grains across the country

Posted On: 09 APR 2020 8:46PM by PIB Delhi

Government of India has directed Food Corporation of India (FCI) to provide food grains @5 Kg per person per month for 3 months at the rates of Rs. 21/Kg for wheat and Rs. 22/Kg for rice uniformly across the country to all beneficiaries not covered under NFSA to whom ration cards have been issued by state governments under their schemes. States have been given the option to lift these stocks in one go or on monthly basis over 3 months upto June 2020.

In order to support the NGOs/Charitable organizations involved in relief operations, Government has given directions to FCI to provide wheat @Rs. 21/Kg and Rice @22/Kg uniformly across the country to all such organizations without any upper limit on quantity. These directions are expected to have a salutary effect on the food grain supply position in the country by ensuring that every section of the society is provided access to adequate food grains at reasonable prices during the Covid 19 pandemic.

As part of the mammoth exercise being undertaken by FCI to move food grain stocks across the country to feed the largest Food Security system in the world covering more than 81 crore people through 5.3 Lakh Fair Price Shops (FPS), a new milestone was created on 09.04.20 when the agency transported 77 rakes carrying about 2.16 Lakh MT. With this, the total food grain stocks transported by FCI since lock down is nearing 2.5 Million Metric Tonnes.

Under the PM Garib Kalyan Ann Yojana (PMGKAY), a total of 12.1 MMT of food grains are being supplied to 81 crore people in 3 months @5 Kg per person. FCI is fully geared up to meet the challenge of positioning such large quantity of grain in every state as per their distribution plans. Special efforts are being made to move a record quantity of 6 LMT boiled rice by end of April to West Bengal to meet the state's requirement under PMGKAY. Plans have been worked out to move boiled rice from Chhattisgarh, Telangana and Odisha as these states contribute maximum boiled rice to the national pool. However, in order to create adequate storage space for induction of boiled rice into the state, FCI has already requested West Bengal government to speed up lifting of available wheat stocks from its warehouses.

Along with undertaking transportation of stocks at unprecedented levels post-lockdown, FCI is carrying out procurement of rice in states like Andhra Pradesh, Telangana, Odisha, Chhattisgarh etc. It is also gearing up to start acceptance of wheat of winter crop in major procuring states like Punjab, Haryana, Madhya Pradesh, UP, Rajasthan etc. as per the procurement plans being worked out by the respective state governments according to the safety protocols of social distancing. With the anticipated procurement of about 40 MMT Wheat and 9 MMT Rice during Rabi season, the food grain stocks in national pool will be fully replenished ensuring that there is no threat to the Food Security of the country.

For details, click on the following links:

# 1. Statewise details on lifting under additional allocation of food grains to all the beneficiaries under PMGKAY

2. Statewise details of rakes loaded during lockdown period

3. Statewise details of rakes unloaded during lockdown period

\*\*\*\*

APS/PK/MS/BA

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#### ANNEXURE-2

## GOVERNMENT OF ARUNACHAL PRADESH ITANAGAR

#### No. STF (E&W)/Monitoring/001/2020

Dated- 12th April, 2020

To,

# The Deputy Commissioners

Tawang / West Kameng / East Kameng / Pakke Kesang / Papumpare / Lower Subansiri / Siang / Kurung Kumey / Kra Daadi / Upper Subansiri / Kamle / West Siang / Shi Yomi / East Siang / Lower Siang / Lepa Rada / Upper Siang / Lohit / Anjaw / Tirap / Namsai / Changlang / Lower Dibang Valley / Dibang Valley / Longding / Capital Complex. Arunachal Pradesh.

Sir / Madam,

As you are aware that many schemes are to be implemented at district level as part of Economic package for vulnerable sections in these difficult times of Covid-19 pandemic. The schemes include -

- Providing 5 kg Rice / person and 1 kg pulses / person to PHH and AAY beneficiaries under Pradhan Mantri Garib Ann Yojana;
- 2. Providing one time aid of Rs 1000 to BPL families by Govt. of Arunachal Pradesh;
- Rs 1000 to vulnerable sections- poor old age citizens and widows and disabled persons under Pradhan Mantri Garib Kalyan Yojana;
- Rs 2000 for 2 months to non Government workers of unorganised sector;
- Free LPG to BPL for 3 months under Ujjawala ;
- 1<sup>st</sup> instalment of Rs 2000 from GoI and 1<sup>st</sup> installment of Rs 1000 from GoAP to farmers under Pradhan Mantri Kisan Sammaan Yojana;
- Rs 500/- per woman for 3 months having Jan Dhan accounts;
- Giving wages under MNREGA at Rs. 202;
- 9. Giving collateral free loans up to Rs 20 lakhs instead of Rs 10 lakhs to SHGs;
- 10. Funds from SDRF for helping those who lost their livelihood during the time of lockdown.

