RIGHT TO FOOD

BY

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• Fundamental right
• Right to food
• Legal issues related to food security in India
• Food security in India
Significance/ Characteristic:-

- Fundamental Rights for Indians are aimed at overturning the inequities of past social practices.
- Guarantee that all Indian citizens can and will lead their life's in peace as long as they live in Indian democracy.
- Essential for development.
- Democracy gave rise to various freedoms in the form of Fundamental Rights.
- Helps prevention of gross violation of Human Rights.
WHAT IS THE MEANING OF RIGHTS?

Rights literally mean those freedoms which are essential for personal good as well as the good of the community.
Fundamental Rights

- Right to equality (Article 14-18)
- Right to constitutional remedies (Article 32-35)
- Cultural and Educational rights (Article 29-31)
- Right to freedom (Article 19-22)
- Right to freedom of religion (Article 25-28)
- Right against exploitation (Article 23,24)
Right to Equality
RIGHT TO EQUALITY

Includes..

- Equality before law.
- Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.
- Equality of opportunity in matters of employment
Article 14: Equality before law and equal protection of law

Article 15: Prohibition of discrimination on grounds only of religion, race, caste, sex or place of birth

Article 16: Equality of opportunity in matters of public employment

Article 17: Prohibition of untouchability

Article 18: Abolition of titles, Military and academic distinctions are, however, exempted
Right to Freedom
RIGHT TO FREEDOM

- Right to freedom and expression, which enable an individual to participate in public activities.
- Freedom to assemble peacefully without arms
- Freedom to form associations or unions
- Freedom to move freely throughout the territory of India
- Freedom to reside and settle in any part of the territory of India
- Freedom to practice any profession or to carry on any occupation, trade or business
Article 19
Guarantees the citizens of India the following six fundamentals:
- Freedom of Speech and Expression
- Freedom of Assembly
- Freedom of form Associations
- Freedom of Movement
- Freedom of Residence and Settlement
- Freedom of Profession, Occupation, Trade and Business

Article 20
Protection in respect of conviction for offenses

Article 21
Protection of life and personal liberty

Article 22
Protection against arrest and detention in certain cases
Right Against Exploitation
Abolition of trafficking in human beings and Begar (forced labor).

Abolition of employment of children below the age of 14 years in dangerous jobs like factories and mines.
Article 23

Trafficking in human beings prohibited

Article 24

No child below the age of 14 can be employed
Right to freedom of Religion
RIGHT TO FREEDOM OF RELIGION

- All religions are equal before the State and no religion shall be given preference over the other.
- Citizens are free to preach, practice and propagate any religion of their choice.
- The objective of this right is to sustain the principle of secularism in India.
Article 25  Freedom of conscience and free profession, practice and propagation of religion

Article 26  Freedom to manage religious affairs

Article 27  Prohibits taxes on religious grounds

Article 28  Freedom as to attendance at religious ceremonies in certain educational institutions
Cultural and Educational Rights
CULTURAL AND EDUCATIONAL RIGHTS

- Any community which has a language and a script of its own has the right to conserve and develop them.
- No citizen can be discriminated against for admission in State or State aided institutions.
Article 29
Protection of interests of minorities

Article 30
Right of minorities to establish and administer educational institutions

Article 31
Omitted by the 44th Amendment Act
Right to Constitutional Remedies
RIGHT TO CONSTITUTIONAL REMEDIES

- Empowers the citizens to move a court of law in case of any denial of fundamental rights
Article 32

The right to move the **Supreme Court** in case of their **violation**
(called Soul and heart of the Constitution by BR Ambedkar)
What is the Right to Food?

• Many women, men and children affected by chronic undernourishment suffer from what the UN Food and Agriculture Organization (FAO) calls ‘extreme hunger’.

• This means that their daily ratio of calories is well below the minimum necessary for survival. Many people die on a daily basis from starvation.

Malnutrition, also called the ‘hidden hunger’, refers to inadequate intake of calories, proteins or nutrients. Malnutrition is quieter than famine – in the sense that it does not attract the attention of the media – but it has no less tragic implications for those suffering of this disease. Malnutrition heightens vulnerability to other illnesses and almost always has serious physical and mental effects – the
Figure: 1: Conceptual Model of Food Security
Right to food is a human right

The right to food is a human right. It protects the right of all human beings to **live in dignity, free from hunger, food insecurity and malnutrition**. The right to food is not about charity, but about ensuring that all people have the capacity to feed themselves in dignity.

The right to food is protected under international human rights and humanitarian law and the correlative state obligations are well-established under international law. The right to food is recognized in article 25 of the **Universal Declaration on Human Rights**.
Negative or Positive Right

- There is a traditional distinction between two types of human rights. On the one hand, negative or abstract rights that are respected by non-intervention. On the other hand, positive or concrete rights that require resources for its realization. However, it is nowadays contested whether it is possible to clearly distinguish between these two types of rights.

- The right to food can accordingly be divided into the negative right to obtain food by one's own actions, and the positive right to be supplied with food if one is unable to access it.

- The negative right to food was recognized as early as in England’s 1215 Magna Carta which reads that: "no one shall be ‘amerced’ (fined) to the extent that they are deprived of their means of living
Right to food around the world (as of 2011-2012).[1][2][3]

- Adopted or drafting a framework law (19).
- Constitutional, explicit as a right (23).
- Constitutional, implicit in broader rights or as directive principle (41).
- Direct applicability via international treaties (103).
- Committed by ratifying the International Covenant on Economic, Social and Cultural Rights (160).

No known right to food.

