

NATIONAL FOOD SECURITY ACT, 2013

- 25 - DATED : SERIES -1 No. 09 NOVEMBER, 2013. No. 1/113/CSD/DMN/NFSO/2013-14/2958 U. T. Administration of Daman & Diu, Office of the Collector, Civil Supply Department, Collectorate, Dholar, Moti Daman - 396 220. Dated : 29/10/2013 The National Food Security Act, 2013 No. 20 of 2013 published in the Gazette of India Extraordinary Part 11—Section I New Delhi dated September 10, 2013. The said Act is hereby republished in the Official Gazette of this U.T. Administration of Daman & Diu for general information. (Gaurav Singh Rajawat, IAS) Civil Supply Officer, Collectorate, Daman, - 26 -

SERIES 1 No. . 09 DATED : 1ST NOVEMBER 2013. MINISTRY OF LAW AND JUSTICE (Legislative Departuement) New Delhi, the 10th September, 20i3/Bhadra 19, 1935 (Saka) The following Act of 'Par}iamment received the assent of the President on the I Oth September, 20 i 3, and is hereby published for general information THE NATIONAL FOOD SECURITY ACT, 2013 No. 20 OF 2013 (10th September, 2013.] An Act to provide for 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 and for matters connected therewith or incidental thereto. BE it enacted by Parliament in the Sixty-fourth Year ofthe Republic of India as follows: - CHAPTER I PRELIMINARY i. (1) This Act rruy lbe called the National Food Security Acte201-3. (2) It extends (0 the whole of India. (3) Savc as otherwise provided, it shall be deetned 10 have come into force on (he 5th day of July, 20 13 2, In this Act. unless the context otherwise requires. (l) "anganwadi" means a child care and development centre set up under the Integrated Chitd Development Services Scheme of the Central Government to render services coveted under section 4, clause (a) ot sub-section (I) of section 5 and section 6; Short title, extenl and Definitions — 27 _

SERIES -1 No. . 09 1ST NOVEMBER 2013. DATED : (2) "central pool" means the stock of foodgrains which is,- (D procurēd by the Central Governrcnt and the State Governments through minimum support price operations; maintained for allocations under the Targeted Public Distribu(ioa System, other welfare schemes, includ ing calamity reliefand such Other schemes; (ijt) kept as reserves for schemes referTed to in sub-clause (3) "eligible households* means households covered undct the priority households and the Antyādaya Anna Yojana referred to in Sub-séCtion df section 3: (4) "fair price shop" means a shop which has been licensed to distribute essential commodiies by an order issued under section 3 Of the Essential Commodities Act, 1953, to the ration card holders under the Targeted Public Distribution System; (5) "foodgrainsH means rite, whcat or coarse grains or any combination thereof confoming to such quality norms as may be determined, by order. by (he Central Govemtnent from timo to time; (6) 'food ecurityn means the supply of the entitled quantity of foodgrains and meal specified under Chapter It; (7) 'food security allowance" means the amount of money to be paid by the concemed State Government Io Lhe entitled persons:undet section 8; (8) "local authority" inciudes Panchayat, municipality, district board, cantonment board. town planning authority and in the States of Assam, Manipur, Meghalaya, Mizoram. Nagaland and Tripura where Panchayats do not exist, the viikage council or committee or any other body, by whatever name caned, which is authorised under the Constitutioo Or any for' the time béing in force for self-governance or any other authorityor body Vested with the control and manngement of civic services, within d specified local area; (9) "meal-n means hot cooked or pre-cooked and heated before its Ftvice meal Or take home raion, as may bg prescribed by the Central -GOvemment; (IO) "riiimum support price" means the-assured price announced by the Cenü-al Government at Which foodgrains are procured from farmers by the Central-Government and the State Governments and their agencies. for the central pool; (11) "notification" meāns a notification issued this Act and published in the Official Gazette; (12) "Other welfare-schemes H means such Government schemes. in addition to the Targebed Public Distribution System, under which or meals are supplied as part of the schemes; (13). "person with disability" means a.'*tson defined ag •such Clause (t) of section 2 Of the Persons with Disabilities (Equal Oppörtunities, Protection of Rights and Full Participation) Act, 1995', (IO *priority households" means households identified as such under section IO; (15) hpre\$ribed" means ptesCribed by rules made under thiSAct; (15) "ration card" means a document issued under an order or authority of the Stale Government for the of essential commodities from the fair price shops under the Targeted Public Distribution System; (17) ••rurai 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; to of 1955 of 1996.

