

**പതിമൂന്നാം കേരള നിയമസഭ  
നാലാം സമ്മേളനം**

നക്ഷത്ര ചിഹ്നമിട്ട ചോദ്യം നമ്പർ : 153

22.03.12 ൽ -മറുപടിക്ക്

**ഭക്ഷ്യ സുരക്ഷാ പദ്ധതി**

**ചോദ്യം**

**ഉത്തരം**

ശ്രീ. കെ. മുഹമ്മദുണ്ണി ഹാജി  
,, സി. മോയിൻകുട്ടി  
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ശ്രീ.ഉമ്മൻ ചാണ്ടി

(എ) കേന്ദ്ര സർക്കാർ നടപ്പാക്കുന്ന ഭക്ഷ്യ സുരക്ഷാ പദ്ധതിയുടെ വിശദാംശം സംസ്ഥാനം പരിശോധനാ വിധേയമാക്കിയിട്ടുണ്ടോ;

(എ) ഉണ്ട്

(ബി) എങ്കിൽ അത് സംബന്ധിച്ച വിവരം വെളിപ്പെടുത്തുമോ;

(സി) സാർവ്വത്രികമായ പൊതുവിതരണ സംവിധാനം നിലനിൽക്കുന്ന സംസ്ഥാനത്ത് ഭക്ഷ്യ സുരക്ഷാ പദ്ധതികൊണ്ട് ലഭിക്കാവുന്ന നേട്ടങ്ങളെക്കുറിച്ച് വിലയിരുത്തിയിട്ടുണ്ടോ; എങ്കിൽ വിശദവിവരം വെളിപ്പെടുത്തുമോ;

(ബി)

(സി)

സംസ്ഥാനത്തിന്റെ നിർദ്ദേശങ്ങൾ കേന്ദ്ര സർക്കാരിന് സമർപ്പിച്ചിട്ടുണ്ട്.

സാർവ്വത്രിക പൊതുവിതരണം നിലനിർത്തുന്നതിനാവശ്യമായ നടപടി സ്വീകരിക്കണമെന്ന് കേന്ദ്ര സർക്കാരിനോട് അഭ്യർത്ഥിച്ചിട്ടുണ്ട്. പദ്ധതിയിലെ സംസ്ഥാനത്തിന് ഗുണകരമായ നിർദ്ദേശങ്ങളെ സ്വാഗതം ചെയ്തിട്ടുണ്ട്. കേന്ദ്രഗവൺമെന്റിൽ സമർപ്പിച്ചിരിക്കുന്ന നിർദ്ദേശങ്ങൾ ഉൾപ്പെടെയുള്ള വിവരങ്ങൾ അനുബന്ധമായി ചേർക്കുന്നു.

(ഡി) സംസ്ഥാനം നടപ്പാക്കിവരുന്ന ഒരു രൂപയ്ക്ക് ഒരുകിലോ അരി പദ്ധതി ഭക്ഷ്യസുരക്ഷാ പദ്ധതിയുമായി യോജിപ്പിക്കാൻ ഉദ്ദേശിക്കുന്നുണ്ടോ;


(ഡി)

ഇതു സംബന്ധിച്ച് തീരുമാനം ഒന്നും കൈകൊണ്ടിട്ടില്ല.

(ഇ) ഇത്തരം ക്ഷേമപദ്ധതികളുടെ പൂർണ്ണ പ്രയോജനം അർഹപ്പെട്ടവർക്കെല്ലാം ലഭിക്കുന്നുണ്ടെന്നും, ഈ ആനുകൂല്യം ഇടത്തട്ടുകാർ തട്ടിയെടുക്കുന്നില്ലെന്നും ഉറപ്പുവരുത്താൻ എന്തൊക്കെ സംവിധാനങ്ങളാണ് നിലവിലുള്ളതെന്ന് വെളിപ്പെടുത്തുമോ?

