

F.No. 13-6/2014 MDM 2-1
Government of India
Ministry of Human Resource Development
Department of School Education & Literacy
MDM Division

Shastri Bhawan, New Delhi
Dated 18th June, 2015

To


The Additional Chief Secretaries/ Principal Secretaries/Secretaries of Governments of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Himachal Pradesh, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Meghalaya, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh and West Bengal.

Subject: Minutes of the National Level Consultation on preparation of Rules for Mid Day Meal Scheme under National Food Security Act, 2013 held on 1-2nd June, 2015 at Shillong, Meghalaya.

A National Level Consultation on preparation of Rules for Mid-Day Meal Scheme under National Food Security Act, 2013 and road map for extending benefits of Social Security Schemes to cook-cum-helpers was held on 1-2nd June, 2015 at Shillong, Meghalaya under the Chairpersonship of Ms Vrinda Sarup, the then Secretary, Department of School Education & Literacy, Ministry of Human Resource & Development.

2. The minutes of the above meeting is attached herewith for needful.

Yours faithfully,



(Gaya Prasad)
Director (MDM)
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Copy to:

1. Director of Mid Day Meal Scheme in States of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Himachal Pradesh, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Meghalaya, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh and West Bengal.
2. The Joint Secretary (Shri Deepak Kumar), Department of Food & Public Distribution, Ministry of Consumer Affairs, Food & Public Distribution, Krishi Bhavan, New Delhi.
3. PPS to Secretary (SE&L)
4. PPS to JS(EEI)
5. DS(VKN) / DS(BDS) / DS(HK)

Minutes of the National Level Consultation on preparation of Rules for Mid-Day Meal Scheme under National Food Security Act, 2013 and road map for extending benefits of social security to cook-cum-helpers held during 1-2nd June, 2015 at Shillong, Meghalaya.

1. A National Level Consultation was held at Shillong, Meghalaya on 1-2nd June, 2015 under the Chairpersonship of Secretary, Department of School Education & Literacy, MHRD, Government of India on preparation of MDM rules under National Food Security Act, 2013 for Mid Day Meal Scheme and road map for extending benefits of social security to cook-cum-helpers. The list of participants is enclosed at Annexure-I.
2. Shri P.K. Srivastava, Principal Secretary, Government of Meghalaya welcomed all the participants in the National Consultation. He informed about the steps taken by the State Government for better implementation of Mid Day Meal Scheme in Meghalaya. He mentioned that the State Government had created a Corpus of Rs.10.00 Cr. for pre-positioning of cooking cost to the implementing agency. The State Government had also engaged staff on contract basis for the monitoring and supervision of the scheme. He requested the Chairperson to consider enhancement of honorarium for cook-cum-helpers and Management, Monitoring and Evaluation (MME) funds.
3. Shri J. Alam, Joint Secretary, Department of School Education & Literacy, MHRD, Government of India thanked the Government of Meghalaya for helping in organising the Consultation. He also welcomed all the participants. He mentioned that the National Food Security Act was notified on 10th September, 2013. The States/UTs have already been apprised of the salient features of NFSA at various forums such as meetings of the Education Secretaries, Regional Workshops, National Workshop etc. The said Act mandated that Rules for implementation of various welfare schemes covered under NFSA were to be framed within six months of the notification of the Act. The draft rules on Mid Day Meal Scheme were submitted to the Ministry of Law & Justice (Legislative Department) which suggested that modalities for the payment of Food Security Allowance should be decided and incorporated in the draft MDM rules under NFSA. One of the purposes of this Consultation was, therefore, to decide on the time and manner of payment of Food Security Allowance in case of non-supply of meal to the beneficiary children in the schools.
4. Ms. Vrinda Sarup, Secretary, Department of School Education & Literacy, MHRD, Government of India appreciated the efforts of the Government of Meghalaya for jointly organizing the National Consultation in collaboration with MHRD, Government of India. She mentioned that NFSA had great impact on the implementation of mid day meal scheme. She said that the MHRD was to frame the MDM Rules under NFSA particularly in respect of the modalities for payment of Food Security Allowance, in consultation with the State Governments/UTs. She desired that the participating States would give their practical suggestions for drafting the rules.

