

**THE NATIONAL FOOD SECURITY BILL, 2011**

A

Bill

to provide for food and nutritional security, in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices, for people to live a life with dignity and for matters connected therewith or incidental thereto

BE it enacted by Parliament in the Sixty-second year of the Republic of India as follows:-

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|                                             | <b>CHAPTER I<br/>PRELIMINARY</b>                                                                                                                                                                                                                  |  |
| Short title,<br>extent and<br>commencement. | 1. (1) This Act may be called the National Food Security Act, 2011.                                                                                                                                                                               |  |
|                                             | (2) It extends to the whole of India.                                                                                                                                                                                                             |  |
|                                             | (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette appoint, and different dates may be appointed for different provisions of this Act.                                              |  |
| Definitions.                                | 2. In this Act, unless the context otherwise requires,--                                                                                                                                                                                          |  |
|                                             | (a) "anganwadi" means a child care and development centre set up under Integrated Child Development Services Scheme of the Central Government to render services covered under section 4, sub-section (1) of section 5 and section 6 of this Act; |  |
|                                             | (b) "central pool" means the stock of foodgrains which is,-                                                                                                                                                                                       |  |
|                                             | (i) procured by the Central Government and                                                                                                                                                                                                        |  |

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|  | the State Governments through minimum support price operations ;                                                                                                                                                                                                                                                                                                                                                                   |            |
|  | (ii) maintained for allocations under the Targeted Public Distribution System, Other Welfare Schemes, including calamity relief and such other schemes;                                                                                                                                                                                                                                                                            |            |
|  | (iii) kept as reserves for schemes referred to in sub-clause(ii);                                                                                                                                                                                                                                                                                                                                                                  |            |
|  | (c) “destitute person” means a person who has no resources, means and support required for dignified living;                                                                                                                                                                                                                                                                                                                       |            |
|  | (d) the word “disaster” shall have the same meaning as assigned to it in clause (d) of section 2 of Disaster Management Act, 2005;                                                                                                                                                                                                                                                                                                 | 53 of 2005 |
|  | (e) “fair price shop” means a shop which has been licenced to distribute essential commodities by an order issued under section 3 of the Essential Commodities Act, 1955, to the ration card holders under the Targeted Public Distribution System;                                                                                                                                                                                |            |
|  | (f) “foodgrains” means rice, wheat or coarse grains or any combination thereof;                                                                                                                                                                                                                                                                                                                                                    |            |
|  | (g) “food security” means the supply of the entitled quantity of foodgrains and meal specified under Chapters II, III and IV;                                                                                                                                                                                                                                                                                                      |            |
|  | (h) “food security allowance” means the amount of money to be paid by the concerned State Government to the entitled persons under section 12,;                                                                                                                                                                                                                                                                                    |            |
|  | (i) “homeless persons” means persons who do not have homes and live as such on the roadside, pavements, or in such other places, or in the open, including persons living in shelters for homeless, beggars’ home etc.                                                                                                                                                                                                             |            |
|  | (j) “local authority” includes panchayati raj institutions such as Gram Panchayat, Panchayat at intermediate level or a Zila Parishad, municipalities, a district board, cantonment board, town planning authority or any other body or authority, by whatever name called, which is authorised under a law, for rendering essential services or with the control and management of civic services, within a specified local area; |            |
|  | (k) “meal” means cooked meal or ready to eat meal or take home ration, as may be prescribed by the Central Government;                                                                                                                                                                                                                                                                                                             |            |
|  | (l) “minimum support price” means the assured price announced by the Central Government at which                                                                                                                                                                                                                                                                                                                                   |            |

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|  | foodgrains are procured from farmers by the Central Government and the State Governments and their agencies for the central pool;                                                                                |           |
|  | (m) "National Commission" means the National Food Security Commission constituted under section 21;                                                                                                              |           |
|  | (n) "other welfare schemes" means such Government schemes, in addition to the Targeted Public Distribution System, under which foodgrains or meals are supplied as part of the schemes;                          |           |
|  | (o) "person with disability" means a person defined as such in clause (t) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995;            | 1 of 1996 |
|  | (p) "poverty estimates" means such percentage of population living below the poverty line as may be determined by the Central Government from time to time;                                                      |           |
|  | (q) "priority households" and "general households" mean households identified as such under section 14;                                                                                                          |           |
|  | (r) "prescribed" means prescribed by rules made under this Act;                                                                                                                                                  |           |
|  | (s) "ration card" means a document issued under an order or authority of the State Government for the purchase of essential commodities from the fair price shops under the Targeted Public Distribution System; |           |
|  | (t) "rural area" means any area in a State except those areas covered by any urban local body or a cantonment board established or constituted under any law for the time being in force;                        |           |
|  | (u) "senior citizen" means a person defined as senior citizen under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007;                                                                        |           |
|  | (v) "social audit" means the process in which people collectively monitor and evaluate the planning and implementation of a programme or scheme;                                                                 |           |
|  | (w) "State Commission" means the State Food Security Commission constituted under section 19;                                                                                                                    |           |
|  | (x) "State Government", in relation to a Union Territory, means the Administrator thereof appointed under article 239 of the Constitution;                                                                       |           |
|  | (y) "Targeted Public Distribution System" means the system for distribution of essential commodities to the ration card holders through fair price shops;                                                        |           |
|  | (z) "vigilance committee" means a committee                                                                                                                                                                      |           |

