

ANNUAL REPORT -2023
OF
THE WEST BENGAL STATE FOOD COMMISSION

West Bengal State food Commission
Khadya Bhavan Complex
11A, Mirza Ghalib Street, Kolkata-700 087

FOREWORD

It gives me immense pleasure to present Annual Report-2023, which is the third Annual Report of the newly constituted West Bengal State Food Commission. The West Bengal State Food Commission is concomitant to the National Food Security Act, 2013. The Commission was constituted by the Government of West Bengal in 2017 and its first Chairperson and first Member took charge on the first of March, 2021 and it started functioning since then. The Commission is located at Khadya Bhavan, 11A, Mirza Ghalib Street, Kolkata-700 087.

The mandate of the West Bengal State Food Commission is to monitor and evaluate the implementation of the National Food Security Act, 2013 in West Bengal and to redress the grievances of the people, if any, in this regard. For this purpose, the Commission holds regular interactions with officials of the Food & Supplies Department of the State Government and obtains reports about the implementation of the Act from, and, also holds interactions as needed, with various Departments of the State Government tasked with implementation of the Act.

Commission has set up its own website with help of the National Informatics Centre (NIC) and Department of Food & Supplies, Government of West Bengal. The URL is food.wb.gov.in/wbsfc.

I would like to place on record my appreciation for co-operation extended by all concerned Departments of Government of West Bengal (especially Food & Supplies Department) in timely submission of reports and quickly responding to queries and also fruitful discussions, whenever needed. The office of the Commission (including Smt. Monisha Mukherjee, WBCS (Exe), Sr. Deputy Secretary) also deserves appreciation for inputs needed in compiling the Report.

Any feedback or comments on this report will be welcome.

Shri Satish Chandra Tewary, IAS (Retd.)
Chairperson
West Bengal State Food Commission

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ANNEXURES

CHAPTER –I

The West Bengal State Food Commission

The West Bengal State Food Commission was constituted by the Government of West Bengal vide notification 3658-F.S. dated 21.11.2017 of Food & Supplies Department, Government of West Bengal (Annexure- A).

CONSTITUTION

Section 16(2) of the National Food Security Act, 2013 states that the State Food Commission shall consist of

- a chairperson
- five other members and
- a member –secretary

In terms of Section 16(5) of the National Food Security Act, 2013, the Government of West Bengal issued Notification No. 2243-FS/Sectt./Food/14R-04/15 Dated 9th August, 2018 notifying West Bengal State Food Commission (Method of appointment, conditions of service of Chairperson, other Member-Secretary and Staff) Rules, 2018.

Based on provisions under section 16(3) and 16(5) of the National Food Security Act, 2013 and abovementioned Rules, the Government of West Bengal vide Notification No. 539-FS dated 08-02-2021 appointed Shri Satish Chandra Tewary, IAS (Retd) as first Chairperson of the West Bengal State Food Commission.

Shri Satish Chandra Tewary joined as first Chairperson of the Commission on 01.03.2021.

Shri H. Ramulu, IAS (Retd.) was appointed as member of the West Bengal State Food Commission vide Notification No. 815-FS Dated 25-02-2021 and also joined on 01.03.2021, but eventually resigned, his resignation having been accepted with effect from 09/01/2023.

The Commission has its office at Khadya Bhawan, 11A, Mirza Ghalib Street, Kolkata-700 087.

OBJECTIVE:

As envisaged in section 16 of the National Food Security Act, 2013, the objective of West Bengal State Food Commission is to act as a statutory body in matters of effective implementation of the National Food Security Act, 2013 within the State of West Bengal and redressal of grievances, if any.

FUNCTIONS OF THE COMMISSION :

As per Section 16(6) of the National Food Security Act, 2013, the State Food Commission shall undertake the following functions, namely:

- monitor and evaluate the implementation of this Act, in relation to the State;
- either suo motto, or on receipt of a complaint, inquire into violations of entitlements provided under Chapter II;
- give advice to the State Government on effective implementation of this Act,
- give advice to the State Government, their agencies, autonomous bodies as well as non-government organizations involved in delivery of relevant services, for the effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in this Act;
- hear appeals against orders of the District Grievance Redressal Officer;
- prepare annual reports which shall be laid before the State Legislature by the State Government.

RULES NOTIFIED BY THE STATE GOVERNMENT UNDER THE NATIONAL FOOD SECURITY ACT ,2013 :

The Government of West Bengal has notified two rules under the National Food Security Act 2013:.

1. West Bengal Food Security Rules, 2016 notified vide notification No. 23/FS/Sectt./Food/14R-05/2016 Dated 03.01.2017 of Food & Supplies Department, Government of West Bengal is given at Annexure –B and
2. The West Bengal State Food Commission (Method of appointment, conditions of service of Chairperson, other Members, Members-Secretary and Staff) Rules, 2018 notified vide notification No. 2243-FS/Sectt./Food/14R-04/15 Dated 09.08.2018 of Food & Supplies Department, Government of West Bengal is given at Annexure – C

Personnel of the Commission

Following Officers /staff are working in the Commission:

S.N.	Post	No.
1.	Sr. Deputy Secretary	1
2.	Finance Officer-cum-DDO	1
3.	Personal Secretary	1
4.	Personal Assistant, Grade-I	1
5.	Head Assistant – II	1
6.	Upper Division Assistant	3
7.	Record Supplier	1
8.	Group D, Gr. – I	2
9.	Group D, Basic Grade	1
10.	Data Entry Operator	2

BUDGET:

The establishment and related expenditure of the State Food Commission are covered under the State Budget (of Food & Supplies Department, Government of West Bengal).

For the Chairperson and Member (when posted), an Officer of the Food & Supplies Department of State Government performs functions of Drawing and Disbursing Officer. For officers and staff working in the Commission, a Finance Officer-cum-DDO of the Commission performs these functions.

CHAPTER -2

Functioning of the State Food Commission

The West Bengal State Food Commission started functioning since the 1st day of March, 2021. The status of implementation of the National Food Security Act in the State is being monitored by the Commission since then.

Details in the matter of eligibility of beneficiaries and disbursement of allotted supply of food grains, age appropriate meal or mid-day meal or cash incentive, as the case may, have been obtained from the departments directly involved in connection with provision of food security. Such departments include the Food & Supplies Department, the School Education Department, the Department of Women and Child Development and Social Welfare, the Department of Health and Family Welfare and the Department of Minority Affairs and Madrasah Education of the Government of West Bengal. Earlier, the Department of Labour also implemented these provisions but since 2022, the schools under National Child Labour Project have been transferred to the School Education Department, hence the Labour Department is no longer involved with implementation of these provisions.

The replies received by the departments in connection with the specific provisions of implementation of food security during the Calendar year 2023 have also been considered in assessing the measure of food security available to the eligible and vulnerable among the population and any progress or regress made thereon. Wherever needed, discussions were held and further information was sought from the concerned Department(s).

The Commission has requested the State Government for posting of a Member-Secretary to the Commission. The same has not been done, although Sr. Deputy Secretary has been posted.

No complaint or appeal has been received by the Commission in connection with the availability of foodgrains or in the matter of implementation of food security, from any individual or organization in 2023.

The findings of the Commission with regard to the implementation of the National Food Security Act in West Bengal are placed in the subsequent chapters.

CHAPTER -3

NATIONAL FOOD SECURITY ACT, 2013

The West Bengal State Food Commission, and indeed, all State Food Commissions are resultants of the National Food Security Act, 2013 (Act 20 of 2013). The Act has been enacted “-----for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity and for matters connected therewith or incidental thereto”. (Preamble to the National Food Security Act, 2013).

The Act provides a framework for supply of entitled quantity of food grains and meals as specified in schedule II of the Act. This entitled supply is called “Food Security” in the Act. The Act provides for mechanism for procurement and supply of food grains at the end of dealers or so called fair price shops (FPS) and further off take of entitled food grains from there. It also provides for delivery of meals from Aanganwadis and schools to eligible children and ensuring supplementary nutrition to pregnant women and lactating mothers from the respective Aanganwadi centres.

The basic concept of food security, globally, is to ensure that all people, at all times, should get access to the basic food for their active and healthy life and it is characterized by suitability, availability, access and utilization of food. Though the issue of ‘food security’ at the household is continuously being addressed by the Governments since long through the Public Distribution System, the enactment of the National Food Security Act (NFSA), 2013 on the 5th July, 2013 marks a shift in the approach to food security from welfare to right based approach.

The identification of beneficiaries by a State/UT is a continuous process which involves exclusion of ineligible/fake/duplicate ration cards and also exclusion from the list of beneficiaries on account of death, migration and so on and inclusion on account of birth as also that of genuine left out households.