- 28 - SERIES -1 No. . 09 1ST NOVEMBER 2013. DATED : 56 or 2007 IO or 1955 (18) "Schedule N means a Schedule appended to this Act; (19) "senior citizen" means a person defined as such under clause (h) of section 2 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007; (20) "social audit" means the process in which people collectively monitor and evaluate the planning and implementation of a programme or scheme; (21) "State Commission" means the State Food Commission constituted under section 16; (22) "State Government", in relation to a Union territory, means the Administrator thereof appointed under article 239 of the Constitution; (23) "Targeted Public Distribution System" means the system for distribution of essential commodities to the ration card holders through fair price shops; (24) "Vigilance Committee" means committee constituted under section 29 to supervise the implementation of all schemes under this Act; (25) the words and expressions not defined here but defined in the Essential Commodities Act, 1955, or any other relevant Act shall have the meaning respectively assigned to them in those Acts.

CHAPTER II PROVISIONS FOR FOOD SECURITY 3. (1) Every person belonging to priority households, identified under sub-section (1) of section 4, shall be entitled to receive five kilograms of foodgrains per person per month at subsidised prices specified in Schedule I from the State Government under the Targeted Public Distribution System: Provided that the households covered under Antyodaya Anna Yojana shall, to such extent as may be specified by the Central Government for each State in the said scheme, be entitled to thirty-five kilograms of foodgrains per household per month at the prices specified in Schedule I: Provided further that if annual allocation of foodgrains to any State under the Act is less than the average annual amount of foodgrains for last three years under the Targeted Public Distribution System, the same shall be protected at prices as may be determined by the Central Government and the State shall be allocated foodgrains as specified in Schedule I V. Explanation For the purpose of this section, the "Antyodaya Anna Yojana" means, the scheme by the said name launched by the Central Government on the 25th day of December, 2000; and as modified from time to time. (2) The entitlements of the persons belonging to the households referred to in subsection (1) at subsidised prices shall extend up to seventy-five per cent. of the rural population and up to fifty per cent. of the urban population. (3) Subject to sub-section (1) the State Government may provide to the persons belonging to eligible households, wheat flour in lieu of the entitled quantity of foodgrains in accordance with such guidelines as may be specified by the Central Government

4. Subject to such schemes as may be framed by the Central Government, every pregnant woman and lactating mother shall be entitled to—(a) 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 11; and (b) maternity benefit; of not less than rupees six thousand, in such instalments as may be prescribed by the Central Government: Provided that all pregnant women and lactating mothers in regular employment with the Central Government or State Governments or Public Sector Undertakings or those who are in receipt of similar benefits under any law, for the time being in force shall not be entitled to benefits specified in clause (b), Right to receive foodgrains at subsidised prices by persons belonging to eligible households under Targeted Distribution System Nutritional support to pregnant women and lactating mother Nutritional support to children Prevention and management of child malnutrition. Implementation of schemes for realisation of entitlements. Right to receive food security allowance in certain cases _ Coverage of population under Targeted Public Distribution System state Government _ to prepare guidelines to identify priority households - 29 - SERIES -1 No. . 09 1ST NOVEMBER 2013. DATED : S. (1) Subject to the provisions contained in clause every child up to the age of fourteen years shall have the following entitlements for his nutritional needs, namely:- (a) in the case of children in the age group of six months to six years, age appropriate meal, free of charge, through the local anganwadi so as to meet the nutritional standards specified in Schedule 11: Provided that for children below the age of six months, exclusive breastfeeding shall be promoted; (b) in the case of children, up to class VIII or within the age group of six to fourteen years, whichever is applicable, one mid-day meal, free of charge, everyday, except on school holidays, in all schools run by local bodies, Government and Government aided schools, so as to meet the nutritional standards specified in Schedule 11. (2) Every school, referred to in clause (b) of sub-section (1), and anganwadi shall have facilities for cooking meals, drinking water and sanitation: Provided that in urban areas facilities of centralised for cooking meals may be used, wherever required, as per the guidelines issued by the Central Government

