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Social Justice and Food Security: Examining the Right to Food for Marginalized Communities in India

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ABSTRACT

This article examines the delicate interplay between food security and social justice in India with a particular emphasis on the right to food for vulnerable groups. It explores the constitutional foundations, legislative frameworks and seminal judicial interpretations that constitutes the right to food as a facet of the right to life under Article 21 of the Constitution of India. With a view to understanding the structural lacunae, implementation gap and policy vacuum, it highlights the deficient state action and omissions that undermine food security. Drawing on the significant legal commitments from the State and the schematic interventions such as Public Distribution System (PDS), Mid-Day Meal Scheme and Integrated Child Development Services (ICDS), it analyses the social justice approach to the right to food and frames the theoretical and practical way forward for the food security programmes in India. It tells us how the rights framework can strengthen the food security programmes and how these programmes promote social justice.

Keywords: *social justice, food security, marginalized communities, India, right to food, Article 21, Public Distribution System, Mid-Day Meal Scheme, Integrated Child Development Services, National Food Security Act.*

I. INTRODUCTION

In India, the right to life is a fundamental right enshrined in Article 21 of the Constitution. The judiciary has in turn interpreted this provision expansively and has read into the right to life a number of derivative rights that are intrinsic to a dignified life. The right to food is a derivative right flowing from the right to life under Article 21 of the Indian Constitution. The right to food is rooted in social justice. It implies that a person has a right to food irrespective of status or income so as to be adequately nourished for survival and well-being. This is all the more important in the Indian context because a portion of the population lives below the poverty line and is susceptible to malnutrition and starvation.

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Food security for marginalized groups highlights how distribution policies have a role in advancing social justice. More specifically, Scheduled Castes, Scheduled Tribes and 'economically weaker sections' typically grapple with systemic barriers to accessing essential goods, including food. Indeed, the importance of securing food for marginalized populations brings up issues of both social justice and distributive equity. In a nation that aspires to realize social justice, the denial of an adequate quantity of food to its citizens raises an abysmal sense of injustice. To truly realize the ambition set out by the constitution to deliver the right to life with dignity to each citizen, it is essential that the Indian state provides adequate food to all of its citizens. The nexus between social justice and food security thus arises as a critical domain of legal and policy discourse, thereby making the right to food for the marginalized in India an urgent and necessary field of enquiry.

The legal architecture of the right to food in India is a conglomeration of constitutional, legislative and judicial measures. The right to life in Article 21 of the Constitution, secured for all citizens, has been elucidated by the Supreme Court to include the right to live with dignity as defined to incorporate the right to food, water and other essentials of life. The Directive Principles of State Policy in Articles 39(a) and 47 impose a duty on the state to ensure the right to livelihood and adequate means of livelihood, and to raise the level of nutrition and standard of living and improve public health. The National Food Security Act, 2013, as a legislative endeavor for the right to food, is a laudable instrument aimed at providing subsidized food grains to about two-thirds of the Indian population by creating a legal entitlement for destitute and vulnerable groups.

A second factor that broadened the posology of the right to food debate, and its actual implementation, was judicial interpretations. The judgment of the People's Union for Civil Liberties (PUCL) v. Union of India MoSs (2001) – popularly known as the right to food case – involved the Supreme Court expanding the meaning and the range of court-ordered obligations under Article 21. Via a sequence of interim orders, the court mandated the government to ensure the implementation of a variety of welfare programmes including the Public Distribution System (PDS), Mid-Day Meal Scheme for school children, and Integrated Child Development Services (ICDS). Each of these was a new additional measure or means of reducing chronic hunger and malnutrition, particularly among the most marginalized. They also contributed to the right to food becoming more visible. In attempting to make the right to food justiciable, the court expanded the obligation of the state to ensure non-violation of the right to life, particularly by adding hunger.

These structural problems and problems of implementation are mainly responsible for the

problems pertaining to the right to food for these excluded groups. Structural factors such as poverty, illiteracy and social exclusion seriously impede the capacity of the poor to access adequate food. There are massive loopholes in the implementation of government schemes that provide this right, like the Public Distribution System (PDS), the system where subsidized food grains are supposed to be provided to the poor. PDS is plagued with inefficiency, corruption and many people are denied access because of exclusion errors. Such errors lead to exclusion of deserving people and are therefore referred to as exclusion errors, loss of entitlement, etc. Sometimes such exclusion errors are due to technical problems, but sometimes they are also due to a political logic behind targeting. For instance, there are problems related to accountability and coordination across various agencies, who have overlapping, contradictory mandates. This is another factor responsible for non-realization of food security for the poor. So, although our laws and judiciary are strong, a huge gap remains between the laws or statutes and implementation on the ground. There is a need to concerted efforts to narrow this gap.

