FOOD AND DRUG ADMINISTRATION

COMMISSIONER

FOOD AND DRUG ADMINISTRATION, MAHARASHTRA STATE

Survey No. 341, Bandra Kurla Complex, Bandra (East), Mumbai - 400 051

No. FDA/Food/SchoolFoodSafety/967 -2026 **Date:28/07/2026**

ORDER

SUBJECT Safe Food for Every School Child in Maharashtra — A Statewide Compliance Order for the Implementation and Enforcement of the Food Safety and Standards (Safe Food and Balanced Diets for Children in School) Regulations, 2020, to ensure hygienic, nutritious and balanced food in all Government, aided and private schools.

WHEREAS, Article 21 of the Constitution of India guarantees to every person the right to life with dignity, consistently interpreted by the Supreme Court of India to include the right to health and the right to nutrition, particularly for children, who are the most vulnerable members of society and the most susceptible to long-term harm from unsafe and nutritionally deficient food;

AND WHEREAS, Article 47 of the Constitution imposes upon the State a primary duty to raise the level of nutrition and the standard of living of its people and to improve public health, in discharge of which the State of Maharashtra is obligated to take every available legal measure to ensure that school-going children receive safe, nutritious and balanced food;

AND WHEREAS, the Food Safety and Standards Act, 2006 (hereinafter "the Act") is the central enactment governing food safety in India; Section 30(1) of the Act provides for the appointment of the Commissioner of Food Safety for the State, charged with the overall responsibility for the efficient implementation of food safety and standards and the other requirements laid down under the Act and the rules and regulations made thereunder;

AND WHEREAS, Section 16 of the Act read with Section 92 thereof empowers the Food Safety and Standards Authority of India (FSSAI) to frame regulations and to lay down standards and

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special provisions for articles of food, including foods meant for children and foods for special dietary uses (Section 22); and, in exercise of the powers conferred by clause (v) of sub-section (2) of Section 92 of the Act, FSSAI has notified the Food Safety and Standards (Safe Food and Balanced Diets for Children in School) Regulations, 2020 (hereinafter "the School Food Regulations"), published in the Gazette of India, Extraordinary, Part III–Section 4, on 4th September 2020, compliance with which became applicable to food business operators with effect from 1st July 2021, and which Regulations are in force throughout India and fully applicable to all schools in Maharashtra;

AND WHEREAS, Regulation 3 of the School Food Regulations prescribes the responsibilities of School Authorities, namely:

(i) Registration / licensing of a School Authority that itself sells or caters school meals;

(ii) Ensuring that any contracted food business operator (FBO) is duly registered or licensed;

(iii) The duty of the Department of School Education to ensure that all FBOs contracted for the mid-day meal scheme are registered or licensed;

(iv) Compliance with Schedule 4 of the FSS (Licensing and Registration) Regulations, 2011 — sanitary and hygienic requirements, Food Safety Display Board and Food Safety Supervisor;

(v) Prohibiting the sale, including free sale, of food products high in saturated fat or trans-fat or added sugar or sodium (hereinafter "HFSS") within school premises or campus;

(vi) Mandating display of a warning board at the school entrance; and

(vii) Prohibiting HFSS advertisements on school computers;

AND WHEREAS, Regulation 4 of the School Food Regulations requires promotion of safe food and balanced diets in and around the school campus, including conversion of campuses into 'Eat Right Campus' , promotion of safe and balanced diets based on the "Dietary Guidelines for Indians – A Manual" issued by the National Institute of Nutrition (NIN), and identification and selection of foods in accordance with the Schedule to the Regulations and the directions of the Food Authority or the Commissioner of Food Safety;

AND WHEREAS, Regulation 5(1) of the School Food Regulations prohibits any person from advertising, marketing, selling or offering for sale, including free sale, HFSS food products in the school campus, or to school children in an area within fifty metres from the school gate in any direction, thereby creating a mandatory safe-food zone around every school;

AND WHEREAS, Regulation 6 of the School Food Regulations provides for monitoring and surveillance, namely:

(i) Regular inspection by the School Authority and the option to appoint a Health and Wellness Ambassador or team as nodal person(s);

(ii) Surveillance and periodic inspection of FBOs by the State Food Authority;

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(iii) Compliance of Regulation 5(1) by Municipal Corporations, local bodies and Panchayats;

