EVOLUTION OF LEGAL RIGHT TO FOOD: AN INTERNATIONAL AND NATIONAL PERSPECTIVE

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Abstract

Food is indispensable in the lives of the people since time immemorial. Swami Vivekananda in his message called upon the youth to grow more crops to meet the wants of the people. He stressed upon the need to develop new technology to increase production and placed the need to produce food in a higher pedestal to even religion.³ Wastage of even a grain of food was considered a sinful act. In India, the scriptures and ancient laws gave food a very special status. The ancient society gave food the status of life. The concept of equitable and fair distribution of food and food security for all is embedded in our religious books. The scriptures laid a social responsibility on a person to grow excess food which he was required to share with related as well as unrelated persons. The concept of equitable distribution of food existed in our society even prior to the concept of socialism. The modern concept of right to food is an elaboration of this moral duty under the Indian philosophy. In its evolutionary social order the human society passed through the phase of human being as a hunter and food gatherer, unlike all other animals, human being exhibited social character. Human being had a unique habit of sharing food amongst the related as well as unrelated individuals. Thus, there was an equitable distribution of food in ancient Indian society.

Key Words: Right To Food, Food Wastage, Production, Storage, Distribution, Retail and Consumer.

INTRODUCTION

Any nutritious substance, which any living being consumes to maintain their life and to grow is called food. Food helps our body to grow, work and fight from various diseases. The efficiency of any living body is affected by the kind of food it consumes. We usually get food

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³ Swami Vivekananda, Awakening India, Ramakrishna Mission New Delhi, 2011, , pp. 9-10
from plants or animals which contains essential nutrients such as fats, proteins, carbohydrate, vitamins or minerals which is essential for maintaining life and stimulating growth. Today, the food industry is supplying the majority of food required by the increasing population of the world. Most of the food that we consume is obtained through agriculture. There has been a growing trend toward sustainable agricultural practices with increase in concern over both the methods and products of modern industrial agriculture.

The food system is contentiously growing. Food has played a major role in the transformation of nations through the development of agriculture by the invention of plow, the dawn of agricultural chemicals and the ongoing industrialization and these revolutions have made the most dramatic changes over the past century that we have come in an era of relatively abundant food production. However, the benefits of these plentiful calories have many costs, the loss of natural resources, including ecosystem degradation, rising rates of diet related chronic disease and ongoing inequalities in access to food. With the rise of industrialization the simultaneous movement of consumerism and consumer rights has also started.

Nowadays, enormous amount of food is produced with a minimal amount of labour because of the industrialization of the food system. Although, there are many benefits that industrialization has offered to mankind, still there are significant number of adverse results that has been witnessed which include environment degradation, inequality of distribution of food, economic loss and wastage, food wastage and many more.

Production of food goes through a number of steps till it finally reaches the consumer, this is described as food supply chain. A food supply chain refers to the number of processes that takes place how food reaches on our tables from the farms. The processes include:-

a. **Production**:- The food production constitutes the modern methods of producing food resulted from scientific developments in agricultural research; the application of nutrients to crops and animal feed; the genetic selection of crop strains and animal breeds; the increase of yield through the use of bio-chemicals, such as growth enhancers and pesticides; and the use of veterinary medicine to prevent disease outbreaks in groups of confined animals and to promote their productivity and growth.

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b. **Storage:** The art of maintaining the quality of agricultural materials and preventing them from deterioration for specific period of time, beyond their normal shelf life is called storage. It serves as a mean to deal with time, enabling delayed consumption and marketing of the produce. Depending on the end utilization, different crops are harvested and stored by various means. Throughout the world, to successfully store horticultural produce, there are a wide range of storage structures used. In general the produce put into storage must be of high initial quality and the structure needs to be kept cool (refrigerated, or at least ventilated and shaded).