Building on previous government programmes on food security, many hurdles yet have to be overcome. India's largest food security system is its public distribution system (PDS), which continues to be a pillar of food security by providing food grains to more than 800 million at subsidized rates. But it faces leakages and diversion of food grains due to corruption, fraud and inclusion errors, restricting its potential to reach the desired beneficiaries. The mid-day meal scheme that supplies schoolchildren with meals has been found to improve school attendance and offers a nutritional outcome, but operates on a subsidized scale with a constant need for quality improvement and further reach.

They have mostly pushed for the right to food to be brought to the forefront in practice. It has largely been NGOs and civil society that took on this role and have been a significant contributor. NGOs piloted the way. They undertook awareness and education drives, collected empirical data, conducted research, demonstrated and organically developed key prototypes, provided on-ground assistance to vulnerable communities to ensure food security, and finally engaged in litigation (adopting what we now know as the mechanism of 'public interest litigation') to ensure that the state put its shoulder to the wheel. Thousands of case reports were filed documenting project outcomes in the field as they engaged with the most marginalized communities in society. NGOs across the world could also be referred to as touchpoints for reports, documentation and reports from communities. Their efforts speak to my point. From community-based food security in Belize, a Caribbean County, to innovative approaches in reducing food waste in Malta, a small Mediterranean Island state, there are numerous examples of NGO grassroots work from around the world.

II. CONCEPTUAL FRAMEWORK

Social justice is a complex notion that looks towards a 'fair and equal society' by seeking to redress inequalities, barriers and considerations in society so that individuals have equal access to opportunities and resources. In the context of food security, social justice would also mean that every person, whether rich or poor, has access to the amount of food that enables them to live healthy lives. Given this context, social justice demands the removal of entrenched barriers that deny certain groups access to vital requisites, including food. The principle of social justice thus becomes imbibed in the commitment to end socio-political barriers that prevent or hinder specific classes among the population from accessing vital requisites. In India, social justice is found in the formulation of the Constitution, especially through the Directive Principles of State Policy which urge the state to have the overarching objective of the welfare of the people by preventing concentration of wealth and means of production and by securing a social order in which: justice – social, economic, and political – shall inform all the institutions of national life (Article 38). This formulation is reflected in food security to understand that the state should take a proactive measure to create a social order whereby food does not remain a commodity to be sold but a human right that is accessible by all, especially on the margins of society.

'Marginalized' refers to various communities in India who are socially, economically and politically deprived. Marginalized groups include Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs), religious minorities, and economically weaker sections of the Indian population. The SCs and STs, especially, are relatively disadvantaged communities who have historically faced and continue to face systemic discrimination and exclusion. This has meant that cycles of poverty and deprivation have been reinforced, and include some of the people who experience the worst forms of food insecurity. Lack of specific legal entitlements to free education, healthcare, income and other forms of social support usually makes them more vulnerable to food insecurity. Caste-based forms of exclusion and geographical isolation (as in many tribal areas) make life difficult, and means that usually these communities are not able to access more stable and secure food supplies.

Economic insecurity contributes to food security insecurity: many marginal populations work in informal sectors, often in precarious contractual work, and earn low wages with little or no social security. In addition, when they do not own land, marginal peoples, especially in low-income countries, live in places with little or inadequate infrastructure. Marginal peoples often have less access to better markets for food purchase. Even in rural areas, often less inclusive in terms of human rights and services, marginal peoples have fewer opportunities to cultivate or

grow food. Poverty and social exclusion could thus be severe barriers to food security.

III. CONSTITUTIONAL PROVISIONS

The Indian Constitution provides a robust jurisdictional framework for the right to food backed by various articles and judicial interpretations. Article 21 that affirms the right to life and personal liberty has been used to interpret the right to live with dignity that encapsulates the right to food, clothing and shelter. The broadest formulation of the right to food emerged in the pioneering judgment of *Francis Coralie Mullin v. The Administrator, Union Territory of Delhi* (1981), where the Court ruled: the right to life which includes the right to live with human dignity and all that goes along with it would necessarily include the right to bare necessities of life, which includes the right to food, clothing, shelter and education, etc. The judgment of Mullin devised a precedent that the right to food is indispensable for the right to life and affirms enforceable constitutional obligations on the state to ensure that no person is subject to hunger or malnutrition.

