

Draft J&K Saffron Rules 2017

PART –I

- i) **Short Title :** These Rules may be called the Jammu and Kashmir Saffron Rules, 2017
- ii) **Definitions:** In these Rules, unless the context otherwise requires:
 - a) “Act” means the J & K Saffron Act, 2007
 - b) “Form” means a form appended to these Rules
 - c) “Section” means a section of the Act

PART –II

Grant or Refusal of Certification of registration

- i) The registration authority may after making such enquiry as it thinks fit and necessary, issue the Certificate of registration (Form II) to the person who applies for it under clause II
Provided that the person to whom the Certificate of registration is issued gives an undertaking that:
 - a) He shall comply with the provisions of both J&K Saffron Act, 2007 and Saffron Rules 2017 in letter and spirit.
 - b) He shall give every facility to the Registration Authority or any other officer acting under the authority for the purpose of inspecting his stock, shop, premises or other such place/places used by him for the purpose of his trade.
 - c) He shall report to the registration authority for any change in premises where he carries his trade.
- ii) An application for registration as saffron dealer under this Act shall be made in Form- I and the said form including the verification portion, shall be signed in case of an individual by individual himself or a person duly authorized by him; in case of partnership firm by the managing partner; in case of a company by any person duly authorized on that behalf by the Board of Directors; or in any other case by the person in charge or responsible for the conduct of the business.
- iii) An application form duly filled together with a bank draft in favour of ----
 - a) ₹. 1000/= One thousand rupees in case of retail dealer.
 - b) ₹. 2000/= Two thousand rupees in case of wholesale dealer.
- iv) The certificate of registration shall be in Form II or Form II-A as the case may be and shall be subject to such conditions as specified therein.

- 2.1 (i) Issue of duplicate certificate of Registration A fee of ₹. 800/= Eight hundred rupees shall be paid in the form of DD in favour of a certificate of registration if the original is defaced damaged or lost.
- (ii) Addition, deletion or alteration on the certificate of Registration including labels. A fee of rupees shall be paid in the form of DD in favour of ₹. 800/= Eight hundred rupees on each occasion for each certificate of Registration for addition alteration on the certificate of Registration including labels.
- (iii) Manner of publication of refusal to register or cancellation of the certificate of Registration:-

Refusal to register saffron or a cancellation of the certificate of registration of saffron shall also be published in any two leading dailies or in any journals published by the Director of Agriculture.

1. **Registration Authority shall not issue the Certificate of Registration to a person :**
 - a) Whose Certificate of Registration issued earlier under these Rules is under cancellation.
 - b) Whose samples have been declared substandard by Quality Control Lab. more than three times
2. **Cancellation of Registration :** If the Registration Authority is satisfied either on the basis of any reference made to it or otherwise, that :
 - a) Certificate of Registration issued by it has been obtained by misinterpretation as to any essential fact or
 - b) The holder of certificate has failed to comply with conditions subject to which Certificate of Registration has been granted or has contravened any of the provisions of Saffron Act 2007 and the Rules made hereunder the Act, then without prejudice to any other penalty to which the holder of the Certificate of Registration may be, after giving the holder of Certificate of Registration of an opportunity after issuing a showcase notice, cancel the Certificate of Registration.

PART-III

Appeals: The form and manner in which and the fee on payment of which the appeal may be referred:

- a) Every memorandum of appeal under section 9 shall be in writing and shall be accompanied by a copy of the decision of registration authority or any such authority designated by it, against which it has been preferred and shall be set forth concisely and distinctly, the grounds of objection to such objection without any argument and narrative.
- b) Every such memorandum of appeal shall be accompanied by a fee/treasury receipt for a sum of ₹. 500/=
- c) Every such memorandum of appeal shall be presented either in person or through a duly authorized agent, in writing by the appellant or through registered post.

- d) The appellate authority shall ensure that decision on the appeal filed is taken expeditiously within a period of one month.
- e) In deciding the appeals under the Saffron Act and Rules hereunder the Appellate Authority shall follow the same procedure which a court follows in deciding appeals.

