KNOW YOUR RIGHT
UNDER NATIONAL FOOD SECURITY ACT, 2013

✓ Every person shall be entitled to receive
5 Kg of food Grains per person per
month.
  - Rupees 3 per Kg Rice
  - Rupees 2 per Kg Wheat
  - Rupees 1 Kg Coarse Grains for 3 Years

✓ Household covered under Antyodaya
Anna Yojana, shall be entitled to Receive
35 Kg of food Grains per month.

✓ Providing Nutritional Support to
Pregnant Women and Lactating
Mothers

✓ Right to receive Food Security
Allowance in case of non-supply of
the entitled quantities of food grains.

Who Can Apply:
- People with Annual Income Less than Rs. 1 Lakh
  per Annum
- Vulnerable groups • Casual daily wage labour &
domestic workers, unskilled workers in small
household enterprises & in household industries.
- Single Women • Widows, unmarried, separated and
deserted women or as head of household.
- Households with disabled people with medical
certificate.
- Residents of resettlement colony of F, G & H
categories, notified Abadies in rural villages; Slums
or Shelter less
- Children living without protection.
- Transgenders

How Can Apply:
- The Eldest Female as Head of household filling up
forms
- Shall be assisted by “Help Deska” set up in each
FSO office.
- Filing application online.
- Apply through mobile phones.

Enclosing Documents:
- Copy of Aadhar Card or copy of Residence Proof of
the Applicant or copy of Ration Card or copy of
Income Certificate issued by Revenue Department.

Food Security:
- Rupees 3 per Kg Rice
- Rupees 2 per Kg Wheat
- Rupees 1 Kg Coarse Grains for 3 Years

Where Can One Apply?
The Application will be received in the office of
concerned Food and Supplies Officer (FSO), 130
Gender Resource centres (GRC). Names of Eligible
Households will be published on concerned Notice
Board for a minimum period of 7 Days.

Photo Courtesy by:
The Hindu
Supported by:
FIAN Norway
The Child Trust (TCT)

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EDITORIAL

Right to Food irrefutably is a corollary of Right to Life as the enjoyment of all other rights and without which human development would become impossible to realize. Therefore, the discourses on human rights continue in the wake of mass hunger and malnourishment in several parts of the globe. Adequate food is a basic condition for establishing healthy society and political participation. The right to food constitutes a wider spectrum of human rights and development.

In the last couple of years we have witnessed significant developments towards the enactment of several laws such as Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement. The National Food Security Act enacted on 10th September 2013, is a result of collective struggle throughout India with sustained support from the people’s collective all over the world which was eventually enacted on to 800 million people in a country where over 40% of children are malnourished, a law guaranteeing very cheap food to millions of people is certainly well-intentioned.

However, for a country with an estimated 400 million people who nearly live a life of starvation and malnourishment, it would be ironical on the part of India to claim as one of the tallest democratic countries in the world. The overarching security paradigm of world’s state system and its growing expenditure on militarization has only delayed and denied issues of health, poverty and food.

It is in this light of India’s commitment to several International Human Rights consensuses and guidelines relating to the Right to Food, that FIAN works towards ensuring food for everyone. The newsletter is a product of the support of FIAN in states of India who provided their enriched field experiences, enabling us to realistically conceptualize and dialogue on the issues concerning Right to Food as the fundamental concern of this edition of Newsletter.

We appreciate the exemplary support and assistance from the FIAN National office showing their seriousness in handling and coordinating the publication of the newsletter. We also thank all who have contributed in whatever capacity to bring out this newsletter.

National Executive Committee
AN INTRODUCTION TO FIAN

Food First Information and Action Network (FIAN), works for the implementation of economic, social and cultural human rights, in general and the right to adequate food in particular. FIAN is a non-profit organization without any religious or political affiliation and has consultative status to the United Nations. Its mission includes ensuring people's right to food from an egalitarian perspective that eradicates any form of discrimination on the basis of class, caste or gender. Internationally FIAN aims at a world free from hunger, in which every woman, man and child can fully enjoy their human rights in dignity, particularly the right to adequate food, as laid down in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, a treaty signed by 145 states that came into force in 1976, and other international human rights instruments.

FIAN follows a democratic organizational structure as FIAN units enjoy autonomy as the National Executive Committee (NEC) of FIAN works in tandem with the mandates of units. FIAN units in India cover a wide range of thematic areas which are crucial to mainstream right to food in the nation. These activities provide us with information related to status of right to food in the country and incidents of violations of right to food, thereby helping us to develop strategies for interventions, research, policy advocacy and lobby works as well as documentations and publications. The overall thematic and operational areas of FIAN India include Agrarian Reform, Food security, Food for work, quality Mid-Day Meal for students, efficient Public Distribution System, Right to work, and Right to water.

