

EAST PUNJAB IMPROVED SEEDS AND SEEDLINGS ACT, 1949

1949 : East Pb. Act VII] IMPROVED SEEDS AND 423 SEEDLINGS THE EAST PUNJAB IMPROVED SEEDS AND Sections. 1. 2. 3. 4. 5. 6. 7. 8

9. SEEDLINGS ACT, 1949. TABLE OF CONTENTS. Short title, extent and date of commencement. Interpretation. Power to declare seeds or seedlings of approved variety of crops and to specify the area and period, and restrict movement. Provisions of seeds and seedlings by Agricultural Department. Powers of the Agriculture or Revenue Department officers to enter, inquire and search. Penalties. Bar of suit or other legal proceedings. Power of Government to make rules. Repeal. 1949 : East Pb. Act XIV.] SEEDS AND 425 SEEDLINGS THE EAST PUNJAB IMPROVED SEEDS AND SEEDLINGS ACT, 1949. EAST PUNJAB ACT No. XIX OF 1949. [Received the assent of His Excellency the Governor on the 24th October, 1949, and first published in the East Punjab Government Gazette (Extraordinary) of October 29, 1949]. 1 Year 1949.. 2 No. XDC 3 Short title The East Punjab Improved Seeds and Seedlings Act, 1949. 4 Whether repealed or otherwise affected by legislation Amended in part by the Adaptation of Laws Order, 1950. Amendment in part by Punjab E, of 1950'. Amended in part by the Adaptation of Laws (Third Amendment) Order, 1951. Extended to the territories, which immediately before the 1st November, 1956, were comprised in the state of Patiala and East Punjab State Union. by Punjab Act 5 of 1959' Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. An Act to provide for the use of pure and certified seeds and seedlings of the improved varieties of crops recommended by the Department of Agriculture in the Punjab. It is hereby enacted as follows:— 1. (1) This Act may be called the East Punjab Improved Seeds and Seedlings Act, 1949. For the Statement of Objects and Reasons, see East Punjab Government Gazette (Extraordinary), 1949, pages 14647; for the Select Committee's report, see East Punjab Government Gazette (Extraordinary), 1949, pages 41—44; for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, Volume 11, 1949, pages (24) 61; Volume IV, 1949, pages 2 For Statement of Objects and Reasons, see East Punjab Government Gazette (Extraordinary), 1949, page 998; for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, Volume 11, 1950, pages (4)41-(4)42. (This Act repealed Ordinance No. 5 of 1950, but saved anything done or any action taken in the exercise of any power conferred by or under the said Ordinance as though it were done or taken in exercise of the powers conferred by or under this Act as if this Act had been in force on the day on which such thing was done or action taken.) 8 For Statement of objects and Reasons. see Punjab Government and Gazette (Extraordinary), 1958, page 1487 'Substituted for the words ' 'East Punjab" by the of Law Third (Amendment) Order, 1951. 426 IMPROVED SEEDS [1949 : East Pb. Act AND SEEDLINGS (2) It shall extend to the whole of the Punjab [Union Territory of Chandigarh]. (3) It shall come into force on such date or dates and in such areas as the Central Government] may, by notification, appoint in this behalf, and different dates may be appointed for different areas

2. In this Act, unless there is anything repugnant in Interpretation. the subject or context,— Power to declare seeds or seedlings of approved varieties of crops and to specify the area and period, and restrict movement. Provision of seeds (i) "Improved Seed" means the seed approved by the Department of Agriculture ; (ii) "Seedlings" means the plants raised from improved seed ; (iii) "Occupier" means the person having for the time being the right of occupation of any land as defined in the Punjab Tenancy Act and includes any person in actual occupation of such land or his agent ; (iv) "Authorised Agent" means an agent authorised to sell improved seeds and seedlings only on behalf of the Department of Agriculture

3. In such areas to which this Act is applied —(a) improved seeds or seedlings only shall be used by each and every occupier • (b) the movement of improved seeds or seedlings from one area to another may be prohibited or restricted. 4. (1) For the purposes of this Act improved seeds and seedlings shall be made available for sale by the Agricultural Department • Department of Agriculture, through its authorised agents who shall stock for sale only improved seeds or seedlings. 1 Substituted for the words 'State of Punjab" by the Punjab Reorganisation Order (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) order' 'Substituted for the words 'State by ibid. 1949 : East Pb. Act XIX.] IMPROVED SEEDS 427 AND SEEDLINGS (2) An authorised agent shall not withhold from sale improved seeds or seedlings to

occupier. 115 (1) Any officer of the Agriculture or of the Revenue Department, not below the rank of Agricultural Revenue Department Assistant or Naib-Tehsildar, as the case may be, may enter upon any land situated in the area to which this Act extends, to inquire or tend, for the purpose of ascertaining whether improved seeds or seedlings have been grown in the land or not. (2) Any officer of the Agriculture or of the Revenue Department, not below the rank of Agricultural Assistant or Naib-Tehsildar, as the case may be, may enter upon any land or premises owned, or occupied by an authorised agent, to inspect the seed sold by him or to inquire if he is withholding any seed from sale to any occupier or to search, as far as may be necessary for that purpose, the aforesaid land or premises.] 6.

(1) If any occupier of land within the area to which this Act applies is found growing a variety of any crop other than a variety approved by the Department of Agriculture, he shall be liable to punishment with a fine which may extend to Rs. 100. (2) If an authorised agent withholds from sale or willfully refuses to sell improved seeds or seedlings he shall be punishable with fine which may extend to rupees five hundred. (3) Any abetment of a breach of the provisions of this Act shall be punishable with fine which may extend to Rs. 100. (4) No prosecution for any offence under this Act shall be instituted except on a complaint in writing made by the Deputy Commissioner within whose jurisdiction the land is situated or by an officer specially authorised by him in this behalf

7. No suit, prosecution or legal proceedings shall lie against any public servant in respect of anything in good faith done or intended to be done under this Act.

Substituted for the old section by Punjab Act, XXIV of 1950. *Substituted for the words "Director of Agriculture, East Punjab" by Punjab Act, XXIV of 1950, section 3. 428 IMPROVED SEEDS AND SEEDLINGS [1949: East Punjab Act LXXXVIII 8. The Central Government may from time to time make rules for the purpose of carrying into effect the provisions of this Act

9. The East Punjab Improved Seeds and Seedling Repeal of East Punjab Ordinance Ordinance, 1949, is hereby repealed, but it shall not affect the previous operation of the said Ordinance and any order made, action taken or thing done in the exercise of any powers conferred by or under the said Ordinance, shall, for all purposes, be deemed to have been made, taken or done in the exercise of powers conferred by this Act. Substituted for the Words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, *For rules, see Punjab Government Notification No. 7929.Agr.50/133, dated 8th January, 1951.