There is a provision of grievance redressal mechanism whereby District Grievance Redressal Officers (DGRO) are there at the district level. Appeal against any order passed by a DGRO has to be filed before the State Food Commission. The State Government is responsible for implementation and monitoring of the schemes relating to food security. There is a role of the Central Government whereby food grains have to be procured and supplied to the State Governments by the Government of India.

Various provisions of the Act and status of their implementation is discussed in the following chapters.

CHAPTER - 4

STATUS OF IMPLEMENTATION OF THE NATIONAL FOOD SECURITY ACT, 2013

- **Section 3** of the National Food Security Act, 2013 (hereinafter referred to as NFSA) upholds the right to receive foodgrains at subsidised prices by persons belonging to eligible households under the **Targeted Public Distribution System** (TPDS) as well as those covered under the AAY (Antodaya Anna Yojana). As reported by the Department of Food & Supplies, Government of West Bengal, there exist 8.90 crores Public Distribution System beneficiaries in the State as on December 2023, as against 8.81 crores PDS beneficiaries in the preceding year. This figure includes the NFSA beneficiaries as well as beneficiaries of the State funded schemes.

Foodgrains from Government of India are available only for the NFSA beneficiaries fixed on the basis of population of the State as per Census of 2011. This figure obviously needs an upward revision. To take care of such additional beneficiaries and some other deserving categories of the populace, the government of West Bengal has introduced Schemes called Rajya Khadya Surksha Yojana (RKSY-I & RKSY-II).

In addition, State Government is giving additional food grains to persons living in areas of Jungle Mahal, Tea Gardens, Hilly Areas, Toto Tribals and land losers of Singur.

3947001.381 MT of food grains has been allotted from the Central pool in 2023.

The status of distribution of food grains in the calendar year 2023 as received from the Department of Food & Supplies, Government of West Bengal, is as below:

SL.NO	CATEGOR Y	Annual requirement of food grains(MT)		Distribution of food grains (MT)	
		RICE	WHEAT	RICE	WHEAT
1	AAY	411400.7750	274157.9668	387007.1830	257621.7020
2	PHH+SPHH	1954897.3500	1306545.2889	1919049.0410	1279773.0850
3	RKSY -I	1262913.4530	NIL	1217144.7890	NIL
4	RKSY-II	158084.1413	NIL	135574.9420	NIL
5	Special Packages	1307803.4890	NIL	1257032.2050	NIL

It has also been informed by the Department of Food & Supplies that, 100% distribution of food grains is made through e-POS only and 99.94 % of the transactions are authenticated.

- **Section 4.** of the NFSA speaks of nutritional support to pregnant women and lactating mothers. The Department of Women and Child Development and Social Welfare, Government of West Bengal reports that there are 119481 Anganwadi Centres (AWCs) throughout the State of W.B., out of which, 119376 AWCs have provided supplementary nutrition for 21 days of each month of the calendar year 2023 to eligible beneficiaries, which include pregnant women and lactating mothers and children in the age group 6 months to 6 years. The number of pregnant women and lactating mother who got meal through the AWCs in the Calendar Year 2023 has been less than the number that received meal in 2022; the figures in each case being 12,13,521 and 13,38,898 respectively.
- Section 4 (b) of the NFSA speaks of maternity benefit to pregnant women and lactating mothers, in terms of cash. As reported by the H&FW Department, W.B., **15,85,059** pregnant women were **registered** during **22-23** for antenatal care (ANC); out of which **5,32,790** women have received maternity benefits from the Department, as per section 4(b) of NFSA (PMMVY scheme) in the FY 2022-2023. Under the scheme, during 2022-23, the eligible women received a cash incentive of Rs 5000 in three installments; with the first installment given after the registration of pregnancy, the second installment after six months of pregnancy and the third installment after the child's birth and immunization. In addition, 420619 of such registered pregnant women as stated, have received cash incentive @Rs 1000 only for the rural areas and @Rs 900 only for the urban areas. These benefits are under the Janani Suraksha Yojana scheme and are available to SC, ST and BPL categories of women. Moreover, under Janani Shishu Suraksha Karyakaram (JSSK), further benefits like free drugs & consumables, free diagnostics, free blood transfusion, free transport and free diet are provided to pregnant women.
- **Section 5 of the NFSA** envisages nutritional support to children up to age of fourteen years through Anganwadis and schools run by local bodies, Government and Government aided schools.
 - (a) Children in the age group of 6 months to 6 years age are to be provided appropriate meal free of charges through Anganwadis. As reported by the Department of Women and Child Development, Government of West Bengal, 38,53,124 children aged 6 months to 3 years have been enrolled with the AWCs of the State and 32,73,940 among these have been getting age appropriate meal through the Anganwadi Centres of the State. Number of children aged 3 years to 6 years enrolled with the Anganwadi Centres is 42,55,489, out of which 36,98,429 have received age appropriate meal in the Calendar Year 2023.

Comparative position of children from age of 6 months to 6 years covered under ICDS project and getting benefits through AWCs under NFSA in 2022 and 2023 as given in annexure- D.

- (b) For children up to class VIII or within the age of 6 to 14 years, one mid-day meal free of charge, every day except on school holidays, has to be provided in all schools run by local bodies, Government and Government Aided Schools so as to meet nutritional Standards specified in Schedule II of the NFSA. As reported by the School Education Department of the State, all the 82745 schools of W.B. are covered under the midday meal scheme during the calendar year 2023. The institutions include 79965 Government and Government aided schools, 82 schools under National Child Labour Project (NCLP) and 1577 Local Body schools. Besides students of 1121 Madrasahs under the Department of Minority Affairs and Madrasah Education of the Government of West Bengal are also beneficiaries of the midday meal scheme.

Fortified rice (fortified with iron, Vitamin B12 and Folic Acid) has been distributed for the ICDS and Mid-Day-Meal Schemes from 2022.

- **Section 6 of NFSA** envisages provision of free meals to the children who suffer from **malnutrition** through local Aanganwadis. Special nutrition has been provided to 6515 malnourished children throughout the State. This indicates that there has been a reduction in the number of malnourished children in the State in comparison to the previous Calendar Year 2022.
- **Section 7** lays the onus of implementation of Sections 4, 5 and 6 on the State Government. This, as already mentioned, is done by the Departments of School Education, Women and Child Development and Social Welfare and Health & Family Welfare of the State.
- The question of providing Food Security Allowance in case of non-supply of food grains in accordance with **Section 8** of the NFSA has not arisen in the State since all eligible persons under PHH category and all eligible beneficiaries under AAY are receiving food grains.
- **Section 9** mentions the State-wise percentage coverage of population and number of persons to be covered under Targeted Public Distribution System (TPDS) as per the National Food Security Act, 2013. As reported by the Department of Food & Supplies, Government of West Bengal **5,99,96,417 beneficiaries, that is, approximately 6.0 crores beneficiaries are covered under NFSA in the Calendar Year 2023.**

- The responsibility of issuing guidelines and identification of priority households lies with the State Government by virtue of **Section 10** of the Act. The State Government in the Food & Supplies Department has issued notification on guidelines for identification of AAY and Priority households vide no.1913-FS Date: 11-08-2014 for rural areas and no. 2257-FS date: 16-09-2014 for urban areas. Such households were, accordingly, identified.
- The list of beneficiaries of the PDS is available in the portal of Food & Supplies Department, Government of West Bengal; **food.wb.gov.in** in compliance with **Section 11** of the NFSA, which provides for publication and display of eligible households prominently in public domain
- Central and State Governments have been advised to progressively undertake necessary **reforms in Targeted Public Distribution System (TPDS) by virtue of Section 12 of the Act.** The State, through the Department of Food & Supplies, Government of West Bengal has taken the **following steps towards a more effective and transparent Public Distribution System:**
 - a) Food grains are normally **distributed by way of biometric authentication.** --- 97.75 % seeding of AADHAR with Ration Cards has been completed. This is against 93.4% that was completed in the preceding Calendar year 2022.

The conventional e-POS (electronic fund transfer at Point of Sale) instrument with FPS dealer has been augmented to record details about recipient name(s), weight of food grain given, date, time etc. It also has been integrated with the Electronic Weighing machine to automatically capture data. Hence it is an integral part of the MIS (Management Information System) used by the Food and Supplies Department. Moreover, to overcome complaints of poor coverage of mobile network, the e-POS machine is armed with dual- sims and there is a provision of Wi fi connectivity also. All these features make the system more reliable and efficient.

(As reported, out of 8,79,47,407 active ration cards, 8,21,59,795 of ration cards had been linked with AADHAAR **as on 31/12/2022** whereas **out of 8.90 crore ration cards that exist in the Calendar year 2023, 8.70 crores ration cards have been seeded with AADHAAR**) AADHAAR linking is done at the Fair Price Shops, at the Office of the Inspector of Food & Supplies at the Block head quarters through the Bangla Sahayata Portal and also through the Department's portal/mobile app.

