

Right to Food

RIGHT TO FOOD CAMPAIGN

A critique of the draft food security bill, and a brief outline of what any such bill must, at the very least, incorporate.

This is an open letter to Prime Minister Manmohan Singh and his council of ministers.

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As you are aware, the Empowered Group of Ministers (EGOM) has recently approved the Department of Food and Consumer Affairs draft of the National Food Security Bill (NFSB) and the government claims that it is now ready to be placed before the cabinet. This draft bill makes a complete mockery of the idea of food security for all and dilutes even existing entitlements obtained through the Supreme Court. It was expected from the *aam admi* United Progressive Alliance sarkar that it will increase investment in the schemes related to food security, in order to reduce the unacceptably high rates of malnutrition and hunger in India. Instead what we get is a draft which minimises government's obligations, restricts people's entitlements and is devoid of any accountability. The bill interprets food security only as distribution of cereals and cooked meals and is completely silent on pulses, millets and oil. As in the earlier EGOM draft of March 2010, there is no commitment towards nutritional security or to see production, procurement (including local procurement), storage and distribution as an integrated process in order to address issues of food and nutritional security.

We reject this farce of a bill and demand that the government sincerely acts towards alleviating hunger and malnutrition in the country.

Whittling Down Coverage

In spite of overwhelming evidence showing the failure of the below-the-poverty-line (BPL) approach, the draft bill continues to make a differentiation between those above and below the poverty line. The poverty line itself is too low and does not represent the extent of hunger in the country. The problems related to identification and exclusion errors are well known. The draft bill not only links the entitlements to the poverty ratios, but also further dilutes what was even suggested by the National Advisory Council (NAC). While the NAC proposed 90% coverage of the rural population, the government has

reduced it to 75%. Further, while the NAC proposed 4 kgs per head for those in the "general" category, the government's bill reduces it to 3 kgs per head. What is even more dangerous is that by specifying that the division between "priority" and "general" categories will be based on "poverty ratios", the bill has paved the way for the coverage of "priority" groups to shrink over time. Also, the provision of foodgrains to the general category at half the minimum support price (MSP) will mean that people in this category will have to pay prices which are much higher than the present BPL prices and APL prices in the long run.

Defend PDS

The Right to Food Campaign strongly opposes the dismantling of the public distribution system (PDS) and its replacement with cash transfers. The draft bill not only gives the government unlimited powers to provide a "food security allowance" in cash in lieu of PDS entitlements, it also makes it mandatory (under the "Provisions for Advancing Food Security") for the government to "strive for... introducing (the) scheme of cash transfers in lieu of entitlements". These provisions are opening the door to a wholesale replacement of the PDS with cash transfers, without any safeguards. As argued in a recent letter addressed to you by a group of students and research scholars (EPW, 23 July 2011), based on a recent survey, this would be very dangerous. In this respect, the draft bill is an unprecedented attack on food security.

It is our belief that the introduction of cash transfers in place of the PDS will not just affect household food security but also affect production, procurement and storage systems. Those affected the most will be the farmers since the government will not procure grain as it will not need to run the PDS shops. The farmers will not get their MSP which is currently their biggest incentive to grow cereals. They will also be left to the market to sell their grains, which they may have to do at low prices. The Food Corporation of India (FCI) godowns will not be required and the FCI, in the long run, will be left as a completely skeletal system. This will lead to the end of the nation's food security.

The Right to Food Campaign apprehends that the dismantling of the PDS is

being done deliberately to pave the way for the entry of organised retail into the country. Giving cash without ensuring proper food availability is putting people at the mercy of food retailer sharks and cartels. We see the replacement of food-grains with cash in conjunction with the decision of your government to raise the foreign direct investment limit for international capital in the retail business. This could lead to a bigger retail corruption than the supposed leakages in the PDS, apart from putting farmers at risk.

The draft directs the government to strive for “leveraging Aadhaar for unique identification” which the Campaign is opposed to, as it will impinge on the civil liberties of the country’s residents and is a means for tracking and surveillance. Incidentally, the UID is being implemented in states without even being passed by the Parliament.

Many Omissions

The draft is also extremely disappointing with respect to provisions related to children, women and excluded groups. Maternity benefits of Rs 1,000 per month for six months, an essential recommendation of the Campaign and the NAC has been withdrawn. Key provisions for malnourished children, out-of-school children, migrant workers, starvation deaths, destitute feeding and community kitchens have been deleted or diluted. 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”, thus paving the way for contractors and corporations.

