

by

**Balwinder Singh\* and Rahul Yadav\*\***

**Abstract** India is making efforts for the full realisation of right to food and a sort of frame work towards achieving hunger free nation status is also developing but it is harsh reality that hunger and starvation is multiplying at a time when India has the biggest Public Distribution System operative. Hunger and malnutrition grew at a time when buffer stock of food grain in country is higher than the required norm, when country had more anganwadis set up and more schools being provided with mid day meals. In India food consumption today is not any operational inability to produce more food, but a far reaching failure to make the poor of the country able to afford enough food. There is obviously something terribly wrong in our approach. The Public Distribution System is plagued by corruption, leakages, errors in selection, delays, poor allocations and little accountability. It also tends to discriminate against and exclude those who most need them, by social barriers of gender, age, caste, ethnicity, faith and disability and state hostility to urban poor migrants, street and slum residents and unorganised workers. At a time when the Indian Parliament has enacted National Food Security law, which aimed at granting differential legal entitlement of food grains to nearly 800 million people through Targeted Public Distribution System network, it is high time to ask whether the said law will mean anything for the poor and hungry. The question arises whether hunger can be



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removed by relying on the same public distribution system that has failed to deliver in the past more than sixty years.

## I. INTRODUCTION

As long as starvation and deprivation exist, the slogan “Every man, woman and child has the inalienable right to be free from hunger and malnutrition...”<sup>1</sup> looms large over humanity. When every nation attains food security for its people, there begins the journey towards prosperity. Food security for a country means sufficient quantity of essential commodities produced, stored properly and made available to all of the people, especially the under privileged sections.<sup>2</sup> According to definition emerging out of World Food Summit, ‘Food Security exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food which meets their dietary needs and food preferences for an active and healthy life. Household food security is the application of this concept to the family level with individuals within households as the focus of concern.’<sup>3</sup>

Food security is broadly characterized by three pillars: Availability, accessibility and absorption (nutritional outcomes). In an effort to attain these, it is almost certain that it will be necessary to innovate and consider out-of-the box policy options. The role of various stakeholders and partnerships among them will be critical. These include public and private sectors, community groups, multilateral agencies, and philanthropic foundations as well as bilateral collaboration between nations.<sup>4</sup> Improving food security is an issue of considerable importance for developing country like India where millions of people suffer from hunger and malnutrition. It is now widely recognised that food security is not confined only to production, availability and demand for food. Ultimately, the key question is that of the ability of the people to access food and utilize it effectively at all time, to lead a healthy life.

In the post independence period India has several achievements on the food front. Successive five year plans have laid considerable emphasis on policies and strategies aimed at raising the level of nutrition and standard of living of the people. The production of food grains has increased more than four fold since independence from 50 million tonnes in 1950-51 to about 250 million tonnes in 2012-2013. As a result, India has moved from



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a stage of chronic food shortages to self-sufficiency in food production and built up substantial buffer stocks. The level of procurement and the reach of Public distribution system has also increased considerably, overtime. Additionally, the government has introduced several nutrition programmes such as the Integrated Child Development Services providing supplementary nutrition for pre-school children and expectant or nursing mothers and the mid day meal scheme. All these have contributed greatly towards improving the availability of food and level of nutrition in the country. **However, all is not well with the food security policy, particularly with reference to procurement, public distribution system and nutrition programmes.** With the advent of economic liberalization and globalization, some new challenges have also emerged. Despite the implementation of several

programmes, there are concerns regarding calorie intake and malnutrition. The problem of malnutrition is acute and widespread and is extremely serious among women and children.<sup>5</sup>

## II. FOOD AND NUTRITION SECURITY IN INDIA: A BACKDROP

With a population approaching almost 1.22 billion, India is likely to be the most populous country on this planet by 2030 with 1.6 billion people. It currently accounts for more than 17% of the global population and 456 million poor, or 41.6 per cent living on less than \$1.25 a day. Ensuring food and nutrition security is thus a challenge for India. Food security concerns can be traced back to the experience of the Bengal famine in 1943 during British colonial rule. With the launching of major reforms in 1991, although liberalization was already under way since the 1980, India has grown out of a period of acute shortages and heavy dependence on food aid to self-sufficiency, or broadly, self reliance in food.<sup>6</sup> The agriculture sector in India has had quite a revolutionary past with the Green Revolution in the late 1960s and 1970s to increase the food production. This programme worked very well particularly in Punjab, Haryana and parts of Uttar Pradesh and Rajasthan, where lands were well developed, fairly fertile water for irrigation was available in plenty and farmers were looking for an opportunity to increase their income.<sup>7</sup> The impact of green revolution on food security in India from 1950 to 2010 can be noticed from the fact that the area under crop production increased from 115.58 million hectares in 1960 to 125.75 million hectares in 2010. The food grain production also increased from 82 million tons in 1960 to 176.4 million tons in 1990 and to 241.56 million



