



Anti-farmer Laws

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Anti-Farmer Laws (1) Kisanputra Andolan

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Anti-Farmer Laws (2) Kisanputra Andolan

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Kisanputra Andolan

Why should anti-farmer laws be abolished?

1) What is the main cause of farmer suicides?

Suicide is a misnomer. All these farmers are victims of government policy. These are not suicides but are homicides and government is directly responsible for them.

Governments of all parties are responsible. As the farmers were chained in anti-farmer laws, they opted for death. The problem of farmer suicides can be remedied if this reality is understood.

In 1986 Sahebrao Karape, a farmer from village chilgavhan in Yavatmal District, went to Pavnar Ashram and he along with his family, committed suicide at Dattapur. As he had left a note while taking his life, the grave reality of the woes of the farmers came before the world. Committed on 19th March, 1986, it was the first known and one that shook the entire nation, suicide. Not because the government decided but after an order was issued by court, Government asked Tata Institute of Social Sciences for the first time to submit report on farmer suicides. NCRB started maintaining a separate record of farmers suicide from 1995. It is a fact that the incidence of farmer suicides increased after 1990. Some people are under the belief that farmers started taking their lives as a result of liberalization and globalization. This is totally incorrect. Evidence is available which establishes that farmers committed suicides even prior to adoption of these policies. Farmer suicides occurred even in the period of British. Even after the departure of the British, they have been happening incessantly.

In 1990, the central Government adopted the policy of liberalization and globalization. It became applicable to the whole nation. Despite this, farmer suicides are not observed

in many states. The suicides are taking place largely in comparatively more developed states. This means that where development took place in the neighboring areas, the ability of balancing the stress of the development could not inform the farmers (rather it was not allowed to inform), the farmers in that area became mostly despaired and they chose the option of suicide. Liberalization arrived in 'India', 'Bharat' remained untouched. The stress of development of 'India' was forced on 'Bharat' and as the farmers could not bear the stress, they were forced to commit suicide.

Many people confuse between 'immediate cause' and 'reason' as regards farmer suicides. 'Immediate cause' may be any other, 'reason' is the main cause behind it. If we dig into the past, only the anti-farmer laws are seen as the root cause of the problem. Liberalization come in 'India' (In fact, it has not arrived fully there also. Permit, quota Raj is still prevalent in many sectors). In Bharat, i.e. agricultural sector liberalization did not arrive at all. Following Acts provide evidence that liberalization did not arrive at all:-

- 1) Agricultural Land Ceiling Act.
- 2) Essential Commodities Act.
- 3) Land Acquisition Act.

Liberalization means reducing the governmental interference. These acts are not limited to interference, but they are evidence of governmental restrictions/prohibitions. These Acts should have been repealed when liberalization was adopted. They were not repealed. During the existence of these Acts, who can say that liberalization, openness or globalization has permeated agricultural sector? It is as clear as sunlight that above mentioned Acts is the root cause of farmer suicides.

2) Laws are enacted for people's welfare then how come anti-farmer laws?

Just as government is 'Mai-bap' is a blind faith, that Laws are for the welfare is equally a blind faith. Yes these laws are anti-farmers. They have been enacted deliberately. How are the laws anti farmer? To understand this, let us first consider Ceiling Act. What is a Ceiling Act? It is an act which places limits on ownership of agricultural land. Note that the limit is not on ownership of 'land'. This Act is restricted to agricultural land. The difference between 'land' and 'agricultural land' needs to be noted. The limit has been imposed on the ownership of agricultural land. An industrialist can own as much land as he likes. There is absolutely no limit on it. But if the farmer is single crop dry-land agriculturist, he can keep 54 acres for a finaly, if the land is for two crops, 18 acres is the limit. If the land is found more by even a gunta, it will pass under the ownership of government. No such restrictions are on any other professionals. Lawyers, Doctors, shopkeepers, industrialists etc. can carry on their occupations freely, but not farmers.

When Ceiling Act came into existence people approached courts. Courts struck down the Act holding that the Act was contrary to original Constitution of India. What next? The government devised a new tactic. A The Ceiling Act was included it in 9th schedule. and the doors of the courts were closed on the farmers. We can tell definitely about many Acts applying to farmers that they are anti-farmer and have been enacted deliberately.

3. What exactly is schedule IX of the Constitution of India?

India had an interim government prior to 1947. It continued for some time after independence. First General Election was conducted in 1952. Constituent Assembly was

constituted by the Interim government. Dr. Babasaheb Ambedkar was the Chairman of the Drafting Committee. Constituent Assembly held detailed and lengthy discussions. The Constitution of India was promulgated on 26th January 1950. The Constitution contained total 8 Schedules. Schedule means when a thing is mentioned in article of original constitution, but details have not been provided at the same place, a schedule is attached to provide the details. Eg. In the first sentence of Art. 1 of constitution of India, it is mentioned: -Name of the union and its territory India, that is Bharat, shall be a union of states. In the second clause it is stated that 'The states and the territories thereof shall be as specified in the First Schedule.' In other words details of article 1 are provided in schedule I. Original constitution contained 8 Schedules. All these 8 Schedules have been mentioned in original constitution. But mention of schedule IX was nowhere to be found in original Constitution. First Constitutional Amendment was made on 18th June 1951 to incorporate Ninth Schedule.

The nature of the Schedule is such that the Acts included in this Schedule will be beyond the jurisdiction of the courts. When we see the date, it is clear that barely fifteen months had elapsed from the promulgation of the constitution. Provisional Government was in existence then. Schedule IX was incorporated in the constitution before the government elected through general elections by adult suffrage assumed office. Some valid questions arise viz. should a provisional government have taken such a far reaching policy decision? Was there necessity of such hurried measure? whether this step was only for coming election?

In a democratic Country, right to seek judicial redress is considered a fundamental right. But in India, at the dawn of the independence, the right of farmers to seek judicial

redress was expunged. Almost 70 years have gone but the sun has not arrived on horizon yet.

At present, there are 284 Acts in Schedule IX. Of them, the number of Acts directly related to farmers is more than 250. Remaining Acts also come in contact with agriculture indirectly. It cannot be said that 250 out of 284 acts were placed in the Schedule through oversight. The government's object of keeping the farmers away from the courts is clearly visible from this.

Hon. Supreme court has recently held that the acts included in schedule IX after 24/4/1973(date of judgment in Keshavananda Bharati) are subject to judicial review. But Ceiling and other important Acts are prior to it. The beginning of oppressing the farmers was made by First Constitutional Amendment. Its consequence was that agricultural sector i.e. 'Bharat' became a colony of India.

4. What are the different Constitutional Amendments that are anti farmer?

Original constitution of India is founded on individual liberty. Economic freedom was given to the farmers just like other professionals. But after the promulgation of the Constitution, many Constitutional Amendments were introduced to take away the freedom of farmers. Till the end of 2015, constitution was amended 94 times. Out of them seven amendments i.e. 1st, 3rd, 4th, 24th, 25th, 42nd and 44th proved most detrimental to the farmers.

1st constitutional Amendment:- On 18th June, 1951, 1st amendment was made to Art.31 and Schedule IX, which had no mention in the original Constitution, was added to the constitution. Judicial remedy is barred against the Acts included in this Schedule. The right to seek judicial redress

of the Indian farmers was abolished by this constitutional Amendment.

3rd Amendment:- On 22nd February, 1955, 3rd Constitutional Amendment was made in Schedule 7 of the Constitution. According to the Constitutional scheme of things agriculture is a State Subject. Previous Entire matter in para 33 of concurrent list was deleted and by introducing classification like food items, animal fodder, raw cotton, raw jute etc. provision was made for control of central Government. Thus, the central Government encroached on the jurisdiction of State Government and established control on the market of agricultural produce.

This amendment is considered the mother of Essential Commodities Act. It needs to be understood that the Constitution was amended in February 1955 & Essential Commodities Act came into operation in April 1955.

4th Amendment:- On 27th April 1955, Article 31 was again amended and 4th Constitutional Amendment was made. It gives unrestrained power to the government to acquire land. This amendment not only diluted fundamental right to property but also revoked the protection provided by the framers of Constitution to all Fundamental Rights under Art. 13. After this amendment the government got undisputed right to acquire land. Courts were distanced from intervention.

24th Amendment:- On 5th November, 1971, Art. 13 was amended with a view to make the way of land acquisition unhindered and unrestrained. This amendment directly takes away the protection given to fundamental Rights of the citizens Art. 13 had conferred on the Indian Citizens protection of their Fundamental Rights. In this article, a stern warning was issued to the government not to pass any law or issue any orders which infringed on the Fundamental rights. 24th

Constitutional Amendment removed the protective shield of citizen's 'Fundamental Rights.'

25th Amendment:- On 20th April, 1972, a new part (c) was added to Art. 31 and the Directive Principles of State Policy included in the Constitution were given predominance over Fundamental Rights. Directive Principles were supposed to be non-binding. This amendment gave them importance and the citizens were deprived of basic freedom under the pretext of 'welfare of the people.'

42nd Amendment:- On 18th December, 1976, in a single day, 59 amendments were made in 7 different articles and the Preamble of the Constitution. It does not appear that such a record of effecting these many amendments in a single day has been achieved anywhere else in the world.

This was the period of Emergency. Broadly speaking, a review of 42nd Constitutional Amendment can be taken as follows:-

I. The words 'Socialist' and 'Secular' which were not there earlier were inserted in the preamble to the Constitution.

II. New Part 31(c) was added to Article 31. By this amendment the scopes of Article 14 which upheld the principle of Equality before law and Art. 19 which gave right to freedom were narrowed down.

III. Art. 19(1) (F) which provided freedom to property rights (to acquire, hold and dispose of property) was repealed entirely.

IV. To give a free run to the Acts enacted for Land Acquisition, provision was made to make Art. 14 (All are equal before law) and Art. 19 (Right to freedom) ineffectual.

