

CHHATTISGARH BILL
(No. of 2012)
CHHATTISGARH FOOD SECURITY BILL, 2012.

TABLE OF CONTENTS

Section	Description
	CHAPTER-I PRELIMINARY
1.	Short title, extent and commencement.
2.	Definitions.
	CHAPTER-II PROVISIONS FOR FOOD SECURITY
3.	Right to receive food items at subsidized prices by antyodaya households, priority households and general households.
4.	Nutritional support to pregnant women and lactating mothers.
5.	Nutritional support to children.
6.	Nutritional support to students living in hostels and aashrams.
7.	Prevention and management of child malnutrition.
	CHAPTER-III ENTITLEMENTS OF SPECIAL GROUPS
8.	Entitlements for special groups.
9.	Nutritional support to emergency or disaster affected persons.
	CHAPTER-IV IMMEDIATE RELIEF IN CASE OF HUNGER
10.	Guidelines for providing relief in case of hunger.
11.	Responsibility of local bodies to provide relief in case of hunger.
12.	Immediate relief from hunger.
	CHAPTER-V SCHEMES OF STATE GOVERNMENT
13.	Implementation of schemes for realization of entitlements.
	CHAPTER-VI FINANCIAL RESPONSIBILITY OF THE STATE GOVERNMENT
14.	Financial responsibility of the State Government.
	CHAPTER-VII IDENTIFICATION OF ANTYODAYA HOUSEHOLDS, PRIORITY HOUSEHOLDS AND PARTICULARLY VULNERABLE SOCIAL GROUPS
15.	Power of State Government to issue guidelines with respect to identification of households and particularly vulnerable social groups.
16.	Display of list of antyodaya, priority and general households in the public domain.

**CHAPTER-VIII
WOMEN EMPOWERMENT**

17. Women of eighteen years of age or above to be head of the household for the purpose of issuance of ration cards.

**CHAPTER-IX
ROLE OF LOCAL BODIES**

18. Role of local bodies.

**CHAPTER-X
GRIEVANCE OF REDRESSAL MECHANISM**

19. Internal grievance redressal mechanism.
20. Notification of services under the Chhattisgarh Lok Sewa Guarantee Act, 2011.

**CHAPTER-XI
REFORMS IN TARGETED PUBLIC DISTRIBUTION SYSTEM**

21. Power of the State Government to undertake necessary reforms in the Targeted Public Distribution System.

**CHAPTER-XII
TRANSPARENCY AND ACCOUNTABILITY**

22. Disclosure of records related to Targeted Public Distribution System.
23. Local bodies to conduct periodical social audit.
24. Vigilance Committee.

**CHAPTER-XIII
OFFENCES AND PENALTIES**

25. Regulation of actions providing entitlement under the Act.
26. Punishment for contravening provisions of the Chhattisgarh Public Distribution System (Control) Order, 2004.

**CHAPTER-XIV
MISCELLANEOUS**

27. Power of the State Government to continue or formulate food based welfare schemes.
28. Delegation of powers under the Act.
29. Power to amend Schedules.
30. Power to make Rules.
31. Continuation of the existing schemes, guidelines, order and food standards.
32. Power to remove difficulties.
33. Liability of State Government in the event of unforeseen acts.
34. Act not in derogation of any other scheme or law.

SCHEDULE-I
SCHEDULE-II

CHHATTISGARH BILL

(No. of 2012)

CHHATTISGARH FOOD SECURITY BILL, 2012.

A bill to provide for food and nutritional security by ensuring access to adequate quantity of food and other requirements of good nutrition for people of the State, at affordable prices, at all times to live a life with dignity and for matters connected therewith or incidental thereto.

