

## **Implementation of National and International Food Security laws in District Mohali, Punjab: A Case Study**

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### **Abstract**

The right to food in India is recognised as an essential component of the fundamental "right to life" as stated in Article 21 of the Indian Constitution. The Supreme Court has also acknowledged in several decisions that the "right to life" should be understood as the right to live with human dignity. It is also connected to Articles 39(a) and 47 within the Directive Principle of State Policy. The National Food Security Act was implemented on July 5th, 2013, with the aim of guaranteeing food security and affordable access to all beneficiaries, enabling them to live a dignified life. The Policy, as stipulated by the Act, aims to grant a lawful entitlement to subsidised food grain to specific beneficiaries. The concurrent evaluation process was initiated in 2018 with the assistance of the Ministry of Consumers, Food and Public Distribution and the Department of Food and Public Distribution. Its purpose is to assess the implementation of the Act and identify challenges that arise at the ground level. Additionally, it aims to develop innovative mechanisms to address these challenges. The district of Mohali, located in Punjab, has been chosen as the study site for the initial concurrent evaluation. This district serves as the foundation for the research paper. A type of mixed research methodology has been employed. A total of 75 samples were gathered at the beneficiary level, 10 samples at the fair price shop (FPS) level, and 1 sample at the Go down level. The results have been generated using the Statistical Package for the Social Sciences Software. The conclusions and recommendations are derived from the software's outcomes, as well as inferences drawn from the field survey. This study intends to accurately assess the execution of provisions outlined in the Act, evaluate their effectiveness at the beneficiary level, and observe the realisation of the 'legal right to food' in the study region.

**Keywords :** Dignity, Food, Life, Right, Security.

### **INTRODUCTION**

Food security refers to the state when all individuals in a particular region have access to sufficient, safe, and nutritious food to meet their dietary needs. Food security refers to the availability, accessibility, and affordability of food for all individuals within a given population<sup>1</sup>. The roots of helping the poor, needy, and oppressed can be traced back to ancient India, where classical literature is filled with rules and principles that emphasize the importance of providing food to the needy as a religious obligation<sup>2</sup>. This concept has evolved over time, with the government intervening to act as a welfare state by ensuring food for all with human

<sup>1</sup> Philip McMichael and others, 'International Standards' (2023) 32 Third World Quarterly 119139

<<https://www.ohchr.org/en/specialprocedures/srfood/internationalstandards>>.

<sup>2</sup> 'Athithi Devo Bhav' <<https://www.mgssevafoundation.com/post/athithidevobhav>>.

dignity. In modern India, the system of food stock maintenance can be traced back to the 20th century, leading to government intervention in public welfare activities. During the 6th Price Control Conference held in September 1942, the British government introduced a controlling system for procurement and distribution. After India's independence, the country faced deficits in food production, and the distribution system helped and protected the poor. From 1950 to 1960, several changes occurred in building and maintaining the operation of food grain purchase and distribution. The Essential Commodities Act was enacted in 1955 to regulate various steps of production, supply, distribution, and trade of essential commodities<sup>3</sup>. In the 1960s, the Food Corporation of India (FCI) and Agriculture Commission of India (ACI) were established to achieve objectives by creating a stable environment for farmers and strengthening the procurement and distribution system<sup>4</sup>. The success of the Green Revolution established buffer stocks for operational and strategic purposes, and the outreach of distribution was extended to tribal areas in the 1970s to stop hunger deaths in most areas of the country. In 1997, the Targeted Public Distribution System (TPDS) was introduced, identifying poor people across the country and starting to provide them with rationed quantities of essential commodities at subsidized prices. In 2000, the Antyodaya Anna Yojana was launched to reduce hunger among the weakest section of the below poverty line population in the country<sup>5</sup>. In 2013, the National Food Security Act, 2013 (NFSA) was passed by the Parliament, giving legal effect to all these measures and providing a legal right to beneficiaries.