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|                                                                                                                                                                           | constituted under section 30 to supervise the implementation of all schemes under this Act;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
|                                                                                                                                                                           | (aa) the words and expressions not defined here but defined in the Essential Commodities Act, 1955 shall have the meaning respectively assigned to them in that Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
|                                                                                                                                                                           | <b>CHAPTER II</b><br><b>PROVISIONS FOR FOOD SECURITY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>Right to receive foodgrains at subsidized prices by persons belonging to priority households and general households under the Targeted Public Distribution System.</b> | <p>3. (1) Every person belonging to priority households and general households, identified under sub-section (2) of section 14, shall be entitled to receive every month from the State Government, under the Targeted Public Distribution System, such quantity of foodgrains at such prices as may be specified in Schedule I .</p> <p>(2) Subject to sub-section (1), the State Government may provide wheat flour in lieu of the entitled quantity of foodgrains specified in Schedule I, to the persons belonging to priority households and general households, in accordance with the guidelines notified by the Central Government.</p> |  |
| <b>Nutritional support to pregnant women and lactating mothers.</b>                                                                                                       | 4. Every pregnant woman and lactating mother shall be entitled to meal, free of charge, during pregnancy and six months after the child birth, through the local anganwadi, so as to meet the nutritional standards specified in Schedule II.                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>Nutritional support to children.</b>                                                                                                                                   | <p>5. Every child upto the age of fourteen years shall have the following entitlements for his or her nutritional needs, namely:-</p> <p>(1) Children in the age group of six months - six years: age appropriate meal, free of charge, through the local anganwadi so as to meet the nutritional standards specified in Schedule II:</p> <p>Provided that for children below the age of six months, exclusive breast feeding shall be promoted.</p> <p>(2) Children in the age group of six to fourteen years: one mid day meal, free of charge, everyday, except on school holidays, in all</p>                                               |  |

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|                                                                   | <p>schools run by local bodies, government and government aided schools, upto class VIII, so as to meet the nutritional standards specified in Schedule II.</p> <p>(3) Every school and anganwadi shall have appropriate facilities for cooking meals and drinking water.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |
| <b>Prevention and management of child malnutrition</b>            | 6. The State Government shall, through the local anganwadi, identify and provide meal, free of charge to children who suffer from malnutrition, so as to meet the nutritional standards specified in Schedule II.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| <b>Implementation of Schemes for realization of entitlements.</b> | 7. The entitlements under sections 4, 5 and 6 shall be realized through specific schemes, which shall be implemented by the State Governments in accordance with guidelines, including cost sharing between the Central Government and the State Governments in such manner as may be prescribed by the Central Government.                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
|                                                                   | <b>CHAPTER III</b><br><b>ENTITLEMENTS OF SPECIAL GROUPS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>Entitlements of special groups.</b>                            | <p>8. The following special group shall have following entitlement, namely:-</p> <p>(1) All destitute persons shall be entitled to at least one meal every day, free of charge, in accordance with such scheme as may be prescribed by the Central Government.</p> <p>(2) All homeless and such other needy persons shall be entitled to affordable meals at community kitchens, in accordance with such scheme as may be prescribed by the Central Government:</p> <p>(3) The entitlements under sub-sections (1) and (2) shall be applicable only after it is notified by the respective State Governments.</p> <p>(4) Every State Government shall notify the entitlements under sub-sections (1) and (2) within one year from the date of commencement of this Act.</p> |  |

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|                                                                   | (5) The migrants and their families shall be able to claim their entitlements under this Act, at the place where they currently reside.                                                                                                                                                                                                                                         |  |
| <b>Emergency and disaster affected persons.</b>                   | 9. The State Government shall, if it is of the opinion that an emergency or disaster situation exists, provide to affected households two meals, free of charge, for a period upto three months from the date of disaster in accordance with such scheme as may be prescribed by the Central Government.                                                                        |  |
|                                                                   | <b>CHAPTER IV<br/>PERSONS LIVING IN STARVATION</b>                                                                                                                                                                                                                                                                                                                              |  |
| <b>Identification of persons living in starvation</b>             | 10. The State Government shall identify persons, households, groups, or communities, living in starvation or conditions akin to starvation.                                                                                                                                                                                                                                     |  |
| <b>Immediate relief from starvation</b>                           | 11. All persons, households, groups or communities, identified under section 10, shall be provided the following meals or reliefs with immediate effect, in such manner as may be prescribed, namely:-<br><br>(a) meals, two times a day, free of charge, for six months from the date of identification;<br>(b) any other relief considered necessary by the State Government. |  |
|                                                                   | <b>CHAPTER V<br/>FOOD SECURITY ALLOWANCE</b>                                                                                                                                                                                                                                                                                                                                    |  |
| <b>Right to receive food security allowance in certain cases.</b> | 12. In case of failure to supply the entitled quantities of foodgrains or meal to entitled persons under Chapters II, III and IV, such persons shall be entitled to receive food security allowance from the concerned State Government, to be paid to each person within such time and manner as may be prescribed by the Central Government.                                  |  |
|                                                                   | <b>CHAPTER VI<br/>IDENTIFICATION OF PRIORITY HOUSEHOLDS AND GENERAL HOUSEHOLDS</b>                                                                                                                                                                                                                                                                                              |  |
| <b>Coverage of population under</b>                               | 13. (1) At the all India level, the percentage coverage of overall rural and urban population under the                                                                                                                                                                                                                                                                         |  |