Such seeding of AADHAAR number with the ration card of the respective beneficiary not only assures **transparency**, the said **NFSA beneficiaries can now lift ration from any Fair Price Shop (FPS) throughout the country under ONORC (One Nation One Ration Card)**.

- b) Lynch Pin of PDS is Fair Price Shop (FPS) or dealer through whom the last mile delivery of food grains is done. Efforts have been made to fill up vacancies of FPS and to provide set of incentives and also monitor their performance by the Food and Supplies Department of State Government. In this regard a write-up provided by the State Government on rationalization of FPS, Achievement in Compassionate Appointment & Commission given to FPS dealers is given in Annexure – E.
- c) **Door Step delivery** had been introduced vide memo No.3487-FS, dated 20.06.2011 of Food and Supplies Department, Government of West Bengal and it has been implemented in respect of 100% Fair Price Shops (FPS). As per this scheme, food grains are delivered at the ‘door step’ of the dealer (FPS) by the distributor /wholesaler, so that the process is easier for the dealer. In addition, the **DUARE RATION** scheme launched on 16.11.2021 enables the beneficiaries of NFSA as well as the RKSY schemes to draw subsidized foodgrains, including those under special package at their doorstep, each month, free of cost. As reported by the department of Food & Supplies, Government of West Bengal, about 7.12 crores beneficiaries of 1.62 crores families have benefitted through DUARE RATION as on December 31, 2023.
- d) The State runs a robust **Supply Chain Management System through a network comprising of about 20538 Fair Price Shop dealers, 504 distributors/wholesalers, 575 rice millers and 114 flour millers**. Additional initiatives like online allocation and distribution and reflection of the same in the Management Information System of the department’s portal ensures both streamlining and transparency.
- e) Preference is given to **Self Help Groups (SHGs) and Co-operative Societies** in licencing for Fair Price Shops. There is provision for Fair Price Shops to allow selling essential non PD items, without compromising on its quality and under the approval of the District Level Committee which is under the Chairmanship of the District Magistrate. Such Committee also decides on the products of the Self Help Groups/ Mahasanghas of the SHGs, on basis of demand. Poor performing products/ producers are removed from the list on basis of a bi-annual feedback from the District Controller of Food &Supplies.

- f) Bengal Gram, Maida and Refined Oil are distributed to the RC beneficiaries under Festive package. As reported, 50,03,624 beneficiaries have been covered under Special Package in the Calendar Year 2022 and 45,42,608 beneficiaries in the Calendar year 2023.
- g) In addition, the Food & Supplies Department of State Government has constructed **105 numbers** of Model Fair Price Shops at Tea Gardens of Darjeeling, Kalimpong, Jalpaiguri and Alipurduar, which are run mostly by the Self Help Groups.
- h) 2851 nos. of migrant laborers were issued food coupons during the year 2022 and no further in the Calendar Year 2023 as no such list has been submitted by the Department of Labour to Food & Supplies Department of the State Government.
- According to provisions of **Section 13** of NFSA, women of age 18 years or above have been made heads of the households.
 - As per **Section 14** of the NFSA, every State Government shall put in place an internal grievance redressal mechanism which may include toll free call centres, State web portal, help lines, designation of nodal officers or such other mechanism as may be prescribed. Internal grievances redressal mechanism has already been put in place. Call Centre & Help Desk have been set up in this regard. The Toll free nos. of the Food & Supplies Department are **1967 & 1800 345 5505**. In addition, grievances can also be lodged through portal, **Khadyasathi-Amar Ration App** and **Whatsapp chatbox**.
 - **Section 15 of NFSA** lays down provision of District grievances redressal officer (DGRO). The State Government shall appoint or designate for each District an officer to be DGRO. The qualifications, methods and terms of appointment etc of DGRO shall be such as may be prescribed by the State Government. Appeal against the order of DGRO may be filed in such manner and within such time as may be prescribed by the State Government[Section15 (7)].

Accordingly, an Addl. District Magistrate of each district has been designated as District Grievances Redressal Officer (DGRO) vide Food & Supplies Department's notification No.773-FS, dated 11.03.2015. As per the West Bengal Food Security Rules, 2016, Additional District Magistrate functions as District Grievance Redressal Officer (DGRO) and manner and time limits of hearing complaints have been laid down in Rule 8 of these rules as per section 15(7) of NFSA.

The Mayor-in- Council, Kolkata Municipal Commission, shall nominate an officer, other than the Municipal Commissioner, under **section 14** of the Kolkata Municipal Corporation Act 1980, to act as the District Grievance Redressal Officer, Kolkata District. The same has been done.

[A list of such DGROs, as on 01.12.2023 is in Annexure F].

Food & Supplies Department, Government of West Bengal has, in addition, its own system for addressing complaints or grievances received through various channels. They received complaints through their district offices, in the call centre at the state level and also through grievance portal maintained by Chief Minister's Office (CMO). Information about such complaints received and disposed of from the Food & Supplies Department is placed in Annexure- G.

- **Section 16 of NFSA** speaks of creation of State Food Commission. The West Bengal State Food Commission has been constituted vide Notification No.3658-FS, dated 17.11.2016 of Department of Food & Supplies of Government of West Bengal and at present consists of only the Chairperson and support personnel of the office of the Commission.
- **Section 22 of NFSA provides that** the Central Government is to allocate required quantity of food grains from the Central pool to the State Government. As reported by the Department of Food & Supplies of the State, 1,98,222.669 MT of rice has been allotted and 1,32,148.446 MT of wheat has been allocated from the Central pool to the State in the Calendar Year 2023.
- In case of shortfall in Central pool grains, the Food & Public Distribution Department of Gol advises the Food & Supplies Department, West Bengal to utilize the stock of rice by way of decentralized procurement in lieu of provision of required fund from the Centre. No occasion for implementation of **Section 23** of the NFSA, requiring allotment of fund for procurement of food grains, has reportedly arisen in the year 2023.
- As per **Section 24 of NFSA**, State Government shall be responsible for implementation and monitoring of schemes. Towards implementation of the schemes and ensuring food security of the targeted beneficiaries, the supply chain of food grains right from the paddy purchase centre(s) up to the doorstep of the beneficiaries has been put in place and various departments of State Government are implementing the schemes.
- **In compliance of Section 27 of the NFSA**, which states that all TDPS related records shall be placed in public domain and kept open for inspection to the public, Public Distribution records are available in the departmental portal food.wb.gov.in of Department of Food & Supplies, Govt. of West Bengal

- Social Audit Rules have been formed by the Department of F&S, in collaboration with the Social Audit Unit of the Department of P&RD, W.B. This satisfies the criteria of **Section 28** of the NFSA, providing for authorization of the local bodies to conduct social audit on functioning of the FPS.
- In keeping with **Section 29** of the NFSA, Vigilance Committees in District, Sub-division, Block & Village/FP Shop level have been set up vide Govt. of West Bengal, Food & Supplies Department's Memorandum No.324-FS, dated 10.02.2014 and Memorandum No.325-FS, dated 10.02.2014. They supervise the distribution of food grains in F. P. Shops etc. and bring to the notice of concerned authority aberrations, if any.
- **Section 33 of NFSA** speaks of deciding of complaints or appeal of failing to provide relief recommended by district grievance redressal officer, power of imposing penalty of Rs. 5,000 on any public servant or authority found guilty by State Food Commission.
No such occasion has arisen till date.
- **Section 34 of NFSA** speaks of manner of disposal of a complaint or appeal by the State Food Commission. The State Food Commission has not received any complaint or appeal so far. Hence no exercise of power under section 33 or 34 has been made.
- **While Sections 35, 37, 38 & 39 of NFSA** speak of powers of Central Government to amend and give directions to make rules; **Section 40 of the NFSA** relates to rules making power of State Government. In this regard, following steps (including rules) have been taken by the State Government:
 - (I) The State Government has notified West Bengal Food Security Rules, 2016 vide notification No.23/FS dated 03.01.2017 and West Bengal State Food Commission (Method of Appointment, Conditions of Service of Chairperson, other Members, Member-Secretary and Staff) Rules, 2018 vide notification no. 2243-FS-/Sectt./Food/14R-04/15 dated 9.8.2018 of Department of Food & Supplies, Govt. of West Bengal.
 - a) Matters relating to grievance redressal including appeal are specified in the Food Security Rules, 2016.
 - b) Matters relating to appointment etc. of Chairperson, Member and staff are laid down in the West Bengal State Food Commission (Method of Appointment, Conditions of Service of Chairperson, other Members, Member-Secretary and Staff) Rules, 2018.
 - II) Department of Food & Supplies, Govt. of West Bengal has issued guidelines / criteria for identification of beneficiaries (both under AAY and as Priority Households) vide Notification No.1913-FS dated 11-08-2014 for rural areas and Notification No.2257-FS dated 16-09-2014 for urban areas.