The outreach of FIAN is wholesome as far as the right to food is concerned. We in FIAN work towards delivering right to feed oneself particularly those are today at the lower strata of socio-political and cultural hierarchy, especially peasants, agricultural workers, landless labourers, squatters, sharecroppers, and others whose land rights or agricultural labour rights have been or are being violated. In other words, the interventions of FIAN reflect an inclusionary social action. Today, FIAN along with the support of several other liked minded collectives have been substantially influencing in the shaping of national laws that impact positively on the Right to Food.
FIAN’S INITIATIVES ON NATIONAL FOOD SECURITY LEGISLATION

FIAN along with its partners organized a national Consultation on Food Security Ordinance on 7th August 2013 in Delhi. The consultation generated much required enthusiasm and concern amongst the participant government officials, economist, organizations, and activists. For the last couple of years, FIAN in its run up to the realization of right to food had placed position papers with alternative ideas before the government on various occasions.

FIAN India has been actively involved in the advocacy and campaign for the Bill since its early enunciation in 2011. The 7th August consultation was one among several initiatives of FIAN which took up the question of right to food legislation in India. While welcoming the participants Mr. Sanjay Rai underscored the significance of the consultation as there was growing necessity to strengthen a collective struggle. Touching upon the objectives, Ms. Suman gave impetus “to treat the right to food issue in tandem with question of livelihood and people’s ownership over natural resources”. Shree Krishna Bir Chaudhary, President, Bhartiya Krishak Samaj, flagged off the issue of wastage of food, over production and flawed distribution system and over-centralization. He further lamented the decreasing of cultivation and contrasting 64% of India’s dependence on agriculture. The consultation envisaged unification of right to food campaigns and to issue recommendations for the government to be considered for the NFSO. The recommendations included: work out a timeline for meeting food rights, check excessive use of fertilizers, budget for soil improvement, eco-friendly food rights regime, democratic and transparent monitoring of PDS.

The realization of National Food Security Act (NFSA) in India had been an intricate journey as the initial attempt to legislate the Bill in December 2011 failed. The NFSB, in March 2013 was again placed before the Lok Sabha but could not sail through as a result of which the Government adopted the ordinance route to implement the different provisions of Food Security Bill. The National Food Security Ordinance (NFSO) was tabled and received the President’s assent on July 5, 2013. Under the pressure of various stake holders, political parties, the Union government finally got the populist amended bill – National Food Security, passed in the Parliament and enacted as law on 10th September 2013.
FIAN in a pragmatic effort to contemplate more on the issue of livelihood security, (as an integral fundamental part of right to food) and to give the right to work violation issue a national dimension, organised a workshop on Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in Bangalore on 27th September at UTC. The workshop encapsulated the display of cases of violation of right to work under MGNREGA. The cases were collected by FIAN in states using a case sheet format. The consultation witnessed the participation of representatives from various states in India including FIAN President Mr. Gurusamy, Mr. Y.B. Ramkrishna, UN consultant on Biofuel to Government of Karnataka and Mr. Abhay Kumar, General Secretary, GRAKOOS.

The consultation deliberated upon existing challenges in the fulfillment of MGNREGA in Maharashtra and Madhya Pradesh. The problems confronting MGNREGA ranges from people not getting 100 days’ work to untimely payment of wages. The consultation also brought out the question of disabled people, social outcaste and alienation of women work force.

Drawing upon the importance of enriching MGNREGA in Karnataka Mr. Y.B. Ramkrishna stated “there was always a need to take up the issues pertaining to MGNREGA seriously at political level, and then only the outcome of the scheme could have been further leveraged and optimized. Considering the paucity of funds, he further stated, he explored the possibility of convergence of biofuel programme with the MGNREGA, under which there was major fund lying underutilization. Speaking on the labour and material ratio under MGNREGA he further stressed that the civil work should not exceed 20% of funds and rest 80% should be used for creation of wealth and conservation. The consultation however did not fail to re-iterate the positive aspects of MGNREGA. Meanwhile, Dilip Kamat, from FIAN in Karnataka stated “apart from ensuring
employment to people in rural areas, we want to ensure that civil works under the scheme is of use to the people,” he said.

During the consultation, case studies on the status of MGNREGA implementation were presented by Andhra Pradesh, Bihar, Jharkhand, Kerala, Odisha, Tamil Nadu and Uttar Pradesh was discussed. On the poor implementation status of Act, it is acknowledge that most of the people do not get job for 100 days, but cannot even challenge the authority. While delivering his Presidential remarks Mr. D. Gurusamy opined “MGNREGA is one of the most progressive laws of India.”

The Act MGNREGA aims to provide 100 days of work a year to rural households at a pre-determined minimum wage rates, none of the workers were given work for 100 days. MGNREGA mainly focuses on eradication of rural poverty and making village’s self sustaining through productive assets, which turn them into sustainable livelihoods for rural people.

