

GOVERNMENT OF GOA

Department of Agriculture

Notification

3/Z/Hort/4/N.Act/97-98/D.Agri /130

Whereas the draft of the Goa Fruit and Ornamental Plant Nurseries (Regulation) Rules, 1997, was published as required by sub-section (l) of section 21 of the Goa Fruit and Ornamental Plant Nurseries (Regulation) Act, 1995 (Goa Act 13 of 1997) at pages 543-546 of the Official Gazette, Series I, No. 30 dated 23-10- 1997, under Notification No. 3/2/Hort/4/N.Act/97/D.Agri/1425 dated 23-10-1997, of the Department Agriculture, inviting suggestions/objections from the persons likely to be affected thereby before the expiry of 30 days from the date of publication of the said Notification in the Official Gazette.

And whereas the said Gazette was made available to the public on 23-10-97.

And whereas no suggestions or objections have been received from the public on the said draft by the Government.

Now, therefore, in exercise of the powers conferred by section 21 of the Goa Fruit and Ornamental Plant Nurseries (Regulation) Act, 1995 (Goa Act 13 of 1997), the Government of Goa hereby makes the following rules, namely:-

1. Short title and commencement. - (1) These rules may be called the Goa Fruit and Ornamental Plant Nurseries (Regulation) Rules, 1998.

(2) They shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Definitions. -In these rules, unless the context otherwise requires,-

(a) "Act" means the Goa Fruit and Ornamental Plant Nurseries (Regulation) Act, 1995 (Goa Act 13 of 1997);

(b) "Form" means the form appended to these rules;

(c) "Section" means a section of the Act;

(d) Words and phrases used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. Forms of application and licence fee therefore. - (1) Any owner of a fruit or ornamental plant nursery desiring to obtain a licence under section 4 of the Act, shall make an application in Form 'A' appended to these rules, in respect of each such nursery to the competent authority, accompanied by a licence fee of Rs. 1000/-, in respect of each such nursery.

(2) On receipt of an application in Form 'A', the competent authority shall inspect the nursery or cause the nursery to be inspected and on such inspection, or after considering the report of the inspection, if any, shall grant the licence for a period of 5 years. A licence granted under section 5 of the Act shall be in Form 'B'.

4. Validity of licence etc.- (1) Subject to the provision of .sub-section (4) of section 5 of the Act, every licence shall remain in force for a period of five years from the date of issue and may be renewed by making an application to the competent authority in Form 'C' appended to these rules together with a renewal fee of Rs. 1000/-.

(2) On receipt of an application in Form 'C', the competent authority shall inspect the nursery or cause the nursery to be inspected and on such inspection, or after considering the report of the inspection, if any, shall renew the licence for a period of five years.

5. Rates charged to be exhibited. - The owner of the fruit nursery shall exhibit at a prominent or conspicuous place in his nursery, the rates charged by him for each of the nursery plant, sold by him.

6. Registers.-Every owner of a fruit nursery holding a licence under the Act, shall during the validity of licence maintain,-

(a) a register showing the name of the fruit plant/ornamental plant and its variety at Id a 'layout plan showing the position of every root stock, scion trees and mother plant, employed in raising the fruit/ornamental plant, in Form 'D' appended to these rules;

(b) a register, where the licensee obtains the seeds or cuttings from any plant in any other nursery in the State, for preparation of the plants in his nursery, in Form "E", appended to these rules;

(c) a register showing the details of all sales of fruits and ornamental plants made by him. In Form "F" appended to these rules.

7. Manner of determination of age of fruit and ornamental plants. - The age of the fruit and ornamental plants for the purpose of clause (g) of section 6 of the Act, shall be determined as follows:-

(a) in case of seedlings, from the date of sowing the **seed**;

(b) in case of rooted cuttings, from the date of planting the cuttings in the nursery bed;

(c) in case of a budded or grafted plant (age of root stock and of scion being indicated separately), the age of the root stock will be determined as in case of seedling and in case of scion from the date of performing the operation of grafting;

(d) in the case of layered plant, from the date of performing the operation of layering.