Further, Directive Principles of State Policy in Articles 39(a) and 47 enjoin upon the state to secure the right to an adequate means of livelihood and to raise the level of nutrition and the standard of living of the people respectively. Article 39(a) directs the state ‘to ensure that the citizens are able to earn their livelihood’ – a mandate that seemingly enshrines the right to food. Article 47(b) expressly commands the state to achieve the ‘argument of the minimum wages, the livelihood to all citizens, and the prohibition of concentration of wealth and means of production’, while adding to it the burdensome undertaking to ‘raise the level of nutrition and the standard of living of its people’ and ‘improve public health’ – benchmarks that rest on the unquestionable nexus between provision and availability of food. The Directive Principles are not, however, enforceable before the court of law. Nonetheless, they serve as preferential factors whilst formulation and execution of policies to ensure the state’s duty to provide food security. Judiciary has invoked the former to discuss the latter, either by drawing interpretative advice or by explicating the obligation of the state to afford adequate food especially to marginalize classes of people.

(A) The National Food Security Act, 2013

The National Food Security Act, 2013 (NFSA) offers a path-breaking legislative initiative to translate the constitutional mandate of the right to food into enforceable entitlements. NFSA entitles a little over two-thirds of India’s population to subsidized food grains and brings food security as a legal entitlement. As per this Act, priority households are entitled to receive 5 kilograms of food grains per person per month at deeply subsidized rates, while Antyodaya

Anna Yojana (AAY) households (the poorest of the poor) get 35 kg per household per month. This ensures that the poorest among the poor have access to food to enable them to lead a life outside hopelessness and destitution.

The NFSA also provides for nutritional support to pregnant women and lactating mothers and children up to the age of 14 years: all pregnant women and lactating mothers can access a nutritious meal while pregnant and for the first six months following the birth of a child; children can access age-appropriate meals through the ICDS, and the Mid-Day Meal Scheme to meet their calorie needs. In this way, the programmes directly address malnutrition and the health and development of a child and mother in marginalized communities. Grievance redressal mechanisms are mandated at the district and state level to ensure transparency and accountability in the implementation of the programmes.

This is how in the very recent *PUCL v. Union of India* UOI, undertaking the responsibilities cast on it by vomiting out the Rajiv-Cairi sparkle of ‘development’ as opaquely inherited by the current premier, the Indian Supreme Court in *PUCL v. Union of India* (also called the right to food case) dramatically expanded upon the scope of what the right to life under Article 21 means to include the right to food. The *PUCL* case is a public interest litigation filed by People’s Union for Civil Liberties (*PUCL*) against the government of India, among other respondents, alleging that the state governments and the central government were failing to feed large numbers of people in need given that substantial food grains were available for this purpose. The interim orders passed in the right to food case implemented different food security scheme-like the Public Distribution System (*PDS*) for the underprivileged, the mid-day meal scheme for school-going children, the Integrated Child Development Schemes (*ICDS*) for mothers and children, displaying the state’s legal obligation to ensure the right to food as part of the state’s obligation to ensure the right to life. The *PUCL* case is a significant judicial intervention because it encapsulates a social justice agenda in food security.

In the case *Francis Coralie Mullin v. The Administrator, Union Territory of Delhi* (1981), the Supreme Court of India extended the scope of Article 21 when it stated that the right to life includes the right to live with human dignity. This entails the right to all those things ‘absolutely essential for the enjoyment of life’, including ‘adequate nutrition, clothing and shelter’, as well as ‘the right to enjoy all those facilities without which life cannot be conceived as being live²¹ (emphasis added). In other words, ‘the right to life includes the right to live with human dignity, and human dignity is a life that is livable and worth living.’ The court’s interpretation of Article 21 thus guaranteed that the right to life was not limited to mere survival, but also entailed the guarantee of a life ‘of dignity’. This case also made clear that the legal duty imposed on the

state is oriented at creating ‘conditions that are conducive to the proper enjoyment of the rights’ in question – in this context, to ‘enjoy the basic needs of life’, making it the first landmark judgement that helps us grasp the constitutional underpinnings of the right to food. It also shows how the judiciary has slowly but surely expanded the scope of fundamental rights to include socio-economic rights, with the goal of promoting social justice and food security.

