

# **FARM BILLS 2020**

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*"I would rather be on my farm than be emperor of the world" –George Washington*

## **INTRODUCTION**

AGRICULTURE, it is not a single word; rather it is the backbone of our nation. Agriculture is not just a profession or a practice. It's a science between human and land in cultivating crops. Agriculture is not a modern practice, rather practiced many long years. Many developments with relation to present technological era have been made in agriculture. Many schemes have been introduced for farmers. Many new irrigation methods have been introduced and more efficient fertilizers and seeds have been provided to the farmers. But still, there is a big question that, Has Agriculture gained much importance in India. Even though many developmental schemes have been provided, why there is a mass protest called "Bharat Bandh" has been accomplished by our farmers.

For proper regulation of a country, many laws, bills, ordinance have been passed by the government. But one such bill had stunned the entire nation. A small - scale protests had been accomplished in Punjab after the bill made public. But once the bill is passed, entire nation astonished. Approximately three lakh farmers have accomplished the protest against the bill passed by the government. Many farmer unions joined the "Bharat Bandh" protest. People all over the country and opposition government too started supporting the farmers.

Why these farm bills 2020 gained much protest. What actually these farm bills 2020 deal with? Is farm bills 2020 can be supported or opposed? The answer for these questions can be dealt in this article. This article mainly focuses on the farm bills passed by the central government in 2020. In addition to, this article discusses about the support and opposition for the farm bills. Additionally, this article utters about what are the other laws involved in this farm bills and what are the rights violated. And finally, whether this article can be

implemented or nullified.<sup>1</sup> If implemented, in what ways the bill can be progressed, so that it doesn't affect the rights and well-being of the farmers.

## ABOUT FARM LAWS 2020

The Union Government initiated the three Farm bills:

1. The Farmers Produce Trade and Commerce (Promotion and Facilitation) Act 2020;
2. Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act 2020;
3. Essential Commodities (Amendment) Act 2020

It was passed by the Lok Sabha on 17<sup>th</sup> September 2020 and by the Rajya Sabha on 20<sup>th</sup> September 2020 and got the assent of the President Mr. Ram Nath Kovind on 27<sup>th</sup> September 2020.

The first bill, The Farmers Produce Trade and Commerce Act 2020, allows the farmers inter-state and intra state merchandise and to sell their commodities beyond Agricultural Produce Market Committee (APMC) Markets. This act levies farmers from market fee or any other remuneration collected by the state government.<sup>2</sup> Additionally, this act allows the farmers, electronic trading provides specified area to buy and sell their commodities through online trading platforms.

The second bill, Farmers Agreement on Price Assurance and Farm Services Act 2020, allows the farmers to engage with agriculture business, import and export of commodities, for farm services, selling etc. with another farmer or wholesaler or any other parties through a transparent and fair Farming agreement with a mutually concerned remuneration between the two parties.

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The third bill, Essential Commodities Act 2020 was an amendment of Essential Commodities Act which was enacted in 1955. The 1955 ESA Act regulates the production and distribution of certain commodities which is declared as "Essential". The commodities include pulses, onions, potatoes, edible oils etc. Under the 1955 Act, the government can fix the Minimum

<sup>1</sup> [https://en.wikipedia.org/wiki/2020\\_Indian\\_agriculture\\_acts](https://en.wikipedia.org/wiki/2020_Indian_agriculture_acts)

<sup>2</sup> <https://timesofindia.indiatimes.com/india/what-are-new-farm-laws-and-and-why-farmers-are-protesting/articleshow/79609234.cms>

Support price (MSP) for the commodities which is declared as Essential. After the Amendment made in 2020, the Government of India according to the Amended ESA Act 2020, delisted certain products which includes onions, potatoes, cereals, oil seeds and other agriculture produce commodities from the list of essential products. In addition to the amendment, the Union Government issued a notice that, the above delisted products, would be regulated only if famine or any other natural calamities occurs. And the stocks or price can be regulated only if, there is 100% increase in retail price (In case of Horticulture products) and 50% increase in retail price (In case of perishable food items produced through Agriculture).

### **UNION GOVERNMENT QUARREL ON FARM BILLS, 2020**

The Union Government, on the Farm Bills 2020 refrains that, by increasing merchandise to inter – state and intra state, and to barricade trading only in Agricultural Produce Market Committee (APMC) markets, and entering into a transparent and fair Farming agreement with the private parties or any other Farm businesses, State Government can rely remuneration only on the Firm businesses and not on the farmers. This initiative will levy farmers from market fee or any other remuneration. (Farming agreement or Contract Farming can be defined as an agreement between farmers and other parties for production and supply of agricultural products frequently by pre – determined prices.) Under this Contract Farming, Farmers can approach courts as an alternative and their lands will be safe and no loans will be given on farmers land by mortgaging it. In addition to, The Union Government has given a written assurance that, the existing MSP system will be continued and no changes would be made to it.