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| <b>Targeted Public Distribution System</b>                                            | <p>priority and general households, for the purposes of providing subsidized foodgrains under the Targeted Public Distribution System, shall be to the extent specified in Schedule III.</p> <p>(2) Subject to sub-section (1), the State-wise distribution shall be done by the Central Government based on State-wise rural and urban poverty ratios determined and specified by it, from time to time in consultation with the Planning Commission.</p> <p>(3) The coverage for persons belonging to priority households shall be implemented with effect from the date of commencement of this Act and the coverage of persons belonging to general households and be linked to such reforms in the public distribution system and from such dates as may be prescribed by the Central Government.</p>                                                                                                   |  |
| <b>Guidelines for identification of priority households and general households.</b>   | <p>14. (1) The Central Government may, from time to time, prescribe the guidelines for identification of priority households and general households, including exclusion criteria, for the purposes of their entitlement under this Act, and notify such guidelines in the Official Gazette.</p> <p>(2) Within the State-wise number of persons belonging to the priority households and general households, determined under sub-sections (1) and (2) of section 13 above, identification of priority households and general households shall be done by the State Governments or such other agency as may be decided by the Central Government, in accordance with guidelines referred to in sub-section (1):</p> <p>Provided that no household meeting the exclusion criteria, to be prescribed by the Central Government, shall be included either in the priority households or general households.</p> |  |
| <b>Publication and display of list of priority households and general households.</b> | <p>15. The list of the identified priority households and general households shall be placed by the State Governments in the public domain and displayed prominently.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |

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| <b>Review of number of priority households and general households.</b>                                       | 16. Within the State-wise number of persons belonging to priority households and general households, determined under sub-sections (1) and (2) of section 13, the list of the eligible priority households and general households shall be updated by the State Government from time to time.                                                                                                                                                                        |  |
|                                                                                                              | <b>CHAPTER VII<br/>WOMEN EMPOWERMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| <b>Women of eighteen years of age or above to be head of household for purpose of issue of ration cards.</b> | 17. (1) The eldest woman who is not less than eighteen years of age, in every priority household and general household, shall be deemed to be head of the household for the purpose of issue of ration cards.                                                                                                                                                                                                                                                        |  |
|                                                                                                              | (2) Where a household at any time does not have a woman or a woman of eighteen years of age or above, but has a female member below the age of eighteen years, then, the eldest male Member of the household shall be considered as head of the household for the purpose of issue of ration card and the female Member, on attaining the age of eighteen years, shall be considered as the head of the household for the issue of such ration cards.                |  |
|                                                                                                              | <b>CHAPTER VIII<br/>GRIEVANCE REDRESSAL MECHANISM</b>                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| <b>District Grievance Redressal Officer</b>                                                                  | 18. (1) For expeditious and effective redressal of grievances in matters relating to distribution of entitled foodgrains and meal under Chapters II, III, and IV of this Act, a District Grievance Redressal Officer, with required staff, shall be appointed by the State Government for each District, to enforce various entitlements under this Act, and investigate and redress grievances, in accordance with the manner prescribed by the Central Government. |  |
|                                                                                                              | (2) The qualifications, method and terms and conditions of appointment and powers of the District Grievance Redressal Officer shall be such as may be prescribed by the Central Government.                                                                                                                                                                                                                                                                          |  |
|                                                                                                              | (3) The State Government shall provide for the salary and allowances of the District Grievance Redressal Officer and other staff appointed under sub-section                                                                                                                                                                                                                                                                                                         |  |