KUSUM TOLA: A SAGA OF COURAGE AGAINST CORPORATE POLICY

The Adivasis of North Karanpura valley in Hazaribagh and Chatra districts of Jharkhand are today facing a deadly blow of modern development that has taken a huge toll on the sources of food and water. An estimated 150 families with a population of 1000, spread across 200 villages are affected by the intense coal mining.

It was in the year 2008, that FIAN in Jharkhand on request from the Gramin Sangharsh Samiti (Villagers Struggle Committee) joined this struggle of the villagers of Kusum Tola. These native villagers had been asked to surrender their land in for mining activities by Central Coalfields Limited (CCL). The commitment of FIAN is to generate holistic response to the miseries of people in Kusum Tola through reducing the effects of mining, water management, agro friendly practices, reducing air pollution, and stopping riverine pollution.

The collective struggle in Jharkhand included filing of petitions and applications to the Prime Minister’s office (PMO), seeking international support, and Public Interest Litigation (PILs). In fact the PMO asked the Sub Divisional Magistrate (SDM) of Chatra District to intervene, who acknowledging the severe effects of mining on the villager’s homes and schools, asked CCL to stop mining. In his report he also asked the concerned authority to ensure the following guidelines:
- Blasting activities to be reasonably away from the residences;
- The coal reservoirs to be removed;
- Safe and dignified rehabilitation of the affected; and
- Mining to be done far from water source and agricultural land.
As per the Last order in this matter the court granted six week time to remove the coal rejects and clean the area and the company shall be liable to pay a compensation of Rs. 50,000/- per day
ENDEAVORS AND EXPERIENCES OF FIAN UNITS

FIAN India and its members from different state units organized multiple events, training workshops and community meetings to promote new legislations and raise awareness on the issues of right to food.

**FIAN in Tamil Nadu** has been working at the community and State level, generating awareness on issues that would ensure food rights with dignity, and eventually lead to a larger struggle for food sovereignty. FIAN team in Tamil Nadu has been working on women’s accessibility to food, equality of wages, agrarian reform, for ending poverty, hunger and malnutrition. Their work this year primarily includes -
- Capacity building on the nitty-gritty of **Special Economic Zones and Food security**
- Training on **right to water issues** in the context of Plachimada Ground water issue
- Case studies on the **deprivation of right to food** with field visit to Perumatti Village
- Interactions with CSOs and Community in Keeranur Village

Like all other FIAN units, **FIAN in Karnataka** has also been active in generating awareness and capacity building of the community as well as the other CSOs and CBOs. Here are some glimpses of their initiatives –
- **On 13\(^{th}\) and 14\(^{th}\) April 2013** FIAN in Karnataka along with 31 activists of GRAKOOS organized a training programme mainly focusing on the modalities of conducting public hearing and social audit.
- **Later on 2\(^{nd}\) May, 2013** a training programme was organized by FIAN in Karnataka in collaboration with FEDINA (Federation of Educational Innovations in Asia) and Bijapur Slum Development Forum, for their 48 community leaders on Economic social and cultural rights and people centered advocacy.
- **On 26th -27th June 2013** a follow up workshop was organized by FIAN Karnataka, HIDF, (Human Institute for Development) Bangalore and GRAKOOS on People Centered Advocacy and ESC Rights.

**FIAN in Jharkhand** organized a two-day workshop on **Mines, Minerals, Land, Displacement and Right to Food** from 27th -28th July, 2013 at Dangra Toli in Ranchi. With an objective of mainstreaming food security issues in the regular course of implementation among CSOs / CBOs, the participants discussed challenges of displacement due to mining and violation of their Right to Food.
In addition, they were also informed about the various aspects of the **Coal Bearing (Acquisition and Development) Act, 1957**. Further, the participants from different CBOs and CSOs discussed and devised strategies to enhance Resettlement & Rehabilitation (R&R) package, better compensation, and assure access to basic livelihood through seeking assistance from the government on the right to food, work, health, housing, sanitation and education for the affected tribal people of Jharkhand.

**FIAN in Uttar Pradesh** has been actively on **the right to food and dignified shelter for slum dwellers** along with the Informal Sector Workers’ Forum since homeless people face graver food deprivation as they are not entitled to have access to subsidies and ration cards. Similarly, in the areas such as Kathauta Jheel, Vastu Kahnd, Gomati Nagar and Lucknow where people do not have **access to basic facilities like water, sanitation, electricity, and education**, women and children are most vulnerable to anemia, malnourishment and water borne diseases. Here, FIAN has continuously lobbied with the government officials for the effective implementation several welfare schemes such as Public Distribution System and ICDS. It has already carried out an international Research Mission (RM) on the issue.