PART-IV

Issuance of Permit to Export Saffron:

- a) An application for Issuance of Permit to Export Saffron from J& K State to outside shall be made in Form III
- b) Application duly filled in shall be made to Registration Authority with a fee of ₹. 2000/= in cash or in the form of treasury receipt.
- c) Soon after the receipt of application along with Saffron consignment /Pack the Registration Authority, or duly authorized representative/s of the Registration Authority designated for the purpose and job, in the office of Quality Control Lab. or at any such place agreed by Registration Authority shall draw a representative composite sample as per the procedure. The quantity of the sample so drawn shall be sufficient to provide four samples of size of submitted sample. The composite sample will be divided into four equal parts, out of which one shall be referred to Quality Control Lab. for analysis, second to the phyto sanitary certificate issuing lab, third part to the applicant/exporter and fourth sample will be retained as guard sample with the Quality control lab.
- d) The Quality control lab and phytosanitary certificate issuing lab. shall analyze the sample for prescribed standards and report to the registration authority as soon as may be but not exceeding 20 days from receipt of the sample unless the sample is subjected to such tests which require more than 20 days for completion of test.
- e) On receipt of reports from Quality Control Lab and phytosanitary certificate issuing lab and if the reports meet the prescribed standards, the applicant/exporter under the supervision of the Registration Authority will ensure packing, sealing and labelling in accordance with Saffron Act 2007 and other Rules thereunder.
- f) Upon completion of packing, sealing and labelling, the Registration Authority will issue the export permit as per Form IV.

PART-V

Permission to Import Saffron in the State:

- a) Any person, trade or company intending to import dried saffron into the state, under section 16 of J&K Saffron ACT 2007 shall inform the Director of Agriculture concerned in Form-II-A.
- b) The application duly filled in shall be made along with a fee of ₹. 2000/= in cash or in the form of treasury receipt of same amount.

- c) A No objection certificate from Plant Quarantine Authority notified by the Government shall be obtained by the person, trader or company before importing dried Saffron.
- d) The Phyto-Sanitary certificate from the source of origin or import shall be attached with the imported dried saffron.
- e) Such imported dried saffron shall be marketed in accordance with Labeling Standards as prescribed in the J&K Saffron Act 2007 and other rules there under, and;
- f) The label shall legibly be marked with words IMPORTED SAFFRON with the name of the place where from imported.
- g) The color of the label shall be BLUE or RED.
- h) The details of imported dried saffron on arrival shall be entered in the stock and/or any other such register, and packed, labeled As per the standards prescribed and with an intimation to the Department of Agriculture concerned from the date of such packing and labelling.

PART-VI

Issuing Case Memo and Maintenance of records:-

- i). All purchases shall be recorded entered in a stock register in Form V and stock position shall be sent to Registration Authority in Form VI within 15 days from the close of the month.
- ii. All sales of saffron shall be made by a bill or cash memo in the form prescribed under any law.
- iii. All sales of saffron either by the firm or stockiest, distributor, dealer retailer or to a bulk consumer shall be entered in a register in Form-VII and state wise monthly return of all sales to actual consumer shall be sent to the Registration Authority in Form-VIII within 15 days from the close of the months.

PART VII

Packaging / Labelling of Saffron:-

- i. Every package containing the saffron shall be of a type approved by the Registration Committee.
- ii. Before putting any saffron into the primary package every batch thereof shall be analyzed as per the relevant specifications.
- iii. Saffron, whether in filament or in powder form, shall be packed in water tight, sound and clean packing made of suitable material that will not affect the quality of saffron.