5. Secretary (SE&L) further mentioned that MHRD had already released the *ad hoc* grant to the States/UTs during April, 2015 for implementation of the Scheme during 2015-16. She hoped that the States/UTs must have drawn the above Central Assistance for disbursing to the implementing agencies. The balance of first installment would be released after receiving the information on unspent balance of the previous year. She informed that the budget would not be a constraint in the implementation of the Scheme because the additional requirement of funds would be demanded under the supplementary grant during 2015-16. She further mentioned that the existing sharing pattern between the Central and State Governments would hopefully continue but a confirmation in this regard was awaited from the Ministry of Finance.

6. Secretary (SE&L) impressed upon the States to fulfill their assurances given during meetings of Programme Approval Board-Mid Day Meal for the timely construction of kitchen-cum-stores before December, 2015.

7. Reacting to the suggestion of Principal Secretary, Government of Meghalaya regarding enhancement of MME funds, Secretary (SE&L) mentioned that the District Education Officers/Block Education Officers were primarily responsible for monitoring the mid day meal scheme. They should be advised to monitor and supervise the scheme regularly. Merely engaging the staff on contract basis would not strengthen the monitoring and supervision mechanism of the scheme. She further suggested that State Review Missions should also be constituted on the pattern of Central Joint Review Missions for monitoring the poor performing districts in the State. She mentioned that the reports of the Monitoring Institutes contained detailed information on the strengths and weaknesses in the implementation of the scheme. The States were advised to consider these reports carefully and take corrective actions for improving the implementation of the scheme.

8. Secretary (SE&L) informed the participating States that the mid day meal scheme covered children in the age group of six to fourteen years which were the formative years of a child's growth. The habits inculcated at this stage in the children remain intact throughout their life. Therefore, mid day meal can play an important role in inducing behavior changes viz. hand wash with soap, keeping cleanliness, good hygiene practices etc. amongst the children. She suggested that the hand wash being practiced by the school children in Assam, could be considered for adopting by other States.

9. Secretary (SE&L) also made a mention about the recently launched Social Security Schemes viz. Pradhan Mantri Suraksha Bima Yojana; Pradhan Mantri Jeevan Jyoti Bima Yojana and Atal Pension Yojana. These schemes could be utilized for covering the risks of the socially and economically weaker sections of the society, particularly the cook-cum-helpers working under mid day meal scheme.

10. Shri Nilambuj Sharan, Director (NFSA), Ministry of Food and Public Distribution made a brief presentation on salient features of National Food Security Act, 2013 (NFSA). The said Act was applicable to the Targeted Public Distribution System, Integrated Child Development Scheme (ICDS) and Mid Day Meal Scheme which were being implemented by Ministry of Consumer Affairs, Food & Public Distribution; Ministry of Women & Child Development and Ministry of Human Resource Development respectively. These Ministries were required to implement the provisions of the NFSA by providing Food Security to the eligible persons in the form of food grain, supplementary nutrition and hot cooked Mid Day Meal as mentioned in Schedule-II of the Act. In case of non supply of food grain or meal, the State Government would have to provide Food Security Allowance as decided by Central Government, to the beneficiaries. The said Act provides two-layer Grievance Redressal Mechanism by setting up State Food Commissions and notifying District Grievance Redressal Officers. The States have the flexibility to utilize any of the existing Commissions or the State Food Commissions.

11. He informed that at present food grain is given at the Central Issue Price and the final price payable to the beneficiary should be the same. He informed that 12 States have started implementing the NFSA (coverage in 6 States is full whereas identification of the beneficiaries is in progress in the remaining 6). Each Ministry was expected to frame rules under Section-39 of the NFSA for implementing the provision of the Act.

12. In response to the issue raised by Joint Secretary (EE-I), Government of India regarding the food security allowance under TPDS, Director (NFSA) informed that food security allowance under TPDS is 1.25 times of MSP or market price of the foodgrains, whichever is less. Secretary (SE&L) desired to know the modalities of payment i.e. whether the amount to be paid in cash or transfer into the bank account of the beneficiary. In response to a query that, if beneficiary does not have bank account, then how the FSA is to be paid. Commissioner-cum Secretary, Panchayati Raj, Government of Rajasthan informed that under MGNREGA, cash was not paid. The payment was made either in bank account or by cheque.

13. Principal Secretary, Government of Meghalaya desired to know the trigger factor for Food Security Allowance. He wanted to know whether FSA is to be paid daily or cumulatively in a month. Director (NFSA) clarified that as soon as the rights of the child for Mid Day Meal are denied, he becomes eligible for FSA. The modalities for the payment of FSA can be worked out under the Mid Day Meal Rules for the smooth implementation of MDMS.