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|                                        | (1), and such other expenditure as may be considered necessary for their proper functioning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
|                                        | (4) The officer referred to in sub-section (1) shall hear complaints regarding non-distribution of entitled foodgrains or meal, and matters related thereto, and take necessary action for their redressal in such manner and within such time as may be prescribed by the Central Government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
|                                        | (5) Any complainant who is not satisfied with the redressal of grievance by the officer referred to in sub-section (1), may file an appeal against such order before the State Commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
|                                        | (6) Every appeal under sub-section (5) shall be filed in such manner and within such time as may be prescribed by the Central Government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>State Food Security Commission.</b> | <p>19. (1) Every State Government shall constitute a State Food Security Commission for the purpose of monitoring and review of implementation of this Act.</p> <p>(2) The State Commission shall consist of -</p> <ul style="list-style-type: none"> <li>(a) a Chairperson,</li> <li>(b) five other Members, and</li> <li>(c) a Member Secretary:</li> </ul> <p style="padding-left: 40px;">Provided that there shall be at least two women, whether Chairperson, Member or Member Secretary:</p> <p style="padding-left: 40px;">Provided further that there shall be one person belonging to the Scheduled Castes and one person belonging to the Scheduled Tribes, whether Chairperson, Member or Member Secretary.</p> <p>(3) The Chairperson, other Members and Member Secretary shall be appointed from amongst persons —</p> <ul style="list-style-type: none"> <li>(a) who are or have been Member of the All India Services or any other civil services of the Union or State or holding a civil post under the Union or State having knowledge and experience in matters relating to food security, policy making and administration in the field of</li> </ul> |  |

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|  | <p>agriculture, civil supplies, nutrition, health or any allied field;</p> <p>(b) of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy or public administration; or</p> <p>(c) who have a proven record of work relating to the improvement of the food and nutrition rights of the poor:</p> <p>(4) The method of appointment and terms and conditions subject to which the Chairperson, other Members and Member Secretary of the State Commission may be appointed, and time, place and procedure of meetings of the State Commission (including the quorum at such meetings) and its powers, shall be such as may be prescribed by the State Government.</p> <p>(5) The State Commission shall undertake the following functions, namely:</p> <p>(a) monitor and evaluate the implementation of the Act, in relation to the State;</p> <p>(b) either <i>suo motu</i> or on receipt of complaint inquire into violations of entitlements provided under Chapters II, III and IV;</p> <p>(c) issue guidelines to the State Government in consonance with the guidelines of the National Commission in implementation of the Act;</p> <p>(d) give advice to the State Government, their agencies, autonomous bodies as well as non-governmental organizations involved in delivery of relevant services, for the effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in this Act;</p> |  |
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|                                              |             | <p>(e) hear appeals against orders of the District Grievance Redressal Officer;</p> <p>(f) hear complaints transferred to it by the National Commission; and</p> <p>(g) prepare annual reports which shall be laid before the State Legislature by the State Government.</p> <p>(6) The State Government shall make available to the State Commission such administrative and technical staff, as it may consider necessary for proper functioning of the State Commission.</p> <p>(7) The method of appointment of the staff under sub-section (6) their salaries, allowances and conditions of service shall be such as may be prescribed by the State Government.</p> |  |
|                                              |             | <p>20. The State Government shall provide for salary and allowances of Chairperson, other Members and Member Secretary and support staff, and other administrative expenses required for proper functioning of the State Commission.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>National<br/>Security<br/>Commission.</b> | <b>Food</b> | <p>21. (1) The Central Government shall constitute a body known as the National Food Security Commission to perform the functions assigned to it under this Act.</p> <p>(2) The Headquarters of the National Commission shall be at Delhi.</p> <p>(3) The National Commission shall consist of -</p> <p>(a) a Chairperson,<br/>(b) five other Members, and<br/>(c) a Member Secretary</p> <p>Provided that there shall be at least two women, whether Chairperson, Member or Member Secretary.</p> <p>Provided further that there shall be one person belonging to the Scheduled Castes and</p>                                                                          |  |

