

**Bill No. XVIII of 2012**

THE CONSTITUTION (AMENDMENT) BILL, 2012

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*further to amend the Constitution of India*

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2012.

Short title and  
commencement.

(2) It shall come into force at once.

2. **After article 18 of the Constitution, the following article shall be inserted,**  
5 **namely:—**

Insertion of  
new article  
18A.

**“18A. (1) Every citizen shall have the right to adequate food as Parliament may, by  
law, determine from time to time.**

Right to Food.

(2) **Without prejudice to the generality of the forgoing provisions, nothing in  
clause (1) shall prevent the State from making any provision for fixing norms and criteria  
10 for distribution, quality and quantity of food to the citizens.**

**(3) Nothing in this article shall prevent the State from implementing special schemes through its various authorities or agencies for the weaker section of the society including below poverty line citizens, senior citizens, unemployed citizens and physically challenged citizens.**

## STATEMENT OF OBJECTS AND REASONS

India is a vast country having large population. Due to its size and population, there are unequal allocation of the Capital and Government resources. The day is not far, when people will fight over food and water. Food is one of the basic needs for survival of all living creatures on earth. Though article 47 of the Constitution provides that the State shall take steps to raise the level of nutrition of its people and improve public health but nothing has been done so far. Hunger and malnutrition, economic backwardness, poor health services in our country reflect the most agonizing dilemma of India as a welfare State. A large section of people, including children and women, die every year because of starvation and malnutrition.

In our country, where drought, floods and famines are so common, freedom from hunger *i.e* right to adequate food needs the special attention of the Government. Many districts in Orissa, Bihar and Andhra Pradesh face the acute problems of malnutrition and starvation every year. Similar is the situation in areas affected by floods. The unprecedented floods in Uttar Pradesh, Bihar and other States has left lakhs of people homeless. Most often, in famine or flood affected areas, the State administration appears to be unconcerned about the happenings and, as such many person die of starvation.

Although, every year, there is a bumper crop of foodgrains in the country, yet millions of people in the country have to sleep empty stomach. Therefore, there is need for recognizing the right to food as one of the most essential of all human rights besides fixing norms and criteria for equitable distribution of foodgrains in all parts of the country. The Bill, therefore, seeks to make the right to food as a fundamental right so that citizens of India are not deprived of this basic need for their survival and become independent in respect of getting food.

Hence this Bill.

SHADI LAL BATRA

## FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that every citizen shall have the right to adequate food. The Bill, if enacted, will involve expenditure for the consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees eighty thousand crore from the Consolidated Fund of India.

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

RAJYA SABHA

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*(Shri Shadi Lal Batra, M.P.)*