

**SIKKIM**



**GOVERNMENT**

**GAZETTE**

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

**Gangtok**

**Wednesday 22<sup>nd</sup> October, 2014**

**No. 434**

**GOVERNMENT OF SIKKIM  
LAW DEPARTMENT  
GANGTOK**

**No.1/LD/ORD/14**

**Dated: 21/10/2014**

**NOTIFICATION**

The following Ordinance promulgated by the Governor on 19<sup>th</sup> day of October, 2014 is hereby published for general information:-

**THE SIKKIM AGRICULTURAL, HORTICULTURAL INPUT AND  
LIVESTOCK FEED REGULATORY ORDINANCE, 2014  
(Ordinance No. 1 of 2014)**

Promulgated by the Governor in the Sixty-fifth Year of the Republic of India

**AN**

**ORDINANCE**

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.

Whereas the State Legislature is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;



- (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 Ordinance;
- (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 Ordinance;
- (u) "Rules" means the rules framed under the Sikkim Agricultural, Horticultural Input and Livestock Feed Regulatory Ordinance, 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 Ordinance 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 Ordinance 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 Ordinance 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 Ordinance. The use of genetically engineered seeds, pollen, trans-gene plants or plant material is prohibited for cultivation.

**Prohibition of use in poultry farming and cattle farming of inorganic livestock feed**

- 6 No person shall himself or by any person on his behalf put to use in poultry farming and cattle farming or stock :-
  - (a) any livestock feed which is for the time being prohibited and restricted under clause (h) and (i) of Section 2.
  - (b) any inorganic livestock feed in contravention of any other provision of this Ordinance or of any rule made there under. **Explanation:** For the purpose of this section livestock feed containing Atrazine, Arsenic based compounds and all forms of Animal Protein including chicken litter are prohibited for use in Poultry and Cattle Farming. **Explanation:** For the purpose of this section, the following products shall not be included nor added to the feed given to farm animals:
    - (i) synthetic growth stimulants;
    - (ii) synthetic appetizers;
    - (iii) artificial colouring agents;
    - (iv) farm animals by products;
    - (v) pure amino acids;
 genetically engineered organisms or products thereof;

**Protection of Habitat.**

- 7 No person shall himself or by any person on his behalf put to use or stock in Sikkim:-
  - (a) any inorganic Agricultural, Horticultural Inputs, Livestock Feed which is for the time being prohibited and restricted for the protection and preservation of any area defined as a Habitat;
  - (b) any inorganic Agricultural, Horticultural Inputs, Livestock Feed in contravention of any other provision of this Ordinance or of any rule made there under.

**Import, Sale and use of Restricted Inputs**

- 8 (1) Any person desiring to import or to sell, stock, exhibit for sale or distribute or use in the cultivation of crop, any restricted agricultural and horticultural inputs may make an application to the State Government for the grant of permission to import or to sell, stock, exhibit for sale or distribute or use in the cultivation of crop any restricted agricultural inputs.
- (2) Any person desiring to import or to sell, stock, exhibit for sale or distribute or use in Cattle Farming or Poultry Farming any restricted items of Livestock Feed may make an application to the State Government for the grant of permission.

**Organic  
Regulatory  
Inspectors**

- 9 (1) The State Government may by notification in the Official Gazette appoint such number of persons as it thinks fit and possessing such technical and other qualifications as may be prescribed to be Organic Regulatory Inspectors for such area as may be specified in the notification;
- (2) Every Organic Regulatory Inspector shall be deemed to be a Public Servant;
- (3) The State Government may by notification also designate/appoint such other officials as Additional Regulatory Inspector for the purpose of assisting the Organic Regulatory Inspector.

**Powers of  
Organic  
Regulatory  
Inspectors**

- 10 The powers and functions of the Organic Regulatory Inspectors shall be such as may be prescribed by the rules made thereunder.