The entire well-crafted grievance redressal structure proposed by the NAC, built on the Campaign’s proposal, has been junked. This includes the provisions for compensation and penalties and making non-bailable and cognisable the criminal proceedings for non-compliance. Similarly, the national and state food security commissions have been deprived of any real powers; they are just advisory bodies. Most of the transparency provisions in the Campaign and NAC draft have been dropped. Most importantly, the premise of the NAC grievance redressal mechanism was independence and autonomy of the functionaries. This has been thrown out by

bringing in serving officers. This defeats the purpose of a system of checks and balances, where the implementation and monitoring were to be carried out by separate agencies.

The draft also gives full powers to the central government, including powers to modify or withdraw most entitlements and to specify the sharing of costs with state governments, for instance in Integrated Child Development Services (ICDS) and mid-day meal scheme which are entitlements under Sections 4, 5 and 6 of the bill; thus putting the guarantee of food security at the mercy of the government and bypassing the Parliament.

The entire bill in fact reveals the government’s true objectives of limiting expenditure, denying responsibility and destroying existing systems as well. Although the government claims that this bill is based on the NAC’s draft, it does complete injustice to even the already diluted draft that was prepared by the NAC.

The need of the hour is to strengthen the PDS through universalisation and reforms to ensure minimum leakages and efficient distribution. This has to be coupled with expanded and decentralised procurement. There is a need for radical restructuring of procurement, storage and distribution systems including (a) procurement from all mandis of all foodgrains at remunerative prices to provide critical market support to

the majority of small, dry land farmers of the country who are bearing the brunt of the agrarian crisis and so far have been denied public procurement support; (b) storage facilities at every block; (c) creation of procurement-distribution zones with distribution of grain being from that procured within the zone, except in cases of shortfall, for which grain can be acquired from neighbouring zones. This system of localised procurement, storage and distribution will not only boost production across the country, help track corruption and provide consumers with timely availability of (locally preferred) grains, but will also substantially reduce the current high transportation costs.

Lack of funds cannot be an excuse when the government is forgoing revenue worth Rs 5 lakh crore a year by giving tax breaks to the corporate sector and income taxpayers, and through excise, customs and sales tax reduction, but is not willing to spend even one-fifth of that amount to ensure the country’s food security.

The government’s neglect of agriculture has led to an agrarian crisis with lakhs of distressed farmers committing suicide. Food security cannot be achieved without addressing the decline in the agriculture sector. Now with more than 65 million tonnes of foodgrain lying in the FCI’s godowns across the country or rotting in the open due to shortage of godowns, the

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Faculty: Jayanta Mahapatra and others

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2. III NATIONAL SEMINAR on **The Enigma of Happiness: A Timeless Pursuit**, 6-8 January 2012, Venue: **Utkal University, Bhubaneswar**

Faculty: Pascal Bruckner, French philosopher, novelist and author of *Perpetual Euphoria: On the Duty to be Happy*

Deadline for submission of abstract: **1 November 2011**

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3. III NATIONAL SYMPOSIUM on **The Culture of Diversity and Disciplinarity** (in collaboration with the Forum on Contemporary Theory), 2-4 February, 2012, Venue: **Balvant Parekh Centre, Baroda**

Keynote speaker: Arjun Appadurai, New York University, USA

Deadline for submission of abstract: **1 December 2011**

Registration: **1 January 2012**

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government cannot use the excuse of unavailability of grains for not universalising the PDS.

Demands

If this bill is approved by the cabinet, the government will be missing an opportunity to do something about food security in the country. We believe that such a bill in fact does more damage than good and must be rejected. We reject this version of the NFSB and demand that any bill must at the very least have the following:

(1) Universalisation of PDS entitlements (along with expansion in quantity and

introduction of other commodities such as pulses and oil).

(2) Provisions to incentivise food production and for decentralised procurement and storage.

(3) Provisions for strengthening the PDS delivery system based on the experience of many successful initiatives by states such as Chhattisgarh, Tamil Nadu, Himachal Pradesh, Orissa, etc.

(4) Comprehensive measures for addressing child malnutrition that include school mid-day meals, universalisation with quality of the ICDS and maternity entitlements along with provisions for

treatment of severely malnourished children.

(5) Clearly defined entitlements for vulnerable groups such as the aged, disabled, widows, migrants and destitutes including monthly pensions, community kitchens and destitute feeding programmes.

(6) Effective measures for grievance redress, transparency and accountability.

(7) Safeguards against commercial interference in any of the food/nutrition related schemes and against the introduction of cash transfers in place of PDS.

The Right to Food Campaign gives a national call for action to reject the government's draft food security bill.