44th Amendment:- On 30th April, 1979, the 44th Constitutional Amendment which abolished Fundamental Right to Property was made. By this amendment a new Article

300(A) was introduced. Fundamental Rights i.e. rights to freedom are considered the Soul of the Constitution. The Constitution makers had mandated by Art.13 that the government should not interfere with these rights. These rights were diluted during the term of Prime Minister Nehru. During Indira Gandhi's rule they were made almost dead and the last nail was fixed in the coffin during the rule of Janata Party by abolishing Fundamental Right to property. Right to property has now remained only a Constitutional Right.

5) What Acts in relation to farmers are anti-farmer?

There is so Many Acts are anti farmer. For the sake of understanding, the Acts can be classified under 3 types:-

- 1) Laws establishing system.
- 2) Detrimental Laws.
- 3) Deceitful/ delusive Laws.

Ceiling, Essential Commodities, land Acquisition Acts and Acts prohibiting sale of agricultural lands by Tribals to non-tribals, by agriculturists to non-agriculturists etc. are laws establishing system. These are the laws making the farmers permanent slaves.

There are many detrimental laws like Wild Life Protection Act, Progeny of Cattle Slaughter Prohibition Act. Even when these laws did not exist, the farmers were committing suicide. Such Acts prove detrimental to the farmers.

There are some 'deceitful laws'. On a cursory glance, they appear to be favorable to farmers, but they benefit others e.g. Act exempting the farmers from Income Tax. The farmers have absolutely no use of this Act because their occupation runs in loss. Income is not sufficient to make them liable for income tax. But this Act benefited those who get black money and they showed it as agricultural income and made it white.

The benefit of subsidies on fertilizer and pipelines did not accrue to the farmers, but to the industrialists and traders.

All these 3 types of laws are anti-farmer. The list of anti-farmer laws is pretty long. All these must be repealed. If the laws maintaining the system are scrapped, no time will be required for other laws to vanish. Therefore, these must be considered first.

6) Why there is opposition to Ceiling Act?

The land has been fragmented into very small pieces. About 85 percent of the farmers in the country are small or marginal. Average holding in India is 1 hectare. It means 85% farmers make a living on an area less than 2.5 acres. The families of the farmers cannot survive on dry land measuring 2 or 2.5 acres. Fragmentation of the lands has been a major problem.

This Act restricts freedom of individual and is unconstitutional. As a result of this Act, the farmers cannot follow their occupation freely.

To join the competition in the world, direct capital investment in agriculture is very essential. Nobody will invest for owners of small parcels of land.

Due to restriction of the holding limits of area under cultivation, the competent persons desirous of proving their ability in agriculture lose enthusiasm. For these and many other reasons, Ceiling Act must be abolished.

7) What is the exact nature of Ceiling Act?

Ceiling means limitation on maximum land holding. This Act has been clamped on the agricultural land only. This Act determines the maximum limit of agricultural land. Ceiling is not imposed on other lands. Urban Land Ceiling Act had

made appearance, but it was repealed later within a short time. It is welcome that it was repealed because the Act was used for engaging in corruption.

Agricultural Land Ceiling Act is in the jurisdiction of State Government. Diverse States provide different limits of the Ceilings. In Maharashtra the limit is 54 acres for dry-land and 18 acres for irrigated agriculture respectively.

When the Zamindari Abolition Acts were passed in 1951, some people approached the courts against them. Patna High Court ruled against the Act and held that it was unconstitutional. Immediately on pronouncement of this judgment schedule IX was incorporated into the Constitution. Two other High Courts had ruled in favor of the government. Some contemporary senior Members of Parliament had advised that appeal could be filed before Supreme Court against the judgment delivered by Patna High Court. But the Government was in no mood to listen to anybody on anything. Later on Ceiling Act was passed and it was also included in the Ninth Schedule. Jurisdiction of courts is barred in respect of Acts included in schedule IX. As a result, this Act has prevailed for so long. It is like as 'they came for hunting a rabbit but burned all the jungle'.

About 27 legislations of Maharashtra are in schedule IX. All are related to agriculture in some way or the other. Out of them, there are 13 Acts directly related to land holding.

In Maharashtra Ceiling Act made its entry in 1961. But it was not implemented immediately. In 1971, Central Government called meeting of all chief Ministers in the country. As an aftermath, 17 States made Changes in limits of Ceiling as per the directives of the center. Maharashtra fixed the ceiling of dry-land agriculture at 54 acres for a family. It was the maximum as per the Centre's directive. States of Punjab,

Andhra Pradesh etc. by and large approved this limit. But state of Bengal fixed the limit at the lower level of 18 Acres. Maharashtra also fixed the Ceiling of irrigated land at 18 acres. State of West Bengal determined it 13 acres. In Maharashtra the implementation of this Act was done after the drought of 1972.

Extent of Ceiling Limit in various States

In hectares (1 ha=2.47 acres)

State	Irrigated 2crops	Irrigated 1crop	dry land
<i>central Govt. recommendations 1972</i>			
	4.05 to 7.28	10.93	21.85
Andhra P.	4.05 to 7.28	6.07to 10.93	-14.16 to 21.85
Assam	6.74	6.74	6.74
Bihar	6.07 to 7.28	10.12	12.14 to 18.21
Gujarat	4.05to 7.29	6.07to10.93-	8.09 to 21.85
Haryana	7.25	10.90	21.80
Himachal P.	4.05	6.07	12.14 to 28.33
Jammu-K.	3.60 to 5.06	3.6 to 5.06	5.95 to 9.20
Ladhakh	-	-	7.7
Karnataka	4.05 to 8.10	10.12 to 12.14	21.85
Kerala	4.86 to 6.07	4.86 to 6.07	4.86 to 6.07
Madhya P	7.28	10.93	21.85
Maharashtra	7.28	10.93	21.85
Manipur	5.00	05.00	06.00
Odisha	4.05	06.07	12.14 to 18.21
Punjab	7.00	11.00	20.50
Rajasthan	7.28	10.93	21.85 to 70.82
Tamil Nadu	4.86	12.14	24.28
Sikkim	5.06	-	20.23
Tripura	4.00	4.00	12.00
Uttar P.	7.30	10.95	18.25
West Bengal	5.00	5.00	7.00

(Barring the north-eastern States, the area of dry-land was kept at minimum by the states of odisha, Jammu and Kashmir, Assam, Kerala and West Bengal.)

8) How is the Ceiling Act discriminatory?

Even if it is presumed that the rate of agricultural land is Rs. 1 crore per acre (This rate obtains nowhere), 54 acres are valued at Rs. 54 crores. In other words, a farmer in Maharashtra cannot hold agricultural landed property valued at an amount more than Rs. 54 crores. (It is a different thing that owners of 54 acres are now difficult to find). Against this, Ambani's wealth is of a few lakh crores. He can hold it at pleasure. Is this not discrimination?

There is no limitation on how many factories an industrialist should construct. An Hotelier can start as many hotels as he likes. There is no limit on the cases a lawyer should handle. There are no restrictions on number patients a doctor should examine. Not only this, there is no limitation on the number of heads a barber should shear or the number saloons he should set up. Traders, industrialist, professionals, nobody is subjected to restrictions. The restrictions are imposed only on farmers. If this is not discrimination, what is?

9) Wasn't abolition of Zamindari an object of Ceiling Act?

It is true that as Vatandari and money lending prevailed in India the lands of many farmers were grabbed by a few persons. It was the demand of justice to seize the lands from them and return them to the original owners of the farms. After independence this task could have been finished within 10 years by establishing special courts. A campaign like 'zamin

wapasi' could have been undertaken. It was not necessary to impose limitation on the properties of others.

Despite availability of a number of means for abolition of Zamindari, Government brought Ceiling Act. The plain meaning is that the government did not intend to bring this legislation for abolishing Zamindari. The sorry state of affairs is that, the government publicized ' we are bringing in the Ceiling Act to abolish Zamindari' to such an extent, that even after 70 years many present day so called intellectuals think that Ceiling Act is a way of abolishing Zamindari.

Why was the Ceiling Act required for abolition of Zamindari? The lands of the Zamindars should have been confiscated. What was the purpose of imposing Ceiling on others? America had Zamindari much more cruel than ours. They abolished Zamindari without enacting Ceiling Acts. It was not necessary to deprive others of their fundamental rights for abolition of Zamindari.

Here, it needs to be understood that ownership of large tracts of land does not mean Zamindari. Zamindari comes into being, when the people working on that land are made bonded laborers. Zamindari cannot exist in a society where there is no bonded labor. After the formation of UNO, human rights got prominence all over the world. In original Constitution of India, bonded labor has emphatically been opposed. Zamindari system cannot survive where bounded labor is treated as illegal and human values are given pride of place.

The fear was understandable when agriculture was the only means of capital formation. Now the situation stands transformed with change of time. Other sources of capital formation have come up.

In sum, Ceiling was absolutely unnecessary for abolishing Zamindari. Perhaps it was not even the objective.

10) What object might have been behind enactment of Ceiling Act?

In the relevant period, Bolshevik revolution had taken place in Russia. Lenin had nationalized land. Its resonance was echoed world over. Against this back drop, the process of making of Constitution of India had been initiated. A proposal for nationalization of land had come before Constituent Assembly. It was deliberated at length. As it was opposed by Rajagopalachari and others, ultimately the proposal was rejected. The people who were interested in nationalization of land were insisting on re-distribution of land. People had animosity towards Zamindars. This emotion was utilized to bring in Ceiling Act.

On the excess land released from Ceiling first and original ownership of government is noted. Then the name of the persons to whom it is given for cultivation is entered as cultivator/possessor. Landless possessor is secondary owner. Not primary owner. He can only cultivate the land. He does not have any other rights of ownership. What this means is that the land released from Ceiling becomes owned by the government. Even if it is the excess land, it will be owned by government. It can be reasonably guessed that the hidden agenda behind this might be nationalization of entire land progressively.