**Offences and  
Punishment**

- 11 Whoever,-
- (a) Imports, sells, stocks, or exhibits for sale or distributes for commercial purposes any Inorganic Agricultural, Horticultural Inputs and Livestock Feed which are prohibited and restricted under clause (h) and (i) of Section 2 or;
  - (b) puts to use in the cultivation of farm land or stocks in a farm land inorganic Agricultural, Horticultural Inputs or;
  - (c) puts to use and stocks for poultry farming and cattle farming Inorganic Livestock Feed prohibited and restricted under clause (h) and (i) of Section 2 or;
  - (d) puts to use or stocks inorganic Agricultural, Horticultural inputs and Livestock feed which are prohibited in an area defined as habitat or;
  - (e) Prevents or obstructs an Organic Regulatory Inspector in the exercise of his powers or discharge of his duty under this Ordinance or the rules made there under shall be punishable :
    - (i) with imprisonment of either description for a term which may extend to 3 months, or with fine which may not be less than Rs.25,000/- (Rupees twenty five thousand only) but shall not exceed more than Rs 1,00,000/- (Rupees one lakh) or with both;
    - (ii) If any person who has been convicted of the commission of an offence punishable under this Ordinance shall be punished for the second and every subsequent offence with a fine which may extend to twice the amount imposed on him in his previous conviction:

Provided that the Court may for reasons to be recorded in judgement, impose a fine exceeding the fine for which a person is liable.



## **SCHEDULE – I**

**(See Section 2)**

### **Products for Use in Fertilizing and Soil Conditioning**

#### **Matter Produced on an Organic Farm Unit**

- Farmyard and poultry manure, slurry, urine Permitted
- Crop residues and green manure Permitted
- Straw and other mulches Permitted

#### **Matter Produced Outside the Organic Farm Unit**

- Blood meal, meat meal, bone meal and feather meal without Preservatives Restricted
- Compost made from any carbon based residues Restricted  
(Animal excrement including poultry)
- Farmyard manure, slurry, urine Restricted  
("factory" farming sources Prohibited)
- Fish and fish products without preservatives Restricted
- Guano Restricted
- Human excrement Prohibited
- By-products from the food and textile industries of biodegradable material of microbial, plant or animal origin without any synthetic additives. Restricted
- Peat without synthetic additives (prohibited for soil conditioning) Permitted
- Sawdust, wood shavings, wood provided it comes from untreated wood Permitted
- Seaweed and seaweed products obtained by physical processes, extraction with water or aqueous acid and/or alkaline solution Restricted
- Seaweed sludge and urban composts from separated sources which are monitored for contamination Restricted
- Straw Restricted
- Vermicasts Restricted
- Animal charcoal Restricted
- Compost and spent mushroom and vermiculate substances Restricted
- Compost from organic household reference Restricted
- Compost from plant residues Restricted
- By products from oil palm, coconut and cocoa (including empty fruit bunch, palm oil mill effluent (pome), cocoa peat and empty cocoa pods) Restricted
- By products of industries processing ingredients from organic agriculture Restricted

#### **Minerals**

- Basic slag Restricted
- Calcareous and magnesium rock Restricted
- Calcified seaweed Permitted
- Calcium chloride Permitted
- Calcium carbonate of network origin (chalk, limestone, gypsum and phosphate chalk) Permitted

• Mineral potassium with low chlorine content (e.g. sulphate of potash, kainite, sylvinite, patenkali)	Permitted
• Natural phosphates (e.g. Rock phosphates)	Restricted
• Pulverized rock	Restricted
• Sodium chloride	Permitted
• Trace elements (baron, In, Fe, Mn, Molybdenum, Zn)	Restricted
• Woo dash from untreated wood	Restricted
• Potassium sulphate	Restricted
• Magnesium sulphate (Epson salt)	Permitted
• Gypsum (calcium sulphate)	Permitted
• Stillage and stillage extract	Permitted
• Aluminum calcium phosphate	Restricted
• Sulphur	Restricted
• Stone mill	Restricted
• Clay (bentonite, perlite, zeolite)	Permitted

#### **Microbiological Preparations**

• Bacterial preparations (biofertilizers)	Permitted
• Biodynamic preparations	Permitted
• Plant preparations and botanical extracts	Permitted
• Vermiculite	Permitted
• Peat	Permitted

