

AS INTRODUCED IN THE RAJYA SABHA
ON THE 26TH JULY, 2019

Bill No. XXIII of 2019

**THE NATIONAL COMMISSION FOR WELFARE OF
FARMERS BILL, 2019**

A

BILL

to provide for the establishment of a National Commission for Welfare of Farmers to improve the conditions of farmers 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 Welfare of Farmers Act, 2019.

Short title and commencement.

(2) It shall come into force with immediate effect.

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

Definitions.

(a) "agricultural produce" includes wheat, paddy, pulses, sugarcane, cotton, oil seeds, coarse grains like maize, millet, jawar, bajra, gram and such other agricultural or horticultural produce which are used for human consumption or for any medicinal purposes.

10 (b) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(c) "Commission" means the National Commission for Welfare of Farmers established under section 3;

(d) "farmer" means an Indian citizen who undertakes cultivation for sustenance in his own land or in any other land on sharing basis or on lease or performs any other livelihood work related to agriculture; and

(e) "prescribed" means prescribed by rules made under this Act.

Establishment
of a National
Commission
for Welfare of
Farmers.

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3. (1) The Central Government shall, by notification in the Official Gazette, establish a Commission to be known as the National Commission for Welfare of Farmers to improve the conditions of farmers in the country.

(2) The Commission shall consist of—

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(a) a Chairperson;

(b) a Deputy Chairperson; and

(c) three members.

to be appointed by the President by warrant under his signature and seal from amongst the persons having special knowledge in the field of agriculture.

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(3) The Central Government may appoint such number of officers and staff including experts in 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.

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(5) The Commission shall have the power to regulate its own procedure.

Functions of
the
Commission.

4. (1) It shall be the duty of the Commission to take such steps, as it may deem appropriate, for the welfare and development of farmers and their dependant family members.

(2) Without prejudice to the generality of the foregoing provision, the Commission shall ensure the following provisions for the benefit and welfare of farmers, namely:

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(a) recommend to the Central Government, the minimum support prices of each agricultural produce;

(b) negotiate all cases related to the safeguards provided to farmers and carry out the monitoring and improvement of such safeguards;

(c) investigate complaints of the farmers related to deprivation of their rights and safeguards;

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(d) participate in the planning process of socio-economic development of farmers;

(e) advise the appropriate Government to enhance pace of development of farmers under its jurisdiction;

(f) submit reports to the Central Government regarding the working of safeguards on an annual basis or at such intervals as it thinks fit including measures for protection, welfare and social development of farmers; and

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(g) undertake all other functions for the protection, welfare and development of farmers, as specified by the President.

Central
Government
to lay report.

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5. (1) The Central Government shall cause to be laid before each House of Parliament all the reports submitted to it under clause (f) of sub-section (2) of section 4 along with a memorandum explaining the reasons for not accepting any of the recommendations made thereto.

(2) Where the report, or any of its part is related to any of the issues connected with the State Government, a copy of such report shall be forwarded to the Governor of that state, who shall in turn, along with an explanatory memorandum concerned with the action taken or proposed to be taken on the recommendations related to the State, if any, and reasons for

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not accepting any of the recommendations, cause such report to be laid before the State legislature.

6. The Commission shall, while investigating any matter referred to in clause (c) of sub-section (2) of section 4, have all the powers of a civil court trying a suit and, in particular
5 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;
- 10 (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing summons for the examination of witnesses and documents; and
- (f) any other matter as may be prescribed.

7. The appropriate Government shall consult the Commission on all policies affecting interests of the farmers.

Appropriate Government to consult the Commission.

15 8. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Commission for carrying out the purposes of this Act.

Central Government to provide adequate funds to the Commission.

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
20 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.

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
25 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 purpose of this Act.

Power to make rules.

(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
30 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
35 be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

More than half of country's population is engaged in agriculture and its allied activities, but the financial condition of farmers is still in a pitiable state. There are many schemes and special provisions for the welfare of farmers in the country, despite that no significant change can be observed in their social-economic conditions. Neither their financial condition has improved as expected nor their complaints are resolved. In such a scenario, in order to end their exploitation and to ensure their holistic development, need for a better and empowered institutional mechanism has long been felt. Also, the Government fixes the minimum support prices of agricultural produce but generally such prices are not realistic and remain far below the expectations of the farmers. Therefore, there is an urgent need that the minimum support prices of each agricultural produce be determined by the Government taking into consideration the economic and other situations of the farmers. There is an urgent requirement for establishment of a National Commission for Welfare of Farmers on the lines of the Scheduled Castes and the Scheduled Tribes Commissions.

Hence this Bill.

KIRODI LAL MEENA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of National Commission for Welfare of Farmers. It also provides for salary and allowances of Chairperson, Deputy Chairperson, member, officers, staff and experts appointed 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 an recurring expenditure of Rupees Twenty crore will be involved.

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 details only, the delegation of legislative power is of a normal character.

RAJYA SABHA

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BILL

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(*Dr. Kirodi Lal Meena, M.P.*)