

- **One Nation-One market:** In a nutshell, these farm acts seek to create One Nation-One market for agricultural produce

Arguments against Central Farm acts

- **Encroachment of Centre on the subjects of state's list**- agriculture and market are state subjects under entry 14 and 28 respectively of the state list. Making laws on these subjects by the centre amounts to encroachment on the state list.
- **Apprehension among farmers that MSG regime be eventually abolished**- encouraging private trade may reduce the need of APMCs which will finally do away with the MSP regime
- **Ending of MSP regime will leave the small and marginal farmers at the peril** of large corporates
- **Reducing the role of APMC mandis will lead to loss of revenue** for the state governments.
- **Past examples** suggest that promotion of privatization in agriculture has not helped the farmer's cause. For eg Bihar in 2006 tried to deregulate APMCs which did not result in any significant improvement in farmer's income or infrastructure.
- **Reports of fraud by private players** of the farmers have been witnessed in many places. For eg case of fraud of over Rs 5 crore by traders of farmers in Madhya Pradesh.

Farm laws by Punjab

In response to the farm laws of the Centre Punjab enacted three farm bills

The bills are:

1. The Farmers Produce Trade and Commerce (Promotion and Facilitation) (Special Provisions and Punjab Amendment) Bill, 2020.
2. The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services (Special Provisions and Punjab Amendment Bill, 2020
3. The Essential Commodities (Special Provisions and Punjab Amendment) Bill, 2020.

Objectives of the bill are:

- To ensure MSP to farmers for wheat and paddy.
- Provides for punishment for sale or purchase of paddy below MSP
- To prevent hoarding and black marketing of agri-produce.

Critical analysis of farm laws

- In the seventh schedule, agriculture is placed in entry 14 and markets and fairs in entry 28 of the state list.
- However, entry 42 of the Union list empowers the Centre to regulate interstate trade and commerce.
- Further, trade and commerce within the state is placed in entry 26 of the state list which is subject to the provisions of the entry 33 of the concurrent list, under which Centre can make laws that would override the laws of the state.
- In a nutshell, the Centre is empowered to make laws to regulate both inter and intra state trade.

Conclusion

A more amicable approach which the central government could've been taken to avoid a legal battle with states.

1. The Rajya Sabha could've passed a special resolution as per Article 249 which would've made way for the central government to legislate on issues that fall under the State list.
2. The second route could've been Article 252 of the Constitution. This allows the Parliament to frame laws for two or more states who pass a resolution requesting it to legislate on that specific State subject.

"The government could have gotten 4 or 5 BJP-ruled states to pass a resolution in their assembly saying that we request the central government to frame a model law and then could've implemented it in their respective states. If then the benefits of the law would have been demonstrated, other states would have come around. "