

# RIGHT TO FOOD CAMPAIGN

November 11, 2010

**The NAC proposals for the food security bill are minimalist and have failed to address the situation of hunger and malnutrition in the country**

**The Right to Food campaign will continue its struggle for a comprehensive Food Security Act**

The Chairperson and Members  
National Advisory Council (NAC),  
(to the Prime Minister),  
N. Delhi

Dear Friends,

After an agonising four months of discussions, the final recommendations of the NAC for the National Food Security Bill are extremely disappointing. The recommendations essentially deal only with a cereal-based targeted PDS and are a far cry from the comprehensive approach required to truly ensure food security for all. By not announcing universal entitlements as ordered by the Supreme Court under the Integrated Child Development Services (ICDS,) Mid Day Meal (MDMS) and the National Maternity Benefit Scheme (NMBS) and by altogether eliminating the National Old Age Pension Scheme (NOAPS), out of the ambit of the law on Food Security, the NAC has shown little commitment for those who suffer most from chronic hunger such as children, pregnant women, old persons, disabled, homeless and others.

First and foremost, the enactment of the NFSA could have helped the country overcome the gravest problem facing us today – that of declining food availability and an agrarian crisis. Cereal availability, which was 469 gms per capita per day in 1991 when we began economic reforms has declined to 375 gms per capita per day in 2008, depriving each person of about 100 gms of cereals per day. Availability of pulses, a major source of proteins for the poor, has halved since Independence from about 70 gms per capita per day in the late 1950's to less than 35 gms per capita per day in the last five years. Agricultural growth is now 1.3 per cent per annum (1991-92 to 2006-07) down from 3.2% per annum in the 1950's and 1960's. The first obligation of a food security act should therefore be to take a positive measure like ensuring procurement of cereals, pulses and oil seeds at remunerative prices to support small and marginal farmers to produce food. This would have had the twin effects of increased food production, as well as supporting one of the largest groups of food insecure people.

Even where the PDS is concerned, the NAC has completely moved away from the idea of universalisation in spite of initially stating, “while time-bound universalisation of foodgrain entitlements across the country may be desirable, initial universalisation in one-fourth of the most disadvantaged districts or blocks in the first year is recommended, where every household

is entitled to receive 35kgs per month of foodgrains at Rs 3 a kg”. The current proposals only offer some window-dressing to the present TPDS.

The coverage of persons under the ‘priority’ category who will be entitled to 35kgs of foodgrains per month has been expanded to include a larger population based on the Tendulkar Committee’s poverty estimates. Further, the difference between the AAY category and BPL has been done away with, with all those in the priority category being given rice @ Rs. 3 per kg, wheat @ Rs. 2 per kg and millets @ Rs. 1 per kg. However, by proposing to continue with the system of falsely dividing the population into BPL and APL, albeit with different names (‘priority’ and ‘general’) the NAC has failed to seize the current opportunity of a proposed food security bill in the context of sustained economic growth and overflowing food stocks for the benefit of the millions of hungry and malnourished people across the country. There is no reason to expect why the existing problems with identification and the large-scale exclusion errors in the form of many deserving poor being left out will be resolved with these new proposals. Further, to add to the complications of identification a new category of “excluded” is proposed which might result in many genuinely poor not getting anything from the PDS.

Every survey conducted by the government itself shows huge errors of inclusion / exclusion in the identification of BPL families. For example, NSS data shows that about 50% of poor rural households did not have a BPL card in 2004-5 (rising to 80% in states like Bihar and Jharkhand). In fact, recognizing widespread hunger and problems of exclusion, many state governments have sought to expand or universalise the entitlements of food. The lack of a national will to prioritise hunger free India, unwittingly discriminates between citizens belonging to different states in the realisation of this basic human right equated to right to life by the Supreme Court.

The present proposals of the NAC are also very limited in terms of what is proposed to be distributed through the PDS. 35kgs of foodgrains per month for ‘priority’ households and 20kgs of foodgrains per month for ‘general’ meets the requirements of a family for only about 10 to 15 days. Further, the present proposals provide for legal guarantees only for the distribution of cereal. There is no mention of other essential commodities such as pulses and edible oil. Leaving out pulses and oils from the PDS food basket that is proposed to be legally guaranteed shows that nutritional security is a non - issue, even when adult male and female anaemia and malnutrition are so high. The production, procurement, and storage of cereal, pulses and oils have been pushed into the background as mere enabling provisions (outside legal guarantees), thus leaving out the very foundation of agricultural revitalization on which these entitlements are to be established.

