

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. On March 20, 2013, official amendments to the Bill were circulated in the Lok Sabha. Key amendments include: (i) a new categorisation of beneficiaries into priority and Antyodaya Anna Yojana groups with different entitlements from the Bill; (ii) empowering state governments to specify guidelines for the identification of beneficiaries in their states; and (iii) the provision of financial assistance by the centre to states for the handling of foodgrains.

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

National Food Security Bill, 2011	Standing Committee Recommendations	Official amendments
Clause 1(3)-Preparedness of States/Union Territories		
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.	The Bill shall come into force on a date notified by the central government and different dates may be appointed for <i>different states</i> and different provisions of the Act.
Clause 2(3)-Definition of destitute persons		
Destitute persons are those with no resources, means and support required for food and nutrition enabling their survival, to the extent that makes them vulnerable to live with or die of starvation.	Destitute persons should be incorporated into the 'included' category.	Clause deleted. Replaced with a definition for eligible households. Eligible households are those covered under the priority and the Antodaya Anna Yojana (AAY) groups.
Clause 2(6)-Definition of foodgrains		
Foodgrains refer to rice, wheat, coarse grains or any of their combinations.	The centre should prescribe minimum quality standards for foodgrains.	The definition of foodgrains includes quality norms to be determined by the central government through orders passed from time to time.
Clause 2(9)-Definition of homeless persons		
Homeless persons are those without homes and living on the roadside, pavements, including persons living in shelters for the homeless.	Homeless persons should be incorporated into the 'included' category.	Clause deleted.
Clause 2(13)- National Commission		
Refers to the National Food Commission.	No recommendation.	Clause deleted.
Clause 2(17)- Priority and general households		
Those households that shall be identified under the Act.	Recommends collapsing priority and general categories into a uniform 'included' category.	Removes general households from this definition and retains priority households.
Clause 2(24)- Definition of starvation		

Defined as the prolonged involuntary deprivation of food that threatens the survival of the person.	No recommendation.	Clause deleted.
Clause 3(1)(2), 8, Schedule I-Provision for food security and prices of foodgrains		
<p>Priority: 7 kg of foodgrains/person/month (at Rs 3/kg for rice, Rs 2/kg for wheat, Re 1/kg for coarse grains).</p> <p>General: at least 3 kg of foodgrain/person/month (at 50% of MSP).</p> <p>Destitute: at least one free meal every day.</p> <p>Homeless: affordable meals at community kitchens.</p> <p>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).</p>	<p>Uniform category: Priority, general and other categories shall be collapsed into 'included' and 'excluded' categories.</p> <p>Included: should be provided 5 kg of foodgrains at uniform subsidised prices. The government may review the entitlement and prices periodically.</p> <p>Allocation of foodgrains to states: 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.</p> <p>The included category shall extend to 75% of the rural and 50% of the urban population.</p>	<p>Priority: 5 kg of foodgrains/person/month (Rs 3/kg for rice, Rs 2/kg for wheat, Re 1/kg for coarse grains).</p> <p>Antodaya Anna Yojana (AAY): 35 kg of foodgrains/household/month (Rs 3/kg for rice, Rs 2/kg for wheat, Re 1/kg for coarse grains). AAY is defined under the scheme launched by the central government on December 25, 2000.</p> <p>Prices of foodgrains shall be as stated above for the first 3 years, after which, they may be revised by the centre, but shall not exceed:</p> <ul style="list-style-type: none"> (i) The MSP for wheat and coarse grains; and (ii) The derived MSP for rice. <p>State governments may provide wheat flour in lieu of the entitled foodgrains to eligible households.</p> <p>Extent of coverage stays the same: Eligible households shall extend to up to 75% of the rural population and up to 50% of the urban population.</p> <p>The central government shall specify the extent of households to receive AAY entitlements in each state.</p>
Clause 4(a)(b)- Provision of free meal to women during pregnancy and six months after child birth		
<p>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.</p> <p>Pregnant women and lactating mothers in regular employment with the central or state governments</p>	<p>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.</p> <p>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.</p>	<p>Entitlements for pregnant women shall be subject to schemes framed by the central government.</p> <p>Maternity benefit of at least Rs 6,000 shall be provided in installments that shall be specified by the centre.</p> <p>Pregnant women employed by the central or state governments or PSUs shall not be entitled to the maternity benefit of Rs 6,000.</p> <p>The provisions of the Food Safety and Standards Act,</p>