(iv) Reference of a defaulting School Authority — failing without reasonable grounds to comply — by the Food Authority to the Department of School Education and / or the Board of Affiliation (termed the "Affiliation Body" in Regulation 6(4));

AND WHEREAS, the Act provides a graduated enforcement and penal architecture, including registration and licensing (Sections 31 and 63), improvement notices issued by the Designated Officer (Section 32), the powers of Food Safety Officers (Section 38), the procedure for launching prosecution (Section 42), and penalties for unsafe food (Section 59, the punishment under which may extend, according to the degree of harm caused, up to imprisonment for life and fine); and the sampling and analysis of food shall in every case follow the procedure prescribed under Rule 2.4 of the Food Safety and Standards Rules, 2011;

AND WHEREAS, enforcement data and surveys reveal that a large proportion of school canteens, tuck shops, mid-day meal kitchens and food vendors operating within and around schools in Maharashtra are not licensed or registered; HFSS products including high-sugar beverages, carbonated drinks, deep-fried snacks and ultra-processed products are freely available within and around school premises; nutritional guidance is widely disregarded; and the institutional mechanisms mandated by the Regulations — Health and Wellness Ambassadors, Food Safety Display Boards and Schedule-4 hygiene compliance — remain largely unimplemented across the State;

AND WHEREAS, the consequences of this regulatory failure are borne directly by school children, who are in the most critical phase of their physical, cognitive and psychological development, and the proliferation of HFSS products in the school food environment contributes to childhood obesity, micronutrient deficiencies, lifestyle diseases and impaired academic performance, constituting a public-health concern that the State is constitutionally obligated to address;

AND WHEREAS, it is accordingly necessary, in discharge of the constitutional mandate under Articles 21, 39(f) and 47 and in exercise of the responsibility and powers under the Act read with the School Food Regulations, to issue comprehensive directions to all enforcement officers of the Food and Drug Administration, Maharashtra, defining the roles and responsibilities of each tier of the enforcement hierarchy and of all stakeholders — School Authorities, the Department of School Education, Boards of Affiliation, food business operators, parents and students — for the full and effective implementation of the School Food Regulations throughout Maharashtra;

NOW, THEREFORE, in discharge of the responsibility and in exercise of the powers conferred by **Section 30(1) of the Food Safety and Standards Act, 2006,** read with Sections 16,18, 31, 32, 38, 42, 59, 63 and 92 thereof, the Food Safety and Standards Rules, 2011, and the Food Safety and Standards (Safe Food and Balanced Diets for Children in School) Regulations, 2020, and in discharge of the constitutional duties under Articles 21, 39(f) and 47 of the Constitution of India,

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I, Tukaram Mundhe, LA.S., Food Safety Commissioner, Food and Drug Administration, Maharashtra State, hereby issue the following Order and directions:

1. **APPLICATION:** This Order applies to **all schools in Maharashtra —**

   i) Government, aided and unaided private schools;

   ii) Pre-primary, primary, elementary and secondary schools;

   iii) Residential schools and hostels;

   iv) And schools affiliated to the State Board, CBSE, ICSE and any other Board of Affiliation — **save and except crèches and day-care facilities for infants / children up to the age of twenty-two months,** which stand excluded from the definition of "School" under Regulation 2(h) of the School Food Regulations. It applies to all FBOs, canteen operators, mid-day meal service providers, hostel kitchens, tuck shops and any other person or entity supplying food to students within or in the vicinity of school premises, and no school, management or operator may claim exemption from this Order.

2. **NUTRITIONAL STANDARDS — MANDATORY COMPLIANCE:** Every School Authority shall ensure that all food made available to students complies with the following, in conformity with Regulations 4(2) and 4(3) of the School Food Regulations:

   (i) All food shall conform to the "Dietary Guidelines for Indians – A Manual" issued by the National Institute of Nutrition (NIN), and to the dietary guidance of the Indian Council of Medical Research (ICMR), for the relevant age groups;

   (ii) Menus shall ensure adequate macronutrients (carbohydrates, proteins and fats in appropriate proportions), micronutrients (iron, calcium, Vitamin A, Vitamin D, iodine and folate), dietary fibre and adequate hydration;

   (iii) Food procured for or supplied to students shall, wherever applicable, follow the indicative guidance in the Schedule to the School Food Regulations;

   (iv) Canteens and hostel kitchens shall proactively offer fruits, vegetables, whole grains, pulses, dairy products and locally available nutritious foods as regular components of the menu;

   (v) HFSS food products shall not be served, sold, displayed or made available to students within school premises;

   (vi) Drinking water provided to students shall be safe, potable and tested for quality in accordance with the standards under the Act.

