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LEGISLATION TRACKER

National Food Security Act, 2013

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SUBJECTS COVERED

POLITY

ECONOMY

CURATED & WRITTEN BY

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ACT NUMBER	YEAR ENACTED
Act No. 20 of 2013	2013

KEY PROVISIONS

- 1 Legal entitlement to subsidised foodgrains for approximately 81.35 crore persons (67% of population)
- 2 Priority households entitled to 5 kg/person/month of rice at Rs 3, wheat at Rs 2, coarse grains at Rs 1
- 3 Antyodaya Anna Yojana (AAY) households entitled to 35 kg/household/month at same prices
- 4 Pregnant and lactating mothers entitled to free meals and maternity benefit of Rs 6,000
- 5 Children aged 6 months to 14 years entitled to free meals through ICDS and Mid-Day Meal
- 6 State Food Commissions to be established for monitoring and grievance redressal
- 7 Food security allowance payable if entitled foodgrains are not supplied

BACKGROUND

The National Food Security Act, 2013 (NFSA) was initially promulgated as a Presidential ordinance on 5 July 2013 and received Presidential assent as an Act of Parliament on 10 September 2013 (Act No. 20 of 2013), marking a paradigm shift in India's approach to food security — from a welfare-based to a rights-based framework. The Act legally entitles up to 75% of the rural population and 50% of the urban population (approximately 81.35 crore persons based on Census 2011 population estimates) to receive subsidised foodgrains through the Targeted Public Distribution System (TPDS).

The legislative journey began with the Supreme Court's landmark intervention in the PUCL v. Union of India (2001) case, where the Court converted the benefits of various food schemes into legal entitlements through a series of interim orders from 2001 to 2013. The National Advisory Council (NAC), chaired by Sonia Gandhi, drafted the initial framework. The Act builds upon the existing Public Distribution System (PDS), which traces back to the rationing system introduced during World War II and was formalised in 1965.

The NFSA represents the world's largest food security programme, covering approximately two-thirds of India's population. The annual foodgrain requirement under the Act is approximately 612 lakh metric tonnes. The Food Corporation of India (FCI) is the nodal agency for procurement, storage, and distribution of foodgrains under the Act.

KEY CONCEPTS

- **Priority Households:** Households identified by state governments as per state-specific criteria, entitled to 5 kg per person per month of foodgrains at subsidised prices (Section 3(1))
- **Antyodaya Anna Yojana (AAY):** The poorest of the poor households (identified under existing AAY criteria), entitled to 35 kg per household per month irrespective of family size (Section 3(2))
- **Central Issue Prices (CIP):** Rice at Rs 3/kg, wheat at Rs 2/kg, coarse grains at Rs 1/kg — to remain unchanged for 3 years from commencement, thereafter to be determined by the Central Government (Section 3(3))
- **Food Security Allowance:** If the state government or its nominee is unable to supply the entitled foodgrains, the entitled persons shall receive food security allowance as prescribed by the Central Government (Section 8)
- **State Food Commission:** Statutory body established under Section 16 to monitor implementation, conduct inquiries, give advice to state governments, and prepare annual reports
- **District Grievance Redressal Officer (DGRO):** Appointed under Section 15 to hear complaints relating to distribution of entitled foodgrains or meals, non-provision of food security allowance, and other entitlements under the Act

IMPORTANT PROVISIONS

Section 3 — Right to Receive Foodgrains: Every person belonging to a priority household is entitled to 5 kg of foodgrains per person per month. AAY households are entitled to 35 kg per household per month. The Central Issue Prices are fixed at Rs 3 (rice), Rs 2 (wheat), and Rs 1 (coarse grains) per kg.

Section 4 — Nutritional Support to Pregnant Women and Children: Every pregnant and lactating mother is entitled to a free meal during pregnancy and 6 months after childbirth through the local Anganwadi centre, and a maternity benefit of not less than Rs 6,000 in instalments. This provision was operationalised through the Pradhan Mantri Matru Vandana Yojana (PMMVY).

Section 5 — Children's Entitlements: Children aged 6 months to 6 years are entitled to an age-appropriate meal (free of charge) through the local Anganwadi centre under the ICDS. Children aged 6-14 years are entitled to one free mid-day meal every day (except holidays) in government and government-aided schools under the Mid-Day Meal Scheme (now PM POSHAN).