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tons in 2010. While the population increased from 349 million in 1960 to 1150 million in 2010.<sup>8</sup> At present India agriculture system is also undergoing a structural transformation, especially the high value segment. Raising productivity of staples like rice and wheat is a challenge as the area under these grains is likely to remain constant or even decrease due to increasing pressure on land for non-agricultural uses.

Unlike in the past when the country had to suffer foreign exchange constraints and depend heavily on food aid, India today is in a much better position to enter the global markets with \$294.4 billion in foreign exchange reserves. While increased investment and technological breakthrough can improve availability, these may not necessarily translate into increased accessibility and absorption of food. As far as Right to food in India is concerned, some of the worst violation of the right to food can be seen in India today. India is suffering from alarming hunger, ranking 67<sup>th</sup> position among 84 developing Countries. India is a home to about 217 million undernourished persons.<sup>9</sup> The main reasons are these persons do not have access to sufficient productive resources (essentially land, water and seeds) nor an income sufficient to allow them to provide themselves as well as their families, with a dignified life free from hunger. India continues to be a land of mass poverty and despite various poverty alleviation schemes, the disparity between rich and the poor is widening day by day and more so in the aftermath of economic liberalization.<sup>10</sup> It has been realized that there are limits to increasing the food grains productions through increase in area under cultivation because the country has almost reached a plateau in so far as cultivable land is concerned. The contribution of high yielding varieties which has been the basis of green evolution in seventies has now plateaued and there is hardly any fresh contribution to growth in yields. There is a new awareness that a substantial proportion of food crop output is lost after harvest.

### A. Production of different Food Crops in India

The data pertaining to total production of different crops during the last more than 60 years in (Table-1) divulged that the production of total food grains increased from 50.82 million tons in year 1950-51 to 264.77 million tons in year 2013-14 but decreased in year 2014-15 to 252.68 million tons



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due to less rain fall. It is expected that total food grain production will rise up to 264.10 million tons by the year 2015-16.

**Table No-1**  
**Production of Different Food Crops in India (In million tons)**

S. No	Year	Rice	Wheat	Coarse Cereals	Pulses	Total Food Grains
1	1950-51	20.58	6.46	15.38	8.41	50.82
2	1960-61	34.58	11.00	23.74	12.70	82.02
3	1970-71	42.22	23.83	30.55	11.82	108.43
4	1980-81	53.63	36.31	29.02	10.63	129.59
5	1990-91	74.29	55.14	32.70	14.26	176.39
6	2000-01	84.98	69.68	31.08	11.80	196.81
7	2010-11	95.98	86.87	43.40	18.24	244.49
8	2011-12	105.30	94.88	42.01	17.09	259.29

9	2012-13	105.24	93.51	40.04	18.34	257.13
10	2013-14	106.54	95.91	43.05	19.27	264.77
11	2014-15	104.80	88.94	41.75	17.20	252.68
12	2015-16*	106.10	94.75	43.20	20.05	264.10

\* Targets

Source: Department of Agriculture Cooperation, GOI, Ministry of Agriculture, Annual Report 2014-15<sup>11</sup>

### B. Net Availability of Food Grains per capita per day in India

The data (Table-2) shows the net availability of food grains per capita per day in India from 1951 to 2014. The per capita net availability of food grains was 394.9 grams per day in 1951, 510.1 grams per day in 1991, 462.9 grams per day in 2011, and 491.2 grams in 2014. Similar trend can be seen from the Table in case of rice and wheat. Whereas pulses, gram, cereals and other cereals shown the declining trends for the same periods up to 2012. Thus it can be seen that Post liberalization period in India witnessed a decline in the per capita net availability of cereals and pulses.