c. **Processing:** The food processing refers to the transformation of raw ingredients and intermediates into products proposed for human consumption, with the purpose of improving bio-availability of nutrients and energy, digestibility, appearance, taste, storability, safety and distribution. It is an effective way to stabilize and conserve perishable products. Preservation processes, such as packaging technologies, sterilization and pasteurization and canning contribute to increase the shelf-life of products, thereby reducing wastage in chain. For hundreds of years, the change in natural foods to make them more tempting or to preserve them for a longer time has been a feature of the food industry. As a matter of course, we have come to acknowledge such practices and now indeed, it seems quite normal that processed or manufactured foods constitute about three quarters of our diet.

d. **Distribution:** After the food is produced, it is packaged, transported and delivered to a sales outlet to be sold in retail market. Some food is moved to nearby places such as local village market by cart whereas other is shipped to very long distances loaded into huge cargo boxes. These are carried by refrigerated railroad cars and/or trucks to a warehouse to perhaps wait for weeks or even months.

e. **Consumption:** This is the final stage of food consumption where the consumer buys the food from the retail market according to his or her needs. Consumption of food in India can be broadly classified into three categories: household, social gatherings/ceremonies/festivals and hotels/restaurants/cafeteria/hostels/canteens/clubs.

Having studied these stages of food production, we found that it is a reason of survival of almost 50% of Indian population, which are directly or indirectly dependent on food
supply chain for their livelihood. Still there are 20 crore Indians sleeping hungry every night and India ranks 67 among 122 countries in global hunger index 2011\(^6\) and on the other side according to Food and Agriculture Organization (FAO), a staggering 1.3 billion tons of food is being wasted annually. The FAO report further states that one-third of the total global food production is wasted, costing the world economy about $750 billion or Rs. 47 lakh crore\(^7\).

India remains an important global agricultural player; despite the fact that agriculture's share in the country's economy is declining. It has the world's largest area under cultivation for wheat, rice and cotton and is the world's largest producer of milk, pulses and spices (World Bank 2012). While India has seen impressive economic growth in recent years, the country still struggles with widespread poverty and hunger. India is home to 25 percent of the world's hungry population. An estimated 43 percent of children under the age of five years are malnourished. Consequently, there is a need for an integrated and innovative approach to the global effort of ensuring sustainable food production and consumption which is a fundamental right of every citizen.

**EVOLUTION OF RIGHT TO FOOD**

As per resources available with the mankind, there is no evidence on record as to consider the specific evolution of food on earth. However, it is incumbent to understand that evolution of food is by virtue of birth of human being on earth. Since time immemorial, food is essential in the lives of the people. Swami Vivekananda in his message called upon the youth to grow more crops to meet the wants of the people. He stressed upon the need to develop new technology to increase production and placed the need to produce food in a higher pedestal to even religion\(^8\). With the evolution of food on earth, the human kind also tend to know its importance since beginning. Therefore the wastage of food grain was also considered a sinful act. Especially we Indians and our forefathers were very much concerned about the concept of food wastage which is also evident from the scriptures and ancient laws as available with us. The ancient society gave food the status of life. It was not only that Indians were concerned with wastage of food but also they considered the food with special status of life. The ancient

\(6\) Report on Assessment of Wastage of Food and Ostentatious behavior during Social Gathering (Marriage/Parties/Meetings, etc.) in National Capital Region, Delhi, Department of Consumer Affairs, Ministry of Consumer Affair, Food and Public Distribution, Government of India, 2011 pp 23.

\(7\) supra

\(8\) supra
religious books clearly mentioned about equitable and fare distribution of food and specific measures for security of food as well. The available ancient records also suggests that the concept of agricultural sector was introduced in India as the Indians had already fixed social responsibility on a person to grow excess food so that it can be grown and used for other people also irrespective of his own family member. The concept of equitable distribution of food existed in our society even prior to the concept of socialism. In the present scenario, the necessity of right to food is in furtherance of concept of agricultural as well as socialism being moral duty under the Indian philosophy. Since the evolution of human society, they passed through different phases of life from hunter to food gatherer to live in a particular place as a society, being different from animals. With the formation of society, human being started to learn sharing of food and other articles among the members of the society which makes it a unique habit. Thus, there was an equitable distribution of food in ancient Indian society.