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|  | <p>one person belonging to the Scheduled Tribes whether Chairperson, Member or Member Secretary.</p> <p>(4) The Chairperson, other Members and Member Secretary shall be appointed from amongst persons—</p> <p>(a) who are or have been a Member of All India Services or Indian Legal Service or any other civil services of the Union or holding a civil post under the Union 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;</p> <p>(b) of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy or public administration; or</p> <p>(c) who have a proven record of work relating to the improvement of the food and nutrition rights of the poor.</p> <p>(5) The method of appointment and terms and conditions subject to which the Chairperson other Members and Member Secretary of the National Commission may be appointed, and time, place and procedure of meetings of the National Commission (including the quorum at such meetings) and its powers, shall be such as may be prescribed by the Central Government.</p> <p>(6) The National Commission shall undertake the following functions, namely:-</p> <p>(a) monitor and evaluate the implementation of this Act and schemes made there under;</p> <p>(b) either <i>suo motu</i> or on receipt of complaint inquire into violations of entitlements provided under Chapters II, III and IV;</p> |  |
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|  | <p>(c) advise the Central Government in synergising existing schemes and framing new schemes for the entitlements provided under this Act;</p> <p>(d) recommend to the Central Government and the State Governments, steps for the effective implementation of food and nutrition related schemes, and to enable persons to fully access their entitlements specified in this Act;</p> <p>(e) issue requisite guidelines for training, capacity building and performance management of all persons charged with the duty of implementation of the schemes;</p> <p>(f) consider the reports and recommendations of the State Commissions for inclusion in its annual report;</p> <p>(g) hear appeals against the orders of the State Commission;</p> <p>(h) prepare annual reports on implementation of this Act, which shall be laid before Parliament by the Central Government.</p> <p>(7) The Central Government shall make available to the National Commission such other administrative and technical staff, as it may consider necessary for proper functioning of the National Commission.</p> <p>(8) The method of appointment of the staff under sub-section (7), their salaries, allowances and conditions of service shall be such as may be prescribed by the Central Government.</p> |  |
|  | 22. The Central Government shall provide for the salary and allowances of Chairperson, other Members and Member Secretary and support staff and other administrative expenses, required for proper functioning of the National Commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
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|                                                                                                               | <b>CHAPTER IX<br/>OBLIGATIONS OF CENTRAL GOVERNMENT FOR<br/>FOOD SECURITY</b>                                                                                                                                                                                                                                                                                     |  |
| <b>Central Government to allocate required quantity of foodgrains from central pool to State Governments.</b> | 23. (1) The Central Government shall, for ensuring the regular supply of foodgrains to persons belonging to priority households and general households, allocate from the central pool the required quantity of foodgrains to the State Governments under the Targeted Public Distribution System, as per the entitlements and at prices specified in Schedule I. |  |
|                                                                                                               | (2) The Central Government shall allocate foodgrains in accordance with the number of persons belonging to the priority households and general households identified in each State under section 14.                                                                                                                                                              |  |
|                                                                                                               | (3) The allocation of foodgrains under sub-section (2) shall be revised annually, in the manner prescribed, based on the actual or estimated population as the case may be.                                                                                                                                                                                       |  |
|                                                                                                               | (4) The Central Government shall provide foodgrains in respect of entitlements under sections 4, 5, 6, 8, 9 and section 11, to State Governments, at prices specified for persons belonging to priority households in the Schedule I.                                                                                                                             |  |
|                                                                                                               | (5) Without prejudice to sub-section (1), the Central Government shall,-                                                                                                                                                                                                                                                                                          |  |
|                                                                                                               | (a) procure foodgrains for the central pool through its own agencies and the State Governments and their agencies;                                                                                                                                                                                                                                                |  |
|                                                                                                               | (b) allocate foodgrains to the States;                                                                                                                                                                                                                                                                                                                            |  |
|                                                                                                               | (c) provide for transportation of foodgrains, as per allocation, to the depots designated by the Central Government in each State; and                                                                                                                                                                                                                            |  |
|                                                                                                               | (d) create and maintain required modern and scientific storage facilities at various levels.                                                                                                                                                                                                                                                                      |  |
| <b>Provisions for funds by Central Government to State Government in certain cases.</b>                       | 24. In case of short supply of foodgrains from the central pool to a State, the Central Government shall provide the State Government funds for meeting obligations under Chapters II, III and IV, at such prices and in such manner as may be prescribed by the Central Government.                                                                              |  |
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|                                                                         | <b>CHAPTER X<br/>OBILIGATIONS OF STATE GOVERNMENT FOR<br/>FOOD SECURITY</b>                                                                                                                                                                                                                                                                                                                                                               |  |
| <b>Implementation and monitoring of schemes ensuring food security.</b> | 25. (1) The State Government shall be responsible for implementation and monitoring of the schemes of various Ministries and Departments of the Central Government in accordance with guidelines issued by the Central Government for each scheme, and their own schemes, for ensuring food security to the targeted beneficiaries in their State.                                                                                        |  |
|                                                                         | (2) Under the Targeted Public Distribution System, it shall be the duty of the State Government to-                                                                                                                                                                                                                                                                                                                                       |  |
|                                                                         | (a) take delivery of foodgrains from the designated depots of the Central Government in the State, at prices specified in the Schedule I, organize intra- State allocations for delivery of the allocated foodgrains through their dedicated agencies at the door-step of each fair price shop; and                                                                                                                                       |  |
|                                                                         | (b) ensure actual delivery or supply of the foodgrains to the entitled persons at prices specified in Schedule I.                                                                                                                                                                                                                                                                                                                         |  |
|                                                                         | (3) For foodgrain requirements in respect of entitlements under sections 4, 5, 6, 8, 9 and section 11 it shall be the responsibility of the State Government to take delivery of foodgrains from the designated depots of the Central Government in the State, at prices for persons belonging to priority households specified in the Schedule I and ensure actual delivery of entitled benefits, as specified under sections aforesaid. |  |
|                                                                         | (4) In case of failure to supply the entitled quantities of foodgrains or meal to entitled persons under Chapters II, III and IV, the State Government shall be responsible for payment of food security allowance specified in section 12.                                                                                                                                                                                               |  |
|                                                                         | (5) For efficient operations of the Targeted Public Distribution System, every State Government shall,--                                                                                                                                                                                                                                                                                                                                  |  |
|                                                                         | (a) create and maintain scientific storage facilities at the State, District, and Block                                                                                                                                                                                                                                                                                                                                                   |  |

