

## **Role of Civil Society Organisation in the implementation of National Food Security Act, 2013**

**Organised by:** Centre for Child and the Law (CCL), NLSIU, Bangalore

**Collaborating Partner:** Jharkhand State Food Commission, Ranchi

On 26th day of July 2019, one day workshop on the role of civil society organization in the implementation of food security act 2013 was organized by Centre for Child and the Law (CCL) & National Law School University of India (NLSIU), Bangalore in collaboration with Jharkhand State Food Commission, Ranchi, Jharkhand.

The workshop was attended by - Mr. Sudhir Prasad, Chairman, The Jharkhand State Food Commission; Mr. Balram, Right to Food, Jharkhand, Dr. Neetu Sharma, Centre for Child and the law, NLSIU, Dr. Ranjana Kumari, Member, Jharkhand State Food Commission, Mr. Haldar Mahto, Member, Jharkhand State Food Commission, Mr. Upendra Narayan Oraon, Member, Jharkhand State Food Commission, Mr. Jawahar Mehta, Social Activist, Right to Food Campaign. Member of 38 civil society organisation from around the state were also present during the workshop.

### **Workshop Objective:**

- To prepare the strategy document to strengthen grievance redressal mechanism and the role of CSO, JSFC and other stakeholders in it.
- Actionable steps required to generate awareness among the common public about the provisions of the JSFSA.
- How JSFC can emerge as a vibrant commission, ways to strengthen it and role of CSO in the process
- Strategy required to bring JSFC, CSO and other stakeholders in common platform to ensure the realization of entitlements mentioned in JSFSA

### **I) Agenda:**

1. Clarity about right to food and NFSA
2. Entitlements and welfare provisions under NFSA in Jharkhand
3. Monitoring mechanism under NFSA in Jharkhand
4. Grievance redressal mechanism under NFSA in Jharkhand
5. Role of CSO in ensuring the rights under NFSA

### **II) Decision taken/Issues Discussed:**

#### **1. Right to Food & NFSA:**

- a. Role of grass root organisation, implementing agencies & JSFC is clearly defined in NFSA but lack implementation due to unawareness,
- b. JSFC invited NLSIU to frame a document for effective implementation of grievance redressal mechanism
- c. It was unanimously agreed that necessary research should be undertaken and the field workers of NGOs/CSOs should be involved in giving inputs regarding impediments of on-ground implementation of the act and ways to make it more effective.

#### **2. Entitlements and welfare provisions under NFSA, 2013 in Jharkhand:**

##### **Integrated Child Development Scheme (ICDS) & PMMBS:**

- a. Under ICDS, if woman do not receive her entitlement in any month (food, medicine etc..) then she is entitled for compensation within 30 days. NGO/CSO should spread awareness among the people about their rights
- b. Menu needs to be displayed in each ICDS centre and ICDS functionaries needs to comply to it
- c. Innovative/online tools need to be incorporated for monitoring and to ensure realization of entitlement to the target beneficiaries
- d. Lack of clarity on PMMBS implementation; commission needs to develop the standard guideline for realization of the entitlement under the scheme (No clarity on number of ANC)
- e. PMMBS form should be simple and user friendly, commission needs to work on it

### Mid-Day Meal Scheme (MDMS):

- a. If the child do not receive food even for a single day then he/she is entitled for food security allowance within the 15 days of the preceding month
- b. To ensure transparency in the realization of entitlements – we have the mechanism to collect real time data like in MDMS and in the process to develop the online grievance redressal mechanism.
- c. It is the prime responsibility of CSOs to promote awareness about NFSA at the grass root level and help people to receive the entitlement mentioned in the act. **Resource materials on the act and IEC materials are available in the commission website.**
- d. Commission has started the process of regular meetings, workshops in every district to sensitize the duty bearers about the act. NGOs/CSOs should participate .

### Targeted Public Distribution System:

- a. It is the right to get two month ration in the preceding month if she/he fails to procure the ration in the particular month. Any non-compliance can be easily reported through the toll-free number provided by the commission. Moreover, there are members of Panchayat Nigrani Samiti who can be approached in case of such anomalies. NGO/CSO should spread awareness among the people about their rights
- b. Payment of food security allowance in case of non-supply of food grain under section 4:
  - o Each PDS shop will be verified at the end of every month by the nodal officer,
  - o The nodal officer shall record in writing the reason for non-supply of food grain to any entitled person,
  - o The nodal officer shall ensure payment of food security allowance
  - o The nodal officer will register the complain with the DGRO against the dealer.
- c. Compensation of food security allowance – section 6,7
  - o Computed by multiplying the difference by 1.25 between the minimum support price of relevant food grain and schedule price
  - o Food security allowance will be paid through the bank account

