

Note on the proposed National Food Security Act

The draft "National Food Security Bill" of the Ministry of Food and Civil Supplies has the following problems:

I. Limited Coverage

1. It limits the whole concept of food security to distributing foodgrains to people living below the poverty line. In most countries where there are laws on food security (and by all UN Conventions), food security is understood to include nutrition security.
2. It is not in the spirit of the election promises made in the Manifesto. "The Indian National Congress pledges to enact a Right to Food law that guarantees access to sufficient food for all people, particularly the most vulnerable sections of society." [the present draft neither guarantees access, nor does it provide "sufficient" food. It has nothing for "all" people, nor a focus on "most vulnerable sections"]
3. The National Food Security Act (NFSA) must ensure food for all, addressing the concerns of availability, access and absorption. The present draft addresses none of these sufficiently. The President's address mentioned: "*My Government proposes to enact a new law – the National Food Security Act – that will provide a statutory basis for a framework which assures food security for all.*"
4. This draft does not cover any of the other food-security related schemes that were meant to be brought under a single umbrella including mid-day meals, integrated child development services (ICDS), pensions (old age, widow and disability), maternity benefits etc.
5. The Manifesto made a specific mention of vulnerable groups like urban homeless and migrants. These have not been covered in the present Bill.

II. BPL Quotas

1. Current number of BPL families in the country is 10.8 crore. If the Bill is implemented as it is presently drafted, the number of BPL families that will get access to food security will fall to 6.5 crore. Whatever we do, we should not reduce coverage to below 10.8 crore families.

2. While Planning Commission estimates of poverty could be basis for identifying BPL families, the entitlements under AAY for the most vulnerable sections including single women, aged, urban homeless, street children, primitive tribal groups and destitutes should not have any quota/numerical ceiling whatsoever.

III. Inadequate Emphasis on PDS Reform

While there are sections related to PDS reform, this needs to be addressed much more strongly in the legislation along the following lines:

1. **Local Procurement:** PDS grain will be bought locally to the extent possible.
2. **Full Transparency:** All PDS documents shall be in the public domain. Copies to be provided on demand within 7 days, at standard RTI Act fees. Essential records to be disclosed *suo motu* (on boards at the village level, on the internet at the Block level).
3. **Information Technology:** The PDS shall be fully IT-enabled, through computerization of records, use of biometrics, internet disclosure of records, etc.

4. **Community Management:** Fair Price Shops shall be managed by Gram Panchayats/women's SHGs.

5. **Nutritious Grain:** So-called "coarse grains" such as jowar and bajra shall be included in the PDS whenever they can be purchased locally.

Weak Accountability and Grievance Redressal

1. The present draft of the National Food Security Act does not have any **independent** oversight / accountability and grievance redressal mechanism. The same machinery that is responsible for the implementation of the Act is being charged with the oversight/ accountability mechanism. It is this conflict of interest that has led to the failure of the existing mechanism. The lessons from the implementation of the RTI and NREGS Act are being ignored in the framing of this Act.