

Kerala Gazette No. 15 dated 10th April 2012.

PART II



SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1090/Legn.3/2012/Leg. *Dated, Thiruvananthapuram, 10th April 2012.*

The English Translation of the Kerala Farmers' Debt Relief Commission (Amendment) Bill, 2012 together with the Statement of Object and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 (5) of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

P. K. MURALEEDHARAN,
Secretary-in-Charge,
Legislative Assembly.

Thirteenth Kerala Legislative Assembly
Bill No. 72

[Translation in English of “2012-ലെ കേരള കർഷക കടാശ്വാസ കമ്മീഷൻ (ഭേദഗതി) ബിൽ” published under the Authority of the Governor]

THE KERALA FARMERS’ DEBT RELIEF COMMISSION
(AMENDMENT) BILL, 2012

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BILL

further to amend the Kerala Farmers’ Debt Relief Commission Act, 2006.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Farmers’ Debt Relief Commission Act, 2006 for the purposes hereinafter appearing;

BE it enacted in the Sixty-third year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Farmers’ Debt Relief Commission (Amendment) Act, 2012.

(2) It shall come into force at once.

2. *Amendment of Section 2.*—In clause (vii) of Section 2 of the Kerala Farmers’ Debt Relief Commission Act, 2006 (1 of 2007) for the words “on or before the commencement of this Act”, the words “on or before the date of commencement of this Act or, in respect of any particular distress affected area in the State, on or before such date as the Government may, by notification in the Gazette, specify,” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

As per clause (vii) of Section 2 of the Kerala Farmers’ Debt Relief Commission Act, 2006 (1 of 2007), only the liabilities due from the farmers on or before the date of commencement of the said Act is included in the definition of “debt”. The said Act came in to force on the 18th day of January, 2007.

The liabilities incurred after the said date do not come under this Act. Some farmers in Wayanad District in the State have committed suicide due to debt trap. The Government consider that this situation will cause far reaching unfavourable consequences among farmers and in the agriculture sector. In this circumstance, the Government have decided to bring all agricultural debts up to 31st October, 2011 in the said district also within the purview of the said Act. Therefore, the Government consider that amendments are to be made in the said Act so as to give relief to the farmers from the debt trap now being faced by them and by vesting the power to bring the debt liabilities up to a specific date in respect of any particular distress affected area within the purview of the Act, by notification in the Gazette, a situation shall be made to take urgent steps for such area. Therefore, the Government decided to amend the said Act.

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides to bring the Agricultural debt liabilities up to different dates in respect of different distress affected area within the purview of the Act, by notification. But, as per the Statement of Objects and Reasons attached to the Bill, it can be seen that now the benefits of the Act is intended to be given to the debt liabilities in Wayanad District alone. It is seen that through the past performance of the Farmers' Debt Relief Commission in the State during the previous three years, 90 crore rupees has been given as relief to farmers and the interest levied on the debt of the farmers in the Wayanad District alone comes, approximately, to 80 crore rupees. Therefore, the additional expenditure to the Government for extending the said benefit to the said District alone upto 31st October, 2011 will be about 50 crore rupees. Therefore, if this Bill is enacted and is notified in such a way to implement in the Wayanad District alone, a non-recurring expenditure of about 50 crore rupees is expected out of the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill which proposes to amend clause (vii) of Section 2 of the Kerala Farmers' Debt Relief Commission Act, 2006 (1 of 2007) seeks to empower the Government to specify, by notification, the date up to which the liabilities included in the word "debt" in the said Act covers in respect of any particular distress affected area in the State.

The matters in respect of which notification may be issued are matters of procedure, routine and is of administrative nature. Further, after issue, they are subject to scrutiny by the Legislative Assembly. The delegation of legislative power is, thus, of a normal character.

THIRUVANCHOOR RADHAKRISHNAN.