The Act had other objectives also. In our country industrialization began to take roots in the British era and innumerable farmers and rural laborers migrated from village to cities in hope of employment. This experience was already gathered. The country had become newly independent. Industrialization was the priority of the government. If people came in cities in very big numbers, it would not be possible to provide them employment, the cities would face the strain,

therefore the strategy of retaining them in agriculture seems to have been designed. This Act might have been brought to retain maximum people on the small pieces of land.

It was an era of scarcity of food grains. The strategy of confining maximum people in agriculture to make them earn livelihood from agriculture and produce food grains required for the nation, may be behind this.

Rulers had some kind of grudge towards agriculture and farmers. They had in their mind, never mind how the farmers lived, 'India' must be developed. Nay, fetters might have been applied to the legs of the farmers by accepting the principle that India would not develop unless agriculture was exploited.

11) Are we opposed to distribution of land among the landless?

No, certainly not. Every person must possess property. In fact, a person not possessing property is likely to be irresponsible. Private property makes man perfect. He starts feeling concern for the earth. Much can be said about Private property. So if someone is becoming owner of property, there is no reason to have anything against him. The question 'is there opposition to distribution of land?' should be asked to opponents of private property instead of supporters of private property.

The program of redistribution of land implemented in our country was of the nature of 'robbing Peter to pay Paul.' We are opposed to it. How was land distributed? Ceiling Act was passed. The land found excess than Ceiling limit was confiscated by the government without or with meager compensation. It was given to the landless for cultivation. Government seized it forcibly. It was distributed. Lands

belonged to the farmers and were distributed by government. This transaction was objectionable. Why were the lands of those in government employment not confiscated? Or did nobody raise that demand? As per law a person in government service is prohibited from doing any other business. This rule has been formed by the government. By applying this rule literally, the lands belonging to government employees could be confiscated and distributed among the landless. But government did nothing of that sort. What is surprising is that the messiahs of the landless also did not raise such a demand. Government employees were to be kept untouched and whatever the farmers had was to be taken away. This practice was unjust to the farmers. The farmers were made soft target.

As per the government data received under right to information, Agricultural land measuring up 725078 acres was declared as surplus. Out of that, 670815 acres agricultural land was confiscated /acquired by the government. If the average rate of the acquired land is presumed Rs.10 lakh per acre the government has looted Rs.70 lakh crores from the farmers by applying Ceiling Act.

Out of the land taken in possession, land measuring up 634,158 acres was distributed. The numbers of beneficiaries was 1,39,755. On an average an individual landless person got 4.5 acres field. The implementation of ceiling Act was done in Maharashtra from 1972 to 1976. Just imagine what size of piece must have remained in hands of the heirs of 3rd- 4th generation out of the lands distributed during this period. How many cultivated fields? How many sold the field and moved away? Heirs of how many are engaged in agriculture now? A good quality data on this is not available as yet. Neither the government nor the universities nor the NGOs conducted study on this.

Had such study been conducted the meaninglessness and jugglery of this land distribution would have been exposed. It is realized from general observation that majority of them sold the lands and moved to the cities. They dwelled in slums in the cities. Children were educated. Children of some of them have gone abroad. But the conditions of those who continued with agriculture worsened. Many of them took their lives.

Farming is a loss-making profession. That it shall remain in perpetual loss is the official policy of the government. Foisting upon the occupation on someone is equivalent to forcing him to walk towards the gallows. The plain meaning of land re-distribution program is re-distribution of poverty. One can understand distribution of land as a property but viewing it as an occupation is incorrect.

If a property is to be taken from someone and given to another, it must be taken with his consent. Further, instead of taking it from someone who follows that occupation, taking it from persons engaged in other occupations (e.g. government employees) would have been more justified. Ceiling on agricultural land for implementing the program of land re-distribution cannot be justified at all.

One more point. Nobody now possesses land more than the Ceiling limit. In fact land far less than the Ceiling is remaining with the farmers. Now the land has not remained eligible for taking out for land redistribution. Then what is the propriety of ceiling in present times? Why is this Act being preserved when there is no propriety at all?

12) What if the capitalists step in to purchase lands from small farmers and make them landless if the Ceiling Act is lifted?

This fear is uncalled for. Capitalists even now (that means despite the existence of Ceiling Act) face no obstruction to purchase lands. Sahara group has land measuring 38000 acres. Just imagine what others may be possessing. Ceiling Act does not pose any obstructions to Capitalists and industrialists or prohibit them from taking the lands of the farmers. They have no injunction to take lands despite existence of Ceiling Act. The restriction of Ceiling is only on the farmers. Yes, only farmers are prohibited from taking.

That capitalists will come and seize the lands of the farmers if Ceiling Act is lifted is a naive belief.

To critically examine this belief, it must be understood that Ceiling Act is applicable only to agricultural land. It means it is applicable to farmers. It applies to no other purpose. So-called Capitalists are not even today prevented from purchasing howsoever much land from whosoever they like. Many industrialists have thousands of acres of land lying with them. Anybody can purchase howsoever much land. The prohibition extends only to agriculture. For agriculture, the upper limit cannot be breached. The moral is that as Ceiling Act applies only to agriculture even today, others are free to purchase lands. It is naive to believe that the freedom will be available to them if Ceiling Act is revoked.

The belief that farmers will immediately begin to sell the lands if Ceiling is lifted is also misplaced. Like a poor person who preserves the Mangalsutra of his wife, the poor people do not generally part with their land. Landed property is a mainstay of poor people.

One more point needs to be understood. A periodical named Forbes publishes the list of 100 richest persons in the world every year. This list of 100 persons has not even once included the name of a farmer as yet. Leave alone India, for

as the governments here have been following anti-farmer policies, an Indian farmer could never be listed. But many countries in the world do not have Ceiling. Some farmer from there should have appeared in this list sometime. But none from there also appeared. What is the reason? If the reasons are explored, it will be understood that there are a number of ways to quickly gain riches than becoming rich through pursuit of agriculture. Capitalists, traders prefer those ways. Hence nobody dreams of being included in 100 richest persons in the world by cultivating fields.

To say that Capitalists would come and grab the lands is akin to suppressing the villagers of Rampur by creating fear that “Gabbarsing would come.” Ceiling Act is fetter in the legs of farmer and it must be broken.

13) What benefit would accrue to the farmers on revocation of Ceiling Act?

The loss the farmers are suffering due to the existence of Ceiling Act will not occur if the Ceiling Act is repealed. This is the real benefit.

Average holding in our country is less than 1 hectare. 85% of the farmers are marginal holders. This is a horrible reality of condition of agriculture. No rational investor will take the risk of providing capital to an account holder of one or two acres. If the capital investment in agriculture is to be increased, the fragmented structure of agriculture will have to be altered. If Companies working on areas of 100-200 or 1000-2000 acres are formed, local-foreign, private –public or Banks –financial institution will come forward to invest capital in them. Expecting Capital investment without changing the structure of agriculture is meaningless. Such companies will start processing industries. New jobs will be generated out of that.

In many states including Maharashtra the Ceiling Act was strictly implemented. What was the result? A farmer with 54 acres begot 4 children. Partition took place among them. Each got 13 ½ acres. In next generation they had 4 children. There was partition among them and they became small farmers. Savings were not allowed to remain in agriculture. The ambition for progress was killed and jobs outside agriculture did not come up. The burden on agriculture kept on increasing and the agricultural land was fragmented in to very small pieces. Today 85% holders are small. Many measures will be required to escape from this condition of penury. Abolition of Ceiling on agriculture is one of the very important measures.

Land became divided due to imposition of Ceiling. Very small pieces occurred. As a result the number of sellers of agro produce went on increasing. Thanks to Market Committee Act, the number of purchasers of agro produce decreased. If sellers are more and buyers less, the rates are bound to fall. This is the reason why the prices of agro produce always remain at the bottom level. If the number of producer sellers goes down, they may get fair price for their produce. The ability to wait till fair price is received and infrastructural facilities (Warehouses and capital) will be with them. If Ceiling Act is abolished, farmers' companies will emerge in agricultural sector and the situation may turn favorable to the producers. From the decade of 70s, the sizes of land ownership are increasing world over. But in India, the size has been getting smaller and smaller. It means that in the world, few people make living on a large tract of land and in India more persons are required to survive on a small piece. While they can use new technology, we can't cope with that technology. How can our 2 acre farmer compete with the world agriculture? After

lifting the Ceiling Indian farmer will be able to enter in the competition. He will get benefited from it.

A two-acre farmer, even if there is abundant production and even if twice of today's price is attained cannot live the life of a human being. (At least at par with Class 4 employee) If this is the condition we need to revisit the benefits of Ceiling. The farmers cannot be released from bonded labor unless there is complete overhaul of agriculture. Those who are desirous of maintaining the farmers as slaves and think that there should not be any improvement in their livelihood, cry aloud on behalf of the farmer. But when the subject of changing law surfaces, they split hairs.

Many changes are taking place in agriculture world over. Their cost of production has reduced. The agricultural production in the world is soaring up rapidly. As a result the prices of agro products are falling in world market. If we are to face this competition, we will be required to make many changes. The beginning will have to be made by abolishing anti farmer laws. The geographical condition in India is very favorable to agriculture. On lifting of the Ceiling Act, the farmers capable of facing world competition will be able to use their talent. Sustainable employment will be created in agriculture. The time has come to decide whether we want short-term gains or freedom for long-term benefits? The situation emanating from abolition of Ceiling Act can provide long term benefits to the farmers and the nation can also become strong.

14) Should the farmers quit farming?

Condition must be created where one can decide on his own whether to quit or continue with agriculture. Today those who are desirous of being in farming are not allowed to

do it properly. Many restrictions are imposed on them. They have to cross many hurdles. Those who want to quit farming are not allowed to do so honorably. They cannot escape as they have no choice. One study has revealed that 40% farmers in the country are more than ready to quit farming. But they cannot because they have no choice available. Those who get the opportunity to escape are getting out immediately. The farmers are seen struggling to get their sons and daughters out of agriculture.