### **FARMERS QUARREL ON FARM BILLS, 2020**

Farmers and Farm unions, on the Farm Bills 2020 articulates that, by increasing the entry of private Farm business firms, will put a conclusion to Agricultural produce market committee (APSM) markets, Government markets and the private firms would be the decision maker. Crops will be supplied at a price, decided by the private firms. And by these acts, the Union Government gives permission to State Government in regulating traders and remuneration and this gives consent to anyone to acquire grains at prices of their wish. In addition to, under Contract Farming, there will be grabbing of Farmer's land. Union Government had issued that; there will be no sale or lease of Farm lands under Contract Farming. But if the farmers can't repay the loans, there is no other way, other than selling Farmer's land. The

Union Government had issued a notice that, the working of MSP will be continued. But the only objective of these acts is to abolish the MSP system.<sup>3</sup> By delisting the agricultural products from “Essential” products, MSP system will not be applicable to the above mentioned delisted agricultural products and the price would be decided only by the wholesalers or the private business firms with whom the contract has been indulged. By abolishing MSP system on these delisted products, Government rate and the Farmers rate on agricultural products depending upon the production would be diminished and the rates fixed by the private business would be applied. In return, this will rely strain upon farmers and appropriate remuneration for production and supply would not be given to the farmers.

### **VIOLATION OF RIGHTS AVAILABLE TO FARMERS**

The “Golden Triangle of Indian Constitution” provides constitutional rights to the farmers. Article 14, Article 19 and Article 21 of the Indian Constitution is commonly known as Golden Triangle of Indian Constitution. These articles are of much importance and ensure liberty, equality and fraternity to every citizen of India. Farm Bills 2020 affects the right to equality before law and right to liberty.

Article 19 (a) (b) (c) of the Constitution of India states that, all citizens shall have the right to freedom of speech and expression, to assemble peaceably and without arms, to form associations or unions. Farmers had organized the mass protest called “Bharat Bandh” in a peaceful manner without any arms or weapons and do not affect the peace of the society. And the farmers had formed unions and joined the protest in a peaceful manner. This is the Fundamental right applicable to the farmers.

Article 14 of the Constitution of India states that, “The state shall not deny to any person equality before the law or the equal protection of laws within the territory of India”. Article 14 ensures equality to every citizen of India despite religion, caste, colour etc. The right to equality before law is a fundamental right applicable to farmers. But the Farm Bills 2020 allows international trade and diminishes merchandise in APMC Markets. This may be beneficial to Big Farmers and corporates, but middle level and rural farmers get affected and discriminated. The Farm bills 2020 are not equal to all farmers, and certain are discriminated.

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<sup>3</sup> <https://indianexpress.com/article/explained/farmers-big-concern-and-what-govt-could-negotiate-7073291/>

In this way, the bill does not ensure equality to everyone and it violates Article 14 of the Indian Constitution which ensures every citizen equality before law.

Article 21 of the Constitution of India states that, no person shall be deprived of his life or personal liberty except according to the procedure established by law. The Farm bills affect the personal life and liberty of many farmers. The three bills protect the liberty of big farmers and private business firms, rather the rural level and middle level farmers life and liberty is affected. In this way, the Fundamental rights have been violated.

In addition to Article 38(2), 39, 43 of Directive principles of state policy are some of the rights available to the farmers. These articles of Directive principles of state policy ensure that the state must strive in regulating the inequalities in income, status and opportunities available to the citizens of India. And the articles ensures that by any legislation or act passed by the Government, the state shall provide equal and liberal opportunities to all agriculture, industries, workers etc and ensure a standard cost of living to everyone without any discrimination. But the Farm Bills 2020 violates the Directive principles of state policy by not ensuring equal opportunities to every farmer and diminishes the standard cost of living of the affected farmers.