With the formation of concept of society, the human being tend to learn other modes of life which led to change of phase of human society. Hence, introduces the concept of kingdom in the human society. During the period of rule of the kings, it was the duty cast upon the ruler or the king to provide food to all his people under his kingdom. However, there must be instances of getting no food or denial of food to some people, which resulted into the only option of revolt against their ruler. The difference between the right to food and a moral obligation to provide is that, right gives rise to a claim which is enforceable while a moral obligation cannot be enforced. With the changes of era, laws and rules took the place of scriptures to regulate the life of the people. There arises the necessity to introduce a law, at the national and international level, to protect the basic right of the people i.e. the right to food. However, due to lack of effective law or due to failure of proper implementation of law, the particular section of people failed to get adequate food in order to lead healthy life. Hence, it resulted into starvation and malnutrition among section of people. This cannot be said to be unavoidable or having no impact upon the society, rather this caused great loss to any nation as it would certainly effect the economy of particular nation. Hence, it put undue pressure upon the government of any country to provide basic nourished food to its people particularly to pregnant ladies who are going to give birth to malnourished babies due to lack of adequate food. If we talk about particular nation like our country India, since independence its already 73 years gone by, but still there is lacking of

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specific and adequate measures to implement an effective right to food to each and every Indian being its basic rights.

As we know, food production increased tremendously during the period of green revolution. And it transformed India from a food importing State to a food exporting State. However, the government failed to keep its momentum and despite of increased production, it failed to maintain household food and nutritional security. Due to non implementation government schemes in this regard, people still go hungry which raises level of poverty and lack of purchasing power amongst the poor household. Thus, the enhanced production does not automatically translate to household food security and reduce hunger. The concept of right to food in India has moved from food for the nation to food for the people and in the recent years it is the food for the vulnerable.10

**FUNDAMENTAL RIGHT TO FOOD**

Food is the basic requirement for any living being, to sustain and to survive. There are many fundamental things which people require to live in dignity and therefore they should be governed by providing some rights to those things. These rights are spelled out in the International law of Human Rights. Though, every individual and organizations have certain obligations with regards to the human rights of the people who are affected, but it is the primarily obligation of the national governments to assure that people are able to live in dignity. The Right to food is one of the most basic human rights, closely linked to the Right to Life11. Human rights are inseparable and absolute. Denial of any right certainly affects the enjoyment of other rights, but also the inherent relationship between the rule of law and the protection of human rights, including the right to food. The Right to food in particular must be judicially enforced in courts of law. All human rights are related to each other and once the right to food is denied to those who are suffering from hunger, it shall be considered as denial of other basic human rights, either political and civil or social, economic and cultural rights. It cannot be said that these rights are affected by natural causes or a lack of resources, but these are result of systematic negligence and ineffective distribution of the government. It is the primary duty of the government concerned to create and enforce legal entitlements and obligations and to ensure that every

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person is assured physical, social and economical access to adequate food with dignity as it is necessary to lead an active and healthy life. Every human being having a privilege of acquiring righteous amount of food, which allows them to live in dignity i.e. without hunger, food insecurity and malnutrition. The enforcing of right of food is not by charity only, but it should be assured by the government by making them able to have the capacity to feed themselves with dignity. In order to overcome on this crucial problem of hunger and food wastage the government of nation has to protect the rights of the citizens of their country; like the Indian Government has framed many schemes with the option of changes in it as per circumstances and also increased the convenient accessibility and the production of food.

The right to food is one of the basic rights that everyone has it since his/her birth. This right was first recognized in 1948, as a part of the right to living with dignity. In Article 25 was stated that “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

The International Covenant on Economic, Social and Cultural Rights, a binding instrument for those states having ratified it, also recognizes, in Article 11, the right to food.

Therefore, we will find that the Right to Food means that every individual in the world has the economic and physical access all the times to adequate food or its procurement.