14. As regards, setting up of 3-Tier (States, Districts, Block) or 2-Tier (Block/Districts) Grievance Redressal Mechanism, Joint Secretary (EE-I) mentioned that the State should have the flexibility to set up the GRM.

15. Shri Gaya Prasad, Director (MDM), MHRD made a brief presentation on MDM Rules under NFSA 2013. The participants were informed that the draft MDM rules prepared by the

Department of School Education & Literacy were submitted to the Ministry of Law & Justice (Legislative Department) which suggested that modalities for payment of Food Security Allowance in case of non-supply of meal to the entitled students would have to be indicated in the draft MDM rules. Some States mentioned that the children in the age group of 0-6 years under ICDS were getting food at higher norms than the children under MDMS. Director (MDM), clarified that children under MDM were given 1/3rd of the Recommended Dietary Allowance (RDA) whereas under ICDS children were given breakfast as well as Supplementary Nutrition.

16. On the suggestion whether Grievance Redressal Mechanism should also be a part of the MDM rules, it was unanimously decided that GRM should not be included in the MDM rules because each State was required to set up GRM under NFSA. Director MDM mentioned that Right to Education Act also envisaged the setting up of GRM. He therefore, suggested that GRM as per RTE Act, should be adopted by default. Secretary, Rajasthan suggested that GRM proposed under RTE can be adopted by default till the State Government notifies separate GRM. He further suggested that the toll free No. of National Commission for Protection of Child Rights (NCPDR) can be used for receiving the Grievances of the persons. Similarly, the States were of the view that Vigilance Committees may not be setup at District level under the MDM rules because MHRD has already issued instructions to the State Governments for setting up of District Vigilance and Monitoring Committees (now called as District level Committee) under the Chairpersonship of senior most Member of Parliament. Instead of setting up separate Vigilance Committees under NFSA the District Level Committees (DLC) can be entrusted with the work of Vigilance Committees under NFSA.

17. Elaborating various scenarios, Secretary (SE&L) mentioned that MDM not being served in the schools on any particular day could be due to the non availability of food grain or fuel or cook-cum-helper not turning up in the school. She further mentioned that the child may not take meal on his own. There could be another situation where the food is prepared but gets spoiled.

18. The participating States unanimously agreed that in case of non-supply of meal continuously for three days or minimum of five days in a month, the food grain should be given to the beneficiary by 15th of the next month. The option for payment of cash in lieu of food grain was not agreed by the States because it would lead to accumulation of food grain at the school/block/district/state level. The States were of the view that cooking cost can be paid into the bank account of the beneficiary or his parents in case the beneficiary does not have a bank account. In case the child refuses to take meal on offer, he will not be eligible for Food Security Allowance. If the food gets spoiled due to the negligence of implementing agency, the individual responsible for preparation and serving of Mid Day Meal will have to bear the cost of the meal which will be paid to the beneficiary.

19. The States suggested that in order to avoid the interruption in the meal due to exigencies mentioned in the para 18 above, the Head Masters should be empowered to utilize the school funds available in the school for procuring the ingredients of cooking cost or food

grain or fuel or hiring another cook-cum-helper due to the short term leave or absence of cook-cum helper. The school funds utilized by the Head Master for Mid Day Meal should be recouped into the account from where they were taken, immediately on receipt of funds of Mid Day Meal.

20. Based on the detailed discussions with the State Governments and the consensus arrived during the meeting, the draft MDM rules were prepared (Annexure-II) and circulated to the States for sending their comments within seven days.

21. Joint Secretary (EE-I), MHRD, Government of India reviewed the State-wise status of construction of kitchen-cum-stores sanctioned under the Mid Day Meal Scheme from 2006-07 to 2014-15. The information provided by the States during the meeting is placed at Annexure- III. JS (EE-I) advised all the States to complete the construction of the sanctioned kitchen-cum-stores before December, 2015. The participants from the Government of Karnataka and Madhya Pradesh mentioned that they have not received funds for the kitchen-cum-stores sanctioned by PAB-MDM during 2014-15. Director, MDM clarified that their proposal were submitted to the IFD which desired to know the physical and financial progress of constructions of kitchen-cum-stores sanctioned earlier. The said information was still awaited from the respective State Governments.