Note: The same country can fall in multiple categories; the colour given to a country corresponds to the highest listed category in which a country falls.
Food Security

- Food Availability
- Food Access
- Utilization
- Stability

Human
Food Availability

- Availability of sufficient Quantity of Food.
- Quality should be appropriate.
Food Access

Having sufficient resources to:-

- Obtain appropriate foods for a nutritious diet.
Stability

- In case of:
  - Drought
  - Earthquakes
  - Floods

SHOULD HAVE FOOD RESERVE
Utilization

- Utilization of food through Proper:

  - Clean Water
  - Hand Wash
  - Flushing
  - Washing Utensils

Proper Sanitation
Why we need food security?

- To cope with situations like:
  - Drought
  - Floods
  - No market to sell the Goods
  - No Jobs
Access to Food

- Access to food is not a privilege: it a fundamental human right
- Hunger, is a violation of the right of man to food. Hunger and food insecurity, therefore have grave human rights implications
- According to Oliver De Schutter, the United Nations Special Rapporteur on the Right to Food, the right to food is a human right recognized under international law which protects the right of all human beings to feed themselves in dignity, either by producing their food or by purchasing it.
The Economic, Social and Cultural Rights Committee of the United Nations Commission for Human Rights authoritatively stated in its General Comment 12 that “The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.”
Rights and UN Commission

- The Economic, Social and Cultural Rights Committee of the UN Commission for Human Rights authoritatively stated in its General Comment 12 that “The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.”
Rights and UN Commission

• The right to food is recognized in the 1948 Universal Declaration of Human Rights (Art. 25) as part of the right to an adequate standard of living, and is enshrined in the 1966 International Covenant on Economic, Social and Cultural Rights (Art. 11).
Rights and UN Commission

It is also recognized in specific international instruments such as the Convention on the Rights of the Child (Art. 24(2)(c) and 27(3)), the Convention on the Elimination of All Forms of Discrimination against Women (Art. 12(2)), or the Convention on the Rights of Persons with Disabilities (Art. 25(f) and 28(1)).
Food Security in India
Food security means

- **Food Security**
  - **Availability**
  - **Accessibility**
  - **Affordability of food to all people at all times**
Food Security is ensured in a country only if:

- Enough food is available for all the persons.
- All persons have the capacity to buy food of acceptable quality and.
- There is no barrier to access to food.
Need for Food Security

➢ For the poor sections of the society
➢ Natural disasters or calamity like earthquake, drought, flood, tsunami,
➢ Widespread crop failure due to drought.
How drought affects food security

Drought takes place

Total production of food grains

Shortage of food in the affected areas

Prices

Some people cannot afford to buy food = Food Insecurity
Starvation

➢ If such calamity happens in a very wide spread area or is stretched over a longer time period, it may cause a situation of starvation.
Famine

➢ A massive starvation might take a turn of famine.

➢ A Famine is characterized by
  ➢ widespread deaths
  ➢ epidemics
Famines and Starvation Deaths in India

The Bengal Famine
The worst famine that was occur in India before the freedom of INDIA. It was occured in 1943. It nearly killed 1.5 million to 3 million.

The Bihar famine
It was the second most worst famine that occured 1966-1967. It was found that nearly 2500 deaths occured due to starvation.

Starvation deaths have also been reported in:
1. Kalahandi and Kashipur in Orissa
2. Baran district of Rajasthan,
3. Palamau district of Jharkhand
and many other remote areas during the recent years.
Food Insecure Groups

- landless people
- traditional artisans
- Homeless, beggars etc.
- petty self-employed workers
- traditional services providers
- Families employed in ill-paid occupations
- casual labourers (seasonal activities + very low wages)
- SCs, STs and some sections of the OBCs (lower castes among them) – having poor land-base or very low land productivity
- Migrants (as a result of natural disasters)
- Women and children
States facing problem of food insecurity

- Uttar Pradesh (eastern and south-eastern parts)
- Bihar
- Jharkhand
- Orissa
- West Bengal
- Chhattisgarh
- Parts of Madhya Pradesh
- Maharashtra
Hunger, another aspect of Food Insecurity

**Chronic Hunger**
- Inadequate diet for a long time
- Poor people suffer from chronic hunger

**Seasonal Hunger**
- Due to agricultural activities-rural regions & urban areas-casual labour
- When a person is unable to get work for the entire year
India’s attempts at attaining Food Security

Green Revolution: Food Grain Production

Highest Growth
- Punjab and Haryana
- Tamil Nadu and Andhra Pradesh

Low Growth
- Maharashtra, Madhya Pradesh
- Bihar, Orissa and the N.E. states
India’s Food Security System

Buffer Stock

Public Distribution System

Food Security System of India
How the Public Distribution System works

- Farmers or Producers
- Fair Price Shops
- States
- F.C.I (maintains Buffer Stocks)

Grains

MSP

C.I.P

Allocates Grains

Distributes Grains

Central Issue Price
Government schemes

• PDS (Initial Public Distribution System scheme)
• RPDS (Revamped Public Distribution System)
• TPDS (Targeted Public Distribution System)

Special Schemes

• AAY (Antyodaya Anna Yojana)
• APS (Annapurna Scheme)
### Food Security Schemes in INDIA

<table>
<thead>
<tr>
<th>Name of scheme</th>
<th>Year of Introduction</th>
<th>Coverage target group</th>
<th>Latest volume</th>
<th>Issue price (Rs per kg.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PDS</td>
<td>Up to 1992</td>
<td>Universal</td>
<td></td>
<td>W-2.34, R-2.89</td>
</tr>
<tr>
<td>RPDS</td>
<td>1992</td>
<td>Backward blocks</td>
<td>20 kg of food grains</td>
<td>W-2.80, R-3.77</td>
</tr>
<tr>
<td>TPDS</td>
<td>1997</td>
<td>Poor and non-poor</td>
<td>35 kg of food grains</td>
<td>BPL - W-2.50, R-3.50, APL-W-4.50, R-7.00</td>
</tr>
<tr>
<td>AAY</td>
<td>2000</td>
<td>Poorest of the poor</td>
<td>35 kg of food grains</td>
<td>W-2.00, R-3.00</td>
</tr>
<tr>
<td>APS</td>
<td>2000</td>
<td>Indigent senior citizens</td>
<td>10 kg of food grains</td>
<td>Free</td>
</tr>
</tbody>
</table>