It is seen that daily response and reports are not being furnished from districts and therefore you are required to personally monitor implementation of all these schemes at the district level so that benefits reach the beneficiaries at the earliest and also provide information on daily basis for number of beneficiaries covered in each scheme for reporting to higher authorities including Gol.

12/4/2020

(Niharika Rai), IAS Group Member State Task Force (Economic and Welfare Measures)

## TYPED COPY GOVERNMENT OF ARUNACHAL PRADESH ITANAGAR

### No. STF (E&W)/Monitoring/001/2020

Dated- 12<sup>th</sup> April, 2020

To,

The Deputy Commissioners

Tawang / West Kameng / East Kameng / Pakke Kesang / Papumpare / Lower Subansiri / Siang / Kurung Kumey / Kra Daadi / Upper Subansiri / Kamle / West Siang / Shi Yomi / East Siang / Lower Siang / Lepa Rada / Upper Siang / Lohit / Anjaw / Tlrap / Namsai / Changlang / Lower Dibang Valley / Dibang Valley / Longding / Capital Complex.

Arunachal Pradesh.

Sir/Madam,

As you are aware that many schemes are to be implemented at district level as part of Economic package for vulnerable sections in these difficult times of Covid-19 pandemic. The schemes include -

1. Providing 5 kg Rice / person and 1 kg pulses / person to PHH and AAY beneficiaries under Pradhan Mantri Garib Ann Yojana;

2. Providing one time aid of Rs 1000 to BPL families by Govt, of Arunachal Pradesh;

3. Rs 1000 to vulnerable sections- poor old age citizens and widows and disabled persons under Pradhan Mantri Garib Kalyan Yojana;

4. Rs 2000 for 2 months to non Government workers of unorganised sector;

5. Free LPG to BPL for 3 months under Ujjawala;

6. 1<sup>sT</sup> instalment of Rs 2000 from Gol and 1<sup>sT</sup> installment of Rs 1000 from GoAP to farmers under Pradhan Mantri Kisan Sammaan Yojana;

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9. Giving collateral free loans up to Rs 20 lakhs instead of Rs 10 lakhs to SHGs;

10. Funds from SDRF for helping those who lost their livelihood during the time of lockdown.

It is seen that daily response and reports are not being furnished from districts and therefore you are required to personally monitor implementation of all these schemes at the district level so that benefits reach the beneficiaries at the earliest and also provide information on daily basis for number of beneficiaries covered in each scheme for reporting to higher authorities including Gol.

(Niharika Rai), IAS 14.4.2020 Group Member State Task Force (Economic and Welfare Measures)



#### ANNEXURE-3

GOVERNMENT OF ARUNACHAL PRADESH FICE OF THE ADDITIONAL DEPUTY COMMISSIONER BORDUMSA SUB-DIVISION::BORDUMSA

Dated Bordumsa the 14<sup>th</sup> April'2020

#### PUBLIC NOTICE

This is for information to all that M/S Phupgam Singpho (Manabhum, Diyun circle) has received Open Market Sale Scheme (OMSS) rice from FCI (Kharsang) vide DM's (FCI, Banderdewa, Arunachal Pradesh) Release Order No.22/1059 Dtd 10/4/2020 and DC's (Changlang) Order NO.CHG/SUP-64/2018-20/2380-84 Dtd 9/4/2020.

Wholesale Selling Price of OMSS rice at M/S Phupgam Singpho's Godown at Diyun ≈ Rs.27.00 per Kg.

And, Retail Selling Price of OMSS rice in Diyun circle = Rs. 29.00 per Kg

Therefore, any Tea Estates/Commercial establishments/individuals of Diyun circle can purchase the OMSS rice as per rates fixed above.