To attain this right to food, everybody requires “the availability of food in quality and quantity which should be sufficient to satisfy the nutritional needs of individuals, free from adulteration; sustainable accessibility and must not interfere with the enjoyment of other human being rights”. It is the primary responsibility of the State to ensure realization of this right. Even the government shall take responsibility for respecting their right and also ensure to protect and fulfill it.

When we are talking about the right to food then we have to understand the difference between the concept of food security and food sovereignty. As stated above, these rights are

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13 The Universal Declaration of Human Rights, 1948.
spelled out in the International law of Human Rights which provides entitlements of adequate food and the resources that are necessary for the sustainable enjoyment of food security. It casts legal duty on State to fight against malnutrition and hunger at higher level and to ensure food safety for all.

Food security, though do not cover under the purview of law as it is not a legal concept. However, It exists when “all people, at all times, have physical, economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.”

“Food sovereignty is an emerging concept according to which people define their own food and own model of food production (such as agriculture and fisheries), determine the extent to which they want to be self-reliant and protect domestic food production and regulate trade in order to achieve sustainable development objectives.”

While it is the primary responsibility of governments to ensure such conditions for realization of the right to food which includes system of direct food through general provisions. So, it is not the prerogative of government only but there should be collective obligation on human beings to ensure that no individual member of society is deprived of proper nutritional food. So far many national and international declarations and laws, keeping in mind these collective obligations, had been made. We will summarize them one by one.

INTERNATIONAL LAW ON RIGHT TO FOOD

The right to food is one of the fundamental human rights that every individual has. This right was first recognized in the Universal Declaration of Human Rights, 1948, as a part of the right to a decent standard of living and thereafter many countries have understood the need of this right and have taken various steps to ensure not to infringe the right of food of any individual.

- Article 11 (1) of International Covenant on Economic, Social and Cultural Rights (ICESCR) and Article 25(1) of Universal Declaration Human Rights(UDHR) state

17 Article 11 Convention on Social, Economic and Cultural Rights: 1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of living conditions. The states parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent. 2. The States Parties to the present Covenant, recognizing the fundamental right to everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed: (a) to
that "everyone has a right to adequate standard of living including food, clothing, housing etc"

- Article 11 (2) of International Covenant on Economic, Social and Cultural Rights (ICESCR)\(^{19}\) states that "fundamental right of everyone to be free from hunger"

- International Law: Children’s Right (ICDS): Article 12(2) (a) of International Covenant on Economic, Social and Cultural Rights (ICESCR) states that "the steps to be taken by the State for the healthy development of child". Article 24 (2) of Convention on the Rights of the Child (CRC)\(^{20}\): “States Parties shall take appropriate measures: (a) to diminish infant and child mortality; (c) to combat disease and malnutrition through the provision of adequate nutritious foods and clean drinking-water” Article 27 of CRC: “States Parties hall in need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.”

- Woman's Right (ICDS/NMBS/IGMSY): Article 10 (2) of International Covenant on Economic, Social and Cultural Rights (ICESCR) states that "Special protection should be accorded to mothers during a reasonable period before and after child birth." CEDAW, Preamble: states that "in situations of poverty women have the least access to food, etc.". Article 12(2) of CEDAW\(^{21}\): states " Parties shall ensure to women appropriate services in

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\(^{18}\) Article 25 Universal Declaration of Human Rights, 1948: (1) Everyone has a right to a standard of living adequate for the health and well being of himself and of his family, including food, clothing, housing ad medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

\(^{19}\) supra

\(^{20}\) Article 24 Convention on the Rights of Child, 1990: 1. States Parties recognize the right of the child to the enjoyment fo the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation fo health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services. 2. States Parties shall pursue full implementation of this right and in particular, shall take appropriate measures: (a) To diminish infant and child mortality; (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care; (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risks of environmental pollution.

