

Bill No. 90 of 2024

THE PROMOTION OF ORGANIC FARMING BILL, 2024

By

SHRI RAJKUMAR CHAHAR, M.P.

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BILL

*to promote organic farming in the country, reduce dependency on chemical fertilizers
in farming and highlight ill effects on health of the individuals and for
matters connected therewith.*

WHEREAS it is expedient to promote organic farming in India to ensure sustainable agricultural practices, improve soil health, protect the environment, and safeguard human health;

AND WHEREAS it is necessary to reduce the dependency on chemical fertilizers due to their adverse effects on soil, water, human health and the overall ecosystem.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Promotion of Organic Farming Act, 2024.

(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) “agricultural produce” includes wheat, paddy, pulses, sugarcane, cotton, oil seeds, coarse grains like maize, millet, jowar, bajra, gram, soyabean, fruits and vegetables such as potato, onion, tomato, cauliflower, cabbage including such other agricultural or horticultural produce which are used for human consumption or for any medicinal purposes; 5

(c) “Board” means the National Organic Farming Board established under section 3;

(d) “chemical fertilizers” means substances synthesized chemically that are added to soil to supply one or more plant nutrients essential to the growth of plants; 10

(e) “organic farming” means a method of farming that excludes the use of synthetic chemicals, fertilizers, pesticides, and genetically modified organisms and relies on techniques such as crop rotation, green manure, compost and biological pest control; and 15

(f) “prescribed” means prescribed by rules made under this Act.

Establishment
of the National
Organic
Farming Board.

3. (1) The Central Government shall, by notification in the Official Gazette, establish a Board to be known as the National Organic Farming Board for carrying out the purpose of the Act.

(2) The Board shall be responsible for promoting organic farming in the country. 20

(3) The composition, powers and functions of the Board shall be such as may be prescribed.

Schemes and
Incentives
for Organic
Farmers.

4. (1) The Central Government shall, in consultation with the Board, formulate schemes to provide financial and technical assistance to farmers adopting organic farming in such manner as may be prescribed. 25

(2) The schemes formulated under sub-section (1) may include subsidies, financial assistance and training programs to the farmers aimed at encouraging organic farming practices.

(3) The appropriate Government shall implement the schemes formulated under sub-section (1) in their respective States in such manner as may be prescribed. 30

Certification
and Labeling .

5. (1) The appropriate Government shall, by notification in the Official Gazette, establish a certification process for certifying any agricultural produce as an organic product to ensure their authenticity and quality under their jurisdiction.

(2) The appropriate Government shall ensure that every certified organic product under sub-section (1) shall carry a label indicating their organic status in such manner as may be prescribed. 35

Research and
Development.

6. (1) The Central Government shall promote research and development in organic farming through various agricultural research institutions in such manner as may be prescribed.

(2) The Central Government shall ensure that research and development under sub-section (1) focus on developing sustainable organic farming techniques, improving crop yields and finding natural alternatives to chemical fertilizers and pesticides. 40

	7. Any person who contravenes the provisions of this Act shall be punishable with such penalty as may be prescribed.	Penalty.
5	8. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Board for carrying out the purposes of this Act.	Central Government to provide funds.
	9. No suit, prosecution or other legal proceedings shall lie against the Central Government, the State Government or any officer of these Governments for anything done in good faith under this Act.	Protection of Action Taken in Good Faith.
10	10. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty:	Power to Remove Difficulties.
	Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of this Act.	
15	(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.	
	11. (1) The appropriate Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.	Power to make rules.
20	(2) Every rule made under this Act by the Central Government 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	
25	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.	
	(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.	

STATEMENT OF OBJECTS AND REASONS

Continuous use of chemical fertilizers leads to soil degradation, reducing its fertility and productivity over time. Chemical fertilizers often cause soil acidification, which adversely affects the growth of crops. Excessive use of chemical fertilizers leads to water pollution due to runoff, contaminating rivers, lakes and groundwater. Nitrogen-based fertilizers contribute to the emission of nitrous oxide, a potent greenhouse gas that contributes to climate change.

Over-reliance on chemical fertilizers creates a dependency cycle, requiring increasing amounts for the same yield. The cost of chemical fertilizers imposes a financial burden on farmers, reducing their profitability. Residues of chemical fertilizers on crops can pose health risks to consumers, including various chronic diseases such as cancer, endocrine disruption, and developmental disorders. Chemical residues in food can lead to acute poisoning and long-term health issues for consumers. The need is to promote organic farming in India as a sustainable agricultural practice, reducing the dependency on chemical fertilizers.

The proposed Bill seeks to address the adverse effects of chemical fertilizers on soil health, environment and human health and to provide a framework for supporting and encouraging organic farming across the country.

Hence this Bill.

NEW DELHI;
July 9, 2024.

RAJKUMAR CHAHAR

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for establishment of the National Organic Farming Board for carrying out the purpose of the Act. Clause 4 provides for the Central Government to formulate schemes to provide financial and technical assistance to farmers adopting organic farming including subsidies, financial assistance and training programs to the farmers aimed at encouraging organic farming practices. Clause 5 provides for the appropriate Government to establish a certification process for certifying any agricultural produce as an organic product to ensure their authenticity and quality under their jurisdiction. Clause 6 provides for the Central Government to promote research and development in organic farming through various agricultural research institutions. Clause 8 provides for the Central Government to provide adequate funds for carrying out the purpose of the Act. The Bill, therefore, if enacted will involve expenditure out of the Consolidated Fund of India. It is estimated that a sum of rupees twelve hundred crore would involve as recurring expenditure per annum from the Consolidated Fund of India.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the appropriate 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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