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Child Nutritional Rights in India

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ABSTRACT

Human has always desired to have proper nutrition. The phrase “what food you eat just like be your mind’ can be stated here. At present world everybody wants to get good nutrition. It is required that everyone must understand the role of nutrition for good health. It is also desired that every food service provider should focus on the nutritional value of food. Getting proper nutrition is a serious health concern in the country i.e. India. Malnutrition has plagued the Indian food for decades. There food which we take in our daily life lacks in the nutritional quality. There is no doubt about this point that Indian government at present has launched many schemes to ensure the nutritional quality of the children. Yet it is the hard reality that such food has a very lower food nutritional quality in it. Though adequate provisions related food security and nutrition are given in the recently enacted Food Security Act, 2013, still the better implementation is required. Under this research article researcher will try to highlight the present scenario of nutrition and its impact on the rights of child.

Keywords: Nutrition, health, Malnutrition, food security, child rights

I. INTRODUCTION

“Social security was both a private and state matter. The primary responsibility for maintaining the family-wife, children, parents, minor brothers and unmarried or widowed sisters-lay with the head of the family; no one could become an ascetic without first providing for his wife and children...However, the state had the obligation to provide a safety net and maintain children, the aged, childless women and the helpless.”

-The Arthashastra: Kautilya by L.N. Rangarajan

Food Nutrition is of utmost importance to live a healthy life. Quality of the food can only be ensured if nutritional level of it is enhanced to the prescribed limits. This thing becomes a topic of debate for a country like India where the problem of the food malnutrition is on rise. During old times the food preparation was mostly done at home and thus the nutrition level ensured.

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The present day lifestyle of the human being does not allow him to look for the nutrition quality and thus they are consuming the ready to eat food without taking care of its nutrition quality. Again, because of the food malnutrition items of food has lowered to the most threatening level. The Constitutional Law of India makes it a social welfare state thus it is the duty of state authorities to raise the level of nutrition of every group of persons as: Men, Women, and Children's. Provisions in this regard are included in Part IV of Indian Constitution i.e. Directive Principles of State Policy, where it is the obligation of the state to enhance the level of nutrition and standards of living.

(A) Child Nutrition

Among Indian child malnutrition in fact is found more than African countries. Malnourishment is a serious issue because it can have longer implications on the individual's daily activities. Undernourishment is another such problem which leads to illness and the risk of dysfunction.³ From every age group children are treated as a matter of nurture and care. Thus it is very important that nutritional health of the children should be taken care of. Convention on Rights of Child, 1989 can be stated in this regard. Children being the future of the country it was discussed in the convention that their interests should be protected. Lack of nutrition among the children of India is a subject of urgent discussion for the agencies of the child rights. it was in the year 2008 when this problem of malnutrition was declared as a subject of nationwide shame. It is now proved that right to food is a basic right, but then even India is struggling to tackle the issue of Child nutrition.⁴

(B) Nutrition and Child Health

Human's search for nutrition safety and health is a never ending process. Individuals with malnutrition are found deficient in nutrients, may consume more nutrients than needed or found undernourished. This type of issues leads towards non communicable ailments. Because of malnutrition peoples can't live a healthy life and their mental and physical growth stops.⁵ India has become conscious on the subject of the nutrition during recent years. The issue of nutrition especially for children is receiving the consistent attention here. Nutritional needs are important to be met because it is only nutrition which forms the growth of person particularly the youth and early childhood.⁶

³ Sib Ranjan Misra, Food Security in India 82 (2012).

⁴ Vandana Prasad, Children's Rights to Food: Constitutional Legal Protection and Nutritional Empowerment , 12 Journal of the National Human Rights Commission. 111, 125 (2013). \

⁵ Ken Albala ,The Sage Encyclopedia of Food Issues , 3, (2015).

⁶ P.M. Bakshi, Right To Nutrition, 37 Journal Of The Indian Law Institute, (1995).

(C) Nutritional Security

India is struggling to achieve the food security. But it is not the single challenge to be achieved there are other threats also as: starvation, poverty, undernourishment and malnourishment. Nutrition has a greater value in the development of humans especially that of women and children. Undernourishment and malnourishment is a problem of whole India at the current time. As per a report 230 million (which is equivalent to 21 % of India's existing population) citizens of India are undernourished. Out of three malnourished children of the world one belong to our nation. 70% Children of 6-59 months are found anemic.⁷ Our Apex Court in *PUCL vs Union of India (CWP 196/2001)* has discussed the manner by which the state authorities can be directed to recognize right to food. Budget allocation on the issue of food security for certain groups as marginalized communities, persons with disabilities, women, homeless, children and SC/ST has now been ensured. Number of the anganwadi centers across the country is also increased from earlier 6 lakh to 11 lakh which is still increasing. Again the mid-day meal for children in the government schools has now recognized as a right and it has covered more than 138 million children across the country.⁸ Thus it can be said that there is no doubt in this thing that now the children's right to food has been secured to a greater extent still nutritious quality of such food is doubtful.

II. THE NATIONAL FOOD SECURITY ACT, 2013

This Act guarantees subsidized food to 75 % rural population and 50% of urban population. It provides provide wheat, rice and coarse grain at very low prices to the households of priority. The distribution of food under this is done through PDS (Public Distribution System), and through government run fair shops and ration card system. Main provisions of the Act talks about: preparation of the guidelines, identification of priority households, population coverage under PDS, Right of receiving food security allowance, realization of entitlements, Nutritional support to children, right to receive food grains at a subsidized price and prevention of child malnutrition.⁹

III. CONCLUSION

Right to have adequate food is realized when every child, man and woman at their own or in community with others has economic and physical access at all the time to proper food. Right to food therefore should not be interpreted in a narrow manner or in a restrictive manner, which

⁷ Debes Mukhopadhyay, *Food Security in India* 122 (2012).

⁸ Shantha Sinha, *Children The Voiceless Multitude and Human Rights*, 11 *Journal of National Human Rights Commission*. 11, (2012).

⁹ Daya Devi & Simple Chabra, *Food Security a Basic Human Right*, 4 *Civil and Military Law Journal*. (2014).

equates it with minimum package of proteins, calories and other nutrients. It should be held progressively. After the introduction of the Food Security Act, it is taken as that food grains should be given at subsidized rates. Although the overall check in this regard is of government.¹⁰ Again through Green revolution India has attained sufficiency in the production of food products. From many years now no famine like situation has yet occurred. After the introduction of the National Food Security Act, 2013 now the food security is ensured to every Indian. Even when all this is happening our nation still needs to improve the nutritional status. Till date there is no step down in the low birth rate. Again the problem of anaemia and under-nutrition is still persistent.¹¹

¹⁰ Manoj Kumar Sinha, Right to Food International and National Perspectives, 56, JILI. 1,(2014).

¹¹ Prema Ramachandran, India's Food and Nutritional Security ,9 Journal of National Human Rights Commission. 9 , (2010).