

Bill No. 106 of 2019

THE NATIONAL MALNUTRITION POLICY COMMISSION BILL, 2019

By

SHRI NIHAL CHAND, M.P.

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BILL

to provide for constitution of National Malnutrition Policy Commission and for matters connected therewith or incidental thereto.

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 Malnutrition Policy Commission Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

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

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "Commission" means the National Malnutrition Policy Commission constituted under section 3;

(b) "Fund" means the malnutrition Fund constituted under section 7;

(c) "malnutrition area" includes malnutrition affected naxalite and backward tribal areas; and

(d) "prescribed" means prescribed by rules made under this Act.

Constitution
of the
National
Malnutrition
Policy
Commission.

3. (1) The Central Government shall, by notification in the Official Gazette, constitute a Commission to be known as the National Malnutrition Policy Commission for carrying out the purposes of this Act. 5

(2) The Commission shall consist of—

(i) a Chairperson;

(ii) a Vice-Chairperson; 10

(iii) five members from amongst persons of ability, expertise and standing having experience in the field of public health; and

(iv) two consultants from backward, tribal and naxal affected areas,

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

(3) The salary and allowance payable to and other terms and conditions of the services of the Chairperson, Vice-Chairperson, members and consultants shall be such, as may be prescribed. 15

Officers and
employees
of the
Commission.

4. (1) The Central Government shall provide such member of officers and employees along with technical experts as may be necessary for the proper coordination and functioning of the Commission. 20

(2) The salaries and allowances payable to, and other terms and conditions of service of officers, employees and technical experts shall be such as may be prescribed.

State
Government
to provide
detailed
information to
Commission.

5. Every State Government shall provide detailed information to the Commission regarding:—

(a) total malnutrition affected areas earmarked by the State Government; 25

(b) detailed information of plans to eradicate malnutrition;

(c) detailed information of the plans started by the Central Government in the State to eradicate malnutrition;

(d) total number of backwards, tribals and malnourished persons; and

(e) detailed information of the total funds spent on welfare of backwards, tribals and malnourished persons. 30

Functions of
the
Commission.

6. (1) The Commission shall, on receipt of information from a State Government under section 5, appoint a team of experts to study the current status of the backward, tribal and malnutrition affected areas and make recommendations to the States with respect to:—

(a) measures to solve the problems of underweight, anaemia and dwarfism at the time of birth in children of the malnutrition affected areas; 35

(b) access to health service for safe maternity, safe natal care and safe mother care in backward areas;

(c) improvement in the health awareness and education system in the tribal and naxalite affected areas of the country; 40

(d) effective implementation of the ongoing schemes to bring down child malnutrition by the Central Government.

(e) steps to eradicate prevailing diseases relating to malnutrition such as rickets and anaemia; and

5 (f) take preventive measures to overcome the incidence of malnutrition among children, pregnant women and lactating mothers.

(2) The team of experts appointed under sub-section (1) shall, at every six months, visit the malnutrition affected backward and tribal areas in the country and shall recommend measures to overcome malnutrition and for better utilization of the Fund.

10 (3) The Commission shall, on the basis of the report submitted by the team of experts, release adequate funds to a State Government for development of malnutrition affected backward and tribal areas.

15 **7. The Central Government shall, by notification in the Official Gazette, constitute a Fund to be known as the Malnutrition Prevention Fund to implement the provisions of this Act.**

Malnutrition
Prevention
Fund.

8. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty.

Power to
remove
difficulty.

20 **9. (1)** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purpose of this Act.

Power to
make rules.

25 (2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

STATEMENT OF OBJECTS AND REASONS

The biggest strength of any country is its public which means its human resource. The working population is considered as strength of that nation. India has always benefitted from this very feature, but there is a problem faced by India which is becoming a national challenge, *i.e.* malnutrition. The country has taken firm steps to end malnutrition, but due to the huge population of India the measures and plans undertaken in this direction are not enough. Now, India is capable enough to have sufficient store of grains and even then if a child remains malnourished it is a matter of concern. There are 4.7 crore malnourished children in India who are not able to display their full human potential. This means every four out of ten children are facing this very problem.

Malnutrition is a big hindrance on the country's way to development. In the 'Global Hunger Index' report presented in 2017, India slipped by forty-five positions and is ranked 100th in the Index. It is important that the Government and the Ministries concerned and institutions work hand in hand in order to uproot the problem like malnutrition.

The total numbers of malnourished people in India is approximately 19.50 crore. According to a report of the United Nations, India is taking various steps to address this challenge. Various steps are being taken to double the income of the farmers by 2022, work is also being done to increase the irrigated land, coarse grains are being encouraged. India has taken various measures to end malnutrition in the past two decades wherein Midday Meal, Anganwadi Programme, providing dietary items to the poor through Public Distribution System and National Food Security enactment have been included.

In the Economic Survey 2017-18, they stated that child and mother malnutrition is still a big challenge for India. Presently, malnutrition is a widespread problem in almost fifty per cent. of the villages of India. Of the total deaths per year in India, the reason behind five per cent. of them is malnutrition. According to the report by UNICEF the total number of malnutrition affected children is 14.6 per cent., out of which India alone has 5.7 crore. It is worrisome that forty-seven per cent. of the children of our country below the age of three years are malnourished. According to the Family Health Survey-4 of 2015-16, height of 38.5 per cent. of the children upto five years of age is far below their age due to malnutrition. According to the figure, seventeen lakh children die before attaining the age of one year whereas 1.08 lakh children are unable to complete even one year of age.

Hence with the aim to uproot the grave problem of malnutrition from the country and to accelerate the development in the backward, tribal and naxalite affected areas establishment of "National Malnutrition Policy Commission" is proposed in the Bill.

The Bill seeks to achieve the above objectives.

NEW DELHI;
June 6, 2019.

NIHAL CHAND

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for establishment of a National Commission for the development of malnourished, backward and tribal areas. It also provides for the salaries and allowances for the Chairperson and other members of the Commission. Clause 4 provides for availability of required officers and employees by the Central Government for proper coordination and functioning of the Commission. Clause 6 provides for appointment of technical experts for issuance of funds to States for development of malnutrition affected backward and tribal areas. Clause 7 provides for the constitution of a Malnutrition Prevention Fund. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees five hundred crore would be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Shri Nihal Chand, M.P.)