CHAPTER – 5

Further analysis of reports of Departments

The reports received from the connected departments were analysed and further information was sought, as needed. One example of such action is enumerated below.

Benefits to Pregnant Women and Lactating Mothers:

For such benefits, Women & Child Development and Social Welfare Department & Health and Family Welfare Department are involved, as mentioned in the preceding chapter. Health and Family Welfare Department has given report for the Financial Year 2022-23. Women and Child Development and Social Welfare Department have given reports for the 2023 and, as subsequently sought, report for the month of December, 2023.

As have been analyzed in the Commission's Annual Report for the year 2022, the ratio between total of Pregnant Women + Lactating Mothers to Pregnant Women in a given period (say 1 year) is 1.67. This ratio has been arrived at after considering that normal period of pregnancy is 9 months and benefits under NFSA to lactating mothers are available for a period of 6 months. The report from the Women and Child Development and Social Welfare Department indicates that as per information available with them, no. of pregnant women was 545601 and lactating mothers was 465051 in the month of December 2023.

Presuming that these numbers for each month of 2023 remain more or less the same, we can compute the ratio between total of pregnant women and lactating mothers to pregnant women in the year 2023. The same works out to $(545601+465051) \div 545601 = 1.85$.

This is higher than the expected figure of 1.67. This would indicate that less than expected number of pregnant women (as compared to lactating mothers) are availing of benefits of NFSA from Women and Child Development and Social Welfare Department.

Another interesting information is revealed by above mentioned data.

Taking into account the fact that normal period of pregnancy is 9 months and lactating mothers get the benefit under NFSA for 6 months, we can compute the figure of pregnant women and lactating mothers, who are registered/ whose information is available with Women & Child Development and Social Welfare Department. Such numbers for pregnant women in 2023 will be :

Number of pregnant women in December 2023 $X 12 \div 9 = 545601 X 1.33 = 7,25,657$

Similarly, Number of lactating mothers in 2023 will be:

Lactating mothers in December 2023 $X 12 \div 6 = 465051 X 2 = 9,30,102$.

The total number of pregnant women and lactating mothers in 2023 comes out to be 16,55,759.

As per report of the Women & Child Development and Social Welfare Department, the total number of pregnant women and lactating mothers who got supplementary nutrition through AWCs in 2023 is 12,13,521. This indicates that the actual number of pregnant women and lactating mothers who get the benefit of NFSA through AWCs is approximately 25% less than the actual number of registered / whose information is available with Women & Child Development and Social Welfare Department.

This difference in the total numbers and those actually getting benefits is expected as not all pregnant women and lactating mothers will avail the benefits of NFSA through AWCs due to various reasons, including economic condition and social norms.

Further, the difference in figures of pregnant women as reported by department of Health & Family Welfare and Women & Child Development and Social Welfare remains this year also as in earlier years. While no. of pregnant women getting benefits from AWCs of Women & Child Development and Social Welfare Department is 7,25, 657 in 2023, the number is 15, 85,059 in 2022-23 for Health & Family Welfare Department (the figure of Health & Family Welfare Department is for 2022-23, but for 2023, the figure will only be marginally different). As had been explained earlier by Women & Child Development and Social Welfare Department, and also as reported by Health & Welfare Department, the benefits available from the Health & Family Welfare Department are much more. Even then, there is a possibility of examining the matter further to check if it is an issue of 'definition' or outreach or some other matter.

CHAPTER- 6

Conclusion

- After interaction with the Department of Food & Supplies, Government of West Bengal and getting reports about the implementation of the Act from Department of Food & Supplies, Department of School Education, Department of Health & Family Welfare and Department of Women and Child Development & Social Welfare, Government of West Bengal, it has been ascertained that the National Food Security Act, 2013 is being implemented properly in West Bengal.
- Grievance Redressal Mechanism continues to work properly in the State.
- While the foodgrains as per NFSA continue to be available to the targeted population, Government of West Bengal covers additional needy population of the State through its schemes of Rajya Khadya Suraksha Yojana (RKSU-I & RKSU-II) and also special schemes.
- The Management Information System of the Food & Supplies Department, Government of West Bengal continues to work efficiently. Among other places, data is captured at e-POS (electronic Point of Sale) and e-POP (electronic Point of Procurement). This allows the Department to centrally monitor the movement of foodgrains in real time and also implement other aspects of the scheme efficiently.
- Efforts also have been made by the Food & Supplies Department of the State Government to further improve the efficiency of delivery of foodgrains at the cutting edge, i.e. FPS. Rationalization of the dealers has been done including provision for filling up of the posts through next to kin and other incentives.
- Commission has launched a website, the URL being food.wb.gov.in/wbsfc.
- The posting of Member Secretary in the Commission is necessary and it is still awaited.
- No complaint or appeal has been received by the Commission in 2023.

Registered No. WB/SC-247

ANNEXURE - A
No.WB (Part-I)/2018/SAR-785

The



सत्यमेव जयते

Kolkata

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Extraordinary Published by Authority

AGRAHAYANA]

WEDNESDAY, NOVEMBER 22, 2017

[SAKA 1939

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL Food & Supplies Department 11A, Mirza Ghalib Street, Kolkata - 700 087

NOTIFICATION

No. 3658-F.S.-dated 21.11.2017.—In exercise of the powers conferred by sub-section (1) of section 16 of the National Food Security Act, 2013 (20 of 2013) (hereinafter referred to as the said Act), the Governor is pleased hereby to constitute, with an immediate effect, the West Bengal State Food Commission with its headquarters at Kolkata, to exercise the powers conferred on, and to perform the functions assigned to, it under the said Act.

By order of the Governor,

MANOJ KUMAR AGARWAL *Principal*
Secretary to the Government of West
*Bengal.***17**

Registered No. WB/SC-247

ANNEXURE - B
No. WB(Part-I)/2017/SAR-I

The



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TUESDAY, JANUARY 3, 2017

ISAKA 1938

PART I-Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL Food & Supplies Department 11A, Mirza Ghalib Street, Kolkata - 700 087

NOTIFICATION

No.23/FS

Dated, Kolkata, the 3rd January, 2017

FS/Sectt./Food/14R-05/2016

Whereas a draft of the West Bengal Food Security Rules, 2016, which is proposed to be framed in exercise of the power conferred by clauses (a), (b), (c), (d), (e), (h), (i), (j), (k) and (1) of sub-section (2) of section 40 of the National Food Security Act, 2013 (20 of 2013) was published vide the Food & Supplies Department's notification No. 2481 A/FS/Sectt/Food/14R-05/2016, dated 07.09.2016, inviting objections and suggestions from all persons likely to be affected thereby;

And whereas, the said notification was published in the Kolkata Gazette on the 9th September, 2016;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the State Government;

Now, therefore, in exercise of the power conferred by sub-section (1) and, in particular, by clauses (a), (b), (c), (d), (e), (h), (i), (j), (k) and (1) of sub-section (2) of section 40 of the National Food

Security Act, 2013 (20 of 2013), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following rules: —

Rules

**CHAPTER I
PRELIMINARY**

1. Short title and commencement. — (1) These rules may be called the West Bengal Food Security Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions .— (1) In these rules, unless the context otherwise requires —

(a) “Act” means the National Food Security Act, 2013 (20 of 2013);

(b) “district” means a district of the State of West Bengal;

Explanation.— The area comprising under the Kolkata Municipal Corporation shall be deemed to be a district for the purpose of these rules;

(c) “District Controller” means the District Controller of Food and Supplies Department, Government of West Bengal, and includes the Joint Director of Rationing;

(d) “local authority” means the Panchayat, municipality, municipal corporation, Gorkhaland Territorial Administration, Industrial Township or any other authority or body vested with the control and management of civic services, within a specified local area;

(e) “rural area” means any area in the State except those areas covered by any urban local body or a cantonment board established or constituted under any law for the time being in force;

(f) “State” means the State of West Bengal;

(g) “State Government” means the Government of West Bengal in the Food and Supplies Department;

(h) “Sub-Divisional Controller” means the Sub-Divisional Controller of Food and Supplies Department, Government of West Bengal and includes the Rationing Officer.

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

CHAPTER II

GUIDELINES FOR IDENTIFICATION OF PRIORITY HOUSHOLDS

3. Guidelines for identification of priority household under sub-section (1) of section 10.— The State Government may, by notification, frame separate guidelines with respect to identification of eligible household under the Act:

Provided that the scheme or guidelines with respect to identification of eligible household existing on the date of commencement of these rules shall continue to be in force till such time the scheme or guidelines are framed by the State Government as per the provisions of this rule.

CHAPTER III
GREIVANCE REDRESSAL MECHANISM

4. Internal Grievance Redressal Mechanism. — (1) The State Government shall, by notification, designate an officer, not below the rank of Joint Secretary, as Nodal Officer for the purposes of management of internal Grievance Redressal Mechanism.