FIAN’s endeavors in UP also include **ensuring access to irrigation water and maintenance of water pumps** in the villages of Ballia and Brahmpur Majara of UP. The interventions also flagged off issues regarding transparent use of allocated budget and proper supply of electricity.

Another important aspect of FIAN’s initiative in UP is to work for the **rights of the visually challenged people**, assisting them to seek employment in Government jobs. On 25th February 2013 FIAN in Uttar Pradesh gave a Letter to Chief Commissioner of Department of Persons with Disability for the recruitment of visually challenged and the matter is under consideration.

Furthermore, as a part of the right to food endeavour, FIAN in UP has been documenting the implementation of **Integrated Child Development Schemes (ICDS)** and functional effectiveness of **Anganwadi** centers where children up to the age of 6 are to be taken care of.
**FIAN in Andhra Pradesh** has been closely working with the local communities, eendeavouring to promote their **access to livelihood, land and social security schemes including compensatory relief for families affected by the Krishnapatnam Port.**

Their work in the **Araku Valley region** in Visakhapatnam forest area (Eastern Ghat) includes extensive field surveys. These surveys show that the population of this area affected by extensive violations of water and food rights amount up to around 4,500 indigenous tribals. On 29th July 2013, these findings were submitted to Mandal Parishad Development Officer (MPDO) in 2 mandals by the FIAN team in AP, together with local representatives of the community. This report has received positive response in terms of issuance of ration cards which have eased the locals’ access to subsidized rice, wheat, oil and sugar.

Another notable achievement of FIAN is the allocation of 250 job cards and sensitisation of issues concerning physically challenged persons in Andhra Pradesh. This is a result of their constant meetings with the MPDO in May and June to provide job cards and ensure that the villagers get their due wages against their work.

Capacity building activities and awareness generation programmes for communities in their local languages have resulted in growing assertiveness and confidence of the locals in seeking their entitlements.

Ensuring food security for mining workers and perennially drought affected villages of Thar Desert in India has been a major initiative of **FIAN in Rajasthan.** It is all the more commendable as it has roughly covered a large section of 8,000 mine-workers.

FIAN in Rajasthan work in this region has undertaken a comprehensive case study regarding the implementation of different food security schemes in mineworker communities titled “Wheel of Misfortune” was compiled and circulated. A booklet on the right to food entitled “Adequate Food for All: The Right to be Liberated from Hunger” was written and published.

Technical trainings on food security and the right to food were organized for the non-governmental organizations in the area. FIAN in Rajasthan’s capacity building measures have generated better awareness of over 8000 mineworkers on the issue of food security and the right to food.
FIAN in Delhi is presently working with the migrant labourers living and working in Sanjay Colony, an urban slum located in the Okhla industrial area of Delhi. As per the FIAN mandate, the team in Delhi is focusing on violations of the Right to Adequate Food and related rights of this migrant population, who have been staying here for about 10-20 years on an average. These migrants from the states of Uttar Pradesh, Rajasthan, Bihar and Haryana, came to Delhi in search of employment and better opportunities for their families, however continue to toil with their daily hardships.

Amongst other problems faced by this migrant community, the most grave is non-issuance of ration cards and subsequent access to the facilities provided by the Government under the Public Distribution Scheme (PDS). The community members in Sanjay Colony work in the unorganized sector as unskilled ‘kataran’ workers, earning much below the stipulated minimum wages issued by the Labour Department of Govt. of NCT of Delhi.

In the initial stage of its work, FIAN in Delhi has –
- Survey of 200 migrant families living & working here in this community to understand the demographics, their work and access to different schemes of the Government.
- Held orientation sessions and community meetings with the migrant community, understanding their concerns; informing of different government schemes and preparing an action plan for working with them towards realization of their food security.
- Held stakeholder meetings and workshops, bringing the issue of migrants to a common platform, and developing strategies and plans so as to address the needs of this migrant community.
GLIMPSES FROM THIS YEAR’S EVENTS

Organizational Development and Strengthening of FIAN
FIAN India’s TOT¹ at Vijayawada, Andhra Pradesh
FIAN India, after taking due cognizance of the imperative needs of adding impetus to its ongoing interventions and campaigns aimed at ensuring right to food to every citizen of the country, organized a two-day planning and orientation programme on June 27th and 28th, 2013 in Vijayawada, Andhra Pradesh.

One main objective of this programme was to familiarize new members of FIAN with its general issues and programs and forthcoming challenges. Preference was designed on the prospective of reporting and documentation and the technical engagement with several important issues concerning right to food, labour, national and international laws, etc.

Deliberating on the occasion, Mr. D. Gurusamy, President FIAN India, opined “situation in India is conducive for food rights as India is a party to the International Covenant on Economic, Social, and Cultural Rights”. The constitutional empowerment of right to food in India indicates to a new paradigm of social action. Putting the issue into a perspective Ms. Suman, Vice-President, FIAN India, remarked “human rights based monitoring helps to screen national legislation and states’ commitment towards Right to Food”.

