

गुरुवार, मार्च १७, १९८८/फाल्गुन २७, शके १९०९

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on 17th March 1988 :—

L. A. BILL No. IV OF 1988.

A BILL

to provide for payment of pension to Agriculturists, Artisans and Landless labourers in the State of Maharashtra.

WHEREAS it is expedient to provide for payment of pension to the agriculturists, artisans and landless labourers in the State of Maharashtra ; It is hereby enacted in the Thirty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Maharashtra Agriculturists, Artisans and Landless Labourers Pension Act, 1988.

(2) It extends to the whole of the State of Maharashtra.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title,
extent and
commence-
ment.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) 'agriculturist' means a person whose occupation is agriculture and who is engaged in the agricultural operations in the State of Maharashtra ;

(b) 'landless labourer' means a person who holds no land of his own and in consideration of the wages payable to him by a landlord, works on or does any agricultural operation in or in relation to the agricultural land of such landlord ;

(c) "artisan" will have the meaning assigned to it in the conventional sense in which it is used.

To whom
the Act
shall apply.

3. This Act shall apply to Agriculturists, Artisans and landless labourers who are residing within the State of Maharashtra for a continuous period of at least five years immediately preceding the date of application for pension.

Payment of
pension.

4. There shall be paid out of the Consolidated Fund of the State a pension of rupees five hundred per month to every agriculturist, artisan and landless labourer who completes fifty-five years of age.

Persons not
eligible for
pension.

5. No person shall be eligible for pension under this Act—

(a) if he is being taken care of by any institution maintained for the care of old, sick or infirm ; or

(b) if one person of his family is in the service of Government, statutory corporation or in other semi-Government service.

Power to
make Rules.

6. (1) The State Government may, subject to the condition of previous publication in the *Official Gazette*, make rules for carrying into effect the provisions of this Act ;

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each house of the State Legislature while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, both houses agree in making any modification in the rule or both houses agree that the rule should not be made, the rule shall, from the date of publication of a notification in the *Official Gazette*, of such decision, have effect, only in such modified form, or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything done or omitted to be done, under that rule.

STATEMENT OF OBJECTS AND REASONS.

This Bill provides for payment of pension to agriculturists, artisans and landless labourers. It is an accepted fact that above sixty-five per cent of the population in Maharashtra is living in villages. Every village is comprised of farmers, artisans and landless labourers whose means of earning are very meagre. This group does hard physical work which they cannot continue after attaining a certain age. They also cannot save enough out of their meagre earnings to meet their needs in their old age. As such, in their old age, they have to face many difficulties and many a time they find themselves unable to make their both ends meet. They are thus in dire need of State help in these circumstances. Considering their services towards the society and nation, these people deserve to be awarded some sort of financial assistance during their old age.

Hence this bill.

Bombay :
dated the 19th February 1988.

DADA KALAMKAR,
Member-in-charge.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

The Bill involves following proposals for delegation of legislative powers :—

Clause 1 (3).—This clause provides that the Act shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Clause 6.—This clause empowers the State Government to make rules to carry out the purposes of this Act.

The above proposals are of normal character.

BHASKAR SHETYE,

Secretary (I),

Maharashtra Legislative Assembly.

Bombay, dated the 17th March 1988.