(ഇ)

ബി.പി.എൽ /എ.എ.വൈ പദ്ധതിയിൽ ഉൾപ്പെട്ടിട്ടുള്ള അനർഹരെ ഒഴിവാക്കുന്നതിന്റെ നടപടികൾ സ്വീകരിച്ചു വരുന്നു. മേൽ കാർഡുകളിൽ സർക്കാർ അർദ്ധ സർക്കാർ, പൊതുമേഖല എന്നിവയിലെ ജീവനക്കാർ ഉൾപ്പെട്ട 29211 ബി.പി.എൽ കാർഡുകൾ എ.പി.എൽ കാർഡുകളാക്കി മാറ്റിയിട്ടുണ്ട്.

  
 സെക്ഷൻ ഓഫീസർ

GOVERNMENT OF KERALA

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS  
DEPARTMENT

COMMENTS ON THE DRAFT NATIONAL FOOD SECURITY  
BILL

**I. Right to Food Security**

In the original draft of the National Food Security Bill prepared by the National Advisory Council (NAC), the right to Food Security was enshrined as a right of all citizens in the Country. However in the draft NFSE, this has been omitted.

Remarks:

Government of Kerala is of the view that enshrining food security as a right of every citizen through the NFSE helps elevate this ideal of food security from being equated to a an extended or more comprehensive nutrition programme. It would be apt to declare in the NFSE, that Government recognizes food security as a fundamental and inalienable right of our citizens.

Suggestions:

1. Therefore, it is recommended that consistent with the draft of the NAC, the Right to Food Security may be recognized as a right of every citizen and legislated through the draft NFSE. Appropriate amendments in the draft NFSE may be therefore made.

**II. Computation of poverty estimates**

1. In Chapter 1, Section 2, Definitions (p) of the Draft NFSE, "poverty estimates" means such percentage of population living below the poverty line as may be determined by the Central Government from time to time.

2. Section 13(2) of the draft NFSE provides that the State-wise distribution shall be done by the Central Government based on State-wise rural and urban poverty ratios determined and specified by it, from time to time in consultation with the Planning Commission.

**Remarks:**

Government of Kerala has consistently maintained that the identification of the population below the poverty line in Kerala, as is being done currently has led to the exclusion of a significant number of persons who are actually below the poverty line. From data available with the Directorate of Civil Supplies, there are 2056535 BPL families covered under the PDS (14.6 lakh BPL card holders, and 5.96 lakh AAY card holders). Government of India has reckoned the number of BPL families in Kerala around 15 lakhs. The estimates drawn up through the Local Self Governments assess the number of BPL families at 32 Lakhs. Evidently, the methodology adopted by the Government of India in the determination of poverty estimates based on statistical methods clearly leads to a significant exclusion of poor families from the coverage. In short, the basis adopted by the Planning Commission for the determination of BPL families is a statistical estimate and does not reflect true levels of poverty in the State.

**Suggestions:**

The poverty estimates should be arrived at on the basis of a consultative mechanism to be evolved by Government of India jointly with the State Government and with the involvement of the Local Self Governments in the actual determination of poverty levels in the States.

### **III. Coverage under NFSB**

Section 13(1) in Chapter III of the draft NFSB specifies that the percentage coverage of overall rural and urban population under the priority and general households, for the purposes of providing subsidized foodgrains under the Targeted Public Distribution System, shall be as specified in Schedule III of the Bill.

Schedule III in the draft NFSB specifies that for Rural India, upto 75% of the total population, with at least 46% population belonging to priority households and for Urban India, upto 50% of the total population, with at least 28% population belonging to priority households shall be brought under the ambit of the Food Security System.

**Remarks:**

1. For a food grains deficient State like Kerala, the State depends on the universal PDS to provide food security to the people and to contain the prices of essential food grains. Universal PDS was introduced in the State as early as from 1965. As referred to above Ration Cards have been issued to 76 lakhs families in the State.

2. Several official estimates in Government of India prepared in the past, have assessed the total number of APL and BPL households covered by the Targeted Public Distribution System to be approximately 18 crore. This implies that the current TPDS covers roughly 90% of the population. However, by setting a cap of 75 per cent households in rural India and 50 per cent in urban India several lakhs of families holding APL cards will stand excluded from the PDS.

3. In the draft finalised by the NAC, it was proposed to cover 90% of rural households for the provision of subsidized foodgrains.

**Suggestions:**

1. The total coverage in rural areas should be retained at 90% of the rural population as was envisaged by the NAC in its original draft.

