



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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No. 36] AMARAVATI, MONDAY, 17th JANUARY, 2022.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 10th January, 2022 and the said assent is hereby first published on the 17th January, 2022 in the Andhra Pradesh Gazette for general information :

ACT No. 36 of 2021.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
REGISTRATION OF HORTICULTURE NURSERIES (REGULATION)
ACT, 2010.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the seventy second year of the Republic of India as follows :

1. (1) This Act may be called the Andhra Pradesh Registration of Horticulture Nurseries (Regulation) (Amendment) Act, 2021. Short title and Commencement.
(2) It shall come into force on such date as the State Government may, by notification, appoint.
2. In the Andhra Pradesh Registration of Horticulture Nurseries (Regulation) Act, 2010, (hereinafter referred to as the principal Act), in section 2,- Amendment of section 2.
Act No. 13 of 2010.
 - (i) for Clause (b), the following shall be substituted, namely,
“(b) ‘Director’ means the Commissioner of Horticulture or

Director of Horticulture, Andhra Pradesh.”.

(ii) for Clause (f), the following shall be substituted, namely,-

“(f) ‘Horticulture Nursery’ means any place, where Horticulture plants, fruits, vegetables, spices, condiments, flowers, Ornamental, Medicinal & Aromatic plants and Plantation Crops are in the regular course of business, propagated and sold for transplantation.”.

(iii) in clause (g), after the words “plantation crops, vegetable plant”, the words “spices and condiments” shall be inserted.

(iv) in clause (m), the words “the ultimate” shall be omitted.

(v) after clause (t), the following clause shall be added, namely,-

“(u) ‘Shade net / Poly House Nursery’ means Shade net / Poly House used for production of Horticulture Plants.”.

Amendment of
section 4.

3. In the principal Act, for section 4, the following shall be substituted, namely,-

“4. Owner of a Horticulture Nursery to obtain license: No owner of a Horticulture nursery (except shade net nurseries) shall, after the expiry of six months from the date of commencement of this Act or from the date on which he becomes owner of such nursery; whichever is later, conduct or carry on the business of Horticulture nursery, except under and in accordance with a license obtained by him from the competent authority under the provisions of this Act and the rules made thereunder. In case of shade net / Poly House nurseries, the owner shall obtain license before start of first sale:

Provided that, where an owner has more than one nursery whether in the same town or village or in different town or village in the same name and style or otherwise, he shall obtain a separate license in the respect of each such nursery.”.

4. In the principal Act, in section 6,-

Amendment of
section 6.

- (i) in clause (d), for the words "State Horticulture Board" the words "State Horticulture Department or Dr. YSR Horticulture University or any competent institutions under ICAR, Government of India" shall be substituted.
- (ii) in clause (j), for the words "after the date of conclusion of the transsaction", the words "from the date of transaction" shall be substituted.
- (iii) for clause (o), the following shall be substituted, namely,-

"(o) Quality standards as prescribed by the Commissioner or Director of Horticulture from time to time shall be followed by the licensee for production and sale of the plant material."
- (iv) in clause (p) after the words "pests and diseases", the word "and" shall be added.
- (v) after Clause (p), the following clause shall be added, namely,-

"(q) All nuserymen involved in production have to undergo tranining conducted by Dr. YSR Horticulture University / Department of Horticulture / any other recognized institute on plant propagation, plant protection measures and Nursery management."

5. In the principal Act, in section 7, in clause (e) for sub-clause (i), the following shall be substituted, namely,-

Amendment of
section 7.

"(i) Poor quality of Produce."

6. In the principal Act, for section 8, including marginal heading, the following shall be substituted, namely,-

Amendment of
section 8.

"8. The Commissioner of Horticulture may for the purpose of maintaining the quality of any Horticulture plant grown in any part of the State or to protect them from injurious insects, pests or plant diseases, by order regulate or prohibit such Horticulture plants subject to such restrictions and conditions as it may impose, on bringing in or taking them across the customs frontiers as define by the Central Government or transport from other States of India to Andhra Pradesh or within the State, of any Horticulture plants of unknown pedigree or affected by any infectious or contagious pests or diseases."

Power to
regulate or
prohibit
import, export
or transport of
certain
Horticultre
plants.

Amendment of section 9.

7. In the principal Act, in section 9, in sub-section (1), for clauses (d) and (e), the following shall be substituted, namely,-

“(d) If in the opinion of such competent authority, Nurserymen/ Owner has become incompetent to conduct or possess such Horticulture nursery:

(e) If Nurserymen/Owner has refused to surrender or produce his license or the registers and other record or records required to be maintained under this Act or the Rules made there under to the competent authority or any person authorized by it.”.

Amendment of section 10.

8. In the principal Act, for section 10, including marginal heading, the following shall be substituted, namely,-

No compensation for suspension or cancellation of license.

“10. Where any license is suspended or cancelled under this Act, the nurseryman shall not be entitled to any compensation including the refund of any fee paid by him for the license.”.

Addition of New section 11-A.

9. In the principal Act, after section 11, the following new section shall be added, namely,-

Package and their labeling.

“11-A. (1) package or container containing plant or plants shall be distinctly labeled to distinguish the kind of variety sold.

(2) In the case the package or container contains plants of more than one kind of variety, each individual plant shall be labeled.

(3) The name of root stock and the scion shall be mentioned on label.”.

10. In the principal Act, in section 15,

Amendment of section 15.

(i) in sub-section (1), for clause (c), the following shall be substituted, namely,-

“(c) to examine any person having control of or employed in connection with such nursery.”.

(ii) for sub-section (4), the following shall be substituted, namely,-

“(4) Commissioner or Director of Horticulture may constitute a committee at District level for the purpose of certifying the quality of the plant material produced by the licensee.”.

VADDADI SUNITHA,

Secretary to Government (FAC),

Legal and Legislative Affairs & Justice,

Law Department.