

AS INTRODUCED IN THE RAJYA SABHA
ON THE 24TH APRIL, 2015

Bill No. XVII of 2015

THE FARMERS AND AGRICULTURAL WORKERS SOCIAL SECURITY
BILL, 2015

A

BILL

to provide for social security and welfare measures for Farmers and agricultural workers and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Farmers and Agricultural Workers Social Security Act, 2015.

Short title,
extent and
commencement.

(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.

Definitions.

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

(a) "agricultural produce" include, paddy, wheat, coarse cereals, pulses, sugarcane, gram, cotton, oilseeds, vegetables, fruits, jute, coconut, tobacco, areca nuts and such other agricultural produce as may be notified by the Central Government from time to time and also "seed" as defined in the Seeds Act, 1966; 5 54 of 1966.

(b) "agricultural worker" means a person who is engaged in agricultural occupations like raising crops, dairy, farming, horticulture, poultry, etc. on payment of wages;

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

(d) "Board" means the National Farmers and Agricultural Workers Social Security Advisory Board constituted under section 4;

(e) "farmer" means a person who owns land and cultivates or causes it to be cultivated for agricultural or horticulture purposes and includes small and marginal farmers as identified by the appropriate Government; 15

(f) "Fund" means the National Farmers and Agriculture Workers Welfare Fund established under section 6;

(g) "old age farmer or agricultural worker" means a farmer or agricultural worker who has completed sixty years of age; and

(h) "prescribed" means prescribed by rules made under this Act. 20

Framing of welfare schemes for farmers and agricultural workers.

3. The Central Government shall formulate, from time to time, suitable welfare schemes for farmers and agricultural workers on the matters relating to—

(a) Insurance covering life (death as well as suicide) and disability;

(b) health and maternity benefits;

(c) provident fund; and 25

(d) pension to old age farmers and agricultural workers.

Constitution of the National Farmers and Agricultural Workers Social Security Advisory Board.

4. (1) **The Central Government shall, by notification in the Official Gazette, constitute a National Farmers and Agricultural Workers Social Security Advisory Board to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.**

(2) **The Board shall consist of the following namely:—** 30

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

(b) **two representatives of farmers to be nominated by the Central Government;**

(c) **two representatives of agricultural workers to be nominated by the Central Government; and**

(d) **the Secretary to the Government of India in-charge of the Ministry of Agriculture shall be the *ex-officio* Member-Secretary to the Board.** 35

(3) **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.**

(4) **The Central Government shall make available to the Board such number of officers and staff as may be required for efficient functioning of the Board.** 40

Functions of the Board.

5. The Board shall :—

(a) make recommendations to the Central Government to formulate and implement suitable schemes for the welfare of farmers and agricultural workers;

(b) advise the Central Government on such matters arising out of the administration of this Act as may be referred to it;

(c) advise the Central Government regarding administration of the Fund; and

(d) undertake such other functions as may be assigned to it by the Central Government from time to time.

6. (1) There shall be constituted by the Board a fund to be called the National Farmers and Agricultural Workers Welfare Fund with an initial corpus of rupees fifty thousand crore to be provided by the Central Government, after due appropriation made by the Parliament by law in this behalf for carrying out the purpose of this act.

Establishment
of the
National
Farmers and
Agriculture
Workers
Welfare Funds.

(2) The Central Government and State Governments shall contribute to the Fund in such proportion as may be prescribed.

(3) The fund also shall comprise all sums received by the Board from such other sources as may be decided by the Central Government.

7. The fund shall be utilized to provide financial assistance to the farmers and agricultural workers for the following purposes—

Utilization of
Fund.

(a) compensation in case of death, suicide or accident;

(b) old age pension;

(c) disability assistance; and

(d) free health care facility to the farmers and agricultural workers and their family members.

8. The provisions of this Act and the rules made thereunder, shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to have
overriding
effect.

9. (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 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 the rule.

STATEMENT OF OBJECTS AND REASONS

The poor farmers with small cultivable area of land and without any cultivable land live a miserable life. They work either on their small land or on daily wages on the farms of others. The wages of landless farmers are too low. They belong to the class of have-nots, although they are the very backbone of our agriculture. They have a handful of children and a bagful of debts. They are the worst victims of our society. These farmers are like seeds that not themselves to give fruits and flowers to others.

Our real farmers are these small farmers and agriculture workers. They are known by their very look. It is a look of despair. They look more dead than alive. There is hardly a line of smile on their faces or a ray of hope in their hearts. They are hungry and almost naked. The National Farmers Commission has recently highlighted that nearly one lakh fifty thousand farmers have committed suicides in the country since 1990. A large number of cases of suicides by farmers have taken places in Andhra Pradesh, Chhattisgarh, Madhya Pradesh, Maharashtra, Tamil Nadu and some other states. Acute poverty and indebtedness is one of the major factors for farmers for taking the extreme step of committing suicide. After death or suicide of the only bread earner of the family, the family of such poor farmer or agricultural workers leads a life in abject poverty.

Though Government has formulated a number of schemes for agricultural sector including crop insurance, kisan credit card etc. yet in case of death or suicide, the family of such small farmer or agricultural worker does not get any relief from the Government or any other body and are constrained to fall in the trap of abject poverty. Hence, there is an immediate need to formulate certain welfare measures by the Government to provide immediate relief to the affected family of the farmer or agricultural worker. A National Farmers and Agricultural Workers Welfare Fund is required to be established for removal of indebtedness and abject poverty among small farmers and agricultural workers and their families.

The Bill seeks to achieve the above objectives.

SMT. RENUKACHOWDHURY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides formulation and implementation of certain welfare schemes for farmers and agricultural workers for carrying out the purposes of the Act. Clause 6 provides for the constitution of a National Farmers and Agricultural Workers Welfare Fund with a initial corpus of fifty thousand crore rupees to be provided by the Central Government. It further provides that the Central Government and the State Governments shall contribute to the Fund in such ratio as may be prescribed. The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India. It is estimated that an initial non-recurring expenditure of rupees fifty thousand crores will be incurred.

A recurring expenditure of rupees ten thousand crores will also be incurred per annum.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. The rules will relate to matters of details only.

The delegation of legislative power is of normal character.

RAJYA SABHA

A

BILL

to provide for social security and welfare measures for Farmers and agricultural workers
and for matters connected therewith or incidental thereto.

(Smt. Renuka Chowdhury, M.P.)