**OBJECTIVES, AIMS AND SCOPE** The primary goal of this evaluation is to appraise the execution of the particular provision pertaining to the entitlement to food, its accessibility, supervision, and the involvement of accountable organisations under the National Food Security Act (NFSA). The research paper is centred around the findings of empirical work conducted in the Mohali district of Punjab. The primary aim of this research is to evaluate and analyse the progress of NFSA at a systematic level. An objective of the project is to assess the advantages received by the target groups, in accordance with section 3 of the NFSA, by involving the beneficiaries in the evaluation process. The objective of this research is to examine the impact of the law on distribution and benefits at the beneficiary level. It also aims to assess the effects of introducing e-POS and portability, as well as management issues such as errors, diversions, and leakages. Additionally, it will evaluate access to FPS, the quality and quantity of food, the grievance redressal mechanism, and beneficiary satisfaction in the study area.

**RESEARCH METHODOLOGY AND SAMPLE SELECTION** A survey was done in District Mohali using a set of objective-based questionnaires, as required by the provisions of the NFSA. A total of three villages and two wards, as determined by the model selection process, were surveyed during the study period from October 1st, 2020 to September 30th, 2021. The areas that are covered are below:

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<sup>3</sup> 'About Us' <<https://dfpd.gov.in/aboutus.htm>>.

<sup>4</sup> Nerissa D Salayo and others, 'Developing a Selfsufficient Philippine Milkfish Industry through Value' (2021) 201 Ocean & Coastal Management <<http://dx.doi.org/10.1016/j.ocecoaman.2020.105426>>.

<sup>5</sup> Tanksale, Ajinkya N and Jha J K, 'Implementing National Food Security Act in India: Issues and Challenges' (2015) 117 British Food Journal 13151335 <<http://dx.doi.org/10.1108/bfj0720140239>>.

- Ward No. 7, Mundi Kharar, District – Mohali
- Ward No. 32, Sohana, District – Mohali
- Village – Mauli Baidwan, District – Mohali
- Village – Nogiani, Kharar, District – Mohali
- Village - Banoli, District – Mohali

A total of 15 questionnaires were distributed in each village and ward, targeting priority households and Antyodaya Anna Yojna beneficiaries. A total of five FPS shops were surveyed to gather accurate information regarding the distribution system, while an additional five members of the Vigilance committee were interviewed to gain further insights into the monitoring process, among other aspects. During the tour, we evaluated a Godown at the district level to assess its capacity, condition, and supply chain management. Only the results are discussed in this research. The data for this study was collected from the designated area and subsequently analysed using SPSS. The final step was producing a report for publication, which included the presentation of the results.

