

Bill No. 268 of 2019

THE NATIONAL COMMISSION FOR FEMALE FARMERS
BILL, 2019

By

SHRIMATI RAMA DEVI, M.P.

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BILL

to provide for the establishment of a National Commission for Female Farmers in the country 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 Female Farmers Act, 2019.
- (2) It extends to the whole of India.
- 5 (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title,
extent and
commencement.

Definitions.	2. In this Act, unless the context otherwise requires,—	
	(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;	
	(b) "National Commission" means the National Commission for Female Farmers established under section 3;	5
	(c) "prescribed" means prescribed by rules made under this Act; and	
	(d) "female farmer" means, irrespective of the marital status or ownership of land, any woman who undertakes cultivation in her own land or land owned by her husband or a family member or land owned by any other person on sharing basis or on lease.	10
Establishment of a National Commission for Women Farmers Welfare and Development.	3. (1) The Central Government shall, by notification in the Official Gazette, establish a Commission to be known as the National Commission for Female Farmers to improve the condition of women farmers in the country.	
	(2) The Commission shall consist of—	
	(a) a Chairperson;	15
	(b) a Deputy Chairperson; and	
	(c) three members,	
	to be appointed by the Central Government from amongst the persons committed to the cause of welfare of women and having experience in the field of women's rights, farmers rights, law or management.	20
	(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.	
	(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.	25
	(5) The National Commission shall have the power to regulate its own procedure.	
Functions of the National Commission.	4. (1) It shall be the duty of the National Commission to take such steps, as it may deem appropriate, for the welfare and development of female farmers.	
	(2) Without prejudice to the generality of the foregoing provision, the National Commission shall ensure the following provisions for the benefit and welfare of female farmers, namely:—	30
	(a) negotiating all cases related to the safeguards provided to female farmers and carry out the monitoring and improvement of such safeguards;	
	(b) safeguarding the rights of the female farmers over the land they cultivate;	
	(c) investigate complaints of the female farmers related to deprivation of their rights and safeguards;	35
	(d) support the appropriate Government in the planning process of socio-economic development of female farmers;	
	(e) submit reports to the Central Government regarding the working of safeguard on an annual basis or at such intervals as it thinks fit; and	40
	(f) undertake all other functions for the protection, welfare and development of female farmers, as specified by the Central Government.	
Central Government to lay report.	5. (1) The Central Government shall cause to be laid before each House of Parliament all the reports submitted to it under clause (e) of sub-section (2) of section 4 alongwith a	

memorandum explaining the reasons for not accepting any of the recommendations made thereto.

5 (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, along with an explanatory memorandum explaining action taken or 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.

10 **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:— Commission to have powers of Civil Court.

(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;

(c) receiving evidence on affidavits;

15 (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 female farmers. Appropriate Government to consult Commission.

20 **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.

25 **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.

30 **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.

35 (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 40 be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

More than fifty *per cent. of* the population of the country is involved in agriculture in some way or the other. Out of this population, almost seventy *per cent.* are female farmers. More women work on the fields than men, yet only thirteen *per cent.* of them own the land they cultivate. Without ownership over land, they have very little access to credit schemes meant to support farmers. Land rights for women are mediated through the various personal laws that are followed arbitrarily from State to State. Customary practices sometimes deny the women their right to own land even when it is permitted by law. Another issue women farmers face is the wage gap in the agricultural sector. They are often forced to be content with low paid agricultural jobs. Many schemes and special provisions exist for women farmers, inspite of which their socio-economic situations has not changed. In order to look into their specific needs and ensure their development, a better, empowered institutional mechanism is needed. There is a great need for the establishment of a National Commission for the Welfare of Female Farmers.

Hence this Bill.

NEW DELHI;
October 31, 2019.

RAMA DEVI

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of National Commission for Female Farmers. It also provides for appointment of a Chairperson, Deputy Chairperson, member, 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 twenty crore per annum will be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees five 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.

LOK SABHA

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(Shrimati Rama Devi, M.P.)