

## **KARNATAKA SEED FARMS ACT, 1975**

**19 of 1975**

[ ]

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## **KARNATAKA SEED FARMS ACT, 1975**

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An Act to provide for the establishment of seed farms for production of high quality seeds for horticultural purposes in the State of Karnataka, to control cultivation of inferior crops near such farms and to provide for matters connected therewith. Whereas, it is expedient to provide for the establishment of seed farms for production of high quality seeds for horticultural purposes in the State of Karnataka, to control cultivation of inferior crops near such farms and to provide for matters connected therewith; Be it enacted by the Karnataka State Legislature in the Twenty-sixth Year of the Republic of India as follows.

### **1. Short title, extent and commencement :-**

- (1) This Act may be called the Karnataka Seed Farms Act, 1975.
- (2) It extends to the whole of the State of Karnataka.
- (3) It shall come into force on such date as the State Government

may by notification in the Official Gazette appoint.

## **2. Definitions :-**

In this Act, unless the context otherwise requires.

(2) "Director" means the Director of Horticulture in Karnataka and includes any officer authorised by the State Government to perform the functions of the Director of Horticulture;

(3) "Kind" means one or more related species or sub-species of crop plants each individually or collectively known by one common name such as arecanut, coconut or orange;

(4) "Prescribed" means prescribed by rules made under this Act;

(5) "Seed" means any of the classes of seeds used for sowing or planting and includes seedlings and tubers, bulbs, rhizomes, roots, cuttings, all types of grants and other vegetatively propagated material.

## **3. Establishment of seed farms :-**

## **4. Prohibition of cultivation of crop plants :-**

(2) Any person who, in any controlled area, in contravention of the provisions of sub-section (1), cultivates any prohibited kind of crop plant shall be punishable with fine which may extend to five hundred rupees and for a second or subsequent offence with fine which may extend to one thousand rupees.

## **5. Power of entry, etc. :-**

Any officer authorised in this behalf by the State Government may, between the hours of 6.00 a.m. and 6.00 p.m. enter upon any land in a controlled area in which he knows or has reason to believe that any prohibited kind of crop plant has been or is being cultivated in contravention of a notification under sub-section (2) of Section 3 , and uproot such crop plant or cause it to be uprooted.

## **6. Duty to give facilities for inspection by authorised officers :-**

Every owner, occupier, cultivator or other person in charge of any land shall give all reasonable facilities to the officer authorised under Section 5 , to inspect such land.

## **7. Previous sanction for prosecution :-**

No prosecution under this Act shall be instituted without the previous sanction of the Director.

## **8. Offence by companies :-**

## **9. Protection for acts done in good faith :-**

No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

## **10. Power to make Rules :-**

(1) The State Government may, after previous publication by notification in the Official Gazette, make rules to carry out of purposes 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 or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree is making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter 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 previously done under that rule.

## **11. Special provision in respect of Elite Coconut Seed Farm at Kannamangala :-**

(1) Notwithstanding anything contained in this Act, in respect of the Elite Coconut Seed Farm established at Kannamangala, Hosakote Taluk, Bangalore District, the State Government may, by notification in the Official Gazette, declare its intention of prohibiting the cultivation of any variety of coconut in any area within such distance from the said farm as may be specified in such notification and publish a copy of such notification in such manner as it deems fit in the villages in which such area is situated and, after considering any objection or suggestion which may be received from the persons residing in such area, by notification in the Official Gazette, prohibit the cultivation of any variety of coconut in such area as may be specified in such notification.

(2) The provisions of this Act shall be applicable in respect of the notification issued under sub-section (1), as if the area in which cultivation of coconut is prohibited under sub-section (1) were a

controlled area for the purposes of this Act.