### JSFC (Jharkhand State Food Commission):

There are certain reforms which is required in JSFC:

- o Commission should function as independent body like JSERC, JSCF & JSIF
  - o Commission should have separate budget & separate bank account
  - o Commission cannot hire HR on its own
  - o There should be independent DGRO in each district
- a. To ensure effective implementation of the NFSA; CSO on the pilot basis can adopt any panchayat to nurture it as the model panchayat, which will ensure realization of entitlement mentioned in NFSA. Commission is ready to render entire support in the process (CSO will function and commission representative in the selected panchayat) but for this CSO should come forward with the complete proposal having the base line data, problem statement and what we want to achieve and time frame for the accomplishment for the same.
  - b. CSO can come forward/share innovative ideas which can ensure effective and stringent implementation of ICDS, PMMVY, MDM & PDS
  - c. CSO sharing the best innovative idea which is achievable will be provided award similarly the best performing CSO will be also provided award.
  - d. Under the act State Govt. has been provided the responsibility to identify the DGRO, in Jharkhand additional collector has been nominated as DGRO this is not proper and appointment of the DGRO needs to be revised. DGRO needs to be independent.
  - e. If government is proposing any change in the ICDS, PMMBY, MDM & PDS; commission needs to be involved in the process



### **3. Monitoring mechanism under NFSA in Jharkhand:**

- a. Under section 27, all the records related to PDS system shall be placed in the public domain and kept open for inspection to the public.
- b. Under section 28, any authority which has been authorized by the state government will conduct periodic social audit on the functioning of fair price shop, targeted public distribution system and other welfare schemes.
- c. Commission has conducted social audit of TPDS through random sample technique, similarly social audit of ICDS, MDMS & PMBS will be conducted in the coming days. Through this departmental social audit exercise, department wise advisory note will be prepared. This **advisory note** will act the guidebook/resolution mechanism to overcome any irregularity identified in any of the scheme under the act. The advisory note will be shared with the CSO; we will need your suggestion before finalizing the policy.
- d. Monitoring of ICDS, MDM & PMBS should be included in the NFSA like TPDS & monitoring committee needs to be formed till village level.
- e. Commission website can be used to register the online complaint.
- f. The complainant can use the Pragya Kendra kiosk to register the online complaint
- g. If the person is filing the written complaint then the complaint needs to be clear and specific – name of addressed and addressee should be clear, the nature of complaint should be clear and have entire details of the event. The nature of relief sought off by the complainant should also be clearly mentioned.
- h. There needs to be the guideline as to what are the areas that come under the jurisdiction of monitoring & vigilance committee and resolution mechanism should be also mentioned in it

### **4. Grievance Redressal Mechanism under NFSA in Jharkhand:**

#### **In case of non-compliance**

- A complaint can be registered through a call centre or online
  - Can register the complaint to DGRO
  - If the complaint remains unaddressed with DGRO then he/she can file an appeal to JSFC
  - JSFC can suo moto proceed with the inquiry and take necessary action. In case of mass violation of entitlements under NFSA.
- a. Grievance redressal mechanism is the most important aspect of the act, we need to draft up a policy to make the procedure of filling the simple and use friendly. One way will be to provide the complaint template in the public domain.
  - b. Under NREGA an illiterate person could file the verbal complaint and the capable authority could take necessary action based on such complaint. Such mechanism needs to be developed here
  - c. An agenda on grievance redressal and implementation of NFSA can be added in the agenda item of district and block level coordination meeting
  - d. Under MNREGA DC convenes the meeting for grievance redressal, we can utilize this platform for grievance redressal under NFSA
  - e. DC should monitor the grievance redressal mechanism and monthly AC should share the fact sheet mentioning the number of complaint registered and number of cases resolved.
  - f. Mechanism needs to be developed where DGRO provide the receipt to the complainant

### **5. Role of CSO in ensuring the rights under NFSA**

- a. Awareness generation about right and entitlements, grievance redressal mechanism,
- b. Capacity building of grass root organisations like gram sabha, self help groups, panchayat nigrahi samiti
- c. Work together with the commission in development and production of IEC materials
- d. Conduct research study and suggest recommendation for effective implementation and functioning of food security act
- e. Help in social audit and support in development of social audit policy
- f. Support DGRO for grievance redressal