6. The State Government shall, through the local anganwadi, identify and provide meals, free of charge, to children who suffer from malnutrition so as to meet the nutritional standards specified in Schedule 11. 7. The State Governments shall implement schemes covering entitlements under sections 4, 5 and section 6 in accordance with the guidelines, including cost sharing, between the Central Government and the Governments in such manner as may be prescribed by the Central Government. CHAPTER II FOOD SECURITY *U.OWMCE 8. In case of non-supply of the entitled quantities of foodgrains or meals to entitled persons under Chapter 11, such persons shall be entitled to receive such 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

CHAPTER IDENTIFICATION OF ELIGIBLE HOUSEHOLDS 9. The percentage coverage under the Targeted Public Distribution System in rural and urban areas for each State shall, subject to sub-section (2) of section 3, be determined by the Central Government and the total number of persons; (i) be covered in such rural and urban areas of the State shall be calculated on the basis of the Expenditure estimates as per the census of which the relevant figures have been published. 10. (1) The State Government shall, within the number of persons determined under section 9 for the rural and urban areas, identify— (a) the households to be covered under the Antyodaya Anna Yojana to the extent specified under sub-section (1) of section 3, in accordance with the guidelines applicable to the said scheme; (b) the remaining households as priority households to be covered under the Targeted Public Distribution System, in accordance with such guidelines as the State Government may specify: Provided that the State Government may, as soon as but within such period not exceeding three hundred and sixty-five days, after the commencement of SERIES -1 No. . 09 DATED : 1ST NOVEMBER 2013, the Act. identify the eligible households in accordance with the guidelines framed under this sub-section. Provided further that the State Government shall continue to receive the allocation of foodgrains from the Central Government under the existing Targeted Public Distribution System, till the identification of such households is complete. (2) The State Government shall update the list of eligible households, within the number of persons determined under section 9 for the rural and urban areas, in accordance with the guidelines framed under sub-section (j)

11. The State Government shall place the list of the identified eligible households in the public domain and display it prominently. REFORMS IN TARGETED PUBLIC DISTRIBUTION SYSTEM

12. (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act (2) The reforms shall, inter alia, include— (u) doorstep delivery of foodgrains to the Targeted Public Distribution System outlets; (b) application of information and communication technology tools including end-to-end computerisation in order to ensure transparent recording transactions at all levels, and to prevent diversion; (c) leveraging haadhaar 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 Panchayats, self-help groups, co-operatives, in licensing of fair price shops and management of fair price shops by women or their collectives; (f) diversification of commodities distributed under the Public Distribution System over a period of time; (g) support to local public distribution models and grains banks; (h) introducing schemes, such as, cash transfer, food coupons, or other schemes, to the targeted beneficiaries in order to ensure their foodgrain entitlements specified in Chapter in such area and manner as may be prescribed by the Central Government. CHAPTER WOMEN EMPOWERMENT 13. (1) The eldest woman who is not less than eighteen years of age, in every eligible household, shall be head of the household for the purpose of issue of ration cards. (2) Where a household at any time does not have 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 the head of the household for the purpose of issue of ration card and the female member, on attaining the age of eighteen years, shall become the head of the household for such ration cards in place of such male member

CHAPTER VII GRIEVANCE REDRESSAL MECHANISM 14. Every State Government shall put in place an internal grievance redressal mechanism which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Publication and display of list of eligible households. Reforms in Targeted Public Distribution System. Women of eighteen years of age or above to be head of household for purpose of issue of foodgrain grievance redressal mechanism District Government

Redressal Officer State Food Commission, -31- SERIES 1 No. . 09 DATED : 1ST NOVEMBER 2013.