8. Technical instructions by competent authority.-The technical instructions about the manner of propagation of fruit plants for ensuring of their quality, will be issued by the competent authority, in writing, and will be communicated to the licence holders by registered post. These will be operative for six months, after the date of issue of instructions or the date specified in the communication, whichever is earlier.

9. From of label. - The label to be affixed to the nursery plant shall be in Form 'G' appended to these rules.

10. Fee for duplicate licence.- The fee for the issue of a duplicate licence under the Act shall be Rs. 100/- (Rupees one hundred) only. II. *Appeal.*-An appeal under section 12 of the Act, against any order of the competent authority shall be made to the appellate authority, in Form 'H' appended to these rules, within 90 days from the date of the order of the competent authority.

11. Time for entry and inspection of fruit and ornamental nursery. - The competent authority or any person authorised by it shall exercise the powers conferred by section 14 of the Act, between 7 a.m. to 8 p.m. on any day.

FORM 'A'

(See rule 3(1))

Application for licence under rule 3 of the Goa Fruit and Ornamental Plant Nurseries (Regulation) Rules, 1997

(1) Name of the Nursery:-

(2) Name and full address of the owner:-

(3) Exact location of the nursery:-

- (a) Road:
- (b) Ward:
- (c) Town /Village:
- (d) Taluka:
- (e) District:

(4) Total area of the nursery including mother plants with survey numbers:-

(A) Details of the mother trees of scion:-

- (a) Survey number and area:
- (b) Kind of fruit plants/ornamental plants with variety:
- (c) Age of fruit plant, source of mother plant:-

(In case information about source of mother plants is not available their performance in respect of yield and quality of fruits before being used as mother plants).

(B) Details of mother plants of root stock:

- (a) Survey number and area:
- (b) Kind and variety of root stock:
- (c) Number of plants:
- (d) Age of plants:
- (e) Source of mother plants:

(If root stock plants are not his own, particulars of the source from which they will be obtained should be given).

(c) Number of grafted, budded or rooted cuttings with the details of varieties of each fruit ornamental crop, the applicant wants to produce every year.

Name of the fruit/Ornamental	Variety	Method of propagation	No. of plants to be propagated
(1)	(2)	(3)	(4)

(5) How long has the applicant been in the nursery business:-

(If so, the number of fruit/ornamental plants produced and sold each year, during last two years may be given separately for each variety.

(6) Details of the equipment available for control of insects, pests and plant diseases:-

(7) Particulars of the licence fee paid:-

(8) Declaration:-

(a) I hereby declare that the information given above is true to the best of my knowledge and belief.

(b) I have read the Act and Rules made there under and undertake to fulfill all the conditions prescribed in the Act and Rules as may be amended from time to time.

(c) I undertake to sell only quality plants at reasonable price.

(d) I undertake to plant the required mother plants of scion and root stocks that are at present not available in my nursery, in the next planting season.

Place:

Dated:

Signature of applicant

Name:

FORM 'B'

[See rule 3(2)]

Book No.

Licence No;
Date of Issue:
Valid upto:

Licence for conducting or carrying on business of Nursery in the State of Goa.

Licence is hereby granted to Shri of , with effect from the date of 19 to conduct or carry on the business of the fruit/ornamental plants nursery at (her specify location of the nursery) (hereinafter referred to as "the licensed premises") in the State, subject to the provisions of the Goa Fruit and Ornamental Plant Nurseries (Regulation) Act, 1995 (Goa Act 13 of 1997), on the following terms and conditions.