Be it enacted by the Chhattisgarh Legislature in the Sixty-third Year of the Republic of India, as follows:-

CHAPTER-I PRELIMINARY

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| <p>1. (1) This Act may be called the Chhattisgarh Food Security Act, 2012.</p> <p>(2) It extends to the whole of the State of Chhattisgarh.</p> <p>(3) It shall come into force from such date as the State Government may, by notification in the Official Gazette appoint, and different dates may be appointed for different provisions of this Act.</p> | <p>Short title,
extent and
commencement.</p> |
| <p>2. (1) In this Act, unless the context otherwise requires,-</p> <p>(a) “Anganwadi” means a child care and development center set up under the Integrated Child Development Services Scheme of the Central Government to render services covered under Section 4, sub-section (1) of Section 5 and Section 7;</p> <p>(b) “Antyodaya Households” means the households identified as such under sub-section (5) of Section 15 for the purposes of entitlement under Section 3;</p> <p>(c) “Aashram” means a residential school run by the State Government or any Government aided institution;</p> <p>(d) “Central Government” means the Government of India;</p> | <p>Definitions.</p> |

- (e) “Central Pool” means the stock of food items which is—
 - (i) procured by the State Government or its agency through minimum support price operations;
 - (ii) maintained for allocation under the Targeted Public Distribution System, other welfare schemes of the Central Government or the State Government, including calamity relief and such other schemes;
 - (iii) kept as reserved for schemes referred to in sub-clause (ii).
- (f) “Collector” means a collector as defined in clause (ia) of Section 2 of the Essential Commodities Act, 1955 (10 of 1955);
- (g) “Destitute Person” means men, women or children who have no resources, means and support required for food and nutrition enabling their survival, to the extent that makes them vulnerable to live with or die of hunger;
- (h) “Disaster” shall have the same meaning as assigned to it in clause (d) of Section 2 of the Disaster Management Act, 2005 (53 of 2005);
- (i) “Eligible Households” means either an Antyodaya household or a priority household or a general household;
- (j) “Excluded Households” means households not eligible for any entitlement under this Act;
- (k) “Fair Price Shop” means a shop which is licensed to distribute essential commodities by an order issued under Section 3 of the Essential Commodities Act, 1955 (10 of 1955), to the ration card holders under the Targeted Public Distribution System;
- (l) “Foodgrains” means rice, wheat or coarse grains or any combination thereof including wheat flour;

- (m) “General Households” means such households which are neither Antyodaya households, priority households nor excluded households.
- (n) “Homeless Person” means a person who does not have home and lives as such on the roadside, pavements or in such other places or in the open, including a person living in shelters for homeless or beggars or such other homes;
- (o) “Hostel” means any residential facility for students run by the State Government or any Government aided institution;
- (p) “Local Body” includes Panchayat, Municipality, District Board, Cantonment Board, Town Planning Authority or any other body, by whatever name so called, which is authorized under the Constitution or any other law for the time being in force for self governance or any other authority or body vested with the control and management of civic services, within a specified local area;
- (q) “Meal” means hot cooked or ready to eat meal or take home ration as prescribed in the other welfare schemes;
- (r) “Minimum Support Price” means the assured price announced by the Central Government at which foodgrains are procured from farmers by the Central Government and the State Government and its agencies, for the central pool or the state pool;
- (s) “Non-Scheduled Areas” means areas which are not scheduled areas;
- (t) “Notification” means a notification issued under this Act and published in the Official Gazette;
- (u) “Other Welfare Schemes” means such Government schemes, in addition to the Targeted Public Distribution System, under which foodgrains or meals are supplied as part of the schemes;

- (v) “Particularly Vulnerable Social Group” means a group of households identified as such by the State Government under sub-section (2) of Section 15 for the purpose of entitlements under Section 3;
- (w) “Person With Disability” means a person defined as a person with disability under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996);
- (x) “Prescribed” means prescribed by rules made under this Act;
- (y) “Priority Households” means the households identified as such under sub-section (3) of Section 15 for the purpose of entitlements under Section 3;
- (z) “Pucca House” means a house with roof made of cement-concrete;
- (aa) “Ration Card” means a document issued under an order or authority of the State Government for purchase of essential commodities from the fair price shops under the Targeted Public Distribution System;
- (bb) “Schedule” means a Schedule appended to this Act;
- (cc) “Scheduled Areas” means areas so notified by the Central Government;
- (dd) “Scheme” means any scheme or program formulated by the State Government for the purpose of implementation of the provisions of this Act;
- (ee) “State Government” means the Government of Chhattisgarh;
- (ff) “State Pool” means stock of food items procured and maintained by the State Government, apart from the central pool, to implement the provisions of this Act;
- (gg) “Targeted Public Distribution System” means the system for distribution of essential commodities to the ration card holders through fair price shops;

