

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPIL No. 111 of 2021**

1. Virendra Pandey, S/o Late Shri Brijbihari Pandey, Aged About 71 Years
R/o 31/366 New Shanti Nagar, Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. Union of India, Through Its Secretary, Ministry of Petroleum And Natural Gas, Shastri Bhavan, New Delhi - 110001, District : New Delhi, Delhi
2. State of Chhattisgarh Through Department of Food Civil Supplies And Consumer Protection, Mahanadi Bhavan, Atal Nagar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Director, Directorate of Food Civil Supplies And Consumer Protection, Through Its Indrawati Bhavan, Atal Nagar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	-	Shri Abhyuday Singh, Advocate.
For Union of India/respondent-		Shri Ramakant Mishra, Asst. Solicitor General.
For State/respondent	-	Shri V.R. Tiwari, Additional Advocate General with Shri Sameer Sharma, Dy. Government Advocate.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice**Hon'ble Smt. Justice Rajani Dubey****Judgment on Board****By****Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice****6-9-2021**

1. Heard.
2. This writ petition in the nature of PIL has been preferred for issuance of direction to the Central Government to provide adequate per capita Kerosene to the users in the state of

Chhattisgarh and to take necessary steps to provide at least three liters of kerosene to a BPL (Below Poverty Line) family per month.

3. Previously also, the petitioner had filed a PIL bearing WP(PIL) No. 82/2019 seeking similar reliefs. The said writ petition was disposed of by order dated 06-03-2020 with observation that if at all there is any reduction or if more quantity of kerosene is required for the State, it is always open for the State to initiate appropriate proceedings before the Central Government with reference to the actual facts and figures and it will be open for the Central Government to have it considered accordingly.
4. Even otherwise, allotment of kerosene by the Central Government to the State Government for distribution through the PDS (Public Distribution System) depends on policy framed by the Central and State Government in this regard. Reduction in the quota allotted to a particular State is subject to various requirement depending upon the facts and figures. The said allotment depends upon the number of beneficiaries under the Ujwala Scheme, as according to the Central Government, allotment of kerosene is reduced in proportion to the number of families who have been additionally benefited under the Ujwala Scheme. Thus, when more and more number of families opted for subsidized LPG scheme of the Central Government named as Ujwala Scheme, a correspondent reduction in allotment of kerosene is made by the Central Government. It is for this reason, we say that allotment of kerosene to a particular State depends on various factors. The issue brought before this Court being essentially a policy matter, no interference in this petition is called for and otherwise also, it remains open for the State Government to agitate the matter before the Central Government as directed by this Court while disposing the WPPIL No.82/2019.

5. In the result the present WP(PIL), being bereft of merit, is liable to be and is hereby dismissed.

SD/-

(Prashant Kumar Mishra)
Acting Chief Justice

SD/-

(Rajani Dubey)
Judge

Gowri