<p>or public sector undertakings (PSUs) or those who are in receipt of similar benefits under any law shall not be entitled to the above benefits.</p>		<p>2006 shall apply to meals.</p>
<p>Clause 5(1)- Nutritional support to children</p>		
<p>6 months-6 years: free, age appropriate meals through the local anganwadi. 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.</p>	<p>< 2 years: need not be provided free meals. 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.</p>	<p>Children between the ages of 6-14 years or up to Class VIII, whichever is applicable, shall be entitled to one free mid-day meal. The provisions of the Food Safety and Standards Act, 2006 shall apply to meals provided to children.</p>
<p>Clause 14 and 15: Identification of priority and general households</p>		
<p>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. States shall be responsible for identifying persons belonging to priority and general households as well as those suffering from malnutrition, starvation, destitution and homelessness.</p>	<p>The Bill should clearly define exclusion criteria. The centre should coordinate with states to identify households and ensure that deserving persons are not excluded from the coverage of the Bill.</p>	<p>The centre shall use population estimates as per the census to determine the total number of persons to be covered in each state. <i>State governments, and not the central government, shall specify guidelines</i> for the identification of priority households while AAY households shall be identified according to the scheme guidelines.</p>
<p>Clause 18(2): Reforms in the Targeted Public Distribution System</p>		
<p>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) introducing schemes such as cash transfer and food coupons in lieu of foodgrains; (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) leveraging Aadhaar.</p>	<p>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</p>	<p>No amendments.</p>

of vehicles carrying foodgrains.

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.

Clauses 20, 21(1)(4)(5): Grievance Redressal Mechanism

The central and state governments shall put in place an internal grievance redressal mechanism which may include call centres, help lines, designation of nodal officers or other mechanisms as may be specified.

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.

State governments shall set up grievance redressal mechanisms without central assistance. Each state government shall decide the qualifications for the appointment of the DGRO, the time within which they shall hear complaints and the manner and time within which appeals must be filed against the order of a DGRO.

Clause 22: State Food Commission

Each state government shall constitute a State Food Commission for monitoring and reviewing implementation of the Bill. 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.

Every state government *may, by notification*, constitute a State Food Commission.

While inquiring into complaints regarding the violation of entitlements and appeals against orders of the DGRO, the State Commission shall have powers of a civil court and be empowered to forward any case to a Magistrate.

The member-secretary shall be an officer of the state government at the rank of Joint Secretary or higher.

Clause 23A: Designation of any Commission or body to function as State Food Commission

No provision.

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

Incorporates standing committee's recommendation and inserts a new clause allowing state governments to notify any statutory commission or body to exercise

the powers of the State Food Commission.

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

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.

The allocation of foodgrains to eligible households shall be revised annually.

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 centre may provide financial assistance to states/UTs for the creation of storage facilities.

Cost-sharing: The centre shall provide assistance to state governments for meeting their expenditures on intra-state movement, handling of foodgrains and margins paid to fair price shop dealers. The manner of providing assistance to state governments shall be specified in the rules.

The amendments remove the requirement for the annual revision of allocation to eligible households. As per amendment to clause 14, revisions will be based on the relevant census. This implies a revision once every 10 years.

Clause 33 and 34: Obligations of local authorities

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.

No amendments.

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.

Clause 38 and 39: Provisions for advancing food security

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

No amendments.

Clause 40: Other welfare schemes

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.

State governments may, from their own resources, continue with or formulate food or nutrition based plans or schemes providing benefits higher than those provided under this Act.

Clause 52: Force Majeure

The central and state governments shall not be liable for claims by persons covered under the Bill for failure to supply foodgrains or meals in force majeure conditions, such as, war, flood, drought, fire, cyclone, earthquake, or any Act of God.

This clause should be deleted.

Amendments allow for the centre to consult with the Planning Commission when it needs to declare that any condition mentioned in this clause has actually arisen.

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