

# The Assam Agricultural Pests and Diseases Rules, 1951

ASSAM

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### Rule

### THE-ASSAM-AGRICULTURAL-PESTS-AND-DISEASES-RULES-1951 of 1951

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The Assam Agricultural Pests and Diseases Rules, 1951 Last Updated 10th February, 2020

#### 1. Short title.

- These rules may be called the Assam Agricultural and Diseases Rules, 1951.

#### 2. Definitions.

- In these rules-(1)"the Act" means the Assam Agricultural Pests and Diseases Act, 1950;(2)"Form" means a form annexed to these rules;(3)"Section" means a Section of this Act.

#### 3. Notification issued under Section 3.

(1)A Notification in Form 'A' containing the description and necessary instructions for the treatment of the disease/pest/noxious weed notified under Section 3(1) of this Act will be issued by the Agricultural Department for publication in the Official Gazette and also for general distribution to the occupiers in the notified areas.(2)Manner of proclaiming the notification. - The Notification will be proclaimed by beat of drums and pasting copies of the leaflet in the important public places, e.g.; School Buildings, Post Offices, Police Stations, Sub-Deputy Collector's Offices, Namghars, Mosques, Temples etc.

#### **4. Entry of Inspecting Officers to lands, premises under Section 5.**

(1)An Inspector for purposes of inspection of any land or premises situated in the notified area shall issue a notice to the occupier in Form 'B' appended to these rules.(2)An Inspector conducting an enquiry under Section 5 may obtain the help of the Mouzadar, Gauburah, member of a Panchayat. He shall collect the information in Form 'C'.

#### **5. Serving of notice by the Inspector for carrying out of remedial and preventive measures under Section 6(1).**

(1)If after conducting an inspection under Section 5 the Inspector finds that the occupier has not complied with the instructions he shall issue a notice in Form 'D' to the occupier asking him to carry out such preventive or remedial measures within the time specified in such notice. The Inspecting Officer will keep a Register of notices in Form 'E'.(2)Every notice under Section 6(1) shall be authenticated by the signature of the officer by whom it is issued. The notice shall be served by delivering a copy to the occupier, or to some adult male member of his family at his usual place of abode or to his authorised agent or by affixing a copy thereof on some conspicuous part of his last known residence or on some conspicuous part of the land on which the prescribed remedial or preventive measures are to be taken.

#### **6. Appeal against notice served under Section 6(1).**

- All appeals under Section 6 of the Act shall be made in writing to the District Agricultural Officers, Agricultural Officer or Assistant Deputy Director of Agriculture of the notified area.

#### **7. Recovery of cost of operation from the occupier under Section 8.**

- The notice of demand under Section 8 of the Act shall be in Form 'F' and should be served in the manner prescribed for the service of notices and a copy of it should be communicated to the Sub-Divisional Officer or the Deputy Commissioner, as the case may be. The Inspector will maintain a Register in this connection in Form 'G'.

#### **8. Appeal against award of compensation.**

- All appeals under Section 12 of this Act will be made in writing to the Deputy Director of Agricultural under whose jurisdiction the notified area falls.

#### **9. Compensation for the destruction of trees and plants, Section 16.**

(1)Payment of compensation will be governed by conditions laid down under Section 9 of the Act.(2)If any tree/plant, crop of the descriptions contained in Section 9(c) is destroyed for which compensation can be legitimately claimed by the occupier and is to be paid to him as sanctioned by law, the Inspecting Officer shall serve a notice in writing in Form 'H' on the occupier stating the

particulars of the tree/plant/crop destroyed and his estimate of its value at the time of its destruction. The quantity and quality of the produce should be taken into consideration in evaluating the compensation to be paid. A copy of this notice should be sent to the 'Valuing Officer' and the Inspecting Officer should maintain a Register of such notice in Form T. The compensation for destruction of trees, plants, etc., should be fixed by the Valuing Officer in consultation with the President or Chairman of the Local Authority. (3) The valuation of the tree/plant/crop destroyed by the Inspecting Officer will be made in the presence of the occupier and a responsible persons of the locality and their signatures should be invariably taken by him in his Register. (4) No compensation will be payable for any noxious weed destroyed. Forms The Assam Agricultural Pests and Diseases Act, 1950 Form "A" Notification under Section 3(1) of the Act giving description of the Pest/Disease/N. Weed and its control measures.

## 1. Assam Government Notification No. dated ....

## 2. Name of the Pest/Disease/N. Weed

## 3. Notified area

## 4. Duration of the orders

## 5. Description of the Pest/Disease/N. Weed declared under Section 3

## 6. Control measures

The Assam Agricultural Pests and Diseases Act, 1950 Form "B" Notice for the inspection of land or premises under Section 5 of the Act. No date..... To Shri ..... son of ..... Village ..... Mouza ..... District..... Whereas it appears that Pests/Diseases/N. Weeds exist in your premises/land in village Mouza District .... You are hereby informed that under Section 5 of the Assam Agricultural Pests and Diseases Act, 1950 the premises/land will be inspected on .. to see whether the said pest/diseases/noxious weed actually exists and whether the control measures under Section 3 have been fully complied with. Inspecting Officer The Assam Agricultural Pests And Diseases Act, 1950 Form "C"

Remarks Date of inspection Name pest/ disease, weed Place of Inspection

Village Mouza District

1 2 3 4 5 6

Field Number Nature of the occupier Inspection under Section 3 carried out or not Remarks

7 8 9 10

Witness, signature of mouzadar, Headmen, any member of local bodies or any Inspection

respectable person of the locality.

