



## **FOOD SECURITY LAWS IN INDIA: A STUDY**

**Dr. Ravinderjeet Kaur**

Assistant Professor,

RIMT University, Mandi Gobindgarh

### **ABSTRACT**

There are many different aspects to the idea of food security. Food security exists when all individuals consistently have physical and monetary admittance to adequate and nutritious food that meets their dietary necessities and food inclination for a functioning and solid life. Guaranteeing food and sustenance security is difficult for India given its colossal populace and elevated degree of destitution and hunger. This is a major concern for India's food security. Identify the primary areas of PDS reform and alternative means of delivering food grain or subsidy to entitled households in light of the current system's inefficiencies and leaks. One way to move forward is to pursue a universal right to food, which would grant everyone access to PDS-subsidized food grains. Additionally, India continues to be one of the world's fastest-growing economies despite its remarkable economic expansion in recent years. Food is regarded as a fundamental amenity that is necessary for an individual's sustenance, growth, and development. India has positioned 101 among the 116 nations on the Worldwide Craving Record, 2021. Despite the fact that the Indian government has been actively addressing household food security for a considerable amount of time through the Public Distribution System and the National Food Security Act (NFSA) of 2013, there are still issues related to India's food security that need to be addressed in light of the country's growing population, the effects of climate change, and the disruption of the global supply chain caused by the Russia-Ukraine War.

**Keywords-** Food Security, Destitution, Subsidized Food Grains, Economic Expansion, Climate Change.

**INTRODUCTION-** Interest for food has gone up in agricultural nations with high populace development. It has settled in evolved nations. Ranch innovation has extraordinarily worked on in evolved nations, while it has deteriorated in non-industrial nations. Accordingly, food costs have regularly ascended in arising nations, and those in created nations have



diminished. Declining food costs in created nations have brought down ranchers' wages. The public authority tried to raise ranchers' rates. This brought more result and excess. Those nations are normally exporters. Rising food costs in created nations have harmed purchasers or other industry staff. The public authority has been attempting to bring down food costs. Food security, as characterized by the Unified Countries' Council on World Food Security, implies that all individuals, consistently, have physical, social, and financial admittance to adequate, safe, and nutritious food that meets their food inclinations and dietary requirements for a functioning and sound life.

Developing countries like India tend to be food importers. Food security comprises the accessibility and affordability of food. Economic development and/or infrastructure construction is crucial to addressing a food shortage. The housing of food stored for a rainy day or extension of the world food supply is a safer way of coping with the problem. Maintaining agricultural capital, including water and soil, serves the purpose of global food protection.<sup>2</sup>

Taking into account the way that India has crossed 76 years after Freedom, the circumstance is actually a question of grave concern and requires quick consideration. The Critical needs of the Public authority of India under the ongoing Five-Year-Plan (2012-2017) are guaranteeing 'Quicker, more Comprehensive and Feasible Development'. This incorporates working on the presentation of horticulture and expanding produce as well as lessening weaknesses of little and peripheral ranchers with exceptional spotlight on ladies and other hindered gatherings. It additionally incorporates improving focusing on, cost proficiency and nourishment viability of the cross country food-based social wellbeing nets, in particular the Designated Public Conveyance Framework (TPDS), the Coordinated Kid Advancement Administration (ICDS), which is focusing on moms and small kids and the Late morning Dinner Plan (MDM). The designated public appropriation framework (TPDS) and the late morning feast conspire (roughly 120 million kids are joined) are two huge government food dissemination plans in

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<sup>2</sup> Available at: <https://www.legalserviceindia.com/legal/article-7888-literature-review-on-food-security-of-india.html>, (last visited on May 3, 2023).



India.<sup>3</sup> The abuse of assets and blunder of the program was far reaching and turned out to be notable. Issues of misappropriation of these projects proceed and the public authority can't accomplish its objectives. Because of the shortcomings of tasks and innovative failures, larger part of recipients of the assets contributed by the public authority is not the objective populace. Towards that end, second UPA government in India had presented the Public Food Security Bill, (additionally Right to Food Bill) in mid 2013. In this way, the Public Food Security Bill (NFSB) was passed by both the places of Parliament. The bill was endorsed into regulation on September 12, 2013. The plan of the Public Food Security Bill was illuminated plainly in the Lok Sabha Panel Report, which expressed, "Food security implies accessibility of adequate food grains to satisfy the homegrown need as well as access, at the singular level, to satisfactory amounts of food at reasonable costs." The report added, "The proposed regulation denotes a change in outlook in resolving the issue of food security from the ongoing government assistance way to deal with a right based approach".<sup>4</sup>

