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# The Gujarat Government Gazette

## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

### PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

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The following Act of the Gujarat Legislature, having been assented to by the President on the 18th September 1962, is hereby published for general information.

M. G. MONANI,  
Secretary to the Government of Gujarat,  
Legal Department.

#### GUJARAT ACT NO. XXXIV OF 1962.

*(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 25th September 1962).*

An Act to amend the Bombay Agricultural Pests and Diseases Act, 1947 for the purpose of extending it to the rest of the State of Gujarat and for certain other purposes.

It is hereby enacted in the Thirteenth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay Agricultural Pests and Diseases (Gujarat Extension and Amendment) Act, 1962.

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(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 1 of Bom. XLIII of 1947. 2. In section 1 of the Bombay Agricultural Pests and Diseases Act, 1947 (hereinafter referred to as "the principal Act"), for sub-section (2), the following shall be substituted, namely :—

Bom. XLIII of 1947.

"(2) It extends to the whole of the State of Gujarat."

Amendment of section 3 of Bom. XLII of 1947. 3. In section 3 of the principal Act,—

(i) in clause (iii), the word "and" at the end shall be deleted;

(ii) in clause (iv), for the word "re-appearance" the following shall be substituted, namely :—

"re-appearance; and"

(iii) after clause (iv) the following shall be added, namely :—

"(v) prohibit for such period as may be specified the planting in the whole or any portion of the notified area of any specified crop."

Amendment of section 4 of Bom. XLIII of 1947. 4. In section 4 of the principal Act, after the words "such notification" the following shall be added, namely :—

"and act in compliance thereof".

Amendment of section 5 of Bom. XLIII of 1947. 5. In section 5 of the principal Act, for the words "the notification issued under section 3 have been carried out" the words "a notification issued under section 3 have been carried out or anything has been done in contravention of such notification" shall be substituted.

Amendment of section 6 of Bom. XLIII of 1947. 6. In section 6 of the principal Act,—

(1) in sub-section (1),—

(a) for the words "the notification" the words "a notification" shall be substituted;

(b) after the words "been carried out" the words "or that anything has been done in contravention of such notification" shall be inserted;

(c) after the words "remedial measures" where they occur for the second time, the words "or remove any crop planted in contravention of the notification or discontinue the contravention of such notification" shall be inserted;

(2) in sub-section (4), for the word "final" the words "final and conclusive and shall not be liable to be called in question in any Court" shall be substituted.

Amendment of section 7 of Bom. XLIII of 1947. 7. In section 7 of the principal Act,—

(i) in sub-section (1), after the words "such notice or order" the words "and take such other action as should have been taken in compliance with the notice or order" shall be inserted;

(ii) in sub-section (2), after the words "carried out" the words "or any other action taken" shall be inserted;

(iii) in sub-section (5), for the word "final" the words "final and conclusive and shall not be liable to be called in question in any Court" shall be substituted.

8. In section 8 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

Amendment of section 8 of Bom. XLIII of 1947

"(3) No compensation shall be payable for the removal of any crop planted in contravention of a notification under section 3."

9. In section 13 of the principal Act, —

Amendment of section 13 of Bom. XLIII of 1947.

(i) in sub-section (1), for the letters and figures "Rs. 25", the letters, figures and words "Rs. 50 or in default to simple imprisonment for a period not exceeding ten days" shall be substituted.

(ii) in sub-section (2), for the letters and figures "Rs. 25", the letters, figures and words "Rs. 50 or in default to simple imprisonment for a period not exceeding one month" shall be substituted.

10. In section 17 of the principal Act, after sub-section (3), the following sub-sections shall be inserted, namely :—

Amendment of section 17 of Bom. XLIII of 1947.

"(4) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made, and shall be subject to rescission by the Legislature, or to such modification as the Legislature may make, during the session in which they are so laid, or the session immediately following.

(5) Any rescission or modification so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect."

11. After section 18 of the principal Act, the following section shall be inserted, namely :—

Insertion of new section 19 in Bom. XLIII of 1947.

Guj. XXX-IV of 1962.

"19 (1) On the commencement of the Bombay Agricultural Pests and Diseases (Gujarat Extension and Amendment) Act, 1962, the East Punjab Agricultural Pests, Diseases and Noxious Weeds Act, 1949, as applied to the Kutch area of the State of Gujarat shall stand repealed.

Repeal and saving.

Bom. I of 1904.

(2) The provisions of the Bombay General Clauses Act, 1904, shall apply to such repeal :

Provided that anything done or any action taken under the provisions of the law so repealed shall be deemed to have been done or taken under this Act and shall continue in force until superseded by anything done or any action taken under the provisions of this Act."