

**THE EAST PUNJAB IMPROVED SEEDS AND
SEEDLINGS ACT, 1949.**

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**¹ THE EAST PUNJAB IMPROVED SEEDS AND
SEEDLINGS ACT, 1949.**

EAST PUNJAB ACT NO. 19 OF 1949.

[Received the assent of His Excellency the Governor on the 24th October, 1949, and first published in the East Punjab Government Gazette (Extraordinary) of October 29, 1949.]

| 1 | 2 | 3 | 4 |
|------|-----|---|---|
| Year | No. | Short title | Whether repealed or otherwise affected by legislation |
| 1949 | 19 | The East Punjab Improved Seeds and Seedlings Act, 1949. | <p>Amended in part by the Adaptation of Laws Order, 1950.</p> <p>Amended in part by Punjab Act 24 of 1950²</p> <p>Amended in part by the Adaptation of Laws (Third Amendment) Order, 1951.</p> <p>Amended by Punjab Act 18 of 1956³</p> <p>Extended to the territories which immediately before the 1st November, 1956 were comprised in the State of Patiala and East Punjab States Union, by Punjab Act 5 of 1959⁴</p> <p>Amended by the Adaptation of Laws Order, 1968⁵</p> |

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 (This Act repealed Ordinance No. 5 of 1950, but saved anything done or any action taken in the exercise of any power conferred by or under the said ordinance as though it were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.

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 ¹Haryana].

It is hereby enacted as follows: -

Short title,
extent and date
of
commencement.

1. (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 ⁴[State] Government may, by notification appoint in this behalf, and different dates may be appointed for different areas ⁵[and in the transferred territories on the 27th January, 1959.]

Interpretation.

2. 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;
- (v) ⁶[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.]

Power to
declare seeds or
seedlings of
approved
varieties of crop
and to specify
the area and
period, and
restrict
movement.

3. 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.

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

⁵ Added by the Haryana Adaptation of Laws Order, 1968.

⁶ Clauses (v) and (vi) added by Punjab Act 18 of 1956.

Provision of seeds and seedlings by Agricultural Department.

4. (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.

Controlled areas.

¹[4A. 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.]

Powers of the Agriculture or Revenue Department Officers to enter, inquire or search.

²[5. (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-Tahsildar, 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.]

Penalties.

6. (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 ³[Deputy

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

² Substituted for the old section by Punjab Act 24 of 1950.

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

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

Bar of suit or other legal proceedings.

7. 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.

Power of Government to make rules.

8. The ¹[State] Government may from time to time make ²rules for the purpose of carrying into effect the provisions of this Act.

Repeal of East Punjab Ordinance No. 5 of 1949.

9. 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.

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.