

THE UTTAR PRADESH LOCUSTS DESTRUCTION ACT, 1951  
(U.P. Act No. XX OF 1951)

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ARRANGEMENT OF SECTIONS

SECTIONS

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# THE UTTAR PRADESH LOCUSTS DESTRUCTION ACT, 1951<sup>1</sup>

(U.P. Act No. XX OF 1951)

*[Passed in Hindi by the Uttar Pradesh Legislative Assembly on August 29, 1951,  
and by the Uttar Pradesh Legislative Council on September 10, 1951.*

*Received the assent of the Governor on September 25, 1951 under Article 200 of the  
Constitution of India and was published in the Uttar Pradesh Gazette, Extraordinary  
dated September 28, 1951.]*

An

ACT

*To provide for the destruction of locusts*

Whereas it is expedient to make provision for the destruction of locusts :

Short title, extent and  
commencement

It is hereby enacted as follow :

1. (1) This Act may be called the U.P. Locusts Destruction Act, 1951
- (2) It extends to the whole of Uttar Pradesh.
- (3) It shall be deemed to have come into force on the ninth day of July, 1951.

Definition

2. In this Act, unless there is anything repugnant in the subject or context:
  - (i) "District Magistrate" includes any officer authorized by the District Magistrate to perform the functions of a District Magistrate under this Act;
  - (ii) "Inspector" means any person appointed by the District Magistrate to perform the functions of an Inspector under this Act in any local area;
  - (iii) "Occupier" means the person having for the time being the right of occupation of any land or premises or his authorized agent or any person in actual occupation of the land or premises and includes a local authority having such right of occupation or in such actual occupation.

Measures for d  
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3. Whenever it appears to the District Magistrate that any area in his District is being invaded, or is in danger of an invasion, by locusts, ho may-
  - (i) Direct every occupier within any area in the district to carry out such measures as the District Magistrate may deem fit in order to eradicate and destroy the locusts and to prevent their spread or re-appearance;
  - (ii) call upon any male person not below the age of 18 years resident in the area to render all possible assistance in carrying out the measures referred to in clause (i) for the destruction of locusts :  
Provided that no person who is by virtue of old age or any physical disability incapable of rendering assistance or who lives at a distance of more than 5 miles from the place where his presence is required shall be called upon to render such assistance;
  - (iii) specify the area within which and the period during which the measures specified in clause (i) are to be carried out.

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1 For S.O.R see Gaz. Extra. dated Aug. 20, 1951.

Power of Inspector to enter upon any land or Premises	4. Any Inspector may, after giving notice, enter upon any land or premises situate in the area specified under clause (iii) of section 3 with his local jurisdiction for the purpose of ascertaining whether the measure specified in clause (i) of section 3 are being carried out.
Power to carry out the measures	5. If, on the inspection of any land or premises under section 4, the Inspector finds that the measures specified in section 3 have not been carried out, the Inspector may, subject to any special or general orders of the District Magistrate, carry out at the expense of the occupier the measures referred to in section 3.
Appeal against costs	6. (1) Any such occupier may, within thirty days from the date of the first demand of such costs from him, prefer appeal to the Sub-Divisional Officer having jurisdiction on the ground that- <ul style="list-style-type: none"> <li>(i) The cost include charges for items other than the costs of labour, material or use of implements; or</li> <li>(ii) The charges for labour or material or use of implements are unreasonably high.</li> </ul> (2) On receipt of the appeal under sub-section (1), the Sub-divisional Officer shall, after giving the occupier an opportunity of being heard, pass such orders thereon as he thinks fit. (3) An order passed under sub-section (2) shall be final and conclusive and shall not be liable to be called in question in any court.
Failure to carry out directions or render assistance	7. (1) Upon the report of the Inspector, the District Magistrate may, if he is satisfied that- <ul style="list-style-type: none"> <li>(a) an occupier failed to comply with any directions issued under section 3, or</li> <li>(b) any person failed to render assistance required of him under section 3, order such occupier or person to pay a penalty not exceeding Rs. 15.</li> </ul> (2) The order requiring payment of penalty under sub-section (1) shall be final and conclusive and be not questioned in any court. (3) The penalty under sub-section (1) shall be recoverable as arrears of land revenue.
Mode of notice	8. It shall not be necessary to notify every occupier under clause (i) of section 3, or other persons whose assistance is required under clause (ii) of section 3, and a proclamation by beat of drums or other customary mode in the area, village or locality shall be deemed sufficient notice to all affected persons residing in that area, village or locality.
Bar to suits or other legal proceedings	9. No suit, prosecution or other legal proceedings shall lie against the State Government or any officer in respect of anything in good faith done or intended to be done under this Act, or for any damage to property caused by any action taken in good faith in carrying out the provisions of this Act.
Repeal. U.P. Act no 1, 1904	10. The U.P. Locusts Destruction Ordinance, 1951, is hereby repealed and the provisions of sections 6 and 24 of the U.P. General Clauses Act, 1904, shall apply to it as if it had been an Act repealed by an Uttar Pradesh Act.
Rules	11. The State Government may make rules for the purpose of carrying into effect the provisions of this Act.