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3. **ROLE AND RESPONSIBILITY OF SCHOOL AUTHORITIES:** Every School Authority — being the body responsible for the management and administration of the school — is the primary duty-bearer under the School Food Regulations and is accountable for:

(i) Ensuring that every FBO operating within school premises holds a valid FSSAI licence or registration, current and prominently displayed;

(ii) Ensuring full compliance with Schedule 4 of the FSS (Licensing and Registration) Regulations, 2011 — sanitary and hygienic conditions, personal hygiene of food handlers, storage and temperature control, pest control and waste management;

(iii) Appointing and training a Health and Wellness Ambassador / Team as the designated Nodal Officer: while Regulation 6(i) provides that the School Authority "may" appoint such Ambassador, the Food Safety Commissioner, in exercise of Section 30 of the Act, directs that every School Authority shall appoint and train such Nodal Officer;

(iv) Ensuring that HFSS food products are not sold, distributed or displayed within school premises and that the prescribed warning board is displayed at all school entrances;

(v) Ensuring that school computers and digital infrastructure carry no HFSS advertisements;

(vi) Taking active steps to ensure that no person sells or advertises HFSS food products within fifty metres of the school gate in any direction (Regulation 5(1)), including by reporting violations to the concerned Food Safety Officer and local authority;

(vii) Ensuring that Food Safety Display Boards and Food Safety Supervisors are in place as required;

(viii) Integrating food safety and nutrition education into school curricula and activities;

4. **ROLE AND RESPONSIBILITY OF THE DEPARTMENT OF SCHOOL EDUCATION, MAHARASHTRA:** The Department of School Education is the institutional guarantor of the School Food Regulations across Government and aided schools, responsible for:

i) Ensuring that all FBOs under the PM POSHAN (Pradhan Mantri Poshan Shakti Nirman) Scheme (Mid-Day Meal) and the Shalaposhan Aahar Yojana are duly licensed or registered;

ii) Directing District and Block Education Officers to monitor compliance and report violations to the concerned Food Safety Officer;

iii) Incorporating food-safety and nutritional-standards compliance into school inspections, accreditation and School Management Committee reviews;

iv)Coordinating with the FDA for joint training of teachers, school management committees and mid-day meal workers; and issuing annual circulars to all Government and aided schools and furnishing compliance reports to the Food Safety Commissioner by 31st March each year.

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5. ROLE AND RESPONSIBILITY OF BOARDS OF AFFILIATION: The Maharashtra State Board of Secondary and Higher Secondary Education, CBSE, ICSE and every other Board of Affiliation shall:

i) Include compliance with the School Food Regulations as a mandatory condition of affiliation and renewal;

ii) mandate an annual food-safety compliance certificate as part of affiliation documentation; and, on reference by the Food Safety Commissioner under Regulation 6(4),

iii) Take prompt action against non-compliant School Authorities, including show-cause notices. conditions on affiliation or withdrawal of affiliation in appropriate cases.

6. ROLE AND RESPONSIBILITY OF FOOD SAFETY OFFICERS: The Food Safety Officer is the primary field enforcement authority within the assigned jurisdiction and is responsible for:

(I) Mandatory inspection of all schools at least twice per academic year, covering: licensing / registration of all FBOs; Schedule-4 hygiene; Food Safety Display Boards; appointment of the Health and Wellness Ambassador / Nodal Officer; absence of HFSS products within premises (Regulation 3(5)); and compliance with the fifty-metre zone (Regulation 5(1));

(II) Collecting food samples from school canteens, mid-day meal kitchens and tuck shops at least once per academic year, **drawn strictly in accordance with the procedure under Rule 2.4 of the FSS Rules, 2011**

(III) Initiating licensing and registration proceedings against all unlicensed or unregistered FBOs within school premises;

(Iv) Enforcing the fifty-metre zone — including seizure of HFSS products and reference to the Designated Officer for issuance of an improvement notice and sanction of prosecution — against violating vendors;

(v) Submitting a School Food Safety Inspection Report to the Assistant Commissioner (Food) / Designated Officer, in the prescribed format, within 7 days of each inspection;

(vI) Conducting sensitisation sessions for School Authorities, teachers, School Management Committees, parents and students.

