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Title: Further discussion on the motion for consideration of the National Food Security Bill, 2011, moved by Prof. K.V. Thomas.

MADAM CHAIRMAN: The House shall now take up further consideration of the motion moved by Prof. K.V. Thomas on the 2<sup>nd</sup> May, 2013. The Minister may initiate the debate.

...(Interruptions)

THE MINISTER OF STATE OF THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K.V. THOMAS): Madam, I rise to place the National Food Security Bill, 2011 for further consideration and passing by this august House. I also hereby place the motion for official amendments to this Bill before this House for consideration and passage. ...*(Interruptions)*

As all the esteemed members present here know, UPA Government is committed to provide food security to the people of India. The President of India in her address to the Joint Session of Parliament on 4<sup>th</sup> June, 2009, inter alia, announced that a new Act - the National Food Security Act - will be enacted to provide a statutory basis for a framework which assures food security for all. ...*(Interruptions)*

Accordingly, the National Food Security Bill was introduced in the Lok Sabha on 22<sup>nd</sup> December, 2011 to address the issue of food security in a comprehensive manner, by adopting a life cycle approach. The Bill was introduced after a wide-ranging consultation with various stakeholders. ...*(Interruptions)*

After introduction, the Bill was referred to the Standing Committee on Food, Consumer Affairs and Public Distribution, who interacted with other Central Ministries/Departments, various other organisations and individuals and visited States/UTs and submitted its report to the Speaker, Lok Sabha on 17<sup>th</sup> January, 2013. The recommendations of the Standing Committee have been examined in consultation with concerned Central Ministries/Department and also with the Food Ministers and Food Secretaries of States/UT. ...*(Interruptions)*

Based on the recommendations of the Standing Committee and views of various stakeholders thereon, the Government has decided to move certain amendments to the Bill. These amendments seek to make the framework of the proposed legislation simpler, provide more flexibility to States/UTs in its implementation and to address some of the concerns raised by them. ...*(Interruptions)*

Main amendments to the Bill approved by the Cabinet are as under:

- i. Coverage and entitlement under Targeted Public Distribution System (TPDS): Instead of coverage of upto 75% of the rural population and upto 50% of the urban population under two categories of priority and general households with different entitlements and issue prices provided in the original Bill, there would be only one category of beneficiaries with uniform entitlement of 5 kg per person per month. ...*(Interruptions)*
- ii. Protection of entitlements under Targeted Public Distribution System: The entitlements of Antyodaya Anna Yojana (AAY) households, which constitute poorest of the poor will, however, be protected at 35 kg per household per month, it is also proposed to accept the recommendation of the Committee to protect the existing allocation of foodgrains to the States/UTs, subject to it being restricted to average annual offtake during last three years (2009-10 to 2011-12). ...*(Interruptions)*
- iii. State-wise coverage and identification of beneficiaries: Corresponding to coverage of 75%/50% of the rural/urban population at the all India level, State- wise coverage will be determined by the Planning Commission. ...*(Interruptions)* The work of identification of eligible households is proposed to be left to the States/UTs, which may frame their own criteria or use the Socio Economic and Caste Census (SECC) data.

- iv. Subsidised Prices under TPDS and their revision: Uniform prices of Rs. 3/2/1 per kg for rice/wheat/coarse grains will be applicable to all eligible beneficiaries. It is proposed to fix these prices for the first three years of implementation of the Act, and thereafter link the same suitably to MSP. ...(*Interruptions*)
- v. Cost of intra-State transportation & handling of food grains and FPS Dealers' margin: In order to address the concerns of States/UTs regarding additional financial burden, it is proposed that Central Government may provide assistance to States towards cost of intra-State transportation, handling of food grains and FPS Dealers' margin, for which norms will be devised. ...(*Interruptions*)
- vi. Maternity benefit: The original NFSB provides payment of maternity benefit to pregnant women and lactating mothers @ Rs.1000 per month for 6 months. In order to give operational flexibility in disbursement of the maternity benefit, and also to allow the scope for revision in future, it is proposed to entitle such women to payment of at least Rs.6000 in such installments as may be prescribed in the scheme to be formulated for the purpose. ...(*Interruptions*)
- vii. Grievance Redressal Mechanism: It is proposed to allow States/UTs to use the existing machinery for District Grievance Redressal Officer (DGRO), State Food Commission, if they so desire, to save expenditure on establishment of new set-up. ...(*Interruptions*)

