

Right to food: Progress made in selected FAO member countries

INDIA

I Background and Framework

B. Constitutional and legislative framework

Following the progress made with the National Rural Employment Act (NREGA), India started legislating on food security with the envisaged National Food Security Act (NFSA). In September 2011, the government issued a draft National Food Security Bill (NFSB), after having received recommendations by the National Advisory Council on the National Food Security Bill. The draft bill has been posted on the government's website in order to receive comments from various stakeholders. Civil society, particularly the Right to Food Campaign, is following the process closely and is making various demands for a more comprehensive coverage of benefits and beneficiaries.

C. Institutional and human rights structure

A vital actor in India with regard to the right to food is the National Human Rights Commission. With the impact achieved through it during the past few years, several states also began to establish State Human Rights Commissions. By May 2009, 18 commissions had been set up out of 35 states and union territories. These initiatives undertaken by several different actors constitute an important step towards greater access to justice and accountability for the right to adequate food in India.

D. Policy measures

Several social safety programmes were revised into entitlements, such as the School Feeding Program, the National Rural Employment Guarantee Act (NREGA) and the Targeted Public Distribution System (PDS).

II Promotion and protection of human rights on the ground

B. Implementation of the right to food

In India, the civil society is a major component in the quest to realize the right to adequate food. Besides being at the basis of the *Right to Food Case*, it tirelessly pressures the authorities to act in order to ensure the right to adequate food for all citizens. At the forefront of the group is the Right to Food Campaign, which represents an informal network of nearly 1500 organizations, across the country,

committed to the right to food. In regards to a comprehensive Food Entitlements Act, which was drafted in 2009, this network held a National Convention.

III Achievements, best practices, challenges and constraints

Since the Supreme Court case *People's Union for Civil Liberties Vs. Union of India and Ors* of 2001 (*Right to Food Case*), several initiatives have been undertaken in order to ensure the realization of the right to adequate food in the country. Although the Supreme Court has not yet issued a final judgment, a number of interim orders have been issued, which are mandatory and immediately applicable.

Most recently, the Supreme Court had an important role in the discussion about criteria for BPL (below the poverty line) indicators.

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