7. ROLE AND RESPONSIBILITY OF ASSISTANT COMMISSIONERS (FOOD) / DESIGNATED OFFICERS: The Assistant Commissioner (Food) / Designated Officer is the district enforcement and supervisory authority, responsible for: ensuring that every FSO carries out the mandatory inspections and sampling within the stipulated timelines; reviewing all Inspection Reports and issuing improvement notices. sanctioning prosecution and, where

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warranted, initiating emergency prohibition action as appropriate; maintaining a District School Food Safety Register; receiving Annual Compliance Reports from School Authorities and forwarding a District Compliance Summary Report to the Joint Commissioner (Food) by 31 st March each year; referring cases of persistent non-compliance to the Joint Commissioner (Food) for onward referral under Regulation 6(4); and coordinating with District Education Officers and local authorities to enforce the fifty-metre zone.

8. EAT RIGHT SCHOOL INITIATIVE: Regulation 4(1) requires the Authority to encourage every school to adopt the 'Eat Right Campus' framework; the Food Safety Commissioner, in exercise of Section 30 of the Act, accordingly directs every school to adopt and implement it, and in particular to:

(i) establish a School Nutrition Policy adopted by the School Management Committee;

(ii) install safe drinking-water stations accessible throughout the school day;

(iii) conduct at least four food-safety and nutrition awareness sessions per academic year;

(iv) display FSSAI food-safety and healthy-eating messages prominently; and

(v) operate the canteen / mid-day meal as a model of healthy eating.

9. SENSITISATION OF PARENTS AND STUDENTS: School Authorities, in coordination with FSOs, shall sensitise parents and students about:

i) The health risks of HFSS and ultra-processed foods;

ii) The nutritional requirements of school-going children;

iii) The rights of students and parents to safe and nutritious food under the Act and the School Food Regulations;

iv) The mechanism for lodging complaints through the FSSAI Helpline (1800-112-100) and the FDA Maharashtra grievance portal.

FSOs shall, during school visits, conduct brief awareness sessions and make material available in Marathi and English.

AND IT IS FURTHER DIRECTED THAT, this Order shall come into force with immediate effect and shall constitute a Standard Standing Order applicable to all current and future academic years, continuing in force until expressly superseded or modified by the Food Safety Commissioner, FDA Maharashtra;

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AND IT IS FURTHER DIRECTED THAT, this Order shall be read in conjunction with the School Food Regulations, 2020, the FSS Rules, 2011, the FSS (Licensing and Registration of Food Businesses) Regulations, 2011, the FSS (Food Products Standards and Food Additives) Regulations, 2011, and all other Regulations under the Act, which continue to apply in full force;

Digitally signed by
TUKARAM H MUNDHE
Date: 28-07-2026
14:36:19

Tukaram Mundhe (I.A.S.)
Commissioner of Food Safety,
Maharashtra State, Mumbai.

Copy to:

1. The Additional Chief Secretary, Food and Drug Administration Department, Government of Maharashtra, Mantralaya, Mumbai
2. The ACS/PS/Secretary, School Education Department, Government of Maharashtra, Mantralaya, Mumbai
3. The ACS/PS/Secretary, Food, Civil Supplies and Consumer Protection Department, Government of Maharashtra, Mantralaya, Mumbai
4. The ACS/PS/Secretary, Tribal Development Department, Government of Maharashtra, Mantralaya, Mumbai
5. The ACS/PS/Secretary, Social Justice Department, Government of Maharashtra, Mantralaya, Mumbai
6. The ACS/PS/Secretary, Womens and Child Development Department, Government of Maharashtra, Mantralaya, Mumbai

Copy forwarded for necessary action:

1. The Commissioner, School Education, Maharashtra.
2. All District Collectors.
3. All Chief Executive Officers, Zilla Parishad.
4. The Director, Maharashtra State Board of Secondary and Higher Secondary Education, Pune.
5. The Regional Officer, CBSE, Pune / Mumbai.
6. The Secretary, Council for the Indian School Certificate Examinations (ICSE).
7. All Joint Commissioners (Food), FDA Maharashtra.
8. All Assistant Commissioners (Food) / Designated Officers, FDA Maharashtra.
9. All Food Safety Officers, FDA Maharashtra.
10. The FSSAI Regional Office, Mumbai.
11. Office file.3

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