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|                                                                                                            | levels, being sufficient to accommodate foodgrains required under the Targeted Public Distribution system and other food based welfare schemes;                                                                                                                                                                                                                                                                                                                                          |  |
|                                                                                                            | (b) suitably strengthen capacities of their Food and Civil Supplies Corporations and other designated agencies;                                                                                                                                                                                                                                                                                                                                                                          |  |
|                                                                                                            | (c) establish institutionalized licensing arrangements for fair price shops in accordance with the relevant provisions of the Public Distribution System (Control) Order, 2001 as amended from time to time.                                                                                                                                                                                                                                                                             |  |
|                                                                                                            | <b>CHAPTER XI<br/>OBLIGATIONS OF LOCAL AUTHORITIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>Implementation of Targeted Public Distribution System.</b>                                              | <p>26.(1) The local authority, municipality, Panchayati Raj Institutions and urban local bodies shall be responsible for the proper implementation of this Act in their respective areas.</p> <p>(2) Without prejudice to sub- section (1), the State Government may assign, by notification, additional responsibilities for implementation of the Targeted Public Distribution System to the local authority or municipality or Panchayati Raj Institutions or urban local bodies.</p> |  |
| <b>Obligations of local authority or municipality or Panchayati Raj Institution or urban local bodies.</b> | 27. In implementing different schemes of the Ministries and Departments of the Central Government and the State Governments formulated to implement provisions of this Act, the local authority or municipality or Panchayati Raj Institutions or urban local bodies shall be responsible for discharging such duties and responsibilities as may be assigned to them by notification, by the respective State Governments.                                                              |  |
|                                                                                                            | <b>CHAPTER XII<br/>TRANSPARENCY AND ACCOUNTABILITY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>Disclosure of records of Targeted Public Distribution</b>                                               | 28. All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to public, in such manner as may                                                                                                                                                                                                                                                                                                                           |  |

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| <b>System.</b>                                                 | be prescribed by the State Government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>Conduct of social audit.</b>                                | <p>29. (1) Every local authority or municipality or Panchayati Raj Institution or urban local body, or any other authority or body, as may be authorized by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government.</p> <p>(2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies.</p>                                         |  |
| <b>Setting up of Vigilance Committees.</b>                     | <p>30. (1) For ensuring transparency and proper functioning of the Targeted Public Distribution System and accountability of the functionaries in such system, every State Government shall set up Vigilance Committees as prescribed in the Public Distribution System (Control) Order, 2001, as amended from time to time, at the State, District, Block and fair price shop levels consisting of such persons, as may be prescribed, giving due representation to the Panchayati Raj Institutions in rural areas and urban local bodies in urban areas, as well as the Scheduled Castes, the Scheduled Tribes, women and destitute persons or persons with disability.</p> |  |
|                                                                | <p>(2) The Vigilance Committees shall perform the following functions, namely:-</p> <ul style="list-style-type: none"> <li>(a) regularly supervise the implementation of all schemes under this Act;</li> <li>(b) inform the District Grievance Redressal Officer, in writing, of any violation of this Act; and</li> <li>(c) inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds found by it.</li> </ul>                                                                                                                                                                                                            |  |
|                                                                | <b>CHAPTER XIII</b><br><b>PROVISIONS FOR ADVANCING FOOD SECURITY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <b>Steps to further advance food and nutritional security.</b> | 31. The Central Government, the State Governments and local authorities shall, for the purpose of advancing food and nutritional security, strive to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |

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|                                                                      | progressively realize the objectives specified in Schedule IV .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
|                                                                      | <b>CHAPTER XIV<br/>MISCELLANEOUS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| <b>Other welfare schemes.</b>                                        | 32. The provisions of this Act do not preclude the Central or State Government from continuing implementation of other food based welfare schemes.                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>Penalties</b>                                                     | <p>33. Any public servant or authority found guilty, by the State Commission or the National Commission at the time of deciding any complaint or appeal, of failing to comply with the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or willfully ignoring such recommendation, shall be liable to penalty not exceeding five thousand rupees:</p> <p>Provided that the public servant or the public authority, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed.</p> |  |
| <b>Power to delegate by Central Government and State Government.</b> | 34. (1) The Central Government may, by notification, direct that the powers exercisable by it (except the power to make rules) in such circumstances and subject to such conditions and limitations, be exercisable also by the State Government or an officer subordinate to the Central Government or the State Government as it may specify in the notification.                                                                                                                                                                                                       |  |
|                                                                      | (2) The State Government may, by notification, direct that the powers exercisable by it (except the power to make rules), in such circumstances and subject to such conditions and limitations, be exercisable also by an officer subordinate to it as it may specify in the notification.                                                                                                                                                                                                                                                                                |  |
| <b>Act to have overriding effect.</b>                                | 35. The provisions of this Act or the schemes made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of such law.                                                                                                                                                                                                                                                                                                                          |  |