The following particulars shall be marked or labeled on each container;

- a) Name and address of the processor/ packer.
- b) Registration No.
- c) Name of the material.
- d) Trade name or Brand name , if any
- e) Type of Saffron.(Filament /Powder)
- f) Grade.
- g) Batch or Code No.
- h) Net Mass.
- i) Year of harvest
- j) Packing date
- k) Expiry date./Best before
- l) Place of Cultivation /Origin

PART-VIII

1. Qualification of Saffron Analyst:-

A person shall be eligible for appointment as saffron analyst under act only if he/she possesses the following qualifications namely;

- a) A Post graduate in Agriculture or
- b) A graduate in Agriculture with Adequate experience in analysis of Saffron in a recognized laboratory.

2. Powers of Saffron Analyst:-

The saffron Analyst shall have power to call such information of particular or do anything as may be necessary for the proper examination of the samples sent to him either from Saffron Inspector or the person from whom the samples was obtained.

3. Duties of Saffron Analyst:-

- 1) The Saffron Analyst shall analyze or cause to be analyzed or test or cause to be tested such samples of saffron as may be sent to him by the saffron Inspector under the provision of act and shall furnish reports or results of such tests or analysis.
- 2) Saffron Analyst shall from time to time forward to the State Government reports giving the result of analytical work and investigation with a view to their publication at the discretion of the Government.

PART-IX

1. Qualification of Saffron Inspector:-

A person shall be eligible for appointment as Saffron Inspector under the Act only if he/she possesses the following qualification namely:

- a) A graduate in Agriculture
- b) Adequate field experience.

2. Duties of Saffron Inspector:-

The Saffron Inspector shall have the following duties, namely:

- (i) To satisfy himself that the conditions of registration are being complied with;
- (ii) To procure and send for test and analysis, samples of saffron which he has reason to suspect are being sold, stocked or accepted for sale in contravention of the provisions of the Act or Rules made thereunder;
- (iii) To investigate any complaint in writing which may be made to him.
- (iv) To institute prosecution in respect of breaches of the Act and the Rules made thereunder;
- (v) To maintain a record of all inspections made and action taken by him in the performance of his duties including the taking of samples and seizure of stocks and to submit copies of record to the Registration officer.
- (vi) To make such inquiries to inspections as may be necessary to detect the sale and use of saffron in contravention of the act.

3. Prohibition of Disclosure of Inspection:-

Except for the purpose of Official business or when required by a Court of Law Saffron Inspector shall not disclose any information acquired by him.

4. Form of order not to dispose of stock:

An order by the Saffron Inspector requiring a person not to dispose off any stock in his possession shall be in Form-ix.

PART X

1. Prohibition of Sale:

No person in possession of saffron in respect of which Saffron Inspector has made an order under rules, in contravention of that order sell or otherwise dispose off any stock of such Saffron.

2. Form of Receipt for seized Saffron:-

A receipt by saffron Inspector for the stock of saffron seized shall be in Form- X.

3. Form of intimation of purpose of taking samples:

Where Saffron Inspector take a samples for the purpose of test or analysis he/she shall intimate such purposes in writing in Form-Xi to the person from whom he takes it.

4. Dispatch of samples for test or analysis:

- (i) Samples for test or analysis shall be sent by registered post or by hand in a sealed packet together with a memorandum in Form-Xii in an outer cover addressed to the Saffron Analyst.
- (ii) The packet as well as the outer cover shall be marked with distinct mark.
- (iii) A copy of memorandum in Form-Xiii together with a specimen impression of the seals of the Inspector and of the seals, if any, of the

person from whom he takes such samples , shall be sent separately by registered post or by hand to the Saffron Analyst.

