



No. GMB/GOA/125

August 07, 2013.

Respected Pradhanmantriji,

The Government of Gujarat has noted with serious concern the final formulation of the National Food Security Ordinance promulgated by the Central Government recently. In my clear view, this does not contain the basic tenets which any food security legislation should meet and is unlikely to achieve the objectives for which the Union Government has taken this step. I would like to bring to your notice the following major deficiencies in the Ordinance which your government has promulgated, in which unworkable statutory responsibilities have been devolved on the Central and State governments as well as poor families have been made food 'insecure' through this Ordinance.

These key deficiencies are as follows.

1. This is the first time any law has attempted to fix the number of beneficiaries in macro terms first and then cast on the States the responsibilities to specify eligibility criteria and fix individual entitlements so as to reach the macro figure fixed by law. Any logical legislation should provide for fixation of criterion first and the identification of the citizens who are food insecure, and then come to a conclusion about the total eligibility at the State level in terms of numbers. This legislation actually does the reverse by not providing criteria or entitlements to ensure food security of the insecure families and individuals. It is clear that each State will lay down identification criteria specific to the

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state to reach the numbers prescribed by the Ordinance. There could be wide regional disparities. Such variations would be open to judicial scrutiny and would create confusion. I would like to add here that **none of the drafts had this provision.** Even the Standing Committee of Parliament on Ministry of Consumer Affairs, Food & Public Distribution System had recommended as recently as in January, 2013 that Government should formulate eligibility criteria in consultation with State Governments. This was a wise recommendation as it would have resulted in uniform eligibility nationwide which is a must for legal entitlement under a Central legislation. Sadly, the Central Government has chosen to ignore the recommendation of its own Parliamentary Committee.

2. I have noted with deep concern the fact that the Ordinance proposes to reduce the entitlement of BPL families from 35 kg per family to only 25 kg per average family of 5 persons. Surely this cannot be the objective of any food security legislation which reduces the entitlement of those who have been identified as being below the poverty line. Without the statutory "Right to Food", the BPL families were so far already getting 35 kg per month and the Food Security Ordinance proposes to reduce it to 25 kg.
3. I am further saddened to note that as per the proposed pricing structure for the grain, the BPL family will now have to incur Rs. 85 more net expenditure per month for availing 35 Kg which they were getting without "Right". This can be seen from the attached sheet. Though details are for Gujarat but more or less similar situation would prevail for the poor of each State.
4. I am also pained to note that the Food Security Ordinance does not assure an individual of having 2 meals a day. I fail to understand that how food security for the individual is being

assured. The proposed entitlement of 5 kg per month per person implies the supply of only 165 gm per person per day. Persons involved in labour intensive activities require about 2500 calories per day as per NIN 2009 recommendations. As 100 gm of food grain gives about 350 calorie, 165 gm would provide only 500 calories per day which is hardly 20% of his daily calorie requirements. Even in the Mid-day Meal scheme, administrated by the Ministry of Human Resource Development, Government of India, school going children are entitled to about 150 gm of food grain, and 30 gm of dal for one meal i.e. about 180 gm of grain. As against this, an adult food insecure person is proposed to be given only 165 gm for 2 meals per day. This does not address even the calorific security, not to talk about nutritional security which is the main objective of food security. This, I am sure you will agree, is totally unacceptable if providing adequate food security is the objective of the Ordinance.

5. I also note that while on one hand the Central Planning Commission has been claiming the reduction of numbers below the poverty line, on the other the Central Government has deemed it fit to provide food support to about 2/3 of the population. This illogicality is not understandable and requires to be discussed with States.

Looking to the issues raised above, it is clear that the Food Security Ordinance, 2013 has been brought about with undue haste and has major flaws. As it is going to have far reaching implications for the citizens of this country and also on the agriculture sector, it would have been more appropriate to have the issue suitably debated and discussed at proper forums. A meeting of the Chief Ministers of States needs to be called before the matter is finalised by Parliament, a step which should have been taken on such an important Centre-State issue and which has not been taken so far.

I hope my thoughts above will receive your thoughtful consideration and appropriate action.

With warm regards,

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Narendra Modi', written over a horizontal line.

(Narendra Modi)

Dr. Manmohan Singh,
Hon'ble Prime Minister of India,
PMO, South Block,
New Delhi – 110 001.

Effect of proposed National Food Security Ordinance (NFSO) on a BPL Family (monthly)

Before NFSO (Quantity : 35 Kg)

Quantity in Kg	Rate in Rs.	Expense in Rs.
13	2.00	26.00
3	3.00	9.00
16	7.50	120.00
3	7.00s	21.00
Total		176.00

As Per NFSO (Expenditure for 35 Kg for a family of 5 persons)

As Per NFSO : 25 kg
Open Market : 10 kg

Quantity in Kg	Rate in Rs.	Expense in Rs.
19	2.00	38.00
6	3.00	18.00
5	19.00	95.00
5	22.00	110.00
Total		261.00

Additional Expenses Rs. 85 per month