15. (t) The State Government shall appoint or designate, for each district, an officer to be the District Grievance Redressal Officer for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to distribution of entitled foodgrains or meals under Chapter and to enforce the entitlements under this Act. (2) the qualifications for appointment as District Grievance Redressal Officer and its powers shall be such as may be prescribed by the State Government, (3) The method and terms and conditions of appointment of the District Grievance Redressal Officer shall be such as may be prescribed by the State Government. (4) the State Government shall provide for the salary and allowances of the District Grievance Redressal Officer and other staff and such other expenditure as may be considered necessary for their proper functioning. (5) The officer referred to in subsection (1) shall hear complaints regarding non-distribution of entitled foodgrains or meals, and matters relating thereto, and take necessary action for their redressal in such manner and within such time as may be prescribed by the State Government (6) Any complainant or the officer of authority against whom any order has been passed by officer referred to in sub-section who is not satisfied with the redressal of grievance may file an appeal against such order before the State Commission. (7) Every appeal under sub-section (6) shall be filed in such manner and within such time as may be prescribed by the State Government.

16. (1) Every State Government shall, by notification, constitute a State Food Commission for the purpose of monitoring and review of implementation of this Act. (2) The State Commission shall consist of (a) a Chairperson; (b) five other Members; and (c) a Member-Secretary, who shall be an officer of the State Government not below the rank of Joint Secretary to that Government.' Provided that there shall be at least two women, whether Chairperson, Member or Member-Secretary: Provided further that there shall be one person belonging to the Scheduled Castes and one person belonging to the Scheduled Tribe*, whether Chairperson, Member or Member-Secretary. (3) The Chairperson and other Members shall be appointed from amongst persons— (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 agriculture, civil supplies, nutrition, health or any allied field; or (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 (c) who have a proven record of work relating to the improvement of the food and nutrition rights of the poor. (4) The Chairperson and every other Member shall hold office for a term not exceeding five years from the date on which he enters upon his office and shall be eligible for reappointment: - 32 - SERIES -1 No. . 09 1ST NOVEMBER 2013. DATED : Provided that no person shall hold office as the Chairperson or other Member after he has attained the age of sixty-five years. (5) The method of appointment and other 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, (6) The State Commission shall undertake the following functions, namely:— (a) monitor and evaluate the implementation of this Act, in relation to the State; (b) either suo motu or on receipt of complaint inquire into violations of entitlements provided under Chapter 11; (c) give advice to the State Government on effective implementation of this Act; (d) give advice to the State Government, their agencies, autonomous bodies as well as non-governmental organisations involved in delivery of relevant services, for the effective implementation of food and nutrition related schemes, to enable individuals to access their entitlements specified in this Act; (e) hear appeals against orders of the District Grievance Redressal Officer, (f) prepare annual reports which shall be laid before the State Legislature by the State Government. (7) 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 (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 State Government. (9) State Government may remove from office the Chairperson or any Member who— (a) is, or at any time has been, adjudged as an insolvent; or (b) has become physically or mentally incapable of acting as a member; or (c) has been convicted of an offence which, in opinion of the State Government, involves moral turpitude; or (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or (e) has so abused his position as to render his continuation in office detrimental to the public interest, (10) No such Chairperson