The discussion on whether small or big sizes are desirable is also meaningless. The farmers should be allowed to decide on this. Some farmers will work wonders on a small holding while some on a big one. Both must have the freedom. Why do you decide whether the farmers should cultivate and if yes, what size their holding should be? Give the farmers the right to choose. They will decide whether or not to cultivate. The farmers should be free to decide on what area to cultivate and which technology to be used. In short, the farmers must be given freedom to choose.

15) Who will cultivate lands if farmers exit farming?

The farmers should not assume the responsibility of caring for who will cultivate the lands. Those should care who require bread and other agro products to eat. Should we continue toiling like slaves in agriculture because you require agro product?

At one time such question was asked in many developed nations. Then, the urban people started requesting the farmers' Dear ones, do a favor and cultivate the fields.' As a result, their governments had to adopt the policy of providing huge subsidies for agriculture. Provision of subsidies to the farmers was necessitated due to the need of the urban people. We have opposite condition. Subsidies are given like

throwing Crumbs because the farmers are needy. This is the vast difference between the subsidies in developed countries and our own.

The process of people exiting agriculture is natural. This process has been happening in the entire world: The practice of 3 out of the 4 brothers exiting agriculture and one looking after agriculture was considered good. The model of development accepted by us closed the door of exit. The cruel treatment of live in farming die in farming, the house to be set on fire and exit ways to be closed is being given.

In the aftermath of creation of opportunities of employment in 'India' after 1990, the sons and daughters of farmers started moving out of agriculture. Today, a large section of farmers are of opinion that their children should not return to agriculture.

Who will do farming? This question is likely to emerge in India also in near future. The earlier it emerges, the better for the farmers.

16) What is the middle path if it is not politically expedient for the government to abolish Ceiling Act?

Our political parties do not betray courage in taking any firm step. They take decisions only when they have no other option. The question of farmers being disgruntled due to abolition of Ceiling Act does not arise at all. Then keeping in mind whose displeasure has the government been indecisive?

The government fears the Indian electorate who are of the view that the agricultural products must be cheap, nay, free of cost. They will make a hue and cry. The government is afraid of their outcry. This outcry starts precisely when the issue of farmers' welfare comes to the forefront. This class remains dumbstruck on the pay revision of the employees.

Do the employees pay commissions benefit the country? Are they beneficial to the poor? But there is no outcry against it because it benefits the non-farmers.

Maximum limit on the agricultural land must be removed completely, but if the government is very afraid of the outcry, at least 'farmers' producers Companies must be exempted from this Act. Farmers 'producers' companies have been formed out of the Group Agriculture Program. The Companies are owned by the farmers. They work in the two areas of inputs and sales. Farming has to be done by each individually. If these companies are entitled to do farming they will be able to work in a more innovative and effective way. For this, one amendment will have to be introduced in Ceiling Act. Just as Government, Agriculture Corporation, Agriculture Universities have been exempted from the Ceiling Act, the farmers' companies should also be exempted. This small amendment should be made. These Companies are owned by farmers. Besides, government is giving them encouragement. A beginning can be made by exempting them from Ceiling Act.

The Ceiling Act falls under the jurisdiction of state government. It can amend it. Despite the Act is in the Schedule IX of the constitution State government can amend its law.

17) What is the condition of land holdings in other countries of the world?

In developed countries, size of land is increasing. On the other hand, the average size in our country is contracting very fast. This means that while 200 acres land is the source of income of one family there, about 100 families have to survive on 200 acres at our end.

Union Agriculture Minister informed the Parliament that in 2017, holding of 91% farmers is within 1 hectars (2 ½

acres) in India. Average holding in America is about 450 Acres. The sizes of farms in Brazil are 200 to more than 1000 acres. In Australia, holding is more than 5000 acres. What comparison can there be between 2 ½ acre and 200-2000 acres?

Due to the limitations on landholding many promising youth left the country and started agro business in foreign countries. The data of various countries is an eye-opener

Change in size of holding in select countries after 1970 (Hectare)

Country	Year	holding Size	Year	holding Size
Canada	1971	187.6	2001	273.4
America	1969	157.6	2002	178.4
Brazil	1970	59.4	1996	72.8
Peru	1971/72	16.92	1994	20.1
Denmark	1970	20.9	2002	52.3
France	1970	22.07	2000	45
Italy	1970	6.9	2000	7.6
Netherland	1970	11.6	1999	22
Norway	1969	17.6	1999	89.5
Spain	1972	17.83	1999	23.9
Australia	1970	1920.3	2001	3232
India	1971	2.3	2001	1.06
Japan	1970	1	2000	1.2
South Korea	1970	0.88	2000	1
China	Not available	Not available	1997	0.6

(Source:- Fertilizer Statistics 1980-81 and 2009-10, Fertilizer Association of India, New Delhi.)

18) Should any amendment be introduced in succession Act?

Though it appears that the land was fragmented as a result of right of inheritance, it is equally true that as there were no other sources to live on, it was necessitated to break up the existing resource. Of late, land has become valuable immovable property. This has also contributed to fragmentation.

Once it was presumed that if dowry was paid the share of daughter stood paid. In the meantime life-threatening unpleasant incidents began to surface in connection with demand for dowry. Movements for prohibition of dowry started. An Act was passed. Then share of sisters gained importance. Due to dowry, fragmentation of land was avoided. It has to be done now. There can be no two opinions that daughters must have share in right of inheritance, but now that share is to be given should be decided by the persons concerned.

Share of sisters is a recent phenomenon. The process of fragmentation of land started much earlier. Market did not expand as business of agriculture was maintained in losses. Consequently, non-farm employment did not generate. As opportunities of non-farm employment remained minimum burden on agriculture went on increasing and land continued to be divided. In an agriculture dependent society, the law of inheritance cannot be very different from this.

Diverse countries, religions and communities have diverse customs and laws regarding disposal of property. In order to avoid fragmentation of land, long ago a custom existed in a community that the entire immovable property was to be given to elder son and he was to be given the responsibility of younger brothers. This was known as primogeniture. The practice of determining the shares of heirs according to the will is also prevalent in many countries today.

The method of differentiating between ancestral property and self-acquired property of the guardian and partitioning the property is prevalent with us.

Overall, it appears that the custom of dividing the land equally as per right of inheritance is established all over the world. But as other means of employment are abundantly available in developed countries, they don't feel the need to divide the land. In some countries, the lands belong to the companies. Consequently, division is avoided.

In some countries, the lands are owned by government. In some countries of Africa, government allots land on rent to cultivate. You can rent land as much as you want. There is no Ceiling on it. If the land is kept fallow for 5 years in succession, State takes over the land and gives it to another person on rent. This method is different from the nationalization of land employed in China and Russia. What is special about it is that there is no Ceiling.

In our country, the topic of ownership and heir-ship is delicate and sensitive. But if we consider the pace at which the agricultural land is being fragmented, the pieces of land will be so small in next 2 to 3 generations that farming on them will be next to impossible. At that time, the issue of ownership will have to be considered.

At present one thing is crystal clear that in our country all of the laws enacted to keep agribusiness in loss have been instrumental in fragmentation of agricultural lands. They must be abolished immediately. Future fragmentation must be arrested by forming farmers' companies.

19) What is the background of necessities of life or Essential Commodities Act?

Not necessities of life, Essential Commodities Act. In English the nomenclature is Essential Commodities Act.

Essential means essential, not necessities of life. The Act is an offshoot of an ordinance promulgated by the British in 1946. Second World War ended in 1945. Britain was at the forefront in it. They promulgated the ordinance to ensure that the army did not suffer shortage of food. The ordinance was promulgated in 1946 and the British left India in 1947. Nevertheless, the ordinance remained. The then Food Minister Rafi Ahamad Kidwai suggested to then Prime Minister Pandit Nehru to repeal this ordinance. But as Jawaherlal Nehru refused to oblige the ordinance remained in force.

Rafi Ahamad Kidwai died in the year 1954. An important Constitutional Amendment was made in February. Our constitution divides the subjects in Union, State, Concurrent lists. The corresponding lists are given in schedule VII. The subject agriculture is entrusted to states. Then Nehru government deleted an article in concurrent list and substituted a whole new matter in its place. As per this matter, central government got right to control some commodities. Initially, some minerals, animal fodder and some agro products (cotton, jute, rubber) were included. Not even 2 months had elapsed from this constitutional Amendment before Government converted that ordinance into an Act. In this manner Essential Commodities Act came into Operation in April 1955.

20) What Commodities are included in Essential Commodities Act?

The declared objective of the government regarding Essential Commodities Act (Which is required to be mentioned while enacting an act) is as follows:- The object of this Act is to control production, supply, distribution, price and trade, commerce of certain commodities or to confer on the government the right to control. For this purpose, to maintain

or increase supply of commodities ensuring equal distribution and availability at fair price of the products concerned and to take steps to make the essential commodities for defense of India available and to take care that the armed forces are not hindered in their work.

The list of Essential Commodities has more than 2000 items. We will see here in what different classifications they are placed:- 1) Oil cake and all other animal feed. 2) Coke, coal and other products manufactured from coal. 3) Automobile devices, their parts, electric devices. 4) Cotton and woolen garments. 5) Food items, edible oils, oil seeds. 6) Iron and Steel, products manufactured from iron and steel. 7) Newsprint, paperboard and paper with strawboard. 8) Petroleum and Petroleum-based products. 9) Raw cotton, Ginned or not Ginned, Cotton seeds. 10) Raw jute, jute cloth, jute seeds. 11) Fertilizers, chemical, organic or mixed fertilizers. 12) Seeds of food-grain crops, seeds of fruits and vegetables. 13) Cattle fodder seeds.

