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## THE REASON BEHIND THE REPEAL OF THREE BILLS OF FARMER

### Introduction

As we know, in the past year of 2020 a bill was passed which was also called Three bills of farmers by Parliament in the monsoon session.

This contains three bills i. e.

- The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020
- Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020
- Essential Commodities (Amendment) Act, 2020

But later in November 2021 when the Prime Minister addressed the nation he announced that they would repeal three farm laws due to the unending protest by some Farmers. Also all the board and office that were constituted for Implementation of the provision of law would also cease and any decision made by the board would be null and void.

### Background of Three bill

- As we know agricultural came under state list of schedule 7 in Indian constitution and in order to changes in agriculture central government already release model of farmer Act in past 2017 .
- Several reforms suggested that this act model is not implemented by the state .
- This act in the first week of June 2020 center promulgated three ordinances.
- In September 2020 this act was signed by the President .
- But by that time there was a protest against these three bills by Farmers in Haryana , Punjab and other states.
- Some states also protest against this farmer.
- Kerala legislative assembly also passed a resolution and withdrew their consent against Three farmer Act.

### Aim

- This three bill aims to change the way the agricultural produce market is sold and stored across the country.

### The Farmers Produce Trade and Commerce (Promotion and Facilitation) Act, 2020

- Background : On June 5, 2020, the Union Cabinet promulgated The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020.
- Its aim is to permit intra and inter state Trade of farmers beyond physical premises of Agricultural Produce Market Committee (APMC) market and other markets notified under the state APMC act.
- Provision

Trade of Farmers' Produce: This act allows farmers to trade outside Trade areas like factory premises , cold storage etc whereas previously it was only done in APMC or mandis.

Alternative Trading Channels: It also facilitates farmer to profitable prices via alternative Trading Channels to promote barriers free Trading of agricultural products.

Electronic Trading: It enables the digital exchange of scheduled farmers' produce within a designated trade area, facilitating direct online transactions of agricultural goods through electronic devices and the internet.

Market Fee Abolished: State Governments are not allowed to impose market fees or cess on farmers, traders, and electronic trading platforms when trading farmers' produce outside the designated trade area.

### Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020

- Background: On June 5, 2020, the Union Cabinet promulgated The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance, 2020
- This act created a national framework for contract farming through Agreement between farmer and buyer before the production of any farm product.
- Provisions

(a) Farming Agreement: This act provides Farming agreement between farmer and buyer prior to farm product .

(b) Minimum Period of Farming Agreement: The minimum Period of this agreement shall be for one crop season or one production cycle of livestock.

(c) Maximum Period of Farming Agreement: The Maximum Period for this agreement is five years. It also states that any product takes longer than it can go beyond five years and the Maximum Period this agreement may be mutually decided by farmer and buyer mentioned in this agreement.

(d) Pricing of Farming Produce: The agreement must outline the pricing and price determination process for farming produce. It should specify a guaranteed price for the produce, and for prices subject to variation, provide a clear reference for any additional amount beyond the guaranteed price.

(e) Settlement of Dispute: This act provides a three level dispute settlement mechanism- Conciliation Board, Sub- Divisional Magistrate and Appellate Authority.

### Essential Commodities (Amendment) Act, 2020

- Background: On June 5, 2020, the Union Cabinet promulgated Essential Commodities (Amendment) Act, 2020.
- It is enacted in 1955, the Essential Commodities Act is an Indian Parliament law designed to ensure the uninterrupted supply of critical commodities, such as foodstuff, drugs, and fuel (petroleum products), preventing disruptions caused by hoarding or black-marketing that could impact people's daily lives.
- Powers of Central Government:
  - (a) The Indian government oversees the production, supply, and distribution of various declared 'essential' commodities, aiming to ensure their availability to consumers at fair prices.
  - (b) Government also fixes MRP of any packed product that is declared an essential commodity.
  - (c) Center can add commodities in this list by the need .
  - (d) If a particular commodity faces scarcity and experiences a surge in prices, the Government has the authority to announce stock-holding limits on it for a defined duration.
- Power of State Governments: State Governments have the option to refrain from imposing restrictions as notified by the Centre. Yet, if restrictions are enforced, traders must promptly sell any excess stocks in the market, aiming to enhance supplies and reduce prices.
- Amendment: Due to the amendment in the Act, the Indian Government will categorize specific commodities as essential, regulating their supply and prices solely during war, famine, extraordinary price increases, or natural calamities. Food items like cereals, pulses, potatoes, onions, edible oilseeds, and oils have

### Reason of Indian farmer Protest

- As Indian farmers feared that they could gain less than they earn.
- As their leader Rakesh Tikait, the head of Bhartiya Kisan Union stated that The central government wants amendment in them but we want to repeal these laws. We don't want changes. We will end out protest only when these law withdrawn. Like the government brought three bill they should also bring bill on the MSP.
- On the 34th day of the Farmers' agitation against three Farm Laws (on December 29, 2020), the Farmer's Union agreed to the Centre's proposal for the sixth round of talks.
- After agitation, farmers accepted the central proposal to hold a sixth round talk and the center sent invitations to 40 farmers for talks on 20 December as representatives which have been accepted.

