

AS INTRODUCED IN LOK SABHA

Bill No. 323 of 2019

THE CONSTITUTION (AMENDMENT) BILL, 2019

By

SHRI VISHNU DAYAL RAM, M.P.

A

BILL

further to amend the Constitution of India.

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

1. This Act may be called the Constitution (Amendment) Act, 2019.

Short title and commencement.

2. In the Seventh Schedule to the Constitution,—

Amendment to the Seventh Schedule.

5 (a) in List II-State List, in entry 14, the words "subject to the provisions of entry 48 of List III" shall be inserted at the end; and

 (b) in List III-Concurrent List, after entry 47, the following entry shall be inserted, namely:—

 "48. Agricultural marketing, including price determination and inter-state marketing and supply of agricultural produce.".

STATEMENT OF OBJECTS AND REASONS

The Constitution is regarded as a living document that adapts to the changing times. The Indian Polity has evolved and matured since the Constitution was first adopted. The economic and social drivers today demand a relook at the subjects that the Union and State Governments have been given jurisdiction of under the Seventh Schedule. There are certain subjects which need to be shifted from the State List to the Concurrent List as they are pervasive across States and demand a uniform national legislation and direction.

With our varied agro-climatic zones and cropping patterns, agriculture was included in the State List. However, over the years, agriculture has evolved into a national sector with agrarian distress intensifying and markets being integrated nationally and internationally. The Committee on Doubling Farmers' Income in its draft report had called for moving agricultural marketing to the Concurrent List on the grounds that marketing has no boundaries; necessitating a pan-India operation to meet the demand across the country.

The NITI Aayog had also suggested that both the Centre and States should have a shared jurisdiction over agricultural marketing, in order to reform the sector. Since larger proportions of agricultural produce are moving out of the producer State, it is vital that it be governed by the Centre to balance each State's interests.

With a view to achieve the aforesaid objective, it is proposed to amend the Constitution of India by addition of agricultural marketing to the Concurrent List to enable both the Centre and State governments to legislate on it.

Hence, this Bill.

NEW DELHI;

November 4, 2019.

VISHNU DAYAL RAM

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

SEVENTH SCHEDULE

*

*

*

*

LIST II-STATE LIST

*

*

*

*

14. Agriculture, including agricultural education and research, protection against pests and prevention of plant diseases.

*

*

*

*

LIST III-CONCURRENT LIST

*

*

*

*

47. Fees in respect of any of the matters in this List, but not including fees taken in any court.

*

*

*

*

LOK SABHA

A

BILL

further to amend the Constitution of India.

(*Shri Vishnu Dayal Ram, M.P.*)