\(^{21}\) Article 12, The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW),1979: 1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning. 2. Notwithstanding the provisions of paragraph I of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.
connection with pregnancy, confinement and the postnatal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation." Article 24 (2) of CRC\textsuperscript{22}: states "Parties shall take appropriate measures to ensure appropriate pre-natal and post-natal health care for mothers."

**INDIAN LAW ON RIGHT TO FOOD**

Right to Food is not a fundamental right in the Indian constitution specifically. It covered under article 21 of the Constitution of India i.e. Right to Life and Personal Liberty. But in the present situation it is required separately from the article 21 of the constitution of India.

- **Fundamental Right under Article 21 of the Constitution of India- Right to life and personal liberty**- Interpretation of the Supreme Court: Right to live with 'human dignity', and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter etc. In Kharak Singh v. State of UP, Sunil Batra v. Delhi Administration, Maneka Gandhi v. UOI, Fracis Coralie Mullin v. UT of Delhi etc. "The right to life would take within its sweep the right to food..." in Shantisar builders v. Narayan Khimalal Totame, Air India Statutory Corporation v. United Labour Union etc. "Freedom from starvation is as important as right to life." In Keshvanand Bharti v. State of Kerela "Article 21 of the Constitution of India protects for every citizen a right to live with human dignity. Would the very existence of live of those families which are below poverty line not come under such danger for want of appropriate schemes and implementation thereof to provide requisite aid to such families?" Order of the Supreme Court on 2nd May, 2003 in PUCL v. UOI

- **Directive Principle of State Policy under Article 47 of the Constitution- Duty of the State to raise the level of nutrition and standard of living and to improve public health.** Enforceability of Article 47 "State shall regard the raising the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties." In Keshavanand Bharti case: "...the articles whether in Part III or Part IV (Article 47), represent moral rights which they have recognized as inherent in every human being in the country." “if a State were to voluntarily implement the Directive Principles, a Court would be failing in its duty if it did not give effect to the provisions of

\textsuperscript{22} supra
the law at the instance of a person who has obtained a right under the legislation.” “When the State, in pursuance of its fundamental obligation makes a law implementing DPSP, it becomes the law of land and the judiciary will be found to enforce the law.” “Freedom from starvation is as important as right to life.” Various schemes and legislations (PDS Control Order, proposed NFSB) in pursuance of the DPSP translate into enforceable and actionable claims.

- Converted all food and employment schemes into legal entitlements
- Universalized food entitlement programmes for children (ICDS for children under six and Mid Day Meal Scheme for all primary school children)
- Instituted the independent mechanism of commissioners to the Supreme Court to monitor all food and employment programmes.

The country can address the food scarcity issue only if food wastage is checked. It is only then the fundamental right to food can be achieved.

**Normative Content of Right to Food**

The right to food is realized in its true sense when that food is provided to each and every person which fulfills the required nutritious value. Following are the different normative contents of the right to food:

**Accessibility of Food**

Food is accessible, when it is easily available at reasonable cost which includes economic and physical accessible, to a person.23

**Economic Accessibility**

Despite the availability of food in the market, certain section of poor people unable to purchase it. Therefore, economic accessibility would be achieved only when food is available at reasonable prices. Moreover there should also some arrangements be made in order to meet the requirement of availability of food at reasonable price during natural or manmade disaster etc.24

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23 Food and Agricultural Organisation, A Primer to the Right to Food.
24 Id
There shall be provisions by the governments to ensure easily accessible food to old people, destitute and street children who left in abeyance due to unavoidable circumstances.

**Physical Accessibility**

In our country, the government had very well started and succeed in its initiative to attain food scarcity by green revolution. However, the government failed to keep its momentum as already stated above. Therefore, it is incumbent upon the government to ensure easy availability of food for consumption throughout the year. In order to maintain the regular consumption of food, the demand and supply of food shall be regularized and maintained. There should be specific provisions for the purpose of safe storage of food and special houses to keep the food at particular moisture to protect the food from being perished.²⁵

**Sustainable Accessibility**

The government must ensure certain measures for the security and protection of food articles for its long sustainability and it should not be temporary in nature.²⁶ There is a need to introduce fresh food distribution scheme to provide appropriate livelihood as well as to improvise the existing Food intervention schemes for proper and easy sustainable access to food. These policies should ensure the continuous access of the food to the street children, old, infirm and the sick people.