2. The Central Government should also draw up a phased plan and time frame for universal (100%) coverage of all BPL families, with appropriate exclusion criteria, for the provision of subsidised food grains and include this in Schedule III of the draft NFSB.

**IV. Food grain entitlements**

1. Sections 3(1) and 3(2) in Chapter 2 of the draft NFSB specify the entitlements under the Targeted Public Distribution System as such quantity of foodgrains at such prices as may be specified in Schedule I.

2. Sections 23 (1) and 23(2) also provides the obligations of the Central Government to allocate from the central pool the required quantity of foodgrains to the State Governments under the Targeted Public Distribution System, as per the entitlements and at prices specified in Schedule I.

3. Schedule I stipulates that the entitlement per person per month shall be seven kilograms of foodgrains for priority households and three kilograms of foodgrains for general households.

4. Schedule II of the draft NFSB provides that General Households shall be supplied food grains at 50% of the Minimum Support Price.

**Remarks:**

1. Currently in Kerala, a BPL family is entitled to 32 kilograms of foodgrains per month (25 kg of rice and 7 kg of wheat) and an APL family to 15 kilograms of foodgrains per month (12 kg of rice

and 3 kg of wheat).

2. At present an APL family is supplied rice at Rs.8.90 per kg and wheat at Rs.6.70 per kg.

Suggestions:

1. In the draft NFSB, the basis of allocation is changed from the present quota of 35 kg per family to an individual-based system fixed at 7 kg per person for a BPL family. This will end up to the disadvantage of States like Kerala who have done well on adoption of population control measures.

2. Instead of reducing the present quota of 35 kg for a BPL family with four members it is suggested that the minimum allocation at 35 kg for a family. Thereafter for every additional person over five persons in the family, a certain stipulated quantity (say 5 to 7 kg) should be additionally provided.

3. Similarly in the case of of APL families, a minimum entitlement of 15 kg of foodgrains may be made per family, with a certain stipulated quantity (say 2 to 3 kg) provided for every additional member over five persons in the family.

4. Linking the issue price at which foodgrains will be supplied to APL cardholders to the Minimum Support Price will clearly introduce problems of a different nature. This will create a set of APL beneficiaries who will have a vested interest in seeing that the Minimum Support Price to farmers is kept as low as possible. Therefore it is recommended that the price of foodgrains to General Households be kept at 3 times the issue price to Priority Households. Thus Rice, Wheat and Coarse grains may be supplied at Rs.9, 6 and 3 per kg to Priority Households.

**V. Expenditure incurred for implementation of schemes for realization of entitlements**

1. Chapter 2, Section 7 in the draft NFSB provides that the entitlements under sections 4, 5 and 6 shall be realized through specific schemes, which shall be implemented by the State Governments in accordance with guidelines, including cost sharing between the Central Government and the State Governments in such manner as may be prescribed by the Central Government.

2. Chapters III in the draft NFSB provides for entitlements of special groups. Chapter IV in the draft NFSB deals with identification and relief of persons living in starvation. Chapter V in the draft NFSB envisages a Food Security Allowance, if there is a failure to provide the entitled quantities of foodgrains or meals to the entitled persons, as prescribed by the Central Government from time to time.

3. Chapter VIII of the draft NFSEB contemplates setting up a Grievance Redressal Mechanisms, which includes appointment of District Grievance Redressal Officer and constituting a State Food Security Commission.

Remarks:

1. In the draft Bill prepared by the NAC, it was provided that the Central Government shall provide to the State governments (a) Food grains free of cost, including costs of storage and transportation; or the cash equivalent of the procurement costs borne by State Governments in case of decentralized procurement, to State Governments; (b) Administrative expenses of a minimum of six percent for the implementation of National Food Security.

2. It was also envisaged that other costs incurred for the implementation of National Food security, shall be shared between Central and State governments in such a way that Central Government bears at least 70% of all costs.

Suggestions:

1. All expenditure necessary for implementing nutritional support contemplated for pregnant women, lactating mothers and children as well as the expenditure to be incurred under Chapter VIII (setting up a grievance redressal mechanism and constituting the State Food Security Commission) should be also computed as the total cost of implementation of the NFSEB, as was the approach in the draft Bill presented by the National Advisory Committee. The expenditure to be incurred by the States for providing the entitlements under all the schemes envisaged under National Food Security Bill should be shared as was contemplated in the original draft Bill prepared by the NAC. Needless to say, if this is not done, the expenditure would make a serious dent on the State's finances and can make the implementation of the NFSEB unviable.