**Note:** W - Wheat; R - Rice; BPL - Below poverty line; APL - Above poverty line
Benefits from the PDS:

- Stabilizes prices of food grains
- Makes food available at affordable prices
- By supplying food from surplus regions of the country to the deficit ones, it helps in combating hunger and famine
- Prices set with poor households in mind
- Provides income security to farmers in certain regions
Problems faced by PDS

- Problem of Hunger still exists in many areas of India
- Food stock in granaries often above specified levels
- Deterioration in quality of stored food grains if kept for longer time
- High storage costs
- Increase in MSP has led to shift from coarse grain to rice and wheat production among the farmers
- Cultivation of rice has also led to environmental degradation and fall in the water level
- Average consumption of PDS grain at the all-India level is very low
- Malpractices on part of PDS dealers:
  - Diverting the grains to open market to get better margin,
  - Selling poor quality grains at ration shops,
  - Irregular opening of the shops
- Low Income families earning just above poverty line have to pay APL rates which are almost equal to open market rates – lower incentive to buy from Fair Price Shops
Poverty rates, India 2012

- % population
  - 35 - 40
  - 30 - 35
  - 25 - 30
  - 20 - 25
  - 15 - 20
  - 10 - 15
  - 1 - 10

Poverty averages:
- India = 22%
- World = 18%

India = 270 million
- World = 1,260 million
Legal Justification of Right to Food in India
Recognition of Right to Food in International Law

• “...everyone has a right to adequate standard of living... ...including food, clothing, housing etc...”
  Article 25 (1) of Universal Declaration of Human Rights (UDHR) and Article 11 (1) of International Covenant on Economic, Social and Cultural Rights (ICESCR)

• “...fundamental right of everyone to be free from hunger...”
  Article 11 (2) of ICESCR

• India is a signatory to these covenants and these provisions are binding and have also been widely affirmed and relied upon by the Supreme Court of India in Chameli Singh v. U.P., Peerless General Finance v. RBI, Kapila Hingorani v. Bihar, CESC v. Subhash Chandra Bose, P.G. Gupta v. Gujarat and several other judgments.
Defining Right to Food

• “The right to adequate food is realized when every man, woman and child, alone or in community with others, has **physical and economic access** at all times to adequate food or means of its procurement.”
  – UN Committee on Economic, Social and Cultural Rights (1999a, Para 6)

• “The right to food is the right to have regular, permanent and unobstructed **access**, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a **physical and mental, individual and collective, fulfilling and dignified life** free from anxiety.”
  – UN special rapporteur on the right to food (2001)
International Law: Children’s Right (ICDS)

- Article 12 (2) (a) of ICESCR: “The steps to be taken by the State... for the healthy development of child”

- Article 24 (2) of Convention on the Rights of the Child (CRC): “States Parties...shall take appropriate measures: (a) to diminish infant and child mortality; (c) to combat disease and malnutrition...through the provision of adequate nutritious foods and clean drinking-water...”

- Article 27 of CRC: “States Parties...shall in need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.”
International Law: Women’s Right (ICDS/NMBS/IGMSY)

• Article 10 (2) of ICESCR: “Special protection should be accorded to mothers during a reasonable period before and after child birth.”

• CEDAW, Preamble: “...in situations of poverty women have the least access to food, etc...”

• Article 12(2) of CEDAW: “States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the postnatal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.”

• Article 24 (2) of CRC: “States Parties shall take appropriate measures... to ensure appropriate pre-natal and post-natal health care for mothers.”
Right to Food in Indian Law

- Fundamental Right under Article 21 of the Constitution of India – *Right to life and personal liberty*
- Directive Principle of State Policy under Article 47 of the Constitution - *Duty of the State to raise the level of nutrition and the standard of living and to improve public health*
- Provisions under Essential Commodities Act, 1955 and PDS (Control) Order, 2001
Right to Life under Article 21: Interpretation of the Supreme Court

• Right to ‘live’ is not restricted to mere animal or physical existence. It is right to live with ‘human dignity’, and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter etc.
  In Kharak Singh v. State of UP, Sunil Batra v. Delhi Administration, Maneka Gandhi v. UoI, Fracis Coralie Mullin vs. UT of Delhi etc.

• “The right to life would take within its sweep the right to food...”
  In Shantisar Builders v. Narayan Khimalal Totame, Air India Statutory Corporation v. United Labour Union etc.

• “Freedom from starvation is as important as right to life.”
  In Kesvanand Bharati v. State of Kerela

• “Article 21 of the Constitution of India protects for every citizen a right to live with human dignity. Would the very existence of live of those families which are below poverty line not come under such danger for want of appropriate schemes and implementation thereof, to provide requisite aid to such families?”
  Order of the Supreme Court on 2nd May, 2003 in PUCL v. UoI
Enforceability of Article 47

- Article 47: “The State shall regard the raising the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties.”
- Supreme Court in Kesavanand Bharati case:
  - “...the articles whether in Part III or Part IV (Article 47), represent moral rights which they have recognised as inherent in every human being in the country.”
  - “...if a State were to voluntarily implement the Directive Principles, a Court would be failing in its duty if it did not give effect to the provisions of the law at the instance of a person who has obtained a right under the legislation.”
  - “... when the State, in pursuance of its fundamental obligation makes a law implementing DPSP, it becomes the law of land and the judiciary will be found to enforce the law.”
  - “Freedom from starvation is as important as right to life.”
- Various schemes and legislations (PDS Control Order, proposed NFSB) in pursuance of the DPSP translate into enforceable and actionable claims.
The Right to Food Case