**Availability of Food**

The main purpose of the right to food is that it should be available and in the reach of the people. Therefore, the Government should enact appropriate legal framework to ensure that the availability of food is provided to all the countrymen.²⁷ Due to natural calamities and manmade disasters, it leads to decrease in availability of food. Therefore, the government should ensure proper arrangements for making reservoirs of rain waster so that the poor farmers can cop up with situation of draught or lack of rain water. Further the government should made provisions to curtail the existing practice of converting the character of agriculture land in to real estate which is badly affecting the agriculture produce in India. While the availability of food makes a person

²⁵ *Id*
²⁷ Food and Agricultural Organisation, A Primer to the Right to Food.
to feed himself and his family either directly or indirectly from the agricultural production, natural resource or through the process of the market. Even the Apex Court has observed that acquiring of prime agriculture land by the Government for converting it to commercial zones reduces the availability of food and is a negation of the right to food.  

Adequacy of Food

The concept of food wastage not only covers the measure to protect food from wastage but it also includes the food itself. The proper food in its true meaning consists the food containing nutritional value required for proper physical and mental growth of human beings based on the age, gender and occupation of the person. It should be culturally acceptable to the person also because it plays an important role in the cultural and the religious beliefs of the indigenous people in accordance with the environment in which they live. Moreover the government should ensure implementation of legal provisions for protection of food from its adulteration so that food should be free from all substance i.e. harmful to health in accordance to the international standard.

Universal Nature of Right to Food

Being the universal in nature, the right to food, is available to all persons of the world. Therefore, the Nation State is duty bound to extends it to the citizens, non citizens and also includes all persons who are living within its territorial limits.

The Swiss Federal Court which is the highest court of Switzerland held that the obligation of the Nation State to provide right to a minimum level of subsistence is available not only to citizens but also to non citizens. The court emphasizing the universal character of the right held that the right even extends to the undocumented foreigners.

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28 Raghbir Singh Sherawat versus State of Haryana and others, (2012) 1 SCC 729
FOOD WASTAGE AS A VIOLATION OF RIGHT TO FOOD

Before proceeding further on the issue of Food Wastage it is necessary to discuss the difference between food loss and food wastage. However, commonly both the terms are mistakenly used against each other. However, the same is not the case with the experts as there opinion is quite different with regard to their definitions.

Ordinarily, the presumption of food wastage deems to be food loss. Whereas the experts defined both the terms otherwise. As per them, Food Loss refers to loss of nutritional value of food due to certain reasons viz. non consumption of perishable food within stipulated time or using the food in wrong manner to destroy its nutritional value. Hence, the loss of nutritional value of food amounts to loss of food for human consumption as it lacks the primary quality of food required for human health. Food losses can also take place at production level, postharvest and processing stages in the food supply chain. Food losses can be happened due to insufficient skills, knowledge and management and also due to poor infrastructure and logistics, lack of technology, capacity of supply chain actors, and lack to market.

Whereas the experts opined about Food Wastage which refers to leave the food article without its consumption but without using it by people for no reason irrespective of its expiry date or left to spoil. Food wastage refers to such levels which can be at the stage of retail or at consumption. In other words we can say that in all five stages of food supply chain food lost in first four stages i.e. production, storage, processing and distribution is food loss. Whereas food lost at the consumption stage is food wastage as stated above. Therefore, the undersigned takes an opportunity to apprise the entire world through his research and a fair attempt to rationalize the concept of food wastage specifically keeping in mind the marriage concept and it also covers an attempt to find the causes and proposed plan of action for preventing the food wastage at consumption level only.