or Member shall be removed under clause (d) or clause (e) of sub-section (9) unless he has been given a reasonable opportunity of being heard in the matter. The State Government shall provide for salary allowances of Chairperson, other Members, Member-Secretary, support staff, and other administrative expenses required for proper functioning of the State Commission. Salary and allowances of Chairperson, Member, Member-Secretary and other staff of State Commission. - 33 - SERIES - 1 No. 09 DATED : 1 NOVEMBER 2013. 18. -the State Government may, if considers it necessary, by notification, designate Designation Of any statutory commission or a body to exercise the powers and perform the function; of the or body to function as State Commission on Joint State Food Commission powers relate to inquire etc.. not to invalidate proceedings of State Commission. Government to allocate required quantity of foodgrains from central pool to State Governments. State Commission referred to in section 16. Notwithstanding anything contained in sub-section (1) of section two or more States may have a Joint State Food Commission for the purposes of this Act with the approval of the Central Government. 20. (1) The State Commission shall, while inquiring into any matter referred to in clauses (b) and (e) of sub-section (6) of section 16, have all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908, in particular, in respect of the following matters, namely: (a) summoning and enforcing the attendance of any person and examining him on oath; (b) discovery and production of any document; (c) receiving evidence on affidavits; (d) requisitioning any public record or copy thereof from any court or office; and (e) issuing commissions for the examination of witnesses or documents. (2) The State Commission shall have the power to forward any case, to a Magistrate having jurisdiction to the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973. No act or proceeding of the State Commission shall be invalid merely by reason (a) any vacancy in, or any defect in the constitution of, the State Commission; or (b) any defect in the appointment of a person as the Chairperson or a Member of the State Commission; or (c) any irregularity in the procedure of the State Commission not affecting the merits of the case. CHAPTER V OBLIGATIONS OF CENTRAL GOVERNMENT FOR FOOD SECURITY 22. (1) The Central Government shall, for ensuring the regular supply of foodgrains to persons belonging to eligible 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 under section 3 and at prices specified in Schedule I, (2) The Central Government shall allocate foodgrains- in accordance with the number of persons belonging to the eligible households identified in each State under section 10. (3) The Central Government shall provide foodgrains in respect of entitlements under sections 4, 5 and section 6, to the State Governments, at prices specified for the persons belonging to eligible households in Schedule I. (d) 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; S of {908 - 34 - SERIES - 1 No 09 DATED : 1ST NOVEMBER 2013. (c) provide for transportation of foodgrains, as per allocation, to the depots designated by the Central Government in each State; (d) provide assistance to the State Government in meeting the expenditure incurred by it towards intra-State movement and handling of foodgrains and margins paid to fair price shop dealers, in accordance with such norms and manner as may be prescribed by the Central Government; and (e) create and maintain required modern and scientific storage facilities at various levels- 23. In case of short supply of foodgrains from the central pool to a State, the Central Government shall provide funds to the extent of short supply to the State Government for meeting obligations under Chapter II in such manner as may be prescribed by the Central Government CHAPTER IV OBLIGATIONS OF STATE GOVERNMENT FOR FOOD SECURITY 24, (j) 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 the prices specified in Schedule I, organise intra-State fair-rations for delivery of the allocated foodgrains through their authorised agencies at the door-step of each fair price shop; (b) ensure actual delivery or supply of the foodgrains to the entitled persons at the prices specified in Schedule I. (3) For requirements in respect of entitlements under sections 4, 5 and section 6, 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 the prices specified in Schedule for persons belonging to eligible households and ensure actual delivery of entitled benefits, as specified in the aforesaid sections. (4) In case of non-supply of the entitled quantities of foodgrains or meals to entitled persons under Chapter the State Government shall be responsible for payment of food security allowance specified in section 8. (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 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 institutionalised licensing arrangements for fair price shops in accordance with the relevant provisions of the Public Distribution System (Control) Order, 2001 made under the Essential Commodities Act, 1955, as amended from time to time. Powers of funds by Central Government to State Government cases Implementation and monitoring of schemes for ensuring food security. Implementation of Targeted Public Distribution System by authority in their areas Obligations of local authority. Disclosure of records of Public Distribution System. of social audit Setting up of Vigilance Committees. Food security for people living in remote, hilly and tribal areas -35- SERIES -1 No. . 09 : 1ST NOVEMBER 2013. DATED CHAPTER X OBLIGATIONS OF LOCAL AUTHORITIES 25 (1) The local authorities shall be responsible for the proper implementation of this Act in their respective areas. (2) Without prejudice to sub-section the State Government may assign, by notification, additional responsibilities for implementation of the Targeted Public Distribution System to the local authority