(Dr. Devansh Xapay) A Commissioner Addl. Deputy CommBsiderera Bordumsa Sub-Division::Bordumsa Dated Bordumsa the 14<sup>th</sup> April'2020

Memo NO.B/SUP-11(COVID-19)/2020/1615-1619 Copy to:-

- 1. The Deputy Commissioner, Changlang District, Changlang, for information please.
- 2. The EAC, Diyun, for information and necessary action.
- 3. All Concerned.
- 4. Office copy.

(Df. Devansh Yadav) IAS Addl. Deputy Commissioner Bordumsa Sub-Division::Bordumsa

Addl. Deputy Commissioner Bordumsa

10

GOVERNMENT OF ARUVACHAL PRADESH DFFICE OF THE CIRCLE OFFICER DIYUN CIRCLE : DISTRICT CHANGLANG · <u>ARUNACHAL PRADESH</u>

NO. FPSD-3/90-91/

ANNEXURE-

Dated Diyun, the 31st Oct 91.

11

#### CIRCULAR

With reference to the sig. of D.C. Charglang vide msg No. CS/PR-164/89/99 of 25/10/91 16 is to inform all concerned that is a issue of R Ration Cards to refugees like Chakma, Hajong and Tibecons has been banned by the Government.

Hence no Ration Carda will be issued/renewed for Chakmas and Hajongs with effect from hi lat November 191 onward.

#### Sd/- T. YUGUI. UDC for Circle Officer, <u>DIYUN</u>

Memo ND. FPSD-3/90-91/ Deted Diyun, the 31st Uct'91. Copy to - All XXs concerned GBs for information. They are directed to surrender their ration cards to this Office accordingly.

- The Manager, Diyun Coop. General Stores, Diyun for information No. FPS liems should be issued to refugees from 1st Nov'91 onward.
- 3. The FPS P.L. Singpho, Mehabhum for information and strick compliance. He is also directed to act as above.

4. The MYS U, Enling, APS Innow for strick compliance as above.

5. The Deputy Commissioner, Tchanglang District, Changlang for information please.

6. Office notice board.

7. Office copy.

Corp.

( T, YUALI ) DOIS

DIYUN

## GOVERNMENT OF ARUUACHAL PRADESH OFFICC OF THE CIRCLE OFFICER DIYUN CIRCLE; DISTRICT CHANGLANJG, ARUNACHAL PRADESH

NO. FPSD-3/90-91/

Dated Diyun, the 31<sup>sT</sup> Oct 91

## <u>CIRCULAR</u>

With reference to the sig. of DC Changlang vide msq Ho. CS/PR-164/09/99 of 25/10/91 it is to inform all concerned that the issue of Ration Cards to refugees like Chakma, Hajong and Tibetans has been banned by the Government.

Hence no ration card will be issued/renewed for Chakmas and Hajongs with effect from 1st November'91 onward.

## Sri/- T . YIJGLI. UDC for Circle Officer, DIYUN.

NO. FPSD-3/90-91/

Dated Diyun, the 31<sup>sT</sup> Oct 91

Copv to: 1. All JSCs concerned G8s for information. They are directed to surrender their ration cards to this Office accordingly,

2. The Manager, Diyun Coop, General Stores, Diyun for information No. FPS Liems should be issued to refugees from 1st Nov' onward.

3. The FPS P,L. Singpho, Hanakhun for information and strict compliance. He is also directed to act Co above,

4. The M/S U Enlng, FPS Innaw for strict compliance as above.

5. The Deputy Commissioner, Changlang District, Changlang for information please.

6. Office notice board

7. Office copy

SD/ Sri/- T . YIJGLI. UDC for Circle Officer, DIYUN



# **Right to Food - a Fundamental Right**

In the above mentioned Proceedings, the Commission has taken the view that the Right to Food is inherent to a life with dignity, and Article 21 of the Constitution of India which guarantees a fundamental right to life and personal liberty should be read with Articles 39(a) and 47 to understand the nature of the obligations of the State in order to ensure the effective realization of this right.

Article 39(a) of the Constitution, enunciated as one of the Directive Principles, fundamental in the governance of the country, requires the State to direct its policies towards securing that all its citizens have the right to an adequate means of livelihood, while Article 47 spells out the duty of the State to raise the level of nutrition and standard of living of its people as a primary responsibility. The Constitution thus makes the Right to Food a guaranteed Fundamental Right which is enforceable by virtue of the constitutional remedy provided under Article 32 of the Constitution.