## **RIGHT TO FOOD AND NATIONAL FOOD SECURITY ACT**

The Official location to Parliament in 2009 shows that execution of the Public Food Security Act will give a legal premise to a structure which guarantees food security for all. As per this proposed regulation, each family underneath the destitution line in country as well as metropolitan regions will be entitled by regulation, to 25 kilograms of rice or wheat each month at Rs. 3 for each kilogram. It is felt that the legal assurance to food with fixed qualifications to poor people would be a significant stage toward guaranteeing food and healthful security of the country. Albeit the continuous TPDS should give sponsored foodgrains to the BPL populace, the regulative measure might prompt better responsibility by making the PDS framework more responsive in contacting the designated populace. Issues under the Proposed Right to Food Issues under PDS: There has been a serious discussion on

<sup>3</sup>

Available

at:

[https://www.researchgate.net/publication/349767066\\_Food\\_Security\\_Policy\\_in\\_India\\_Challenges\\_and\\_Performance](https://www.researchgate.net/publication/349767066_Food_Security_Policy_in_India_Challenges_and_Performance), (last visited on May 5, 2023).

<sup>4</sup> Available at: <https://agrifoodecon.springeropen.com/articles/10.1186/s40100-016-0048-7>, (last visited on May 2, 2023).



the inquiry: should the PDS be designated or widespread? The upside of general PDS is that focusing on blunders can be limited, especially the prohibition mistake (avoidance of poor). Likewise, a right by and large infers relevance to the whole populace of the country. The subsequent issue is who ought to be covered under BPL and get proportion cards? As indicated by Arranging Commission gauges, there are 6.52 crore families underneath the destitution line (in light of 1993-94 neediness evaluations and populace gauges for 2000 from the Enlistment center General of India. The states are requesting that all the 10.68 crore card holders ought to be remembered for the BPL list under the Right to Food Act. This would have serious monetary ramifications regarding food appropriation.<sup>5</sup>

## 1. DEFINITION

Food security, as defined by the United Nations' Committee on World Food Security, means that all people, at all times, have physical, social, and economic access to sufficient, safe, and nutritious food that meets their food preferences and dietary needs for an active and healthy life. Food security is the combination of the following three elements:

- **Food availability** i.e. food must be available in sufficient quantities and on a consistent basis. It considers stock and production in a given area and the capacity to bring in food from elsewhere, through trade or aid.
- **Food access** i.e. people must be able to regularly acquire adequate quantities of food, through purchase, home production, barter, gifts, borrowing or food aid.
- **Food utilization:** Consumed food must have a positive nutritional impact on people. It entails cooking, storage and hygiene practices, individual's health, water and sanitations, feeding and sharing practices within the household. Food security is closely related to household resources, disposable income and socioeconomic status. It is also strongly interlinked with other issues, such as food prices, global environment change, water, and energy and agriculture growth.

## 2. IMPORTANCE OF FOOD SECURITY FOR A NATION

- For boosting the agricultural sector.

<sup>5</sup> Available at: <https://www.academia.edu>, International Journal of Applied and Pure Science and Agriculture Volume 2 Issue 12 (2016) page 159.



- For having a control on food prices.
- For economic growth and job creation leading to poverty reduction
- For trade opportunities
- For increased global security and stability
- For improved health and healthcare

#### **4.1 Food Security in India**

- Food security concerns can be traced back to the experience of the Bengal Famine in 1943 during British colonial rule, during which about 2 million to 3 million people perished due to starvation.
- Since attaining independence, an initial rush to industrialize while ignoring agriculture, two successive droughts in the mid-1960s, and dependence on food aid from the United States exposed India's vulnerability to several shocks on the food security front.
- The country went through a Green Revolution in the late 1960s and early 1970s, enabling it to overcome productivity stagnation and to significantly improve food grain production.
- Despite its success, the Green Revolution is often criticized for being focused on only two cereals, wheat and rice; being confined to a few resources abundant regions in the northwestern and southern parts of the country that benefited mostly rich farmers; and putting too much stress on the ecology of these regions, especially soil and water.
- The Green Revolution was followed by the White Revolution, which was initiated by Operation Flood during the 1970s and 1980s. This national initiative has revolutionized liquid milk production and marketing in India, making it the largest producer of milk.
- Of late, especially during the post-2000 period, hybrid maize for poultry and industrial use and *Bacillus thuringiensis* (Bt) cotton have shown great strides in production, leading to sizeable exports of cotton, which made India the second largest exporter of cotton in 2007–2008.