- PUCL petition on hunger in Rajasthan in the Supreme Court in 2001
- Emergence of the Right to Food Campaign
- Key Issues:
  - Making the Right to Food a Fundamental Right
  - Converting all existing schemes into entitlements
  - Tackling large scale malnutrition and chronic hunger
  - Securing employment as a fundamental right linked to the Right to Food
- Longest continuing mandamus on the Right to Food in the World
  - 51 Interim Orders so far; more than 500 affidavits; nearly 70 Interim Applications
Highlights of Supreme Court Orders on the Right to Food

• Converted all food and employment schemes into legal entitlements
• Universalised food entitlement programmes for children (ICDS for children under six and Mid Day Meal Scheme for all primary school children)
• Instituted the independent mechanism of Commissioners to the Supreme Court to monitor all food and employment programmes
• Prevented the reduction of the “poverty line” from 36% to 26%
• Hauled up Government periodically by serving notice of contempt of court on senior most Government functionaries (Chief Secretaries)
Office of the Commissioners to the Supreme Court (Writ 196/ 2001)

• Appointed by the Supreme Court to monitor all food schemes in the Country

• Mandate extends to:
  – Entitlement Feeding Programmes
    • MDMS, ICDS
  – Employment Programmes
    • NREGS, SGRY I & II, NFFWP, RSVY
  – Food Subsidy Programme
    • TPDS, Antodaya Anna Yojana (AAY), Annapurna Yojana
  – Social Security Programmes
    • Pensions (NOAPS, NMBS, NFBS)
How does the Office of the Commissioners function?

• Honorary positions; work supported by funds mandated by the Supreme Court
• Works through a secretariat (Delhi) and a network of Advisers across India
• Make policy recommendations through:
  – Rigorous participatory research
  – Articulating alternative demands of State policy
  – Participating in policy bodies such as Planning Commission Steering Groups
How does the Office of the Commissioners function? (cont’d.)

• Monitors programmes
  – Through analysis of macro-data
  – Addressing complaints at the micro-level

• Holds the State accountable by:
  – Regular engagement with the GoI and State Governments
  – Joint Commission of Enquiries
  – Regular reports on non-compliance to the Supreme Court
Impact so far

- Universalisation of MDMS (120 million children get school meals) and ICDS (Government would need to double the ICDS centres to 1.4 million centres covering 60 million children under the age of six)
- Managed to restrict the lowering of BPL quotas by GoI from 36% to 26%
- Increase in off-take of subsidised food-grains through the targeted public distribution system
- Increased budgetary allocation for ICDS, Old Age Pensions (3 times the amount)
- Passage of the National Rural Employment Guarantee Act which guarantees 100 days of employment a year (at minimum wages)
Impact so far (cont’d.)

• Provided Civil Society an anchor to engage/ confront the State and created spaces for civil society to engage in food/ employment programmes
• Brought the discourse on food rights to the centre-stage of governance in the States and GoI
• Has been largely effective in provision of gratuitous relief (Tea Garden Workers in West Bengal).
• Created the environment for the passage of the National Rural Employment Guarantee Act
The “Right to Food Campaign” is an informal network of organizations and individuals committed to the realization of the right to food in India.

The campaign’s “essential demands” sets the Act in the context of the nutritional emergency in India and the need to address the structural roots of hunger.

The International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes the “right to an adequate standard of living, including adequate food”, as well as the “fundamental right to be free from hunger.”
This has led to a sustained focus on legislation and schemes such as the National Rural Employment Guarantee Act (NREGA) and proper implementation of distributing nutrition at NRC and aanganwari.

- the Integrated Child Development Services (ICDS)
- Mid-day Meals (MDM) scheme
- PDS (Public Distribution System)
To achieve Food Security in India
The focus on
• accelerated food grains production on a sustainable basis and
• universal PDS, plus
• free trade in grains would help
• create massive employment and
• reduce the incidence of poverty in rural areas. This will lead to
NATIONAL FOOD SECURITY - DEBATE

- Sustainable Food Security,
- What is ‘food insecurity’ & how it may be eliminated for poor people and children,
- Early childcare, ICDS, Pre-primary education,
- Targeted / universal PDS,
- M S Swaminathan, Amartya K Sen,
- Right to food campaign, other arguments, facts
Eliminate Poverty, and Child mal-nutrition

Integrated Child Development Services (ICDS)
• That every individual has the physical, economic, social, and environmental access to a balanced diet that includes the necessary macro-and micro-nutrients, safe drinking water, sanitation, environmental hygiene, primary healthcare and education so as to lead a healthy and productive life.

India's Golden Dream to be realized.

Sustainable food production: That food originates from efficient and environmentally benign production technologies that conserve and enhance the natural resource base of crops, animal husbandry, forestry, inland and marine fisheries.

Impart Pre-school Education
Food insecurity

“Food insecurity exists when all people, at all times, do not have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life”

Food & Agricultural Organization (1996)

Food security has three dimensions — Food Availability, Food Access and Food absorption.
Food Availability, Access and Absorption

• Food availability is assured when enough of it is produced or imported and at an affordable price it is available locally.

• Food access is assured when we can buy, prepare and consume food to avail a nutritious diet.