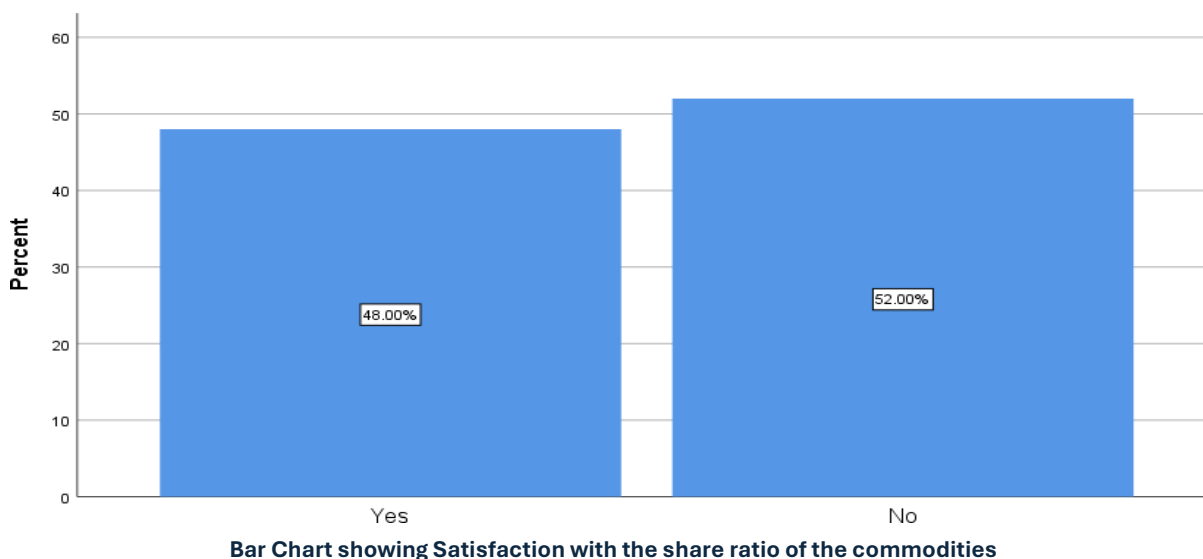
## **DISCUSSION AND THE EVALUATION OF THE PROVISION OF NFSA**

**1. Right to Receive Foodgrains by Eligible Household** Section 3 of the Act<sup>6</sup>, provides for the right to receive foodgrains at subsidized prices by persons belonging to eligible households under TDPS it has come out based on sample results the godowns have disbursed allotted food grains to the fair price shops within time. 100% of the allocated food grains have been received by the sample fair price shops in Mohali. All of the beneficiaries are residing within a One km area from the fair price shop. The investigator has observed that there is no problem of distance between the residence of beneficiaries and fair price shop. All the beneficiaries are comfortable with regards to the distance of fair price shop.

All the eligible households have also received the foodgrains during the last cycle. Fair Price Shop/s have added closing balance the next cycle of allocation. On the quality of food grains as the sample displayed at the ration shop, it has come out that most of the beneficiaries 100 % get the same variety of food grains as the sample shown at the ration shop, and 49 % of the beneficiaries are not aware. On the food grain quantity, its purchase, price vis-à-vis entitlements (capture extent of under-weighment, overcharging, un-lifted quantity as reported by sample beneficiaries), the results shows that all the beneficiaries do not experience the problem. On the question of the perception of beneficiaries about the quality of food grains, it has come out that around 91 % of the beneficiaries have not found any foreign particles, while 9 % of reported for the same. One of the critical issues of the consumption of Foodgrain by households and share of PDS foodgrains it has come out that 52 % of the respondents are not satisfied with the share ratio of the commodities and the quantity of the subsidized food grains. 52% of the beneficiary households were not found satisfied with the share ratio of the commodities and the quantity of the subsidized food grains. The rest, 48% found satisfied. The

<sup>6</sup> 'National Food Security Act, 2013' [2013] [www.indiacode.nic.in](http://www.indiacode.nic.in)  
<[https://www.indiacode.nic.in/handle/123456789/2113?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)>.

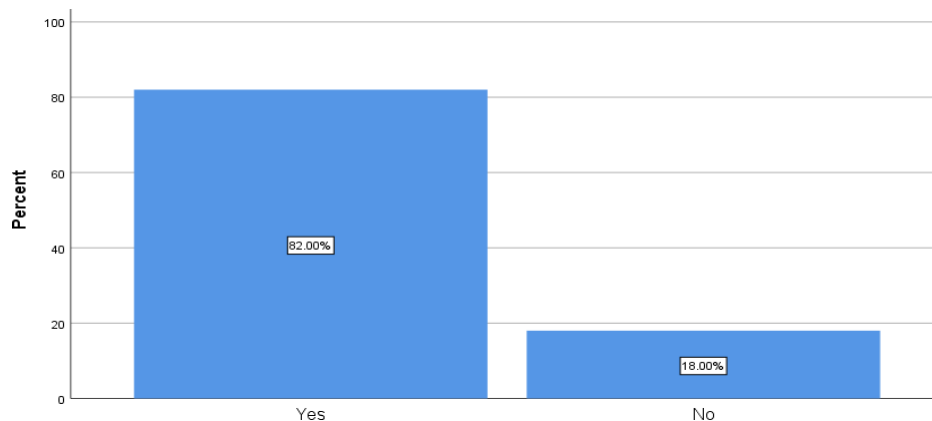
majority of the beneficiaries asked for rice, coarse grains, sugar and kerosene etc., in the distribution system.



