

**Bill No. 241 of 2019**

**THE NATIONAL COMMISSION FOR WELFARE OF FARMERS  
BILL, 2019**

By

SHRI SHYAM SINGH YADAV, M.P.  
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**BILL**

*to provide for the establishment of a National Commission for Welfare of Farmers to improve the conditions of farmers and for matters connected therewith.*

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

**1. (1)** This Act may be called The National Commission for Welfare of Farmers Bill, 2019.

Short title and commencement.

(2) It shall come into force with immediate effect.

**2.** In this Act, unless the context otherwise requires,—

Definitions.

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "farmer" means an Indian citizen who undertakes cultivation in his own land or in any other land on sharing basis or on lease or performs any other livelihood work related to agriculture;

(c) "National Commission" means the National Commission for Welfare of Farmers established under section 3; and

(d) "prescribed" means prescribed by rules made under this Act.

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Establishment  
of a National  
Commission  
for Farmers  
Welfare and  
Development.

**3. (I) The Central Government shall, by notification in the Official Gazette, establish a Commission to be known as the National Commission for Welfare of Farmers to improve the conditions of farmers in the country.**

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**(2) The Commission shall consist of —**

(a) a Chairperson;

(b) a Deputy Chairperson; and

(c) three members

to be appointed by the President by warrant under his signature and seal from amongst the persons having special knowledge in the field of agriculture.

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**(3) The Central Government may appoint such number of officers and staff including experts to the Commission as may be required for its efficient functioning.**

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**(4) The salary and allowances payable to, and other terms and conditions of service of the Chairperson, Deputy Chairperson, members, officers, staff and experts of the Commission shall be such as may be prescribed.**

(5) The National Commission shall have the power to regulate its own procedure.

Functions of  
the National  
Commission.

**4. (I) It shall be the duty of the National Commission to take such steps, as it may deem appropriate, for the welfare and development of farmers and their dependant family members.**

(2) Without prejudice to the generality of the foregoing provision, the National Commission shall ensure the following provisions for the benefit and welfare of farmers, namely:—

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(a) negotiating all cases related to the safeguards provided to farmers and carry out the monitoring and improvement of such safeguards;

(b) investigate complaints of the farmers related to deprivation of their rights and safeguards;

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(c) participate in the planning process of socio-economic development of farmers;

(d) advise the appropriate Government to enhance pace of development of farmers under its jurisdiction;

(e) submit reports to the President regarding the working of safeguards on an annual basis or at such intervals as it thinks fit including measures for protection, welfare and social development of farmers; and

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(f) undertake all other functions for the protection, welfare and development of farmers, as specified by the President.

President to  
lay report.

**5. (I) The President shall cause to be laid before each House of Parliament all the reports submitted to him under clause (e) of sub-section (2) of section 4 along with a memorandum explaining the reasons for not accepting any of the recommendations made thereto.**

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(2) Where the report, or any of its part is related to any of the issue connected with the State Government, a copy of such report shall be forwarded to the Governor of that State, who shall in turn, along with an explanatory memorandum concerned with the action taken or

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proposed to be taken on the recommendations related to the State, if any, and reasons for not accepting any of the recommendations, cause to be laid such report before the State legislature.

**6.** The National Commission shall, while investigating any matter referred to in clause (b) of sub-section (2) of section 4, have all the powers of a Civil Court trying a suit and, in particular in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) requiring the discovery and production of any document;
- 10 (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commission for the examination of witnesses and documents; and
- (f) any other matter which may be prescribed.

**7.** The appropriate Government shall consult the National Commission on all policies affecting interests of the farmers.

Commission to have powers of Civil Court.

Appropriate Government to consult Commission.

**8. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the National Commission for carrying out the purposes of this Act.**

Central Government to provide adequate funds to the National Commission.

**9.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

**10.** The provisions of this Act and rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to have overriding effect.

**11. (1)** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## STATEMENT OF OBJECTS AND REASONS

More than half of country's population is engaged in agriculture and its allied activities, but the financial condition of farmers is still in a pitiable state. There are many schemes and special provisions for the welfare of farmers in the country, inspite of which no significant change can be observed in their social-economic conditions. Neither their financial condition has improved as expected nor their complaints are resolved. In such a scenario, in order to end their exploitation and to ensure their holistic development, need for a better and empowered institutional mechanism has long been felt. There is an urgent need for establishment of a National Commission for Welfare of Farmers on the lines of the Scheduled Castes and the Scheduled Tribes Commissions.

Hence this Bill.

SHYAM SINGH YADAV

NEW DELHI;  
*October 23, 2019.*

#### FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of National Commission for Farmers Welfare and Development. It also provides for appointment of a Chairperson, Deputy Chairperson, members, officers, staff and experts to the Commission. Clause 8 provides for the Central Government to provide adequate funds for the functioning of the Commission. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of Rupees five hundred crore will be involved.

A non-recurring expenditure of about Rupees one hundred crore is also likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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*(Shri Shyam Singh Yadav, M.P.)*