We are shocked that the expansion of food entitlements for all and also the per capita increase in the quantum of even the cereal component is not being proposed or even considered. The main objective of the NAC proposals seems to be to minimise the budget and foodgrains burden of the food security bill. Arguments of lack of resources cannot be accepted where on the other hand the same government provides tax exemptions and rebates of over Rs. 5 lakh crores (in 2009-2010) majorly to the corporate sector.

As far as the constraints on availability of foodgrains is concerned, the Right to Food campaign has repeatedly shown that the quantum of foodgrains required for universalisation of PDS can be made possible with a comprehensive food security bill that takes into consideration issues related to production, procurement and distribution together.

While there is a mention of legal entitlements for child and maternal nutrition as well as for community kitchens and programmes for feeding destitute and vulnerable groups, it is yet to be seen whether the NAC proposals would ensure the much needed expansion (and enhancement of quality) in programmes such as the ICDS. Further, it is appalling that the social security pensions for the vulnerable such as the aged, single women and disabled have suddenly disappeared from the NAC recommendations.

The Right to Food campaign demands for the Nation a comprehensive food security act which should include legal provisions relating to:

1. An overarching obligation to protect everyone from hunger;
2. Promotion of sustainable and equitable food production ensuring adequate food availability in all locations at all times;
3. Protection against forcible diversion of land, water and forests from food production;
4. Protection of food sovereignty and elimination of the entry of corporate interests and private contractors in food production, distribution and governance;
5. Promotion of decentralized food production, procurement and distribution systems;
6. Protection of interests of small farmers especially ensuring that farmers are given remunerative prices for food items.
7. A universal Public Distribution System providing at least 14 kgs of grain per adult per month as well as 1.5 kgs of pulses and 800 gms of oil, with comparable quantities for children;
8. Special food and cash entitlements for households (including an expanded Antyodaya programme for single women, old, dalits, Tribals, Disabled, Transgender, landless and marginal farmers, daily wagers, slum dwellers, migrants etc.);
9. No use of technology for identification purpose which can violate the civil liberties and human rights of the people.
10. Consolidation of all entitlements created by recent Supreme Court orders (e.g. cooked mid-day meals in primary schools and universalization of ICDS);
11. Support for effective breastfeeding (including skilled counselling, maternity entitlements and crèches);
12. Universalisation with quality of the ICDS, crèches for young children, universal and unconditional maternity entitlements and cooked mid day meals for school children.
13. Elimination of all social discrimination in food-related matters;
14. Safeguards against cash transfers replacing food transfers under any nutrition-related scheme;
15. Provisioning of Ration cards in the name of women.
16. Strong accountability and grievance redressal provisions, including mandatory penalties for any violation of the Act and compensation for those whose entitlements have been denied.

The people of India see NAC as a body which represents the hope and aspirations for improving social indicators which often get neglected in the race for economic growth. It is indeed disturbing to see that in the *Multidimensional Poverty Index (MPI)* (which includes indicators of nutrition along with education, health and living standard) India ranks below even countries like conflict ridden Pakistan and poor Bangladesh, which demand an urgency to address the human condition of the people of India.

The people of India expect the NAC to tell the Government, the Ministries and the Planning Commission about what is required, rather than be restrained by the usual advice of the Government and the Ministries regarding financial and other constraints.

It is with particular reference with this that we expect the NAC to overrule the objections of the Planning Commission, the Government and the Ministries and to reconsider its decisions and ensure that the National Food Security Bill (NFSB) incorporates a comprehensive vision that lays the foundation for food security for all. The Right to Food campaign will continue to struggle on every platform to ensure that our demands are incorporated in the legislation.

We are,

The Steering group of the Right to Food Campaign,

Annie Raja (National Federation for Indian Women), Anuradha Talwar and Madhuri Krishnaswamy (New Trade Union Initiative), Arun Gupta (Breast Feeding Promotion Network of India), Arundhati Dhuru (National People's Movement of India), Ashok Bharti (National Conference of Dalit Organizations), Anjali Bhardwaj, Nikhil Dey (National Campaign for People's Right to Information), Asha Mishra and Vinod Raina (Bharat Gyan Vigyan Samiti), Colin Gonsalves (Human Rights Law Network), Kavita Srivastava (People's Union for Civil Liberties), Mira Shiva and Vandana Prasad (Jan Swasthya Abhiyan), Paul Diwakar (National Campaign for Dalit Human Rights), Subhash Bhatnagar (National Campaign Committee for Unorganized Sector workers), V.B. Rawat.

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