

Central Silk Board (Amendment) Act, 2006

Section 9 - Insertion of New Sections 8a To8j

After section 8 of the principal Act, the following sections shall be inserted, namely:--

"8A. Constitution of Central Silk-worm Seed Committee.--(1) The Central Government may, by notification in the Official Gazette, constitute for the purposes of this Act, a Committee to be called the Central Silk-worm Seed Committee consisting of--

- (a) the Vice-Chairperson of the Board who shall be the Chairperson of the Committee, ex officio;
- (b) (i) seven officials not below the rank of Deputy Secretary to the Government of India dealing with sericulture from the States--members;
- (ii) two experts from the field of silk-worm seed development--members;
- (iii) five persons to represent the sericulture sector of whom three shall be the farmers and two the reelers--members;

to be nominated by the Central Government from amongst the members of the Board;

- (c) the Director of the National Silk-worm Seed Organisation to be nominated by the Central Government--member; and
- (d) Secretary of the Board who shall be the Secretary of the Committee, ex officio.

(2) The Committee may associate with it, for such purposes and in such manner as it may deem fit, any person whose assistance or advice it may consider necessary in complying with the provisions of this Act, and a person so associated, shall have the right to take part in the proceedings of the Committee relevant to the purposes for which he has been associated, but shall not have the right to vote and shall be entitled to receive such allowances or fees as may be prescribed by the Central Government.

(3) A member nominated under sub-section (1) shall, unless his seat becomes vacant earlier by resignation, death or otherwise, hold office for a period of three years from the date of his nomination and shall be eligible for re-nomination:

Provided that a person nominated under sub-section (1) shall hold office only for so long as he holds the appointment by virtue of which his nomination was made.

(4) No act or proceeding of the Committee shall become invalid merely by reason of--

- (i) any vacancy therein, or any defect in the constitution thereof; or
- (ii) any matter relating to the procedure of the Committee not affecting the merits of a case.

(5) The Central Government shall provide to the Committee such other technical and other officers and employees as may be necessary for the efficient performance of the functions under

this Act.

(6) (a) The Committee shall meet at such time and place and shall observe such procedure in regard to transaction of business at its meeting (including the quorum at meetings) as may be specified by regulations.

(b) The Chairperson or in his absence any member chosen by the members present from amongst themselves, shall preside at a meeting of the Committee.

(c) All questions at a meeting of the Committee shall be decided by a majority of votes of the members present and voting and in case of equality of votes, the Chairperson or in his absence, the person presiding over the meeting shall have a second or casting vote.

8B. Powers and functions of Committee.--(1) The Committee shall be responsible for the implementation of this Act by taking measures as specified in sub-section (2).

(2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for--

(i) laying down of quality standards for kind or variety of silk-worm seed;

(ii) authorisation of silk-worm races and hybrids for commercial exploitation;

(iii) laying down of quality standards for production of silk-worm seeds;

(iv) laying down the conditions and requirements that have to be met out by the persons desirous of setting up facilities for production of silk-worm seeds or grainages;

(v) laying down the certification and silk-worm seed testing procedures for seeds sold by the registered producers;

(vi) undertaking the registration of silk-worm seed producers and dealers and controlling, supervising the inspection process to ensure adherence to the specified quality standards and seed certification requirements;

(vii) laying down the conditions and standards for export and import of silk-worm seed and adherence to them;

(viii) programming and planning of silk-worm seed production;

(ix) advising the Central Government and the State Governments on the matters aforesaid; and

(x) such other matters connected and incidental to the production, supply, distribution, trade and commerce in silk-worm seed,

as may be specified by regulations made by the Committee from time to time.

8C. Power to notify kinds or varieties of silk-worm seeds.--(1) If the Central Government, after consultation with the Committee, is of the opinion that it is necessary or expedient to regulate the quality of silk-worm seed of any kind or variety for the purpose of production and for commercial exploitation, it may, by notification in the Official Gazette, declare such kind or variety to be a notified kind or variety for the purposes of this Act and different kinds or varieties may be notified for different States or for different areas thereof, and it shall be incumbent upon every producer or dealer of such silk-worm seeds to produce or deal with such notified kinds and varieties of silk-worm seeds and in no other.

(2) The Central Government may, on the recommendation of the Committee, by notification, specify--

(a) the minimum quality standards and conditions for notified kinds or varieties of silk-worm seed; and

(b) the mark or label to indicate that such silk-worm seed conforms to the specified quality standards.

