

THE JAMMU AND KASHMIR PLANT DISEASES AND PESTS RULES, 1973

Agriculture Department Notification SRO 429 of 1973, dated 30th August, 1973.— In exercise of the powers conferred by section 16 of the Jammu and Kashmir Plant Diseases and Pests Act, 1973 (XIV of 1973), the Government hereby makes the following rules the same having previously been published as required by sub-section (1) of section 16 of the said Act, namely :—

1. *Short title.*— These rules may be called the Jammu and Kashmir Plant Diseases and Pests Rules, 1973.

2. *Definitions.*— In these rules, unless there is anything repugnant in the subject or context,—

- (a) “Act” means the Jammu and Kashmir Plant Diseases and Pests Act, 1973 ;
- (b) “Form” means the form appended to these rules ;
- (c) “Section” means the section of the Act ;
- (d) Words and expressions not defined in these rules shall have the meanings assigned to them under the Act.

3. (1) On or after the issue of a notification under section 3 of the Act, the District Magistrate shall issue a notice under section 4 in form “A”. Such notice shall be given in the following manner :—

- (a) by broadcast over the All India Radio, Srinagar/ Jammu ;
- (b) by affixing it at some conspicuous places in the Tehsil Offices, Block headquarters Police Stations, Panchayat ghars and Cooperative Societies of the affected areas.

(2) If the District Magistrate considers it practicable, he may cause the publicity to be given to such notice by beat of drum in the affected area.

(3) The issue of the notice in the manner prescribed above shall be

deemed to be adequate and sufficient service upon all the occupiers of the affected area and shall not be called in question.

(4) An Inspecting Officer, appointed under section 13 of the Act shall possess a degree in Agriculture.

(5) An Inspecting Officer, for purposes of section 6 of the Act, shall issue a notice to the occupier in form "B". Such notice will be served individually to the occupiers or if the Inspecting Officer considers this to be impracticable, then in the same manner as prescribed under rules.

(6) An Inspecting Officer, conducting an enquiry under section 6, shall collect the information in form "C" and submit the same to the District Magistrate.

(7) The inspecting officer shall, on the basis of an inspection carried out under section 6, report to the District Magistrate whether the preventive or remedial measures specified in the notice under section 4 have been carried out or not. The District Magistrate, if satisfied that the preventive/ remedial measures have not been carried out, shall, under section 7 of the Act, direct that the preventive/remedial measures be carried out at the cost of the occupier and shall make all necessary arrangements for this purpose.

(8) A notification issued by the Government under section 8 of the Act may, as far as possible, be also published by being broadcast over the All India Radio, Srinagar/Jammu and copies thereof may, be affixed on the notice boards of Tehsils, Block Headquarters, Police Stations Panchayat ghars and Co-operative Societies in the affected areas, within seven days of the issue of such notification.

(9) Reports under section 12 of the Act shall be made by Patwaries, Village Level Workers, Field Men, Horticulture Overseers, Agriculture Overseers, Operators, Gardener-cum-Operators. Agriculture Extension Officers and Horticulture Assistants.

(10) Any contravention of these rules shall be punishable with a fine which may extend to fifty rupees.

FORM "A"

(See Rule 3)

Whereas, the Government by Notification _____ dated _____ has declared (area) to be an affected area for the duration of _____ (period) and this area is affected by _____ (disease/pest/noxious weed) ;

Notice is hereby given under section 4 of the Jammu and Kashmir Plant Diseases and Pests Act, 1973 to all the occupiers of this area growing crops) affected by _____ (disease/pest/noxious weed) that the following measures shall be carried out by them, as prescribed under section 5 of the Act :—

- 1.
- 2.
- 3.

District Magistrate.

FORM "B"

(See Rule 5)

Whereas, it appears that pests/diseases/noxious weeds exist in your premises/land in village _____ Tehsil _____ District _____.

You, Shri/Smt/Kumari _____ wife/son/daughter of _____ is/are hereby informed that under section 6 of the Jammu and Kashmir Plant Diseases and Pests Act, 1973, the premises/land will be inspected to see whether the said pests/ diseases/noxious weed actually exist and whether the remedial measures under section 3 have been duly complied with.

Signature of Inspecting Officer.

Area _____.

Dated _____