**2. Identification of Eligible Households** Section 9 and 10 of the Act<sup>7</sup> provide for the Coverage of population under TDPS and State Government to prepare guidelines and to identify priority households, respectively. When the same had been discussed at ground level under the clause of beneficiary selection and ration card management. The results have come out from the data collected through the sample and on analysis that out of the there is no left out a beneficiary. But on the issue of mechanism to identify eligible or ineligible beneficiaries, results show the awareness is less at the beneficiary level on criteria specified in nature to identify. The selections of beneficiaries of AAY segment based on the scheme parameters and PHH are as per the state norms. On the publication and display of the list of eligible households under section 11 of the Act<sup>8</sup> it has come out that publication list is available with the officials, and which is not displayed at conspicuous places. On the process of ease in applying for new ration card and modification it was observed that 82% of the households are aware about the process of applying for new or duplicate ration card and rest 18% not known about this process.

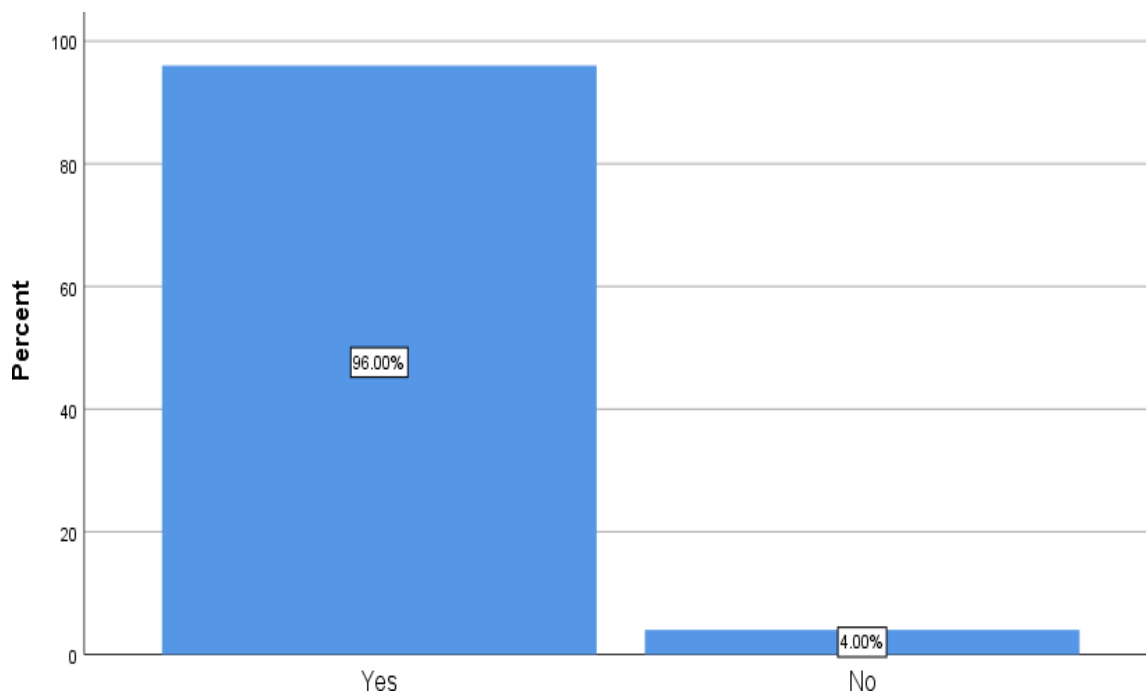
<sup>7</sup> 'National Food Security Act, 2013' [2013] [www.indiacode.nic.in](http://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)  
<[http://www.indiacode.nic.in/handle/123456789/2113?view\\_type=browse&sam\\_handle=123456789/1362](http://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)>.

<sup>8</sup> 'National Food Security Act, 2013' [2013] [www.indiacode.nic.in](http://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)  
<[http://www.indiacode.nic.in/handle/123456789/2113?view\\_type=browse&sam\\_handle=123456789/1362](http://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)>.



