

Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Rules, 1955

BIHAR

India

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Rule

BIHAR-PREVENTION-AND-CONTROL-OF-AGRICULTURAL-PESTS-DISEASES-AND-NOXIOUS-WEEDS-RULES-1955

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Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Rules, 1955
Published vide Notification No. 3-D. A.R. dated 02.05.1956
Last Updated 1st February, 2020
Notification No. 3-D. A.R. dated the 23rd May 1956. - In exercise of the powers conferred by Section 13 of the Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953 (Bihar Act XXII of 1953), the Governor of Bihar is pleased to make the following Rules, namely: -

1. Short title and commencement.

- These Rules may be called the Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Rules, 1955.
(2) These Rules shall come into force at once.

2. Definition.

- In these Rules, unless the context otherwise requires -
(1) "the Act" means the Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953
(2) "Form" , means a Form annexed to these Rules;
(3) "Section" means a Section of the Act.

3. Notification issued under Section 3.

- A Notification in Form 'A' containing the descriptions and necessary instructions for the treatment of the pests/diseases/ noxious weeds notified under Section 3 will be issued by the Agriculture

Department for publication in the Official Gazette and also for general distribution to the occupiers in the notified area.

4. Manner of proclaiming the notification under Section 3.

- The notification along with its Hindi translation shall be posted on a notice board in the offices of the Sub-divisional Magistrate, the Block Development Officer and the Gram Panchayat and the police station of notified area concerned; and the substance of the notification shall also be proclaimed by beat of drums in such area.

5. Entry upon lands enquiry under Section 5.

- The notice under Section 5 shall be given in Form 'B' and the information required in this section shall be collected in Form 'C'.

6. Service of notice for carrying out remedial or preventive measures under Section 6 (I).

- If on inspection under Section 5, the Agricultural Officer finds that the occupier has not carried out the Preventive or remedial measures, 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 Agricultural Officer shall keep a register of such notice in Form 'E'. Every notice under Section 6 (1) shall bear the signature and seal of the officer by whom it is issued. The notice shall be served by delivering a copy thereof to the occupier, or on some adult male member of his family at his usual place of abode or on his authorised agent or by affixing a copy thereof on some conspicuous part of his last known residence. A copy of the notice shall also be affixed on some conspicuous part of the land in respect of which the remedial or preventive measures are to be carried out.

7. Appeal under Section 6 and 7.

(a)An appeal under Section 6 or 7 may be preferred in the form of memorandum which shall set forth concisely the grounds of objection to the order appealed against and shall be accompanied by a copy of that order.(b)When an appeal is preferred, a notice shall be sent to the occupier in a registered cover with acknowledgement due mentioning the date, time and place of the hearing of the appeal.(c)The Appellate Authority may, after giving an opportunity to the appellant or his authorised agents, to be heard in person and after such further enquiry or local inspection of the area concerned as it may deem necessary, confirm, modify or set aside, the order of the Agricultural Officer.

8. Subsidy for carrying out preventive or remedial measure.

- The subsidy granted by the State Government for carrying out preventive or remedial measure in pursuance of direction issued under Section 3 or 6 shall be as follows: -(i)If the measures are carried

out through the Plant Protection staff of the State Government, the occupier will be required to pay 50 per cent of the costs of insecticides/fungicides/weedicides and the entire costs of fuel in case power machineries are used. The costs of extra labour, if any, employed in the operations in addition to the plant protection Staff shall also be borne by the occupier; and(ii)if the measures are carried out by the occupier, he will be, supplied the insecticides/fungicides/weedicides from the Plant Protection Officer of the area concerned at 50 percent, of the cost price.

9. Register of costs of preventive or remedial measures under Section 7.

- The written requisition in respect of any costs of preventive or remedial measures payable under section (2) of Section 7 shall be signed by the Agricultural Officer.

10. Register of demand under Section 7.

- The Agricultural Officer shall maintain a register in Form 'F' in respect of cost recoverable under sub-section (2) of Section 7.