- The sixth round between center government and farmer reached conclusion of the issues related to the environment and Electricity Act however their repealing of three farmer Act 2020 and legal guarantee for MSP remain inconclusive.
  - The seventh round also took 4 January 2020 at Vigyan Bhawan and failed to reach a breakthrough.
  - Farmers' leaders reported the participation of approximately 3,000 tractors in the tractor march on January 7, 2021, along the Kundli-Manesar-Palwal (Western Peripheral) expressway, with at least 500 tractors on the Kundli-Ghaziabad-Palwal (Eastern Peripheral) expressway. Notably, these expressways collectively encircle the National Capital Delhi.
  - Despite 11 rounds of talks between the Government and Farmers' representatives, a resolution to the ongoing issue has not been reached as of now.
  - As the tractor march will be carried by farmers on January 26, 2021.
  - This tractor rally at Sindhu, Tikri and Ghazipur border against farm law 2020 on the occasion of 72nd Republic day.
  - Also Chakka Jam by farmers on 6 February 2021.
  - Income Tax raids were carried out on the premises of major Arthiyas in Punjab within four days of issuing notices, bypassing the wait for responses. Approximately 16 Arhats received Income Tax notices, while Punjab has around 28,000 licensed commission agents.
  - The Supreme Court also heard the plea related to farmer agitation.
1. On January 11, 2021, the Supreme Court is set to consider a plea by law student Rishabh Sharma, urging the prompt removal of farmers from Delhi borders. The petition will be heard by Chief Justice S A Bobde, Justice A S Bopanna, and Justice V Ramasubramanian.
  2. The petition argues that blockades from the farmers' protest are causing difficulties for commuters, disrupting emergency and medical services. It suggests relocating farmers to a designated government-approved site, citing the earlier offer of the Nirankari ground in Burari, which they declined while continuing to block borders.
  3. On January 11, 2021, the Supreme Court halted the enforcement of the three Farm Acts 2020 and formed a four-member committee to provide recommendations. Chief Justice S. A. The Bobde-led bench granted the committee a two-month period to propose a 'fair, equitable, and just solution' regarding the Farm Acts.
  4. On 19 January, 2021 farmers refused to attend the first meeting arranged by the SC appointed committee.
  5. SC also appointed a panel for the deliberation on three farmer bills 2022 has also notified a dedicated portal to get views of farmer individuals.
  6. Before the 'Bharat Bandh,' Delhi's Chief Minister Arvind Kejriwal is en route to the Singhu border. Additionally, leaders from 11 parties, including Sonia Gandhi, M K

Stalin, Sharad Pawar, Akhilesh Yadav, Sitaram Yechury, and D Raja, have expressed their whole-hearted support for the Farmers' Union's December 8 Bharat Bandh.

7. Following the Farmers' Union's Bharat Bandh, Union Agriculture Minister Narendra Singh Tomar has convened a meeting on December 9, 2020, as the fifth round of talks with farmers' leaders concluded without a resolution.

The main reason behind this protest against the three farmer bill 2020 is the misconception related to the three bills.

- First misconception is related to MSP
  1. The recent farm laws don't replace the existing Minimum Support Price (MSP) system; instead, they introduce new alternatives, providing additional options for farmers.
- Second misconception is related contract farming
  1. They have fear that contract might loss their land and marginal farmer to big corporation
  2. The legislation explicitly forbids sponsor firms from acquiring farmers' land, whether through purchase, lease, or mortgage.

## Criticism

Farmer called this bill as anti farmer and Also three black rules

1. According to Dilip Mohite Patil, the President of the Maharashtra Rajya Bazaar Samiti Sahakari Sangh, approximately 100-125 market committees in Vidarbha and Marathwada regions are witnessing minimal business and face imminent closure following the central Ordinance announcement.
2. Also Harsimrat Kaur Badal of Shiromani Akali Dal resigned from her post in order to protest against this bill.
3. Prakash Singh Badal, former Chief Minister of Punjab, returned his Padma Vibhushan as a protest against what he perceives as the government's betrayal of farmers in India.
4. Canadian Prime Minister Justin Trudeau stated, "Let me remind you, Canada will always be there to defend the rights of peaceful protesters. We believe in the process of dialogue. We've reached out through multiple means to the Indian authorities to highlight our concerns. This is a moment for all of us to pull together." Also the Indian government reacted to this statement The official spokesperson of the Ministry of External Affairs (MEA) emphasized that certain comments made by Canadian leaders regarding Indian farmers are misinformed and inappropriate. They stressed the need for diplomatic discussions not to be misrepresented for political agendas.
5. As PTI Social activist Anna Hazare also threatened to go on a hunger strike if the demands of the Farmers are not met.

6. Expressing strong criticism, Congress Communication Chief Randeep Surjewala, during a press conference, accused Prime Minister Modi of being unable to repeal the Farm Acts 2020 and relying on the Supreme Court to resolve the farmers' deadlock. Surjewala suggested that if the Prime Minister can't handle the situation independently, he should resign from his post.

## Clarifications by Central Government

To clear their fear

- The Central Government proposed that they will give written assurance for the continuation of the existing MSP system.
- The proposed contract farming law ensures farmers the option to seek legal recourse, safeguarding their land as loans won't be granted by mortgaging their land and buildings.
- The government assures the continuation of procurement at Minimum Support Price (MSP) and the uninterrupted operation of mandis. The new system allows farmers the flexibility to sell their produce at locations beyond the traditional mandis.

## Conclusion

- According to this research we came to know that there are many misconceptions of these three bills that farmers have.
- The Central government also tries their best to solve their problem by understanding their problem and the Supreme court also helps in arranging a special committee for their concern.
- But day by day this problem increases even though all the effort that the Centre government and Supreme court made.
- Also by research on this we have to know that the farmer problem and their consent is True and correct but the fuel added by the political leaders in order to get vote banks and also by foreign countries in order to make them super power.
- This is the main reason which became a big stone to not to solve the problem and at the end thus three farmer bills are repealed by the central government.