PART XI

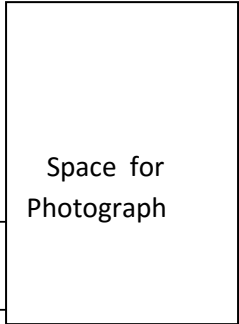
1. Report of Saffron Analyst

- i) The Saffron Analyst to whom a samples of any saffron has been submitted for test or analysis shall, within period of 20 days (Twenty) deliver to the Saffron Inspector submitting it a signed report in duplicate in the prescribed form.
- ii) The Saffron Inspector on receipt thereof shall deliver one copy of the report to the person from whom the sample was taken and shall retain the other copy for use in any prosecution in respect of the sample.
- iii) Any document purporting to be a report signed by Saffron Analyst shall be evidence of the facts stated therein , and such evidence shall be conclusive unless the person from whom the sample was taken has within a month of the receipt of a copy of the report notified in writing the Saffron Inspector or the court before any proceeding in respect of the sample are pending that he intends to adduce evidence in contravention of the report.
- iv) Unless the samples has already been tested or analyzed in the Central Food Technological Research Institute (CFTRI) Mysore, where a person has notified his intension of adducing evidence in contravention of the Saffron Analyst report, the court may, of its own motion or in its discretion at the request of the accused cause the sample of Saffron produced before the Magistrate to be sent for test or analysis to the laboratory, (which shall, within a period of 30 days, make the test or analysis) and report in writing signed by, or under the authority of the Director Central Food Technological Research Institute (CFTRI) Mysore, the result thereof, and such report shall be conclusive evidence of the facts stated therein.
- v) The cost of test or analysis made by Central Food Technological Research Institute (CFTRI) Mysore, shall be paid by the accused.

2. Specifications of Saffron as per grades.

**APPLICATION FOR REGISTRATION AS
SAFFRON DEALER/EXPORTER/IMPORTER**

(Form -I)



1. Name & Address of the applicant: _____
2. Address of the premises: _____
3. The name and grade of Saffron
which applicant proposes to distribute / sale:_____.
4. Whether the application is for retail or Wholesale :_____
5. Name and address of the supplier:_____
6. Manner of packing:_____.
7. Qualification of the applicant:_____
8. Particulars of fee deposited:_____

Signature of applicant

VERIFICATION

I _____s/o_____, do hereby solemnly verify that to the best of my knowledge and belief the information given in the application is correct and complete.

Signature of applicant

CERTIFICATE OF REGISTRATION

(As Saffron Dealer/Trader under J & K Saffron Act 2007)

(Form -II)

Registration No:.....

Date of Issue :

.....hereby granted certificate of registration as trader of saffron at the place specified below in the District/State....., subject to the terms and conditions specified below and to the provisions of Saffron Act 2007 and Rules hereunder:

Description of Place / Type of Business

Name & Style by which Business is carried on	Location of Sale Centre / Business	Location of Godown attached to Business	Type of Saffron	Grades

Date :

Seal :

Issuing Authority

Terms & Conditions of Certificate of Registration:-

- i) Certificate of Registration shall be displayed in a prominent and conspicuous place in a part of business premises open to public.
- ii) The holder of the Certificate shall comply with the provisions of Saffron Act 2007 and Rules thereunder.
- iii) The holder of the Certificate shall from time to time report to the Registration Authority any change in premises of business or store.
- iv) The holder of the Certificate shall give every facility to the Registration Authority or any other officer acting under the authority for the purpose of inspecting his stock, shop, premises or any other such place/s used by him for the purpose of his trade.

APPLICATION FOR IMPORT OF SAFFRON

(Form -II A)

The Registration Authority

.....Place

.....State

1. Name & Address of the applicant: _____
2. Place of Business premises: _____
- 3.RegistrationNo: _____
- 4.Name and grade of Saffron to be imported _____
- 5.Type (filament /Powder) _____
- 6.Quantity to be Imported _____
- 7.Name and address of Exporter: _____
8. Expected Date of Arrival: _____.
9. Cost of Imported Product : _____

Declaration:

- a) I/We have deposited a fee of ₹. _____ vide
Challan no _____ dated _____ in
Cash/Treasury
- b) I/We declare that the information given above is true to the best of
my knowledge and no part thereof is false.
- c) I/We have carefully read the terms and conditions as contained in
J & K Saffron Act 2007 and Rules made there under

Date : _____

Place : _____

Signature of Applicant

Form of Application for Export Permit

FORM III

The Registration Authority

.....Place

.....State

1.Full Name & Address of Applicant/Exporter /Firm

a) Name

b) Address

c) Place of Business

d) Registration No:

2. Name of the Product to be exported

3. Quantity to be exported

4. Name & Address of Importer/ Consignee

5. Expected Date of dispatch

6. I / We have deposited a fee of ₹. 800/= vide Challan Nodated

.....in treasury / Bank

7. Declaration :

a) I / We declare that the information given above is true and correct to the best of my knowledge and no part thereof is false.

b) I / We have carefully read the terms and conditions as contained in the Saffron Act 2007 and rules made thereafter.

