

Bill No. LIV of 2019

THE SAL LEAVES COLLECTORS AND TRADERS' WELFARE
BILL, 2019

A

BILL

to provide for setting up of Sal Leaves Collectors and Traders' Welfare Fund and a Board that shall administer the Fund for the welfare of sal leaves collectors and traders and for matters connected therewith or incidental thereto.

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

- 5
1. (1) This Act may be called the Sal Leaves Collectors and Traders' Welfare Act, 2019. Short title, extent and commencement.
 - (2) It extends to the whole of India.
 - (3) It shall come into force at once.
2. In this Act, unless the context otherwise requires,— Definitions.
- (a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "Board" means the Sal Leaves Collectors and traders Welfare Board established under section 4.

(c) "Fund" means Sal Leaves Collectors and Traders' Welfare Fund set up under section 3;

(d) "prescribed" means prescribed by rules made under the Act. 5

(e) "sal leaves collector" means any person who is engaged in the work of collecting Sal leaves, a minor forest produce, twice a year and includes a person engaged on contractual or temporary basis; and

(f) "sal leaves trader" means any person who is engaged in the business of trading or processing sal leaves or products derived out of it and also includes a person transporting Sal leaves' or its products for the purpose of directly selling them in the market. 10

Sal Leaves
Collectors and
Traders'
Welfare Fund.

3. (1) The Central Government shall by notification in the Official Gazette set up a Fund to be known as the Sal Leaves Collectors and Traders' Welfare Fund.

(2) The Fund shall consist of contributions from Central Government and the State Governments in such ratio as may be prescribed. 15

Sal Leaves
Collectors and
Traders
Welfare Board.

4. (1) The Fund shall be administered by a Board to be called the Sal Leaves Collectors Traders Welfare Board, consisting of—

(a) a Chairperson to be appointed by the Central Government;

(b) one representative from each State Government where sal leaves collection and trading is a major occupation; 20

(c) two representatives of sal leaves collectors and sal leaves traders to be nominated in such manner as may be prescribed; and

(2) The salary and allowances payable to, and other terms and conditions of the service of Chairperson and other members of the Board shall be such as may be prescribed. 25

Functions of
the Board.

5. (1) The Board shall determine the purposes for which the Fund shall be utilized.

(2) Notwithstanding anything in sub-section (1), the Fund shall be utilized for the following purposes:—

(i) payment of old-age pension at the rate of rupees five thousand per month after the sal leaves collector or trader has attained the age of sixty years and is incapable of performing his job on account of physical illness, infirmity or incapacity; 30

(ii) free healthcare facilities for the sal leaves collectors and traders and their dependent family members at the designated Government and other hospitals;

(iii) free insurance cover to sal leaves collectors and traders; and

(iv) free housing facilities for sal leaves collectors and traders. 35

Collectors and
traders' to be
assured
minimum
wage.

6. Every sal leaves collector and trader shall be entitled to such assured minimum wage as may be fixed by the appropriate Government, irrespective of the number of leaves collected or traded by him.

Penalty.

7. Any person who does not comply with the provisions of Section 5, shall be punished with a fine which may extend to rupees thirty thousand. 40

Central
Government
to provide
adequate funds.

8. The Central Government shall after due appropriation made by Parliament by Law in this behalf, provide adequate funds to the Board for the effective implementation of the provisions of the Act.

Act to be not
in derogation
of other laws.

9. The provisions of this Act shall be addition to and not in derogation of any other law providing for matters dealt with in this Act. 45

10. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

Power to
make rules.

(2) Every rule made under this section 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.

STATEMENT OF OBJECTS AND REASONS

Over 25 million people, mostly from Particularly Vulnerable Tribal Groups (PVTGs), are engaged in collecting and trading Sal leaves and its derivatives like Sal leaves plates which are widely used for, *inter alia*, marriage ceremonies, birth ceremonies, death ceremonies etc.

The conditions of sal leave collectors and traders are worsening day by day. The collectors are mostly tribal women in sal trees dominated states like Odisha. The leaves are stitched into plates and bowls to be sold in the market. There are no provisions as to a minimum wage, housing facilities, health insurance or any sort of medical treatment free of cost. A lot of sal collectors die of diseases or bodily infirmities, which are easily avoidable with basic medical intervention.

With the increasing awareness amongst people of non-usage of plastic and thermocol for plates and bowls sal leaves *thalis* and bowls' demand is bound to increase. In such a scenario, there is a need to incentivize the people engaged in the activity of collecting and trading Sal leaves and its products to keep continuing the task. Also, in old age these sal leaves collectors and traders have no social security or access to any welfare measures which is the need of the hour.

Hence, this Bill.

DR. SASMIT PATRA

FINANCIAL MEMORANDUM

Clause 3 provides for setting up of a Sal Leaves Collectors and Traders' Welfare Fund for welfare of Sal leaves collectors and traders. Clause 4 provides for constitution of a Board for administration of the Sal Leaves Collectors and Traders' Welfare Fund. Clause 8 provides that the Central Government shall provide adequate Fund to the Board for effective implementation of the provisions of the Bill. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India.

It is estimated that a sum of rupees three hundred crore is likely to be involved out of the Consolidated Fund of India per annum.

A non-recurring expenditure of Rupees two hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Since the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

RAJYA SABHA

A

BILL

to provide for setting up of Sal Leaves Collectors and Traders' Welfare Fund and a Board that shall administer the Fund for the welfare of sal leave collectors and traders and for matters connected therewith or incidental thereto.

(Dr. Sasmit Patra, M.P.)