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| <b>Power to amend Schedules</b>                        | 36. (1) If the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend Schedule I or Schedule II or Schedule III or Schedule IV and thereupon Schedule I or Schedule II or Schedule III or Schedule IV, as the case may be, shall be deemed to have been amended accordingly.<br>(2) A copy of every notification made under sub-section (1), shall be laid before each House of Parliament as soon as may be after it is made. |  |
| <b>Power of Central Government to give directions.</b> | 37. The Central Government may, from time to time, give such directions, as it may consider necessary, to the State Governments for the effective implementation of the provisions of this Act and the State Governments shall comply with such directions.                                                                                                                                                                                                                        |  |
| <b>Power of Central Government to make rules.</b>      | 38. (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules to carry out the provisions of this Act.                                                                                                                                                                                                                                                                                                                     |  |
|                                                        | (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-                                                                                                                                                                                                                                                                                                                        |  |
|                                                        | (a) guidelines for providing wheat flour in lieu of entitled quantity of food grains under sub-section (2) of section 3;                                                                                                                                                                                                                                                                                                                                                           |  |
|                                                        | (b) schemes for destitute and homeless persons under section 8;                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|                                                        | (c) schemes for emergency and disaster affected persons under section 9;                                                                                                                                                                                                                                                                                                                                                                                                           |  |
|                                                        | (d) manner in which relief shall be provided under section 11 to persons living in starvation;                                                                                                                                                                                                                                                                                                                                                                                     |  |
|                                                        | (e) the amount, time and manner of payment of food security allowance to entitled individuals under section 12;                                                                                                                                                                                                                                                                                                                                                                    |  |
|                                                        | (f) State-wise distribution of coverage of persons under priority households and general households under sub-section (2) of section 13;                                                                                                                                                                                                                                                                                                                                           |  |
|                                                        | (g) reforms in the Public Distribution System to which coverage of persons belonging to general households shall be linked under sub-section (3) of section 13 and the dates from which such coverage shall be operational;                                                                                                                                                                                                                                                        |  |
|                                                        | (h) the guidelines for identification of priority                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |

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|                                      | and general households, including exclusion criteria for the purpose of their entitlement under sub-section (1) of section 14;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
|                                      | (i) the method and terms and conditions of appointment, and powers of the District Grievance Redressal Officer under sub-section (2) of section 18;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
|                                      | (j) the manner and time limit for hearing complaints by the District Grievance Redressal Officer and the filing of appeals under sub-sections (4) and (6) of section 18;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
|                                      | (k) the method of appointment and the terms and conditions of appointment of Chairperson, other Members and Member Secretary of the National Commission, its powers, and procedures of meetings of the Commission, under sub-section (5) of section 21;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
|                                      | (l) methods of appointment of staff of the National Commission, their salary, allowances and conditions of service under section sub section (8) of section 21;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
|                                      | (m) the prices and the manner in which funds shall be provided by the Central Government to the State Governments in case of short supply of foodgrains, under section 24;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
|                                      | (n) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the Central Government by rules.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|                                      | (3) Every rule made by the Central Government 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 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 that rule. |  |
| <b>Power of State Governments to</b> | 39. (1) The State Government may, by notification, and subject to the condition of previous publication,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |

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| <b>make rules.</b>                   | and consistent with this Act and the rules made by the Central Government, make rules to carry out the provisions of this Act.                                                                                                                                                                                                                                                                                    |  |
|                                      | (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-                                                                                                                                                                                                                                                        |  |
|                                      | (a) the method of appointment and the terms and conditions of appointment of Chairperson, other Members and Member Secretary of the State Commission, procedure for meetings of the Commission and its powers, under sub-section (4) of section 19;                                                                                                                                                               |  |
|                                      | (b) the method of appointment of staff of the State Commission, their salaries, allowances and conditions of service under sub section (7) of section 19;                                                                                                                                                                                                                                                         |  |
|                                      | (c) the manner in which the Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to public under section 28;                                                                                                                                                                                                                                     |  |
|                                      | (d) the manner in which the social audit on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes shall be conducted under section 29;                                                                                                                                                                                                                               |  |
|                                      | (e) the details of constitution of vigilance committees under sub-section (1) of section 30;                                                                                                                                                                                                                                                                                                                      |  |
|                                      | (f) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the State Government by rules.                                                                                                                                                                                                                                                                       |  |
|                                      | (3) Every rule or Scheme made by the State Government under this Act shall, as soon as may be after it is made, be laid before each House of the State Legislature where there are two houses, and where there is one House of the State Legislature, before that House.                                                                                                                                          |  |
| <b>Power to remove difficulties.</b> | 40. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:<br><br>Provided that no order shall be made under this section after the expiry of two years from the |  |

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|                                                                  | commencement of this Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
|                                                                  | (2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.                                                                                                                                                                                                                                                                                                                                                                           |  |
| <b>Utilisation of institutional mechanism for other purposes</b> | 41. The services of authorities to be appointed or constituted under sections 18, 19 and section 21 may be utilized in the implementation of other schemes or programmes of the Central Government or the State Governments, as may be prescribed by the Central Government.                                                                                                                                                                                                                          |  |
| <b>Force Majeure.</b>                                            | 42. The Central Government, or as the case may be the State Government, shall not be liable for any claim by persons belonging to the priority households or general households or other groups entitled under this Act for loss, damage, or compensation whatsoever arising out of failure of supply of foodgrains or meals when such failure of supply is due, either directly or indirectly, to force majeure conditions such as war, flood, drought, fire, cyclone, earthquake or any act of God. |  |