Government by issuing orders from time to time adds some new commodities in Essential Commodities Act and also deletes some from it. In 2002, 12 commodities such as yarn, textile machinery, man-made and machine-made celluloid yarns, clothes, woolen etc. were deleted. Recently, onion has been deleted from this list. Central Government has issued order for deletion of pulses for prescribed period. Only the government can decide as to which commodity is to be retained in the list and deleted there-from. There is no criterion for this.

This is the only Act in which the word 'Essential Commodity' has not been defined at all. The Act says that a commodity determined by the government is essential commodity. As there is no definition in the Act, everything is

dependent on government's whim. This is an absurd situation.

21) What if agro produce is excluded from Essential Commodities Act?

A demand is raised by some persons for deletion of the agro produce from Essential Commodities Act. News is circulating that recently Neeti Ayog has made such recommendations. It is doubtful whether they have thorough knowledge of the Act or not. As stated above, Government deletes some Commodities from time to time. Again adds them after some time. That commodities are deleted today does not mean they are deleted permanently. This is the nature of the Act. Therefore, while raising demand for deletion of the agro produce, demand must be raised for abolition of the right given to central government to declare any commodity as essential commodity. In short, the demand must be raised for repeal of the Act.

22) What was the impact of Essential Commodities Act on the farmers?

The severest brunt of the Essential Commodities Act was borne by the agro produce and naturally by farmers. It was the official policy of the government that if the prices of food grains were retained at lower level, the industrialists could get cheap labor and industrialization would be achieved as a result. To implement this policy, the Act was put to use. Urban population went on increasing in cities after independence. Money flowed to them. It started having direct impact on the policies. (After the delimitation of the constituencies, urban vote-bank became all the more important.) Keeping this class appeased became a political need. As it was observed that on onion becoming dearer the power had to be sacrificed, it

was seen how the onion would remain cheap. As this class becomes dissatisfied if price of sugar soars, to gain its support government imposed restriction on sugar.

Present generation may not probably believe but it is not a very distant past. It was the period of 1970-72 after India attained independence. During that period the government had imposed levy on the farmers by using the instrumentality of this Act. Levy means compulsory recovery. The farmers were forced to bring the specified goods to the government godown at a rate very less than the market price. If nothing was cultivated with any farmer, he was to purchase and supply the goods. This levy system continued till very recent past.

A special provision was made for sugar in Essential Commodities Act. The year 2000 had to be dawned for levy on sugar to go. Levy on sugar means 90% of sugar manufactured in a factory was to be given to government at a price fixed by the Government. Government kept the price of this sugar very low which impacted on the price of sugarcane. Naturally, the farmers had to bear the brunt.

Be it sugar or onion, all commodities were included in the list of Essential Commodities only for political consideration for convenience of employed and to please urban consumers. Name was invoked of the welfare of the poor but the benefits accrued to the others. Our rulers never endorsed the theme that for poverty alleviation, not so-called welfare programs, but freedom to the entrepreneurs was needed.

This very Act is the mother of market committees. Market committees tied the farmers. If produce is to be sold, it must be sold in the premises of Market committee. Any transaction outside was treated as illegal. The goods were to be supplied in the premises of Market committee and through

the licensed broker of the Market committee. Restrictions were imposed that only Licensed traders would purchase the goods. To whom will the Market Committee issue licenses? Only their stooges got the licenses. The number of licensed trader were a handful, farmers selling the goods were thousands. Therefore, traders could get the produce by depressing prices. As the market committees limited the number of traders in agro produce, the farmers did not receive any benefit of competition.

In 2015-16 as the prices of pulses started soaring, Government of Maharashtra precisely used this Act as a weapon. Not only were controls imposed on stocks and movement of pulses but on prices of pulses also. If the controls are to such an extent, why would the traders remain in Market? The brunt of these controls was felt next year. Keeping in mind higher prices of the previous year, farmers took production of Tur on a large scale. But traders were very few in market, they depressed the price. Where Tur was priced at 10 to 12 thousand, it was difficult to get even 3 to 4 thousand. Ultimately, the government had to start purchases. Government gave half the rate that was given previous year. Further, the government machinery proved incompetent. A year passed but the government could not procure Tur. Farmers suffered a lot. If the stick of Essential Commodities Act were not brandished, the farmers would have got good rate and the farmers would have cultivated pulses on such a large scale, that the need of import from foreign countries would not have been felt. By using the provisions of Essential Commodities Act, cotton monopoly scheme was introduced. The huge loss this scheme caused to farmers is known by the farmers in Maharashtra especially in Vidarbha and Marathwada. In the adjacent Madhya Pradesh, the prices were higher but the

cotton was not allowed to be transported there. Government used to purchase cotton at half of the prices prevalent in world market.

This scheme was brought in the name of the farmers but the farmers did not get any benefit from it. Graders, officers and police on the check-posts became wealthy.

Seeds are also included under Essential Commodities Act. By using it government can decide which seeds are to be allowed in the country. This control by government directly hit the farmers. More than 15 years had passed since Bt cotton hit the world market but it was not allowed entry in India. Ultimately the seeds arrived in India clandestinely. The farmers cultivated it. Approval had to be given to Bt subsequently. Production increased manifold thanks to Bt cotton. The farmers received added income. Now, the advanced new GM technology in cotton has been resisted by the government. Same is happening in case of GM seeds in other crops. Neighboring China has given approval to GM soya-bean seeds. But our government would not. The producers of soya-bean will suffer the impact. As the seeds are under the control of the Government, the farmers cannot use this technology. What can be more unfortunate than that in a country where the Father of the Nation Mahatma Gandhi had led the farmer agitation in Champaran a hundred years ago for establishing the right of the farmers to decide which crop to cultivate, the seed is included in the list of Essential Commodities? Sharad Joshi, the leader of Shetkari Sanghata has developed an elaborate theory of freedom of technology and he had organized struggle for this also. This Act has deprived the farmers of their freedom of technology.

In short, Essential Commodities Act is a noose around neck of the farmers. It opens pasture for corruption to the government officers and politicians.

23) What are the other adverse consequences of Essential Commodities Act?

There are three major consequences of this Act:-

1) Interference in agro product markets and depressing the prices of agro products.

2) Arresting rural industrialization.

3) Making administrative corruption rampant by starting license, permit, Quota Raj.

We have seen in the answer to previous question how this Act has destroyed agro-product market. The other two consequences it brought are also important. Essential Commodities Act endowed the Babus (government officers) with enormous powers. This Act contains provisions which afford protection to government officers. The result was that, every entrepreneur whether for starting of a factory or running it, had to come to the doorsteps of the bureaucracy every-time. If an entrepreneur from Chandrapur wants to establish a factory he has to make rounds of Mumbai for its sanction. Though on greasing the palms of the babus some concessions are available, the papers have to be collected nonetheless. The babu remains protected, but the energy of the entrepreneur is totally exhausted by doing rounds and paperwork. If you observe in the country you will see that the industries are developed around the state capitals. Because industrialists situated there find it easy to visit the state's senior officers. The license, permit, quota Raj resultant from Essential Commodities Act not only made corruption rampant but a more serious pitfall occurred. Employment /jobs could have been generated in rural areas but couldn't.

There were 3 adverse consequences of stoppage of rural industrialization:-

1) Entrepreneurial talents in the rural areas were stifled.

2) Farmers could not get the benefit of value-addition resulting from process on raw goods.

3) Jobs were not available to Kisanputras in the vicinity of their place of residence.

Essential Commodities Act opened the avenue of administrative corruption. The systems of license, Permit and quota became applicable. A chain of corruption from top to bottom came into existence. These beneficiaries entered politics. Bureaucrats got pasture for corruption. There is least need of any Lokpal to arrest corruption. Abolish only Essential Commodities Act and 80% corruption in the country will be easily ended. And if this Act is kept operative as it is, installation of not 10 but even 100 Lokpals will not end corruption.

To sum up, Essential Commodities Act not only hindered the progress of the country, but it pushed the country into abyss of corruption.

24) Does a similar Act exist in any other country in the world?

All countries in the world take care of secured food supplies to the army. But beyond that, the coverage of the Act is not found in the developed nations. The spread/ coverage of our Act is far wide.

There is no need to teach patriotism to the farmers in India in the name of food security of the army. The farmers send their offspring on the border for the protection of the country without caring for life. Won't they give food grains for them? Even if there is no Act for it, Indian farmers will never fight shy of helping India's army. How can we be convinced if we are tried to be deceived in the name of the army?

An Act that is similar to Essential Commodities Act in India is nowhere to be found in other countries of the world. The Act was passed in 1955 and it was included in the 9th schedule of the constitution in 1976 during the Prime Minister-ship of Indira Gandhi. This amounts to applying fetters to the farmers and looting their goods. This Act legalizes government robbery.

25) Will the problems of the farmers be solved if Swaminathan Committee Recommendations are implemented?

To press for implementation of 'that' recommendation of 'Swaminathan Committee' is as laughable as throwing away the medical prescription given by a Doctor and asking for medicine based on the prescription given by a lawyer.

Swaminathan is not an economist. He is an agricultural Scientist. He can explain the science of agriculture. He is an authority in that field. Sharad Joshi was an economist. He raised a farmer movement in the country. It is necessary to understand his take on this subject. Pushing the demand of Swaminathan Committee by ignoring Sharad Joshi is akin to asking for medicine based on the prescription given by a lawyer instead of Doctor's prescription.

Only one fact is sufficient to discard this commission i.e. this committee does not utter a word about anti-farmer laws. Why might there not be discussion about laws affecting farmers in this 1st farmer Commission appointed against the back drop of farmer suicides? Whether there was fear of displeasure of those who enacted these laws or you are supporters of those laws, is not quite clear. Second surprise is that government monopoly has been espoused in this report which was presented in

21st Century. Government monopoly can never be in the interest of creators.