(2) The Nodal Officer shall monitor the functioning of call centres, help lines toll free numbers, District Grievance Redressal Officer and ensure proper implementation of the provisions contained in chapter VII of the Act.

5. Appointment of District Grievance Redressal Officer. — An Additional District Magistrate of concerned district, as may be designated by the District Magistrate, shall discharge the functions of the District Grievance Redressal Officer under the Act:

Provided that in respect of areas under Kolkata Municipal Corporation, an officer under section 14 of the Kolkata Municipal Corporation Act, 1980, other than Municipal Commissioner, to be nominated by Mayor-in-Council shall be the District Grievance Redressal Officer.

6. Power of District Grievance Redressal Officer. — (1) Every District Grievance Redressal Officer shall exercise the power conferred under the Act.

(2) The power referred to in sub-rule (1) shall include the power to hear complaint relating to following matters,

namely:

- (i) issuance and cancellation of ration cards;
- (ii) non-distribution of entitled foodgrains referred to under the Act;
- (iii) any other matter related to Public Distribution System as may be specified by the State Government under the Act.

(3) The District Grievance Redressal Officer will also act upon information received in writing, from the various Vigilance Committees constituted as per the provisions of section 29 of the Act.

7. Filing of complaint. — A person being aggrieved by an action or decision of the Fair Price Shop dealer, distributors, Rationing Officer, Sub-divisional Controller, District Controller, the Joint Director of Rationing or any other authority entrusted to implement the schemes under the Act, as the case may be, with respect to matters mentioned in sub-rule (2) of rule 6 may file a complaint before the District Grievance Redressal Officer in Form-I.

8. Manner and time limit for hearing complaints by the District Grievance Redressal Officer and the filing of appeals under sub-sections (5) and (7) of section 15 of the Act. —

(1) On receipt of the complaint under rule 7, if the District Grievance Redressal Officer is of the opinion that there exists a prima facie case, it shall, forward the complaint to concerned authority mentioned in rule 7 within five working days for taking proper steps for redressal of grievance.

(2) The concerned authority shall submit a report on the action taken by him on the complaint of the complainant within five working days thereafter.

(3) On receipt of the report mentioned in under sub-rule (2), the District Grievance Redressal Officer shall dispose of the matter within five working days and communicate the same to the complainant and the authorities concerned:

Provided that the District Grievance Redressal Officer, while disposing of the matter under this rule by passing a reasoned order may give an opportunity of being heard to the complainant and the proper parties.

(4) Every authority concerned shall be duty bound to comply with the decision of the District Grievance Redressal Officer.

(5) If the complainant or the officer or authority is not satisfied by the order passed by the District Grievance Redressal Officer, he may prefer an appeal before the State Commission within 10 days from the date of communication of the order and the State Commission shall dispose the appeal by passing a reasoned order after hearing the proper parties together with the person, whose order has been appealed of within 30 days from the date of the receipt of the appeal:

Provided that the delay in preferring appeal may be condoned by the State Commission, if sufficient cause for such delay is properly explained to the State Commission.

CHAPTER IV

TRANSPARENCY AND ACCOUNTABILITY

9. Targeted Public Distribution System related records to be placed in the public domain and kept open for inspection to public under section 27 — (1) The State Government shall place the data pertaining to Public Distribution System together with all notifications, orders, and circulars relating thereto in the public domain for inspection to public.

(2) All the records mentioned in sub-rule (1) shall be placed on the notice Board of the concerned offices of the Department

(3) Every Sub-Divisional Controller offices and District Controller offices of the State Government shall also display all important notification, orders and circulars on its notice board for inspection to the public.

10. Social audit on the functioning of Fair Price Shops, Public Distribution System and other welfare schemes shall be conducted under section 28 of the Act. — (1) The State Government may entrust a Local authority to conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Public Distribution System and other welfare schemes envisaged in the Act:

Provided that the State Government may, if it consider necessary, entrust other bodies such as research organizations, civil society organizations. Non Governmental Organizations or Gram Sansads etc. to conduct the aforesaid social audits on such terms and conditions as it may determine.

(2) Every Authority entrusted with the work of social audit shall have power to gather data from the concerned offices of the Government of West Bengal, as it may deem fit, and after conducting the social audit, it shall forward its reports and findings to the State Government.

(3) On receipt of the report and findings on social audit, the State Government shall take necessary action on the findings and keep the same on public domain.

CHAPTER V
COMPOSITION OF VIGILANCE COMMITTEES

11. Constitution of State Level Vigilance Committee. — (1) There shall be a State Level Vigilance Committee constituted for performing the functions mentioned in sub-section (2) of section 29 of the Act comprising of.—

(i)	The Chief Secretary	Chairman
(ii)	The Commissioner, Food, Food and Supplies Department, Government of West Bengal	Member-Convener
(iii)	Secretary, Finance Department, Government of West Bengal	Member
(iv)	Secretary, Panchayat & Rural Development Department, Government of West Bengal	Member
(v)	Secretary, Municipal Affairs Department, Government of West Bengal	Member
(vi)	Secretary, School Education Department, Government of West Bengal	Member
(vii)	The Secretary, Department of Women & Child Development and Social Welfare, Government of West Bengal	Member
(viii)	One representative each from the women and destitute person or persons with disability to be nominated by the Secretary, Department of Women & Child Development and Social Welfare, Government of West Bengal	Member
(ix)	One representative belonging to the Scheduled Caste to be nominated by the Secretary, Backward Classes Welfare Department, Government of West Bengal	Member
(x)	One representative belonging to the Scheduled Tribes to be nominated by the Secretary, Tribal Development Department, Government of West Bengal	Member
(xi)	The Managing Director, West Bengal State Warehousing Corporation Ltd.	Member
(xii)	The Director, District Distribution, Procurement and Supplies, Food and Supplies Department, Government of West Bengal	Member
(xiii)	The Director of Consumer Goods, Food and Supplies Department, Government of West Bengal	Member

(xiv)	The Director of Finance, Food and Supplies Department, Government of West Bengal	Member
(xv)	The General Manager, Food Corporation of India	Member
(xvi)	The Director of Rationing, Food and Supplies Department, Government of West Bengal	Member
(xvii)	An officer each to be nominated by the Authority of Kolkata Municipal Corporation and the Howrah Municipal Corporation	Member

(2) The State Level Vigilance Committee shall hold meeting at least once in a period of six months to review allocation, lifting, stock position, quality and supply situation of articles issued under Public Distribution System and discuss matters referred to in reports received from the Committees constituted under rules 12 and 13.

12. Constitution of District Level Vigilance Committee. — (1) There shall be a District Level Vigilance Committee constituted for performing the functions mentioned in sub-section (2) of section 29 of the Act comprising of.—

(i)	District Magistrate or as the case may be, Municipal Commissioner of Kolkata Municipal Corporation	Chairman
(ii)	Karmadhakshya, Khadyo-o-Sarbaraho-Sthayee-Samity, Zilla Parishad or, as the case may be, any Officer of the Kolkata Municipal Corporation appointed under section 14 of the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) to be nominated by Mayor-in-Council	Member
(iii)	Superintendent of Police, District Enforcement Branch or as the case may be, an officer in the rank of Deputy Commissioner of Kolkata Police to be nominated by the Commissioner of Police	Member
(iv)	A person to be nominated by the Member of Parliament of the concerned district	Member
(v)	One representative each from the women and destitute person or persons with disability to be nominated by the Director of District Distribution, Procurement and Supplies, West Bengal, from amongst the registered Non Government Organizations of the concerned district.	Member
(vi)	One representative belonging to the Scheduled Caste to be nominated by the Director of District Distribution, Procurement and Supplies, West Bengal	Member
(vii)	One representative belonging to the Scheduled Tribes to be nominated by the Director of District Distribution, Procurement and Supplies, West Bengal	Member

(viii)	One representative to be nominated by the Minister-in-Charge, Food and Supplies Department, Government of West Bengal	Member
(ix)	All Member of Legislative Assembly of the District or their representative	Members
(x)	All Sub-divisional Controller of Food & Supplies of the concerned district or the Rationing Officer, as the case may be	Members
(xi)	District Controller of Food & Supplies Department, Government of West Bengal or the Joint Director of Food & Supplies, as the case may be.	Member-Convener

(2) District Level Vigilance Committee shall meet at least once in a period of three months to review allocation, lifting, stock position, quality and supply situation of articles issued under Public Distribution System and discuss matters referred to in the reports received from Block Level Vigilance Committees.