At the coverage and entitlement now proposed, total estimated annual food grains requirement is 612.3 lakh tons and the corresponding estimated food subsidy for implementation of NFSB, at 2013-14 costs, is about Rs. 1,24,747 crore. When compared to the estimated food subsidy requirement under existing TPDS and Other Welfare Schemes, the additional food subsidy implication is about Rs. 23,800 crore per annum. Requirement for assistance to States for meeting the expenditure on Transportation, Handling and FPS Dealers' margin, etc., would be additional. ...(*Interruptions*)

The National Food Security Bill is a historic initiative for ensuring food security of the people. The Bill marks a paradigm shift in food security from welfare to a rights based approach. It seeks to address the issue of food security in a comprehensive manner, by adopting a life cycle approach. ...(*Interruptions*)

With these observations, I seek whole hearted support of the House for passing of this historic legislation. ...(*Interruptions*)

MADAM CHAIRMAN : Motion moved:

"That the Bill to provide for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity and for matters connected therewith or incidental thereto be taken into consideration."

...(*Interruptions*)

MADAM CHAIRMAN: Shri Sanjay Nirupam to speak.

...(*Interruptions*)

**सभापति महोदया:** आप लोग अपने स्थानों पर जाइए, क्योंकि बिल पास होना है।

â€¦(*व्यवधान*)

**श्री संजय निरुपम (मुम्बई उत्तर):** महोदया, ...(*व्यवधान*) देश को आजादी के बाद से आज तक इतना महत्वपूर्ण बिल, इतना महत्वपूर्ण कानून नहीं मिला है। देश में बड़े पैमाने पर लोग भूखे रह रहे हैं, कुपोषण के शिकार हैं, गरीबी में जीते हैं। पुरानी कहावत है कि भूख की मार और गरीबी से बड़ा अभिशाप कुछ भी नहीं होता है। ...(*व्यवधान*) ऐसे में आज हमारी सरकार नेशनल फूड सिक्योरिटी बिल लेकर आयी है। इस बिल के माध्यम से देश में जो कानून बनेगा और उसके माध्यम से देश के गरीब लोगों को सस्ता भोजन मिलेगा। गांव में रहने वाले 75 प्रतिशत लोगों को लगभग मुफ्त में खाना मिलेगा। ...(*व्यवधान*) शहरों में रहने वाले आधे से ज्यादा लोगों की भूख मिट जाएगी। ...(*व्यवधान*) इतना महत्वपूर्ण कानून बनाते समय जिस प्रकार से हमारे विपक्ष के साथी शोर मचा रहे हैं, ऐसा लगता है कि इनको भूख और गरीबी से पीड़ित जनता के प्रति कोई मोह नहीं है। ...(*व्यवधान*) उनके प्रति इनके मन में कोई दया भाव नहीं है। ऐसे महत्वपूर्ण विधेयक का मैं स्वागत करता हूँ और सदन से अपेक्षा करता हूँ कि इस विधेयक को पास किया जाए और कानून बनाया जाए।...(*व्यवधान*)

मैंडम, हमारे देश की जनता को एक रुपये किलो मकई, ...(*व्यवधान*) दो रुपये किलो में गेहूं, ...(*व्यवधान*) और तीन रुपये किलो में चावल मिलेगा ...(*व्यवधान*) और जब इतने सस्ते अनाज मिलेंगे तो निश्चित तौर पर देश की जनता को सहत मिलेगी। ...(*व्यवधान*) शायद पूरी दुनिया में ऐसा कोई कानून नहीं है, ...(*व्यवधान*) पूरी दुनिया में ऐसी कोई व्यवस्था नहीं है। ...(*व्यवधान*) जिस में लगभग छः करोड़ टन अनाज हम गरीब लोगों के बीच बाँटेंगे ...(*व्यवधान*) और उनकी भूख मिटाएंगे। ...(*व्यवधान*) लगभग एक लाख पैंतीस हजार करोड़ रुपये...(*व्यवधान*) जो हमारी सब्सिडी है, ...(*व्यवधान*) वह भी सरकार देने को तैयार है।

â€¦(व्यवधान)

सभापति महोदया : डिबेट में भाग लीजिए।

â€¦(व्यवधान)

श्री संजय निरुपम : गरीब की मदद करने के लिए, ... (व्यवधान) उन की भूख मिटाने के लिए... (व्यवधान) गरीब बच्चे ... (व्यवधान) कुपोषण के शिकार बच्चे... (व्यवधान) के जीवन में खुशियां आए... (व्यवधान) इस के लिए यह कानून बनाया जा रहा है। ... (व्यवधान)

मैं सरकार को बधाई देता हूं, ... (व्यवधान) यूपीए चेयरपर्सन माननीय सोनिया गांधी जी को बधाई देता हूं, ... (व्यवधान) अपने प्रधानमंत्री जी को बधाई देता हूं ... (व्यवधान) और खाद्य मंत्री जी को बधाई देता हूं कि... (व्यवधान) गरीब लोगों के लिए एक अत्यंत महत्वपूर्ण और बड़ी अहमियत वाला कानून पास हो रहा है।

SHRI DINESH TRIVEDI (BARRACKPUR): Madam Chairman, thank you for the opportunity to speak on this Bill. With your permission, if I am not able to complete my speech, I would like to lay it on the Table of the House.

