

Rules Under The Tamil Nadu Agricultural Pests And Diseases Act, 1919

TAMILNADU

India

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Rule

RULES-UNDER-THE-TAMIL-NADU-AGRICULTURAL-PESTS-AND-DISEASES-OF 1919

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Rules Under The Tamil Nadu Agricultural Pests And Diseases Act, 1919Published vide Notification No. G.O. Ms. No. 885, Development, dated 22nd February 1949. Published in Part 1 of the Fort St. George Gazette Extraordinary, dated 22nd February 1949In exercise of the powers conferred by section 21 of the [Tamil Nadu] [Substituted for 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Agricultural Pests and Diseases Act, 1919 ([Tamil Nadu] [Substituted for 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act III of 1919), and in supersession of the rules published with the Development Department Notification, dated the 3rd August, 1948 at pages 195-198 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 3rd August, 1948, His Excellency of the Governor of Tamil Nadu hereby makes the following rules:-

1.

Appeals under section 6 of the Act shall lie to the Revenue Divisional Officer concerned and appeals under sections 8 and 12 shall lie to the Collector of the district concerned.

2.

An appeal presented under section 6 of the Act shall not be received unless it is accompanied by the original notice served on the appellant by the Inspecting Officer. Similarly an appeal under section 12 shall be accompanied by a copy of the award transmitted to the appellant by the valuing Officer.

It shall set forth clearly the objection or objections to the terms of the notice, and shall specify the point or points on which redress is sought.

3.

In dealing with appeals under section 6,8 or 12 of the Act, the Appellate Officer shall record his decision in writing and communicate a copy thereof free of charge to the appellant.

4.

The notice issued under section 6 of the Act shall be in Form A annexed to these rules and the Inspecting Officer shall maintain a register of notices in Form B annexed to these rules.

5.

Every notice under section 6 or 9 (1) of the Act 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 authorized agent, or by affixing a copy thereof in 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.

The notice of demand under section 8 of the Act shall be in Form C annexed to these rules and shall be served in the manner prescribed for the service of notices by all the Inspecting Officers excepting the village officer and a copy of it shall be communicated to the village officers and the taluk office. The Inspecting Officer shall maintain two registers in Forms D and E annexed to these rules.

7.

Compensation under section 16 of the Act may be paid to such of those cultivators as refrain from growing wheat and barley between the 1st January and the 30th September in the districts of [Anantapur] [These districts are now form part of Andhra Pradesh State.], [Bellary] [These districts are now form part of Andhra Pradesh State.], [Chittoor] [These districts are now form part of Andhra Pradesh State.], [Kumool] [These districts are now form part of Andhra Pradesh State.] and Coimbatore and between the 1st April and the 30th September in the other districts of the [State of Tamil Nadu] [Substituted for 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] but grow a less remunerative crop in accordance with the rate of compensation to be fixed by the Government.

8.

No compensation shall be paid in respect of areas in the [State of Tamil Nadu] [Substituted for 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] which are suitable for the cultivation of ragi (Eleusine Coracana) between the 1st January and the 30th September, in the districts of [Anantapur] [These districts are now form part of Andhra Pradesh State.], [Bellary] [These districts are now form part of Andhra Pradesh State.], [Chittoor] [These districts are now form part of Andhra Pradesh State.], [Kumool] [These districts are now form part of Andhra Pradesh State.] and Coimbatore and between the 1st April to the 30th September in the other districts of the Province of Madras.

9.

The Revenue Divisional Officer concerned shall be the authority to decide the amount of compensation payable in each case. Appeals under sub-section (2) of section 6 of the Tamil Nadu Agricultural Pests and Diseases Act, 1919 (Tamil Nadu Act III of 1919), shall be preferred to the District Agricultural Officer of Ootacamund, Coimbatore, Erode, Madurai, Pollachi, Salem, Krishnagiri, Dindigul, Usilampatti, Tirunelveli and Sankarankoil within their respective Jurisdiction. (Amendment under G.O.Ms. No. 575, Food and Agriculture, dated the 10th February, 1962). Annexure Form A (Notice under section 6(1) of the Act) [See Rule 4] No. Date To Village Taluk District You are hereby required to take notice that you should carry out the following measures in respect of the plants described in the Schedule hereunder and growing or situated in the fields therein mentioned and under your occupation in the village in the taluk 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 Revenue Divisional Officer of within seven days from the service of this 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 also be liable to a fine not exceeding Rs. 50 or in case of default to simple imprisonment for a period not exceeding ten days..... Inspecting Officer

Schedule

SI. No.	Survey number, sub-division number to which notice relates	Name of occupier	Description of the plants to be destroyed	Measure to be carried out
(1)	(2)	(3)	(4)	(5)