The meeting stressed the need for adequate and effective monitoring to track the progress of implementation of the right to food and detect violations as well as loopholes, if any. In a similar vein Mr. K. Loganathan, member of FIAN from Tamil Nadu, further stressed “the problem does not arise from lack of food but from lack of political will”.

Taking the debate forward Ms. Yifang Tang from IS informed the gathering that FIAN’s wings are spread all over the world with 19 sections while co-ordination is being done in Asia, Africa, Latin America and Europe amounting to a thumping total of 50 countries. She further re-iterated about FIAN’s secular work

¹ TOT: Training of Trainers
culture and consultative status to the United Nations Organization.

FIAN along with other civil society organizations in the recent past has been busy in campaigning for the legislation of Right to Food in India. The credit of successful legislation of National Food Security in India goes to the all networks campaigning for food rights and associates of FIAN. However, the two-day event at Vijayawada a significant contributed for re-enforcing the vision and mission of FIAN.

Organizational Development and Planning Meeting at New Delhi
A three day meeting that was held from 8th to 10th August 2013 at YWCA, Delhi, which was one of the crucial activities of FIAN in recent times towards internal stock-taking with a retrospective concern and a prospective vision for long organizational development.

The day one of the workshop deliberated on group activities while focusing on the technical and strategic issues. The participants were familiarized the structural nuances and weaker aspects of the actualizing right to food under the present political system. Perhaps more as a preparatory response from our own social perspective, the three day workshop acquainted the participants with sustainability of interventions, responsibility, report writing, effective implementation, transparent work culture, etc.

The second day of the meeting started with a discussion on the key areas of intervention of FIAN. Representatives from different state units of FIAN shared about their respective work, accomplishments so far and their planning for rest of the year.

- The officials of FIAN in Andhra Pradesh informed the participants about the continuation of FIAN projects in more than 50 villages in the Araku valley focusing on right to Work, addressing malnutrition, emphasizing social inclusion, and betterment of livelihood with a community friendly approach.
- FIAN in Uttar Pradesh brought out several other issues such as the need to work towards right to shelter, minimum wages for chicken kari workers, ICDS, etc.
- The leader from FIAN in Jharkhand stated that the land acquisition cases occurring in Karanpura Valley will be taken up by their group. They also informed about the updates of PIL filed by a local community member of Kusum Tola against continuous blasting and pollution of the river Damodar. The show cause notices have already been issued to concerning companies and reply from their side is awaited. They have further informed of the recently signed 30 MOUs between the companies and
the Ministry for the purpose of mining in Jharkhand alone. Since the mining has linkages with livelihood of people living in these areas, it is important that FIAN initiates more activities, educate the communities, Government officials and other stakeholders.

- With regard to the FIAN in Rajasthan, FIAN’s work pertains to migrant mine workers and their right to employment under MGNREGA\(^2\). The workshop discussed that the right to live in any area for these migrant workers is being violated as they do not have access to education, proper sanitation, food and shelter.

- Discussing on the FIAN in Tamil Nadu it was resolved that it would continue to focus on the right to livelihood of palm workers and protect them from migration and exploitation. The FIAN project in Tamil Nadu works for several villages in Satimangalam area which includes 56 villages mostly domiciled by tribal people.

- In the case of FIAN in Odisha, the three day workshop delivered on the POSCO case which acquired farmers’ agricultural land without their consent. The collective deliberation felt that it was tremendously affecting livelihood of the people and also children’s education. On this Ms. Kristin informed that a formal complaint to OECD in this regard has already been lodged.

- Quite similar to the Odisha experience, FIAN in Karnataka also shared their decision to work on the rehabilitation of forcibly evicted victims from their land in their state. FIAN in Karnataka also sought collective support in its fight for right to food and work under MGNREGA and emphasising the need to systematically educate people to seek employment under this Act, demand for job cards, get their bank accounts opened etc.

- FIAN representative from Bihar flagged off a discussion on recent deaths of children in Bihar due to consumption of adulterated mid-day-meal in the school. He further shared the anxiety and apprehension of parents to send their children to schools since the mid-day-meal were increasingly becoming dangerous to consume. Expressing solidarity for the victim’s parents, the workshop resolved to strengthened FIAN’s demand for quality right to food for all the children under various government schemes all across the country.

The third day of the workshop was fully dedicated to a discussion on as well as strategies for organizational development.

**National seminar on Right to Food for Dalits**

*Mr. D Gurusamy* and *Mr. Sanjay Rai* of FIAN India participated as resource persons/speakers at the National seminar on Right to Food for Dalits, which was conducted by Vikas Adhyayan Kendra at St. Pious College, Goregaon (East) in Mumbai on 24\(^{th}\) March 2013.