• Food absorption is assured when we have normal physical and mental health and are able to maintain it with our diet.
Initiatives to improve the nutritional status of the population during the last five decades include:

• Increasing food production and building buffer stocks.
• Improving food distribution and building up the public distribution system [PDS]
• Improving household food security through:
  — improving purchasing power,
  — food for work programmers' and
  — direct or indirect food subsidy.
FOOD AND NUTRITION SECURITY-2

• Food supplementation to address special needs of

  – the vulnerable groups,
  – Integrated Child Development services [ICDS] and
  – mid-day meals at secondary schools

• Nutrition education, especially through

  – Food and Nutrition Board [FNB] and
  – ICDS.
Brain development from Infancy to childhood

- Infants: children below one year
- Toddlers: age group 1-2 years
- Preschoolers: age group 3 to 5 years
- School going: In the age group 6 to 14 years

- Scientists say 90% of brain develops by age 5
- Economists say prevention is better than cure and
- Child specialists say early years are foundational to development
Population below Poverty Line is significant

- Although India has become self sufficient in food grains production, the ever increasing population of the country is a major cause of concern in sustaining food security and nutritional security. The population approaches 1200 million, while about 260 million are below the poverty line and prevalence of widespread under-nourishment and mal-nourishment are a cause of concern.
For India, with nearly fifty per cent children underweight, to make freedom from hunger a legal right is a golden dream that needs hard work to realize it.

- It involves besides an universal PDS, many interventions & entitlements like
- Child nutrition,
- Social security,
- Health care and even
- Proper rights. Framing National Food Security Act requires creative work, public debate and political commitment.
child under-nutrition in India

- **Stunting** (deficiency in height for age)
- **Wasting** (deficiency in weight for height)
- **Underweight** (that is deficient in weight for age - a composite measure of stunting and wasting).

- Most of the times, child deaths and suffering because of poor nutrition go unnoticed.
- That India reports among the highest levels of child under-nutrition has been rightly termed by
Child Food insecurity prevails in India-2010

Table 1: Nutritional status of Indian children, 2005-06 (in per cent)

<table>
<thead>
<tr>
<th>Children under three who are</th>
<th>Urban</th>
<th>Rural</th>
<th>All-India</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stunted</td>
<td>37</td>
<td>47</td>
<td>45</td>
</tr>
<tr>
<td>Wasted</td>
<td>19</td>
<td>24</td>
<td>23</td>
</tr>
<tr>
<td>Underweight</td>
<td>30</td>
<td>44</td>
<td>40</td>
</tr>
</tbody>
</table>

Note: Figures are rounded.
Source: National Family Health Survey-3 (2005-06)
early childcare is very important

• People below poverty line neglect the young. India continues to lose 6% of our newborns before their first birthday; 50% of our toddlers to malnutrition and a whole generation to poor health, low skills and poverty.

• Can we afford to ignore the role that crèches play in the survival, development and well-being of young children?
Eliminate under nutrition of children

The most significant direct intervention designed by India to tackle undernutrition is the Integrated Child Development Services (ICDS) programme. Most reviews and assessments have established that the more than 30-year-old programme has not succeeded in delivering the desired result of preventing and eliminating under-nutrition.

Trends in nutritional status of India’s children

<table>
<thead>
<tr>
<th>Percentage of children under 3 years</th>
<th>NFHS-2 (1998-99)</th>
<th>NFHS-3 (2005-06)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stunted</td>
<td>51</td>
<td>45</td>
</tr>
<tr>
<td>Wasted</td>
<td>45</td>
<td>20</td>
</tr>
<tr>
<td>Underweight</td>
<td>43</td>
<td>23</td>
</tr>
</tbody>
</table>

Source: NFHS-3
Integrated Child Development Services (ICDS)

• It is a major national programme that addresses the needs of children under the age of six years.

• It seeks to provide young children with an integrated package of services such as supplementary nutrition, healthcare and pre-school education.

• As the needs of a child can not be addressed in isolation from those of its mother, the programme also extends to adolescent girls, pregnant women and nursing mothers.
Integrated Child Development Services

The nutrition component of ICDS, perhaps the largest of all the food supplementation programmes in the world, was initiated in 1975 to improve the nutritional status of preschool children and pregnant and lactating women.

The initial geographic focus was on drought-prone areas and blocks with a significant proportion of scheduled caste and scheduled tribe population. In 1975, 33 blocks were covered under ICDS.
The central government bears the infrastructure and manpower cost of the ICDS programme. The state governments are responsible for funding the nutrition component. In addition, CARE, World Food Programme and other agencies provide food supplements in some selected blocks of some states. While over the last three decades there has been a steep increase in the number of ICDS blocks and the flow of funds from the center the states’ own contribution has not shown any increase.
Integrated Child Development Services (ICDS)

• Over the last two decades the ICDS coverage has progressively increased. As of March 2002, 5652 projects have been sanctioned; there are more than 5 lakh anganwadis in the country.

• The number of persons covered under ICDS rose from 5.7 million children of 0–6 age, and 1.2 million mothers in 1985 to 31.5 million children and 6 million mothers up to March 2002.
What is a crèche?

• A crèche is not just an enabling mechanism so that mothers can work, but central to the battle against malnutrition, low birth weight and infant mortality.

• It essentially facilitates an aware adult to take on the small tasks involved in childcare for children under three years of age such as patient feeding of small katories of soft food three or four times a day. Continued…
What is a crèche?

• It essentially facilitates an aware adult to take on the small tasks involved in childcare for children under three years of age such as
  • A quick response to fever or diarrhea,
  • To prevent illness from becoming life threatening,
  • Some one to greet and comfort the child when she wakes up.
A crèche essentially facilitates

- We need crèches so that grand-parents do not ask girls to stay back leaving them free to play run and go to school.
- We need crèches so that women are treated as citizens with rights and receive the support they need during this time of motherhood and early childcare, thus enabling them to participate in work and life.
“What do the children do?”

“The children? They play around, what else? We go for tussar reeling for 5-6 hours a day. The older children take care of them.”

“Yes, there are elders, they keep an eye on them, but feel they are too old to run around with young children. Leave your daughter at home, they say.”

“Yes, the young ones often get hurt... we worry a lot about the older children too... they learn bad habits from the men sitting around, swear and start playing cards and get into fights.”

(Voices from a Jharkhand village)
“The Anganwadi? Yes, I have seen it. The didi comes for a little while to distribute food...”