2. Kerala has a universal PDS which is at present the backbone of its social security system. The State Government incurs a substantial outlay every year to maintain the PDS. The guidelines including cost sharing should not be unilaterally determined by the Central Government. It should be decided in a consultative manner. Unilateral determination of cost sharing by Government of India, will lead to exacerbating the fiscal situation in States.

## **VI. Inclusion of persons with disability**

In Chapter 1, Sections 2, Definitions (o) of the Draft Bill, the expressions "persons with disability" has been defined to have the same meaning as in Section 2(t) of the Persons with Disabilities

(Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

**Remarks:**

However, apart from specifying under Section 30 of the Draft Bill and in Schedule IV (Provisions for Advancing Food Security), no particular provision has been made for the food security of this disadvantaged section.

**Suggestions:**

“Persons with disability” as a disadvantaged group may be included in Chapter III (Entitlements of Special Groups). Section 8(1) may be modified to include “persons with disability” along with “destitute persons”.

## **VII. Maternity entitlements**

Section 4 (Chapter II) of the draft NFSB, lays down the entitlement of pregnant women and lactating mothers. Every such person shall be entitled to meal, free of charge, during pregnancy and six months after the child birth, through the local anganwadi, so as to meet the nutritional standards specified in Schedule II.

**Remarks:**

1. The original draft of the NFSB prepared by the NAC, with appropriate exclusion criteria, had also envisaged maternity benefits of Rs.1000 p.m during pregnancy and for six months after delivery.
2. This draft had also entitled maternity support in the nature of advice for fostering healthy practices of breastfeeding and infant nutrition.

**Suggestions:**

1. It is important to recognize that the future of the nation lies in the wellbeing of this category of persons and the infant children they nurture.
2. Government of Kerala therefore proposes that the maternity entitlements provided for in the original draft of the NAC should be retained.

**Sn 4 Chapter II**

Provides for meals free of charges to the lactating mothers only after six months of the child birth ,obviously an inadvertent omission. A word, 'for' should be added between the words 'and' and 'six' so that the intention in this Section is clearly spelt out.....

**Sn 5 (1) Chapter II**

Does not provide for the feeding of children below six months who do not get adequate breast feeding. Another proviso must be added such that children below the age of six months deprived of adequate breast feeding shall be appropriately fed as may be prescribed.

**Sn 5(3) Chapter II**

Provides that every school and Anganavadi shall have appropriate facilities for cooking meals and drinking water. As the term, 'appropriate facilities' is vague and as the particulars have to be spelt out in detail we may suggest to add 'as may be prescribed after the clause.

**Sn 8(3 & 4) Chapter III**

Requires the State Government to notify the entitlements for the special group namely, destitute persons, homeless and the other needy within a year of the commencement of the act....These can be done only after the rules are framed under the Act. The provision shall be suitably modified such that the notifications by the State Government need be issued only after the Central Government prescribed the Scheme.

**Sn 11 Chapter IV**

Provides that persons living in starvation or conditions akin to starvation will be given meals two times a day for six months free of cost. Unless they are rehabilitated they will be back to starvation within no time.



**Sn 18(2) Chapter VIII**

The District Grievance Redressal Officers shall be State Government officials by virtue of the fact that they are appointed by the State Government. Thus the section providing for prescribing of qualifications, method of appointment and conditions of appointment by the Central Government cannot be accepted.

**Sn 25(4) Chapter X**

Add 'in spite of the Central Government satisfactorily performing its obligations under chapter IX after 'IV' and 'the State Government'

**Sn 26 (1) Chapter XI**

Is vague. The duties and responsibilities of LSGs have to be made specific in the Act or shall be given 'as may be prescribed'

**Sn 38 (2) Chapter XIV**

The provision requires the Central Government to prescribe the method of appointment of and the powers of the district Grievance Redressal Officers. Since these officers are state Government employees this provision shall appropriately be given under Sn39(2) dealing with the powers of the State Government.

  
Section Officer