26. In implementing different schemes of the Ministries and Departments of the Central Government and the State Governments, prepared to implement provisions of this Act, the local authorities shall be responsible for discharging such duties and responsibilities as may be assigned to them, by notification. by the respective State Governments. CHAPTER XI TRANSPARENCY AND ACCOUNTABILITY 27. All Targeted Public- Distribution" System related records. shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government. 28. (I) Every local authority, or any Other authority or body, as may be authorised 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. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits. 29. (J) 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 specified in the Public Distribution System (Control) Order, 2001, made under the Essential Commodities Act, 1955, as amended from time to time, at the State, District, Block and fair price shop levels consisting of such persons, may be prescribed by the State Government giving due representation to the local authorities, the Scheduled Castes, the Scheduled Tribes, women and destitute persons or persons-With disability. (2) The Vigilance Committees shall perform the following functions. namely:— (a) regularly supervise the implementation of all schemes under this Act; (b) inform the District Grievance Redressal Officer, in writing, of any violation of the provisions of this Act; and (c) inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds found by it

CHAPTER XI PROVISIONS FOR ADVANCING FOOD SECURITY 30. The Central Government and the State Governments shall, while implementing the provisions of this Act and the schemes formulating specified entitlements, give special focus to the needs of the vulnerable groups especially in remote areas and other areas which are difficult to access, hilly and tribal areas for ensuring their food security. - 36 - SERIES -1 No. . 09 1ST NOVEMBER 2013. DATED : 31. The Central Government, the State Governments and local authorities shall, for the purpose of advancing food and nutritional security, strive to progressively realise the objectives specified in Schedule III. CHAPTER XII MISCELLANEOUS 32. (1) The provisions of this Act shall not preclude the Central Government or the State Government from continuing or formulating other food based welfare schemes. (2) Notwithstanding anything contained in this Act, the State Government may, continue with or formulate food or nutrition based plans or schemes

providing for benefits higher than the benefits provided under this Act, from its own resources, 33.' Any public servant or authority found guilty, by the State Commission at the time of deciding any complaint or appeal, of failing to provide the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or wilfully ignoring such recommendation, shall be liable to penalty not exceeding five thousand rupees: 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. 34. (1) For the purpose of adjudging penalty under section 33, the State Commission shall authorise any of its member to be an adjudicating officer for holding an inquiry in the prescribed manner after giving any person concerned a reasonable opportunity of being heard for the purpose of imposing any penalty. (2) While holding an inquiry the adjudicating officer shall have power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person has failed to provide the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or wilfully ignored such recommendation, he may impose such penalty as he thinks fit in accordance with the provisions of section 33. 35. (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 by notification, direct 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. 36. 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. 31. (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 hereupon Schedule I or Schedule II or Schedule III or Schedule V, as the case may be, shall be deemed to have been amended accordingly. (2) A copy of every notification issued under sub-section shall be laid before each House of Parliament as soon as may be after it is issued