## 4.2 Concerns vis-a-vis Food Security in India

- Agricultural productivity in India is extremely low. According to World Bank figures, cereal yield in India is estimated to be 2,992 kg per hectare as against 7,318.4 kg per hectare in North America.
- The composition of the food basket is increasingly shifting away from cereals to high value agricultural commodities like fish, eggs, milk and meat. As incomes continue to rise, this trend will continue and the indirect demand for food from feed will grow rapidly in India.
- According to FAO estimates in ‘The State of Food Security and Nutrition in the World, 2018’ report, about 14.8% of the population is undernourished in India.
- India ranked 76<sup>th</sup> in 113 countries assessed by The Global Food Security Index (GFSI) in the year 2018, based on four parameters affordability, availability and quality and safety.
- As per the Global Hunger Index, 2018, India was ranked 103rd out of 119 qualifying countries.

## 3. CHALLENGES TO FOOD SECURITY

- **Climate Change:** Higher temperatures and unreliable rainfall makes farming difficult. Climate change not only impacts crop but also livestock, forestry, fisheries and aquaculture, and can cause grave social and economic consequences in the form of reduced incomes, eroded livelihoods, trade disruption and adverse health impacts.
- **Lack of access to remote areas:** For the tribal communities, habitation in remote difficult terrains and practice of subsistence farming has led to significant economic backwardness.
- Increase in **rural-to-urban migration**, large proportion of informal workforce resulting in unplanned growth of slums which lack in the basic health and hygiene facilities, insufficient housing and increased food insecurity.
- **Inadequate distribution of food:** Through public distribution mechanisms (PDS i.e. Public Distribution System). Deserving beneficiaries of the subsidy are excluded on the

basis of non-ownership of below poverty line (BPL) status, as the criterion for identifying a household as BPL is arbitrary and varies from state to state.

- **Bio fuels:** The growth of the bio fuel market has reduced the land used for growing food crops.
- **Conflict:** Food can be used as a weapon, with enemies cutting off food supplies in order to gain ground. Crops can also be destroyed during the conflict.
- **Unmonitored nutrition programmes:** Although a number of programmes with improving nutrition as their main component are planned in the country but these are not properly implemented.
- **Lack of coherent food and nutrition policies** along with the **absence of intersectoral coordination** between various ministries.
- **Corruption:** Diverting the grains to open market to get better margin, selling poor quality grains at ration shops, irregular opening of the shops add to the issue of food insecurity.

#### **4. RECENT GOVERNMENT INITIATIVES**

##### **4.1 National Food Security Mission**

- It is a Centrally Sponsored Scheme launched in 2007.
- It aims to increase production of rice, wheat, pulses, coarse cereals and commercial crops, through area expansion and productivity enhancement.
- It works toward restoring soil fertility and productivity at the individual farm level and enhancing farm level economy.
- It further aims to augment the availability of vegetable oils and to reduce the import of edible oils.

##### **4.2 Rashtriya Krishi Vikas Yojana (RKVY)**

It was initiated in 2007, and allowed states to choose their own agriculture and allied sector development activities as per the district/state agriculture plan. It was converted into a Centrally Sponsored Scheme in 2014-15 also with 100% central assistance. Major focus is on pre & post-harvest infrastructure, besides promoting agri-entrepreneurship and innovations.

**4.3 E-marketplace:** The government has created an electronic national agriculture market (eNAM) to connect all regulated wholesale produce markets through a pan-India trading portal.

**4.4 Massive irrigation and soil and water harvesting programme:** To increase the country's gross irrigated area from 90 million hectares to 103 million hectares by 2017. The government has also taken significant steps to combat under- and malnutrition over the past two decades, through

**4.5 The introduction of mid-day meals** at schools: It is a Centrally-Sponsored Scheme which covers all school children studying in Classes I-VIII of Government, Government-Aided Schools.

**4.6 Anganwadi systems** to provide rations to pregnant and lactating mothers,

**4.7 The National Food Security Act (NFSA), 2013**, legally entitles up to 75% of the rural population and 50% of the urban population to receive subsidized food grains under the Targeted Public Distribution System. The eldest woman of the household of age 18 years or above is mandated to be the head of the household for the purpose of issuing of ration cards under the Act.

