

Bill No. XLVIII of 2014

**THE FARMERS OF ARID AND DESERT AREAS (WELFARE AND
OTHER SPECIAL PROVISIONS) BILL, 2014.**

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BILL

to provide for the protective measures and special facilities for the farmers of arid, desert and drought prone areas, who are often affected by natural calamities causing loss of crops, livestock, etc., making them vulnerable to indebtedness, diseases and physical infirmities, exploitation by moneylenders and others, by extending welfare measures by the Central and State Governments for them, for the establishment of a welfare fund, for the removal of indebtedness, giving remunerative prices for their produce, providing hassle free Bank loans, improving farming practices through scientific means to grow less water consuming crops, for compulsory crop and livestock insurance and such other measures and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Farmers of Arid and Desert Areas (Welfare and Other Special Provisions) Act, 2014.

(2) It extends to the whole of India.

5 (3) It shall come into force with immediate effect.

Short title,
extent and
Commence-
ment.

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 other cases the Central Government;

(b) “arid areas” means areas which remain affected by aridity due to scanty or no rainfall;

(c) “drought prone areas” means any area which gets below normal rainfall in any season of a calendar year and which in the opinion of the Central Government is drought prone and declared to be so by notification in the Official Gazette, for such period as may be specified in the notification;

(d) “desert area” means an area full of sand, mostly remains waterless with few plantation and vegetations;

(e) “farmer” means a person who owns agricultural land and cultivates or causes it to be cultivated for agricultural purposes or for horticulture purposes and includes all farmers big, middle, small and marginal farmers as identified by the appropriate Government.

(f) “natural calamity” means with reference to arid and desert areas, drought, flood, excessive rains, storm, hailstorm, winds, frost, winterkill, lightening, fire, earthquake, wild life, insect infection, plant disease and such other natural causes as may be prescribed;

(g) “prescribed” means prescribed by rules made under this Act;

(h) “welfare fund” means the Arid and Desert Areas Farmers Welfare Fund established under section 4;

National Plan for welfare of farmers of arid and desert areas.

3. (1) Notwithstanding anything contrary contained in any other law for the time being in force, the Central Government shall, as soon as may be, formulate and publish in the Official Gazette, a National Plan for the welfare of the farmers of arid, desert and drought prone areas in particular of Gujarat, Rajasthan etc. as may be necessary, incidental or conducive for such plan and shall take appropriate measures for proper implementation of such plan.

(2) In particular and without prejudice to the generality of the provisions contained in sub-section (1) such national plan may include provision of,—

(a) immediate interim relief or ex-gratia payment to farmers affected by natural calamity;

(b) diversification of crops which require very less water developed by various Agri Research Institutes suitable for arid, desert and drought prone areas ;

(c) comprehensive crop and livestock insurance scheme for the arid, desert and drought prone areas in which insurance premium of small and marginal farmers shall be borne by the Central Government;

(d) ensuring remunerative prices for the agricultural produce of the farmers through Minimum Support Price mechanism or other appropriate measures;

(e) making easy availability of fertilizers, manure, pesticides and quality seeds at affordable prices ;

(f) Irrigation projects to provide requisite irrigation facilities and ensuring timely completion of such irrigation projects;

(g) Comprehensive measures for removing indebtedness, easy loans with nominal interest from Banks and other financial institutions, saving farmers from private moneylenders and unscrupulous traders, middlemen etc.

(h) establishing agricultural farms to ensure timely and adequate supply of quality seeds and saplings at affordable prices;

(i) establishing agricultural Universities, Krishi Vigyan Kendras and Krishi Information Centres at conspicuous places for promotion of less water consuming crops and horticulture;

5 (j) establishing modern veterinary hospitals and clinics in every block to assist farmers in animal husbandary ;

(k) promoting dairy sector, rearing of animals, poultry, piggery, bee keeping etc. to enhance farm income;

10 (l) promoting cultivation of vegetables, floriculture, horticulture, spices, sericulture, herbals and plants of medicinal values alongwith handloom and handicrafts and other village arts to supplement the income of farmers;

(m) promoting traditional water bodies like wells, ponds, lakes, etc. and rain water harvesting and providing sprinklers etc. and regular power supply to farmers; and

15 (n) providing such other facilities as may be necessary, incidental and expedient as may be prescribed.

