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RIGHT TO FOOD FOR ALL IN INDIA: MYTH OR REALITY

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Abstract:

As we all know that food is the basic Human necessity, without which no one can survive. Making food available for all the people in the world is now days becoming a complex issue. The availability food is decreasing as a result of increase in population that will result in food insecurity or malnutrition. Indian constitution interprets the right to food as part of right to life, which is fundamental human right. Change in climate, the impact of globalization, Global Warming, Carbon dioxide emission from fuel etc. also affects the right to food of many people. This paper examines the situation prevailing in India and looks into the obligations and initiatives by the government of India to ensure Right to Food and make suggestions for addressing the issue and examines the possible way to make the scheme workable to achieve food security.

Keywords: Climate change, fundamental right, food security, malnutrition, population.

INTRODUCTION:

In these the fast growing age, the demand for food is influenced by a number of factors that includes population growth, economic growth, individual income, human resource development, lifestyle and preferences of people, food wastage, change in climate, global warming etc. Food is the basic necessity of all human being, without which one cannot survive. The population of earth has been as great as it is today, and never before in the history of civilization has it grown so rapidly. According to the Food and Agriculture Organization (FAO) of the United Nations, more than one billion people are undernourished.¹ Nearly six million children die every year from malnutrition or related diseases, that is about half of all preventable deaths. The majority of those suffering from hunger and malnutrition are smallholders or landless people, mostly women and girls living in rural areas without access to productive resources.²

Food is the most important need as it is indispensable for the wellbeing of human life, despite increase in food production, complete food security has not been achieved. India is a country where millions of poor people suffer from hunger and malnutrition. The concept of food security has evolved over the last few decades.

The increase in pollution is leading to global warming consequently resulting in melting of ice at the poles, extreme or unexpected weather patterns, unusual rain fall, making life vulnerable on the earth. The direct outcome of this climate change is dwindling of agricultural production, loss of crop, grain shortage etc. The climate change though can be considered as a natural phenomenon but is a direct result of human intervention and the human actions are directly liable for the change. The climate change has clear effect on the production of the agricultural products or crop yield. The World Bank report made on India states that rising temperature and changing monsoon rainfall patterns from climate change could cost India 2.8 percent of GDP and depress the living standards of nearly half of the country's population by 2050.³ Thus, we can say that climate change is one of the greatest threats in the progress of both developed and developing nations. The adverse effect of climate change will be faced by all the countries, and most

¹ FAO, The State of Food Insecurity in the World 2009: Economic Crises – Impacts and Lessons Learned (Rome, 2009), key messages and p. 11.

² Millennium Project, Halving Hunger: It Can Be Done (United Nations publication)

³ World Bank Report (WBR), 2018

severely in Least Developed Countries (LDCs), Small Island Developing States (SIDS) and areas with particularly fragile ecosystems (e.g. drylands, mountains, coastal areas).⁴ Global climate change has notable adverse effects on the environment. Glaciers are falling apart into small pieces due to melting, the flow of rivers is trickling, water levels of lakes are going down, plant and animal ranges have shifted and trees are flowering sooner. Climate change threatens to reverse the progress we have made so far in the fight against hunger and poverty. The right to food is recognized in the 1948 Universal Declaration of Human Rights (UDHR) as part of the right to an adequate standard of living, and is enshrined in the 1966 International Covenant on Economic, Social and Cultural Rights. Also the Right to Food has also been recognized in various international conventions as well protected by several treaties and national constitutions. All of these factors threaten Food Security, which is a fundamental human right.

RIGHT TO FOOD

All human beings have the Right to Food and right to be free from hunger without any discrimination of caste, gender, religion, language, political or other opinion, birth or other status. The evolution of the right to food is derived from the larger human right to an adequate standard of living contained in the 1948 Universal Declaration of Human Rights (UDHR). Article 25(1) of UDHR asserts that, 'Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services.