## **5. INTERNATIONAL ORGANIZATIONS INVOLVED IN ENSURING FOOD SECURITY**

**5.1 Food and Agricultural Organization (FAO):** Established as a specialized agency of the United Nations in 1945. One of FAO's strategic objectives is to help eliminate hunger, food insecurity, and malnutrition.

**5.2 World Food Programme (WFP):** Founded in 1963, WFP is the lead UN agency that responds to food emergencies and has programmes to combat hunger worldwide.

**5.3 International Fund for Agricultural Development (IFAD):** Founded in 1977, IFAD focuses on rural poverty reduction, working with poor rural populations in developing countries to eliminate poverty, hunger, and malnutrition. It is a specialized agency of the United Nations and was one of the major outcomes of the 1974 World Food Conference.

**5.4 World Bank:** Founded in 1944, the World Bank is actively involved in funding food projects and programmes.



**5.5 United Nations Environment Programme (UNEP):** It was established in 1972 as the international arm providing guidance and governance to environmental issues. One of the topics that UNEP addresses currently is food security.

**6. INTERNATIONAL INITIATIVES- Are as follows:**

- a) The High-Level Task Force (HLTF) on Global Food and Nutrition Security was established by the UN Secretary-General Ban Ki-moon in 2008. It aims to promote a comprehensive and unified response of the international community to the challenge of achieving global food and nutrition security.
- b) Formulation of the First Millennium Development Goal (MDG 1), which included among its targets cutting by half the proportion of people who suffer from hunger by 2015.
- c) The United Nations Secretary General launched the Zero Hunger Challenge in 2012 during the Rio+20 World Conference on Sustainable Development. The Zero Hunger Challenge was launched to inspire a global movement towards a world free from hunger within a generation. It calls for:
  - o Zero stunted children under the age of two
  - o 100% access to adequate food all year round
  - o All food systems are sustainable
  - o 100% increase in smallholder productivity and income
  - o Zero loss or waste of food
- d) SDG Goal 2 End hunger, achieve food security and improved nutrition and promote sustainable agriculture. The government policy needs to adopt an integrated policy framework to facilitate agriculture productivity.
- e) The measures should focus mainly on rationale distribution of cultivable land, improving the size of the farms and providing security to the tenant cultivators apart from providing the farmers with improved technology for cultivation and improved inputs like irrigation facilities, availability of better quality seeds, fertilizers and credits at lower interest rates.



- f) Aeroponics and hydroponics are systems that allow plants to be grown without soil. Plants grown in this way take in water and nutrients efficiently. These methods can be used in the areas of poor soil quality and soil erosion.
- g) Adoption of crops and techniques with lower water requirements, such as the System of Rice Intensification (SRI) method of rice production, contributes to resilience by enabling equal or better yields to be achieved with less water withdrawal.
- h) Planting crops with lower water requirements and agricultural practices that maintain soil moisture, such as maintaining vegetative cover between crops, can also contribute to resilience.
- i) Higher profitability and stability in production highlight the importance of crop diversification, e.g. legumes alternative with rice and wheat. Growing of non-cereal crops such as oilseeds, fruits and vegetables etc need to be encouraged.
- j) The Blue Revolution: Sea, lakes and rivers can be used to provide food and nutrition. Fish are a very good source of protein and do not require good soil.
- k) Biotechnology and Selective breeding or genetic modification (GM) of plants and animals can be done to produce specific features and adaptations.
- l) Existing direct nutrition programmes should be revamped to enable management by women's Self Help Groups (SHGs) and /or local bodies along with orientation and training of community health workers, Panchayati Raj Institution (PRI) members, other opinion leaders, caregivers and other stakeholders can be another area.
- m) Local community education on key family health and nutrition practices using participatory and planned communication methodologies will be helpful.
- n) The cooperatives play an important role in food security in India especially in the southern and western parts of the country. The cooperative societies set up shops to sell low priced goods to poor people. The cooperatives should be encouraged.<sup>6</sup>

## **7. NATIONAL COMMISSION ON FOOD SECURITY**

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<sup>6</sup> Available at: <https://www.drishtiias.com/to-the-points/paper3/food-security-1>, (last visited on May 5, 2023).