38. 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. Steps to advance food and security other welfare schemes. Power to adjudicate. Power to delegate by Central Government and State Government Act to have overriding effect. Power to amend Schedules Central Government directions — 37 _ SERIES -1 No 09 Of Qntf81 DATED : 1ST NOVEMBER 2013. 39. (1) The Central Government may, in consultation with the State Governments and by notification, make rules to carry out the provisions of this Act. Government (2) in particular, and without prejudice to the generality of the foregoing power, such to make rules may provide for all or any of the following matters, namely:— (a) scheme including cost sharing for providing maternity benefit to pregnant women and lactating mothers under clause (b) of section 4; (b) schemes covering entitlements under sections 4, 5 and section 6 including cost sharing under section 7; (c) amount, time and manner of payment of food security allowance to entitled individuals under section 8; (d) introducing schemes of cash transfer, food coupons or other schemes to the targeted beneficiaries in order to ensure their foodgrains entitlements in such areas and manner under clause (h) of sub-section (2) of section 12; (e) the norms and manner of providing assistance to the State Governments in meeting expenditure under clause (d) of sub-section (4) of section 22; (f) manner in which funds shall be provided by the Central Government to the State Governments in case of short supply of foodgrains under section 23; (g) 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 ruLc. 40, (l) ne State Government may, by notification, and subject to the condition of previous publication, and consistent with this Act and the rules Inade 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, namety:— (a) guidelines for identification of priority households under sub-section (l) of section 10; (b) internal grievance redressal mechanism under section 14; (c) qualifications Tor appointment as Disttict Grievance Redressal Officer and its powers smdet sub-section (2) of section 15; (d) method and terms and conditions of appointment of the Distriq Grievance Redressal Officer under sub-section (3) of section 15; (e) manner and time limit for hearing complaints by the District Grievance Redressal Officer and the filing of appeals under sub-sections (5) and (7) orsection 15; (D method of appointment and lhe terns and conditions of appointment of Chairperson, other Memtxrs and Member-Secretary oft.he State Commission.l procedure ror meetings of the Commission and its powers, under sub-section (5) of section 16; (g) method of appointment of staff of the State Commission, their satarics, allowances and conditions of service under sub-section (8) of section -16•, - 38 - SERIES -1 No. . 09 DATED •.1 NOVEMBER 2013. (h) manner in which the Targeted Public DistTibution System related records Shal! be placed in the public dömain and kept open for inspection to public under section 27 (i) manner in which (he social audit on (he fimciioning of fair price shops, Targeted Public Distribution System and other welfare schemes shall bc conducted under section 28; (J) composition of Vigilance Cornmittces under sub-section (l) of section 29; (k) schemes or programmes of the Central Gvvnemnt or the State Governments for utilisation of institutional mechanism under section 43, (l) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the State Govenmment by rules. (3) Every ruiCi notification and guidelines made or issued by the State Government under this Act shall, as soon as may be after it is made or issued, be laid before each House of (he State L *gislature where there are two Houses, and where there is one House or the State Legislature, before that House, 41. The schemes, guidetines orde.rs and food standard, grievance redressat mechanism, vigilance committees, existing on the date of commencement of this Act, shalt continue to be in force and operate till such schemes, guidelines, orders and food standard, grievance redressal mechanism, vigiiaace committees are specified or notified under this Act or the rules made thereunder: Provided that anything done or any action taken under (he said schemes, guide\incs, orders and rood standard, grievance redres.sai mechanism, or by vigilance committees shall be deemed to have been done or taken undCT the corresvnnidifg provisions of this Act and shali continue to be in force accordingly unless and until superseded by anything done or by any action taken under this Act. 42. (l) 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: Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act. (2) Every order made under this section shall be laid, as soon as may bc after it is made, before each House of Parliament, 43. -me services of authorities to be appointed ot cotstituted under sections 5 and 16 may be utilised in the implementation of other schemes ot programmes of the Central Government or the State Governments, as may be prescribed by the Starc Govenmment

44. The Central Government, or as the case may be, the State Government, shall be liable for a claim by any person entitled under this Act) except in the case of war, flood, drought, fire, cyclone or earthquake affecting the regular supply or foodgrains or meals to such person under this Act: Provided that the Central Government may, in consultation with the Planning Commission, declare whether or not any such situation the regular supply of foodgrains or meals to such person has-

arisen or exists.45. (l) The National Food Security Ordinance. 2013 is hereby repealed, (2) Notwithstanding such repeat, (a) anything done, any action (aken or any identification ot eligible households made; or Transitory provisions for schemes. guidelines. cic. Power t Cmove difTtcDlkies Utilis•tion of institutional mechanism for other cmd 2013 purposes. Force Moje ure Rcpcal savings and - 39 - SERIES -1 No. . 09 1ST NOVEMBER 2013. DATED : (b) any right, entitlement, privilege, obligation or liability acquired. accrued or incuffed', or (c) any guidelines ftahmed or directions issued; ot (d) any investigation, inquiry or any other legal proceeding initiated, conducted or continued in respect of such right, entitlementtt privilege, obligation or liability as aforesaid; or (e) any penalty imposed in respect

