

# FARM BILL'S 2020

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## INTRODUCTION

In the wake of the first sunshine of 5th June 2020 the three farm bills were introduced as ordinances by the Government of India. The three ordinances were- The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance, 2020, The farmers' (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance, 2020 and The Essential Commodities (Amendment) Ordinance, 2020. Later on 14th September 2020 these bills were introduced in Lok Sabha by Shri Narendra Singh Tomar.

### MERITS OF FARM BILL 2020

- To create an ecosystem where farmers and traders enjoy the freedom to sell and purchase farm produce outside the registered "mandis" under states' APMCs.
- The government also decided to give a particular fixed MSP to support and double the farmer's income by 2022
- To provide a facilitative framework for electronic trading.
- To reduce marketing/transportation costs and help farmers in getting better prices.
- To promote barrier free inter state and intra state trade of farmers' produce.

### LACUNAE OF FARM BILL 2020

- Farm bill promotes contract farming but in reality it will only benefit big farmers and not small farmers.
- Dispute redressal system is not practical because there is no option to approach civil courts in case of dispute and in law firm there is a statement "Justice delayed is

justice denied".

- The biggest concern is of the MSP, the government offers to buy 23 products at decided MSP to support and double the farmers' income but in reality only wheat and rice are purchased by the government.
- As per the existing laws, the free market would not have taxes but this will encourage the decline of APMCs in a long run therefore the farmers argue that the rate of taxes should be same in both APMCs and free market.

### AMENDMENTS OF FARM BILL 2020

- The farmers cannot only approach the sub divisional magistrate in case of dispute but can also approach civil courts in case of a dispute.
- The traders would not be able to make any purchases based on a pan card they have to be registered and verified in the government portal in order to make any purchase.
- One amendment has also guaranteed that in case of contract farming, it would not be the farmer's land which would be mortgaged rather the bonus will lie with the contractor whereby ensuring that the farmer's land remains safe.
- The Food Corporation of India buys agriculture produce from the farmers which is then distributed at lower prices amongst the Economically Weaker Sections(EWS). The cost of purchase is borne by the Government of India.

## LEGAL DNA TESTING OF FARM BILL 2020

- According to the farm bill 2020 farmer is now free to sell his crop anywhere but in reality 86.2% of Indian farmers own less than 2 hectares land, they are under heavy compulsion to sell their crops immediately after harvest .
- According to the farm bill 2020 MSP and government procurement will continue but in reality Section 5 of Contract act states that "to ensure best value to the farmer" such price "may be linked to the prevailing prices in specified APMC yard or electronic trading and transaction platform" but not to the MSP or the government procurement rate.
- According to the farm bill 2020 farmers will be free from exploitation by intermediaries but in reality these acts provide at least 5 layers of middlemen i.e.
- Section 2(g) stipulates a farm agreement in which "written agreement entered into between farmer and sponsor and a third party" this third party is left undefined
- Section3(1)(b) states that the "responsibility for compliance of any legal requirement for providing farm services shall be with the sponsor or farm service provider", this farm service provider is a middleman
- Section 4(4) says monitoring and certification of quality and "the process of cultivation or rearing, or at the time of delivery, by third party qualified assayer", this means another middleman.

## INCOMPARABLE SOLUTIONS TO COMPLICATIONS OF FARM BILL 2020

- Initiation of reverse migration that has happened during COVID 19 has taught us a lesson that India was, is and will be an agricultural dependent country.
- Provide the farmers with an assured income by laying a network of 42,000 mandis in India
- Under the scheme of "One Nation One Market" the sub scheme of "One Nation One MSP" must also be inculcated
- Increase the investments in agriculture by GOI because according to a RBI report of 2017-18 only 0.4% of GDP was invested in agricultural sector which employs around 60crore people of India.

## CONCLUSION

Countless captains of India piloted the ship of development and steered through perilous tides and tempests so today there is a requirement to imprint the wings of such techniques which will be beneficial for the farmers, the citizens and the government of India.

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ALL ABOUT THE AGRICULTURAL BILL