In the above mentioned Proceedings, the Commission has taken the view that the Right to Food is inherent to a life with dignity, and Article 21 of the Constitution of India which guarantees a fundamental right to life and personal liberty should be read with Articles 39(a) and 47 to understand the nature of the obligations of the State in order to ensure the effective realization of this right. Article 39(a) of the Constitution, enunciated as one of the Directive Principles, fundamental in the governance of the country, requires the State to direct its policies towards securing that all its citizens have the right to an adequate means of livelihood, while Article 47 spells out the duty of the State to raise the level of nutrition and standard of living of its people as a primary responsibility. The Constitution thus makes the Right to Food a guaranteed Fundamental Right which is enforceable by virtue of the constitutional remedy provided under Article 32 of the Constitution. The Commission has, therefore, additionally taken the view that there is a fundamental right to be free from hunger and that starvation constitutes a gross denial and violation of this right. Holding ‘misgovernance’ resulting from acts of omission and commission on the part of public servants, to be the reason for starvation deaths’ occurring in different parts of the country the Commission has stated that these are of direct concern to it under the provisions of the Protection of Human Rights Act, 1993.

The continuum of distress should be viewed as the necessary condition for the prevalence of starvation. The Commission also found merit in the view of the petitioner that there was need for a paradigm shift in public policies and the Relief Codes in this respect and that the shift had to be made from the domain of benevolence to that of the right of a citizen. The Government of India’s current conceptualization of calamity as well as the reason of its prevalence, has limited relief to the short term only. In contrast, a human rights approach to food and nutrition would imply that the beneficiaries of relief measures should be recognized as “claim holders”. Viewed from this perspective, the prevalence of distress-conditions threatening starvation constitute an injury requiring the imposition of a penalty on the State. The Commission was of the view that the remedy provided under Article 32 of the Constitution applied to groups no less than to individuals.<sup>7</sup>

<sup>7</sup> Available at: <https://nhrc.nic.in/press-release/right-food-fundamental-right>, (last visited on May 5, 2023).



## 8. CONCLUSION

In concluding its Proceedings on this subject, It is observed that at a time when, universally, there was a demand that every effort be made by the State and by civil society to eradicate the poverty and hunger that constitute an affront to the dignity and worth of the human person. First and foremost among the United Nations Millennium Development Goals (MDG) is the pledge made by all Heads of State and Government to halve, by the year 2022, the proportion of the world's poor and of people who suffer from hunger. Given the circumstances of our country, India has a special responsibility in this regard. The prevalence of extreme poverty and hunger is unconscionable in this day and age, for not only does it militate against respect for human rights, but it also undermines the prospects of peace and harmony within a State.<sup>8</sup>

## 9. SUGGESTIONS

One can work on a multi-pronged approach to find solutions to the problem of food security in India. Some of the important strategies that can be implemented are mentioned below.

a) **Enhancing Food Storage Technologies and Increasing Productivity in Agricultural Sector:** Agricultural productivity can be increased by using various techniques mentioned below.

1. Better techniques must be implemented in farming
2. Increased irrigation
3. Distribution of cultivable land and size of farms
4. Providing seeds with higher quality
5. Providing fertilizers

Another reason behind food not being distributed equitably is that a significant amount is wasted. To handle this crisis the following steps need to be taken.

1. Invest more in conducting research on grain storage technologies.
2. Collaborate with nations that have high farm output but low food wastage due to superior grain storage facilities.



Get a comprehensive list of Government Schemes for Innovative Farming Techniques at the linked article.

**b) Food availability to people and Accessibility to below Poverty Line (BPL)**

1. Try to find the exact number of people BPL
2. Provide subsidies to people above poverty line
3. Reduce food prices and increase affordability by improving inter-state movement, stocking.

**c) Focus more on Schemes to Increase Employment and Purchasing Power in Rural & Urban Areas:** Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is a good program working in the direction of increasing purchasing power of people in rural areas. Government should try to come up with more innovative programs to improve purchasing power.

1. Come up with more Poverty Alleviation Programmes.
2. Focus on workers in the informal sector.

**d) Crop Diversification, Establishing Food Grain Banks**

1. Focus on growing legumes as an alternative to rice and wheat.
2. Focus on growing non-cereal crops such as oilseeds, fruits and vegetables.
3. Create decentralized food banks in villages; it may help in tackling corruption.

**e) Monitoring of Nutritional Programmes**

1. Health department officials must initiate steps to monitor the implementation of various programmes.
2. Need to make sure they have all the latest information and evaluate the effectiveness of the program implementation.

**f) Community Participation and Intersectional Coordination**

1. There needs to be greater participation from the various stakeholders like Panchayati Raj Institutions, Self Help Groups (SHG)
2. Attention also needs to be paid to hygiene, sanitation and nutrition education.

**References:**

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