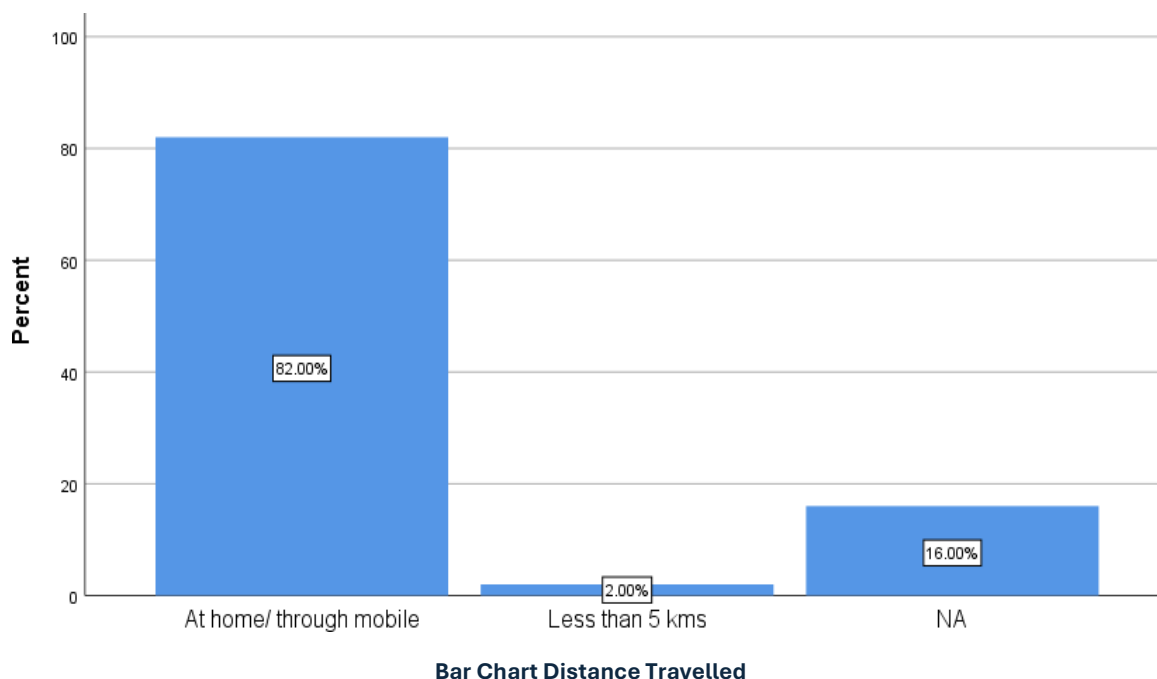
**Bar Chart showing Awareness about the Process (New Ration Card)**

On the question of the eligibility/identification criteria (in reference to the bar chart no. 5.5), it has been observed that 96% of the households are aware, and rest 4% not.



**Bar Chart Awareness about the Eligibility/Identification criteria**

This may have a reason that in villages, most of the beneficiaries belong to the labour category and they take help from Sarpanches or FPS owners to apply for new or modification in the same. It was found that ownership pattern of FPS dealership is private in the sample areas.



On the accessibility to FPS or distance travelled by beneficiaries it has been recorded that 82% of the households applied for ration card at their home and not travelled, but 2% travelled up to five kilometres to apply for new ration card. The investigator also observed that there is no other problem and all the beneficiaries are comfortable.

**3. Reforms in Targeted Public Distribution System** Section 12 (1) of the Act<sup>9</sup> provides for that the Central and State Governments shall endeavour to progressively undertake reforms in TDPS in consonance with the role envisaged for them in this Act. In this regard, a set of the question made it clear as :

I. Targeted Adherence to food distribution calendar, it has come out that the State of Punjab has only one food grain in PDS System i.e., Wheat and as a biannual system. There is a continuous demand for other and necessary commodities;

II. Quality of storage facility- on random visit district level Go down found in good condition The storage capacity of the warehouses is excellent and adequate. The storage facility is also available at the fair price shop but not in use as dealers immediately distribute items when they reach the shop. There is no issue regarding the manpower at the godown or FPS level.;

III. Quality of service delivery- Good in terms of transportation from Go down to FPS, as per the discussion with FPS owners, Quality of service delivery was near to satisfactory level. However, beneficiaries suggested further improvement.;

<sup>9</sup> 'National Food Security Act, 2013' [2013] [www.indiacode.nic.in](http://www.indiacode.nic.in)

<[https://www.indiacode.nic.in/handle/123456789/2113?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)>.