– *Olga Tellis v. Bombay Municipal Corporation*. In their petition, the pavement dwellers in Mumbai argued against their eviction by the municipal authorities, citing a violation of the right to livelihood, which the Court recognized as an inseparable part of the right to life under Article 21 enshrined in the Constitution of India. As it stated in its judgment, right to life and liberties necessarily include the right to livelihood. No person could live without the means of living; without a living person could not live. Listing the sociological and psychological implications of lack of means of livelihood of poor people, the Court stated that the loss of such means of livelihood not only violates the fundamental rights but also amounts to economic genocide. Food security problems are seen on the ground at the intersection of various categories of social and economic rights Courts have stepped in to remind the State that the omission of provisions for livelihood for marginalized communities is as fatal as defining the right to life itself as deprivation of livelihood. This judgment firmly established the principle that food security is also a matter of securing livelihood for, and by, individuals as it guarantees every person the means to earn a living, thereby ensuring food and also other necessities of life for them and their families.

In *Shantistar Builders v. Narayan Khimalal Totame* (1990), the Supreme Court gave a more thorough explanation of the meaning of the right to life under Article 21. The judges wrote that this right includes ‘the right to a decent environment, the right to live in a society which is not toxic to health ... and the right to all facilities which would enable a man or woman to enjoy a life of dignity towards which the entire axiomatic structure of the Constitution unfurled.’ It was further explained that right to life ‘is not limited to equal animal existence. It includes right to live with human head and dignity ... the right to live in a clean and pollution-free environment, the right to attain full-sustainable nutrition, right to realise natural process of health, etc.’, by reading these rights in the ‘spirit of the Constitution’ in a way that goes beyond mere literal reading of the Constitution. This case is useful for food security debates in that it restates the primacy of the duty of a welfare state to lay down conditions which allow all of its citizens to live with dignity – which intrinsically includes food. The judgment emphasizes both the need for a composite approach to fulfil the right to life, ranging across a wide swath of socio-economic rights and the methods by which those rights may be realized – including reaching

out to economically weaker sections of society.

In the case *Ashoka Kumar Thakur v. Union of India* (2008), the Supreme Court discussed social justice and affirmative action in the context of reservation in educational institutions. The case dealt primarily with the legality and quantum of reservation for the Other Backward Classes (OBCs), but it is also relevant and has some wider implications for the discourse on social justice in India. The Court emphasized on the importance of affirmative action by taking into account historical and systemic disadvantages faced by communities as necessary for equalizing chances and social justice. It stands relevant in the context of a food-secure Indian society for the marginalized because of the same underlying principle that the state has a role to play in reducing current and systemic social and economic inequalities through targeted proactive action. Therefore, the judgment on affirmative action based on the principle of social justice helps us recognize the need to think about specific targeted action that the state can take to reduce inequalities, like in the context of equalizing access to adequate food and nutrition.

IV. CHALLENGES IN ENSURING FOOD SECURITY FOR MARGINALIZED COMMUNITIES

Food security for the most marginalized sections of India is dangerously tied to the host of structural issues, problems of implementation and policy and governance challenges that offer stumbling blocks and areas of neglect in ensuring the realization of the right to food. A detailed understanding of these challenges is critical for envisaging a comprehensive roadmap to ensure that no one goes hungry.

Poverty, illiteracy and social discrimination are primary constraints to food security. Poverty is one of the leading causes of food insecurity; it directly affects peoples' livelihoods and their ability to buy enough food. The latest data from the World Bank (2016) shows that a large number of Indians live below the poverty line and are at far greater risk of food insecurity. Illiteracy is another constraint to food security. It lowers peoples' awareness about their rights and limitations to their access of rights, particularly their right to have enough food and access to government schemes and services that can help prevent food insecurity. Additionally, social discrimination based on caste, gender and ethnicity creates barriers to access resources, particularly food resources, and maintains the marginality of these groups. For example, Scheduled Castes and Scheduled Tribes often face social discrimination that endures and perpetuates their exclusion and marginalization. Societal structures deepened their poverty which subsequently led to food insecurity.