(hh)“Vigilance Committee” means a committee constituted under Section 24 of this Act to supervise the implementation of all schemes under this Act;

- (2) The words and expressions not defined here but defined in the Essential Commodities Act, 1955 (10 of 1955), or any other relevant Act shall have the same meaning respectively assigned to them in those Acts.

CHAPTER-II PROVISIONS FOR FOOD SECURITY

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| 3. (1) Subject to the provision of Section 14, every Antyodaya household, priority household and general household, identified under sub-section (5) of Section 15, shall be entitled to receive such quantities of such food items at such subsidized prices as specified in Schedule-I. | Right to receive food items at subsidized prices by antyodaya households, priority households and general households. |
| (2) Entitlements provided under this section shall be covered under Targeted Public Distribution System. | |
| 4. Subject to the provisions of Section 13 and 14, every pregnant woman and lactating mother shall be entitled to- | Nutritional support to pregnant women and lactating mothers. |
| (a) meal, free of charge, during pregnancy and up to six months after childbirth through local anganwadi, so as to meet the nutritional standards as specified in Schedule-II. | |
| (b) maternity benefit in accordance with a scheme, payable in such manner and subject to such conditions as may be prescribed in that scheme. | |
| 5. (1) Subject to the provision of Section 14, every child up to the age of fourteen years shall have the following entitlements for his nutritional needs – | Nutritional support to children. |

(a) In case of children in the age group of six months to six years, age appropriate meals, free of charge, through the local anganwadi so as to meet the nutritional standards as specified in Schedule-II:

Provided that for children below the age of six months, exclusive breast-feeding shall be promoted.

(b) In the case of children in the age group of six to fourteen years, one mid-day meal, free of charge, everyday, except school holidays, in all schools run by local bodies, Government and Government aided schools, up to Class VIII, so as to meet the nutritional standards as specified in Schedule-II.

(2) Every school, referred to in clause (b) of sub-section (1), and local anganwadi shall have facilities for cooking meals, drinking water and sanitation:

Provided that in urban areas facilities of centralized kitchens for cooking meals may be used, wherever required, as per the guidelines issued by the State Government.

6. Subject to the provision of Section 14, every student residing in any Hostel or Aashram shall be entitled to receive such food items in such quantities at such prices as may be prescribed.

Nutritional support to students living in hostels and aashrams.

7. Subject to the provision of Section 14, the State Government shall, through the local anganwadi, identify and provide appropriate meals, free of charge, to children who suffer from malnutrition, so as to meet the nutritional standards specified in Schedule-II.

Prevention and management of child malnutrition.

CHAPTER-III

ENTITLEMENTS OF SPECIAL GROUPS

8. The following special groups shall have the following entitlements, namely:-

Entitlements for special groups.

- (a) Destitute- All destitute persons shall be entitled to meals every day, free of charge, in accordance with a scheme and in the manner as may be prescribed in such scheme;
- (b) Homeless- All homeless persons shall be entitled to meals everyday, free of charge, in accordance with a scheme and in the manner as may be prescribed in such scheme;
- (c) Migrants- The State Government shall endeavour to enable the migrants and their household to claim their entitlements under this Act, at the place where they currently reside, in accordance with a scheme and in the manner as may be prescribed in such scheme;
- (d) The entitlements under clauses (a), (b) and (c) shall be applicable only after it is so notified by the State Government:

Provided that persons or households in receipt of similar benefits from Central Government or State Government shall not be entitled to benefits under clauses (a), (b) and (c);

- (e) The State Government shall notify the entitlements under clauses (a), (b) and (c) within one year from the date of commencement of this Act.