Recommendation of M.S.P. amounting 1.5 times the cost of production is the most popular recommendation this report. If the Swaminathan Committee report is read carefully, it will occur that the recommendation of 1.5 times MSP is not for all crops, but is limited to a few crops. Do we fit into it? Is it minimum or maximum? If it is read, it will be clear. Those who deceive by invoking its name do not feel it necessary to read. The leaders who find themselves above themselves are misguiding the farmers by raising the demand of 1.5 times prices.

The report was submitted during the term of those who had appointed the commission. Congress and members of parties in alliance, during whose rule, report was lying dormant for 1 ½ term are after going out of power, demanding implementation of the commission report. This fact is not only laughable but evokes anger. Prior to the 2014 elections BJP especially Narendra Modi deceived the Indian farmers by mentioning Swaminathan's recommendations. On coming to power, they backtracked. Now, invoking the name of the same commission, Left and other opponents have embarked on deceiving the farmers again.

Suppose, it is decided to provide 1 ½ times price. Who will give the price? Who will purchase? Government! So all produce cultivated in the country will be purchased by the government. All traders will be banished. (Even if they are banished, nothing hurts them for they can change the place or business. The farmer can change neither the place nor the occupation.) Government procurement will be compulsory. It will have no substitute (Recently the farmers have experienced government procurement of Tur. Maharashtra

has tested the bitter experience of cotton monopoly scheme before.) Is there a single country in the world which purchases entire agro-produce at support price? Does such purchase take place even in a communist country? No government in the world is capable of purchasing entire produce of all farmers. In spite of this, advancement of this demand amounts to deception of the farmers. Doesn't it?

If the government is to buy all produce cultivated in India, the entire budget of India alone will not suffice. Budgets of many countries will have to be merged. Only a leader who does not understand ABCD of economics can deceive the farmers by supporting this recommendation.

State Governments are not empowered to declare support price. This task is performed by central Government. There is a commission which recommends prices. It is Commission on Agricultural Costs and Prices. This commission collects data of cost of production through Agricultural universities and other government bodies and makes recommendations based on that. State governments provide data to this commission. They also make recommendation. Union government announces support price of 17 select agro-products. Not of all and sundry agro-products. All farmers do not have across the board one and only one cost of production. It may differ for every piece of land. Therefore, currently the government uses average system. There are many lacunae in this method. All government till date have used Agricultural price Commission for depressing price. This Commission is silent on how the cost of production is to be calculated. In a way this is akin to bidding farewell to a cow sent to a butcher.

Banishing the traders from market of agro-products and substituting government bureaucracy for it means inviting

a grave calamity. A government servant is concerned only with his salary. There is no reason for him to be interested in prompt sale and purchase. But trader has to take keen interest. He invests his capital with profit motive. In order to release invested capital within minimum duration, he has to employ his total capacity/ability. He therefore makes arrangement for disposal of the produce with equal promptness. Only then he can invest capital for new purchases. Why would an employed person receiving monthly salary take all this trouble?

In biology, it is understood that there was evolution from cell to body. Similarly in sociology the journey of individual, tribe and family is considered. Market is equally important in human evolution. It is the place to enter in to transaction with honor by discarding beggary and plunder. Many beggarly and looter factors like government, monopolists, Gundas/Mafias / corrupt leader/babus create obstacles in the natural flow of markets. The government instead of taking hold of market should remain vigilant to see that market is not hindered. Those who want to tie the farmers to the tether of government and those who have supported nationalization of land are giving boost to this recommendation.

The basic problem of agriculture and agriculturists is entangled in anti farmer laws. The three laws viz. Ceiling, Essential Commodities and Land Acquisition have become strangleholds of the farmer. Ignoring the demand of their abolition and showing the farmers the bait of 1½ times prices means misguiding them. The welfare of farmers is not in government oriented prescriptions but in breaking the fetters tied to their limbs. Hence it is not desirable to support the recommendation of Swaminathan Commission.

26) What is the history of Land Acquisition Act?

In 1894, the British enforced the Land Acquisition Act for the first time. It was very cruel. Just issue a notice to a person whose land was to be acquired and that's the end of it. Nobody could halt the acquisition process. In 1947, our country attained independence. This Act was retained as it was. In 1950, we adopted the Constitution of India but this Act survived. During the reign of Nehruji instead of Changing this Act, government assumed unrestrained power to acquire land by making some alternations in Art 19 and 31.

After this, a big issue came before the court. In Shankriprasad Sing case of 1951, Hon. Supreme Court pronounced validity of government's right to acquire land. But in 1967, in the case Golaknath V/s State of Punjab, Supreme Court delivered judgment against the government and held that the government had no right to alter or infringe the fundamental rights conferred on the citizens of India by the Constitution. Again in 1973, in the Kesavananda Bharati case, Supreme Court overruled its earlier decision and opened wide field for government's unrestraint rights.

Many thinkers have raised various objections regarding the judgment in Kesavanand Bharati. A criticism was leveled that the then Prime Minister Indira Gandhi had interfered in the appointment of judges. The judgment clarified that the government could not be restrained from acquiring land, judiciary would not be able to intervene into it but the petitioner could approach the court to claim compensation. Whatever was gained in Golaknath case was snatched away in Kesavanand Bharati case.

After this judgment in 1973, Indira Gandhi government removed the protection provided to fundamental rights by the framers of constitution under Art. 13.

Last nail was struck by Janata Party Government. Moraraji Desai was the Prime Minister and Adv. Shanti Bhushan was the Law Minister. Janata Party removed the right to property from the list of fundamental Rights and retained it as only Constitutional Right. (Art.300A). It meant that an attack was made on the fundamental Rights which were considered as the soul of the Constitution. Now no petition can be filed before Hon. Supreme Court against laws dealing with property enacted by government.

27) Are the amendments introduced by UPA and NDA governments in Land Acquisition Act in favor of the farmers?

A poultry owner styled himself a democrat. One day he went near a coop of hens. There were 8 to 10 hens in the coop. The poultry owner said addressing the hens, "tomorrow I am going to kill you. But as I am a democrat, I have come to ask you to tell me which oil I should fry you in. I will implement your suggestion in letter and spirit. It will do if you tell me tomorrow morning after thinking over it in detail". He left after saying this. The hens were very happy. They started telling each other that they were very fortunate to have such a good master. But one hen was standing quietly. All of the hens looked at her. They asked her the reason for her despair. Then the hen said, 'what is there in it to be happy? How come the damned owner is a democrat? He has already decided to kill us. He is only asking in which oil to be fried. He is not asking whether to be killed or not.' On hearing this, the other hens were disillusioned.

As regards land acquisition, the proposals of both UPA and NDA governments are akin to the poultry owner's. We will decide whether to acquire the land or not. But compensation

will be paid 4-8 times. Both have decided to kill. The only difference is in the oil to be fried in.

It was an Act enacted by an imperial government for a colony. It remained as it was even after the country became independent. Despite the observation that the Act was in contravention with the constitution the government did not alter the Act. Constitution was amended instead. After full 108 years i.e. in 1998(51 years after independence), a study group of parliament was constituted to revisit the Act of 1894. Then after 10 years i.e. in 2007, 'Land Acquisition Bill 2007' was introduced in the Lok Sabha. The Bill was cleared by Lok Sabha but got stuck in Rajya Sabha. In 2011, The Bill with a new nomenclature (Land Acquisition, rehabilitation and Resettlement Act) was introduced again with some modifications. In the end, in 2013, this Act was passed with the new long name, The Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. This Act was criticized. Especially due to the criticism from spokesmen of industrial sector, Manmohan government issued an ordinance. UPA government went out of power. In a few days, NDA government was installed. They made some more stop-gap amendments in the Act. It also got stuck in Rajya Sabha and this government was also forced to issue an ordinance.

There is slight difference in the two Acts. The condition of consent introduced by UPA government was diluted by NDA and compensation was increased. That's all.

28) What are the objections to Land Acquisition Act? What are the suggestions?

For the farmers, Land Acquisition Act is a hanging sword. Which land the government will plan to acquire, cannot be predicted. In such an uncertain situation, how can the

farmers follow their occupation? Who will invest in agriculture in the face of such uncertainty? This Act proves an obstacle in enabling the farmers to continue their occupation without botheration and investor to feel encouraged about investment.

It would have been better if Government specified and reserved 2-4 or some more barren land areas and established Defense and other projects on such areas. There was no need to acquire lands from different areas and farmers could have cultivated their farms relieved. If any industrialist were to establish his private project at any other place, then he could directly negotiate with the farmers. Industrialization in most of the countries of the world has been happening in this manner.

The Act has been misused to take away land from the farmers and to give it to private industrialists or other institutions. Land is acquired by giving nominal compensation and sold at a higher price to the industrialist. In the transaction, the palms are greased. There are many instances of such 'prowess.'

It does not seem that in any other country in the world the lands of farmers were acquired and given to industrialists on such a large scale as in India. Special Economic Zone (SEZ) was introduced in china for the first time. At that time, land was not acquired there. They named a territorial division Special Economic Zone. The governmental intervention in the territory was stopped. The transactions in land were entered directly by farmers and industrialist. But when implementation of SEZ began in India, the lands were acquired first. They were given to industrialists. At many places, the factories were not built. The industrialists are now demanding to allow use of these lands as Real Estate. Land Acquisition Act is to the advantage of the leaders, officers and industrialists.

In this regard, some suggestion can be put forward as follows:-

1) The government should never undertake land acquisition for private industries/businesses or other institutions. The agricultural professionals and other professionals will enter into the transaction after direct negotiation. There should be total prohibition on the government taking the land from farmers and giving it to other professionals.

2) If the land is required for government (public) purposes (e.g. roads etc.) then firstly, the government should determine the rate by direct negotiation. Arrangement should be made for rehabilitation.

3) If the land is acquired for public purpose to be put to a different use, Land Acquisition process should be started afresh. For that, the specified difference in amount should be paid to the farmer.