**International Dialogue Meet**

Eco Foundation for Sustainable Alternatives (EFSA) organized an International Dialogue Meet on ‘Towards building Responsible Gender Sensitive Society and

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2 MGNREGA – Mahatma Gandhi National Rural Employment Guarantee Act, 2005
Gender Just Society’ in Kerala from 29th September to 1st October 2013. Ms. Suman and Mr. Sanjay Rai from FIAN India were called by the organizers as resource persons.

Ms. Suman gave a statistical presentation on ‘Food security, health and nutrition from a gender perspective’. She emphasized that gender aspects of food security should be given importance in realizing right to food. Women’s economic and social empowerment not only improves intra-household food distribution and health related matters but also improves the working of food and nutrition programmes. We have to also examine the market reforms needed for achieving higher and sustainable growth in agriculture and right to food for the poor. The role of women as producers and providers of food is often overshadowed by their primary role as care-givers. However, in most of the developing countries, including India, large number of women is engaged in agriculture, primarily the production and processing of food. In fact the role of women in much higher in agriculture, thus they must be secured access to decision making, marketing and finances, decision making not only at home but at the village level and policy and government too.

Mr. Sanjay Rai spoke on Caste & Patriarchy from gender perspective and how women have been excluded from the decision making sphere. He opined that Indian political system cannot be said to be non-receptive to the emergence and dominance of women leaders. When elected to power even the women behave just like the men in power, this is due to the patriarchal mindset. We have witnessed the powerful women leaders who head important and strong regional political parties have behaved the same way as men and even with their positions of authority they did not include any specific mandate to address only women issues. In this sense as leaders of political parties, they were as power driven as their male peers, thus concluding that political leadership by women is not dramatically different from that of men.

Right to Food and Nutrition Watch 2013
Marking the importance of World Food Day, on 16 October 2013, the members of FIAN International organized multiple events and celebrations to address myriad of outstanding issues, ensure new legislations and raise awareness on human rights violations specifically issues pertaining to adequate food and nutrition.

FIAN India also organized release of yearbook Right to Food and Nutrition Watch 2013 across states. In Delhi, this event was presided by Mr. Rajiv Jai (Chairman, New Delhi Bar Association), Mr. Manoj Bhardwaj (Chairman Disability Rights Organization), Mr. Krishan Kumar (Chandigarh Police), Mr. Azam Mian (Additional secretary of minister, Government of India), and participants from different CSOs.
Similarly in Uttar Pradesh, the yearbook was released by Dr. G. P. Tiwari, General Secretary, Navchetan, Lucknow, Mr. V. Sampson, Ms. Neelam Prabhat, Ms. Nahid Aquil, Ms. Sambnam, Mr. Deepak Singh, Mr. Ajay Sharma, Mr. M. Ravi Kumar, and Sanjay Rai.

The 2013 edition of the Watch addresses Alternatives and Resistance to Policies that Generate Hunger and details how civil society initiatives based on the respect of human rights, offer solutions consistent with sustainability, equality, and justice. The report insists upon the need for inclusive and meaningful participation of people and communities in the development of those public policies which affect their lives.

Extra Territorial Obligations (ETOs)
Complying with the Extra Territorial Obligations (ETOs) of FIAN India and FIAN Nepal, the two sections of FIAN met at NepalGunj in Banke, Nepal on 17th December 2013. Together they discussed the issues of Laxmanpur Dam and Daduwa National Park on Indo-Nepal Border.

Empowering Women: A Sustainable Approach towards Right to Food’
FIAN with support from The Child Trust organized an event on ‘Empowering Women: A Sustainable Approach towards Right to Food’ at its national office in Delhi on 11th December 2013. The participants from civil society organizations discussed the strategies that should be adopted while working towards realization of right to food for all through focusing on women as an important integral part of the human society.
THE NATIONAL FOOD SECURITY ACT: A LONG ROAD TOWARDS THE REALIZATION OF THE RIGHT TO FOOD

By: FIAN India

The ambitious Indian National Food Security Bill has finally become an Act with the Bill gaining the consent of the President of India. The Indian Parliament passed the historic National Food Security Act (NFSA) with the approval of the Lower House on August 26th and the Upper House on September 2nd, 2013. NFSA which seeks to provide heavily-subsidized food grains to two-thirds (around 820 Million people) of India’s 1.23 billion people, is an important step towards fulfilling the constitutional mandate as well as international obligations stipulated in the human right treaties that were acceded and ratified by the Government of India.

