

The National Food Security Bill, 2011 was introduced in the Lok Sabha on December 22, 2011. The Standing Committee on Food, Consumer Affairs and Public Distribution presented its report on January 17, 2013. It made recommendations on key issues such as the categorisation of beneficiaries, cash transfers and cost sharing between the centre and states.

A dissent note was presented by one MP from the CPI(M), Dr. T.N. Seema. Key points of dissent are: (i) the Bill should have universal coverage without caps on the population (such as 75% of the rural and 50% of the urban population); (ii) entitlement per person should be 7 kg/person/month; (iii) 35 kg of foodgrain should be made available at Rs 2/kg; (iv) centre must bear the major cost of food security; (v) reference to cash transfers in the Bill should be removed altogether, and (vi) the allowance of Rs 1,000 to pregnant women should not be limited only to the first 2 children.

The following table compares the National Food Security Bill, 2011 (as introduced), with the recommendations of the Standing Committee.

National Food Security Bill, 2011	Standing Committee Recommendations
<b>Clause 1(3)-Preparedness of States/Union Territories</b>	
The Bill shall come into force on a date notified by the central government and different dates may be appointed for different provisions of this Act.	States and union territories (UTs) should be provided a reasonable time limit, such as one year, at the end of which the Act shall come into force. A state/UT can implement the Act earlier than the stipulated time. The centre should also create guidelines to determine the preparedness of a state/UT to implement the Act.
<b>Clause 3(1)(2) and 8-Provision for food security</b>	
<b>Priority:</b> 7 kg of foodgrains/person/month (at Rs 3/kg for rice, Rs 2/kg for wheat, Re 1/kg for coarse grains)	<b>Uniform category:</b> Priority, general and other categories shall be collapsed into 'included' and 'excluded' categories.
<b>General:</b> at least 3 kg of foodgrain/person/month (at 50% of MSP)	<b>Included:</b> should be provided 5 kg of foodgrains at uniform subsidised prices. The government may review the entitlement and prices periodically.
<b>Destitute:</b> at least one free meal every day	<b>Allocation of foodgrains to states:</b> Allocation of foodgrains to states/UTs should be based on 2011 population estimates, which may be reviewed every 10 years. In case the implementation of the Bill results in decreased allocation to any state/UT (than what is currently being allocated to it under TPDS), the centre could revise its allocation through an Executive Order.
<b>Homeless:</b> affordable meals at community kitchens	
The Bill shall cover up to 75% of the rural and up to 50% of the urban population. Of these, at least 46% of the rural and 28% of the urban population will be priority (the rest will be general)	The included category shall extend to 75% of the rural and 50% of the urban population.
<b>Clause 4(a)(b)- Provision of free meal to women during pregnancy and six months after child birth</b>	

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Each pregnant woman and lactating mother shall be entitled to receive a free meal every day during pregnancy and for 6 months after child birth, through the local anganwadi. A maternity benefit of Rs 1,000 per month shall also be provided for a period of 6 months that shall be paid in instalments prescribed by the central government.

Pregnant women: maternity benefit of Rs 1,000 per month after 3 months into pregnancy + 5 kg of foodgrains/month during pregnancy and till 2 years after child birth.

The maternity benefit shall be admissible only up to the birth of the second child to stabilise the population. The amount of Rs 1,000 should also be indicated in the Schedule and not in the body of the Bill so that it can be revised.

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#### Clause 5(1)- Nutritional support to children

6 months-6 years: free, age appropriate meals through the local anganwadi.

< 2 years: need not be provided free meals.

6-14 years: one free mid-day meal/day in all schools run by local bodies, government and government aided schools, up to Class VIII.

2-16 years (or the age when they start going to school): one free mid-day meal.

Adolescent girls: age appropriate meals in the form of hot cooked meals or take-home rations.

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#### Clause 14(1) and 15(1): Identification of priority and general households

The centre shall determine the percentage of people in each state that will be covered under the Bill. It shall also prescribe guidelines for their identification.

The Bill should clearly define exclusion criteria.

States shall be responsible for identifying persons belonging to priority and general households as well as those suffering from malnutrition, starvation, destitution and homelessness.

The centre should coordinate with states to identify households and ensure that deserving persons are not excluded from the coverage of the Bill.

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#### Clause 18(2): Reforms in the Targeted Public Distribution System

The central and state governments shall undertake reforms of the TPDS, including: **(a) doorstep delivery of foodgrains to TPDS outlets;** **(b) use of information technology;** (c) leveraging Aadhaar; (d) transparency of records; (e) preference to public bodies in licensing of fair price shops (FPS) and their management by women; (f) diversification of commodities offered; (g) support to local public distribution models and grain banks; and **(h) introducing schemes such as cash transfer and food coupons in lieu of foodgrains.**

**Norms for quality of foodgrains:** The Bill should provide for the central government to prescribe minimum quality standards for foodgrains. State Food Commissions should be empowered to check the quality of foodgrains before accepting its delivery from the central government. End consumers should also be given the right to refuse grains which are below the prescribed minimum quality standards.

**Provision of pulses, sugar, millets:** Pulses, oil, fortified atta, sugar and millets should be provided in addition to foodgrains under TPDS.