Food insecurity is further compounded by implementation gaps in government schemes such

as the Public Distribution System (PDS). The PDS is a countrywide scheme to supply subsidized food grains to the poor. But it suffers from several types of implementation gaps like leakage of food grains, exclusion errors and inefficiencies in the distribution network. Leakage refers to the situation when a large portion of food grains set aside for the PDS does not reach the poor. The Planning Commission of India has estimated leakage to be very high for rice – around 50 per cent – while that for wheat is much lower at around 10 per cent with average leakage at 24 per cent. Frequent rice shortages in the whole-sale market are anecdotal evidence of large-scale leakage during the PDS. A second type of implementation gap happens whenever scarce resources like public food subsidies are allocated to households that are not eligible to receive them. Official statistics on PDS coverage are shrouded in doubts as there are no independent surveys to validate such data. But let's assume that the government has estimated the number of households correctly. We still need a household-level survey to determine if the right number of members belonging to the right households have access to the resources made available to them. In 2005, economists Anoop Sachdeva and Debraj Ray maybe found another type of inefficiency in the way PDS operates, known as exclusion errors. They conducted a large-scale survey of households in eastern India and found that eligible households were often excluded from the PDS and deprived of these subsidized resources. Another type of implementation gap occurs when bureaucratic systems, the network infrastructure (with storage capacities, loading and unloading equipment) and vehicles are under-resourced to handle the heavy workload or inadequately maintained. In the national PDS in India, for example, inefficiencies in the distribution network create many pointless bottlenecks, in part due to the inadequate number of food subsidy shops and inadequate transportation to supply the stocks to these shops.

These challenges include policy and governance problems such as corruption, inefficiency, lack of accountability, and so on. Corruption in food security programmes – from the procurement phase to distribution – severely undermines the integrity of the programmes. Corruption can manifest in adulteration of food grains at various points in the supply chain, or in manipulation of the beneficiary lists. Inefficiency in the administration of food security schemes, from delays in the allocation and distribution of food grains, create additional barriers to the functioning of the programmes. Secondly, no accountability translates into not holding accountable lower- or mid-level officers who are incapable of executing the tasks assigned to them. Low capacity and a lack of accountability often translates into inordinate amounts of bureaucratic red tape, poor coordination between the different agencies of the same ministry, and a lack of monitoring and evaluation that preclude measuring the performance, in a timely manner, of what is being done

or not being done and what can be modified or changed.

These macro challenges call for interventions across all levels – strong legislative and policy outcomes, strengthening the implementation machinery, and a better governance architecture. Legislative changes, as demonstrated by the National Food Security Act (NFSA) of 2013, have put in place robust legal instruments, which acknowledge the right to food security. The challenge is now to ensure the efficient rollout and implementation mechanisms, such as the proper reach of the NFSA – PDS – to the beneficiaries, free from leakages and the diversion of food grains from the target areas, with technological tools such as biometric authentication. Direct benefit transfers can stop subsidies to the wrong hands. Better awareness and information of the targeted and vulnerable populations about their entitlements under existing food security programmes can help them claim their ‘rights’ to these programmes.

Policy and governance mechanisms will have to be made much more responsive – through more robust accountability and reduction of corruption (for instance, independent oversight of food security programmes implementation, and penal action against the guilty); stronger grievance redressal mechanisms (the system set up under the NFSA, for instance, could enable beneficiaries to lodge grievances and seek redressal); and greater delegation to civil society organizations in the monitoring of the schemes and, particularly, holding the government to account for its delivery commitments – all of which would contribute to more transparency and improve accountability. Intersectoral coordination between central, state and local governments is another desirable measure to effectively implement food security policies across the country in a uniform and effective manner.

V. GOVERNMENT INITIATIVES AND PROGRAMS

In the recent decades, several central and state initiatives and schemes have been introduced with the primary goal of food security to the vulnerable sections. They have had varying degrees of success and creating new set of challenges. Public Distribution System (PDS) is the backbone of India’s food security architecture. It involves distribution of foodgrains and essential foods subsidized by government to the poor through a network of fair price shops. It acts as a stabilizer of food prices and maintains the essential staples available to poor and low-income groups. It does have a history of underperformance due to percolation of leakages, corruption and inefficiency in distribution. Nevertheless, PDS is an essential life support to several crores of low-income poor, especially those in rural areas. PDS reforms, including the introduction of biometric authentication and digitization of ration cards under the Aadhaar scheme, have shown promise in increasing the efficiency of PDS functions and distribution.