Officer Date.....

The Assam Agricultural Pests And Diseases Act, 1950 Form "D" Notice under Section 6(1) of the Act No. .... Date ..... To Shri ..... son of ..... Village ..... Mouza ..... District You are hereby required to take notice that you should carry out the following measures in respect of described in the schedule here under and growing or situated in the fields therein mentioned and under your occupation in the village of ..... in the ..... Mouza in the district within .... days from the date of the service of this notice. If you object to this notice you may prefer an appeal along with this notice to the District Agricultural Officer/Agricultural Officer/Assistant Deputy Director of Agriculture of your district having jurisdiction within seven days from the service of the notice setting forth the grounds of objection and the points for redress. The decision of that Officer will be final. If you fail to comply with this notice or in case of appeal, with the order of the appellate Officer, the undersigned is authorised by law to carry out at your expense the measures ordered and you will be liable to a fine not exceeding Rs. 50.00 or in case of default to simple imprisonment for a period not exceeding ten days. Inspecting Officer

## Schedule

Serial No. of notice	Name of plot/ patta No./ Dag No. to which the notice relates	Name of the occupier	Area of the land/ No. of plants	Condition of the crop, the extent of pest/disease incidence	Preventive and control measures to be carried out	Remarks
1	2	3	4	5	6	7

The Assam Agricultural Pests And Diseases Act, 1950 Form 'E'

Sl. No. of there Notice	Village	Name of the plot/ Patta No./ Dag No. to which the notice relates	Name of the occupier	Condition of the crop, extent of disease and insect infection	Date of service of Notice	How served
1	2	3	4	5	6	7

Date of expiry of appeal part time	Date of expiry of the period allowed by the Inspecting Officer or in case of an appeal of the period specified by the appellate officer	Whether the prescribed measures are executed by the occupier or by the Inspecting Officer and in the later case, the date of execution	Remarks
8	9	10	11

The Assam Agricultural Pests And Diseases Act, 1950 Form "F" Notice for the recovery of cost of operation from the occupier under Section 8. Notice of demand to ..... son of Village ..... in Mouza ..... in District ..... Take notice that an expenditure of Rs of which the details are annexed has been incurred in carrying out the control measures in plot No ... Patta No. .... Dag No of village and that you are requested to pay the amount within thirty days of the date of service of this notice. The amount may be paid to the undersigned. Any objection to this notice may be preferred to the Deputy Commissioner or the sub-divisional Officer within thirty days from the

date of service of the notice on any of the grounds specified in Section 8 of the Act printed on the reverse of the demand Form. The Assam Agricultural Pests And Diseases Act, 1950 Form "G" Register of Demand

Village	Name of the plot/ Dag No./ patta No.	Name of the Occupier	No. & Date of the notice issued by the Inspecting Officer to carry out the measures	
1	2	3	4	
	Date on which the control measures were carried out by the Inspecting Officer	Cost in detail of the measures taken	Date of despatch of demand to Deputy Commissioner or Sub-Divisional Officer	Remarks
5		6	7	8

Note - Column 4 need not to be filled up when no notice is served. The Assam Agricultural Pests And Diseases Act, 1950 Form "H" Notice for Compensation under Section 9(1)(c) No. .... date..... To, Shri ..... son of ..... Village ..... Mouza ..... District ..... You are hereby required to take notice of the fact that while carrying out the prescribed remedial and preventive measures under Section 9 it has been felt necessary to destroy the following tree/plant/crop in your Field No. .... Dag No. .... Plot No. under provisions of Section 9(2) and (3) of the Act you are entitled to get compensation for this which is the full value of the tree/plant/crop at the time of its destruction. A description of the tree/plant/crop destroyed and its value as estimated by me at the time of its destruction are annexed. You may claim this amount within thirty days of the date of service of this notice on the Valuing Officer from whom this amount can be received. Inspecting Officer Annexure (Here enter details of the value estimated)

Serial No. of Notice	Name of the occupier	Name of village	Plot No./ Dag No.	No. of trees or plants or area of crop destroyed	Estimated field, No. of fruits or lb, Seers, maunds	Price per fruit or lb/ seers/ maund
1	2	3	4	5	6	7
Total value in Rs.	Date of service of notice	Name and address of the person in whose presence the estimate was made and his signature		Signature of the occupier who should be present at the time of making the estimate		Remarks
8	9	10		11		12