Section 9 – Women Empowerment Provision: The eldest woman of the household (aged 18 years or above) shall be the head of the household for the purpose of issuing ration cards. This provision was designed to empower women and ensure food reaches the household.

Section 12 – Reforms in TPDS: Central and state governments shall progressively undertake reforms including doorstep delivery, ICT-based tracking, leveraging Aadhaar for identification, diversification of commodities, and support for local procurement.

Section 22 – Obligation of Central Government: The Central Government shall allocate required foodgrains from the central pool to state governments at prices specified under the Act. The Central Government shall also provide funds for intra-state transportation and handling of foodgrains.

LANDMARK JUDGMENTS

PUCL v. Union of India (2001, Writ Petition 196): The Supreme Court converted food scheme benefits into legally enforceable entitlements through interim orders. Key directions included: universalisation of ICDS, cooked Mid-Day Meals in all primary schools, implementation of AAY for the poorest, and appointment of State Food Commissioners. This case was the precursor to the NFSA.

Swaraj Abhiyan v. Union of India (2016): The Supreme Court held that the NFSA must be implemented in letter and spirit and directed the Centre and states to ensure that no eligible person is denied foodgrains. The Court emphasised the right to food as an integral part of the right to life under Article 21.

Swaraj Abhiyan v. Union of India (Drought Case, 2016): The Supreme Court directed the Central Government to consider the inclusion of drought-affected populations under NFSA coverage and to ensure food security during natural disasters. The Court noted that NFSA must act as a safety net during emergencies.

Delhi High Court – Ration Card Directions (2021): During COVID-19, the Delhi High Court directed the Delhi government to issue temporary ration cards to migrant workers stranded without food, citing NFSA entitlements and Article 21.

RECENT AMENDMENTS / DEVELOPMENTS

PMGKAY Integration with NFSA (January 2023 onwards): In January 2023, the Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY) was integrated with NFSA. Under this, all NFSA beneficiaries (approximately 81.35 crore persons) receive free foodgrains – AAY households get 35 kg per household per month and PHH beneficiaries get 5 kg per person per month, all at zero cost (not even the subsidised Rs 2/3/1 prices). This scheme, initially launched during COVID-19 in April 2020, has been extended for 5 years with effect from 1 January 2024 till December 2028. The food subsidy allocation for FY 2024-25 was Rs 2.13 lakh crore, with 96% directed toward food subsidies.

One Nation One Ration Card (ONORC): Implemented across all 36 states and UTs by 2022, enabling NFSA beneficiaries to lift their entitled foodgrains from any Fair Price Shop (FPS) in the country using Aadhaar-linked biometric authentication. Particularly benefits migrant workers. Over 100 crore portability transactions recorded by 2024.

Fortification of Rice: The Central Government mandated supply of fortified rice (with Iron, Folic Acid, and Vitamin B12) through all government schemes including TPDS, ICDS, and PM POSHAN by 2024. Total coverage: approximately 1,500 districts across India.

Central Issue Price Revision Debate: The CIP under NFSA (Rs 2/3/1) has not been revised since 2013. The economic cost of rice to FCI was Rs 39.12/kg and wheat Rs 27.83/kg in 2023-24. The food subsidy bill exceeded Rs 2 lakh crore in 2023-24, with the Centre bearing the entire CIP differential.

UPSC RELEVANCE

NFSA coverage (67% population), CIP prices (Rs 2/3/1), AAY entitlement (35 kg), maternity benefit amount (Rs 6,000), ONORC scheme, Section 9 (eldest woman as household head), fortified rice components **Mains GS-2:** *Right to food and Article 21, food security governance, role of PUCL case in food jurisprudence, State Food Commissions, DGRO mechanism* **Mains GS-3:** *Food subsidy burden, FCI reforms, PDS efficiency, ONORC and portability, procurement and buffer stock policy, PMGKAY fiscal impact* **Interview:** *“Is providing free foodgrains fiscally sustainable? Should India move from food subsidies to income support for food security?”*

RELATED TERMS

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