Note. - Sections 6, 7 and 14 of the Act and the remedial measures specified in the notification issued under section 3 (b) and (c) are printed on the reverse of the notice. Section 6. - (1) If any inspecting officer appointed under section 19 finds that any prescribed remedial or preventive measures other than those specified in section 5-A have not been properly carried out, he may subject to such rules

as the State Government may prescribe under section 21 (g), call upon the occupier by notice in writing to carry out the prescribed remedial or preventive measures within a time to be specified in such notice.(2)The occupier may within seven days of the service upon him of such notice prefer an appeal to the prescribed officer who may make such order as he thinks fit. The decision on such appeal shall be final.(3)The officer receiving the appeal may extend the time specified in the notice under sub-section (1).Section 7. - If any occupier upon whom notice has been served under section 6 fails to comply with the notice within the time specified by the Inspecting Officer or, in cases where an appeal has been preferred, by the prescribed officer on appeal, he shall be deemed to have committed an offence under this Act and the prescribed remedial or preventive measures may be carried out by the inspecting officer or under his supervision.Section 14. - Anyone convicted by a magistrate of an offence under section 5-A or 7 of this Act shall be liable to a fine not exceeding Rs. 50 or in default to simple imprisonment for a period not exceeding ten days.Remedial measures specified in the notification issued under section 3

1. Cultivation of wheat and barley crops between the 1st January and the 30th September (both days inclusive) in the districts of [Anantapur] [These districts are now form part of Andhra Pradesh State.], [Bellary] [These districts are now form part of Andhra Pradesh State.], [Chittooor] [These districts are now form part of Andhra Pradesh State.], [Kumol] [These districts are now form part of Andhra Pradesh State.] and Coimbatore and between the 1st April and the 30th September (both days inclusive) in the other districts of the Province of Madras shall be prohibited.

2. All cultivated or self-sown wheat or barley plants and stables and tillers of any previous wheat or barley crops in the whole of the Province of Madras shall be eradicated and burnt in site between the dates mentioned in clause (1).

Form BRegister of Notices Under Section 6[See Rule 4]

1. Serial Number of notice
2. Village
3. Survey and sub-division number to which notice relates.
4. Name of the occupier.
5. Description of the plants to be destroyed
6. Date of service of notice
7. How served
8. Date of the expiry of appeal time
9. Order of the appellate Officer
- 10.

Date of expiry of the period allowed by the Inspecting Officer or in case of an appeal of the periods specified by the appellate Officer.

11. Whether the prescribed measures are executed by the occupier or by the Inspecting Officer and in the latter case, date of execution.

12. Remarks

Form C [See Rule 6] Demand Form Notice of demand to village in taluk Take notice that an expenditure of Rs. of which the details are annexed has been incurred in carrying out the prescribed remedial measures in Survey numbers of village and that you are required to pay the amount within thirty days of the date of service of this notice. The amount may be paid to the village headman or remitted to the taluk treasury. If you object to this notice you may prefer an appeal to the Collector within thirty days from the date of service of this notice on the grounds specified in section 8 of the Act printed on the reverse. Inspecting Officer Annexure (Here enter details of cost) Note : Section 8 of the Act is printed on the reverse of the demand form. Section 8. -

(1) If any prescribed remedial or preventive measures are carried out by the Inspecting Officer under section 5-A or 7 the cost of such measures shall be recoverable from the occupier as if it were an arrear of land revenue, but such occupier may appeal to the Collector within thirty days from the date of demand on the ground that (a) charges for items other than cost of Labour, material or use of implements have been included or (b) the charges of labour, material or use of implements are unduly high. (2) the order of the Collector on such appeal shall be final. Form D [See Rule 6]

1. Village
2. Survey and sub-division number
3. Name of the occupier.
4. Number and date of notice issued by the Inspecting Officer to carry out the means.
5. Date on which the remedial measures were carried out by the Inspecting Officer.
6. Cost in detail of the measures taken
7. Date of despatch of demand to the village officer and the taluk office.
8. Date of receipt of copy of demand notice by the Village Officer.
9. Remarks

Form E [See Rule 6] [Madras Agricultural Pests and Diseases Act, 1919 (Madras Act III of 1919)
Inspecting Officers' Return

Name of village	Location of affected field	Survey and divisional Number	Full name and address of occupier	Number marked on or other description of affected plant or area	Number and date of notice issued by the Inspecting Officer	Date of expiry of appeal time
(1)	(2)	(3)	(4)	(5)	(6)	(7)

No. of plants or areas so far operated

Occupier	Inspecting Officer	Number of plants or area remaining to be operated at the beginning of the	Number of plants or area operated during the month	Balance remaining at the end of the month	Remarks (amount of compensation paid, etc.)
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month

(8)

(9)

(10)

(11)

(12)

(13)