Another of the many Indian government initiatives designed to increase food security for children while improving educational quality is the Mid-Day Meal Scheme. This programme, launched in 1995, provides free lunches for all schoolchildren on weekdays. The aims of the government programmes are to reduce child hunger and increase school attendance so that happy, well-fed children will in turn perform better in school. Not surprisingly, they have had their greatest effects in rural areas and low-income settings, where child hunger and child dropouts from school are common. The Mid-Day Meal Scheme appears to have increased enrolment and attendance in schools, reduced classroom hunger, and increased nutritional intake of schoolchildren. At the same time, it has provided employment for women cooks and helpers. The scheme is relatively easy to set up, but it does require vigilant maintenance. The major challenges to maintaining the scheme include the perishability of raw ingredients, hygiene in handling, and logistics in more remote areas.

Integrated Child Development Services (ICDS) is the other leg of India's stool for addressing child malnutrition under the age of six years and improving maternal and child health and nutritional status of pregnant and lactating mothers. Conceived in the mid-1970 and launched in 1975, the programme delivers a basket of services – supplementary nutrition, immunization, growth and health check-ups, referral of cases to hospitals and pre-school education – through a set of 'Anganwadi' centers covering 36 months of life of the child. By addressing the most vulnerable among the poor – right from the pregnant, lactating mothers to infants and preschoolers – and breaking the vicious cycle of malnutrition, morbidity and mortality among children through a rigorous growth monitoring system, ICDS has set the trend for major public health care interventions. Undeniably, ICDS has led to a steep reduction in child malnutrition and imparted a major breakthrough in early childhood development, making it a single most important programme for infant and child social protection in India. But, ICDS is not without its problems, ranging from poor infrastructure to other personal and material deficiencies of the personnel delivering the programmes, Anganwadi workers, besides the fund crunch and lack of trainings. Wrapping up the basket with an additional investment, right along with the capacity of the personnel entrusted with the job and community engagement, can enhance its strength and make it a potent weapon to combat child malnutrition and nurture health and growth of children.

And, running parallel and sometimes in conjunction with these flagship programmes, the Indian state rolled out the big bang programmes and schemes for food security and assistance for the poor and the vulnerable, beginning with the National Rural Employment Guarantee Act (for short, NREGA) ... (later christened Mahatma Gandhi National Rural Employment Guarantee

Act, MGNREGA) to provide 100 days of waged employment to rural households every year to enable them to earn and, thus, buy food. Especially useful and valuable in the event of agricultural distress for families in the countryside to eke out a means of livelihood, eligibility as a senior citizen, i.e., one aged 60 years and above, is a special category which exempts you largely from the transactions under the PDS. The age-old codes for welfare and relief that continue to work Annapurna Scheme will provide 10 kg of food grains free of cost every month to senior citizens.

Also, the National Food Security Act (NFSA), 2013, provided legally guaranteed food security entitlements for two-thirds of India's citizens. Under the NFSA, the beneficiaries were entitled to food grains distributed through the PDS at highly subsidized prices. The NFSA also provided nutritional entitlements separately to pregnant women, lactating mothers and children. In effect, the NFSA legally defined food security as a right and sought to provide unconditional access to food at all times.

Another much larger scheme is the Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY or the Scheme for Welfare of Poor People) announced in response to the COVID-19 pandemic aimed at increasing the supply side via the PDS during crisis times. PMGKAY provides free food grains to the PDS beneficiaries on top of the regular rations they get. Given that many poorer and more vulnerable households suffered large job and income loss during the pandemic period, during the periods of shocks and crisis, the pandemic may have been sparing on their food insecurity, at least in the upper part of the food insecurity spectrum.

While the government schemes and the programmes have made a difference to food security, real success eventually depends on their implementation and monitoring, and corrective action if there are structural problems of corruption or inefficiencies. Cooperation with government, by civil society and local communities, is needed to ensure that these schemes have the desired outcome, that the deserving get the programmes, and that they make a real contribution to the larger goal of social justice and food security for all. Sufficiently reaching the beneficiary of the programmes, which often reaches the most marginalized and marginal groups of Indians, will bring India a step closer to the constitutional promise of the right to life with dignity for all.

VI. SUGGESTIONS

To enhance social justice and food security for minority communities in India, we recommend:

1. **Strengthen PDS Infrastructure:** Upgrade storage and distribution facilities to minimize leakage and wastage.