At the outset, let me say that this is one of the most important piece of legislation after independence of India. As the world's second fastest growing economy, India suffers the ignominy of carrying one of the highest burdens of child malnutrition globally. Our hon. Prime Minister has rightly described it as a "national shame". It is in this context that I feel that the National Food Security Bill is not just crucial but it is imperative. I am, therefore, disappointed to note that such an important piece of legislation has been put on the backburner for so long after the intent to legislate as it was announced almost four years ago by the UPA-2 Government. I have a written speech and I would like to submit this on the Table of the House. This is one of the crucial Bills. It is unfortunate that we cannot debate this Bill. ... (Interruptions)

We should debate this Bill because this will go to the poorest of the poor and this is very important piece of legislation. ... (Interruptions)

With your permission, I would like to lay rest of my written speech on the Table of the House.

\*â€¦.\* My view is that instead of drawing inspiration from the directive principles of our Constitution, the proposed NFSB takes us further away from the vision of the founding principles of our nation.

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\*â€¦.\* This part of the speech was laid on the Table

There are many positive aspects of the NFSB, most importantly, the fact that it introduces a series of entitlements across the lifecycle of almost every citizen in the country under a fairly comprehensive framework. The provisioning of maternity entitlements for all pregnant and nursing mothers in our country is another way of advancing the frontier of maternity rights. Yet, I must add that it falls way short of what is needed to eliminate the scourge of hunger and malnutrition and we are on the cusp of losing yet another opportunity to deal with the inequity and injustice that condemns millions of my fellow Indians to hunger and starvation.

My reservations about the NFSB in its present shape are summarized.

The gravest injustice that this legislation does is to children's right to food. Including just the supplementary nutrition component and not the other five services of the ICDS under the rights framework, is a half-hearted attempt to stall the

inclusion of this crucial programme in the NFSB and make it more accountable. I would, therefore, urge that all the other services of the ICDS viz. referrals, immunization, nutrition and health education, pre-school and growth monitoring are also brought into the ambit of the Bill.

The most retrograde aspect of the legislation vis-à-vis children is the facilitation of the backdoor entry of contractors into the ICDS. This is being done by legislating that for each micro-nutrient, 50% of the Recommended Dietary Allowance (RDA) is met (Schedule 2), the Bill is ensuring that, contrary to current Supreme Court orders (2004, 2006 in the PUCL vs. Union of India and Others). It would lead to the further commercialization of children's nutrition and vested private sector interest taking over the supplementary nutrition programme.

The National Advisory Council (NAC) had detailed chapters in their draft version of the NFSB which was forwarded by the UPA Chairperson to the Government on dealing with the needs of the destitute and most marginalized sections of our country including the urban homeless, people affected by starvation, out of school children etc. through destitute feeding programmes, community kitchens, emergency feeding programmes and so on. I am deeply saddened to note that all of these progressive parts of the NAC draft have been removed from the Bill that has now been listed in Parliament, even though they were included when the NFSB was tabled in December, 2011.

Similarly, the grievance redressal section of the NFSB, as drafted by the NAC has been whittled down and turned toothless by the Ministry of Food, Consumer Affairs and Public Distribution and reduced to a 'jobs for the boys' programmes for retired and serving government officials.

I would now like to dwell on the most shocking aspect of this legislation. The *force majeure* section (52) of the NFSB 2011 reads:

*"This clause provides for Force Majeure. It provides that the Central Government, or as the case may be the State Governments, shall not be liable for any claim by persons belonging to the priority households or general households or other groups entitled under this Act for loss, damage, or compensation; whatsoever, arising out of failure of supply of foodgrains or meals when such failure of supply is due, either directly or indirectly, to Force Majeure conditions, such as, war, flood, drought, fire, cyclone, earthquake or any act of God."*

As you will see the legislation seeks to actively deny those most in need of food assistance, and those who are sure to die if these fundamental entitlements are not made available in case of such emergencies. If you permit me, I would like to draw an analogy here. This clause is akin to a Government stating that it is willing to provide medicines to everyone, except when they fall ill!

The legislation seeks to reduce the entitlement of foodgrains of those families who are below the poverty line from the existing entitlement of 35kgs to 25 kgs per household per month. I would like to point out that based on Indian Council for Medical Research (ICMR) recommendations, a household with two working adults, two children and one old person, on an average requires 50 kgs of foodgrains per month. I would therefore urge that no reduction in quantity is allowed to pass though in the name of legislating the right to food.