IV. Issues with use of electronic-Point of Sale (e-PoS) - Percent of biometric authentication- The purpose of the government to introduce the e-PoS system is to bring transparency in the PDS. In the area of study, 100 % of the beneficiaries did use e-PoS.

VI. Sharing of information on movement and arrival of food grains- Regarding the information about the arrival of the food grain at the FPS it has come out that 86% got the information through Ration Shop Dealer, 08% from friends and neighbour and rest of the 6% by other ways like announcement, etc.

**4. Grievance Redressal Mechanism** Chapter VII (Sections 14 - 21) of the Act<sup>10</sup>, on the 'overview of grievance redressal mechanism' and it has come out that there is no case of any complaint made by beneficiaries. Therefore, it has observed that the grievance redressal mechanism treated fine, or a separate analysis may be made by keeping online monitoring on the distribution system at FPS. On the issue of awareness of beneficiaries related to grievances about different channels- Most of them, around 80% of the fair price shops are displayed IEC material on grievance redressal measures and, the remaining 20% not.

**5. Monitoring** – Through State Food Service Commission Section 16 of the Act<sup>11</sup> provides monitoring through State Food Monitoring and Linkage between allocation, offtake, and distribution. It was found that there is a direct connection and chain system in working under the monitoring of Food Inspectors. On quality control mechanism, including the efficacy and adequacy, it has come out by the visit of Godown that all the necessary measures have been taken on the quality and safety of the food. Regarding the doorstep delivery and transportation cost management, it has come out that commodity lifting from the storage is on time, and directly, it reaches to FPS. Special dispensation for old, infirm, physically challenged, etc. is being provided by FPS owners to beneficiaries.

**6. Setting up of Vigilance Committees** Section 29 provides for setting up Vigilance Committees and performing the functions of supervision on the implementation of all the schemes, violation of the provision of the Act and also of any malpractice or misappropriation of funds, etc. On the issue of the formation, composition & linkage between vigilance committees at FPS and District level, it has come out that committees have been formed at both the levels. But, the evidence of working and coordination of committee was not observed. No clear guidelines were available at the time of visit. It also has to be mentioned here that no capacity building or awareness programs were organized. Proper records of functioning were also not found. In general no case or instance about the irregularities or malpractices was reported.

### **International Instruments in Food Security: Ensuring Global Nutritional Sustainability**

Ensuring an adequate and safe food supply continues to be a significant global issue, with millions of individuals lacking access to nourishing meals. Food security is a pressing global

<sup>10</sup> 'National Food Security Act, 2013' [2013] [www.indiacode.nic.in](http://www.indiacode.nic.in)

<[https://www.indiacode.nic.in/handle/123456789/2113?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)>.

<sup>11</sup> 'National Food Security Act, 2013' [2013] [www.indiacode.nic.in](http://www.indiacode.nic.in)

<[https://www.indiacode.nic.in/handle/123456789/2113?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2113?view_type=browse&sam_handle=123456789/1362)>.

issue that requires the implementation of international instruments and measures<sup>12</sup>. To address this challenge, international entities and governing bodies have created numerous tools designed to comprehensively tackle food security issues. This paper will examine important international resources related to food security and offer an understanding of their goals and importance.

### **1. The Universal Declaration of Human Rights (UDHR):**

The Universal Declaration of Human Rights<sup>13</sup>, established by the United Nations General Assembly in 1948, emphasizes the importance of ensuring a satisfactory living standard that includes access to food as an essential human entitlement. This declaration forms the basis for later treaties and tools concerning food security, acknowledging the significance of food access for human dignity and overall welfare<sup>14</sup>.

