

Part II: Grievance Redressal

Essential Provisions

The draft Act attempts to build a strong system of grievance redressal for all food-related schemes, to ensure that food entitlements are realised. Grievance redressal provisions include:

- Strict *transparency standards* for all food-related schemes.
- Swift *fin*es for any violation of the Act.
- "*Duty to fine*" whenever irregularities are found.
- Principle of "*vicarious responsibility*".
- *Compensation* in the event of any loss of entitlement.

Institutional Setup

All food-related schemes will come under a common grievance redressal framework, involving:

- (1) Block-level **facilitation centres**: A non-official person or group appointed to help people with filing complaints, submitting appeals, resolving disputes, etc.
- (2) District-level **Grievance Redressal Officers**: See below.
- (3) State- and national-level **Food and Nutrition Commissions**: These will hear appeals, monitor the enforcement of the Act, and advise governments on food-related schemes.

Grievance redressal proceeds in 3 steps: (1) internal redress (within concerned departments); (2) intervention of the Grievance Redressal Officer; (3) appeal to state or national Commission.

Grievance Redressal Officers

The linchpin of the grievance redressal system is the Grievance Redressal Officer (GRO) at the District level. The GRO is envisaged as an independent officer with extensive powers to investigate, fine and compensate. GROs are to be recruited through an objective national selection process (possibly entrusted to the UPSC), with a non-extendable term of five years.

Transparency Standards

All food-related schemes will have to meet common minimum standards of transparency. These include: (1) All information in the public domain; (2) Pro-active disclosure of essential information; (3) Web-based MIS with conversion to Janata Information System at the village level; (4) "Open office, open inspection, open records" regime; (5) mandatory social audits; (6) mandatory provision of individual transaction records (e.g. ration cards) to all beneficiaries; (7) right to information within 15 days at no more than photocopying cost. At least 1% of the cost of food-related schemes will be ear-marked for transparency measures.

Wider significance of this grievance redressal system

Over time, the proposed grievance redressal system could possibly be extended to other similar legislations such as NREGA and Right to Education Act. This would be a major breakthrough.

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Draft National Food Security Act: Essential Features*

The draft Act is in two parts. The first part deals with *food entitlements* and their operational framework. These entitlements are to be realised through specific *food-related schemes* (listed in Schedule I), implemented by state and local governments with support from the Central Government. The second part develops a framework of *grievance redressal for food-related schemes*, with potential for being extended to other economic and social rights.

Part I: Food Entitlements and Related Matters

Essential Entitlements

This part is based on the NAC note of 23rd October 2010. The essential entitlements are:

Public distribution system: 35 kgs per household per month at Rs 3/2/1 for rice/wheat/millets for "priority" category; 20 kgs at half of MSP for "general" category.

Maternal and child support: (1) Universalization of ICDS (as per Supreme Court orders); (2) counselling and support for optimal Infant and Young Child Feeding; (3) nutrition take-home rations for children under 3 and pregnant/lactating women; (4) cooked midday meals up to Class 8 in government and government-aided schools; (5) maternity entitlements of Rs 1000/month for 6 months for pregnant women.

Special groups: (1) Daily, free cooked meal for destitute persons; (2) Portable entitlements for migrants; (3) Community kitchens (subject to successful pilots) for homeless persons and the urban poor; (4) Emergency relief for disaster-affected persons; (5) unconditional protection from starvation.

Note: The PDS entitlements shall not be reduced in any manner until at least the end of the 12th Five Year Plan period. Other entitlements cannot be reduced except by amendment of the Act.

PDS Reform

The reformed PDS is to have a transparent structure, where food transfers can be tracked all the way to the cardholders and Fair Price Shops are managed by accountable community institutions. The Act will mandate extensive PDS reforms, such as: decentralised procurement; community management of Fair Price Shops; doorstep delivery to FPSs; assured financial viability of FPSs; strict transparency safeguards; end-to-end computerization; tamper-proof receipts; regular social audits. The Act will also create space for innovative uses of ICT.

Enabling Provisions

Enabling provisions call on the central, state and local governments to strive towards progressive realization of (inter alia): (1) revitalization of agriculture and food production; (2) universal access to safe drinking water and sanitation; (3) universal health care; (4) universal access to crèche facilities; (5) special nutrition support for persons with stigmatised and debilitating ailments; (6) provision of pensions for the aged, disabled, and single women.

* Summary of the "summary note" (26/12/10) prepared by the convenor, working group on food security.