**Table-2**  
**Net availability of food grain per-capita per day in India (In grams)**



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S. No	Year	Rice	Wheat	Other cereals	Cereals	Gram	Pulses	Food grains
1	1951	158.9	65.7	109.6	334.2	22.5	60.7	394.9
2	1961	201.1	79.1	119.5	399.7	30.2	69.0	468.7
3	1971	192.6	103.6	121.4	417.5	20.0	51.2	468.8
4	1981	197.8	129.6	89.9	417.3	13.4	37.5	454.8
5	1991	221.7	166.8	80.0	468.5	13.4	41.6	510.1
6	2001	190.5	135.8	56.2	386.2	8.0	30.0	416.2
7	2011	188.8	164.6	70.0	423.5	14.6	39.4	462.9
8	2012	190.1	158.1	60.0	408.2	13.5	41.6	449.9
9	2013	159.6	145.8	52.7	358.1	15.3	43.3	401.4
10	2014(P)	199.0	183.1	62.0	444.1	16.3	47.2	491.2

(P)- Figures are provisional

Source: Agricultural statistics at a glance 2015 as on 7 April 2015<sup>12</sup>

## III. INDIA'S RESPONSE AND POLICY INITIATIVE TOWARDS FOOD SECURITY

### A. Public Distribution System

Every individual has a fundamental right to be free from hunger and have access to sufficient, safe and nutritious food and its effective utilization for an active and healthy life. According to the UN Food Agriculture Organization (FAO) the right to adequate food is not the 'right to the fed' it is the right to feed oneself with dignity and it equates the right to adequate food with food-standards or the right to safe food.<sup>13</sup> There should be no place for hunger and food insecurity in a democratic society. In India the Public Distribution System (PDS) is a large-scale food rationing programme, meant to increase food security at both the national and the household levels. India faced serious problems on its food front right from the independence and food deficits persisted up to mid 1970s. The government of India has attempted to move towards the goal of food security. The state intervention in this direction has been two-pronged, adopting an economic growth approach and simultaneously a welfare approach. Government has made significant attempts at food security through the food based social security interventions. In this direction Public Distribution System is one of the major policy initiatives. Public distribution of food at affordable prices through the Fair Price Shops has been the key element of food security



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system in India. Public Distribution System in India is indeed the largest of its kind in the world. The Public Distribution System (PDS) has evolved over a long period in India.<sup>14</sup>

Public Distribution System (PDS) is one of the largest welfare policies in India. It represents the direct intervention of the Indian state in the food market to ensure food security. PDS serves a dual purpose of providing subsidised food to the consumers as well as providing price-support to farmers. It supplements the policy of buffer stocking under which the effect of raising prices on account of supply constraints is modulated by market intervention.<sup>15</sup> The objectives of PDS are to maintain price stability, rationing during times of scarcity, raising the

welfare of the poor and keeping a check on the private trade.<sup>16</sup> In view of the Government of India, “the PDS aims at insulating the consumer from the impact of rising prices of these commodities and maintaining the minimum nutritional status of our population.”<sup>17</sup> The PDS supplies have a stabilizing effect on Open Market prices by increasing availability, removing scarcity psychosis and deterring speculative tendencies”.<sup>18</sup> Over the decades the functioning of the government PDS has suffered due to inefficient management and lack of proper targeting to improve the food security of the poor. Although, India has achieved self-sufficiency in food grain production and surplus food stocks are available in the Food Corporation of India godowns across the country, the poor have little access to food primarily because they lack purchasing power. This paradox of surplus food availability in the market and chronic hunger of the poor has brought into sharp focus the lopsided policies of the government with regard to food distribution in the country. The weaknesses of the Public Distribution System have been augmented by the introduction of structural adjustment policies in the 1990s, intended for reduction in public expenditure.<sup>19</sup>

As part of structural adjustments made by the Government of India to reduce public expenditure, the PDS in India was modified as Revamped Public Distribution System (RPDS) during 1992. It was intended to give



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thrust to providing food grains at subsidized rates to people in specific geographical areas like hilly regions, drought-prone areas, urban slum areas, deserts, tribal areas etc., where people were facing hardships.<sup>20</sup> Later on, Targeted Public Distribution System (TPDS) has been introduced in 1997, giving emphasis to providing benefits to poorer sections of the population, i.e. targeting households on the basis of income criterion. The Targeted PDS uses income poverty line to demarcate ‘poor’ and ‘non-poor’ households. People are classified as Below Poverty Line (BPL) and Above Poverty Line (APL). Special ration cards are issued to families below the poverty line. Food grains like rice and wheat are distributed to the people below poverty line at specially subsidized price. TPDS is administered under the Public Distribution System (Control) Order 2001,<sup>21</sup> notified under the Essential Commodities Act, 1955 (ECA).<sup>22</sup> The ECA regulates the production, supply, and distribution of essential commodities including edible oils, food crops such as wheat, rice, and sugar, among others. It regulates prices, cultivation and distribution of essential commodities. The PDS (Control) Order, 2001 specifies the framework for the implementation of TPDS. It highlights key aspects of the scheme including the method of identification of beneficiaries, the issue of food grains, and the mechanism for distribution of food grains from the centre to states.

