

Bill No. 196 of 2019

THE NATIONAL FOOD SECURITY (AMENDMENT) BILL, 2019

By

DR. KIRIT PREMJBHAI SOLANKI, M.P.

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BILL

to amend the National Food Security Act, 2013.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the National Food Security (Amendment) Act, 2019.

Short title and commencement.

(2) It shall come into force on such date as the Central Government, may by notification in the Official Gazette, appoint.

20 of 2013. 5

2. In section 2 of the National Food Security Act, 2013, (hereinafter referred to as the principal Act),—

Amendment of section 2.

(a) after clause (7), the following clause shall be inserted, namely:—

"(7a) "high risk districts" means those vulnerable districts identified by the District Nutrition Monitoring Committee and the State Food Commission as

well as corroborated by the National Nutrition Monitoring and Surveillance System."

(b) after clause (8), the following clause shall be inserted, namely:—

"(8A) "malnutrition" means,—

(i) in the case of adult with a Body Mass Index (BMI) of below 18.5 and suffering from chronic energy deficiency and under nutrition; or

(ii) in the case of children who have a height-for-age z-score that is at least 2 standard deviation (SD) below the median for the World Health Organisation Child Growth Standards and/or have a weight-for-height z-score that is at least 2 SD below the median for the WHO Child Growth Standards and/or have a weight-for-age z-score that is at least 2 SD below the median for the WHO Child Growth Standards;"; and

(c) after clause (20), the following clause shall be inserted, namely:—

“(20A) “social nutrition audit" means the surveys conducted by the District Nutrition Monitoring Committee to study the prevalence of under nutrition in a district, specifically amongst women and children, in order to suggest qualitative and quantitative remedies and interventions;".

Insertion of new Chapter IVA and IVB.

3. After Chapter IV of the principal Act, the following Chapters and sections thereunder shall be inserted, namely:—

"CHAPTER IVA 20

NATIONAL NUTRITION MONITORING AND SURVEILLANCE SYSTEM

Creation of a National Nutrition Monitoring and Surveillance System.

11A. (1) The Central Government shall, with the assistance of the State Government concerned create a district-level geographic information and digital tracking system to be known as the National Nutrition Monitoring and Surveillance System (hereinafter referred to as the System) in respect of every State based on the information collected and supplied by the State Governments on eligible beneficiaries under sections 9 and 10 of the Act to monitor nutrition level in the country. 25

(2) The System shall use indicators and tools such as dashboards and score cards to map and track associated indicators and factors of malnutrition including but not limited to, the following:— 30

- (a) socio-economic deprivation;
- (b) agrarian distress;
- (c) seasonal migration;
- (d) disruptions in access to services;
- (e) lack of access to social protection measures; 35
- (f) disease outbreaks;
- (g) endemic disease areas; and
- (h) natural disasters.

Functions of the System.

11B. The System shall—

- (a) undertake real-time digital tracking of the nutrition levels of the population; 40
- (b) identify districts, blocks and States that are failing to meet the nutritional standards and are at high risk;
- (c) formulate an early warning system to identify nutritional vulnerabilities and ensure timely corrective action; and

(d) create dissemination of the System on Government websites for transparency and accountability.

CHAPTER IVB

DISTRICT NUTRITION MONITORING COMMITTEE

5 **11C.** (1) Every State Government shall, by notification, in the Official Gazette, establish a District Nutrition Monitoring Committee in each district of the State for district-level monitoring of the implementation of the provisions of this Act.

Establishment of a District Nutrition Monitoring Committee.

(2) The District Nutrition Monitoring Committee shall consist of—

(a) Chairperson;

10 (b) the District Grievance Redressal Officer, as appointed under section 15;

(c) one member from the civil services of the Union or the State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field, as appointed by the State Food Commission under section 16;

15 (d) one eminent and/or academic expert with a proven record of work relating to the improvement of food and nutrition rights of the poor; and

(e) five members from the local authorities including municipal corporations, nagar palikas and panchayati raj institutions:

to be appointed by the State Government in such manner as may be prescribed.

20 (3) The Chairperson shall be elected from amongst the persons appointed under clauses (c) to (e) of sub-section (2).

25 **(4) The salary and allowances payable, method of appointment and other terms and conditions of the Chairperson and other Members of the District Nutrition Monitoring Committee time, place and procedure of meetings of the District Nutrition Monitoring Committee (including the quorum at such meetings) and its powers, shall be such as may be prescribed.**

11D. The District Nutrition Monitoring Committee shall,—

Functions of the District Nutrition Monitoring Committee.

