



The Himachal Pradesh Silkworm Seed Control Act, 1968

Act 17 of 1968

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THE HIMACHAL PRADESH SILKWORM SEED CONTROL ACT, 1968
(ACT NO. 17 OF 1968)¹

(Received the assent of the President of India on the 11th November, 1968 and was published in R.H.P. Extra, dated. the 17th February, 1969 at P. 149—152).

An Act to regulate the rearing of silkworm and to prohibit the use of un-examined silkworm seeds in Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Nineteenth Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Himachal Pradesh Silkworm Seed Control Act, 1968.

(2) It extends to whole of Himachal Pradesh .

(3) It shall come into force on such date² as the Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

- (a) 'Government' means the Government of Himachal Pradesh;
- (b) 'Official Gazette' means the Rajpatra, Himachal Pradesh;
- (c) 'prescribed' means prescribed by rules made under this Act;
- (d) 'rearing' includes all operations from the incubation of silkworm eggs and brushing of silkworms to the harvesting of cocoons;
- (e) 'Silkworms' includes mulberry silkworms, tussar silkworms, muga silkworms and erisilkworms; and
- (f) 'silkworm seed' means silkworm cocoons, moths, eggs, or young silkworms of whatever description, intended to be used for the purposes of reproduction of rearing.

3. Regulation of manufacture, etc. of silkworm seed.—No person shall manufacture, store, transport, sell or otherwise distribute silkworm seed except under and in accordance with the terms of a licence issued under this Act.

4. Regulation of rearing.—No person shall rear silkworms except from silkworm seed obtained from a person who holds a licence under this Act.

5. Application for licence.—Every application for the grant of a licence under section 3 shall be made in such form and to such authority as may be prescribed.

1. For Statement of Objects and Reasons, see R.H.P, Extra, dated the 13th August, 1968, p. 812.

2. The Act enforced w.e.f. 1-3-1970 vide Not. No. 2-26/69-SI (UL) dated the 16th Feb., 1970, appended .

6. Power of inspection.—The authority prescribed under section 5 or any officer authorised by it in writing in this behalf may, at any reasonable time for the purpose of ensuring due compliance with the provisions of this Act, enter and inspect the particular place where silkworms are reared.

7. Penalties.—Whoever contravenes any of the provisions contained in section 3 or section 4, or any rule made under this Act, or obstructs any authority in the discharge of any duty imposed on it by this Act shall, on conviction, be punishable with fine which may extend to one hundred rupees.

8. Power to make rules.—(1) The Government may, by notification in the Official Gazette, make rules¹ for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the constitution of authorities for granting licences;
- (b) the form and manner in which applications for licences may be made and the payment of fees therefor, if any; and
- (c) the terms and conditions which may be included in any licence.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of not less than fourteen days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session in which it is so laid or the sessions aforesaid, the Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

9. Repeal and savings.—The Punjab Silkworm Seed Control Act, 1953 (17 of 1953), as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966), is hereby repealed:

Provided that anything done or any action taken or any proceedings commenced or continued under the said Act shall be deemed to have been done, taken, commenced or continued under the corresponding provisions of this Act.

1. The Rules framed vide Not. No. 2-26/69-SI, (SI) dated the 2nd March, 1970 (Appended).