Analyses of TPDS have revealed several gaps in implementation. These challenges pertain to the inaccurate identification of households and a leaking delivery system. One of the major problems with targeting the scheme specifically to the poor is the high cost involved in the correct identification of the target group. Narrow targeting at the level of individual households, for e.g. requires very detailed data for all households and a complex and expensive process of testing in order to identify the eligible households. The effectiveness of such mechanisms depends on the magnitude of the two possible errors-the errors of exclusion and inclusion. The exclusion error indicates the extent to which the poor are excluded from the list of beneficiaries and the inclusion error, the extent to which the non-poor are included in the list. Expert studies have shown that PDS suffers from nearly 61% error of exclusion and 25% inclusion of beneficiaries, i.e. the misclassification of the poor as non-poor and vice versa. Direct targeting of the poor through means testing, entails high administrative costs due to the need for repeated periodic identification. The cost of identification of the poor, which is of a recurring nature, can be very high and implementation of such schemes could become cumbersome going by the experiences of other countries.<sup>23</sup> Another challenge is the leakage of food grains during transportation to



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the ration shop and from the ration shop itself into the open market. The incentive for leakage has increased due to the larger differences between the open market and ration market prices for BPL families. Thus, although the off-takes are higher for BPL than APL food grains it is not clear how much actually reaches the poor.<sup>24</sup>

The organizational structure according to which the Public Distribution System is being run in India includes the following steps:

- a) Procurement of Food Grains for the Central Pool**
- b) Storage of Food Grains**
- c) Transportation**
- d) Distribution**
- e) Retailing**

*i. Procurement of food grains for the central pool*

In order to meet the requirements of the Public Distribution System, food grains are to be acquired. Prior to the establishment of the Food Corporation of India (FCI) in 1965, procurement from internal sources was limited. It was the responsibility of the State Department of Revenue and the Department of Civil supplies to procure food grains by imposing a levy on farmers, traders and millers. The major source of procurement prior to the mid-sixties

was imports under PL-480 handled by the Government of India through the State Trading Corporations.<sup>25</sup> The Green Revolution and food self-sufficiency brought about a new dimension in the food grains management, as a result of which the focus was shifted on fair procurement price for farmers in order to insulate them from market anomalies, buffer stocking and control of market prices and public distribution of essential commodities.

**Food Corporation of India (FCI)**

The principal public agency involved in the procurement and distribution of food grains on behalf of the government is the Food Corporation of



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India. The main purpose of Food Corporation of India is to act as the main agency for handling food grains on behalf of the central government and to function as a major instrument of state policy in achieving the following objectives—

- a) To procure or acquire a sizeable portion of the market surplus at incentive prices from the farmers on behalf of central and state governments,
- b) To ensure timely releases of stocks through the public distribution system so that prices do not rise unduly,
- c) To minimise inter-seasonal and inter-regional prices variations; and
- d) To build sizeable buffer stocks of food grains from out of internal procurement and imports.

Food Corporation of India purchases food grains from the farmers at Minimum Support Price (MSP) and allocates to the states. The allocation is made on the basis of poverty and level of domestic food production in a particular state. Thus there is an attempt at the national level to balance the availability of food between surplus and deficit regions. To achieve the above mentioned objectives of procurement and distribution of the Public Distribution System, the Department of Food, Ministry of Food and Civil Supplies prepares the plans. Primary responsibility for maintenance of purity, integrity and efficiency in FCI vests in the Chairman & Managing Director (CMD) of FCI who is the Head and Chief Executive of the Corporation.