Alongside population also plays an important role which affects the Right to Food, due to increase in population the unprivileged people can't get nutritious food and hence they become food insecure. Almost one in seven people around the world are chronically hungry, lacking enough food to be healthy and lead active lives. This is despite the fact that enough food exists for all of the world's people.⁵ Increasing numbers of people often drive up demand for food,

⁴ FAO strategy on climate change, 2017

⁵ World Bank. 2007. World Development Report 2008: Agriculture for Development. Washington, DC: World Bank; Blas, J. 2009. "Number of Chronically Hungry Tops 1bn" Financial Times, 26 March; Food and Agriculture Organization of the United Nations (FAO) 2008. The State of Food Insecurity in the World 2008. Rome: FAO.

which typically results in additional use of arable land and water. This is especially true in the absence of adequate food production technology and integrated programs that simultaneously address community needs for food and reproductive health. According to the report by FAO, by 2050, population and economic growth will result in a doubling of demand for food globally.⁶ The right to food can be described as follows:

1).The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.⁷

2).The right to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear.⁸

This definition points the following dimension of food security:⁹

- **Food availability:** The availability of sufficient quantities of food of appropriate quality, supplied through domestic production or imports (including food aid).
- **Food access:** Access by individuals to adequate resources (entitlements) for acquiring appropriate foods for a nutritious diet. Entitlements are defined as the set of all commodity bundles over which a person can establish command given the legal, political, economic and social arrangements of the community in which they live (including traditional rights such as access to common resources).
- **Utilization:** Utilization of food through adequate diet, clean water, sanitation and health care to reach a state of nutritional well-being where all physiological needs are met. This brings out the importance of non-food inputs in food security.

⁶ Ibid

⁷ Committee on Economic, Social and Cultural Rights

⁸ United Nations Special Rapporteur on the right to food

⁹ FAO Agricultural and Development Economics Division

- **Stability:** To be food secure, a population, household or individual must have access to adequate food at all times. They should not risk losing access to food as a consequence of sudden shocks (e.g. an economic or climatic crisis) or cyclical events (e.g. seasonal food insecurity). The concept of stability can therefore refer to both the availability and access dimensions of food security.
- Though Right to Food is our constitutional right, the shelter of our constitutional rights not enjoyed due to following reasons;

INCREASE IN POPULATION

Population increasing day by day and availability of food to feed the people is decreasing that ultimately results in Food Insecurity. The increased population needs shelter to survive, hence trees or forest decreasing that results in change in climate, if climate changes then that will results in less production and ultimately affects the Right to Food which is the basic human right.

- **Poverty, Hunger and malnutrition**

Low income growth is one of the reasons for low access to food and malnutrition. With increase in income and employment access to food can be improved. The increase in population results in high demand of food and if there is high demand in food then the prices of the food produces will increases but the poor people cannot afford it hence they become the victim of malnutrition. In India, the farmers many a times becomes the victim of malnutrition as they grow the cash crops or such crops which give them more income, and for paying their loans they sold that crops and become food insecure.

- **Food wastage**

Food waste or food loss is food that is discarded or lost uneaten. The causes of food waste or loss are numerous and occur at the stages of producing, processing, retailing and consuming. Many a time we have seen that food is being lost due to crop failure or drought or due to natural or artificial disaster.

- **Change in climate**

As mentioned in the definition of the food security, there are four main parts of Food Security. Climate change affects all the ingredients of Food Security i.e. Food Availability, Food Access, Food Stability and Food Utilization. The overall availability of food is affected by changes in agricultural yields as well as changes in arable land. Changes in food production, together with other factors, could impact food prices, which would affect the ability of poor households to access food markets and could reduce dietary diversity. Decreased water availability and quality in some areas could result in increased health and sanitation problems such as diarrheal disease which, together with changes in vector-borne disease patterns, has the potential to increase malnutrition, and negatively affect food utilization. Extreme weather effects disrupt the stability of food supply as well as people's livelihoods. Increase in extreme weather, such as floods and drought, as a result of climate change, would exacerbate this trend and could have a negative impact on livelihoods that depend on climate-sensitive activities such as rain-fed agriculture and livestock rearing.¹⁰

GOVERNMENT'S SCHEMES TO MAKE FOOD A RIGHT FOR ALL

To make food a Right for all our Indian government has introduced various schemes so that poor or unprivileged people can afford it and so they cannot become victim of malnutrition. The various schemes to curb Food insecurity are; Shramik Annapurna Yojana, Providing food to Aanganwali children, Akshay Patra etc. Taking care of the old is the responsibility of every society. Under Annapurna Scheme senior citizens of India (over 65 years old) who do not earn any pension, are eligible for 10 kg of grains free of cost every month. Under Shramik Annapurna Yojana Gujarat government has allotted Rs.50 crore for Shramiks. Under this scheme, the government will provide affordable lunch to 25000 labourers. Although the total cost of that meal would be Rs 30, the government would make its available at Rs 10 by providing Rs 20 subsidy per meal. The food under Shramik Annapurna Yojana will be provided to the