22. JS (EE-I) also reviewed the status of payment of pending FCI bills particularly the pending bills for the period from 2010-11 to 2013-14. Commissioner-cum-Secretary, Govt. of Assam informed that two bills were pending in respect of Bakso and Kamrup districts. The Deputy Commissioner and FCI had been asked to reconcile these bills. JS (EE-I) MHRD advised the State Government to call both DC and FCI and liquidate the pendency for the years 2010-11 to 2013-14 after reconciling the accounts with FCI. Director, MDM, Bihar informed that four bills of small amounts ranging up to Rs. 20 lakh each are pending for the year 2010-11 to 2013-14. Two bills pertaining to the years 2010-11 and 2011-12 relate to the payment of VAT which was made to the Commercial Tax Department. The said amount is to be recovered from that Department and credited into the account of FCI. During 2014-15 bills for Rs.46.58 crore are pending. These will be cleared soon. Himachal Pradesh informed that bills for Rs.8.96 crore are pending. The payment is made at district level and reviewed in the bi-monthly meeting with FCI. Additional Chief Secretary assured that these bills would be paid very soon. The JS (EE-I), MHRD desired to know from Madhya Pradesh the reasons for pendency of FCI bills for Rs.24 lakh because the State is procuring food grain from State Nagrik Apoorti Nigam under decentralised procurement. He advised that the bills may be paid immediately. Maharashtra also reported pendency of bills for Rs. 12.00 crores against the FCI claim of Rs. 51.00 crore. The State was advised to reconcile the pending bills with FCI and send a joint statement duly signed by the State Government and FCI after reconciling their claim. West Bengal informed that the State had paid bills up last year and also up to April, 2015. The State Government informed that bills are not received in time from FCI. Uttar Pradesh reported pendency of Rs.11.08 crore because the bills were raised very late by FCI. The State assured to make payment of these bills very soon. Telengana reported that bills for Khammam and

Hyderabad districts for Rs.72.61 lakh are to be paid to FCI. These bills will be paid very soon. Tamil Nadu, Rajasthan, Punjab and Meghalaya had no pendency of FCI bills.

23. Joint Secretary (EE-I) highlighted the salient features viz. eligibility of the beneficiary, age limit, premium to be paid etc. under each of the three social security schemes viz. Pradhan Mantri Bima Suraksha Yojana, Pradhan Mantri Jeevan Jyoti Bima Yojana and Atal Pension Yojana. He informed that the above schemes are ideal for risk management of persons working in unorganized sector. But the person desirous of availing the risk benefit under these schemes must have bank account from which the amount of premium of the insurance scheme opted by the individual could be debited.

24. The information provided by various State Governments on the bank account of cook-cum-helpers was shared during the Consultation Director (MDM), MHRD, Government of India requested the State Governments to open bank account of all cook-cum-helpers so that they were able to take benefits of these schemes. He further mentioned that most of the cook-cum-helpers belong to the socially, educationally and economically weaker sections of the society. The States should play proactive role in educating the cook-cum-helpers about the benefits of these schemes and motivate them to enrol themselves under any one or all these schemes. The participating States suggested that MHRD may provide financial assistance for insuring all the cook-cum-helpers of MDMS under Pradhan Mantri Bima Yojana where annual premium of Rs.12/-per person is to be paid. The total financial liability on this account would be around Rs.300.00 lakh which could easily be met from MME funds of the respective States. Joint Secretary (EE-I) mentioned that MME guidelines do not provide for the payment of insurance premium of cook-cum-helpers under social security schemes. He advised the States to explore the possibility of payment of insurance premium from their own resources. The State Government of Bihar and Karnataka informed that they have already started preparing the road map for extending the benefits of these three social security schemes to the cook-cum-helpers.