of any Offence. under the said Ordinance shall be deemed (to have been done, taken, made, acquired, accrued, framed, issued, initiated, conducted, continued or imposed under the corresponding provisions of this Act, — 40 — SCHEDULE I SERIES -1 No. . 09 DATED : 1 NOVEMBER 2013. [See sections 3(/), 22(/), (3) and 24] SCHEDULE UNDERTHE TARGETED PUBLIC DISTRIBUTION SYSTEM Eligible households shall be entitled to foodgrains under section 3 at the subsidised price not exceeding rupees 3 per kg (or rice, rupees 2 per kg for wheat and rupee 1 per kg for coarse grains) (Or B) period of three years from the date of commencement of this Act; and thereafter, at such price, as may be fixed by the Central Government, from time to time, not exceeding— (O) the minimum support price for wheat and coarse grains; and (i') the derived minimum support price for rice, as the case may be. SERIES -1 No. . 09 DATED : 1 NOVEMBER 2013. SCHEDULE [See sections 4(a), 5(1) and 6) STANDARDS Nutritional standards: The nutritional standards for children in the age group of 6 months to 3 years, age group of 3 to 6 years and pregnant women and lactating mothers required to be met by providing "Take Home Rations" or nutritious hot cooked 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: Serial number 2 3- 4. s. 6 Category 2 Children (6 months to 3 years) Children (3 to 6 years) Children (6 months to 6 years) who are malnourished Lower primary classes Upper primary classes Pregnant women and Lactating mothers Type of meal 3 Take Home Ration Morning Snack and Hot Cooked Meal Take Home Ration Hot Cooked Meal Hot Cooked Meal Take Home Ration Calories (Kcal) 400 Protein (g) 5 0-15 12 — 42 — SERIES -1 No. . 09 DATED : 1 NOVEMBER 2013. SCHEDULE In (See section 31) PROVISIONS FOR ADVANCING FOOD SECURITY (i) Revitalisation of Agriculture (a) agrarian reforms through measures for securing interests of small and marginal farmers, (b) increase in investments in agriculture, including research and development, extension services, micro and minor irrigation and power to increase productivity and production; (c) ensuring livelihood security to farmers by way of remunerative prices, access to inputs, 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 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) 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 (or senior citizens, persons with disability and single women. 2 3. 4. S. 6. 9. 10, 12. 13. 14. 15. 16, 17. 18. 19. 20. 21. n. 23 _ 2A. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. — 43 — SCHEDULE (See section 1)) STATE, WISE AUCTION OF FOODGRAINS Name of the State 2 Andhra Pradesh Arunachal Pradesh Assam Bihar Chhattisgarh Delhi Gujarat Haryana Himachal Pradesh Jammu and Kashmir Jharkhand Karnataka Kerala Madhya Pradesh Maharashtra Manipur Meghalaya Mizoram Nagaland Odisha Punjab Rajasthan Sikkim Tamil Nadu Tripura Uttar Pradesh Uttarakhand West Bengal Andaman and Nicobar Islands Chandigarh Dadra and Nagar Haveli Daman and Diu Lakshadweep Puducherry Total SERIES -1 No 09 DATED : 1ST NOVEMBER 2013. Quantity (in lakh tons) 3 32.10 0.89 16.95 5527 5.73 059 23.95 7.93 5.08 7.51 16.96 25.56 1425 34.68 45.02 1.76 0.66 138 21.09 8.70 27.52 0.44 36,78 2.71 96.) 5 5.03 38.49 0.16 0.31 0.15 0.05 0.05 DR, SANJAY SINGH, Additional Secretary to the Govt. of India. [Government Printing Press, Daman, 11/2013 (Rs. 22.00) - 250.]