13. Constitution of Block Level Vigilance Committee. —(1) There shall be a Block Level Vigilance Committee constituted for performing the functions mentioned in sub-section (2) of section 29 of the Act comprising of. —

- (i) Block Development Officer - Chairman
- (ii) Karmadhakshya, Khadyo-o-sarbaraho-Sthayee-Samity, - Member Panchayat Samity
- (iii) Officer-in-Charge of the Police Station having jurisdiction - Member
- (iv) Member of Legislative Assembly or his representative - Member
- (v) One representative each from the women and destitute person or - Member persons with disability to be nominated by the Block Development Officer, from amongst the registered Non-Government Organizations of the concerned Block
- (vi) One representative belonging to the Scheduled Caste to be - Member nominated by the Block Development Officer
- (vii) One representative belonging to the Scheduled Tribes to be - Member nominated by the Block Development Officer
- (viii) Pradhans of the concerned Gram Panchayat as special invitee - Member
- (ix) Chief Inspector, Food and Supplies Department, - Member-Convener Government of West Bengal

(2) The Committee shall hold meetings atleast once in period of two months to review quality and supply situation of articles issued under Public Distribution System at different Fair Price Shop under its jurisdiction, review inspections made by officials of Food and Supplies Department and examine matters referred to in reports received from Fair Price Shop Level Vigilance Committees.

(3) The copies of the minutes of the meetings should be sent to the Chairman of the District Level Vigilance Committee within 7 days for information.

14. Constitution of Fair Price Shop Level Vigilance Committee. — (1) There shall be a Fair Price Shop Level Vigilance Committee constituted for performing the functions mentioned in sub-section (2) of section 29 of the Act comprising of. —

- (i) Local member of the Panchayat or Ward Commissioner of the municipality or municipal corporation, as the case may be, having jurisdiction over Fair Price Shop - Chairman
- (ii) One Headmaster or Teacher of the locality to be nominated by the respective Sub-divisional Officer having jurisdiction over Fair Price Shop - Member
- (iii) One woman member to be nominated by the concerned Block Development Officer in case of Panchayat area or by the concerned Sub-Divisional Officer in case of municipality or municipal corporation, as the case may be. - Member
- (iv) One representative belonging to Scheduled Caste to be nominated by the concerned Block Development Officer in case of Panchayat area or by the concerned Sub-Divisional Officer in case of municipality or municipal corporation, as the case may be. - Member
- (v) One representative belonging to Scheduled Tribes to be nominated by the concerned Block Development Officer in case of Panchayat area or by the concerned Sub-Divisional Officer in case of municipality or municipal corporation, as the case may be. - Member
- (vi) A destitute and disabled person to be nominated by the concerned Block Development Officer in case of Panchayat area or by the concerned Sub-Divisional Officer in case of municipality or municipal corporation, as the case may be. - Member
- (vii) Secretary of the concerned Gram Panchayat or executive officer or officer of equivalent rank of municipality or Municipal Corporation, as the case may be - Member
- (viii) A person to be nominated by the concerned Member of the Legislative Assembly - Member
- (ix) Inspector or Sub-Inspector of Food and Supplies Department - Member-Convener

(2) The Committee shall hold monthly meetings to discuss matters to ensure that inspection of Fair Price Shops are carried out regularly, stocks at Fair Price Shops are verified, grievances are properly attained and schedule of delivery of articles issued under Public Distribution System to consumers is strictly followed. Directions and guidelines issued by Food and Supplies Department from time to time must be followed.

(3) The copies of the minutes of the meetings should be sent to the Chairman of the Block Level Vigilance Committee within 7 days for information:

Provided that in case a Fair Price Shop Level Vigilance Committee constituted under the municipality or Municipal Corporation, the copies of the minutes of the meeting shall be directly sent to the District Level Vigilance Committee.

15. Interpretation. — If any question arises as to the interpretation of any of the provisions of these rules, it shall be referred to the State Government, whose decision thereon shall be final

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MONDAY, AUGUST 20, 2018

[SAKA 1940

PART-I—Orders and Notifications in the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Food & Supplies Department

11/A, Mirza Ghalib Street, Kolkata 700 087

NOTIFICATION

No. 2243–FS/Sectt./Food/14R-04/15

Dated: 9th August, 2018.

WHEREAS the draft of the West Bengal State Food Commission (Method of Appointment, Conditions of Service of Chairperson, other Members Secretary and Staff Rules, 2018 was published in the *Kolkata Gazette. Extraordinary*, PART-I, dated the 6th July, 2018 *vide* this Department's notification No. 1232-FS/Sectt./Food/14R-04/15, dated the 6th day of June, 2018, for inviting objections and suggestions from all persons likely to be affected thereby, within fifteen day's from the date of its publication as required by sub-section (1) of section 40 of the National Food Security Act, 2013 (20 of 2013);

AND WHEREAS no objections or suggestions have been received by the State Government till date;

NOW THEREFORE, in exercise of the power conferred by sub-section (1), and in particular, clause (I) and clause (g) of sub-section (2) of section 40 of the National Food Security Act, 2013, the Governor is pleased hereby to make, after previous publication, the following rules, namely:-

Rules

1. Short title and commencement. — (1) These rules may be called the West Bengal State Food Commission (Method of Appointment, Conditions of Service of Chairperson, other Members, Member-Secretary and Staff) Rules, 2018.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definitions. — (1) In these rules, unless the context otherwise requires,-

(a) “Act” means the National Food Security Act, 2013 (20 of 2013);

(b) “Annexure” means Annexure appended to these rules;

(c) “Chairperson” means the Chairperson of the State Commission;

(d) “Member” means the member of the State Commission;

(e) “Member-Secretary” means the Member-secretary of the State Commission;

(f) “section” means the section of the Act;

(g) “State Commission” means the West Bengal State Food Commission constituted under section 16 of the Act,

(h) “State Government” means the Government of West Bengal in the Food and Supplies Department

(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as respectively assigned to them in the Act.

3. Eligibility for appointment as Chairperson, other Members and Member-Secretary.—

(1) the Chairperson and five Other Members shall be appointed from amongst persons :-

(a) who are or have been member of the All India Services or any other civil services of the Union or State or holding a civil post under the Union or State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field and having minimum of 10 years experience as Secretary to the State Government or at an equivalent post in the Government of India; or

(b) of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy or public administration; or

(c) who have a proven record of work relating to the improvement of the food and nutrition rights of the poor;

(2) The Member-Secretary shall be an officer of the State Government not below the rank of Joint Secretary to the State Government.

(3) There shall be at least two women, whether Chairperson, Member-Secretary or Member amongst the Chairperson, five other Members and Member-Secretary of the State Commission,

(4) There shall be one person belonging to In; Scheduled Castes and one person belonging to the Scheduled Tribes, whether Chairperson or Member or Member-Secretary, amongst the Chairperson, five other Members and Member-Secretary of the State Commission.

4. Term of office of Chairperson and other Members.— The Chairperson and every other Members shall hold office for a term not exceeding three years from the date on which he or she enters upon his or her office and shall be eligible for re-appointment: provided that no person shall hold office as the Chairperson or other Members after he or she has attained the age of sixty-five years.

5. Resignation and removal of Chairperson and other Members from their office.— (1) The Chairperson or any other Member may, by notice in writing under his or her hand addressed to the Governor of the State, resign from his or her office.

(2) The State Government may remove the Chairperson or any Member of the State Commission in accordance with the provisions of sub-sections (9) and (10) of section 16.

6. Method of Appointment of Chairperson, Member-Secretary and other Members – (1) The Chairperson Member-Secretary and other Members shall be appointed by the Governor under his hand and seal on the recommendation of the State Government

(2) The State Government shall constitute a Search-Cum-Selection Committee consisting of three members 41 mentioned below for recommendation of the names for appointment of Chairperson, Member-Secretary and other Members of the State Commission

Sl. No.	Name	Designation
(1)	(2)	(3)
1	Chief Secretary. Government of West Bengal	Chairperson
2	Secretary, Food and Supplies Department, Government of West Bengal	Member
3	Secretary, Personnel and Administrative Reforms & e-Governance Department, Government of West Bengal	Member

(3) The Selection Committee shall select and recommend name or names to the State Government for appointment of the Chairperson, Member-Secretary and other Members.

(4) While selecting the Members of the State Commission, due regard shall be given to the provisions of rule 3.

(5) The process of selection shall be initiated by the State Government within three months of the coming into force of these rules in the first instance and three months prior to the completion of tenure of the existing Chairperson, Member-Secretary or Member, as the case may be and shall be concluded within two months there from.

(6) The Member-Secretary shall be appointed on deputation as provided in the Act.

7. Proceedings of the State Commission. - (1) Subject to the provisions of the Act and the rules made there under, the State Commission shall have the power to lay down its own procedures.

(2) The Chairperson may instruct the Member-Secretary to call a meeting of the State Commission to be held at such time, and at such place, as the Chairperson may direct. In addition, any Member may request for a meeting of the State Commission at any time by sending a notice in writing to the other Members and with a copy to the Member-Secretary.

