

**GOVERNMENT OF INDIA  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY**

**LOK SABHA**

**UNSTARRED QUESTION No. 1274  
TO BE ANSWERED ON 25.11.2019**

**Ban on Junk Foods and Soft Drinks in Schools**

**1274. MOHAMMED FAIZAL P.P.:  
SHRI BENNY BEHANAN:  
SHRI KODIKUNNIL SURESH:**

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether the Government has decided to ban junk foods and soft drinks in school cafeterias and boarding schools and if so, the details thereof;
- (b) whether the Food Safety and Standards Authority of India has created a framework regulation to prevent the consumption of unhealthy food by school children;
- (c) if so, whether the Government proposes to ban the sale of pre-packaged foods to school children in school canteens, mess and hostel kitchens and also prohibit food manufacturers and food vendors from handing out free samples of low nutrition food to children in sporting events;
- (d) if so, the details thereof; and
- (e) whether the Government proposes to clamp down advertisements of such food products in school premises or in proximity to educational institutions as per the stipulations cited in the 'Eat right' campaign and if so, the details thereof ?

**ANSWER  
MINISTER OF HUMAN RESOURCE DEVELOPMENT  
(SHRI RAMESH POKHRIYAL 'NISHANK')**

(a): Education being a subject in the Concurrent List of the Constitution and a substantial majority of schools are under the jurisdiction of the State Governments, it is for the respective State Governments to take appropriate action / decision to prevent sale of junk food and soft drink in their schools. So far as the Central Board of Secondary Education (CBSE) affiliated schools are concerned, the Board has issued strict direction to its

affiliated schools to desist from serving fast food in schools. The Board has also directed its affiliated schools to ensure that Junk/ fast food needs to be replaced completely with healthy snacks, juice and dairy products. The schools have also been directed to ensure that there is no food HFSS (food high in Fat, Sugar and Salt such as chips, fried foods, carbonated beverages, ready-to-eat noodles, pizzas, burgers, potato fries and confectionery items, chocolates, candies, samosas, bread pakora, etc.) available in the school canteens.

(b): The Food Safety and Standards Authority of India (FSSAI) has informed that 'Junk Food' has not defined under the Food Safety and Standards Act, 2006 and Rules and Regulations made thereunder. However, as per the directions of the Hon'ble High Court of Delhi in the matter of WPC No. 8568 of 2010 titled 'Uday Foundation for Congenital Defects and Rare Blood Vs UOI & Others', Food Safety and Standards Authority of India (FSSAI) has notified draft regulations titled "Food Safety and Standards (Safe Food and Healthy Diets for School Children) Regulations, 2019" in Gazette of India on 30th October, 2019 inviting comments/suggestions from the stakeholders.

(c) and (d): As per the provisions of the aforesaid draft Regulations, the School Authority should ensure that no person shall offer or expose for sale of pre-packaged foods which are referred to as foods high in fat, salt and sugar to school children in school canteens/ mess premises/ hostel kitchens or within 50 meters of the school campus. Further, Food Business Operators (FBOs) should support healthy eating in schools and not market, sell, or give away low-nutrition foods anywhere on school campus, including through logos, brand names, posters, textbook covers, sporting events, education materials, buses and buildings.

(e): As per the provisions of this draft Regulation, Food Business Operators manufacturing foods high in fat, salt and sugar shall not advertise or offer for free sale of such foods to children in school premises or within 50 meters of the School campus.

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