#### **Products for Plant Pest and Disease Control**

<b>i. Substances from plant and animal origin</b>	
• Azadirachta indica [neem preparations (neem oil)]	Restricted
• Preparation of rotenone from Derris elliptica	Restricted
• Lonchocarpus, Thephrosia spp.	Restricted
• Gelatin	Permitted
• Propolis	Restricted
• Plant based extracts (e.g. neem, garlic, pongamia, etc.)	Permitted
• Preparation on basis of pyrethrins extracted from Chrysanthemum cinerariaefolium, containing possibly a synergist pyrethrum cinerifolium	Restricted
• Preparation from Quassia amara	Restricted
• Release of parasite predators of insect pests	Restricted
• Preparation from Ryania species	Restricted
• Tobacco tea	Prohibited
• Lecithin	Restricted
• Casein	Permitted
• Sea weeds, sea weed meal, sea weed extracts, sea salt and salty water	Restricted
• Extract from mushroom (Shiitake fungus)	Permitted
• Extract from Chlorella	Permitted
• Fermented product from Aspergillus	Restricted
• Natural acids (vinegar)	Restricted



<b>II. Minerals</b>	
• Chloride of lime/soda	Restricted
• Clay (e.g. bentonite, perlite, vermiculite, zeolite)	Permitted
• Copper salts / inorganic salts (Bordeaux mix, copper hydroxide; copper oxychloride) used as a fungicide, maximum 8 kg per ha per year depending upon the crop and under the supervision of inspection and certification agency	Restricted
• Mineral powders (stone meal, silicates)	Prohibited
• Diatomaceous earth	Restricted
• Light mineral oils	Restricted
• Permanganate of potash	Restricted
• Lime sulphur (calcium polysulphide)	Restricted
• Silicates (sodium silicate, quartz)	Restricted
• Sodium bicarbonate	Permitted
• Sulphur (as a fungicide, acaricide, repellent)	Restricted

### III. Microorganisms / Biocontrol agents

• Viral preparations (e.g., Granulosis viruses, Nuclear polyhydrosis, viruses etc.)	Permitted
• Fungal preparations (e.g., Trichoderma species etc.)	Permitted
• Bacterial preparations (e.g., Bacillus species etc.)	Permitted
• Parasites, predators and sterilized insects."	Permitted

### IV. Others

• Carbon dioxide and nitrogen gas	Restricted
• Soft soap (potassium soap)	Permitted
• Ethyl alcohol	Prohibited
• Homeopathic and Ayurvedic preparations	Permitted
• Herbal and biodynamic preparations	Permitted

### Traps

• Physical methods (e.g., chromatic traps, mechanical traps, light traps, sticky traps and pheromones)	Permitted
• Mulches, nets	Permitted

## List of Approved Feed Materials, Feed Additives and Processing Aids for Animal Nutrition

### 1. Feed Materials of Plant Origin

- Cereals grains, their products and by - products
- Oilseeds, oil fruits, their products and by – products
- Legume seed, their products and by - products
- Tuber roots, their products and by – products
- Other seeds and fruits
- Forages and roughages
- Molasses as a binding agent

**2. Feed Material of Mineral Origin**

• Seasalt, rocksalt	Restricted
• Sodium sulphate	Restricted
• Sodium carbonate	Restricted
• Sodium bicarbonate	Restricted
• Sodium chloride	Restricted
• Calcium carbonate	Restricted
• Calcium lactate	Restricted
• Calcium gluconate	Restricted
• Bone dicalcium phosphate precipitate	Restricted
• De fluorinated dicalcium phosphate	Restricted
• Anhydrousmagnesia	Restricted
• Magnesium sulphate	Restricted
• Magnesium chloride	Restricted
• Magnesium carbonate	Restricted

**3. Trace Elements**

• Iron	Feed additives
• Iodine	Feed additives
• Cobalt	Feed additives
• Manganese	Feed additives
• Zinc	Feed additives
• Molydenum	Feed additives
• Selenium	Feed additives

**4. Vitamins** Restricted

**5. Enzymes** Restricted

**6. Micro-organisms** Restricted

*Dated 19<sup>th</sup> October, 2014*

**SHRINIWAS PATEL  
GOVERNOR OF SIKKIM**

**(LAKCHUNG SHERPA) SSJS  
L.R - CUM-SECRETARY,  
LAW DEPARTMENT.**

**FILE NO. GOS/FS & ADD/ SOM/ADM./26**