

The Rajasthan Seeds and Seedings Act, 1960

RAJASTHAN

India

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Act 23 of 1960

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The Rajasthan Seeds and Seedings Act, 1960 Act No. 23 of 1960 [Published in the Rajasthan Gazette, Extraordinary Part IV-A, dated July 21, 1960.] [Received the assent, of the president on the 9th day of July, 1960] An Act to provide for the use of pure and certified seeds and seedings approved by the Agriculture Department of the State of Rajasthan. Be it enacted by the Rajasthan State Legislature in the Eleventh Year of the republic of India as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Rajasthan Seeds and Seedings Act, 1960. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force on such date and in such areas as the State Government may, by notification in the Official Gazette, appoint in this behalf; and different dates may be appointed for different areas.

2. Definitions.

- In this Act unless the subject or context otherwise requires:- (i) "Agriculture department" means the Agriculture Department of the State of Rajasthan; (ii) "approved", when used with reference to seeds and seeding, means approved by the Agriculture department; (iii) "authorised agent" means a Panchayat or a Co-operative Society authorised to sell approved seeds and seedings on behalf of the Agriculture Department; (iv) "occupier" means the person having for the time being the right of occupation of any land and includes any person in actual occupation of such land or his agent; and (v) "seedings" means the plants raised from approved seeds.

3. Use and restriction of movement of approved seeds and seedings.

- In the areas in the areas in which this Act has come into force- (a) approved seeds and seedings alone shall be used by every occupier if the same are made available to him by the prescribed date, and (b) the movement of approved seeds or seedings from one area to another may be prohibited or

restricted by the State Government.

4. Sale of approved seeds and seedlings.

(1)For the purpose of this Act approved seeds and seedlings shall be sold by the Agricultural Department or by its authorised agents.(2)An authorised agent shall not-(a)stock for sale any seeds or seedlings other than approved seeds and seedlings, or(b)withhold approved seeds or seedlings from sale to any occupier, or(c)refuse wilfully to sell approved seeds or seedlings, or(d)mix with approved seeds or seedlings in his stock any other seeds or seedlings which are not approved, or(e)sell as approved seeds or seedlings any seeds or seedlings which are not approved.

5. Power of entry.

(1)Any officer of the Agricultural Department not below the rank of an Agriculture Assistant may, for the more effective enforcement of the provisions of this Act,-(a)enter upon any land situated in the area in which this Act has come into force for the purpose of ascertaining whether approved seeds and seedlings have been or are being used in such land, and(b)enter upon any land or premises owned or occupied by an authorised agent to inspect the seeds and seedlings sold by him or to inquire whether he is withholding from sale any approved seeds or seedlings or to search, so far as may be necessary, for that purpose such land or premises.

6. Penalties and procedure.

(1)If any occupier of land within the area in which this Act has come into force is found using or having used seeds or seedlings other than approved seeds or seedlings, he shall, on conviction, be punishable with fine which may extend to fifty rupees.(2)If an authorised agent contravenes any of the provisions of sub-section (2) of section 4, then-(a)in the case of a Panchayat as well as the Sarpanch, every Panch, the Secretary or other principal officer of the Panchayat and every person in-charge of the management of the affairs of the panchayat, and(b)in the case of a Co-operative Society, the society as well as every member or officer of the committee of the society and every person in-charge of the management of the affairs of the society,shall, unless such Sarpanch, Panch, Secretary, officer or other person in the case of a Panchayat, and such member, officer or other person in the case of a Co-operative Society,proves that the offence was committed without his knowledge or connivance or that he exercised all due diligence to prevent the commission of such offence,be punishable, on conviction, with fine which may extend to five hundred rupees:Provided that, notwithstanding anything contained in any law for the time being in force, no court shall impose a sentence of imprisonment upon default in the payment or recovery of fine.

7. Bar of suit or other legal proceeding.

- No suit, prosecution or legal proceeding shall lie against any public servant in respect of anything in good faith done or intended to be done under this Act or the rules made thereunder.

8. Power to make rules.

(1)The State Government may, from time to time, make rules for the purpose of carrying into effect the provisions of this Act and such rules may provide that a breach of any of them shall, on conviction be punishable with fine which may extend to fifty rupees.(2)All rules made under this Act shall be laid, as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and, if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State legislature makes any modification in any of such rules or resolves that any such rules should not be made, such 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 thereunder.

9. Procedure.

(1)No prosecution for an offence under this Act or the rules made thereunder shall be instituted except on a complaint in writing made by the Director of Agriculture or by any officer, not below the rank of a District Agriculture Officer, specially authorised in this behalf by the Director.(2)No Magistrate inferior in rank to that of a Magistrate of the Second Class shall try any offence punishable under this Act or the rules made thereunder.