
East Punjab Improved Seeds And Seedlings Act, 1949**19 of 1949****[29 October 1949]****CONTENTS**

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East Punjab Improved Seeds And Seedlings Act, 1949**19 of 1949****[29 October 1949]**

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 6[Haryana]. It is hereby enacted as follow :- 1 For Statement of Objects and Reasons, see East Punjab Government Gazette, (Extraordinary) 1949, pages 146-147; for the Select Committee's report, see Punjab Government Gazette (Extraordinary), 1949, pages 41-44; for proceedings in the Assembly, see Punjab Legislative Assembly Debates, Volume 2, 1949, pages (24) 51-(24) 61; Volume 4, pages (1) 42-(1) 44. 2 For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1949, page 998; for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, Volume 2, 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 (This Act repealed Ordinance No. 5 of 1950, but saved anything done or any action taken in the exercise of any power conferred by or under the said ordinance as though it were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 had been in force on the day on which such thing was done or action taken). 3 For Statement of Objects and Reasons, see Punjab Government (Extraordinary), Gazette 1956, page 546-C. 4 For Statement of Objects and Reasons, see Punjab Government Gazette 1959, page 1958, page 1487. 5 See Haryana Government Gazette (Extraordinary), dated 29th October, 1968, pages 531-567. 6. Substituted for the words "Punjab" by the Haryana Adaptation of Laws Order, 1968.

1. Short Title, Extent And Date Of Commencement :-

(1) This Act may be called the East Punjab Improved Seeds and Seedlings Act, 1949.

(2) It shall extend to the whole of the 2[State] of 1[Haryana].

(3) It shall come into force on such date or dates and 3[in such areas of the principal territories] as the 2[State] Government may, by notification appoint in this behalf, and different dates may be appointed for different areas 4[and in the transferred territories on the 27th January, 1959.]

1. Substituted for the words "Punjab" by the Haryana Adaptation of Laws Order, 1968.

2. Substituted for the word "Province" by the Adaptation of Laws Order, 1950.

3. Substituted for the words "in such areas" by the Haryana Adaptation of Laws Order, 1968.

4. Added by the Haryana Adaptation of Laws Order, 1968.

2. Interpretation :-

In this Act, unless there is anything repugnant in the subject or context,-

(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;

1[(v) An improved seed or seedling is said to be true to type if the quality or purity thereof does not fall below the prescribed standard

or its constituents conform to the prescribed limits of variability;

(vi) Seeds includes seeds of European vegetables and flowers acclimatised to grow under indigenous conditions.]

1. Clauses (v) and (vi) added by Punjab Act 18 of 1956.

3. Power To Declare Seeds Or Seedlings Of Approved Varieties Of Crop And To Specify The Area And Period, And Restrict Movement :-

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. Provision Of Seeds And Seedlings By Agricultural Department :-

(1) For the purposes of this Act improved seeds and seedlings shall be made available for sale by the Department of Agriculture, through its authorised agents, who shall stock for sale only improved seeds or seedlings.

(2) An authorised agent shall not withhold from sale improved seeds or seedlings to any occupier.

4A. Controlled Areas :-

1[The State Government may, for the purposes of producing and marketing improved seeds of vegetables and flowers,

(i) by a notice in the Official Gazette declare any local area within the State to be controlled area; and

(ii) impose, by rules to be made in this behalf, such restrictions and conditions, within the controlled area, on the growing, selling and transporting of true to type vegetable and flower seeds, as may be deemed necessary for the purposes of ensuring the use, sale and transport of only improved seeds and such control shall include the power to destroy any crop grown from any other seed.

Explanation.- Growing includes the entire process from the commencement of sowing till the harvest is lifted from the field and disposed of to the authorised agents of Government.]

1. Section 4-A inserted by Punjab Act 18 of 1956.

5. Powers Of The Agriculture Or Revenue Department

Officers To Enter, Inquire Or Search :-

1[(1) Any officer of the Agriculture or of the Revenue Department, not below the rank of Agricultural Assistant or Naib-Tahsildar, as the case may be, may enter upon any land situated in the area to which this Act extends, 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.]

1. Substituted for the old section by Punjab Act 24 of 1950

6. Penalties :-

(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 wilfully 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 1[Deputy Commissioner within whose jurisdiction the land is situated], or by an officer specially authorised by him in this behalf.

1. Substituted for the words "Director of Agriculture, East Punjab" by Punjab Act 24 of 1950, section 3.

7. Bar Of Suit Or Other Legal Proceedings :-

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.

8. Power Of Government To Make Rules :-

The 1[State] Government may from time to time make 2rules for

the purpose of carrying into effect the provisions of this Act.

1. Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

2. For rules, see Punjab Government Notification No. 7929-Agr-50/133, dated the 8th January, 1951.

9. Repeal Of East Punjab Ordinance No. 5 Of 1949 :-

The East Punjab Improved Seeds and Seedlings 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.