11. Register of persons convicted under Section 9.

- The Agricultural Officer shall maintain a register in Form 'G' of the persons convicted under Section 9 within the local limits of his jurisdiction. Form - A (See Rule 3) Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953. Notifications under Section 3 giving description of the Pests/Diseases/Noxious Weeds and its Control Measures

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|--|------------------------|
| 1. Bihar Government notification no. | dated |
| | the |
| 2. Name of pests/diseases/noxious weeds | |
| 3. Description of the pests/diseases/noxious weeds declared under Section 3. | |
| 4. Notified area | Village Police-Station |
| District | |
| 5. Duration of orders | from |
| 6. Control measures prescribed | |
| 7. Remarks | |

Designation.

Form-B Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953. Notice for Inspection of Land or Premises under Section 5 To

Shri , son of ,

Village , P. O. ,

Police-Station , District ,

Whereas it appears that pests/diseases/noxious weeds exist in your premises/ land in

village..... Post Office..... district..... Plot nos..... you are informed that under Section 5 of the Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953, the premises/land will be inspected on.....to see whether the said pests/diseases/noxious weeds exist and whether the control measures mentioned in the notification issued under Section 3 have been carried out. Inspecting Officer Form-C Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953 Information gathered as a result of Inspection held under Section 5

Place of
Inspection

Serial no.	Date of inspection	Name of pest/disease/weed	Village	P.O.	P.S.	District	Plot No.	Area.	Name of occupation,	Instructions under Section 3 carried out or not	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

Inspecting Officer Form-D (See Rule 6) Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act,

1953. No..... dated..... To Shri..... Village.....

Office..... District..... You are hereby required

to take notice that you should either effectively get thecrop controlled by the Plant Protection Staff.....or do effective control measures yourself for the.....crop attacked by the insect pests.....diseases.....noxious weeds..... growing in plot no.....occupied by you in village.....Post

Office.....Police-Station.....district.....within 7 (seven) days from the service of this notice setting forth the grounds of objection and the points for redress. The decision of the 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 control measures ordered and you will also be liable to criminal prosecution for an offence under Section 9 of the Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953. Inspecting Officer

Schedule

For Form D' Bihar Prevention and Control of Agricultural Pests, Disease and Noxious Weeds Act, 1953

Serial No. of Notice	Plot No. to which notice relates	Area	Name and address of the occupier	Area of land/no. of plants	Condition of the crop. extent of pest/disease/noxious weed incidence	Preventive and control measure to be carried out	Remarks
1	2	3	4	5	6	7	8

Form-E(See Rule 6)Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953Register of Notice

- 1. Name of the Pest/Disease/Weed**
- 2. Date and number of the Government notification.**
- 3. Name and full address of the occupier**
- 4. Date of issuing notice.**
- 5. Date of service of notice.**
- 6. Date of expiry of time of appeal.**
- 7. Inspection notice (date of service)**
- 8. Date of inspection**
- 9. Inspection note.**
- 10. Any appeal**
- 11. Final order of the Appellate Officer**
- 12. Cost incurred to carry out the control measures.**
- 13. Recovery of the cost incurred.**
- 14. Remarks**

Form-FBihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Act, 1953Register of Demand

Address of
the
Occupier

Serial No. of the Demand Notice	Name of the Occupier	Village P.O. District	No. of Plot and area	Kind of infestation	No. and date of the notice issued by the inspecting officer to carry out	Date on which control measures were carried
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1	2	3	4	5	6	7	control measures out	8	9	
Cost and details of measures taken										
Result of control measures taken.	Cost of insecticides, fungicides, Weedicides		Cost of labour employed		Cost of fuel used (in case of power driven implement)		Date of despatch of demand to the District Magistrate or Sub-divisional Officer	Date of deposit of money	Details of Deposit Money	Remark
10	11		12		13		14	15	16	17
Form-G(See Rule 11)Bihar Prevention and Control of Agricultural Pests, Diseases and Noxious Weeds Acts, 1953List of Persons Convicted Under Section 9										

1. Date and number of Government notification

2. Name of pests/diseases/noxious weeds under Section 3

3. Plot number

4. Details of punishment

5. Inspecting Officer

6. Final order passed by.

7. Remarks.