

SIKKIM

GOVERNMENT

GAZETTE



**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Monday 12th January, 2015

No. 4

**GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK**

No. 10/LD/P/15

Dated: 7.01.2015

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received assent of the Governor on 28th day of November, 2014 is hereby published for general information:-

**THE SIKKIM AGRICULTURAL, HORTICULTURAL INPUT AND LIVESTOCK
FEED REGULATORY ACT, 2014
(ACT No. 10 OF 2014)**

AN

ACT

to regulate the import, sale, distribution and use of inorganic Agricultural, Horticultural Inputs and Livestock Feed to prevent risk to human beings or animals and environment and to make the State of Sikkim an Organic State and for matters connected therewith.

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to regulate the import, sale, distribution and use of inorganic Agricultural, Horticultural Inputs and Livestock Feed to prevent risk to human beings or animals and environment and to make the State of Sikkim an Organic State and for matters connected therewith.

Be it enacted by the Legislature of Sikkim in the Sixty-fifth Years of the Republic of India as follows:-

Short title, extent and commencement.

1. (1) This Act may be called the Sikkim Agricultural, Horticultural input and Livestock Feed Regulatory Act, 2014.
- (2) It extends to the whole of Sikkim.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette appoint.

Definitions.

2. In this Act unless the context otherwise requires-
 - (a) "animals" means animals useful to human beings and also includes fish and fowl and such kinds of wildlife as the State or Central Government may by notification in the Official Gazette specify being kinds which in its opinion it is desirable to protect or preserve;

- (b) "farm unit" means an agricultural farm, area or production unit managed organically by a farmer or a group of farmers;
- (c) "State Government" means the Government of Sikkim through the Department of Food Security and Agriculture Development and Horticulture and Cash Crops Development;
- (d) "green manure" means manure consisting of fresh green plant matter which is ploughed in or turned into the soil for the purposes of soil improvement;
- (e) "habitat" means the area in which a plant or animal species naturally exists;
- (f) "inputs" means those items which are categorised as "inputs prohibited", "inputs permitted" and "inputs restricted" as specified in Schedule I.
- (g) "inputs permitted" means those items which can be used in organic farming and are specified in Schedule I;
- (h) "inputs prohibited" means those items the use of which is prohibited in organic farming and are those which are not permitted or restricted as specified in Schedule I;
- (i) "inputs restricted" means those items that are allowed in organic farming in a restricted manner as per the guidelines of National Programme for Organic Production;
- (j) "inspection" means inspection by an Organic Regulatory Inspectors at any place within the territory of Sikkim to verify the use of inputs and feed as set out in the Act.
- (k) "livestock" means any domestic or domesticated animal including Bovine (Buffalo and Bison), Porcine, Caprine, Equine, Poultry and Bees raised for food or in the production of food but does not include the products obtained by fishing;
- (l) "marketing" means holding for sale or displaying for sale, offering for sale, selling, delivering or placing in the market or in any other form;
- (m) "NPOP" means National Programme for Organic Production;
- (n) "Organic Regulatory Inspectors" means and include such officials as may be appointed/designated by the State Government;
- (o) "Organic" means a particular farming system without artificial chemicals such as fertilizers, pesticides etc as described in the Act;
- (p) "Organic Agriculture" is a system of farm design and management to create an ecosystem which can achieve sustainable productivity without the use of artificial external inputs such as chemical, fertilizers and pesticides;
- (q) "Organic Feed or Feed Materials" mean feeding stuff/feed materials which have been made from organic materials and

produced as per the standards laid down in the National Programme for Organic Production regulations;

- (r) "Organic seeds" and planting material mean seed and planting material produced under certified Organic System;
- (s) "Organic Mission" means the State Organic Mission set up by the State Government;
- (t) "prescribed" means prescribed by rules under this Act;
- (u) "Rules" means the rules framed under the Sikkim Agricultural, Horticultural Input and Livestock Feed Regulatory Act, 2014;

Prohibition of Import of Inorganic Agricultural, Horticultural Inputs and Livestock Feed.

3. No person shall himself or by any person on his behalf import into Sikkim,-

- (a) any inorganic Agricultural, Horticultural Inputs and Livestock Feed for sale or distribution or use of which is for the time being prohibited and restricted under clause (h) and (i) of Section 2;
- (b) any inorganic Agricultural, Horticultural Inputs and Livestock Feed in contravention of any other provision of this Act or of rules made there under.

Prohibition of sale etc. of Inorganic Agricultural, Horticultural Inputs and Livestock Feed.

4. No person shall himself or by any person on his behalf sell, stock or exhibit for sale, distribute, transport, use or caused to be used :-

- (a) any inorganic Agricultural, Horticultural Inputs and Livestock Feed which is for the time being prohibited and restricted under clause (h) and (i) of Section 2;
- (b) any inorganic Agricultural, Horticultural Inputs and Livestock Feed in contravention of any other provision of this Act or of any rule made there under.

Prohibition of use in cultivation of crop of inorganic Agricultural and Horticultural Inputs.

5. No person shall himself or by any person on his behalf put to use for cultivation or stock :-

- (a) any inorganic Agricultural, Horticultural Inputs which is for the time being prohibited and restricted under clause (h) and (i) of Section 2;
- (b) any inorganic Agricultural, Horticultural Inputs in contravention of any other provision of this Act or of any rule made there under.

Explanation:- For the purpose of this section, organic seed and plant materials shall be used for cultivation but when certified organic seed and plant materials are not available, chemically untreated conventional materials shall be used with the permission of State Government as per the provision contained in Section 8 of the Act. The use of genetically engineered seeds, pollen, trans-gene plants or plant material is prohibited for cultivation.

