

Bill No. XIII of 2024

THE NATIONAL FOOD SECURITY (AMENDMENT) BILL, 2024

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BILL

to amend the National Food Security Act, 2013.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

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| | 1. | <i>(1)</i> This Act may be called the National Food Security (Amendment) Act, 2024. | Short title and commencement. |
| 5 | | <i>(2)</i> It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. | |
| 20 of 2013. | 2. | In the National Food Security Act, 2013 (hereinafter referred to as the principal Act), in section 4, in sub-section <i>(a)</i> , after the words "nutritional standards", the words, " <i>with specific focus on micronutrients required during pregnancy and lactation</i> ", shall be inserted. | Amendment of section 4. |
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- Amendment of section 5.
3. In the principal Act, in section 5, —
- (a) in sub-section (1), after the words "nutritional standards", wherever they occur, the words “, with specific focus on required micronutrients”, shall be inserted.
- (b) in sub-section (2), after the words “*anganwadi* shall”, the words “ensure adequate stock of micronutrient-rich food supplement sand shall”, shall be inserted. 5
- Amendment of section 6.
4. In the principal Act, in section 6, after the words "nutritional standards", the words ", with specific focus on required micronutrients", shall be inserted. 10
- Amendment of section 22.
5. In the principal Act, in section 22, after sub-section (4), the following new sub-section shall be inserted, —
- “(5) The Central Government shall ensure that the foodgrains provided to the State Governments shall meet the nutritional standards specified in Schedule II.”. 15
- Amendment of section 24.
6. In the principal Act, in section 24, in sub-section (2), after clause (b), the following new clause shall be inserted,—
- "(c) ensure adequate supply of micronutrient rich food and supplements to the *anganwadis* and schools for the Mid-Day Meal Scheme, so as to meet the nutritional standards specified in Schedule II." 20
- Amendment of section 31.
7. In the principal Act, in section 31, after the words “Schedule III”, the words "and ensure the delivery of micronutrient-rich food and supplements, so as to meet the nutritional standards specified in Schedule II, to remote, hilly and tribal areas", shall be inserted. 25

STATEMENT OF OBJECTS AND REASONS

The fundamental right to life enshrined in Article 21 of the Constitution of India may be interpreted to include the right to live with human dignity, which includes the Right to Food and other basic necessities, and is therefore enforceable under Article 32. Thus, our Constitution guarantees to all the citizens of the country, the 'right to be free from hunger and malnourishment' and to have physical and economic access at all times to adequate food - in quality and quantity - that is nutritious, culturally acceptable and can be procured in a sustained and dignified manner.

2. The National Food Security Act, which was enacted on July 5, 2013, approached food security from the welfare to rights-based approach. The Act legally entitled up to 75 per cent of the rural population and 50 per cent of the urban population to receive subsidized food grains under the Targeted Public Distribution System. About two-thirds of the population, therefore, is covered under the Act to receive highly subsidized food grains.

3. However, priority on the scientific component of nutrition, which is required by the beneficiaries, has often taken a backseat in India. Instead, the inclination has been towards increasing the quantity of food rather than providing good quality food. This has resulted in a chronic state of micronutrient malnourishment in the country, which was aggravated by the COVID-19 pandemic; specifically for the most vulnerable segments of society like women, children and tribal communities residing in inaccessible regions.

4. The National Family Health Survey-5 suggests that the rate of anaemic children under the age of five has increased from 59 per cent in the previous survey to 65 per cent. It was also observed that 34.7 per cent of children under the age of 5 years are wasted (weight is too low for the height) and stunted. It also suggests that 52.2 per cent pregnant women aged between 15 and 49 years are anaemic. The previous National Family Health Survey report of 2015-16, brought home the widely anticipated truth that, despite improvements, the under-nutrition amongst the Scheduled Tribes has remained much higher than that for all the groups taken together. As a matter of fact, malnutrition remains statistically a significant issue in all 36 States and Union Territories. These worrying indicators necessitate increased efforts to address the problem as soon as possible.