Largest food security program in the world

With the Bill becoming an Act, India has now joined a select league of nations, where there is the legally binding and justiciable obligation of the government to distribute subsidized food grains to its population. In a country like India, in which the dramatic situation of malnutrition never has received such a political attention, the new law creates a broad framework of legal entitlements for 67 percent of the Indian population. The Indian food security program will be the largest in the world and would require 62 million tons of food grains every year. According to estimates, this would cost the government 130 trillion rupees (15.5 billion Euros). A new and positive dimension with regard to the Act is seen in terms of inclusion of coarse cereals (e.g. millets) in the food basket. Millets, which are grown across the country, have a high nutritious value, are resilient to climate change and consume less water, were neglected for a long time owing to different reasons, including the pressure created during the green revolution.

The National Food Security Act is Indian government’s attempt to rectify the critical deficiencies in providing one of the basic foundations of the fundamental right to life, which is enshrined in the Indian constitution. Very few details about the Act supporting the tall claims made by the government are also specific. The bill seeks to offer rice at Rs 3 per kg, wheat at Rs. 2 per kg and coarse cereals (e.g. millets) at Rs. 1 per kg to the intended beneficiaries. Up to 75 percent of the rural population and 50 percent of the urban population will get 5 kg of food grain monthly. The good thing is that the poorest of the poor who fall under the Antyodaya Anna Yojana will continue to get their present monthly entitlement of 35 kg of food grains. A legal framework with regard to food security for India derives from its obligations under international human rights law. As per India’s accession to the United Nations system and subject to ratification of the International Covenant on Economic Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women

3 http://egazette.nic.in/WriteReadData/2013/E_29_2013_429.pdf
4 A scheme crafted to provide highly subsided food to the poorest of poor. A separate card is issued to the beneficiaries.
(CEDAW), the Convention on the Rights of the Child (CRC), the Government of India is obliged to respect, protect and fulfil the international human rights obligations related to the right to food.

**Right to food: A fundamental right**
The Indian Constitution also provides a strong framework for the protection and promotion of human rights. Article 21 of the Indian constitution secures the protection of life and personal liberty. Article 47 states that “the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties”. In the Right to Food Case, the Supreme Court of India, referring to Article 21, stipulated that the right to life also encompasses the right to food, which was termed as a fundamental right. Apart from the NFSA, India has the following schemes and legislations that have direct and indirect bearing on food security, especially: Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Minimum Wages Act, Land Acquisition Rehabilitation and Resettlement Act (LARAR), Forest Rights Act, ICDS Scheme, Mid-Day Meals Scheme, Protection on Human Rights Act, etc. The Act in its present form promotes gender-based rights and social inclusion of women. It recognizes the eldest woman in the household as the family head for the purpose of issuing the ration card. The law further provides for social auditing, complaint mechanism and continuous reforms in the area of agriculture. The "local self-governments" at the village level are being authorized to take lead role in the process of implementation of the provisions of the Act.

**Right Bill at a wrong time?**
Nevertheless, the Act has faced widespread criticism from different sections in India, especially in terms of poor coverage, quantity of subsidized food, value chain, management etc. The Act, which has been much diluted from its original version, and criticized as a right bill at the wrong time considering the vulnerable economic situation of the country, offers more to bite and less to chew. The Act is poorly endowed with the vision to address the nutritional aspect. Critics say that the scope of the Act is limited towards issues like access to land, water, and employment. The way to realize all the intended provisions under the Act goes through the proper implementation. While the benefits of the Act could go well beyond just the provision of food, the success of the scheme and its welfare impact lies in identifying the poor and making sure that they are able to avail the food subsidy. Implementing the bill in a fair, equitable and transparent manner is going to be a big challenge for the government.

**Why are we concerned?**
In the recent past, the wide ranging and enthusiastic discussions on the NFSA were

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5 In 2001, the Government had 40 million tons of grains above the buffer stock – at a time when people were dying of starvation. On that simple proposition the PUCL (People’s Union for Civil Liberties) in Rajasthan filed a case at the Supreme Court. Asking the government to realize the right to food for its hungry population, and distribute the food stocks to those in need. PUCL referred to article 21 of the Indian constitution, which guarantees the fundamental right to life and according to PUCL would encompass the right to food. The Supreme followed this argument and recognized the right to food as fundamental right.

6 Integrated Child Development Services
hectic around areas of concerns among different actors including the Government, economists, voluntary organizations, activists, among others. Some of the concerns include that:

• The Role of Civil Society has not been considered prudently anywhere in this Act, whilst civil society could have played a wonderful role in implementation, conducting social audits, etc. Civil society participation is important as experiences from MGNREGA suggest.

• The quality of food grains, stored to be further distributed through the PDS\(^7\) is an issue of grave concern. In the majority of cases, food is stored in moisture and is not resilient to the erratic climatic conditions. India does not have the required storage capacities, which is a prerequisite to meet the challenges of distribution under the Act. In theory, the Act tries to cover the issue of micro nutrients in Schedule III, but it drastically fails to articulate how food rich in micronutrients is to be procured and distributed to the target population.