The Food Corporation of India generally purchases food grains in the regulated markets and pays a commission to the agents for their services. The price paid is fixed by the government on the recommendations of the Commission for Agricultural Costs and Prices (CACP). In order to facilitate procurement, the prices in surplus states are depressed by restricting movement of grains outside the zones so that the prices closely approximate the support prices.<sup>26</sup> The important decisions in procurement regarding the quantity to be procured and the prices to be offered are recommended by CACP. The Commission takes into account the cost of production for agricultural commodities, crop situation and so on while deciding the price. The government generally accepts the recommendation and instructs the FCI to procure goods at the suggested price.<sup>27</sup>

Currently procurement is carried out in two ways: (i) Centralised Procurement (CP), and (ii) Decentralised Procurement (DCP). CP is carried



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out by the FCI, where FCI buys crops directly from farmers. DCP is a central scheme under which 10 states/Union Territories (UTs) procure food grains for the central pool at Minimum Support Price (MSP) on behalf of FCI. The scheme was launched to encourage local procurement of food grains and minimise expenditure incurred when transporting grains from surplus to deficit states over long distances. These states directly store and distribute the grains to beneficiaries in the state. Any surplus stock over the state's requirement is handed over to FCI. In case of a shortfall in procurement against an allocation made by the centre, FCI meets the deficit out of the central pool.

#### c. Minimum Support Price and Central Issue Price

The Government of India fixes the Minimum Support Price (MSP) of food grains at which procurement is made from the farmers. While the price at which food grains are sold under TPDS is much lower. The centre sells food grains to States at subsidised prices, known as Central Issue Price (CIP). The MSP is fixed by the GOI based on rates recommended by the Commission for Agricultural Costs and Prices (CACP) which takes into consideration cost of cultivation and remunerative prices for farmers on their produce with a view to encouraging higher investment and production. While determining MSP, the CACP considers the cost of production, trends in domestic and international market prices, stock position, changes in agricultural terms of trade, inter-crop price parity, prices fixed in previous years, etc. The prices recommended by the CACP are considered by the Cabinet Committee for Economic Affairs (CCEA) for approval. Typically the MSP is higher than the market price. This is intended to provide price support to farmers and incentivise production.

#### d. Buffer Stock Policy

Availability of food grains in the country is characterized by sharp fluctuations and becomes an important element, to be taken care of, in India's food policy. It is, therefore, necessary to use a part of the production of good year(s) in the subsequent year(s) of lower production by creating buffer stocks. Buffer stocks also stabilize the intra-year availability, taking care of the lean months. As buffer stocks involve huge costs and also some inevitable



damage to stored grains, imports are suggested as an alternative. Practical experience has, however, shown that imports can never provide that kind of food security for a big and populous country like India, which buffer stocks can. In the absence of buffer stocks the country's bargaining power in the international market would be eroded, with the result that purchases may have to be made at high prices and on the seller's terms. In the absence of buffer stocks, the nation is prone to be pressured; economically as well as politically the autonomy of the country may itself be in



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the danger of being impaired. Whereas the Strategic reserve of food grains means the emergency food reserve or food security reserve.

#### *v. Storage of Food Grains*

Storage management and movement of food grains are important links in the whole system from procurement to distribution of food grains to the consumers. Procurement of food grains for the Central Pool is carried out by agencies such as FCI, State Government Agencies (SGAs) and private rice millers. In addition, 10 States/UT<sup>28</sup> which are presently under Decentralised Procurement (DCP) scheme also procure food grains for the Central Pool but directly store and distribute under TPDS and Other Welfare Schemes (OWS) based on the allocation made by the GOI. Any surplus stock over their requirement is taken over by FCI and in case of any shortfall in procurement against allocation made by the GOI, FCI meets the deficit out of the Central Pool. The procured food grains are taken over into the Central Pool by FCI, the only government agency entrusted with movement activities, from SGAs and private rice millers and are moved from the procuring states to the consuming states for distribution to the consumers and for creation of buffer stock in various states. Food grains of the Central Pool are stored by FCI in both its owned capacity and hired godowns in different parts of the country. The function of distribution of food grains to the consumers is carried out by the State Governments through TPDS and OWS. The food grains are also disposed of by FCI and State Governments based on allocation of the GOI through sale under Open Market Sales Scheme (OMSS).<sup>29</sup>

#### *vi. Transportation of the Food Grains*

Ensuring accessibility to food in a country of India's size is a Herculean task. The food grains are transported from the surplus States to the deficit States. The basic objective of movement is to evacuate food grains from the procuring States to deficit States with a view to reducing strain on the available storage capacity and to ensuring availability of food grains for distribution in different parts of the country. Stock of food grains is also to be moved to consuming States irrespective of consumption requirement to create buffer stocks as a measure of food security. The food grain surplus is mainly confined to the Northern States. Transportation involves long distance carriage throughout the country. Stocks procured in the markets and purchase centers are first collected in the nearest depot and from there dispatched to the recipient States within a limited time. Transport forms an



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integral link between production and consumption centres. State is a dominant player in this linkage through procurement, transportation, storage and distribution. The overall freight carried by road and rail is in the ratio of 65:35. The road transport is preferred for short leads and small parcel sizes whereas rail transport scores over road transport in long movement through a lifeline of 64,000 kilometers.<sup>30</sup>

#### *vii. Distribution of Food grains*

Distribution of food grains is as complex as the policy of procurement. The phenomenon of distribution involves various aspects viz., quantity of food grains to be allocated to different states, fixing of central issue price, distribution agency at the retail level and the allocation agency at the different regional levels, arrangements for transportation, storage and coordination and the retail price and margins of different agencies.