5. Instead of the calorie-centric strategy applied in the parent Act, the amendment advocates standardized framework for inclusion of micronutrients, which can be ensured through institutions like *anganwadis* and Mid-Day Meal Scheme. It is imperative that the goal of such policies should be to emphasize on providing adequate nutrition to its beneficiaries. Physical and mental wellbeing of these sections must be prioritized, and this is only possible if adequate and nutritious food which suits their nutritional needs is provided to them. This is because food security needs to be defined by nutrition outcomes rather than merely access to food. Such an amendment is the first step in addressing this deficit which will also be a step towards building a healthy and inclusive India for our future generations.

Hence, this Bill.

FAUZIA KHAN

ANNEXURE

EXTRACTS FROM THE NATIONAL FOOD SECURITY ACT, 2013

(20 OF 2013)

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Nutritional support to pregnant women and lactating mothers.

4. Subject to such schemes as may be framed by the Central Government, every pregnant woman and lactating mother shall be entitled to—

(a) meal, free of charge, during pregnancy and six months after the childbirth, through the local *anganwadi*, so as to meet the nutritional standards specified in Schedule II; and

(b) maternity benefit of not less than rupees six thousand, in such instalments as may be prescribed by the Central Government:

Provided that all pregnant women and lactating mothers in regular employment with the Central Government or State Governments or Public Sector Undertakings or those who are in receipt of similar benefits under any law for the time being in force shall not be entitled to benefits specified in clause (b).

5. (1) Subject to the provisions contained in clause (b), every child up to the age of fourteen years shall have the following entitlements for his nutritional needs, namely: —

(a) in the case of children in the age group of six months to six years, age appropriate meal, free of charge, through the local *anganwadi* so as to meet the nutritional standards specified in Schedule II:

Nutritional support to children.

Provided that for children below the age of six months, exclusive breast feeding shall be promoted;

(b) in the case of children, up to class VIII or within the age group of six to fourteen years, whichever is applicable, one mid-day meal, free of charge, everyday, exception school holidays, in all schools run by local bodies, Government and Government aided schools, so as to meet the nutritional standards specified in Schedule II.

(2) Every school, referred to in clause (b) of sub-section (1), and *anganwadi* shall have facilities for cooking meals, drinking water and sanitation:

Provided that in urban areas facilities of centralized kitchens for cooking meals may be used, wherever required, as per the guidelines issued by the Central Government.

Prevention and management of child malnutrition

6. The State Government shall, through the local *anganwadi*, identify and provide meals, free of charge, to children who suffer from malnutrition, so as to meet the nutritional standards specified in Schedule II.

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(4) Without prejudice to sub-section(1), the Central Government shall,—

(a) procure food grains for the central pool through its own agencies and the State Governments and their agencies;

(b) allocate food grains to the States;

(b) provide for transportation of food grains, as per allocation, to the depots designated by the Central Government in each State;

(c) provide assistance to the State Government in meeting the expenditure incurred by it towards intra-State movement, handling of food grains and margins paid to fair price shop dealers, in accordance with such norms and manner as may be prescribed by the Central Government; and

(d) create and maintain required modern and scientific storage facilities at various levels

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(2) Under the Targeted Public Distribution System, it shall be the duty of the State Government to—

(a) take delivery of food grains from the designated depots of the Central Government in the State, at the prices specified in Schedule I, organise intra-State allocations for delivery of the allocated food grains through their authorised agencies at the door-step of each fair price shop; and

(b) ensure actual delivery or supply of the food grains to the entitled persons at the prices specified in Schedule I.

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31. The Central Government, the State Governments and local authorities shall, for the purpose of advancing food and nutritional security, strive to progressively realise the objectives specified in Schedule III.

Central Government to allocate required quantity of food grains from central pool to State Governments.

Implementation and monitoring of schemes for ensuring food security.

Steps to further advance food and nutritional security

RAJYA SABHA

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BILL

to amend the National Food Security Act, 2013.

(Dr. Fauzia Khan, M.P.)