25. Community Participation

The representatives of the participating States had different views on community participation like Tithi Bhojan. The State of Karnataka has a scheme named "Shagagi Navo Neevu" (You and we for school development) under which utensils, vegetables, cash, etc. can be given to schools. Maharashtra proposes to launch a scheme "Sneh Bhojan by August, 2015. The State of Assam has a scheme called "Sampriti Bhojan under which fruits, sprouted beans and eggs are distributed. However, the scheme is yet to be approved by the State Government. The State of Bihar informed that it was quite risky to have such a scheme. The States of Chhatisgarh and West Bengal had no such scheme. In Odisha on occasions like Saraswati Puja, food is collected from the community. This is addition to MDM. In Uttar Pradesh it is not allowed for fear of distribution of stale or left over food in the schools. In Telengana, it has not yet been tried. Rajasthan has a scheme called Bhamashah Yojana in which donors are

felicitated at State level functions. For reason of safety only raw material is allowed, cooked food is not acceptable. In Punjab School Welfare Fund is dedicated for this purpose however, only fruits are allowed. Himachal Pradesh was of the view that such a practice may affect the quality of teaching process. The States were advised to give a structured form to the Tithi Bhojan format as suited to the respective States as this form of community participation could bring the school and the community together and enrich implementation of the Scheme.

26. Sharing of Best Practices

The States were requested to share their best practices in implementation of MDMS. The States shared their best practices in different spheres of implementation of MDMS in their States. All the States were requested to adopt the learning of these best practices of other States and to replicate the same in their States to the possible extend.

27. Sharing of findings of Joint Review Mission (JRM)

It was informed that the composition of the Joint Review Mission had been revised and JRM had already visited Assam, Maharashtra, Telengana and West Bengal during March, 2015. The findings of the JRM have already been shared with all States/UTs and the States were requested to adopt the recommendations as far as possible for better implementation of MDMS in their States. The next visit of JRM scheduled for 6 States is during September, 2015.

The meeting ended with a vote of thanks to the Chair.

List of Participants

Sl. No.	Name of the Officers	Designation
Ministries/Departments of Government of India.		
1.	Ms. Vrinda Sarup,	Secretary (SE & L), Ministry of HRD, Government of India.
2.	Shri J. Alam	Joint Secretary (EE-I), Department of School Education & Literacy, MHRD, Government of India.
3.	Shri Gaya Prasad	Director (MDM), Department of School Education & Literacy, MHRD, Government of India
4.	Shri V.K.Nayyar	Deputy Secretary, Department of School Education & Literacy, MHRD, Government of India
5.	Shri Nilambhuj Sharan	Director, NFSA, Department of Food & Public Distribution. Government of India
State Governments.		
6.	Shri P. C. Dhiman	Additional Chief Secretary (Education), Government of Himachal Pradesh.
7.	Shri P.K. Srivastava	Principal Secretary, Education, Government of Meghalaya
8.	Shri Sujit Gulati	Principal Secretary, Education, Government of Gujarat
9	R.C.Jain	Commissioner-cum-Secretary, Education, Government of Assam
10.	Shri Rajesh Yadav	Secretary, Panchayati Raj and Rural Development Department, Government of Rajasthan.
11.	Shri Akash Deep	Secretary, Education & Nodal Officer, Mid Day Meal, Government of Meghalaya
12.	Shri. F. Kharkongor	Secretary, Education & State Project Director, SSA-SEMAM
13	Shri V. M. Xavier Chrisso Nayagam, IAS	Commissioner Social Welfare, Government of Tami Nadu
14.	Mrs. Shraddha Mishra	Director, MDM Authority, Government of Uttar Pradesh
15.	Mr. Mahaveer Mane	Director Primary Education, Government of Maharashtra
16.	Shri Sanjeevan Sinha	Director MDM, Government of Bihar.
17.	Mr. L. S. Maravi	Director DP, Government of Chhattisgarh
18.	Shri Gangadhar Sahoo, OAS	State Nodal Officer, MDM, Government of Odisha
19.	Mr. Bibhas Kumar Thakur	State Coordinator, MDM, Government of Madhya Pradesh
20.	Shri A. Ch. Marak, MCS	Director, School Education & Literacy
21.	Shri W. Khylllep, MCS	Director, Food & Civil Supplies, Government of Meghalaya
22.	Shri Arvind Mishra	Additional Commissioner, Government of Rajasthan
23.	Shri Gopal Reddy	Addl. Director, Education, Government of Telangana
24.	Shri Ashish Kohli	Additional Director, Elementary Education, Government of Himachal Pradesh.
25.	Shri D.P Das	Deputy Secretary, Education, Government of Assam.
26.	Mr. Mahesh Palkar	Dy. Director Primary Education, Government of Maharashtra
27.	Mr. Rajesh Kumar Shahi	Asst. Director, MDM Authority, Government of Uttar Pradesh