

Bill No. 136 of 2017

**THE FAMILIES OF FARMERS (FINANCIAL ASSISTANCE AND
REHABILITATION) BILL, 2017**

By

SHRIMATI SUPRIYA SULE, M.P.

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BILL

*to provide for financial assistance to the widows and other dependant family members
of farmers who have committed suicide in order to enable such families to earn
sustainable livelihood and for matters connected therewith.*

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

1. (1) This Act may be called the Families of Farmers (Financial Assistance and Rehabilitation) Act, 2017.

Short title,
extent and
commencement.

5 (2) It extends to the whole of India except the State of Jammu and Kashmir.

(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) "appropriate Government" means in the case of a State or a Union Territory with Legislative Assembly, the Government of that State or the Administration of that Union, respectively, and in all other cases, the Central Government; 5

(b) "bereaved families" means the widow and children of the deceased farmers who have committed suicide since the year 2000;

(c) "children" means the sons and daughters below the age of 18 years of the deceased farmers who have committed suicide since the year 2000; 10

(d) "local authority" means the Municipal Corporation or the Municipal Council or the Nagar Panchayat or the Zilla Parishad or any Urban Local Body;

(e) "notification" means a notification as published in the Official Gazette;

(f) "prescribed" means as prescribed by the rules made under this Act; and

(g) "widow" means a legally married woman of the deceased farmer who has committed suicide since the year 2000. 15

Loan waiver to farmers.

3. **The appropriate Government shall waive off the outstanding debt of the farmers who have committed suicide since the year 2000.**

Financial Assistance to State Governments.

4. (1) **The Central Government shall provide financial assistance to the State Government, subject to the extent of agrarian distress in the State concerned.** 20

(2) **The Central Government shall, in consultation with the State Governments concerned, prescribe the criteria for agricultural distress in a State.**

(3) **The funds shall be allocated amongst the States based on the criteria for agricultural distress as prescribed under sub-section (2).**

Compensation to bereaved families.

5. **The appropriate Government shall provide compensation to the bereaved families in addition to waiving off the debt of the farmers as prescribed under section 3.** 25

Skill Development programmes for widows.

6. (1) **The appropriate Government shall conduct skill development programmes for widows to help them develop sustainable means of livelihood alternate to agriculture.**

(2) **For the purposes of sub-section (1), the appropriate Government shall conduct skill augmenting workshops either for handicrafts or for the revival of the skill endemic to the area.** 30

Alternate means of livelihood to the widows and provision of interest free loan as initial investment.

7. (1) **The appropriate Government shall provide alternate means of livelihood to the widows for setting up of small scale industries and handicrafts so as to enable them to cater to the livelihood needs of their children.**

(2) **The appropriate Government shall, after widows have acquired necessary skills from the skill augmentation workshops conducted by the Government under sub-section (2) of section 6, provide interest free loan to the widows as the initial investment needed for setting up of small scale industry, dairy farms or poultry farms as an alternate means of livelihood to agriculture:** 35

Provided that in case of widows with less than two hectares of the farm land, interest free loans for the initial investment shall be provided by the appropriate Government to set up small scale industry. 40

- 8. The appropriate Government shall provide the necessary equipments and inputs for the first sowing season to the bereaved families opting for farming as means of livelihood.** Appropriate government to provide equipment and inputs to the bereaved families.
- 9. The appropriate Government shall open schools in the drought affected areas, especially in rural India, to make the schools and education more accessible to children of those areas.** Schools for children in the drought affected areas.
- 10. The appropriate Government shall provide funds to improve access to affordable and reliable public health care services to the bereaved families.** Health of the bereaved families.
- 11. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide the requisite funds to the State Governments, from time to time, for carrying out the purposes of this Act.** Central Government to provide necessary funds.
- 12.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force. Act to have overriding effect.
- 13.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force applicable to the widows covered under this Act. Act not in derogation of other laws.
- 14. (1)** The appropriate Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.
- (2) Every rule made under this Act by the Central Government 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 that rule.
- (3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.

STATEMENT OF OBJECTS AND REASONS

In the last decade, the number of farmers committing suicide has increased drastically necessitating the Nation Crime Records Bureau (NCRB) to release separate data on suicides of farmers. In 2014, the farmers' suicides in India stood at 5,650. The main reason behind the farmers' suicides is their indebtedness. As per the NCRB statistics, bankruptcy and indebtedness is the main factor contributing to about 20.6% of the total farmers' suicides. The Government policies at the present involve giving a onetime monetary compensation to the families of the farmers who commit suicide. Given the indebtedness behind the farmers' suicides, this compensation will not help the bereaved families in sustaining livelihood. Thus it is of importance that the Government provides for a comprehensive rehabilitation programme for the widows and their children.

The small and marginal farmers with less than two hectares of land area are among the most affected classes of farmers. With their small land holdings making it economically unviable for introduction of farm technologies, they face greater probability of going bankrupt. The NCRB data depict the suicide rate of small and marginal farmers to be at 72.4%.

The Central Government must provide financial assistance to the States, so that they are able to conduct rehabilitation programmes for the bereaved families. This must be in addition to the welfare policies adopted by the various State Governments towards the widows. While providing the financial assistance to the States, the State-wise variation in the agrarian distress must be taken into consideration. For instance, Maharashtra accounts for nearly 50% of the total farmers' suicides with the figure standing at 2,658 of total number of suicides by cultivators. The State Governments must also allocate the funds based on the degree of agrarian crisis. The regions of *Marathwada* and *Vidarbha* are the most affected and hence the State Government must allocate more funds in these regions.

In India, at present the governments at most provide a onetime monetary compensation to the widows. There is no comprehensive policy to ensure sustainable means of livelihood to widows.

The focus of the Governments must be on providing sustainable livelihood to the widows and their families. This can be done through skill development programmes for widows, helping them in setting up of small scale units etc. The Government can also help the families diversify their income through investments in dairy and poultry farms.

To ensure that the education of the children in these distressed areas is uninterrupted, new Government schools must be opened and the study conditions of the existing schools in the rural areas must be improved.

Hence this Bill.

NEW DELHI;
June 28, 2017.

SUPRIYA SULE

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to provides for the waiver of loans of the farmers who have committed suicide since the year 2000. Clause 4 provides for the financial assistance to the States to the extent of agrarian distress in the State concerned. Clause 5 provides for financial compensation to the bereaved families. Clause 6 provides for conducting skill development programmes for widows. Clause 7 provides interest free loans for initial investment for setting up of small scale units to bereaved families with less than two hectares of farm land. Clause 18 provides for farm equipment and inputs required for the first sowing season. Clause 9 provides for the institution of schools in the drought affected areas. Clause 10 provides for the affordable and reliable public health care services to the bereaved families. Clause 11 provides for the Central Government to allocate requisite funds to the States. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees five thousand crore per annum would be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees fifty crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 14 of the Bill empowers the appropriate Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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