#### *h. Quota and Price Fixation*

The fixation of the total quota to be supplied to each State is determined by the Central Government, keeping in view the production of food grains in the State and the off-take in the previous months. Prices for the consumer are determined by taking into consideration marketing costs, open market prices, fiscal burden and the paying capacity of the consumer. If the prices are less than the cost of marketing and procurement, the FCI is reimbursed by the government from the general exchequer. A part of this reimbursement is the cost of administration, while part is subsidy to the consumer. The distribution of food grains through governmental agencies is precisely significant in ensuring an equitable distribution of food grains at reasonable prices.<sup>31</sup>

#### *i. Transportation of Allocated food grains*

While the storage and transportation of food grains up to the regional (FCI) godowns in various States is the responsibility of the FCI but the lifting of grain from the regional (FCI) godowns to the State depots is the responsibility of the concerned State governments. Lastly it is the responsibility of the fair price shop dealers to

#### x. Retailing

At the retail level, three types of Fair Price Shops have been set up viz., private, co-operative and government owned. The decision pertaining to the location of Fair Price Shops is taken by district level officials keeping in mind the stability of the applicants and the size of the village. Local political pressures also play an important role in this decision.<sup>33</sup> In some States, mobile Fair Price Shops for interior remote areas have been arranged. The operation of the Fair Price Shops is supervised and monitored by Food Inspectors.<sup>34</sup> Though, most States get their supplies from the Central Government, some variations in the management of the Public Distribution System at the State level is observed. The State Civil Supplies Department or Food Corporation of India manages the distribution of grains through the Fair Price Shops. It is generally wheat, rice, sugar, kerosene, oil as essential items are covered under the Public Distribution System, while some State governments could add other commodities depending upon the local situation. However, the arrangements for procurement of other commodities have to be made by the concerned State governments only.

#### B. The National Food Security Act, 2013

The National Food Security Act gives statutory backing to the TPDS. This legislation marks a shift in the right to food as a legal right rather than a general entitlement. The Act classifies the population into three categories: excluded (i.e., no entitlement), priority (entitlement), and Antyodaya Anna Yojana (AAY; higher entitlement). It establishes responsibilities for the centre and states and creates a grievance redressal mechanism to address non-delivery of entitlements. Though the motive behind NFSA is very noble, but it seems difficult for government to implement this act without overcoming the governance issues and challenges prevailing in the system. The National Food Security Act, 2013 that extend to the whole of India and makes right to food a legal entitlement. In the current scenario and given the way poverty is measured, this law will benefit approximately 800 million people which are about 67 percent of India's population. The preamble of the Act clearly states that it is an Act to provide for food and nutritional security in human cycle approach, by ensuring access to adequate quantity of quality food at affordable price to people to live a life with dignity and for matters connected therewith or incidental thereto. Chapter II of the Act makes provisions for the food security. Section 3 provides a Right to receive food grains at subsidised prices by persons belonging to eligible households



under Targeted Public Distribution System.<sup>35</sup> The Act also makes special provisions for pregnant women and lactating mothers<sup>36</sup> and Nutritional support to children.<sup>37</sup> The Act ensures the access to food grains through doorstep delivery of food grains by reforms Targeted Public Distribution System.<sup>38</sup> Provisions for Food Security Allowance by cash transfer in case of non-supply of food grains.<sup>39</sup> Chapter VII of the Act provides for the Grievance Redressal Mechanism.<sup>40</sup> Thus this Act is a positive step towards providing the legal protection to human right to food and making it a enforceable right. There had been some criticism given the wide scope of this act and previous bad experiences in poor implementation of different government schemes. Questions have been raised regarding the possibilities of making the scheme universal instead of targeting a certain percentage of the population, since the definition and measurement of poverty are disputed and have changed many people's status overnight, on paper. The current Act has also been criticized by several economists and media professionals on the grounds that it would be very difficult for the government to provide sufficient finances for the implementation of this Act as food grain requirement for implementing this Act is 612.3 lakhs tons and total



Food Subsidy will reach to Rs. 124747 crores. There are several challenges this Act will have to face in order to feed such a large percentage of the population. Effective implementation will also depend of pro-activeness of the states. However, if well implemented, its impact on poverty will be vast and visible.