4) The judiciary should have the right to scrutinize the appropriateness of public purpose and the land to be acquired. If needed, a fixed period can be prescribed for the adjudication.

5) Different options should be open for compensation e.g. a share in ownership, rehabilitation, installments of amount, opportunity to take benefit by forming another company.

29) Should the Constitution of India be altered?

No, absolutely not. The Constitution should be restored to the original form in which the Constitution was given to us by the framers of the Constitution. All the amendments introduced in the Constitution regarding Fundamental Rights must be scrapped forthwith. The original Constitution of India is based on individual liberty. It should be restored to its original form.

30) Exactly who are responsible for anti farmer Laws?

Land Market will be free if the Ceiling is lifted. One who is desirous of exiting agriculture will be able to exit by carrying capital. Those who want to do good farming will be able to do farming on the land as much as they desire and by methods of their choice. Agriculture will not be a subject of compulsion but one of choice. In spite of this clear picture, some people deliberately oppose lifting of the Ceiling. These people create confusion. Who are these people? If looked at carefully, it becomes clear that these are white collar workers engaged in protected employment with attractive salary. We want to appeal to them that they should demonstrate to us by earning livelihood for 2-4 years on 2 acre dry-land and only then oppose the repeal of Ceiling Act. If required we are ready to make 2 acre dry land available to them.

The people in villages should cultivate food-grains, vegetables and fruits for us. Possibly, they should be available free of charge to us. At the extreme we are ready to purchase at cheap rate. But they should not leave agriculture. They should live or die in villages. If they exit agriculture and come to cities or in other occupations, they will participate in our pleasures, we will be deprived of our enjoyment and hence they should be confined to agriculture. People having such cunning and fraudulent intentions oppose repeal of anti-farmer laws. They showcase imaginary threat. Political parties work for these people. Be they rightists or leftists, progressive or regressive, all of them have played their role in breaking the spirit of the farmers.

On becoming the Prime Minister, Narendra Modi had said that he wanted to repeal one Act every-day. Ministry of law and justice prepared a list. This list was of dormant laws. This list contained the Acts of 1857 which are obsolete now.

These Acts were repealed by them. Dormant Acts were buried. No problem, but what about the laws, due to which the farmers are compelled to take their lives? Narendra Modi has not even touched these laws. This government, which every now and then blames the Congress cannot gather courage to repeal the anti farmer laws enacted by Congress.

Congress brought anti farmer laws. Leftists supported them. Today the BJP people are implementing the same laws. All three of them are responsible from the point of view of the farmer. These are guilty men of farmer suicides. It is not possible to side with either of them. We must beware of all three i.e. creators, supporters, enforcers of anti farmer laws. They can do anything for politics. Success will be achieved only if we can move ahead excluding /avoiding them. How this can be brought about will be elaborated later.

31) Why courts are not approached against anti farmer laws?

These laws are placed in Schedule IX of the Constitution. As a result a petition against them cannot be filed in court of law. If it were possible to seek judicial redress, wouldn't have the sensitive people in this country, leaders of farmers movement approached the courts? The crux of the matter is that this opportunity has been denied by the system.

An activist Advocate practicing in High Court had made elaborate preparation for filing a petition in Hon. Supreme Court. He approached a senior colleague practicing in Supreme Court to seek advice. The senior colleague told the Advocate "Keep fifty thousand rupees in your pocket while filing the petition". Activist lawyer asked 'Why'? Then senior Advocate replied, 'This petition will surely be dismissed. I told you because in case the court imposes a fine, you should have money to pay it.' What I mean to say is that a petition

cannot be filed against these laws in Supreme Court. The door of the court can be knocked by raising a few issues like there is no definition of Essential Commodity in the Act, why the particular date for jurisdiction of court etc. But no assurance can be given that the Acts will be abolished.

If these Acts were out of 9th schedule, redress against them could have been sought from the courts. It is because the door of the court is closed, these laws remain even after so many years have elapsed. To get deliverance from these Acts, the decision will have to be taken in Parliament and State legislature. If the rulers decide, they can repeal these Acts. Pressure will have to be exerted on them by people's agitations. This one route is available for us. This work will have to be done by Kisanputras. Changing circumstances and international pressure can also compel the government to repeal these laws.

Supreme Court recently gave a Ruling that it can review the laws included in the 9th schedule. However, the laws enacted and added in the 9th schedule before 24th April 1973, have been kept beyond the jurisdiction of Supreme Court. This is the date of Judgment of Kesavanand Bharati case. The laws added after the specified date fall within the jurisdiction. Though Essential Commodities Act, 1955 has been included in Schedule IX after 1980 (i.e. after 24/04/1973), it has been included with retrospective effect. Ceiling Act is prior to 1973. As a result, the judgment has little utility. Makrand Doijad, a Kisanputra who hails from Kolhapur district and has settled in Pune, has filed a petition challenging validity of Art. 31-B of the Constitution of India before Hon. Supreme Court on 16 March 2018. (D.No. 10668/2018). 9th schedule was added to the constitution through Art.31-B. It contains anti-farmer laws. If this petition is allowed, the way of liberty of farmers will be opened.

Following issues have been raised by Makarand...

1) One cannot move the court against the laws included in the 9th schedule. But the Article 31-B inserted through constitutional amendment which created 9th Schedule can be challenged in Supreme Court.

We can say that Schedule IX had some relevance when Right to property was a Fundamental Right. But now when Right to Property is no longer a fundamental right, then what is the relevance of 9th schedule?

3) Article 31-B has encroached upon the rights guaranteed by Art.32. Article 32 is about Jurisdiction and power of Supreme Court and right of citizens to approach the Supreme Court for enforcing fundamental rights. Dr.Babasaheb Ambedkar had described Article 32 as the soul of Indian Constitution. In whatever ways possible, we will make all efforts for farmers' liberation.

32) What is the role of Kisanputra Andolan for repeal of these laws?

The farmers having land less than an acre are 40% and 91% farmers are small landholders. The question 'how to live' stares at these farmers. More than 90% of the farmer suicides are from this class/group.

If the farmers are to live happily and with honor, they should get profit equivalent to salary drawn by a Class 4 employee in government service i.e. Rs.18,000/- p.m. or Rs. 216000/- per annum. Is there any crop which will assure a small landholder net profit of Rs. 225000/- per annum? No such possibility is in sight today in dry-land area. Even if state of the art technology in the world is used to achieve highest production and if it is given price 1.5 times nay, 2 times of the cost of production, a farmer cannot earn Rs. 225000/-. Most of the farmers do farming today only because

they have no other option. To survive by exiting agriculture, they neither have the capital nor opportunity of any other employment which does not require capital. They are forced to do bonded labor in agriculture.

We find it impossible to choose a field of employment as per choice. Farmers are totally helpless. Swaminathan Commission states that 40 percent farmers are more than ready to exit agriculture. What this means is that nearly 50 percent of the people are unwillingly toiling in agriculture. Those who wish to do farming are not allowed to do it properly and those who are not interested in farming are forcibly compelled to do farming.

Ceiling Act limited the area of land. Employment was not generated outside agriculture. Land became more and more fragmented. On a land of 40 acres where a family survived, today in the 3rd generation, 16 families have to survive on the same 40 acres. This a frightening picture of poverty. Just as Ceiling Act ruined the farmers, Land Acquisition and Essential Commodities Act also resulted in ruination. For land acquisition, they deleted right to property included under Fundamental Rights in the Constitution. Essential Commodities Act armed the government with right to intervene in the market and the prices were forced down. Floodgates of corruption were opened for the politicians and bureaucrats. Not only this, steps were taken to arrest rural industrialization. Essential Commodities Act placed obstructions in the establishment of local processing industries of agro products.

It has been proved by experience over previous 70 years that even if numerous 'good' schemes were brought for the 'welfare' of the farmers, they are useless if these Acts are retained.

In the year 1990, our country adopted the policy of economic liberalization but it was not extended to agriculture sector. 'India' enjoyed the benefits of economic liberalization. But 'Bharat' was left untouched by economic liberalization. These three Acts provide strong evidence of this.

The three Acts, viz. Ceiling Act, Essential Commodities and Land Acquisition Act have proved strangleholds for the farmers. To bring an end to these Acts, Kisanputra Andolan has been initiated. This is the stand of Kisanputra Andolan.

33) Why Kisanputra ?

While moving from village to village participating in agitation of Shetkari Sanghatana in the decade of the 80s, I felt confident that the farmers would rise and give the rulers hard time. But now the situation has materially changed. Majority of the farmers dependent on agriculture for livelihood have become decrepit. They have lost the spirit to struggle. Lakhs and Lakhs of farmers are taking their lives. Nobody is in sight, who would firmly stand by the side of the farmers. Everybody is bent upon looting the farmers. Previous government was cruel, it was changed. New government is following the previous government ineptly. There is no talented, studious farmer leader like Sharad Joshi. Who will struggle for the farmers under these circumstances?

This battle will have to be fought by the sensitive Kisanputras. The boys and girls who have suffered the caustic burn because of their birth in a farmer family left agriculture and took the route to cities. Their struggle there continues. They have experienced both 'Bharat' and 'India' systems. These educated boys and girls can understand the laws. The farmers' children are the last hope of the agriculturists.

Kisanputras are engaged in diverse occupations. They possess various skills. They carry the wound of burn in the

farmer family on their back. This is the common link. They are connected with the villages. Fire is ignited in their minds. In spite of them being in different occupation, they will prove mutually supportive.

Kisanputras have migrated to the urban areas which are frequented by the rulers. They can catch hold of the rulers. Kisanputra has become a force to reckon with in urban areas. If the Kisanputras decide, they can compel the rulers to change the policies. They can get the anti farmer laws repealed.

Kisanputra Andolan is not an organization. It is a movement. It has been started to strike a blow at anti farmer laws. Everyone participating in this movement is a foot-soldier of this agitation. The first leg of the agitation is of 3 years. Campaign, self-sacrifice and struggle are the 3 stages.