Food Wastage a problem:

- Loss of water can also be attributed to food loss and waste, as thousands liters of water is used to produce the lost food. From the environmental point of view more than 25% of

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\[ \text{For more information< http://thecsrjournal.in/food-wastage-in-india-a-serious-concern/> dated 27th April, 2017} \]
total consumptive use of limited and vulnerable fresh water which is equivalent to three times the volume of any big lake is eventually wasted on account of food loss and waste. Even as millions of people still have to walk many kilometers in search of fresh water which is suitable for drinking.

- As we know the world is producing sufficient food to feed double the world's total population still billions of people are malnourished which is ironically because of food wastage only. In India, the number of hungry people has increased by approximately 65 million which is more than the population of France. According to a survey by Bhook\textsuperscript{33} (an organization working towards reducing hunger) in 2013, 20 crore Indians sleep hungry on any given night. About 7 million children died in 2012 because of hunger/malnutrition.

- As per the requirement in the present circumstances, acres of land are deforested for growing food. To meet the food demand almost 45% of India’s land is degraded primarily due to unsustainable agricultural practices, excessive groundwater and deforestation. According to FAO, produced but uneaten food occupies almost 1.4 billion hectares of land; this represents close to 30% of the world's agricultural land area.

- Uneaten food eventually results in the wastage of almost 300 million barrels of oil which was used to produce it.

**CAUSES OF FOOD WASTAGE AT DIFFERENT STAGES IN THE FOOD CHAIN**

Before the identification of solutions to reduce food wastage and plan for action it is primordial to identification of causes of food wastage. Food waste can result from a very wide range of factors ranging from biological, antecedents, biochemical, microbial chemical, logistical, mechanical, physiological, physical, technological, organizational, to behavioural and psychological causes – including those arisen by marketing, etc. An integrated perspective along the food chain is required in order to identifying the causes of food wastage. Listed under are some frequent causes of food wastage, at various stages in the food chain.

\textsuperscript{33} For more information <http://www.bhookh.com/hunger_facts.php> dated 10th May, 2018
PRODUCTION

- Delayed or premature harvesting because of lack of information on maturity indices, fear of theft, labor shortages or poverty.
- Heat injury, spillage, mechanical injuries because of poor harvesting techniques.
- Fungal infection during storage because of improper drying of grains.
- Inappropriate or poor choice of packaging materials, containers for the harvested commodities.
- Sanitation and hygiene standards are poorly implemented particularly for containers used to pack and transport the produce.
- Unsafe residue and damage to the produce because of inappropriate use of agro-chemicals such as post-harvest treatments; existing laws and regulations on safe use of agro-chemicals not enforced.
- The value chain actors (traders, growers, transporters) possess a little knowledge about the capacity of good post-harvest handling practices and applicable technologies.
- Farmers are forced to transport their produce to distant processors because of lack of access to processing facilities in the production area.

STORAGE

- Lack of proper storage facilities for shelf-stable foods such as grains resulting in losses from pest damage, fungal infection.
- Proper cold storage facilities not available for highly perishable food products such as fruits, vegetables, fish, meat, dairy products.
- Because of unavailability of proper information regarding the post-harvest treatments/pesticides/dressing which would prevent the damage from storage.
- Condition of warehouses is not good because of poor ventilation, poor sanitation, gas composition and lighting.
PROCESSING

- Because of happening of some mistakes during processing, it results in defects.
- For the seasonal crops and vegetables the existing processing units are not having proper facilities.
- Packaging quality is not good.

DISTRIBUTION AND TRANSPORT

- Rough handling at the time of packing and loading/off-loading to transport.
- Inappropriate containers/packages during transport.
- Poor ventilation in transport.
- Non availability of refrigerated trucks and bad condition of roads.
- Because of no cooling facilities at the off-loading locations.
- Waiting at port entry, for imported products, due to inspection and for compliance of food safety regulations.

