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**Government Draft of National Food Security Bill:
Comparison of NAC proposals for the Right to Food**

When compared with the NAC draft, there are several key omissions in draft version put forward by the government, and even dilutions of existing entitlements. In the current note, some key derogation and omissions from the NAC framework note, and the NAC draft Bill, are noted. These include:

1. **Framework of the law:** In light of the constitutional commitments, and judicial pronouncements on the Right to life with dignity, the legislative rationale for enacting the NFSB was to provide all citizens of the country with an enforceable Right to Food and adequate nutrition. However, in its present form, the government draft has severely compromised the overall vision of the NFSB, and reduced it to a scheme that doles out free meals and subsidized food grain. Obviously, a flaw as fundamental as this, has adversely affected most of the provisions of the Act.
2. **Progressive realization of food security:** For further advancing food and nutritional security, the NAC draft outlined certain measures that the central, state and local governments shall progressively endeavour to accomplish. These included revamping agriculture, boosting decentralised procurement, ensuring clean drinking water, sanitation for all; and social protection for the aged, single women and the disabled. All these provisions have been removed.
3. **Definitions removed or modified:** Many of the definitions from the NAC draft have either been removed, or more restrictively defined in the government draft. Omissions include: child, job chart, malnutrition, severe child malnutrition etc.
4. **Linkage of food entitlements of priority groups to poverty line:** The coverage of "priority groups" has been linked to the poverty line, which will shrink over time as official poverty estimates decline, ultimately eroding off the PDS. The entitlements of priority groups have been moved to a "schedule", so they can be modified at any time by the government without parliamentary approval.
5. **Reduction of food entitlements to General households:** In the government draft, the entitlement for general households has been reduced from 4 kgs (NAC draft) to 3kgs of food grain per person.
6. **Special entitlements for single women household removed:** Special provisions for single women household, who are often the most vulnerable and impoverished, have been removed
7. **Central Government can modify or amend the essential entitlements:** The draft gives full powers to the Central Government, includes powers to modify or withdraw most entitlements, and to specify the sharing of costs with state governments. The government draft provides that the Central government can modify or amend the essential entitlements by a notification. This is a significant derogation from the NAC draft which provided that

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- the rates for priority households not to be revised upwards for a minimum period of 10 years from the date of notification of the Act.
8. **Life cycle approach missing:** A life cycle approach to food security, which is one of the cornerstones of the NAC draft Bill, is missing from the government draft version.
 9. **Entitlements of Pregnant & Nursing Women Reduced:** The provisions for maternity benefits of Rs. 1000 per month for a period of six months, and counseling for breastfeeding removed.
 10. **Provisions for children living with malnutrition:** Special provisions for children suffering from malnutrition have been removed
 11. **Rights of migrants and out of school children removed:** The Bill removes provisions for the rights of migrants to portable entitlements nationally, and out-of-school children to access meals are removed.
 12. **Dilution of Requirement of Freshly Cooked School and ICDS meals:** The draft seems to provide an opening for the replacement of cooked meals with "ready-to-eat" foods, by defining "cooked meal" as "nutritious cooked and ready to eat meal".
 13. **Enabling Cash Transfers:** The draft allows the government to give cash instead of food; by introducing a scheme of cash transfer in lieu of entitlements" as part of what the government is supposed to "strive for" among other "Provisions for advancing food security".
 14. **Rights of persons living with starvation reduced:** These provisions have been substantially reduced/watered down in the government draft version. It only provides that all persons or households living with starvation shall be provided with free cooked meals two times a day from the date of identification.
 15. **PDS reforms:** Several measures had been enlisted in the NAC draft that prescribed reforms to the existing PDS have been removed. As has been mentioned earlier, until and unless the legislation provides a comprehensive and reformatory framework, the essential entitlements under this Act cannot be realized.
 16. **Selection process of the National Commissioners:** The public nomination and selection process for the appointment of National Commissioners has been removed.
 17. **Powers & functions of the National Commission:** The functions and powers of the National Commission have been significantly shorn. Moreover, perhaps, the most important section on the steps to be taken by the National Commission after conducting enquiry has been removed. By removing most of the provisions, not only have the powers and functions of the State Commission been greatly diminished, but it has also made ambiguous the selection process and tenure of the State Commissions.
 18. **State Commissions:** The NAC draft provided for the selection and appointments procedure, the functions, powers, and removal process for the State Commission. Most of these provisions have been removed, and merely some of the functions of the State Commission have been briefly outlined in the government draft.

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19. **Grievance Redressal mechanism:** The entire internal and external grievance mechanism that was provided in the NAC has been completely removed. Obviously, without these moot provisions, it is impossible for any individual to enforce the rights created by the law, and claim the essential entitlements.
20. **Compensation:** It must be noted that the word 'compensation' has not even been mentioned once in the draft of the government. No provision for compensation, which is the bedrock of the law, has been outlined.
21. **Dereliction of duties & penalties:** The provisions for dereliction of duty and penalties have been removed in the government draft.
22. **Transparency Arrangements:** Most of the transparency provisions in the NAC draft have been dropped.