

GOVERNMENT OF GOA ' Department of Agriculture

Directorate of Agriculture

Notification

3/2/Hort/4/N.Act/97/D.Agri/425

"The following draft rules which are proposed to be made under the Goa Fruit and Ornamental Plant Nurseries (Regulation) Act, 1995 (Goa Act 13 of 1997) published as required by sub-section (12) of section 21 of the said Act, for information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of 30 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft Rules may be forwarded to the Director of Agriculture, 4th Floor, Vidhyut Bhawan, Directorate of Agriculture, Panaji Goa, before the expiry of 30 days from the date of publication of this Notification in the Official Gazette.

Draft Rules

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), and all other powers enabling it in this behalf, 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, 1997.

(2) They shall come into force at once.

2. *Definitions.*- In see 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 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 ..., 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 plants, sold by him.

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

(a) a register showing the name of the fruit plant/or- namental plant and its variety and a layout plan showing the position of every root stock, scion seeds and mother plants, 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. *Form 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.

11. *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.

12. *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 am to 8 pm on any day.

By order and in the name of the Governor of Goa. *K. G. Sharma*, Director of Agriculture.

Panaji, 23rd October, 1997.

