

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE AND FARMERS WELFARE
DEPARTMENT OF AGRICULTURE, COOPERATION AND FARMERS WELFARE

RAJYA SABHA
UNSTARRED QUESTION NO. 2747
TO BE ANSWERED ON THE 19/03/2021

JUDICIAL INTERVENTION IN NEW AGRICULTURAL LAWS

2747. SHRI ANIL DESAI:

Will the Minister of AGRICULTURE AND FARMERS WELFARE be pleased to state:

- (a) whether it is a fact that under the new agricultural laws, farmers cannot approach courts in normal circumstances;
- (b) if so, the logic behind empowering officials to deal with and decide the complaints of farmers in case of dispute with purchaser of farm produce; and
- (c) whether it is a fact that there is no compulsion of MSP under the new agricultural laws?

ANSWER

MINISTER OF AGRICULTURE AND FARMERS WELFARE
(SHRI NARENDRA SINGH TOMAR)

(a) & (b): The New Farm laws viz, “The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020”, “The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020”, are intended to protect the interest of farmers including that of small and marginal farmers through a simple, accessible, quick and cost effective dispute resolution mechanism prescribed at local Sub-divisional level for which deterring penal provisions have also been made against traders for any contravention of the Act by them. As such, it enables the farmers to get their disputes resolved through Conciliation Board represented by their nominee in 30 days from the date of constitution of Board, failing which they can approach concerned Sub-Divisional Authority (SDM) with provision of appeal to Collector or the Additional Collector. The executive officers at Sub Divisional level and District Collectors perform the functions relating to land revenue including maintaining land records and resolving the disputes relating to crops and land. Thus, they have field experiences relating to agriculture & land disputes as well as judicial. In view of the above, they are well equipped to adjudicate on all legal and contractual disputes emanating from these Farm Legislations.

(c): The objective of the Government's price policy is to ensure remunerative prices to farmers by offering to procure their produce at Minimum Support Price (MSP). MSP policy has nothing to do with Farm Acts. However, farmers are free to sell their produce to the Government procurement agencies at MSP or Agricultural Produce Market Committee (APMC) markets or through contract farming or in the open market whichever is advantageous to them.

The New Farm laws aim at facilitating direct buying from farmers in trade area by traders, processors, exporters, Farmer Producer Organizations (FPOs), agriculture co-operative Societies etc., so as to facilitate farmers with better price realization due to reduction in supply chain and marketing cost to enhance their income.

Further, "The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020", stipulates that the produce must be purchased at a price provided for in the farming agreement. The price may be linked to market price and in such case; a minimum guaranteed price be specified. Similarly, the method of determining payment above the minimum guaranteed price and a clear price reference must be provided in the agreement.