2. Increase Transparency: Use biometric authentication and digital ration cards to reduce corruption under the PDS.
3. Repairing ICDS Implementation: doubling funding and providing training to Anganwadi workers to improve its delivery.
4. Extend Coverage of Mid-day Meals: Cover all schools including schools in remote areas under the scheme.
5. Geared Oversight: Set up independent monitoring bodies on a regular basis to evaluate performance of the food security programs.
6. Raise awareness: Use awareness campaigns to educate marginalized populations about their entitlement under food security programmes.
7. Strengthen Grievance Redressal: Enhance grievance redressal mechanisms to address complaints promptly and effectively.
8. Encourage Community Participation: Locally based communities are important partners in designing food security measures.
9. 9 AGS Agricultural Development: Provide support to small and marginal farmers to increase food production and ensure sustainable livelihoods.
10. Tackle Structural Inequalities Institute innovative outreach and income-support systems to curb poverty, illiteracy and social discrimination in a manner that enhances food security.

VII. CONCLUSION

This article has demonstrated that, to understand the relationship between social justice and food security in India, the right to food must be considered. The right to food must be given to the marginalized communities using the constitution, especially Article 21 as interpreted by the judiciary to give the right to life with dignity which includes the right to food, and the judgments in landmark cases such as *People's Union for Civil Liberties (PUCL) v. Union of India (2001)* directing to run and implement several welfare schemes to prevent hunger and malnutrition.

In spite of robust legal infrastructure and judicious role of judiciary, despite enormous social mobilization and political will, poverty continues to be alarmingly high and wide-spread, literacy levels are abysmally low, social exploitation is deep-rooted, thus are these structural gaps and, furthermore, operation-level inadequacies manifested through large-scale embezzlement, corruption fueled inefficiency and leakages in government- welfare schemes as

well, for example, in Public Distribution System (PDS) further reduces the likelihood of entitlements reaching their beneficiaries.

Yet we face these with problems on the policy and governance side as well. Corruption in the food chain, inefficiency and lack of responsiveness, as with food security programmes, all undermine notable efforts. And part of the challenge is with improving transparency, efficiencies and accountability at all levels of government.

This is done by a matrix of government programmes – the PDS, the Mid-Day Meal Scheme, ICDS – poking at the food-security matrix: PDS: The single largest food distribution system in the country, it gives food grains to millions of homes at subsidized rates. Plagued by systemic problems that keep wearing down the system, the PDS, nevertheless, remains integral to India's food security system. Which is why we keep meddling with it. Mid-Day Meal Scheme: A programme providing mid-day meals to school kids with proven attendance records and improved nutrition of children — but whose khichadi idiosyncrasies would like new energy and an improvement of food quality and logistic snags in far-flung, treacherous areas disappear when there is a whiff of a drought. Mid-Day Meal Scheme ICDS: A programme targeted at maternal and child health; supposed to roll back child malnutrition — but it is too vastly under-resourced all along the line — in infrastructure, finance and training. There are also a host of guarantor schemes such as the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) schemes and the Annapurna Scheme, which are the safety-net for the poor by offering a lifeline support to help realise the project of 'jobs for food'. The National Food Security Act (2013) institutionalizes food security as a constitutional entitlement, and stipulates that the government shall supply foodgrains at highly subsidized prices to more than half the population; and the Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY) programmes launched in response to the pandemic points to the role of food security in crisis situations.

But to fulfil its constitutional responsibility of 'providing opportunity for all to lead a life of dignity', India will need to combat poverty in its many manifestations. This will necessitate a multi-pronged approach centered around three main concepts: strengthening the infrastructure of the PDS, enhancing its accountability, and improving the interface between the PDS and the ICDS; extending the reach of the Mid-Day Meal Scheme, and creating well-implemented monitoring systems; engaging local communities in programming to realise the promise of food security; and transforming agriculture, promoting women's role in farming, and pursuing structural reforms to combat inequalities on the ground at large.

To conclude, while the past couple of decades have seen considerable progress towards

enhanced food security for our most marginalized compatriots, much work remains to be done. Only through a concerted and cross-cutting effort that approaches this issue from the legal, policy and grassroots perspectives simultaneously can we expect universal food security for all people in India. Identifying lacunae in what currently exists while building upon its strengths will help the country inch closer towards the ideal of social justice in relation to food security.