**Application of information and communication technology tools:** Specific IT reforms should be implemented, for e.g. CCTV cameras in godowns, use of internet, and GPS tracking of vehicles carrying foodgrains.

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**Cash transfers and food coupons:** Cash transfers should not be introduced at this time. Before introducing direct cash transfers in lieu of food entitlements, the government should ensure that adequate banking infrastructure is made accessible throughout the country.

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**Clause 21(1)(4)(5): Grievance Redressal Mechanism**

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A District Grievance Redressal Officer (DGRO), appointed by the state government, shall enforce entitlements and hear complaints regarding the distribution of foodgrains or meals.

The state government shall provide for the salary and allowances of the DGRO.

States should be consulted for the sharing of expenses between the centre and states for the establishment of redressal mechanisms.

States/UTs which are opposed to bearing the cost for establishing a new grievance redressal mechanism could be allowed to use existing machinery as Grievance Redressal Officers.

The Bill should also create a grievance redressal mechanism at the block/panchayat level. Elected women representatives should be part of this structure.

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**Clause 22(2): State Food Commission**

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The State Commission shall consist of a chairperson, five members, and a member-secretary. Among these, at least two should be women and two should belong to the Scheduled Castes and Scheduled Tribes.

The State Commission should have at least one representative from the farmers' community.

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**Clause 30(5) and 32(2): Obligations of central/state governments to ensure food security**

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State governments shall deliver foodgrains from state depots to the door-step of each ration shop, and create and maintain scientific storage facilities at the state, district and block levels.

The central government shall transport foodgrains to state depots, and create and maintain modern and scientific storage facilities.

**Expenditure borne by states:** The Finance Commission should be consulted regarding the additional expenditure required to be borne by the state governments/UTs. This would help states/UTs allocate sufficient funds in their budgets for the implementation of the Bill.

**Facilitating movement of foodgrains:** The Food Corporation of India (FCI) requirement of rakes for movement of foodgrains will increase by about 20% with the implementation of the Bill. The Ministry of Railways has been unable to provide enough rakes to the FCI in the last 3 years. Considering that 90% of the movement of foodgrains is met by railways, the Department should take up the issue of allocation of rakes with the Ministry of Railways on a regular basis, such that movement of foodgrains is not inhibited. FCI may also move foodgrains by road in addition to railways to ensure entitlements reach beneficiaries.

**Storage facilities:** The central government may provide financial assistance to states/UTs for the creation of storage facilities.

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**Clause 33 and 34: Obligations of local authorities**

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Local authorities shall be responsible for the implementation of the Act in their respective areas. The state government may notify additional responsibilities to local authorities for the implementation of TPDS.

State governments may notify duties and responsibilities assigned to local authorities for implementing different schemes of the ministries and departments of the central and state governments.

The term 'local authority' is vague and should be replaced by 'local institutions of self government'. A list illustrating the functions of the local authorities needs to be detailed in an annexure to the Bill.

State governments or responsible authorities should voluntarily disclose information about the implementation of food schemes to the gram sabha. The disclosure should take place at least twice a year and the information disclosed should be regarding: (i) the availability of foodgrains, (ii) inclusion or exclusion of beneficiaries, (iii) the appointment and termination of fair price shops, (iv) quantity of foodgrains received and distributed, and (v) other relevant information.

The Bill should provide that the state government make available the required funds to the institutions of local self government to enable them to perform their responsibilities.

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**Clause 38 and 39: Provisions for advancing food security**

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The central and state governments shall give special focus to the needs of vulnerable groups especially in remote areas, areas which are difficult to access, hilly, and tribal areas.

The central and state governments and local authorities shall strive to progressively realize the objectives specified in Schedule III. These objectives include the revitalisation of agriculture; procurement, storage and movement related interventions; and access to safe and adequate drinking water and sanitation.

Special emphasis should be given to local produce of these areas such as millets, ragi, madhuva, etc.

The Schedule needs to provide details about the course of action to be followed and the time schedule within which the specified objectives will be achieved. Additionally, the government should ensure proper implementation of related welfare schemes and programmes such as Rajiv Gandhi Drinking Water Mission, Mahatma Gandhi Total Sanitation Programme, and the Rural and Urban Health Missions.

The Bill should also be modified to ensure livelihood security to farmers through remunerative prices, access to inputs, credit, irrigation, power, crop insurance, etc.

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**Clause 40: Other welfare schemes**

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The provisions of the Act shall not preclude the central or state governments from continuing or formulating other food based welfare schemes.

TPDS implemented under the Bill should be seen as a vehicle that reduces the level of malnutrition. Therefore, regular independent evaluation of TPDS and nutritional outcomes should be used to measure the achievement of TPDS.

The Bill should include a provision for the central government to revise the Bill based on the impact assessments carried out every 5 years.

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**Clause 52: Force Majeure**

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The central and state governments shall not be liable for claims by persons covered under the Bill for failure to supply foodgrains or

This clause should be deleted.

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meals in force majeure conditions, such as, war, flood, drought, fire, cyclone, earthquake, or any Act of God.

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