9. The State Government shall, if it is of the opinion that an emergency or disaster exists, provide to all such affected households two meals every day, free of charge, for a period upto three months from the date of disaster in accordance with such scheme and in the manner as may be prescribed in that scheme.

Nutritional support to emergency or disaster affected persons.

CHAPTER-IV IMMEDIATE RELIEF IN CASE OF HUNGER

10. The State Government shall prepare and notify guidelines for providing meals, free of charge, to persons, households, groups, or communities, if any, suffering from hunger or conditions akin to hunger.

Guidelines for providing relief in case of hunger.

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| 11. | All local bodies in the State shall be responsible for providing relief in case of hunger to such persons, households, groups, or communities, if any, suffering from hunger or conditions akin to hunger in the geographical area, so notified, under their jurisdiction in accordance with the guidelines notified under Section 10. | Responsibility of local bodies to provide relief in case of hunger. |
| 12. | Subject to the provision of Section 14, all persons, households, groups or communities, identified under Section 11, shall be provided the following, namely:—
(a) meals, two times a day, free of charge, in accordance with a scheme and in the manner as may be prescribed in such scheme, for six months from the date of identification;
(b) any other relief considered necessary by the State Government. | Immediate relief from hunger. |

**CHAPTER-V
SCHEMES OF STATE GOVERNMENT**

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| 13. | The State Government shall notify and implement schemes covering entitlements under section 4, 5, 6, 7, 8, 9 and Chapter-IV of the Act which shall, <i>inter alia</i> , include –

(a) A scheme to provide meals, free of charge, to pregnant women and lactating mothers as specified under Section 4;
(b) A scheme to provide meals through local anganwadis, free of charge, to children as specified under clause (a) of sub-section (1) of Section 5;
(c) A scheme to provide mid day meal, free of charge, to students up to class VIII as specified under clause (b) of sub-section (1) of Section 5;
(d) A scheme to provide food items to students as specified under Section 6;
(e) A scheme to provide meals to malnourished children as specified under Section 7;
(f) A scheme providing for setting up of Annapoorna Dal Bhat centers for providing meals, free of charge, to destitute and homeless persons as specified in Section 8 and Chapter-IV; | Implementation of schemes for realization of entitlements. |
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- (g) A scheme to provide meals, free of charge, in emergency and disaster affected persons as specified under Section 9;
- (h) A scheme for maintenance of such buffer stock of foodgrains to be maintained by local bodies, to provide meals, free of charge, to persons identified under Chapter-IV, destitute and homeless persons, as may be specified in such scheme:

Provided that the State Government shall notify all such schemes within six months from the date of commencement of this Act.

CHAPTER-VI FINANCIAL RESPONSIBILITY OF THE STATE GOVERNMENT

14. (1) Any household specified as eligible household under this Act or under any other law for the time being in force, shall be entitled to such quantity of such food items, as specified in this Act or under any other law made by the Parliament in this behalf, whichever is more.
- (2) Any household specified as eligible household under this Act or under any other law for the time being in force, shall be entitled to receive such food items at such prices as specified under this Act or under any other law made by the Parliament in this behalf, whichever is less.
- (3) To give effect to the provisions of sub-section (1) or (2) of this section or sub-section (7) of section 15 of this Act, necessary order modifying the existing criteria of eligible households or entitlement to receive food items or prices of the food items, shall be issued by the State Government.
- (4) The State Government shall be responsible to bear all the additional expenditure that may have to be incurred, due to operation of sub-section (1) or (2) of this section or sub-section (7) of section 15 of this Act.