The notice of all meetings shall be given to the Members unless all the Members waive the notice in writing.

(3) The State Commission shall be entitled to decide urgent matters by circulation of papers to Members.

(4) In case a difference of opinion among the Members, the opinion of majority shall prevail and the opinion of the State Commission shall be expressed in terms of the views of the majority. Each Member shall have one vote only. The Chairperson shall have no casting of second vote.

(5) All decisions, directions and orders of the State Commission shall be in writing and shall be supported by reasons.

(6) The decisions, directions and orders of the State Commission shall be available for inspection by any person and the copies of the same shall also be made available in a manner as the State Commission may specify.

(7) When the Chairperson is unable to discharge the functions owing to absence, illness or any other cause, a Member nominated by the Chairman shall discharge the functions of the Chairperson, until the day on which the Chairperson assumes the charge of his functions.

(8) The Chairman shall be the Chief Executive Officer of the State Commission and shall exercise such powers and discharge such functions as delegated to him by the State Commission.

(9) All orders and decisions of the State Commission shall be authenticated by the Member-Secretary or any other officer of the State Commission duly authorised by it in this behalf.

(10) The quorum for meeting of the State Commission shall be two.

Provided that for a meeting of the State Commission to review any previous decision taken by the State Commission or for consideration of any issue which could not be decided on account of equality of votes in favour of and against the resolution proposed, the quorum for the meeting shall be all Members being personally present.

(11) The headquarter of the State Commission shall be at such place as the State Government may, by notification in the Official Gazette, specify and the State Commission may, with the previous approval of the State Government, establish offices at other places in the State.

8. Salary, allowances and other conditions of the Chairperson and Members.— The salary and other allowances payable to

(a) the Chairperson, shall be such as mentioned in Annexure A;

(b) the Member, shall be such as mentioned in Annexure B:

Provided that if the Chairperson or a Member, at the time of his appointment is in receipt of a pension other than a disability or wound pension, in respect of any previous service under the Government of India or under the Government of a State, his salary in respect of the service as the Chairperson or Member shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity:

3. Provided further that where the Chairperson or Member, if at the time of his appointment is in receipt of retirement benefits in respect of a previous service rendered in a Corporation established by or under any Central Act or a State Act or a Government company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the Chairperson or Member shall be reduced by the amount of pension equivalent to the retirement benefits.

Provided also that the salaries, allowances and other conditions of service of the Chairperson or Member shall not be varied to their disadvantage after their appointment.

9. Appointment of staff of the State Commission, their salaries, allowances and conditions of service.—

(1) The State Government shall appoint such other officers or employees as deemed necessary for performance of the functions of the State Commission.

(2) The administrative and technical staff of the State Commission shall be placed on deputation from the officers and employees of the State Government on usual terms and conditions until the rules regulating the method of appointment of the staff of the State Commission, their salaries, allowances and other conditions of service, prescribed under sub-section (8) of section 16 are framed.

(3) The salary and allowances payable to and other terms and conditions of the service of other officers and employees, appointed for the purpose of the State Commission, shall be equivalent to the salary and allowances and other terms and conditions of service admissible to the equivalent ranks of the officers and employees of the State Government.

10. Interpretation.— If any question arises about the interpretation of the provision of this rules, the matter shall be referred to the State Government and the decision of the State Government thereon shall be final.

ANNEXURE A

Salaries, Allowances and other facilities etc. admissible to the Chairperson, West Bengal State Food Commission

(See clause (a) of rule 8)

The salaries, allowances and other facilities etc. admissible to the Chairperson, West Bengal State Food Commission shall be as detailed below:-

Sl. No.	Subject	Details
1.	Pay Dearness Allowance H.R.A.	Rs. 2, 50, 000/- per month minus superannuation pension before commutation). As admissible as per Government of India rates. As per GOI rates as admissible vide GOI No. 2/5/2017-EII(B) dated 07.07.2017
2.	Sumptuary Allowance	Rs. 15,000/- per month.
3.	Conveyance Allowance	(c) A staff car and two hundred litres of fuel per month or actual consumption of fuel whichever is less, (d) In case, the facility at (a) above is not availed, its quantum of Car Allowance will be Rs.60,000/- per month.
4.	L.T.C.	Entitled to 3(three) L.T.C. per annum anywhere in India with his wife and dependent members of his family.
5.	Electricity	Reimbursement upto 10,000/- (ten thousand) units per annum.
6.	Home Guard	Three (3) Home Guards at residence to work round the clock,

7.	Free Furnishing	The value of free furnishing (including electrical appliances) provided rent free accommodation in the official residence allotted to the Chairperson not exceeding Rs.2,00,000/- (Rupees two lakh) only per term
8.	Newspaper & Magazines	Reimbursement for eight daily newspapers and other Magazines.
9.	Residential Telephone, Mobile and Internet charges	Reimbursement for the services availed for official purpose.
10.	Medical facilities	The Chairperson & the dependent members of his family shall be entitled to such facilities for treatment & for accommodation in Government Hospital as may be prescribed from time to time. Reimbursement of medical expenses will be equivalent to that of a member of I.A.S. holding the post of Secretary to the Government of India.
11.	Travelling Allowances	As per rule No. 2(c) of the Gazette Notification No. 215 dated 20.4.2011 issued by the Ministry of Law & Justice, GOI, there are two provisions for T.A. (iii) Rs.5,000/- per day for private accommodation & (iv) Rs. 1,000/- per day for Govt. accommodation.
12.	Pension	Chairperson is entitled to a pension which is equal to the pension payable to State Chief Information Commissioner.
13.	Post retrial benefits	Chairperson shall be entitled during their lifetime to a residential Telephone free of cost and free calls to the extent of 1500 calls per month over and above the no. of free calls per month allowed by the Telephone Authority.
14.	Income Tax exemptions	As per provision of section 23D of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 read with section 8 of the State Chief Election Commissioner and other State Election Commissioners (Conditions of Service) Act, 1991, the item Nos. 3, 4, 5, 6 & 9 are exempted from income tax u/s 75 of the Income Tax Act 1961.
15.	Decisions of Questions	If any question arises about the interpretation of the provisions of this order, the decision of the State Government thereon shall be final.

ANNEXURE B

Salaries, Allowances and other facilities etc. admissible to the Members, West Bengal State Food Commission

(See clause (b) of rule 8)

The salaries, allowances and other terms and conditions of service of the Member, West Bengal State Food Commission shall be the same as detailed below:-

Sl. No.	Subject	Details
(1)	(2)	(3)
1.	Pay	Rs.2, 25, 000/- per month to be reduced by pensions (as per pension payment orders before commutations).
2.	Dearness Allowance	As admissible as per Government of India rates
3.	House Rent Allowance	As per GOI rates as admissible vide GOI No.2/5/2017-EII(B) dated 07.07.2017
4.	Conveyance Allowance	A staff car and two hundred litres of fuel per month or actual consumption of fuel, whichever is less.
5.	L.T.C	Entitled to once throughout India and once in home town in a block of four years.
6.	Newspapers and Magazines	Reimbursement for six daily newspapers and other magazines provided ceiling of expenditure restricted to Rs.800/- per month vide No. 18-O & M, dated 30.9.2009 of Finance (O & M) Department. Further he is entitled to receive maximum of Rs.400/- for periodicals vide No. 18-O & M, dated 30.9.2009.
7.	Residential Telephone, Mobile & Internet charges	Reimbursement for the services availed for official purpose vide No. 8482-F, dated 01.09.2009 & 7522-F, dated 26.09.08 of Finance (Audit) Department.
8.	Medical Facilities	As per the West Bengal Health for All Employees and Pensioners Cashless Medical Treatment Scheme, 2014. vide notification No. 4476-F (MED.), dated 28.8.2014.
9.	Travelling Allowances	(c) T.A. will be at par with an AIS officer of Chief Secretary level gets for being posted to work in the affairs of the State. (d) For journey outside the State, Government of India's O.M. No. 19030/3/2008-E IV, dated 22.01.2009 shall be followed.

By order of the Governor,

MANOJ KUMAR AGARWAL

Pr. Secy, to the Govt, of West Bengal & Food Commissioner, Food & Supplies Department.

Comparative position of children enrolled in AWCs and getting benefits under NFSA in 2022 and 2023

Sl no.		2022	2023	Remarks
1.	Total no. of Anganwadi Centers (AWCs)	119481	119481	
2.	Total population in the age group 6 months to 3 years covered under the ICDS project.	4447941	3853124	Decrease in population aged 6 month – 3 years. (?)
3.	No. of children in the age group 6 months to 3 years getting age appropriate meal through the AWCs.	3399704 (received cooked food)	3273940	Figure is less than the enrollment strength.
4.	Total population in the age group 3 to 6 years covered under the ICDS project.	3814693	4255489	Increase in population aged 3 to 6 years.
5.	No. of children in the age group 3 to 6 years getting age appropriate meal through the AWCs.	3613980 (Cooked food)	3698429	
6.	No. of AWCs providing supplementary nutrition for 21 + days in a month.	119378	119376	
7.	Total no. of malnourished children getting meal through AWCs.	8616	6515	Reduction in malnourished.
8.	No. of pregnant and lactating women getting meal through AWCs.	1338898	1213521	Reduction in child birth. (?)