Date :.....

Place :

Signature of Applicant

For Office Use

Date of Receipt

Name & Signature of Receiving Authority

FORM IV

Permit No :

Registration No :

SAFFRON EXPORT PERMIT

M/S (Name of Exporter)

Full Address

Carrying on Business as

Under Registration No

Is/are hereby authorized to export Saffron with details as under:

- a. Batch/code No :
- b. Quantity to be Exported :.....
- c. Packing Date :
- d. Quality Control Lab. Analysis No & Date
- e. Phytosanitary Lab. analysis No. & Date

Date :

Seal :

Issuing Authority

REGISTER OF PURCHASES OF SAFFRON

(Form -V)

S. No	Name of the source	Residence	Date of Purchase	Quantity purchased	Grade			Crop Year	Date of expiry	Grand Total
	Farmer / Parentage				Lachha	Mongra	Powder			

.....

REGISTER OF SALES MADE TO THE CONSUMERS

(Form - VI)

S. No	Name of consumer /Purchaser	Address	Date of Sale	Quantity Sold	Grade			Crop year	Date of packing	Date of expiry	Bill/ Challan No.	Grand Total
					Lachha	Mongra	Powder					

**MONTHLY RETURNS OF SALES OF SAFFRON
MADE TO CONSUMER / DEALER FOR THE
MONTH OF _____**

(Form - VII)

S. No	Trade / Brand name of saffron	Date of sale	Batch No. / Code No.	Date of Expiry	Name of purchaser with full address	Name of dealer with license No.	Size of pack	No. of packs sold	Total Quantity

Seal and signature

Verification:

I _____ do hereby verify that what even is stated above is true to the best of my knowledge and belief based on information derived from the records. I further declare that I am competent to and verify this statement in my capacity as _____

Seal & Signature

Name:_____

**STATE-WISE MONTHLY RETURNS OF SALES
OF SAFFRON MADE TO CONSUMER /
DEALER FOR THE MONTH OF _____**

(Form - VIII)

S. No	Trade / Brand name of saffron	Date of sale	Batch No. / Code No.	Date of Expiry	Name of purchaser with full address/State	Name of dealer with license No.	Size of pack	No. of packs sold	Total Quantity

Seal and signature

Verification:

I _____ do hereby verify that what even is stated above is true to the best of my knowledge and belief based on information derived from the records. I further declare that I am competent to and verify this statement in my capacity as _____

Seal & Signature

Name:_____

Form -IX

ORDER UNDER SAFFRON ACTS-2007 / RULES _____REQUIRING A PERSON NOT TO DISPOSE OFF ANY STOCK IN HIS POSSESSION.

Whereas I have reason to believe that the stock of _____ in your possession detailed below, is being distributed / sold in contravention of the provisions of saffron act and the rules made there under;

I hereby require you under saffron Act 2007 / Rules _____to stop the distribution / sale of the said stock for a period of _____days from this date.

Details of stock

- 1.
- 2.
- 3.
- 4.

Date

Seal & Signature

Form - X

FORM OF RECEIPT FOR THE SEIZED SAFFRON

Receipt for stock of saffron seized under saffron Act 2007/ Rules_____. The stock of the saffron detailed below has this day been seized by me under the provisions of saffron Act 2007/Rules _____ from the premises of _____situated at_____.

Details of the saffron seized are;

- 1.
- 2.
- 3.
- 4.

Date

Seal & Signature