**Financial
responsibility
of the State
Government.**

CHAPTER-VII IDENTIFICATION OF ANTYODAYA HOUSEHOLDS, PRIORITY HOUSEHOLDS AND PARTICULARLY VULNERABLE SOCIAL GROUPS

15. (1) Subject to the provisions of sub-section (3) and sub-section (4), the State Government may, from time to time, prescribe guidelines for the identification of Antyodaya

**Power of
State
Government
to issue**

Households and Priority Households and General Households for the purposes of their entitlement under this Act and notify such guidelines in the Official Gazette.

- (2) Subject to the provisions of sub-section (4), the State Government may, from time to time, prescribe guidelines for identification of Particularly Vulnerable Social Groups, for the purposes of their entitlement under this Act and notify such guidelines in the Official Gazette:

Provided that the following households shall be designated as households of Particularly Vulnerable Social Groups, namely:-

- (a) All households of Particularly Vulnerable Tribal Groups as notified by the Central Government from time to time;
- (b) All households headed by a widow or a single woman;
- (c) All households headed by a terminally ill person;
- (d) All households headed by a person with disability;
- (e) All households headed by a person of sixty years of age or more with no assured means of subsistence or social support;
- (f) All households headed by a person released from bonded labour;
- (g) Any other group of households as may be prescribed.

- (3) Subject to the provision of sub-section (4), all households belonging to the following categories shall be designated as priority households, namely:-

- (a) All households which are eligible to receive food items as per the criteria specified under the Mukhyamantri Khadyanna Sahayata Yojana, to the extent of their entitlements under the Mukhyamantri Khadyanna Sahayata Yojana, on the date of commencement of this Act;

**guidelines
with respect
to
identification
of
households
and
particularly
vulnerable
social
groups.**

- (b) All households of landless agricultural labourers;
 - (c) All households of small farmers and marginal farmers;
 - (d) All households headed by a person registered as an unorganized labour under the provisions of the Unorganised Workers' Social Security Act, 2008 (33 of 2008);
 - (e) All households headed by a person registered as construction worker under the provisions of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996).
- (4) Notwithstanding anything contained in subsection (2) and (3), and subject to the provisions of Section 14, the State Government may, from time to time, prescribe criteria for exclusion of households from availing any entitlements under Section 3 of this Act:
- Provided that all households belonging to the following categories shall be designated as excluded households, namely:–
- (a) All such households in which the head of the household or any other member of the household is an Income Tax payee;
 - (b) All such households in non-scheduled areas, who hold more than 4 hectares of irrigated land or more than 8 hectares of non-irrigated land.
 - (c) All such households who owns such a pucca house in urban areas, which has a carpet area of more than one thousand square feet, and/or liable to pay property tax as per prevailing rules of the local bodies.
 - (d) Any such other households, which may be excluded, as per the criteria, as may be prescribed.
- (5) The State Government shall, from time to time, identify Antyodaya households, priority households and households of Particularly

Vulnerable Social Groups in accordance with the guidelines referred to in sub-section (1) and (2):

Provided that all households of Particularly Vulnerable Social Groups shall be designated as Antyodaya households:

Provided further that no excluded household, as per the criteria prescribed under sub-section (4) shall be designated as an Antyodaya household or priority household or a household of Particularly Vulnerable Social Group.

- (6) The list of Antyodaya households, priority households and households of Particularly Vulnerable Social Groups shall be updated by the State Government in such manner as may be prescribed.
- (7) The list of households shall be in addition to and not in derogation of any other law for the time being in force.

16. The list of identified Antyodaya households, priority households and households of Particularly Vulnerable Social Groups shall be placed by the State Government in the public domain and displayed prominently in the manner as may be prescribed.

Display of list of antyodaya, priority and general households in the public domain.

CHAPTER-VIII WOMEN EMPOWERMENT

17. (1) The eldest woman who is not less than the age of eighteen years, in every eligible household, shall be head of the household for the purpose of issue of the ration card.
- (2) Where a household, at any time, does not have a woman or a woman of eighteen years of age or above, but has a female member below the age of eighteen years of age, 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

Women of eighteen years of age or above to be head of the household for the purpose of issuance of ration cards.

years, shall become the head of the household and her name shall be substituted in the ration card in place of such male member.