**SCHEDULE I**

(See sub-sections (1) and (2) of section 3, sub-sections (1) and (4) of section 23, sub- sections (2) and (3) of section 25)

**Foodgrain Entitlements and Issue Prices under Targeted Public Distribution System**

|                              | <b>Priority Households</b>                                     | <b>General Households</b>                                                                                                        |
|------------------------------|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>Foodgrain Entitlement</b> | Seven kilograms of foodgrains per person per month.            | Three kilograms of foodgrains per person per month.                                                                              |
| <b>Price</b>                 | Not exceeding Rs. 3,2 or 1 per kg for rice/wheat/coarse grains | Not exceeding 50 per cent. of the minimum support price for wheat and coarse grains, and derived minimum support price for rice. |

**SCHEDULE II****(See section 4, sub-sections (1) and (2) of section 5 and section 6)****NUTRITIONAL STANDARDS**

**Nutritional Standards:** The Nutritional standards for children in the age group of 6 months – 3 years, age group of 3-6 years and pregnant and lactating women required to be met by providing of ‘Take Home Rations’\* and/or nutritious cooked meal or ready to eat meal in accordance with the Integrated Child Development Services Scheme and nutritional standards for children in lower and upper primary classes under the Mid Day Meal scheme are as follows:

| <b>Category</b>                                   | <b>Type of meal **</b> | <b>Calories (Kcal)</b> | <b>Protein (g)</b> |
|---------------------------------------------------|------------------------|------------------------|--------------------|
| Children (6 months-3 years)                       | Take Home Ration       | 500                    | 12-15              |
| Children (3-6 years)                              | Cooked Meal            | 500                    | 12-15              |
| Children (6 months- 6 years) who are malnourished | Take Home Ration       | 800                    | 20-25              |
| Lower primary classes                             | Cooked Meal            | 450                    | 12                 |
| Upper primary classes                             | Cooked Meal            | 700                    | 20                 |
| Pregnant and Lactating mothers                    | Take Home Ration       | 600                    | 18-20              |

\* *Energy Dense Food fortified with micronutrients as per 50% of RDA (Recommended Dietary Allowance)*

\*\* *Meals shall be prepared in accordance with the prevailing Food Laws*

**NB:** *Nutritional standards are notified to provide balance diet and nutritious foods in terms of the calorie counts, protein value and micronutrients specified.*

**SCHEDULE III****(See sub-section (1) of section 13)****Coverage under Targeted Public Distribution System**

|              |                                                                                                                   |
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| <b>Rural</b> | Upto 75 per cent. of the total population, with at least 46 per cent. population belonging to priority households |
| <b>Urban</b> | Upto 50 per cent. of the total population, with at least 28 per cent. population belonging to priority households |

**SCHEDULE IV**  
**PROVISIONS FOR ADVANCING FOOD SECURITY**

**(See sub-section (1) of section 31)**

- (1) Revitalisation of Agriculture -
  - (a) agrarian reforms through measures for securing interests of small and marginal farmers;
  - (b) increase in investments in agriculture, including in research & development, extension services, micro and minor irrigation and power;
  - (c) ensuring remunerative prices, credit, irrigation, power, crop insurance, etc.;
  - (d) prohibiting unwarranted diversion of land and water from food production;
- (2) Procurement, Storage and Movement related interventions:
  - (a) incentivising decentralised procurement including procurement of coarse grains;
  - (b) geographical diversification of procurement operations
  - (c) augmentation of adequate decentralised modern and scientific storage;
  - (d) giving top priority to movement of foodgrains and providing sufficient number of rakes for this purpose, including expanding the line capacity of railways to facilitate foodgrain movement from surplus to consuming regions.
- (3) Reforms in the Targeted Public Distribution System in consonance with the functional role envisaged for it in the Act, which would, inter alia, include the following, namely:
  - (a) doorstep delivery of foodgrains to the Targeted Public Distribution System outlets;
  - (b) application of information and communication technology tools including end-to-end computerization in order to ensure transparent recording of transactions at all levels, and to prevent diversion;
  - (c) leveraging 'aadhaar' for unique identification, with biometric information of entitled beneficiaries for proper targeting of benefits under this Act.
  - (d) full transparency of records;
  - (e) preference to public institutions or public bodies such as Gram Panchayats, self Help groups, Cooperatives, etc. in licensing of fair price shops and management of fair price shops by women or women's collectives;
  - (f) support to local public distribution models and grains banks; and

- (g) introducing schemes such as cash transfer, food coupons, among others, to the targeted beneficiaries in lieu of their foodgrain entitlements specified in Chapter II, in areas and manner to be prescribed by the Central Government.

(4) Others: Access to

- (a) Safe and adequate drinking water and sanitation
- (b) Health care
- (c) Nutritional, health and education support to adolescent girls
- (d) Adequate pensions for senior citizens, persons with disability and single women