ANNEXURE – E

Write –up on Rationalization of FPS, Achievement in Compassionate Appointment & Commission given to FPS Dealers

1. Rationalization of FPS-

It has been found that some FPS's were running with number of Ration cards much over the average ration cards of FPS. Thus, making delivery of quality services to the beneficiaries difficult. On one hand, this was causing inconvenience to the public and on the other it was making skewed benefits to some FPS Dealers. In view of such a situation, the Department has decided in 2021 to undertake rationalization of Ration Cards tagged with a FPS wherein it has been specified that a new vacancy may be proposed with a population which may be around 3000-4000 and DRC population written with an existing FPS may be around 4500 – 6000 considering local scenario, convenience / inconvenience of the beneficiaries and in the larger interest of PDS in the locality. Normally, the ration card with a FPS would be in the range of 4000-6000. The process of rationalization of FPS is under process now. This is being done keeping in mind the convenience of beneficiaries and near equitable distribution of ration cards among the FPS. Even with this rationalization the average ration card attached with a FPS is one of the highest in the country. Approximately, 2200 new FPS have been indentified and process of declaration of vacancy and selection of licensee is going on. So far about 500 new licensees have been appointed.

2. Achievement in Compassionate Appointment-

The Department had taken special effort for filling up the vacancies for dealership arising due to death of a Dealer or medical incapacitation.

A large number of applications from the family members were received and some of those were pending for a long time. To dispose such pending cases special initiatives was taken by the department in July, 2020. At that time as many as 2500 numbers of such cases were pending at various levels. The process was simplified.

Since then, a total of 3,813 cases of compassionate ground have been disposed till 31/12/2023.

3. Commission FPS Dealer-

The Government in the Food and Supplies Department has paid the FPS Dealers' margin / commission @ Rs.70/- per quintal of food grains w.e.f. 01.12.2019. The Department has revised the FPS Dealers' margin/commission from Rs.70/- per quintal to Rs.75/- per quintal of food grains w.e.f. 01.02.2021. Subsequently, the said margin /commission was revised from Rs.75/- per quintal to Rs.95/- per quintal of food grains w.e.f. 01.04.2022. It may be mentioned

here that at present FPSs are getting Rs.95/- per quintal as margin out of which Rs.90/- each shared one 50:50 ratio with GOI and the remaining Rs.5/- each being borne by the State Government from its own exchequer. Thus, out of Rs.95/- per quintal margin/ commission, the State Government pays Rs.50 per quintal of food grain.

Additional Commission provided by the Government of West Bengal -

The FPS dealers are also being provided additional commission for making door step delivery under Duare Ration @ Rs.0.75/- per kg of distributed food grains and sugar with following break up :

- a) Rs.0.50/- per kg for transport weighing and distribution of food grains and sugar at door step and
 - b) Rs.0.25/- per kg. for biometric / OTP based authentication of the PDS beneficiaries while distributing of food grain and sugar at the door step of the PDS beneficiaries.
- In addition a fixed commission of Rs.5000/- per month is being paid irrespective of number of ration cards.

ANNEXURE - F

List of DGROs in the districts and the Kolkata Municipal Corporation as on 01.12.2023				
Sl No	District	Name	Designation	E mail ID
1	Alipurduar	Sri Aswini Kumar Dey	Additional District Magistrate(Gen)	admapd20@gmail.com
2	Bankura	Arindam Biswas	Additional District Magistrate (Development)	admd.bnk@gmail.com
3	Birbhum	Biswajit Modak	Additional District Magistrate(D)	adm-bir@nic.in
4	Cooch Behar	Shri Shantanu Bala,IAS	Additional District Magistrate(G)	admgen.cbr@gmail.com
5	Dakshin Dinajpur	Sri Naveen Kumar Chandra,IAS	Additional District Magistrate(ZP)	admzpdd@gmail.com
6	Darjeeling	Sri Srikanth Palli,IAS	Additional District Magistrate(Gen)	Admg.darj@yahoo.in
7	Hooghly	Smt. Kuhuk Bhushan,IAS	Additional District Magistrate(District Land & Land Reforms)	dllrohugli@gmail.com
8	Howrah	Azar Zia,IAS	Additional District Magistrate(Dev)	admcon.how@gmail.com
9	Jalpaiguri	Sri Rana Biswas,WBCS(EXE)	Additional District Magistrate(Food)	rana3108@gmail.com
10	Jhargram	Prasenjit Chakraborty	Additional District Magistrate(Food)	admjghargram@gmail.com
11	Kalimpong	Samiran Mandal	Additional District Magistrate(Gen)	admkgkalimpong@gmail.com
12	Kolkata	Shri Jyotirmoy Tanti	Joint Municipal Commissioner	Jmc_dev@kmcgov.in
13	Maldah	Sri P.B Salunkhe,IAS	Additional District Magistrate(G)	adm-g-mldh@nic.in
14	Murshibad	Dina Narayan Ghosh	Additional District Magistrate(G)	admgen.adm@gmail.com
15	Nadia	Sri Shinjan Sekhar,IAS	Additional District Magistrate(Dev)	admd-ndi@nic.in
16	North 24 Parganas	Sri Kajal Kumar Roy	Additional District Magistrate((T)	admt.nprg@gmail.com
17	Paschim Bardhaman	Sri Sanjoy Paul	Additional District Magistrate(Dev)	admdpsbdn@gmail.com
18	Paschim Midnapore	Sri Sandip Tudu	Additional District Magistrate(Gen)	adm09@gmail.com
19	Purba Bardhaman	Sana Akhtar,IAS	Additional District Magistrate(Food) Purba Bardhaman	admprbdn.edu-wb@gov.in
20	Purba Midnapore	Sri Souvik Chatterjee	Additional District Magistrate(Gen)	admgpurb@gmail.com
21	Purulia	Shri Adityavikram Mohan Hirani	Additional District Magistrate(G)	admgpurulia@gmail.com
22	South 24 Parganas	Shd Harsimran Singh,IAS(2016)	Additional District Magistrate, South 24 Parganas	admia.s24p@nic.in
23	Uttar Dinajpur	Sri Ravi Agarwal,IAS	Additional District Magistrate(Dev)	admlrudi@gmail.com

Annexure-G

Disposal of Complaints/Grievances by Food & Supplies Department, Government of West Bengal in 2023

(a) Received in Offices of Department:

District/DDR wise Grievance Disposal Report received through Helpdesk between 01.01.2023 to 31.12.2023				
Sl.	District	Total Received	Total Disposed	Total Pending
1	DCF&S, Alipurduar	40	38	2
2	DCF&S, Bankura	345	344	1
3	DCF&S, Birbhum	289	289	0
4	DCF&S, Cooch Behar	299	298	1
5	DCF&S, Dakshin Dinajpur	146	146	0
6	DCF&S, Darjeeling	68	68	0
7	DCF&S, Hooghly	208	206	2
8	DCF&S, Howrah	177	177	0
9	DCF&S, Jalpaiguri	88	88	0
10	DCF&S, Jhargram	18	18	0
11	DCF&S, Kalimpong	3	3	0
12	DCF&S, Maldah	1470	1468	2
13	DCF&S, Murshidabad	1047	1045	2
14	DCF&S, Nadia	550	549	1
15	DCF&S, North 24 Parganas	908	907	1
16	DCF&S, Paschim Bardhaman	150	150	0
17	DCF&S, Paschim Medinipur	365	364	1
18	DCF&S, Purba Bardhaman	330	329	1
19	DCF&S, Purba Medinipur	378	378	0
20	DCF&S, Purulia	128	128	0
21	DCF&S, South 24 Parganas	941	940	1
22	DCF&S, Uttar Dinajpur	409	407	2
23	DDR, Dum Dum Bidhannagar	117	116	1
24	DDR, Asansol	37	37	0
25	DDR, Barrackpore	256	256	0
26	DDR, Hooghly	67	67	0
27	DDR, Howrah	71	71	0
28	DDR, North kolkata	232	232	0
29	DDR, South kolkata	252	252	0
	Total	9389	9371	18

(b) Received in Chief Minister's Office (CMO) and sent to Department for disposal:

During the period total 6854 Nos. of complaint has been received through CMO Portal and out of which 6844 Nos. of complaints have already been disposed and 10 complaints are pending.