• Schedule III of the Act mentions agrarian reforms but this is not adequately defined and is loosely worded. Also, how and by when the government intends to achieve this target has not been mentioned. Issues pertaining to sharecroppers have also been overlooked.

• The significant issue of malnutrition is not properly addressed in the Act. In India, there are 61 million children chronically undernourished, and 8 million children suffering from severe acute malnutrition\(^8\), which jeopardizes children's survival, health, growth and development, and slows national progress towards development goals. Therefore, the focus needs to be on the right to adequate nutrition, beyond the right to food. The amount of grains to be distributed (5kg per adult per month) is far below the recommendations of the Indian Council for Medical Research, which recommends 14kg of grains for adults and 7kgs for children. Another area of critic is that other essential food commodities like pulses and oil are not included.

• Agricultural experts believe that the National Food Security Act (NFSA) with the provision of grain to people at very cheap rates may discourage the agriculture production in the country. Farmer bodies have opposed the Act saying it would lead to monopolistic control on agriculture by making the government the biggest buyer, hoarder and seller of food grains. There is a clear feeling that this might distort the market mechanism and reduce the bargaining power of farmers. The Act makes no provisions for the production of food or for support of small and marginal farmers who are food producers. Women farmers are also not recognized in the Act.

• The term priority household would remain the bone of contention across the implementation process of the Act. The Indian Planning Commission has not yet reached to a reflective definition of poverty. Another report (to be prepared by the

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\(^7\) India's Public Distribution System  
\(^8\) UNICEF November 2009 edition, Tracking Progress on Child and Maternal Nutrition
Rangarajan committee) is still to be tabled for future reference. India could not develop a scale to gauge the poverty hitherto, and this situation creates doubts in the minds of people.

The Act lays down a number of reforms, like the increment in investment in agriculture or augmentation of adequate decentralized modern and scientific storage but no technique or procedural guidelines have been mentioned to achieve the targets. The Act should have also dealt with issues of unemployment, land acquisition and provision for education to achieve a state devoid of hunger and malnourishment. Another point relevant in this context is access to natural resources. The Act should prevent the forcible diversion and acquisition of agriculture lands, water and forests for non-agricultural purposes. Migrants, destitute, senior citizens and persons with disability should be included and adequate provisions should be made for them.

There is an immense need to capacitate and revamp the local governance system for a better implementation of the legislation. After the tragedy of Bihar Mid-Day Meal incidence⁹, parents are not sending their children to schools. Cooks working under the Mid-Day Meal Scheme are poorly paid, untrained and badly compensated. The PDS system of the Indian state of Chhattisgarh should be carefully replicated wherein the government has brought the leakage down to 5-7 per cent. Unfortunately, the Act falls short of the expectations to have a comprehensive legislation to address hunger and malnutrition in India effectively and in a sustainable way. The focus of the new law is mainly on the public distribution system. The realization of the right to food, however, cannot be separated from access to natural resources, adequate wages and income, and a functioning social security system. The new Food Security Act – synergized with all the already existing laws and provisions – could have acted as an additional meaningful strategy towards realization of the right to food for all in India¹⁰.

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⁹ On 16 July 2013, at least 23 students died and dozens more fell ill at a primary school in the village of Dharmashati Gandaman in the Saran district of the Indian state of Bihar after eating a Midday Meal contaminated with pesticide.

¹⁰ This article first appeared in the Right to Food Journal Vol. 8, 2013, Number 1. FIAN International Journal. Also see, http://www.fian.org/library/publication/detail/right-to-food-journal-vol-8-no-1/
‘None given work for 100 days under job scheme’

Staff Reporter

Food First Information and Action Network organises consultation

Even as the State government has taken up steps to cleanse the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) by ensuring electronic transfer of funds to bank accounts of beneficiaries and threatened action against those swindling funds, activists and members of Grameena Kooli Karmikara Sanghatane, the State Union of MGNREGA workers, have alleged that lacunae in the implementation of the Act continue to exist.

Speaking at a national-level consultation organised by Food First Information and Action Network (FIAN), Terasa, who works with MGNREGA workers in Nanjangud in Mysore district, said that even though the scheme aims to provide 100 days of work a year to rural households at a pre-determined minimum wage rates, none of the workers were given work for 100 days.

She also pointed out that the workers who are paid Rs. 174 have to wait for several months after they completed their work to get their wages. “Even though the government has stated that delays would be avoided, the workers sometimes have to wait for two-three months after they completed work to get their wages. As a result, many do not turn up for work under MGNREGA.”

Meanwhile, Dilip Kamat, president of FIAN Karnataka, said that the members of the union were trying to have a dialogue with the local authority to ensure that productive rural assets were created. “Apart from ensuring employment to people in rural areas, we want to ensure that civil works under the scheme is of use to the people,” he said.

• ‘Workers have to wait for several months to get wages’
• ‘As a result, many do not come to work under the Act’
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