If you are restless on seeing the hard condition of the farmers and are in agreement with abolishing anti farmer laws, you can participate in this movement by taking the pledge of Kisanputra Andolan. Let us all do this united.

34) How has the Kisanputra Andolan moved ahead?

As Kisanputra Andolan is not an organization unlike other organizations, it does not publish any report. But some prominent activities which are conspicuous and which have been taken note of by the media can be mentioned.

A large gathering of Kisanputras was arranged in Ambajogai on 6th March 2015. The work began since then. In the initial phase, many were not able to digest that even laws could be anti farmer. During the first year by undertaking the tour of the whole Maharashtra we demonstrated that the Ceiling, Essential Commodities and Land Acquisition Acts are anti farmer. For this purpose conferences on anti farmer laws were organized at various places like Aurangabad, Latur,

Pune, Amaravati, Varud. In the conferences, the lawyer friends Adv. Subhash Khandagale (Pusad), Adv. Anil Killore (Nagpur), Adv. Mahesh Bhosale (Aurangabad) Adv. Dinesh Sharma (Pulgaon-Vardha) did a commendable job of explaining the laws.

On 22nd November, 2016, we organized a congregation of Kisanputras in Pune. It did not garner expected response. But those who participated took up the reins of the movement. A Co-ordination Committee of Kisanputras was announced. It included 35 persons.

On 19th March 2017, the Kisanputras expressed commitment to work for ending farmer suicides by observing a one day fast. On 19th March 1986, Raosaheb Karpe, a resident of Chil-Gavhan (District Yawatmal) went to Pavnar and committed suicide with his entire family. Six corpses were recovered from a room, Husband, wife and their 4 children. This sad incident shook the entire nation. Lakhs of Kisanputras observed fast on that date in memory of this incident. This fast made the Kisanputras migrated to cities aware of their responsibilities.

Fast of 19 March is not like other Fasts. This fast is not observed for raising any demand. Objects of this fast are very clearly elaborated. 1) To pay homage to Ravsaheb Karpe's Family and to all farmers who committed suicide. 2) To express empathy with farmers. 3) To emphasize our commitment towards the creators 4) To condemn the policies that have forced the farmers to take their lives 5) To resolve to break the fetters of anti-farmer laws which have chained the farmers. This Fast can be done publicly at public place. But if it is not possible, it can be observed personally.

Two editions (January and June 2016) of the booklet 'Constitutional Amendments which proved strangleholds for

the farmers' authored by Adv. Subhash Khandagale were published and distributed throughout Maharashtra. In 2018, two editions were published of 'Shetkari Virodhi Kayde Ka Radd Karaave?' (Why should anti-farmer laws be abolished?), a Marathi book authored by Amar Habib. This book is in Question and Answer format. Hindi and English translations of this book were also published.

Kisanputra Andolan sent a memorandum to leaders of all political parties in the country by e-mail urging them for urgent repeal of anti-farmer laws.

Kisanputra Andolan is a direction for thoughts. Freedom of the creators is its foundation. Therefore, to explain this subject, camps are being organized in metro cities. The first camp was held in Jui Nagar, Mumbai on 12th and 13th August 2017. About 70 persons participated. The camp was very successful. Second at Amdar Nivas, Nagpur on 6-7 January 2018 and the third at Alandi, Pune on 10-11 March, 2018. The camps are being organized continuously.

A campaign of putting up a post on social media with the content 'Abolish Anti farmer Laws' is conducted every Monday. For ending the anti-farmer laws, more wide and intensive efforts are required. Preparations are on for the purpose.

35) What one has to do to participate in Kisanputra Andolan?

As Kisanputra Andolan is not an organization, There are no such formalities like application for membership, its fee etc. in this Andolan. Participation in this movement is very easy and simple, start doing whatever you can do for ending anti farmer laws. A beginning made by you will signify that you have participated in this movement. The work can be

begun by taking a pledge given on last page to strengthen the resolve.

Fast on 19th March.

We have decided to observe a fast on 19th March (Death anniversary of Sahebrao Karape). So long as farmer suicides continue fast should be observed on that date. It is not necessary that this fast should be observed by sitting at a public place. This can also be observed while doing work. If you want, do it publicly. This fast is to strengthen our commitment.

Funds.

Kisanputra Andolan does not collect funds. The wallet of the Kisanputra is the bank of Kisanputra Andolan. If you want, you can declare the amount you wish to give. You will be informed when the need for the amount will be felt. The expenditure has to be done by you yourself.

Funds for Petition

Kisanputra Makrand Doijad has filed a Petition before Hon. Supreme Court challenging validity of Article 31-B of the constitution of India. If you support the petition, you can contribute Rs. 1000/- by crediting Makarand's Account with the amount. This amount will be utilized towards expenditure for the petition. Those who contribute will receive full details of expenditure from him.

Registration of Satyagrahi.

Kisanputra.in is the website of Kisanputra Andolan started by Kisanputra friends in Pune. Those who are ready to go one step forward and participate in Satyagriha should visit the site and fill up the form of Satyagrahi.

Social Media.

There is a face-book page with name 'Kisanputra Andolan'. Also, a group has been formed with the name Kisanputra Andolan. Updates are made available on these.

There are many what's app groups. You can join them. A post with the content 'Repeal Anti Farmer Laws' is put up on face-book every Monday. Start putting up the post.

Camps, Conferences, Gatherings/congregation

You can participate in programs like the camps, conferences, congregations organized to form public opinion for repeal of anti farmer laws. The same may be organized.

Contact :

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KISANPUTRA ANDOLAN

26th January 2017

TO,
The Prime Minister
Hon'ble Sir,

Subject: - Abolition of Anti-Farmer Acts.

Respected Sir,

You are very well aware that the financial condition of the farmers has become very pathetic, pitiable and critical and the spree of suicides of the farmers are not coming to an end. This situation has not been changed even after rendering the govt. help like financial packages and the waiver of loan etc. The land holdings of the farmers have become so small that they cannot maintain their families. Hence, the time has been reached to root out the problems of the peasants and to abolish the laws pertaining to the agriculture and farmers. Your kind help and cooperation is earnestly requested in this regard.

The following three laws have become the hazards of the farmers.

1. Agricultural land [Ceiling on holding] Act.
2. Essential Commodities Act.
3. Land Acquisition Act.

The agriculture sector can be liberalized only on the cancellation of the above three Acts.

Agricultural land [ceiling and holding] Act comes under the jurisdiction of the State Govt. The Essential Commodities Act and Land Acquisition Act come under the purview of the Union Govt. Therefore, both Central and State Governments have to consider these acts in view of the farmers.

The reasons for repealing these laws are as under -

A. These laws are contradictory and biased with principles of constitution of India and denying the freedom of the business of the farmers and have become outdated and now they are not justified in the present scenario.

Agriculture land [ceiling and holding] Act was struck down by the Hon'ble Court but o the reason that it was included in the 9th Schedule of Constitution, it was protected.

The fundamental rights are soul of our Constitution and now these laws have been proved to be contradictory to them.

B. In the changing scenario, these Acts are not favourable.

The per capita holding of agricultural land in the world is increasing but only in India it is decreasing.

If this trend is not stopped, Indian agriculture would not stand in the global competition.

In view of the current developments in the agricultural science, it has become necessary to attract the experts who can face the contemporary challenges.

Unfortunately above laws create hurdles and discourage their excitement and initiatives.

C. The climate and the weather condition of India is most favourable for the agricultural activities.

The employment relating to the agriculture can give the economic stability and sustainable employment too.

The conclusive atmosphere for the agro based employments cannot be created unless the above laws are not abolished.

D. Lack of investment of capital is the main problem for agriculture.

Due to the above mentioned three laws, business of agriculture always remains in loss. Consequently, the farmers cannot make their saving and hence they never make investment.

Since it is always loss-making business, there is no attraction for any external investment.

Average land holding is so small as 2 acres due to Agricultural land [ceiling on holding] Act. Essential commodities act is a

tool for interference of Govt. in the market. Land Acquisition Act is always threatening to farmers, These situations conclusively discourages investment in agriculture sector.

Therefore the path of the agricultural development can be opened only after the abolition of the above acts.

We have already seen the limitations of the industrial development at the cost of agriculture. Therefore it has now become very necessary to develop the agriculture sector in its totality and the natural development of the agriculture as a business,

Suggestion for immediate steps-

1) Appointment of a Committee -

We demand to Government to appoint a committee immediately to evaluate the relevance of these Acts.

2) Farmers companies should be exempted from Agricultural land [ceiling on holding] Act. -

The Govt. is promoting the companies formed by the farmers.

The State Government can initiate to exempt farmers companies from Agriculture Land ceiling Act.

These companies should be permitted to hold the price of agricultural land as a share.

If the banks provide finance to these agro based companies, then they can stand in the competition.

Those farmers, (whose livelihood is depend on Agriculture) are living a very bad life. Even after the fair prices paid to their agricultural yields, they cannot lead there life of a class - IV employees, who is getting at least Income of salary of Rs.18,000/- per month.

In this situation, it has become necessary to make reconstruction of the agriculture sector.

We therefore, request you to look into this matter and take initiation to abolish the above three Acts,

Yours,

Amar Habib,

Kisanputra Andolan,

PLEDGE

I take a pledge that
I shall endeavor to the best of my ability
to end the helplessness and stagnation
in the lives of farmers, women and other creators
and to enable them to
live with dignity, happiness and liberty
like other citizens of the country.

To this end,

I will strive

incessantly for the repeal of
Agricultural Land Ceiling Act,
Essential Commodities Act,
Land Acquisition Act,
which have proved
strangleholds for the farmer
and other anti farmer Laws.

I will not allow any differences

like

caste, religion, sect, party, language, territory, gender etc.
to raise barriers in this task.