### **2. The Rome Declaration on World Food Security (1996):**

The statement, established at the World Food Summit<sup>15</sup> in 1996, restates the determination of countries to eliminate hunger and attain food security for everyone. It highlights the importance of sustainable agricultural progress and fair allocation of food supplies<sup>16</sup>. It also recognizes the need for collaboration between governments, organizations, and individuals to achieve these goals<sup>17</sup>.

### **3. The International Covenant on Economic, Social and Cultural Rights (ICESCR):**

The ICESCR, adopted by the United Nations General Assembly in 1966, recognizes the right to an adequate standard of living, including food, as a fundamental human right. It obligates states to take steps to ensure access to adequate food and nutrition for all individuals.

### **4. The Sustainable Development Goals (SDGs):**

The United Nations adopted the SDGs in 2015, and one of these goals is to eliminate hunger, ensure food security, enhance nutrition, and encourage sustainable agriculture by 2030. Specifically, Goal 2: Zero Hunger. This goal seeks to end hunger, achieve food security and improved nutrition, and promote sustainable agriculture. To achieve Goal 2, several targets have been set, including ending all forms of malnutrition, doubling agricultural productivity and incomes of small-scale food producers, ensuring sustainable food production systems, and maintaining genetic diversity of seeds, crops, and livestock. This goal demonstrates a

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<sup>12</sup> Philip McMichael and Mindi Schneider, 'Food Security Politics and the Millennium Development Goals' (2011) 32 Third World Quarterly 119139 <<http://dx.doi.org/10.1080/01436597.2011.543818>>.

<sup>13</sup> United Nations, 'Universal Declaration of Human Rights' (United Nations 10 December 1948) <<https://www.un.org/en/about-us/universal-declaration-of-human-rights>>.

<sup>14</sup> 'University of Minnesota Human Rights Library' <<http://hrlibrary.umn.edu/gencomm/escgencom12.htm>>.

<sup>15</sup> Food and Agriculture Organization of the United Nations, 'Rome Declaration and Plan of Action' (www.fao.org 1996) <<https://www.fao.org/3/w3613e/w3613e00.htm>>.

<sup>16</sup> 'VOLUNTARY GUIDELINES to Support the Progressive Realization of the Right' <<https://www.fao.org/3/y7937e/y7937e00.htm>>.

<sup>17</sup> Kerstin Mechlem, 'Food Security and the Right to Food in the Discourse of the United Nations' <<http://dx.doi.org/10.1111/j.14680386.2004.00235.x>>.



comprehensive strategy for addressing food security through the integration of environmental sustainability, social fairness, and economic progress<sup>18</sup>.

International agreements play a critical role in promoting worldwide initiatives to guarantee food security for everyone. By confirming the entitlement to adequate nutrition and offering practical recommendations for implementation, these agreements establish a structure for collaborative endeavours among countries, entities, and interested parties. Adhering to these agreements is crucial as we confront the intricacies of ensuring food security in an ever-more interconnected global environment, which is necessary for achieving the goal of a sustainable future without hunger.

### **Evaluation of this Study in Context of International Regulations**

- 1) **Right to Food:** The emphasises the importance of the right to food as recognised in international human rights law, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). The National Food Security Act (NFSA) of India aims to guarantee food security and affordable access to all beneficiaries, aligning with the principles of the right to food<sup>19</sup>.
- 2) **Human Dignity:** The text discusses the Supreme Court's acknowledgment that the "right to life" includes the right to live with human dignity. This aligns with fundamental principles of human rights law, emphasising the importance of ensuring access to food in a manner that upholds human dignity<sup>20</sup>.
- 3) **Directive Principles of State Policy:** The study mentions Articles 39(a) and 47 within the Directive Principles of State Policy in the Indian Constitution, which advocate for ensuring the right to adequate food and nutrition for all citizens<sup>21</sup>. These principles reflect broader international commitments to achieving food security and addressing hunger<sup>22</sup>.
- 4) **Implementation of Legal Entitlements:** The findings highlight the implementation of specific provisions of the NFSA, such as entitlement to subsidized food grains for eligible households and the establishment of grievance redressal mechanisms. Effective implementation of such legal entitlements is essential for ensuring food security, in line with international standards emphasizing access to adequate and nutritious food for all<sup>23</sup>.
- 5) **Monitoring and Accountability:** The study discusses the establishment of mechanisms for monitoring and oversight, including the State Food Service Commission and Vigilance

