

Bill No. 46 of 2019

THE AGRICULTURAL WORKERS (EMPLOYMENT, CONDITIONS OF SERVICE
AND WELFARE) BILL, 2019

By

SHRI ADHIR RANJAN CHOWDHURY, M.P.

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BILL

*to protect the interests of agricultural workers 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 Agricultural Workers (Employment, Conditions of Service and Welfare) Act, 2019.

Short title and
extent.

5 (2) It extends to the whole of India.

Definitions.	2. In this Act, unless the context otherwise requires,—	
	(a) "agricultural workers" means a person who follows one or more of the following agricultural occupations in the capacity of labourer on hire or in exchange whether in cash or in kind or partly in cash and partly in kind—	
	(i) farming, including the cultivation and tillage of soil;	5
	(ii) dairy farming;	
	(iii) pisciculture;	
	(iv) production, cultivation, growing and harvesting of any horticulture, floriculture commodity;	
	(v) raising of livestock, bee-keeping or poultry;	10
	(vi) any practice performed on a farm as incidental to, or in conjunction with, the farm operations (including any forestry or timbering operations and the preparation for market and delivery to storage or to market or to carriage for transportation of farm products); and	
	(vii) growing fodder or thatching grass for grazing cattle; and	15
	(b) "prescribed" means prescribed by rules made under this Act.	
Establishment of Agricultural Workers Welfare Board.	3. The Central Government shall, by notification in the official Gazette establish an Agricultural Workers Welfare Board (hereinafter referred to as Board) to protect the interests of agricultural workers in the country.	
Chairperson and other members of Board.	4. (1) The Board shall consist of a Chairperson and twenty other members.	20
	(2) The Chairperson of the Board shall be elected by the members of the Board in such manner as may be prescribed.	
	(3) The members of the Board shall be chosen by agricultural workers in such manner as may be prescribed.	
	(4) The Chairperson and other members of the Board shall hold office for a period of five years.	25
	(5) The salary and allowances payable to, and other terms and conditions of service of the Chairperson and members of the Board shall be such as may be prescribed.	
	(6) The Headquarters of the Board shall be at New Delhi.	30
Functions of Board.	5. The Board shall—	
	(i) lay down broad guidelines for welfare of agricultural workers;	
	(ii) provide employment to agricultural workers during off season period or during natural calamities with such wages as may be prescribed;	
	(iii) provide financial assistance to agricultural workers in case employment is not provided to them; and	35
	(iv) establish committees at State level with such composition, as may be prescribed, to monitor the implementation of guidelines laid down by the Board for welfare of agricultural workers.	
Central Government to provide funds.	6. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds for carrying out the purposes of this Act.	40
Power to make rules.	7. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.	
	(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	45

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
5 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

There are about three hundred and twenty million workers in the country, out of whom twenty million are agricultural workers. Floods and droughts play havoc in the lives of agricultural workers. The use of pesticides and chemical fertilizers also cause serious health hazards to the agricultural workers. Their jobs are at the mercy of the land owners and there is no security of employment. It is, therefore, necessary that the interests of the agricultural workers are fully protected and the benefits available to industrial workers in the country are also provided to agricultural labourers.

Hence this Bill.

NEW DELHI;
June 3, 2019.

ADHIR RANJAN CHOWDHURY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for establishment of Agricultural Workers Welfare Board to protect the interests of agricultural workers in the country. Clause 5 provides for employment and assistance to agricultural workers during off season period. Clause 6 provides for supply of requisite funds by the Central Government to implement the provisions of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve an annual recurring expenditure of about rupees three hundred crore from the Consolidated Fund of India.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 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 Adhir Ranjan Chowdhury, M.P.)