#### IV. CONCLUSION AND SUGGESTIONS

While India has made significant progress in the areas of science and technology and industrial development, food security for the rural poor continues to be a cause of concern. Food insecure people neither consistently produce enough food for themselves nor have they the purchasing power to buy food from markets. It is a complex issue which would have far reaching and serious implications like threat to national security, disturbance of peace, human rights violations and decline in the quality of human resources. In addition to the domestic causes, imperfect

market practices of multinational groups in controlling production, usage, transport and trading practices are causing food insecurity in India. Small producers and people working in unorganised sectors are the ultimately sufferers both in rural and urban areas due to neo-liberal policies. There is no dearth of availability of food grain in the country, still a large section of the poor population does not have adequate access to food.

The previous green revolution was the product of a million small beginnings. Likewise, the next green revolution will advance on the basis of an outpouring of human creativity, innovations not just in the technological but in the human land scale as well the only way a new story can arise. It is clear that Freedom from hunger is not only a basic human right but it is essential for the full enjoyment of other rights, such as health, education, information etc. Innovative strategic interventions are the needs of the hour to ensure food availability, food access and utilization of food. The strategic and technological intervention can improve the agricultural food production scenario to fulfil the domestic demand and also look for food export prospects. Innovative food access mechanism such as food coupons, food stamps and food credit cards can ensure food security from access point of view if implemented seriously. On the other hand steps should be taken for non-farm interventions to give individuals and households more capabilities to improve livelihood security and to raise living standards.

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\* Assistant Professor, School of Law, Northcap University, Gurgaon.

\*\* Student, School of Law, Lovely Professional University, Phagwara (Punjab).

<sup>1</sup> Raised by the World Food Conference in the year 1974.

<sup>2</sup> B.K. Taimni, *Food Security in 21st century-Perspective and Vision*, Konark Publishers Pvt. Ltd, Delhi, (2001), p. 45.

<sup>3</sup> Rome Declaration on World Food Security, World Food Summit, 1996.

<sup>4</sup> Dilip Kailas Jadhav, “Food Security in India,” 3 *IIRJ*, 314, (2013).

<sup>5</sup> S. Mahendra Dev, K.P. Kannan, *et. al.*, *Towards a Food Secure India-Issues and Policies*, Institute for Human Development, New Delhi and Centre for Economic and Social Studies, Hyderabad, (2003), p. 7.

<sup>6</sup> *supra* note 3.

<sup>7</sup> Narayan G. Hegde, *Strategy for Ensuring Food Security in India*, BAIF Development Research Foundation, Pune, (2012), p. 16.

<sup>8</sup> Tilak Raj, “Food Security Scenario in India: New Challenges and Policies”, 2 *HJCR*, 459, (2013).

<sup>9</sup> Hunger report-*State of Food Insecurity in the World*, Food and Agriculture Organization of the United Nations Rome, (2011). Available at <http://www.fao.org/docrep/014/i2330e/i2330e.pdf> last visited on 22.03.2014.

<sup>10</sup> Parmanand Singh, “Hunger Amidst Plenty: Reflections on Law, Poverty and Governance,” 48 *JILI*, 57 (2006).

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> Food and Agriculture Organisation, *Guide on Legislative for the Right to Food*, Rome, (2009) available at [www.fao.org/righttofood](http://www.fao.org/righttofood).

<sup>14</sup> Vijay S. Vyas, *Food Security in Asian Countries in context of Millennium Goals*, Academic Foundation New Delhi, (2005), p. 123.

<sup>15</sup> Y. Nilachandra Singh, “Public Distribution System: Problems and Prospectus,” in Amalesh Banerjee, *Food Security and the Public Distribution System Today-Failures and Successes*, Kanishka Publishers, New Delhi, (2004) p. 156.

<sup>16</sup> Madhura Swaminathan, *Weakening Welfare - The Public Distribution of Food in India*, Left Word Books, Naya Rasta Publishers Pvt. Ltd. New Delhi, (2000), p. 145.

<sup>17</sup> Bhaskar Majumder, *Poverty, Food Security and Sustainability — Public Distribution System in India*, Rawat Publications, Jaipur, (2004), p. 135.