RETAIL OUTLETs

- Management of ready and processed food.
- Improper packaging.
- Non availability of small packing because of which consumers has to buy in compulsion.
- Because of bulk discounts which lure consumers to buy produce even without checking of its expiry dates.
- Inefficiency in stock management.
- Inability to calculate the demand (catering).
- Instead of donating the products before its expiry, bear the monitory loss.

CONSUMPTION

Food wastage at consumption level, at three broad categories:

- Households
- Hotels/restaurants/cafeteria/hostels/canteens/clubs etc.
Social gatherings/public ceremonies/festivals

At household level

- Leftover, because of excess preparation.
- Leftover food not being used because of taste.
- Food is not consumed in time.
- Unplanned purchases.
- Limited knowledge to consume food more efficiently which helps in reducing the food wastage.

At hotel/restaurants

- The excessive amount of portions of food served.
- Buffet system.
- Unplanned orders of food.
- Consumers are not allowed to take home the 'leftovers' food.

At social gathering/public ceremonies

- Miscalculation of invitees
- Lavish display of wealth because of social status
- Too many dishes on the menu list
- Multiple cuisines
- Surplus purchase of food items
- Taking more than that can be eaten by just don't bothering about food wastage

The major cause of wastage, on all discussed categories at consumption level, is the consequence of wrong ordering and incorrect demand of food products. This results in enormous amount of food wastage without being consumed. Since food is a fundamental right so, wastage of food is nothing less than a crime. It is like snatching chapatti from the hands of a poor.

Therefore, issue of food wastage goes hand in hand with food security. The statistical data may give a much more clear and eye opening image of this crucial issue.
Conclusion

Food wastage is a multifaceted issue, which covered the journey from farm to fork and during this journey it crosses many levels like production, processing, storage, retail and consumer. We find food wastage at all the levels which can be stopped with a proper management. Even it can be curtailed with the help of proper guidelines regarding how to curtail the food wastage at all the levels as mentioned above.

There is no doubt about the image of our country i.e. India, which is a religious country and people of this country considered the food as a sacrament and also feel that if it is being wasted than it is sin and the God will not forgive you. Even though all the religions preach and propagate against food wastage still people waste it in the religious ceremonies and at the social gatherings such as marriage functions.

We have discussed various aspects of food including right to food in International and National law. However, the question is, can we avoid to be mere onlookers where we see that on a side a lavish wedding is taking place with splendid menu display, with long line of rich bloated guests overflowing their plates with dishes which they mostly don’t even taste before throwing in the bin; while on the other side we will find that the infants, poor people are crying because of hunger as they are unable to earn that much wages so that they could not sleep hungry. In that eventuality, we found that people are busy in fulfilling their wishes by spending huge amount in organizing the wedding and social gathering events just to show their status in the society by forgetting their duty towards the state in the shape of feeding the needy people by avoiding the wastage of food which got leftover after the completion of their events where we could found that the leftover food is being thrashed in the bin and later on the same would be thrown in landfills which generate the 'Methane Gas' and later on will result in the bad atmosphere. Yes, we have crossed all limits of food wastage merely to show our power, status and prestige in the society.

Thereafter, some of the countries are adopting and making laws and regulations to curtail the issue of food wastage. And we will further found that in India some of the states are taking steps to stop the wastage of food by making the regulations or orders. Which were found unconstitutional by the people. Therefore, as per present situation of whole the world we found that we are still unsuccessful in making the 'Right to Food' as a fundamental right so that all the citizens of the respective state would not sleep hungry and the leftover food in the big and lavish
weddings and social gatherings either private or government can be used after checking the food that it can be consumed by the needy or poor people.

Therefore, I would advocate to save the sacrament image of food which is called as a 'ann devta' in India and also request the parliament of our country and the judiciary to think on this issue which is very serious in the 21st century which is considered as the advanced and technically developed century. They should also take the cognizance on the point that Right to Food should be considered as a fundamental right coupled with the fundamental duty of not wasting food. They should also think on the issue of big fat weddings by making some ordinances with the implementation of the same the issue of food wastage be curtailed.