8D. Hybrid Authorisation Committee.--(1) The Committee shall constitute a Hybrid Authorisation Committee consisting of the Secretary of the Board who shall be the Chairperson of the Hybrid Authorisation Committee and such number of other members to assist him in the discharge of his duties as the Committee may determine.

(2) It shall be the duty of the Hybrid Authorisation Committee to either suo motu or on the application made to it and after due trials, testing and such other requirements, as it may deem necessary to satisfy itself, recommend to the Committee of the kind or variety of silk-worm seed, silk-worm hybrid seeds and races available in the market for notification by the Central Government for production and commercial exploitation.

8E. Registration Committee.--(1) No silk-worm seed of any kind or variety shall, for the purpose of production or for commercial exploitation, be produced, supplied, distributed, traded, sold or otherwise disposed of by a producer or dealer unless he is registered by the Registration Committee in such manner as may be prescribed.

(2) The Committee shall constitute the Registration Committee consisting of a Chairperson and such number of other members not less than two to assist him in the discharge of his duties as the Committee, may determine.

(3) The Registration Committee shall have power--

(a) to register the silk-worm seed of the notified kind or variety after scrutinising claims that the silk-worm seed conforms the kind or variety duly notified by the Central Government;

(b) to register the silk-worm seed producer after ensuring that the facility for seed production meets the requirement or conditions for maintaining quality standards as notified by the Central Government;

(c) to register the silk-worm dealer after scrutinising their claim made in the application;

(d) to perform such other functions as are assigned to it by the Committee.

(4) Every application for registration under sub-section (1) shall be made in such form and contain such particulars including conditions and be accompanied by such fees as may be prescribed.

8F. Constitution of Seed Certification Agency.--The Committee may, by order, constitute one or more Silk-worm Seed Certification Agencies or accredit the existing certification agencies according to such criteria as may be specified by regulations to conduct inspection for registration of producers and dealers.

8G. Constitution of Central Seed Testing Laboratories.--(1) The Committee may, by order, establish the Central Seed Testing Laboratories and accredit the existing laboratories of the Board or the State Governments having such facilities as may be specified by regulations.

(2) The Central Seed Testing Laboratories and the accredited laboratories shall carryout such functions as may be entrusted to it by the Committee from time to time.

(3) The Committee may, by order, appoint such person as it thinks fit or notify the officials or employees of the accredited laboratories having such qualifications as may be specified by regulations to be the Seed Analyst in the Seed Testing Laboratories and define the local limits of their jurisdiction.

8H. Appointment of SeedOfficers.--(1) The Committee may, by order, appoint such person as it thinks fit, or notify an employee of the Board having such qualifications as may be specified by regulations to be the Seed Officers and define the local limits of their jurisdiction.

(2) Every Seed Officer shall be under the administrative Control of the Committee and shall be responsible for inspecting the seeds and the facilities available with the seed producers and dealers before or after their registration to ensure adherence to the standards and conditions laid down in this regard.

(3) The Seed Officer may--

(a) take samples of any silk-worm seed of any kind or variety from--

(i) any producer or dealer; or

(ii) any person who is in the course of conveying such seed to a purchaser or a consignee; or

(iii) a purchaser or a consignee after delivery of such seed to him; (b) exercise such other powers as may be specified by regulations.

8-I. Export and Import of Silk-wormSeed.--(1) The Committee shall advise the Central Government from time to time on the export and import of silk-worm seed and the Central Government may, by notification, specify the terms and conditions including exim policy for export and import of silk-worm seed.

(2) All import of silk-worm seed shall conform to the quality standards specified under sub-section (2) of section 8C.

(3) For the purpose of ensuring compliance with the conditions and quality standards for governing such import, the Central Government may, by order, authorise officers of the level of Assistant Commissioner to exercise the powers of inspection at the borders and ports, and such officers shall be deemed to be the Seed Officers for the purposes of this Act.

(4) The Central Government may, by notification, permit for research purposes, import of an unregistered variety of silk-worm seed in such quantity and subject to such conditions as may be specified.

(5) The Central Government may, by notification, restrict the export or import of silk-worm seed of any kind or variety if it considers that it may adversely affect the silk industry or on such other grounds, as it may consider necessary.

8J. Statement by silk-worm seed producers.--Every registered silk-worm seed producer and dealer shall furnish periodic statement to the Committee in such form, manner and at such intervals as may be specified by regulations."