CHAPTER-IX ROLE OF LOCAL BODIES

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| <p>18. All local bodies in the State shall be responsible for the following functions for implementation of the provisions of this Act, namely:—</p> <p>(a) Such responsibilities which the State Government may, by notification, assign to the local bodies for implementation of Targeted Public Distribution System, which shall, <i>inter alia</i>, include –</p> <p>(i) Identification of eligible households.</p> <p>(ii) Issuing ration cards to eligible households as prescribed.</p> <p>(iii) Monitoring and supervision of fair price shops in a manner as may be prescribed.</p> <p>(iv) Conducting social audit of the fair price shops in accordance with the guidelines prescribed under Section 23.</p> <p>(b) Identification of and providing relief to destitute or homeless persons in a manner as may be prescribed.</p> <p>(c) The local bodies shall be responsible for discharging such duties, functions and responsibilities as may be assigned to them under such scheme as may be prescribed by the Government for the implementation of this Act.</p> | <p>Role of local bodies.</p> |
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CHAPTER-X GRIEVANCE REDRESSAL MECHANISM

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| <p>19. The 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.</p> | <p>Internal grievance redressal mechanism.</p> |
| <p>20. Provision of entitlements to eligible households and persons under this Act shall be notified as services to be provided under the Chhattisgarh Lok Sewa Guarantee Act,</p> | <p>Notification of services under the Chhattisgarh</p> |

2011 (No. 23 of 2011), and all such services shall be provided in a manner and within such time limits as may be notified under the said Act.

**Lok Sewa
Guarantee
Act, 2011.**

CHAPTER-XI REFORMS IN TARGETED PUBLIC DISTRIBUTION SYSTEM

- 21.** (1) The State Government shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for it in this Act.
- (2) The reforms shall, *inter alia*, include –
- (a) doorstep delivery of all food items to the fair price shops;
 - (b) application of information and communication technology tools including end-to-end computerization in order to ensure transparent recording of transactions at all levels, and to prevent diversions;
 - (c) leveraging “aadhaar” for unique identification for proper targeting of beneficiaries under this Act;
 - (d) full transparency of records;
 - (e) preference to public institutions or public bodies such as Panchayats, Self Help Groups, Co-operatives and prohibition of private traders in licensing of fair price shops;
 - (f) diversification of commodities under the Public Distribution System over a period of time;
 - (g) maintenance of adequate buffer stock of food items.

**Power of the
State
Government
to undertake
necessary
reforms in
the Targeted
Public
Distribution
System.**

CHAPTER-XII TRANSPARANCY AND ACCOUNTABILITY

- 22.** All records related to Targeted Public Distribution System and schemes shall be placed in the public domain and kept open for inspection to the public in such manner as may be prescribed.

**Disclosure of
records
related to
Targeted
Public
Distribution
System.**

23. Every local body or any other authority or body, as may be authorized 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, shall publicise its findings and take necessary action in such manner as may be prescribed.

**Local bodies
to conduct
periodical
social audit.**

24. (1) For ensuring transparency and proper functioning of the Targeted Public Distribution System and accountability of the functionaries in such system, the State Government shall set up Vigilance Committees as specified in the Chhattisgarh Public Distribution System (Control) Order, 2004 made under the Essential Commodities Act, 1955 (10 of 1955), for the time being in force, at the State, District, Block and fair price shop level consisting of such members, as may be prescribed, giving due representation to the local authorities, the Scheduled Castes, the Scheduled Tribes, women and destitute persons or persons with disability.

**Vigilance
Committee.**

(2) The Vigilance Committees shall perform following functions, namely: –

- (a) regularly supervise the implementation of all schemes under this Act;
- (b) inform the Collector, in writing, of any violation of the provisions of this Act;
- (c) inform the Collector, in writing, of any violation or misappropriation of funds or stocks found by it;
- (d) the Collector on being informed in writing of any violation specified in clause (b) or (c) above shall proceed to inquire in to such matter in a manner as specified under Section 25.