“What about a crèche?”

“What’s that?”

“A place where the children can be looked after by a didi—someone from your village, where the children can eat in time, be clean, and play.”

“Who will do this? We cannot even in our dreams think that our children will ever grow up in any other way.......”
Nutrition Indicators and recent related data in India

Nutrition indicators:
- Under-weight, stunting, wasting in children
- Anemia in pregnant women
- Poor breastfeeding & complementary feeding rates of infants
- Low birth weight

Recent data: Among pre-school children, under-nutrition has reduced from 77 % in 1975-76 to 47 % in 1998-99.

- Stunting_45.5 %
- Wasting_ 15.5 %
Efforts of the health sector to tackle

⇒ Adverse health consequences of undernutrition

⇒ Adverse effects of infection and unwanted fertility on the nutritional status

⇒ Micronutrient deficiencies and their health consequences
Women’s education and child malnutrition

• Data show that malnutrition among Indian children born to illiterate mothers (52%), is almost three times higher than levels reported among mothers who have completed 12 years of education (18%).
PRE-PRIMAR Y EDUCATION
FROM CRECHE TO NURSURY TO KG/UG
Pre-primary Education

Pre-primary Education is offered to children in both urban and rural areas. In urban areas, where sufficient children are available within a reasonable radius, separate Nursery Schools or departments are provided. (continued)
Pre-primary Education

• Otherwise nursery classes are attached to Junior Basic or Primary Schools.

• In addition to that Pre-Primary education is provided free of cost.

• Thus, the main object of Pre-primary Education is to give young children social experience rather than formal instruction.

• It has an essential part to play in every school System, though Pre-primary education in India is not a fundamental right and thus a very low percentage of children receive preschool educational facilities.
• In India these services are called Integrated Child Development Services and Anganwadis.
• Indian pre-primary schools have different provisions.
• These kindergartens are divided into two stages - lower kindergarten (LKG) and upper kindergarten (UKG).
• LKG class comprises children from 3 to 4 years of age, and the
• UKG class comprises children 4 to 5 years of age.
• The completion of preprimary schools sends the children to primary schools.
In the formal education system, Pre-primary Education is considered to be an integral part of regular schools. Therefore, all pre-primary instruction is attached to Junior Basic or Primary Schools. The pre primary education is termed as `Nursery`.  

fppt.com
Pre primary education also extends to

• Kindergartens,

• crèches and

• Montessori schools.

In these sections of schools, these special educational facilities are made available to the children below the compulsory age of six.
The main objective of pre-primary education is
• to present an environment to children to develop a healthy mind through constructive activities and.
• informal learning experiences.
• This environment also prepares children for a later day primary education by
• enabling them to adjust to the surroundings outside their home.
Pre-primary education helps develop
• the physical and mental development of the children,

• promote their emotional and educational development, and

• smoothen their socialization (social development) process.
Actually, in pre-primary education importance is not to be given to any kind of formal teaching or learning, and attention is to be given to the psychological development of the children. The activities of pre-school are to be designed as per the interest and the need of the children. So, it is ideal not to have a permanent syllabus for the pre-school programme.
Generally, the main activities of pre-schools are free-play, organized play, story sessions, music and dance, acting, drawing and painting, creative work, nature study, language development, and inculcating a sense of counting, measurements, and weight.
SOCIALIZATION PROCESSES, PRE-PRIMAR
EDUCATION,
LANGUAGE DEVELOPMENT MATERIALS

• A child who is already a member of a family learns to become a member of a society through the process of socialization in which language plays a very important role.

• Though it is often quoted that, as far as pre-school is concerned, "love is the language and play is the method," love should also be expressed in a human language, in addition to other parental or caregivers' loving behavior, including nonverbal behavior.
SOCIALIZATION PROCESSES, PRE-PRIMARY EDUCATION, LANGUAGE DEVELOPMENT MATERIALS

• The shelter of parental love takes a backseat in the pre-school environment, and is, kind of, substituted by an institutional arrangement of a learning environment in which teacher and other children come to play a part.

• From a family situation, a child thus begins to get exposed to the rain and shine of the community that surrounds it.
Role of mother tongue

• This process of socialization becomes very natural if it is done in the mother tongue of the child.

• Since language itself is a system of symbols, when the initial socialization is done in a non-mother tongue of the child, language symbolism gets more complicated and the child begins to feel uneasy.
LANGUAGE DEVELOPMENT

• This happens more so, especially when the language used in the pre-school has no opportunities of reinforcement outside its school environment.

• First generation learners and children from the families which have very little exposure or competence in English face this barrier.
The Indian government lays emphasis to primary education up to the age of fourteen years (referred to as Elementary Education in India.) It has also banned child labour in order to ensure that the children do not enter unsafe working conditions. Both free education and the ban on child labour are difficult to enforce due to economic disparity and social conditions. 80% of all recognized schools at the Elementary Stage are government run/supported, making it the largest provider of education in the Country.
• However, due to shortage of resources and lack of political will, this system suffers from
• massive gaps including high pupil teacher ratios,
• shortage of infrastructure and
• poor level of teacher training.
• Education has also been made free for children for six to 14 years of age or up to class VIII under the Right of Children to Free and Compulsory Education Act 2009.
Targeted vs universal public distribution system (PDS) for food

• Costs of procuring, storing & distributing food grains
• at low cost and
• hence TPDS /PDS alternates.
The proportion of rural population that is below the BPL
[ Below Poverty Line]

At least four alternative figures are available: 28 per cent from the Planning Commission,
50 per cent from the N.C. Saxena Committee report;
42 per cent from the Tendulkar Committee report,
and 80 per cent or so from the - National Commission for Enterprises in the Unorganized Sector (NCEUS)
BPL Census should consider

• In deciding its coverage, allowance should be made to targeting errors which would be large, but also consider the fact that the under-nutrition rates in India tend to be much higher than that of poverty estimates: the gap is not surprising considering that the official ‘poverty-line’ is really a destitution line.
We suggest an universal PDS

- It may be with increased food subsidy.
- It could be combined with cost saving measures such as
- decentralized procurement,
- Self-management of Fair price shops by Gram Panchayats and
- a range of transparency safe-guards.
His stated vision is to rid the world of hunger and poverty; Dr. Swaminathan is an advocate of moving India to sustainable development, especially using environmentally sustainable agriculture, sustainable food security and the

- That food originates from efficient and environmentally benign production technologies
- that conserve and enhance the natural resource base of crops, animal husbandry, forestry, inland and marine fisheries
Sustainable food security will have to be defined as ‘physical, economic, social and ecological access to balanced diets’.