¹⁰ FAO Agricultural and Development Economics Division

construction workers at site where they are working. The State government of Gujarat will make such meals available at construction sites for workers across the state.¹¹

If we want to secure the future of this nation, we need to ensure that the children of today have access to the basic needs every child deserves. Government of India also supplies nutritious food to the children who studies in Aanganwadi. Not only government but also various foundations, NGOs and Trusts are tries to curb food insecurity by providing food to the people under various categories. Since 2000, Akshaya Patra has been concerting all its efforts towards providing fresh and nutritious meals to children on every single school day. The Akshay Patra Foundation, having partnership with the Government of India and various State Governments feeds them one wholesome meal a day and gives them the nourishment and motivation they need to pursue an education for a better future. It is their endeavor to reach out to every child at the grass root level of the society. Today, Akshaya Patra is the world's largest (not-for-profit run) Mid-Day Meal Programme serving wholesome food every school day to over 1.76 million children from 14,702 schools across 12 states in India.

- **National Food Security Act, 2013:**

As passed by the Parliament, Government has notified the National Food Security Act, 2013 with the objective to provide food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity. The Act provides for coverage of upto 75% of the rural population and upto 50% of the urban population for receiving subsidized food grains under Targeted Public Distribution System (TPDS), thus covering about two-thirds of the population. The eligible persons are entitled to receive 5 Kgs of food grains per person per month at subsidized prices of Rs. 3/2/1 per Kg for rice/wheat/coarse grains. The existing Antyodaya Anna Yojana (AAY) households, which constitute the poorest of the poor, will continue to receive 35 Kgs of food grains per household per month.

The Act also has a special focus on the nutritional support to women and children. Besides meal to pregnant women and lactating mothers during pregnancy and six months after the child birth,

¹¹ <http://say-guj.ncode.in/SAY/Login.aspx>

such women are also being entitled to receive maternity benefit of not less than Rs. 6,000. Children up to 14 years of age are entitled to nutritious meals as per the prescribed nutritional standards. In case of non-supply of entitled food grains or meals, the beneficiaries will receive food security allowance. The Act also contains provisions for setting up of grievance redressal mechanism at the District and State levels. Separate provisions have also been made in the Act for ensuring transparency and accountability. Various schemes provided under NFSA, 2013 are mentioned below;

- **Targeted Public Distribution System (TPDS):**

The Act provides for coverage of up to 75% of the rural population and up to 50% of the urban population for receiving subsidized food grains under Targeted Public Distribution System (TPDS), thus covering about two-third population of the country. The eligible persons identified by the States/UTs are entitled to receive 5 kgs of food grains per person per month at subsidized prices of Rs.3/2/1 per kg for rice/wheat/coarse grains respectively. The existing Antyodaya Anna Yojana (AAY) households, which constitute the poorest of the poor, receive 35 kgs of food grains per household per month. As on 1st November, 2016, NFSA has been implemented in all the 36 States/UTs and they are receiving monthly allocation of food grains as per their entitlement under NFSA.

- **Mid-day Meal Scheme:**

It is implemented by the Government, under this scheme student of primary and upper primary class in the Govt. Schools/Schools aided by Govt. and the Schools run by local bodies get nutritious food. The Central Issue Price for the scheme w.e.f. 1st April, 2016 is at NFSA rates i.e. Rs.3/2/1 per kg for rice/wheat/Coarse grain respectively.

- **Wheat Based Nutrition Programme (WBNP):**

This Scheme is implemented by the Ministry of Women & Child Development. The Central Issue Price for the scheme w.e.f. 1st April, 2016 is at NFSA rates i.e. Rs.3/2/1 per kg for rice/wheat/Coarse grain respectively. The scheme intends to provide nutritious/ energy food to children in the age group of 0-6 years and expectant/lactating women. The food grains allotted

under this Scheme are utilized by the States/UTs under the Umbrella Scheme – Integrated Child Development Scheme (ICDS).