Name of the Fruit/ornamental nursery	Location of the fruit ornamental plant nursery	Total area fruit/ornamental nursery	Name/ Variety of the fruit/ ornamental plant in the regular course of business to be propagated & sold under this licence
(1)	(2)	(3)	(4)

Place:

Dated :

Signature of the competent authority

Designation

Terms and conditions of the Licence

- (1) This licence shall be displayed in a prominent and conspicuous place in the licensed premises.
- (2) The licensee shall comply with the provisions of the Goa Fruits and Ornamental Plant Nurseries (Regulation) Act, 1995 (Goa Act \3 of 1997) and the rules made thereunder from time to time.
- (3) The licensee shall not keep in the licensed premises any fruit/ ornamental plants other than those in respect of which this licence has been granted under the Goa Fruit and Ornamental Plant Nurseries (Regulation) Act, 1995 (Goa Act \3 of 1997) and rules framed thereunder.

The licensee shall report from time to time to the competent authority, any change in location of fruit

nursery where he sells the fruit/ornamental plants.

FORM 'C'

[See rule 4(1)]

Form of application for renewal of the licence under the Goa Fruit and Ornamental Plant Nurseries (Regulation) Rules,1997

To,
The Director of Agriculture,
Government of Goa,
Panaji Goa.

I/We hereby apply for the renewal of licence to carry on the business of production and sale of fruit/ornamental plants under the name of ,..... The original licence was granted by the Director of Agriculture under No.....for a period of five years which expires on

(1) Total area of nursery including mother plants with Survey No

Details of mother trees:

(a) Survey Number and Area:

(b) Kind of fruit/ornamental plant with variety:

(c) Number of fruit plant/ornamental plant:

(d) Age of fruit plants, source of mother plants. In case information about source of mother plants is not available their performance in respect of yield and quality of fruit before being used as mother plant.

(2) Number of grafted, budded or rooted cuttings with the details of the varieties of each fruit/ornamental plants, the applicant wants to produce every year.

Name of the fruit/ ornamental plant	Method of propagation	No. of fruit/ ornamental plants to be propagated
(1)	(2)	(3)

(3) Details of the equipment available for control of insects, pests and plant diseases.

(4) The number of fruit/ornamental plants, produced and sold each year may be given separately for each variety (for last 5 years).

Year	Name of the Fruit/ Ornamental plant	Variety	No. of plants produced	No. sold	Selling rate
(1)	(2)	(3)	(4)	(5)	(6)

(5) Amount of Rs. 1000/-, being the fee for renewal of the licence, is being remitted herewith by Demand Draft/Cash.

Declaration:

(1) I hereby declare that the information given above is true to the best of my knowledge and belief.

(2) I have read the Act and rules made there under, and undertake to fulfill all the conditions prescribed in the Act and rules and that may be laid down by the competent authority under the provisions of the Act and rules.

(3) I undertake to sell only the quality plants at reasonable price.

Date:

Place:

Signature of the Applicant

Name:

Address:

FORM 'D'

[See rule 6(A)]

Register showing source of mother plants used for propagation of fruit/ornamental plants

Location with Survey No. mother plant nursery from which plants are used for propagation	Name and variety of fruit/ornamental plant		Number assigned to the mother plant	
	Root stock	Scion	Root stock	Scion
(1)	(2)		(3)	

FORM 'E'

[See rule 6(b)]

Register showing the fruit/ornamental plants raised and ready for sale

Name and variety of fruit/ornamental plants	Number assigned to mother tree in the nursery		Number of plants raised	Number of plants ready for sale for transportation
	Root stock	Scion		
(1)	(2)		(3)	(4)

FORM 'F'

[See rule 6(c)]

Register of sale of fruit/ornamental plant

Date of sale	Name and Address of the person to whom plants are sold	Source of plants produced for sale		Rate at which sold	Remarks
		Assigned root stock number	Assigned scion number		
(1)	(2)	(3)		(4)	(5)

FORM 'G'

(See rule 9)

Label

Name and address of the Nursery:

Age:

Rootstock:

Scion:

By order and in the name of the Governor of Goa.

K. G. Sharma, Director of Agriculture & Ex-Officio Jt Secretary.

Panaji, 2nd February, 1998.