



“My Crop My Right” Farmer’s Act 2020

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In the midst of strong protests from opposition members over their demand for a division of votes on their motion to refer the legislation to a select committee, The Farmer’s act ordinances were introduced as bills and passed by the Lok Sabha on 15 and 18 September 2020. Later, on 20 and 22 September, the three bills were passed by the Rajya Sabha, via a voice vote – ignoring the requests of the opposition for a full vote. The President of India gave his assent by signing the bills on 28 September, thus converting them into acts. These acts are: 1. Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act: expands the scope of trade areas of farmers produce from select areas to "any place of production, collection, and aggregation." 2. Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act: Creates a framework for contract farming through an agreement between a farmer and a buyer before the production or rearing of any farm produces. 3. Essential Commodities (Amendment) Act: Allows for the center to regulate certain food items in the course of extraordinary situations like war or famine. The intent of the three farm laws is to protect the interest of small and marginal farmers constituting 86% of the farmer base. These laws are believed to be a watershed moment for Indian agricultural sector as it would free farmers from the influence of intermediaries and help them reap benefit of improved productivity, better technology and earn a higher price. However, the bills were all opposed by the opposition parties, calling them ‘anti-farmers and the opposition also say it would leave farmers at the "mercy of corporate". The protests stem from false allegations that the new laws mean that central and state governments have abolished minimum support prices (MSP) and procurement. The new legislation gives farmers the right to sell their products anywhere in India. It is not an appealing profession to farm.

At first, In Punjab, small-scale protests had started in August 2020 when the Farm Bills were made public. On 25 September 2020 farm unions all over India called for a Bharat Bandh (lit. transl. nation-wide shutting down) to protest against these farm laws. The most widespread protests took place in Punjab, Haryana and Western Uttar Pradesh but demonstrations were also reported in Uttar Pradesh, Karnataka, Tamil Nadu, Odisha, Kerala. After two months of protests, farmer unions—mainly from Punjab and Haryana—began a movement named Delhi Chalo, in which tens of thousands of farming union members marched towards the nation's capital. On 26 November 2020, a nationwide general strike of 250 million people, as per trade unions claim, took place in support of the farmer unions. The borders of Delhi have been witnessing a huge agitation being organized by farmers, with the majority belonging from Punjab and Haryana. All the heats that are generating in the Delhi border and also across the nation, resulting from the 3 controversial acts. Political parties and farm organizations such as the Bhartiya Kisan Union (BKU) and the All India Kisan Sangharsh Coordination Committee (AIKSCC) have been protesting against the bills they claim are intended to benefit large corporate houses at the expense of farmers and other organizations

Farmer leaders have welcomed the Supreme Court of India stay order on the implementation of the farm laws but rejected the committee appointed by the Supreme Court. Farmer leaders have also rejected a government proposal, dated 21 January 2021, of suspending the laws for 18 months.[15] Eleven rounds of talks have taken place between the central government and farmers



represented by the farm unions between 14 October 2020 and 22 January 2021; all were inconclusive. Six state governments (Kerala, Punjab, Chhattisgarh, Rajasthan, Delhi and West Bengal) have passed resolutions against the farms acts,[21] and three states (Punjab, Chhattisgarh and Rajasthan) have tabled counter legislation in their respective state assemblies. The farmer unions believe that the laws will open the sale and marketing of agricultural products outside the notified Agricultural Produce Market Committee (APMC) mandis for farmers. Further, the laws will allow inter-state trade and encourage hike electronic trading of agricultural produce. The new laws prevent the state governments from collecting a market fee, cess, or levy for trade outside the APMC markets; this has led the farmers to believe the laws will "gradually lead to the deterioration and ultimately end the mandi system" thus "leaving farmers at the mercy of corporate".

1. Make MSP and state procurement of crops a legal right.
2. Assurances that conventional procurement system will remain.
3. Implement Swaminathan Panel Report and peg MSP at least 50% more than weighted average cost of production.
4. Cut diesel prices for agricultural use by 50%.
5. Centre should not interfere in state subjects.

A Survey results state that farm laws have received substantive support from across the country, especially from agrarian states. About 73% of respondents are for reforms and modernization in the agricultural sector and the provision of 'my crop, my right' has the highest support from northern India (75.72%). Haryana and Punjab respondents--75% and 60% respectively--feel that this was given political color for electoral gains. Governments have been procuring food grains multiple times of what is required for maintaining PDS and buffer stock. Data shows that India will have food grains 2.7 times more than what is required January 1, 2021. This is despite the government distributing free wheat and rice under PM Garib Kalyan Ann Yojna. Food Corporation of India (FCI) had 92 million tonne of grain stocks compared to the buffer stock norm of 41.12 million required for PDS and some strategic reserves.

The Survey conducted in 3 districts of Haryana i.e. Hisar, Fatehabad, Sirsa the opinions of farmers which led to their concerns of the farm law passed by the central government are as :

- These acts shall result in loss of revenues for the States as they would be barred from the collection of "mandi fees" if the farmers start selling their produce outside the APMC markets.
- It shall eventually lead to the end of the Minimum Support Price based procurement system. The sponsors being big private companies, wholesalers, exporters, and processors will have an edge over the farmers in the event of any dispute.
- The Central Government is empowered to regulate the production, supply, and distribution of a whole host of commodities that are declared as 'essential' for ensuring their availability to consumers at fair prices.
- The Government has the power to fix the Maximum Retail Price (MRP) for any packaged product that it has declared an 'essential commodity'.
- The Government can notify stock-holding limits on a certain commodity.
- Under this Act, the respective State Governments can opt not to impose any restrictions as notified by the Central Government.
- The amendment provides for the Government of India to enlist certain commodities as essential for regulating their supply and prices during emergency situations like war, famine, extraordinary price rises, or natural calamities.
- The commodities that have been deregulated are food items and includes cereals, pulses, potato, onion, edible oilseeds, and oils.
- But these restrictions will be inapplicable to food stocks that are maintained for public distribution in India.
- Big enterprises will become free to stock commodities.



Simply put, they would be able in dictating the terms and conditions to the farmers
Conclusion Although the recent amendments pertaining to the farm laws are apparently aimed at benefitting the farmers by creating a system for direct transactions between the cultivators and the buyers but it is also equally true that they are highly vulnerable to exploitation by the big corporate. What has been done for benefitting and protecting the cultivators should not develop into weaponry for their exploitation. Moreover, if the farmers start selling outside the “mandis” then it would deliver a severe blow to one of the pivotal revenue-generating sources of the State Governments. Luckily, the Supreme Court of India has stayed these amended acts and has initiated attempts to carefully introspect these controversial bills. It is hoped that the downsides inherent in these acts would be adequately and properly addressed. However, the Republic Day developments have caused nationwide criticism against it but that does not imply that the farm laws be considered negligently.