- **Annapurna Scheme:**

This Scheme is implemented by the Ministry of Rural Development. Indigent senior citizens of 65 years of age or above who are not getting pension under the National Old Age Pension Scheme (NOAPS) are provided 10 kilograms of food grains per person per month free of cost under the scheme. Food grains under the Scheme are provided by Department of Food & Public Distribution at BPL rates.

FOOD A RIGHT FOR ALL: REALITY

Despite the presence of a good number of government sponsored food schemes, one of the major problems faced by developing countries is execution of the plans. On paper, it might seem a lot is being done to alleviate the problems of hunger, but in reality, there have been too many reports of the benefits not reaching the people who need it the most. Corruption is a huge problem, especially when it comes to government-run welfare schemes. Too many people in developing nations are trying to make a quick buck using such schemes to fatten their wallets.

The debate on the Food Security Act is based on myths on both sides. The government is propagating the myth that it is the largest anti-poverty and anti-hunger programme ever introduced anywhere in the world. There were two reasons for the increased cost to feed fewer people. One reason was the huge administrative cost of identifying, issuing, and managing the various ration cards - which also became a source for political favors and corruption. Another reason was the trimming of a universal PDS to a TPDS created a huge gap between market prices and ration prices. On the one hand this increased the quantum of subsidies by removing the price control function of a Universal PDS system and the erosion of the price control mechanisms of the essential commodities act. On the other hand, the polarization between the market prices and the ration shop prices also promoted leakages from the PDS system. One out of every four Indians today is a victim of hunger. And half of the hungry are farmers who cannot eat what they grow, either because they are planting cash crops such as cotton; or they're

growing costly crops such as rice, wheat and corn, which they have to sell in order to repay the loans they get to buy seeds, fertilizers, etc.

According to the Union Ministry for food and public distribution, the Lok Sabha that 1.6 Lakh bogus ration cards had been invalidated in Gujarat between 2013 and 2017 after government began seeding Aadhar details and introduced biometric authentication in the Public Distribution System (PDS). According to Press Information Bureau (PIB) release concerning the Union ministry, the Gujarat government was lethargic in acting against pilferage, as only 407 bogus ration cards invalidated between 2012 and 2014. As per the report against 15.7 lakhs metric tons of rice and wheat available to the PDS, at least 11.3 lakh metric tons was lost due to leakages. Thus PDS leakage in Gujarat accounted for 72% of total procurement. Between 2012 and 2014, the state government invalidated just 407 bogus cards. Between 2014 and 2017, this number scaled up to more than 1.6 lakh of the 1.27 crore ration card holder families in Gujarat. The proportion of PDS pilferage was highest in Manipur, Nagaland and Jharkhand.¹²

CONCLUSION

From the above discussion we have seen that food is our basic and constitutional right but due to various factors that Right to Food is not being enjoyed by the people. We have seen that India has government programmes such as AAY, nutrition programmes like mid-day meals, ICDS, PDS etc. to improve food and nutrition security. Self-employment programmes can also increase access to food and nutrition. Social protection programmes in India have helped in improving incomes as well as in providing protection to the population, especially to the poor, from shocks in the economy. However, there are lots of gaps and inefficiencies in the social protection programmes. Under National Food Security Law, the government wants to provide 25 kilograms of rice and wheat at Rs.3/kg to BPL families. This is too narrow an approach for Right to Food. The Right to Food Campaign has specified several other points, apart from universal PDS, to be included under the Food Entitlements Act.

¹² <https://timesofindia.indiatimes.com/city/lucknow/pds-scam-shop-owner-two-others-arrested/articleshow/65839331.cms>

India has many policies and programmes. However, food insecurity and malnutrition continue to be high. The problem is with both design and implementation of the programmes. The focus of reforms can now be shifted to more efficient delivery systems of public services. It has been recognized that better governance is very important for effective functioning of food-based programmes.

Appropriate institutions are needed for better implementation of policies and programmes. For example, rural institutions in areas like land, water, marketing of agricultural and non-agricultural products, credit, technology, and infrastructure are needed for better governance. Similarly, people-centric programmes and institutions are needed for better implementation of social protection schemes. A self-help group approach for livelihoods is relatively successful.

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