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<sup>18</sup> Philip McMichael and others, 'International Standards' (2023) 32 Third World Quarterly 119139 <<https://www.ohchr.org/en/specialprocedures/srfood/internationalstandards>>.

<sup>19</sup> Christine Frison and Priscilla Claeys, 'Right to Food in International Law' [2013] Springer eBooks 18 <[http://dx.doi.org/10.1007/9789400761674\\_3231](http://dx.doi.org/10.1007/9789400761674_3231)>.

<sup>20</sup> Urszula Łopuszańska and others, 'Atheism and Discrimination in the Face of Contemporary Changes in The' (2020) 17 Kultura, Społeczeństwo, Edukacja <<http://dx.doi.org/10.14746/kse.2020.17.12.2>>.

<sup>21</sup> Ebenezer Durojaye and Enoch Macdonnell Chilemba, 'The Judicialisation of the Right to Adequate Food: A Comparative Study Of' (2017) 43 Commonwealth Law Bulletin 255275 <<http://dx.doi.org/10.1080/03050718.2018.1427607>>.

<sup>22</sup> Kerstin Mechlem, 'Food Security and the Right to Food in the Discourse of the United Nations' <<http://dx.doi.org/10.1111/j.14680386.2004.00235.x>>.

<sup>23</sup> Christine Frison and Priscilla Claeys, 'Right to Food in International Law' [2013] Springer eBooks 18 <[http://dx.doi.org/10.1007/9789400761674\\_3231](http://dx.doi.org/10.1007/9789400761674_3231)>.

Committees, to ensure compliance with the NFSA and address any irregularities or malpractices. This aligns with international best practices, emphasising the importance of accountability and transparency in food security initiatives.

Overall, the findings and conclusions presented demonstrates efforts to adhere to international legal standards and principles related to food security, including the right to food, human dignity, and accountability in implementation. Effective implementation of these measures is crucial for addressing food insecurity and ensuring access to nutritious food for all individuals, consistent with international legal frameworks and obligations.

**CONCLUSION AND SUGGESTIONS** This research paper covers the study on the evaluation of the implementation of the relevant provision under the Act, to provide for food security in human life cycle approach by ensuring access to adequate quantity of quality food at affordable prices to people to live with dignity. The present study covers the evaluation of relevant aspects and produced a conclusion based on the critical parameters as per the provision of the Act by evaluating empirically. Below given findings are based on the analysis, of data collected from the area of study and keeping in view the objective of the work.

Eligible households under the TDPS in the area of study are getting food as per the provision of the Law. Hence, provisions of section 3 of the Act are in implementation. But at the same time, beneficiaries are in requirement of more commodities. AAY beneficiaries list need for a revision, and a specific independent mechanism is required for the selection of beneficiaries.

The area of study is a district in Punjab, where the distribution pattern is biannual, and which found satisfactory with its working. Beneficiaries in this area are satisfied with this pattern of distribution as it helps in saving their time. The grievance redressal system needs to be studied separately as outputs of this research work show that the system is available, but the working reports are not well maintained. Monitoring through the State Food Service Commission found well, and the Godown are well maintained. In recommendation, it can be said that at Godown level, e-monitoring is required, including the monitoring via online or networking mode of stock available and distribution figures. Vigilance committees performing the function of supervision, but specific guidelines need to be issued for continuous meetings and keeping records for timely inspection. Members should be made aware of their functions and for that capacity building programmes need to be organized. Conclusion and suggestions are based on the analysis of the survey of the work and after a detailed deliberation on the provisions and their implementation in the area of study.

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