### **IS FARM BILLS CAN BE IMPLEMENTED OR NOT?**

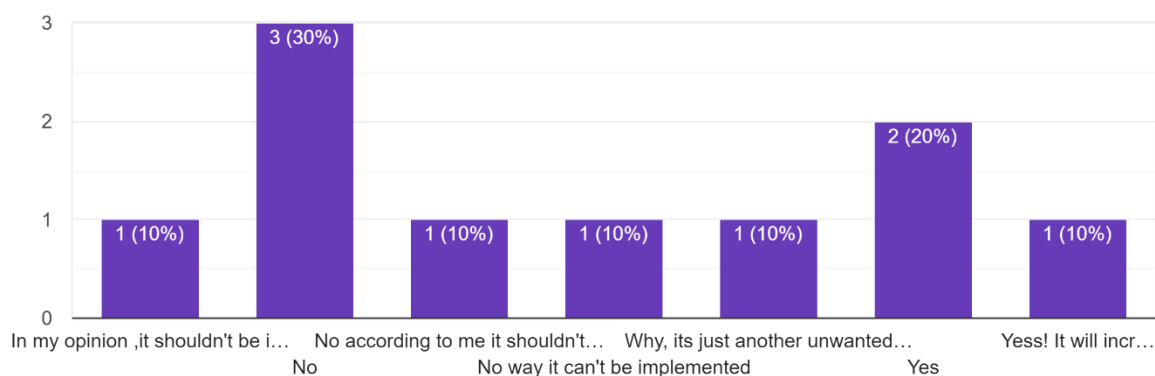
The Farm Bills passed has its two - sided aspects. By increasing the merchandise level to inter - state and intra state level, it helps farmers in improving the trade beyond APSM markets and increase investments from private business firms and big farmers. Also, they can enter into a fair and liberal farming agreement, in increasing the production and supply of the commodities. By delisting certain commodities from the list of “essential”, the farmers can produce and supply of their own without any regulation at any affordable price without any regulation. These are some of the positive aspects of Farm Bills 2020. But looking on the other aspect of the bills passed, by abolishing trade only in APSM markets, and by increasing the merchandise it can attract private investment, and by delisting the agricultural products from the list of “Essential” the farmers can sell of their own decided price. But if the production of crops and commodities is low, the farmers cannot decide their price. It is the private firms will decide the price, and by delisting, the commodities delisted do not come under Minimum Support Price (MSP) system and the price will not be regulated by the

government. This will in turn affect the farmers and the price will be decided by the in - between private firms and wholesalers.

The Farm bills may be beneficial to big farmers and corporate investors, but the middle level and rural level farmers are terribly affected, and their life and personal liberty will be vanished. The Farm bills is not equal to every farmer and only the private firms and wholesalers who buy crops from the farmers at any price without any regulation are benefited. This is the reason for mass protest called “Bharat Bandh” and almost three lakh farmers accomplished the protest.<sup>4</sup> It may increase the level of merchandise and it will attract private business firms and corporate investment, but only a group of big farmers and middle corporate and wholesalers will be benefited and not the rural farmers. Hence the new bills must not be implemented.

Is farm bills can be implemented

10 responses



Given these a short survey, highlights about what others notify about in implementing the Farm Bills 2020. 8 out of 10 notify that, the bill should not be implemented. The Bill is an unnecessary initiative to lay agriculture in the hands of the corporate. Hence the survey notifies that bill must be passed in such a manner that personal liberty and life of farmers is not shattered.

### **IF IMPLEMENTED, IN WHAT WAY IMPLEMENTATION CAN BE DONE?**

The Farm Bills can be implemented, if it does not affect the rights and liberty of the farmers. By ensuring that, the farmers can merchandise beyond APSM Markets, with an assurance

<sup>4</sup> <https://www.jagranjosh.com/general-knowledge/farm-bills-indian-farm-reforms-2020-1606901455->



that, at any situation the farmers must be the decision maker in price and not the private business firms and wholesalers who buy the commodities from the farmers. By assuring that Farming contract must be a fair and transparent contract with a mention that farmers can approach judiciary if the contract is breached or violated. Government must bring a change in the commodities which have been delisted from the list of “Essentials”. Easily perishable vegetables and fruits must be mandatory in the “Essentials” list. Other commodities such as cereals, pulses, oil can be delisted with an extra statement in the amendment mentioning that, the present Minimum Support price (MSP) system is not abolished for those commodities which have been delisted and the regulation of prices will be undertaken by the Government.

## CONCLUSION

Agriculture is of prime importance. Technology may develop but food can't be provided by any Artificial intelligent or robots. Food can be provided only through agriculture and by farmers. Hence Farming is considered as a science between man and earth and the backbone of our nation. Hence the laws influencing such a phenomenal act must be effective to farmers and not a bill which vanishes the liberty of farmers. Bills passed relating to farmers must be advantageous to farmers. Because Farming is not a profession to see profits rather a service that adds GREEN TO OUR LIFE.

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