

THE DESTRUCTIVE INSECTS AND PESTS ACT, 1914
(ACT NO.II OF 1914)

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL
(Received the assent of the Governor-General on the 3rd February, 1914)
AN ACT TO PREVENT THE INTRODUCTION INTO AND THE
TRANSPORT FROM ONE STATE TO ANOTHER IN INDIA OF ANY
INSECT, FUNGUS OR OTHER PEST WHICH IS OR MAY BE
DSTRUCTIVE TO CROPS.

Whereas it is expedient to make provision for preventing the introduction into India of any insect, fungus or other pest, which is or may be destructive to crops; it is hereby enacted as follows:

1.Short title:

- (a) This Act may be called The Destructive Insects and Pests Act, 1914.
- (b) It extends to the whole of India.

2.Definitions:

In this Act, unless there is anything repugnant in the subject or context-

- (a) "Crops" includes all agricultural or horticultural crops and all trees, bushes or plants;
- (b) "Import" means the bringing or taking by sea, land or air, across any customs frontier defined by the Central Government;
- (c) "Infection" means infection by any insect, fungus or other pest injurious to a crop.

3. Power of the Central Government to regulate or prohibit the import of articles likely to infect:

(i) The Central Government may, by notification in the **Gazette of India**, prohibit or regulate, subject to such restrictions and conditions as the Central Government may impose, the import into India, or any part thereof, or any specified place therein, of any articles or class of articles likely to cause infection to any or of insects generally or any class of insects.

(ii) A notification under the section may specify any article or class of articles or any insect or class of insects either generally or in any particular manner, whether with reference to the country of origin, or the route by which imported or otherwise.

4. Operation of notification under Section 3:

A notification under section 3 shall operate as if it had been issued under section 19 of the Sea Customs Act, 1878 (VIII of 1878), and the officers of Customs at every port shall have the same powers in respect of any article with regard to the importation of which such a notification has been issued as they have for the time being in respect of any article, the importation of which is regulated, restricted or prohibited by the law relating to Sea customs and the law for the time being in force relating to Sea customs or any such article shall apply accordingly.

4. (a) Power of Central Government to regulate or prohibit transport from State to State of insects or articles likely to infect:

The Central Government may, by notification in the official gazette, prohibit or regulate, subject to such conditions as the Central Government may impose, the export from a State or the transport from one State to another State in India of any article or class of articles likely to cause infection to any crop or of insects generally or any class of insects.

4. (b) Refusal to carry article of which transport is prohibited:

When a notification has been issued under section 4 A, then, notwithstanding any other law for the time being in force, the person responsible for the booking of goods or parcels at any railway station or inland steam vessel station-

(i) Where the notification prohibits export or transport, shall refuse to receive for carriage at, or to forward or knowingly allow to be carried on the railway or inland steam vessel from that station anything, of which import or transport is prohibited, consigned to any place in India outside the State in which such station is situated;

(ii) Where the notification imposes conditions upon export or transport, shall so refuse, unless the consignor produces, or the thing consigned is accompanied by a document or documents of the prescribed nature showing that these conditions are satisfied.

4. (c) Deleted.

4. (d) Power of Central Government to make rules:

The Central Government may, by notification in the official gazette, make rules prescribing the nature of the documents which shall accompany any article or insect, the export or transport whereof is subject to conditions imposed under section 4 A, or which shall be held by the consignor or consignee thereof, the authorities which may issue such documents and the manner in which the documents shall be employed. Provided that the said notification, shall be placed, as soon as may be, on the table of both chambers of the Parliament.

5. Power of local Government to make rules:

(i) The State Government may make rules for the detention, inspection, disinfection, or destruction of any insect or class of insects or of any article or class of articles in respect of which a notification has been issued under section-3 or under section-4A or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf.

(ii) In making any rule under this section, the State Government may direct that a breach thereof shall be punishable with fine, which may extend to one thousand rupees.

5. (a) Penalties:

Any person who knowingly exports any article or insect from a State or transports any article or insect from one State to another in India in contravention of a notification issued under section 4A, or attempts so to export or transport any article or insect, and any person responsible for the booking of goods or parcels at a railway or inland steam vessel station who knowingly contravenes the provisions of section 4B shall be punishable with fine which may extend to two hundred and fifty rupees and upon any subsequent conviction, with fine which may extend to two thousand rupees.

6. Protection to persons acting under Act:

No suit, prosecution or other legal proceedings shall lie against any person for anything in good faith done or intended to be done under this Act.

List of amending Acts and adaptation orders:

- 1.The Destructive Insects and Pests (Amendment) Act, 1930 (20 of 1930)
- 2.The Government of India (Adaptation of Indian Laws) (Order, 1937)
- 3.The Destructive Insects and Pests (Amendment) Act, 1938 (6 of 1938)
- 4.The Destructive Insects and Pests (Amendment) Act, 1939 (3 of 1939)
- 5.The Indian Independence (Adaptation of Central Acts and Ordinances) Order, 1948

6. The Adaptation of Laws Order, 1950
7. The Part B States (Laws) Order, 1951 (3 of 1951)
8. The Jammu & Kashmir (Extension of Laws) Act, 1956 (62 of 1956)