**CHAPTER-XIII
OFFENCES AND PENALTIES**

25. (1) All actions related to providing entitlements to all eligible households under section 3, shall be regulated by the Chhattisgarh Public Distribution System (Control) Order, 2004, as amended from time to time.
- (2) Subject to the provisions of the Essential Commodities Act, 1955 (10 of 1955), and without prejudice to any law made by the Parliament, for the time being in force, the State Government may, if and wherever deem necessary, suitably amend provisions of the Chhattisgarh Public Distribution System (Control) Order, 2004, and notify such amendment in the Official Gazette, for the purpose of regulation of implementation of the provisions of section 3 of this Act.
- (3) Every notification issued under sub-section (1), shall be laid, as soon as may be after it is issued, before the State Legislative Assembly.
26. If any person contravenes any of the provisions of the Chhattisgarh Public Distribution System (Control) Order, 2004, as specified under section 25 of the Act, shall be liable for punishment under relevant provisions of the Essential Commodities Act, 1955 (10 of 1955).

**Regulation
of actions
providing
entitlement
under the
Act.**

**Punishment
for
contravening
provisions of
the
Chhattisgarh
Public
Distribution
System
(Control)
Order, 2004.**

**CHAPTER-XIV
MISCELLANEOUS**

27. The provisions of this Act shall not preclude the State Government from continuing or formulating other food based welfare schemes.

**Power of the
State
Government
to continue
or formulate
food based
welfare
schemes.**

- 28.** The State Government may, by notification, direct that the powers exercisable by it, except the powers to make rules, in such circumstances and subject to such conditions and limitations, be exercised also by an officer subordinate to it as it may specify in this behalf in the said notification. **Delegation of powers under the Act.**
- 29.** (1) If the State Government is satisfied that it is necessary or expedient to do so, it may, by notification, amend Schedule-I or Schedule-II and thereupon Schedule-I or Schedule-II, as the case may be, shall be deemed to have been amended accordingly; **Power to amend Schedules.**
- (2) Every notification issued under sub-section (1), shall be laid, as soon as may be after it is issued, before the State Legislative Assembly.
- 30.** (1) The State Government may make rules to carry out the provisions of this Act. **Power to make Rules.**
- (2) In particular, and without prejudice to the generality of the forgoing powers, such rule may provide for all or any of the following matters, namely :—
- (a) reforms in Targeted Public Distribution System.
 - (b) guidelines for identification of Antyodaya households, priority households, and households of Particularly Vulnerable Social Groups, for the purpose of their entitlements, under sub-section (1) of section 15.
 - (c) manner in which the lists of eligible households shall be updated under sub-section (3) of section 15.
 - (d) internal grievance redressal mechanism under Section 19.
 - (e) manner in which the Targeted Public Distribution System related records shall be placed in public domain and kept open for inspection to public under Section 22.

- (f) manner in which social audit on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes shall be conducted under Section 23.
- (g) details of constitution of vigilance committees under sub-section (1) of Section 24.
- (h) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the State Government by rules.

- (3) Every rule, order, notification or guidelines made or issued by the State Government under this Act, shall be laid, as soon as may be after it is made or issued, before the State Legislative Assembly.

- 31. The schemes, guidelines, orders and food standards, existing on the date of commencement of this Act, shall continue to be in force and operate till such schemes, guidelines, orders and food standards are modified/specified under this Act or the rules made thereunder:

Provided that anything done or any action taken under the said schemes, guidelines, orders and food standards shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force accordingly unless and until superseded by anything done or by any action taken under this Act.

- 32. (1) If any difficulty arises in giving effect to the provisions of this Act, the State 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 such 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.

**Continuation
of the
existing
schemes,
guidelines,
order and
food
standards.**

**Power to
remove
difficulties.**

- (2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before the State Legislative Assembly.