India's agrarian crisis had led to more than a quarter of a million farmers committing suicide since 1996. This is a statistic that the National Crime Records Bureau (NCRB) has brought out and represents the largest wave of farmer suicides in recorded human history. Yet, the NFSB pays lip service to agriculture. I fail to understand why the Minimum Support Price Mechanism (MSP), which is a statutory guarantee, could not have been affirmed as a legal entitlement in the National Food Security Bill? How can India become food secure if 70% of its people who derive their sustenance from the farm sector remain insecure? If there was an opportunity for the Government to send a positive message to our farmers, it was the NFSB. If the Government had taken on board the various recommendations of the National Farmers Commission, chaired by Dr. M S Swaminathan, and made them integral to the NFSB, it would have led to dramatic change in the agrarian landscape of the country. Yet the Government has not missed a single opportunity to miss an opportunity!

Lastly, I would like to draw the Government's attention to the Chhattisgarh Food Security Act, 2012 (CFSA) that was passed by the State Assembly and is currently being implemented there. It takes care of most of the concerns that I listed above. I am hopeful that concerns of farmers will also be eventually added to the CFSA. I am hopeful that Parliament will be able to make the necessary amendments to the National Food Security Bill to make it progressive.

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The NFSB is a historic opportunity that India cannot afford to miss. I write in this tone of anguish because I feel strongly that in so far as food security is concerned, we should all be able to rise above our political differences and take a bipartisan approach. India deserves better than what we are proposing to legislate. If we do not rise to the occasion, the political class will once again be letting down the millions of poor and marginalized people who have sent us to Parliament to represent them.\*â€|.\*

डॉ. संजीव गणेश नाईक (ठाणे): मैं माननीय अध्यक्ष जी और सरकार को धन्यवाद देता हूँ।...(व्यवधान) मैं एनसीपी पार्टी की ओर से माननीय प्रधानमंत्री जी तथा ...(व्यवधान) यूपीए की चेयरपर्सन माननीय सोनिया गांधी जी, ...(व्यवधान) आदरणीय शरद पवार जी, कृषि मंत्री...(व्यवधान) और सरकार को धन्यवाद

देता हूँ। ...(व्यवधान) इस देश के आम आदमी को इतने सस्ते में अनाज देने वाले देश में सबसे पहले हमारा हिन्दुस्तान होगा।...(व्यवधान) इस की वजह से हमारे देश के आम आदमी को राहत देने वाली यूपीए-टू को मैं धन्यवाद देता हूँ कि...(व्यवधान) आने वाले समय में इस बिल को पारित करने के बाद सभी राज्यों के लोगों को सही मायनों में इस का फायदा हो...(व्यवधान) ऐसा मैं सरकार से विनती करता हूँ ...(व्यवधान) और गरीब आदमी को इस से राहत मिलेगी।...(व्यवधान)

हमारी एनसीपी पार्टी की ओर से मैं इस बिल का समर्थन करता हूँ।...(व्यवधान)

**श्री भक्त चरण दास (कालाहांडी):** सभापति महोदया, मैं खाद्य सुरक्षा बिल का समर्थन करता हूँ।...(व्यवधान)

यूपीए सरकार का यह कमिटमेंट था, ...(व्यवधान) 2009 के चुनाव में हमारे मेनिफेस्टो में यह बात थी। ...(व्यवधान) इस बात को उस समय माननीय राष्ट्रपति महोदया ने ज्वाइंट पार्लियामेंट्री सेशन को एड्रेस करते हुए कहा था।...(व्यवधान) हमारी अध्यक्ष श्रीमती सोनिया जी की लीडरशिप में नेशनल एडवायज़री काउंसिल ने इस पर काफी एक्सप्रेसडज़ करके इस बिल को लाने की सिफारिश की थी।...(व्यवधान) हमारे प्रधान मंत्री, श्री मनमोहन जी की इकोनॉमिक एडवायज़री काउंसिल ने भी इस बिल को मंजूरी दी थी।...(व्यवधान) इससे इस देश की गरीब जनता को सस्ते भाव में खाद्य सामग्री उपलब्ध होगी।...(व्यवधान)

MADAM CHAIRMAN : The House stands adjourned to meet tomorrow on 7<sup>th</sup> May, 2013 at 11.00 a.m.

**15.16 hrs**

**The Lok Sabha then adjourned till Eleven of the Clock**

*on Tuesday, May 7, 2013/Vaisakha 17, 1935 (Saka).*

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\* Introduced with the recommendation of the President.