A life cycle approach will have to be followed in the case of nutrition, ranging from *in utero* to old age.

Achieving such a form of food security will require synergy between technology and public policy.
M. S. Swaminathan-3

• Adequate food availability is necessary both for stabilizing prices and ensuring the operation of an effective public distribution system. There is therefore no time to relax on the food production front.

• There is particularly an urgent need for greater investment in irrigation, power supply, rural roads, cold storages, godowns and food processing units. By extending the benefits of technological transformation and institutional reform to more areas and farming systems, India can become a leader in world agriculture.
Amartya Kumar Sen (1933-) is an Indian economist, philosopher and won a Nobel prize in 1998 for his work on causes of poverty and famine.

He advocates for a just and sustainable economic world through scholarly research.

“Starvation is the characteristic of some people not having enough food to eat. It is not the characteristic of there being not enough food to eat.”
In addition to teaching at a number of universities, Amartya Sen has written many books about economics and social issues like gender equality, sustainable development, political freedom, and peace and security. He is the honorary president of Oxfam, a leading international organization working to end world hunger, and is a trustee of Economists for Peace and Security. In addition to the Nobel Prize, Professor Sen has received numerous other awards, including India's highest civilian award, the Bharat Ratna in 1999.
For more information: www.betterworldheroes.com/sen.htm

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Free Online: EndHungerBook.com
Throughout his life, he has avoided counseling governments, preferring to place his views in the public domain for discussion. “I like arguing rather than dispensing privileged advice, but I also think social change comes best from public argument,”
A shift needs to happen towards enforceable rights, towards implementation through authentic participatory development, from target group handouts towards empowerment and agency of the poor, socially excluded and the deprived; their capacity building, participation and change in their understanding of interlinking dimension and the need to self mobilize for peaceful public action and more genuine democracy.

Amartya Sen advocates economic growth as a means FOR human development, building capabilities and entitlements. Sen is celebrated in India yet his advice goes unheeded.
The Kolkata Group, an independent initiative inspired and chaired by Amartya Sen, has demanded that the Right to Food Act be made non-discriminatory and universal to cover legal food entitlements for all Indians. The Eighth Kolkata Group Workshop (February 2010), has argued for creating durable legal entitlements that guarantee the right to food for all in the country. Sen stressed the need for the firm recognition of the right to food, and comprehensive legislation to guarantee everyone the right.
“A Right to Food Act covering enforceable food entitlements should be non-discriminatory and universal. Entitlements guaranteed by the Act should include food grains from the Public Distribution System (PDS), school meals, nutrition services for children below the age of six years, social security provision, and allied programmes”
• Other arguments and facts

The Right to Food Campaign
The Right to Food Campaign, civil society and economists like Jean Dreze, point out several facts.

The poverty estimates of about 40 per cent given by the Tendulkar Committee to determine the number of poor who will receive subsidized food under the forthcoming National Food Security Act is inadequate to our current situation of hunger, starvation and malnutrition. Others that have submitted their reports are the National Committee for Enterprises in the Unorganized Sector (NCEUS) set up by the Government of India, that estimates that 77% of our population have an income of less than Rs.20 per day in 2004-05; the Saxena Committee set up by the Ministry of Rural Development that says that 50% of our population should be considered below the poverty line.
The paucity of resources can no longer be an excuse for keeping our people hungry. It is more a case of having the right priorities, and a moral deficit. The NCEUS report appointed by the government points out that the safety net can be provided within the available resources and capacity of the government. If a universal subsidy can work in Tamil Nadu state and PDS can work in Kerela state why can't it be made to work elsewhere?
A Right to Food Act is needed on compassionate grounds.

- India wants to reach the moon but the question is whether it can reach its own starving children.
- Who cares if the Commonwealth of the “Games” is so uncommonly unequal.
- According to Harsh Mander, a Food Commissioner appointed by the Supreme Court, about ten homeless die every day in Delhi. Says Mander “That so many people die each day at our doorstep, close to the centers of power, is a reminder how scarce is compassion in our public life.”
At present, the government supplies 27.4 million tonne of rice and wheat for PDS, which costs it Rs 56,000 crore (in 2010-11). It estimates to have 50 million tonne of grain in its godowns at the worst point of the year.

Back of the envelope calculations show the first year of NFSA, when one-fourth of the blocks or districts get almost universal coverage and special nutrition schemes are launched, would require around 50 million tonne of grain. The subsidy bill will go up by around Rs 20,000 crore.

But even so, the increase of fiscal subsidy might require only a political decision; supply of grain, on the other hand, is a governance issue that the NAC will have to fight and push hard.
The government has announced a 'second green revolution' through the non-irrigated lands, but the agricultural ministry's past record does not inspire confidence.

To assure itself that the NFSA does not come undone in future years, the NAC will need to set the course for this second 'revolution' and push the government to procure more.

The latter is beset with macroeconomic concerns of how increased government purchase will hit prices and inflation.
Enhancing production alongside will become mandatory.