The Commission has, therefore, additionally taken the view that there is a fundamental right to be free from hunger and that starvation constitutes a gross denial and violation of this right. Holding 'misgovernance' – resulting from acts of omission and commission on the part of public servants, to be the reason for starvation deaths occurring in different parts of the country -- the Commission has stated that these are of direct concern to it under the provisions of the Protection of Human Rights Act, 1993.

Persons living in conditions of poverty and hunger have often been found to be suffering from prolonged malnutrition. Even when their deaths could not, in strictly clinical terms, be related to starvation, the tragic reality remained that they often died of prolonged mal-nutrition and the continuum of distress, which had rendered them unable to withstand common diseases such as malaria and diarrhoea. The Commission considered this situation to be all the more painful in view of the fact that granaries of the Food Corporation of India were overflowing.

#### Right to Food - a Fundamental Right | National Human Rights Commission India

Agreeing with the view of a petitioner, Dr. Amrita Rangasami, Director, Centre for the Study of Administration of Relief, the Commission has thus said that the present practice of insisting on mortality as a proof of starvation is wrong and needs to be set aside. It has added that there are obvious policy implications as far as the obligations of the State are concerned. The Right to Food implies the right to food at appropriate nutritional levels and the quantum of relief to those in distress must meet those levels in order to ensure that this right is actually secured and does not remain a theoretical concept.

The continuum of distress should be viewed as the necessary condition for the prevalence of starvation. The Commission also found merit in the view of the petitioner that there was need for a paradigm shift in public policies and the Relief Codes in this respect and that the shift had to be made from the domain of benevolence to that of the right of a citizen. The Government of India's current conceptualization of calamity as well as the reason of its prevalence, has limited relief to the short term only. In contrast, a human rights approach to food and nutrition would imply that the beneficiaries of relief measures should be recognized as "claim holders". Viewed form this perspective, the prevalence of distress-conditions threatening starvation constitute an injury requiring the imposition of a penalty on the State. The Commission was of the view that the remedy provided under Article 32 of the Constitution applied to groups no less than to individuals.

In concluding its Proceedings on this subject, the Commission observed that they were being held at a time when, universally, there was a demand that every effort be made by the State and by civil society to eradicate the poverty and hunger that constitute an affront to the dignity and worth of the human person. First and foremost among the United Nations Millennium Development Goals (MDG) is the pledge made by all Heads of State and Government to halve, by the year 2015, the proportion of the world's poor and of people who suffer from hunger. Given the circumstances of our country, India has a special responsibility in this regard. The prevalence of extreme poverty and hunger is unconscionable in this day and age, for not only does it militate against respect for human rights, but it also undermines the prospects of peace and harmony within a State. For all of these reasons, the Commission will continue to be deeply involved with the issues raised in these hearings in the period ahead.

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# 5097 Chakmas, Hajongs have voting rights in state

January 9, 2020

#### Staff Reporter

**ITANAGAR, Jan 8:** The state assembly was informed on Wednesday that 5097 of the total 65,875 Chakmas and Hajongs have voting rights in the state.

This data is based on the special survey conducted by the deputy commissioners of Changlang, Namsai and Papum Pare districts in 2015-16.

The total population of the Tibetan refugees in the state is 7072.

However, MLA Wangling Lowangdong pointed out that different NGOs and departments that carried out the census have quoted different figures, and asked whether an actual census was carried out to ascertain the exact population of the Chakmas and the Hajongs in the state.

The Committee for Citizenship Rights of the Chakmas & Hajongs of Arunachal Pradesh's population survey of 2012 indicates that the population of Chakmas and Hajongs is 54,203.

Lowangdong also asked whether the state government was aware that "the Chakmas and Hajongs are contemplating or have already moved petition to the Supreme Court to pass necessary and relevant orders claiming themselves as native tribal citizens of the state, and the inner line pass would not be applicable to the Chakmas and Hajongs settled in the state."

Chief Minister Pema Khandu informed that the matter of their citizenship is subjudice in the Supreme Court. He said the state government had submitted a special leave petition on 14 September, 2016, which has been accepted and awaits hearing.

Responding to Lowangdong on the alleged "massive illegal felling and encroachment of forest land being carried out by the Chakmas and Hajongs in Changlang district," Khandu said a meeting has been scheduled for 10 January with the forest department and the principal chief conservator of forests, and gave assurance that the matter would be discussed in the meeting and action initiated as per rule.