33. The State Government shall not be liable for any claim by persons belonging to priority households or general households or other groups entitled under this Act for loss, damage, or compensation, whatsoever, arising out of failure of supply of food items or meals when such failure of supply is, either directly or indirectly, due to conditions such as, war, flood, drought, fire, cyclone, earthquake or any act of God.

Liability of State Government in the event of unforeseen acts.

34. The entitlements under this Act shall not be in any way derogatory of any other scheme or law made by the Parliament in this behalf.

Act not in derogation of any other scheme or law.

SCHEDULE - I

[See section 3]

Entitlements of food items under Public Distribution System

S. No.	Type of household	Food items	Monthly entitlement	Consumer price
1	Antyodaya households	Foodgrain	35 kg per month	Rs. 1 per kg
		Iodized Salt	2 kg per household	Free
		Black gram*	2 kg per household	Rs. 5.00 per kg
		pulses**	2 kg per household	Rs. 10.00 per kg
2	Priority households	Foodgrain	35 kg per month	Rs. 2 per kg
		Iodized Salt	2 kg per household	Free
		Black gram*	2 kg per household	Rs. 5.00 per kg
		pulses**	2 kg per household	Rs. 10.00 per kg
3	General households	Foodgrain	15 kg per month	Rice Rs. 9.50 per kg Wheat Rs. 7.50 per kg

- Note-** (1) *Black gram entitlement shall extend to all Antyodaya households and priority households residing in Scheduled areas of the state.
- (2) ** Pulses entitlement shall extend to all Antyodaya households and priority households residing in non-scheduled areas of the state.

SCHEDULE-II

[See sections 4 (a), 5 (1) and 7]

NUTRITIONAL 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 and lactating women required to be met by providing 'Take Home Rations' or nutritious hot cooked meal or ready to eat 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	Category	Type of meal	Calories (Kcal)	Protein (g)
1	2	3	4	5
1.	Children (6 months to 3 years)	Take Home Ration	500	12-15
2.	Children (3 to 6 years)	Morning Snack and Hot Cooked Meal	500	12-15
3.	Children (6 months to 6 years) who are malnourished	Take Home Ration	800	20-25
4.	Lower primary classes	Hot Cooked Meal	450	12
5.	Upper primary classes	Hot Cooked Meal	700	20
6.	Pregnant and Lactating mothers	Take Home Ration	600	18-20

- Note:**
1. Energy Dense Food fortified with micronutrients as per 50 per cent of Recommended Dietary Allowance.
 2. Meals shall be prepared in accordance with the prevailing Food Laws.
 3. Nutritional standards are notified to provide balance diet and nutritious foods in terms of calorie counts, protein value and micronutrients specified.

STATEMENT OF OBJECT AND REASONS

Article 38 of the Constitution provides that the State shall secure a social order for the promotion of welfare of the people. Article 47 of the Constitution, *inter alia*, provides that it shall be the duty of the State to raise the level of nutrition and the standard of living and to improve public health. In pursuance of these constitutional obligations providing food security has been focus of the governments planning over the years. However, ensuring food security of the people continues to be a challenge despite efforts of the State Government. The nutritional status of the population and especially of women and children, also needs to be improved in order to improve quality of human resource in the State. The proposed legislation marks a basic change in the idea and method of addressing the problem of food security from the current welfare approach to a rights based approach. Besides expanding the coverage of the Public Distribution System, the proposed legislation would confer legal rights on eligible beneficiaries to receive entitled quantities of foodgrains and other food items at highly subsidized price.

The objective of this Bill is to ensure adequate food for all eligible households of State with dignity and in pursuance of their right to be free from hunger and other deprivations associated with lack of food. This law aims to guarantee sufficient food for all people of the State, at affordable prices, particularly to poor and the most vulnerable sections of the society.

The Bill seeks to achieve the aforementioned purposes.

Hence this Bill.

Place :

Dated :

MEMBER-IN-CHARGE