<sup>18</sup> Government of India, Annual Report Part II, Ministry of Food and Civil Supplies, Department of Civil Supplies, New Delhi, (1991-1992), p. 53.

<sup>19</sup> M.H. Suryanarayana, 2000, “Food Security and Calorie Adequacy Across States: Implications for Reform,” in N. Krishnaji and Krishnan, *Public Support for Food Security-The Public Distribution System in India*, Sage Pub., New Delhi,(2000), p. 80.

<sup>20</sup> *supra* note 14.

<sup>21</sup> The Public Distribution System (Control) Order, 2001.

<sup>22</sup> The Essential Commodities Act, 1955.

<sup>23</sup> Shikha Jha and P.V. Srinivasan, “On Improving the Effectiveness of the PDS in Achieving Food Security,” in S. Mahendra Dev, K.P. Kannan *et. al.*, *Towards a Food Secure India-Issues and Policies*, Institute for Human Development, New Delhi and Centre for Economic and Social Studies, Hyderabad, (2003), p. 379.

<sup>24</sup> Sakshi Balani, “Functioning of the Public Distribution System An Analytical Report”, PRS Legislative Research, December 2013 Available at <http://www.prsindia.org/administrator/uploads/general/1388728622~TPDS%20Thematic%20Note.pdf> last visited 07.07.2014.



<sup>28</sup> West Bengal, Madhya Pradesh, Chhattisgarh, Uttarakhand, Andaman and Nicobar Islands, Odisha, Tamil Nadu, Gujarat, Karnataka and Kerala.

<sup>29</sup> Performance Audit Report on Storage Management and Movement of Food Grains in FCI, 2 Report No. 7, 2013.

<sup>30</sup> Maneesh Kumar and Garv Malhotra, “National Food Security on the Shoulders of Indian Railways,” in Prof. Dr. Bimal N. Patel and Dr. Ranita Nagar (eds.), *Food Security Law-Interdisciplinary Perspectives* 113 (2014).

<sup>31</sup> Mohammad Shafi and Abdul Aziz, *Food Systems of the World* 269 (Rawat Publication, Jaipur, 1989).

<sup>32</sup> *supra* note 24 at 115.

<sup>33</sup> S.L. Bapna, *op. cit.*, at 116.

<sup>34</sup> M.H. Suryanarayana, “Public Distribution System Reforms and Scope for Commodity Based Targeting”, *Economic and Political Weekly*, 115 (1 April, 1995).

<sup>35</sup> The National Food Security Act, 2013, Section 3(1) Every person belonging to priority households, identified under sub-section (1) of section 10, shall be entitled to receive five kilograms of food grains per person per month at subsidised prices specified in Schedule I from the State Government under the Targeted Public Distribution System:

Provided that the households covered under *Antyodaya Anna Yojana* shall, to such extent as may be specified by the Central Government for each State in the said scheme, be entitled to thirty-five kilograms of food grains per household per month at the prices specified in Schedule I:

Provided further that if annual allocation of food grains to any State under the Act is less than the average annual off take of food grains for last three years under normal Targeted Public Distribution System, the same shall be protected at prices as may be determined by the Central Government and the State shall be allocated food grains as specified in Schedule IV.

*Explanation*— For the purpose of this section, the “*Antyodaya Anna Yojana*” means, the scheme by the said name launched by the Central Government on the 25th day of December, 2000; and as modified from time to time.

(2) The entitlements of the persons belonging to the eligible households referred to in sub-section (1) at subsidised prices shall extend up to seventy-five per cent of the rural population and up to fifty per cent of the urban population.

(3) Subject to sub-section (1), the State Government may provide to the persons belonging to eligible households, wheat flour in lieu of the entitled quantity of food grains in accordance with such guidelines as may be specified by the Central Government.

<sup>36</sup> *Ibid.*, Section 4.

<sup>37</sup> *Ibid.*, Section 5.

<sup>38</sup> *Ibid.*, Section 12.

<sup>39</sup> *Ibid.*, Section 8. Right to receive food security allowance in certain cases-In case of non-supply of the entitled quantities of foodgrains or meals to entitled persons under Chapter II, such persons shall be entitled to receive such food security allowance from the concerned State Government to be paid to each person, within such time and manner as may be prescribed by the Central Government.

<sup>40</sup> *Ibid.*, Section 14 (Internal grievance redressal mechanism), Section 15 (District Grievance Redressal Officer) and Section 16 (State Food Commission).

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