

Bill No. 294 of 2019

THE RURAL LABOUR WELFARE FUND BILL, 2019

By

SHRI JANARDAN SINGH 'SIGRIWAL', M.P.

A

BILL

to provide for the constitution of a rural labour welfare fund for the welfare of the rural labour employed in the agriculture and other rural occupations 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 Rural Labour Welfare Fund Act, 2019.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification
5 in the Official Gazette, appoint.

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

(a) "employer" means the cultivator, orchard owner, poultry farm owner, agency, society including cooperative society or any establishment in a rural area which employs rural labour;

Short title,
extent and
commence-
ment.

Definitions.

(b) "Fund" means the Rural Labour Welfare Fund established under section 3;

(c) "prescribed" means prescribed by rules made under this Act; and

(d) "rural labour" means any person engaged in agriculture, sericulture, poultry, horticulture, handicrafts or any related occupation in rural areas as a wage earner, whether in cash or kind, for his livelihood and includes a person engaged through a contractor or engaged as a self employed person. 5

Constitution
of Rural
Labour
Welfare Fund.

3. (1) With effect from such date, as the Central Government may, by notification in the Official Gazette, specify in this behalf, there shall be constituted for the purposes of this Act, a Fund to be called the Rural Labour Welfare Fund.

(2) The Central Government shall, after due appropriation made by Parliament by law in this behalf, credit to the Fund in each financial year such sums of money as it considers necessary for carrying out the purposes of this Act. 10

Utilisation of
Fund.

4. The Fund shall be utilized by the Central Government to meet the expenditure in connection with measures which in the opinion of the Central Government, after consulting the Governments of the States and Union territories Administrations, are necessary or expedient to promote the welfare of the rural labour and in particular:— 15

(a) to defray the cost of measures to be carried out for the benefit of rural labour towards—

(i) providing water supply for drinking and other purposes;

(ii) providing educational facilities; 20

(iii) the improvement of standard of living and nutrition;

(iv) amelioration of the social conditions;

(v) providing housing and recreational facilities;

(vi) rendering financial assistance in case of infirmity or disability due to accident, old age, or any other reason; and 25

(vii) providing such other welfare measures as may be prescribed.

(b) to grant loan, assistance or subsidy to Government of any State, Union territory Administration, local authority or any organisation for any scheme approved by the Central Government for the purposes connected with the welfare of rural labour; 30

(c) to pay annually grant-in-aid to Government of any State or Union territory administration, local authority or an employer or any other organisation which provides to the satisfaction of the Central Government such welfare measures and facilities of the prescribed standard for the benefit of rural labour;

(d) to meet the cost of administering the Fund; and 35

(e) any other expenditure which the Central Government may direct to be defrayed from the Fund.

State Advisory
Committees.

5. (1) The Central Government may constitute as many Advisory Committees as it deems fit to advise the Central Government on such matters arising out of the implementation of the provisions of this Act: 40

Provided that atleast one Advisory Committee for each State and Union territory shall be constituted by the Central Government in consultation with the respective State Government and Union territory Administration.

(2) The Central Government shall appoint Chairperson and such number of members, as may be prescribed, of each Advisory Committee.

(3) The term of office and other conditions of service of the Chairperson and members shall be such as may be prescribed.

5 **6. (1) The Central Government shall constitute a Central Advisory Committee to coordinate the work of the Advisory Committees constituted under section 5 and to advise the Central Government on any matter arising out of the implementation of provisions of this Act.**

Central
Advisory
Committee.

10 **(2) The Central Government shall appoint Chairperson and such number of members, as may be prescribed, of the Central Advisory Committee.**

(3) The term of office and other conditions of service of the Chairperson and other members shall be such as may be prescribed.

15 **7. (1) The Central Government may appoint as many Rural Labour Welfare Fund Commissioners, Inspectors and such other officers and staff as it deems necessary for carrying out the purposes of this Act.**

Appointment
of
Commissioners,
Inspectors
and other
officers.

45 of 1860. (2) Every person appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860.

(3) Any officer or inspector appointed under this Act, may,—

20 (a) with such assistance, if any, as he may deem fit, inspect at any reasonable time any place which he considers necessary for carrying out the purposes of this Act;

(b) do within such place anything necessary for the proper discharge of his duties; and

(c) exercise such other powers as may be prescribed.

25 **8. The Central Government may require a State Government or a Union territory Administration or a local authority or an employer to furnish for the purposes of this Act, such statistical and other information in such form and within such period as may be prescribed.**

State
Government
to furnish
requisite
information.

30 **9. (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) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,—

(a) the manner in which the fund may be applied;

(b) the conditions governing the grant of loans or subsidy;

35 (c) the conditions governing grant-in-aid;

(d) the standard of welfare measures and facilities to be provided out of the fund;

(e) the composition of the Advisory Committees and Central Advisory Committee constituted under sections 5 and 6 respectively and the manner in which the members thereof shall be appointed;

40 (f) the term of office of such members, the allowances, if any, payable to them and the manner in which the Advisory Committee and the Central Advisory Committee shall conduct their business;

(g) the recruitment, conditions of service and duties of all persons appointed under section 7; and

(h) the powers that may be exercised by an officer or inspector appointed under section 7.

(3) 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. 5 10

STATEMENT OF OBJECTS AND REASONS

India resides in villages and eighty-five per cent. of its rural population earns its livelihood from agriculture. There are cultivators, orchard owners, poultry owners, agricultural workers and home based workers in the rural areas. Their number runs into crores. However, their wages and income are meagre and many of them do not get employment throughout the year. These rural labourers also become an easy prey to the debt trap of the landlords and moneylenders who force them to become bonded labourers. Most of them remain very poor throughout their lives and live in distress for generations. In a welfare State like ours, there are no welfare schemes or funds for these helpless rural labourers whereas in the industrial sector there are Labour Welfare Boards and cess is levied and collected through legislative measures in order to provide them various amenities including housing, education and medical care. But the rural labourers are unorganized, poverty stricken and neglected, even by the State.

It is, therefore, necessary that the deteriorating plight of rural workers be felt at national level and the Central Government should constitute a Rural Labour Welfare Fund for financing adequately and systematically the welfare measures to be carried out for the rural and agricultural labour throughout the country so as to achieve the goals of a welfare State in its true sense.

Hence this Bill.

NEW DELHI;
October 29, 2019.

JANARDAN SINGH 'SIGRIWAL'

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of the Rural Labour Welfare Fund. Clause 5 provides for the constitution of Advisory Committees. Clause 6 provides for constitution of a Central Advisory Committee. Clause 7 provides for appointment of Rural Labour Welfare Commissioners, Inspectors and officers and staff for carrying out the purposes of this Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India but it is not possible at this stage to give the precise details of the expenditure that would be involved. It is, however, estimated that it will involve a recurring expenditure of about rupees two hundred crore per annum.

It will also involve a non-recurring expenditure of about rupees sixty lakh.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill provides that the Central Government may make rules for carrying out the purposes of this 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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(Shri Janardan Singh 'Sagriwal' , M.P.)