This would be the toughest bit to ensure because these issues will lie beyond the mandate of the NFSA. They would have to be embedded in an overall economic policy shift that will require increased budgetary allocations to agriculture, combined with the same intellectual vigour that India witnessed during the first green revolution.
For India, with nearly fifty per cent children underweight, to make freedom from hunger a legal right is a golden dream that needs hard work to realize it.

- It involves besides an universal PDS, many interventions & entitlements like
  - Child nutrition,
  - Social security,
  - Health care and even
  - Proper rights. Framing National Food Security Act requires creative work, public debate and political commitment.
More food grains for the poor: Sept. 2010

- It was decided to upgrade the number of eligible BPL families, and overhaul the PDS.
- For distribution to Above poverty Line families and the Open market sale scheme (OMSS), the Food Ministry has recently released to States, an enhanced quantity of food grains, at a rate which included acquisition and freight charges. The states have asked for grains at BPL cost as lifting has been poor.
- The Centre distributes subsidized grains to 6.52 Crore BPL families. Each family is eligible for 35 kg food grains per month. Food subsidy bill: Rs. 60,000 Crore.
1. The Fifth meeting of the National Advisory Council was chaired by Smt. Sonia Gandhi on 24th September, 2010 at 2 Motilal Nehru Place, New Delhi.

2. Members who attended the meeting were Prof. M.S. Swaminathan, MP, Dr. Ram Dayal Munda, MP, Prof. Narendra Jadhav, Prof. Pramod Tandon, Dr. Jean Dreze, Ms. Aruna Roy, Ms. Anu Aga, Shri N.C. Saxena, Dr. A.K. Shiva Kumar, Shri Deep Joshi, Ms. Farah Nagvi, Shri Harsh Mander.
4. Deputy Chairman, Planning Commission, Shri Montek S Ahluwalia, Secretary (Food & Public Distribution), Smt. Alka Sirohi, Secretary (Women & Child Development), Dr D.K. Sikri, and Secretary (Housing & Urban Poverty Alleviation), Ms Kiran Dhingra made presentations, placing the viewpoint of the Planning Commission and respective Ministries/Departments.

5. The Working Group took note of the issues which emerged from the discussion. A further round of discussions is to take place before the proposal of the Working Group could be finalised.

6. The next meeting of the NAC is scheduled to be held on 23 October, 2010.
The UPA government would have to settle for a much more realistic and doable version of its showpiece food security law. An expert panel set up by the Prime Minister has pitched for "calibration" — if not dilution — of the Sonia Gandhi-led National Advisory Council’s plan for a near-universal food safety net.

The panel headed by C Rangarajan highlighted constraints of food grain availability and procurement mechanism to contend that the largesse as conceived by NAC might not be feasible.
Under the NAC proposal, 75% of the country’s population will get legal entitlement to subsidised food grain by 2013-14 — 7 kg per person for “priority households” and 4 kg per person for general households.

In its report released Thursday, the expert panel said NAC had underestimated the food grain requirement for such an ambitious programme and ignored the fact that if procurement is stepped up beyond a limit
it could lead to distortions in the open market. The panel, therefore, recommended an alternative: for the time being, limit the programme to assured delivery of food grain at Rs 2/kg for wheat and Rs 3/kg for rice to the “really needy households.”

Later, depending on the availability of grain, the scheme could be extended to the rest of the target population, but with a varying quantum of entitlement.
NAC, however, sought to stand by its proposals. When contacted, council member NC Saxena said: “If the concern is about food stocks, then why are exports being allowed? Moreover, if stocks are not enough, then we should start procurement from the eastern regions — West Bengal, Orissa and Bihar.” He added that the council would meet January 21 to discuss the issue and take a view on it.

“Experience shows that when you push procurement, production also increases because farmers start.
Draft of proposed National Food Security Bill, 2010

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Draft of proposed National Food Security Bill, 2010

Whereas the Government has several schemes for augmenting agricultural production and ensuring adequate availability of food for different segments, a Bill to provide a statutory framework to entitle families living below the poverty line to certain minimum quantities of foodgrains per month through targeted public distribution system. This Act may be called the National Food Security Act, 2010.
PROVIDING FOOD SECURITY

Assured Food Security to BPL families:
Every identified BPL family will be entitled to receive every month from the Government 25 kg foodgrains such as rice and/or wheat at subsidized issue prices fixed from time to time in a manner as may be provided under the Rules. Provided that the Government may make additional allocations of foodgrains depending upon availability and at such prices as may be prescribed.
Targeted Public Distribution System

1) For ensuring supply of wheat and/or rice to identified BPL families as per their entitlement under section 3 of this Act, the Central Government shall allocate required quantity of wheat and/or rice from the central pool to State Governments under Targeted Public Distribution System (TPDS) for distribution to identified BPL families through the network of Fair Price Shops (FPS).

2) For this purpose, TPDS will be implemented jointly by Central and State Governments as provided under Chapter III.
Identification of BPL families

(2) Guidelines for identification of BPL families would be issued by the Central Government. The Central Government shall fix the number of the identified BPL families for each State for coverage under the Targeted Public Distribution System on the basis of poverty estimates notified by the Planning Commission of India and relevant census data of Registrar General of India taken as reference for the purpose from time to time. Additional number by States:
(3) However, if a particular State Government is to extend its support of this kind to certain additional families in the State over and above that provided under section 3, it may do so but only by separate identification of such additional families and with its own budgetary resources. While doing this, that State Government shall not be competent to reduce the scale of distribution of wheat and/or rice or food security allowance payable in lieu thereof to each identified BPL family as provided by the Government of India under the TPDS.
Accountability & Transparency

- The Central Government and State Governments shall take necessary steps within their respective areas of responsibility to ensure accountability and transparency in the PDS. All PDS-related records are to be placed in the public domain and open to public scrutiny.
Thanks