

Government of India
National Advisory Council
22nd June, 2011

The 14th Meeting of the National Advisory Council (NAC) was chaired by Smt. Sonia Gandhi held on 22nd June, 2011 at 2 Motilal Nehru Place , New Delhi. Members who attended the meeting were Prof. Narendra Jadhav, Prof. Pramod Tandon, Ms. Aruna Roy, Shri Madhav Gadgil, Dr. N.C. Saxena, Dr. A.K. Shiva Kumar, Shri Deep Joshi, Ms. Anu Agha, Ms. Farah Naqvi, Shri Harsh Mander and Ms. Mirai Chatterjee.

2. Shri Jairam Ramesh, Minister of Environemtn and Forest, Dr(Ms) Syeda Hameed, Member Planning Commission, Lt.Gen(Retd) Bhopinder Singh, Lt. Governor Andaman Nicobar Island, Shri G.K.Pillai Home Secretary, Shri Shakti Sinha, Chief Secretary, Andaman Nicobar Island and Shri Arvind Chugh, Secretary, Tribal Affairs were also present to discuss the issue of Jarawas.

I - Review of Jarawa Policy

3. Lt.Gen (Retd) Bhopinder Singh, Lt. Governor, Andaman Nicobar Islands made a presentation on the Policy on Jarawas adopted by the Government in 2004 and the status of the Jarawas. This was followed by a presentation by Shri Arvind Chugh Secretary, Ministry of Tribal Affairs. The Policy is presently being reviewed by a Sub-Committee of an Expert Committee headed by Secretary, Tribal Affairs, Government of India, which is expected to give it's recommendations within 3 months.

II - National Food Security Bill

4. Shri Harsh Mander , Convener of the Food Security Bill informed the members regarding the progress on the subject. The draft law prepared by the Working Group has been legally vetted by Additional Solicitor General Smt Indira Jaising. The major highlights of the draft Bill is that it guarantees subsidised foodgrains to at least 90 percent of rural households, and 50 percent of urban households. 46% of the rural/ 28% of urban households categorized as 'priority group' are entitled to receive foodgrains at 7kgs per head at Rs 3/2/1 for wheat or

Rice or millets. 49% of the rural/ 22% of urban households categorized as 'general group' are entitled to receive foodgrains at 4kgs per head at not more than 50% of the MSP of the respective foodgrains. The draft bill follows a life cycle approach and introduces a number of other universal guarantees, including nutrition support and maternity entitlements for pregnant women; nutrition support to children both in pre-school centres and in school, but also to all out of school children; destitute feeding and affordable meals for homeless and other needy urban populations; and special guarantees for starvation and emergencies. It creates also a strong accountability framework for protection of these entitlements and allows imposition of fines on defaulters and compensation to the victim. It also envisages a strong grievance redress and monitoring system, from the centre to the block levels, including the creation of an independent and empowered District Grievance Redressal Officer

III Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011

5. Ms Farah Naqvi gave an update to the members on the Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011. She informed that NAC Working Group had considered hundreds of suggestions received from citizens, citizen groups and government on the PCTV. While endorsing once again the principle features of the Bill the NAC agreed to as many as 49 amendments based on the feedback.
6. Most important among these is an agreement to delete a Clause which refers to Article 355 of the Constitution, because this mistakenly created a fear that it may interfere with the Federal structure. Another important amendment related to the definition of communal and targeted violence, which included reference to 'destruction of the secular fabric'. It was agreed that this was too high a threshold, and therefore it was agreed to delete this phrase. There were some concerns about excessive powers to the National Authority. Once again, for abundant caution, it was agreed to delete some clauses in this regard.
7. The NAC Working Group will, on June 23rd 2011, place on the website the full list of amendments. The NAC will thereafter forward the Bill to the GOI for consideration. The NAC believes this Bill can be historic in strengthening and safeguarding the fundamental

bedrock of India as a secular, modern democracy in which its most vulnerable citizens enjoy the equal protection of the law.

IV Pre Legislative Process

8. Smt Aruna Roy ,Convener on Working Group on Accountability and Transparency mentioned that as part of strengthening participatory democracy, it is important to go beyond the existing Parliamentary consultative process and directly involve the people in the formulation of important decisions, policies and laws drafted in the name of the sovereign. All proposed policies and laws should be opened up to public discussion before finalization, with the scope of discussion being determined by the scope of the proposed policy or law. There needs to be a clearly defined process that mandates public participation and consultation at every stage, from the time a decision is taken to draft a policy till the time it is represented as a Bill to be tabled in Parliament. The principles and need justifying the policy decision, suggested framework and scope etc must be widely and pro actively shared with the people concerned, by the Government. The NAC decided that the Working Group of NAC on Transparency, Accountability and Governance will evolve a policy on ‘pre-legislative consultative processes’ for recommending to the Government.

The meeting ended with Vote of Thanks to the Chair. The next meeting of NAC is scheduled on 28th July, 2011