30 (a) monitor and evaluate the implementation of the Act in the district and provide a monthly report and feedback to the State Food Commission in such manner as may be prescribed;

(b) conduct annual social nutrition audit at a district-level to assess the nutritional standards and vulnerabilities of the district population; and

35 (c) provide nutrition counselling to pregnant and lactating mothers, including fixed Monthly Health and Nutrition Days, as a part of a behavioural change and communication strategy.

4. In section 16 of the principal Act, in sub-section (6), after clause (f), the following clauses shall be inserted, namely:—

Functions of the State Food Commission.

40 “(g) appoint one member to the District Nutrition Monitoring Committee, from the civil services of the Union or the State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field; and

(h) process the monthly reports submitted by the District Nutrition Monitoring Committees, identify the 'high risk' districts, if any, and provide the Central Government with the details of these 'high risk' districts, if any, on a bi-annual basis.”.

Amendment of
section 22.

5. In section 22 of the principal Act, in sub-section (4), after clause (e), the following clauses shall be inserted, namely:—

“(f) provide additional financial and infrastructural support to high risk districts as identified by the concerned District Nutrition Monitoring Committee and the State Food Commission and corroborated by the National Nutrition Monitoring and Surveillance System; and 5

(g) provide non-financial incentives, as decided upon by the Central Government, to high-performing State Governments, on the basis of the digital and geographic information based on National Nutrition Monitoring and Surveillance System.”.

STATEMENT OF OBJECTS AND REASONS

With the release of the NITI Aayog's National Nutrition Strategy 2017, the Central Government has introduced a renewed focus on the issue of malnutrition in India. While the most recent National Family Health Survey — shows an overall decline in the levels of under-nutrition in women and children, the pace of decline has been slow. According to the United Nations Children's Fund (UNICEF), India has the 10th highest number of underweight children in the world.

As reiterated in the National Nutrition Strategy and the National Health Policy 2017, addressing the problems of malnutrition and under-nutrition requires a comprehensive and concerted effort. With the aim of reducing all forms of malnutrition by the year 2030, a decentralized approach is required that can ensure the provision of nutrition to women and children, especially to protect maternal health. An identification of the most vulnerable sections and districts needs to be carried out in order to create a plan that can target those who need it the most.

The National Food Security Act, 2013 has been enacted 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. However, with increased resources at the State and local self-governments level, a coordinated action plan across different branches of the Government, which includes health services, food, drinking water, sanitation facilities and regular income for livelihoods is required.

The Bill therefore, seeks to amend the National Food Security Act, 2013 with a view to—

- (a) define “malnutrition” in adults and children;
- (b) create a National Nutritional Monetary and Surveillance System; and
- (c) establish a District Nutrition Monetary Committee in each district.

However, increased resources at the State and local self-governments level, a coordinated action plan across different branches of the Government, which includes health services, food, drinking water, sanitation facilities and regular income for livelihoods, is required.

Hence this Bill.

NEW DELHI;
June 27, 2019.

KIRIT PREMJBHAI SOLANKI

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for setting up of National Nutrition Monitoring and Surveillance System at district level in every State. It also provides for setting up of a District Nutrition Monetary Committee in each district. Clause 5 provides that the Central Government to provide additional financial and infrastructural support to 'high risk' district as identified by the District Nutrition Monitoring Committee and the State Food Commission and corroborated by the National Nutrition Monitoring and Surveillance System.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India in implementing the provisions of the Bill. It is likely to involve an annual recurring expenditure of about rupees five hundred crore from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees five hundred crore is likely to be involved.

ANNEXURE

EXTRACT FROM THE NATIONAL FOOD SECURITY ACT, 2013

[No. 20 OF 2013]

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2. (7) “food security allowance” means the amount of money to be paid by the concerned State Government to the entitled persons under section 8; Definitions.

(8) “local authority” includes Panchayat, municipality, district board, cantonment board, town planning authority and in the States of Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura where Panchayats do not exist, the village council or committee or any other body, by whatever name called, which is authorised under the Constitution or any law for the time being in force for self-governance or any other authority or body vested with the control and management of civic services, within a specified local area;

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(20) “social audit” means the process in which people collectively monitor and evaluate the planning and implementation of a programme or scheme;

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16. (1) Every State Government may, by notification, constitute a State Food Commission for the purpose of monitoring and review of implementation of this Act. State Food Commission.

(a)* * * * *

(b)* * * * *

(c)* * * * *

(d)* * * * *

(e)* * * * *

(f)* * * * *

* * * * *

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

(a)* * * * * allocate

(b)* * * * * required

(c)* * * * * quantity of

(d)* * * * * foodgrains

(e)* * * * * from central

* * * * * pool to State

Governments.

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to amend the National Food Security Act, 2013.

(Dr. Kirit Premjibhai Solanki, M.P.)