4. (1) The Central Government, shall, as soon as may be, by notification in the Official Gazette, establish a Welfare fund to be called the Arid and Desert Areas Farmers Welfare Fund for carrying out the purposes of this Act.

Establishment of welfare fund.

20 (2) The initial corpus of the welfare fund established under sub-section (1) shall be rupee ten thousand crore to be provided by the Central Government after due appropriation made by Parliament by law in this behalf.

(3) After the establishment of the welfare fund, money shall be provided to the Welfare Fund by the Central Government and the concerned Governments of the States in such proportion and in such manner as may be prescribed.

25 (4) The Welfare Fund shall also comprise money received from the general public, body corporate and domestic and foreign financial institutions as donations, gifts etc.

30 (5) The welfare fund shall be utilised for providing immediate financial assistance, ex-gratia payments, compensation to the distressed farmers covered under this Act affected by any natural calamity or disaster resulting in loss of crops in such manner, as may be prescribed.

(6) The Welfare Fund shall also be utilized for providing special assistance as may be formulated by the appropriate Government for the children, women, physically challenged or infirm farmers, old farmers and such other persons vulnerable to the aftermath of natural calamity in such manner as may be prescribed.

35 **5.** It shall be the duty of the appropriate Government to provide every farmer covered under this Act,—

Welfare measures to be undertaken by appropriate Government.

(a) medical facilities including medicines and hospitalization, wherever required free of cost ;

40 (b) educational facilities including higher education free of cost to the children of such farmers;

(c) maternity facilities to the spouses of such farmers;

(d) adequate old age allowance which is sufficient to lead a dignified life;

(e) disability pension to the physically challenged farmers; and

45 (f) such other welfare and protective measures as may be deemed necessary and appropriate, or as may be prescribed

6. The Central Government shall provide, after due appropriation made by Parliament by law in this behalf, necessary requisite funds to the concerned Governments of the States, from time to time, for carrying out the purposes of this Act.

Central Government to provide funds.

Power to
remove
difficulty.

7. (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, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of two years from the commencement of this Act. 5

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of Parliament.

Act to have
overriding
effect.

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 but save as aforesaid the provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force dealing with the subject matter of this Act. 10

Power to
make rules.

9. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Gujarat in particular the Saurashtra and Kutch regions and major parts of Rajasthan are having arid and desert areas where sand is everywhere. These areas face extreme heat in summer and extreme cold in winter. Many a time, they face heavy rains but mostly the rainfall is scanty and deficient. Similarly, large number of areas in various parts of our vast nation particularly in the States of Andhra Pradesh, Telangana, Jharkhand, Bihar, Madhya Pradesh, Maharashtra, Odisha etc. are frequently affected by unprecedented drought conditions and desert is spreading in many of such areas. Despite the harsh natural conditions and vagaries of nature, agriculture continues to be the main occupation in these regions and areas of the country and farmers are the backbone of the economy in these regions and areas too as is the case of the rest of the Country.

Although the farmers of the entire nation depend on rains for their crops same is true for the farmers of arid and desert areas and those face frequent drought conditions. But farmers of arid and desert face extreme weather conditions and bear the brunt of such weather conditions and generally lose their crops. With the damage of the crops, the hopes and aspirations of the farmers too are lost. The farmers of such areas remain indebted and distressed.

Ours is a welfare State and it is the duty of the State to protect the farmers of arid, desert and drought prone areas by giving sufficient protection. The State should implement comprehensive crop and livestock insurance, extending soft loans by Banks and financial institutions, providing timely adequate compensation when their crops are affected by natural calamity. They must get remunerative prices for their produce and State should implement welfare measures for them. A welfare fund should be set up for the farmers of arid and desert areas.

Hence this Bill.

AHMED PATEL

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the establishment of welfare fund for the farmers of arid and desert areas with initial corpus of rupee ten thousand crore to be provided by the Central Government. Clause 5 provides for certain welfare measures to be undertaken by the appropriate Governments. Clause 6 makes it mandatory for the Central Government to provide requisite funds to concerned States.

The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupee twenty thousand crore, may be involved as recurring expenditure per annum.

A non-recurring expenditure of rupee five thousand crore may also be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill gives power to 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

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(Shri Ahmed Patel, M.P.)