Jammu and Kashmir Saffron Rules, 2018

JAMMU & KASHMIR India

Jammu and Kashmir Saffron Rules, 2018

Rule JAMMU-AND-KASHMIR-SAFFRON-RULES-2018 of 2018

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Jammu and Kashmir Saffron Rules, 2018Published vide Notification No. SRO-38 dated 24.1.2018SRO-38. - In exercise of the powers conferred by section 28 of the Jammu and Kashmir Saffron Act, 2007 (Act No. V of 2007), the Government hereby make the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Jammu and Kashmir Saffron Rules, 2018.(2) They shall come into force from the date of their publication in the Government Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Jammu and Kashmir Saffron Act, 2007;(b)"Form" means a form appended to these rules; and(c)"Section" means section of the Act.All words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act.

3. Grant or refusal of Certification of Registration.

(1)Every person carrying out trade in saffron shall apply to the Registering Authority in Form-I duly signed and verified by the applicant in case of an individual, or by the managing partner in case of partnership firm or by any person duly authorized on that behalf by the Board of Directors in case of a Company or in any other case by the person in charge or responsible for the conduct of the business.(2)The application form shall be accompanied by a fee of rupees one thousand in case of a retailer dealer and rupees two thousand in case of a wholesale dealer in the shape of a demand draft or a bank draft in favour of the Registration Authority.(3)The applicant shall also furnish an undertaking to the Registration Authority that-(a)he shall comply with the provisions of Jammu and Kashmir Saffron Act, 2007 and the provisions of these rules; (b)he shall allow and facilitate the Registration Authority or any other officer authorized in this behalf to inspect his shop, premises or

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other such place/places used by him for the purpose of his trade; (c)he shall allow or facilitate the Registration Authority or any other officer authorized in this behalf to inspect his stocks, books relating to trade and other documents and evidence kept or maintained by him for the purpose of his trade; and(d)he shall report to the Registration Authority any change in address of the premises where he carries his trade.(4)The Registration Authority may, after satisfying itself that the application submitted under sub-rule (1) is complete in all respects and the applicant satisfies all requirement for issuance of a certificate of registration and after making such enquiry as it thinks fit and necessary, grant the Certificate of Registration to the applicant in Form-II.(5)In case the applicant does not satisfy all the requirements for issuance of Certificate of Registration or in case his application is incomplete in any respect, the Registration Authority may, refuse the grant of registration Certificate of Registration to the applicant and communicate such refusal to the applicant with reasons therefor: Provided that in case of application being incomplete in any manner, the Registration Authority may provide reasonable time to the applicant to make good the deficiencies: Provided further that the order of refusal to grant Certificate of Registration shall be published in any two leading daily newspapers.(6) Notwithstanding anything contained hereinbefore in this rule, the Registration Authority shall not issue the Certificate of Registration to a person whose Certificate of Registration has ever been cancelled or whose samples have been declared substandard by Quality Control Laboratory more than three times. (7) If the Certificate of Registration issued in favour of a dealer is lost, defaced or damaged, the dealer can apply for a Duplicate Certificate of Registration and the Registration Authority shall issue Duplicate Certificate of Registration on payment of a fee of rupees eight hundred. (8) If the dealer wishes to make addition, alteration or deletion of entries recorded in the Certificate of Registration, the Registration Authority may allow such addition, alteration or deletion after the dealer deposits a fee of rupees eight hundred.

4. Period of validity of Certificate of Registration.

- Every Certificate of Registration shall, unless previously suspended or cancelled, remain valid for a period of four years from the date of its issue.

5. Renewal of certificate.

(1)Every registered dealer desiring to renew the Certificate of Registration shall, before the date of expiry of the Certificate of Registration made an application for renewal, to the Registration of Authority accompanied by a fee of rupees five hundred. On receipt of such application, together with such fee, the Registration Authority may renew the Certificate of Registration.(2)In case the application for renewal is not made before the expiry of the Certificate of Registration, the Registration Authority may renew such certificate on payment of additional fee of rupees five hundred for renewal of registration: Provided that such application is made within forty-five days of expiry of the last Certificate of Registration beyond which no request for the renewal shall be entertained.

6. Cancellation of Registration.

(1)Without prejudice to any other penalty to which the holder of the Certificate of Registration may be liable to, the Registration Authority may after affording the holder of Certificate of Registration an opportunity of being heard, cancel the Certificate of Registration if it is satisfied either on the basis of any reference made to it or otherwise that the holder of the Certificate of Registration has-(a)obtained such Certificate by misinterpretation or concealment of any material fact; or(b)failed to comply with conditions such to which Certificate of Registration has been granted; or(c)contravened any of the provisions of the Act or these rules.(2)The order of cancellation of Certificate of Registration shall be published in any two leading daily newspapers.

7. Regulation of stocking of saffron.

(1)The Registration Authority shall, by an order specify the quantity of saffron which a dealer can at any one point of time possess in his stocks or dispose of. If any dealer is found to possess or dispose of stocks in excess of the quantity specified under this rule, in addition to penalty to which the dealer is liable under the provisions of the Act, the Enforcement Inspector shall require such dealer through a notice in Form-IX not to distribute or sell the said stocks for the period specified in the notice.(2)The Enforcement Inspector may seize the saffron stocks which are held by a dealer or which are sold or distributed by a dealer in excess of the quantities specified in sub-rule (1). In the event of such seizure, the Enforcement Inspector shall issue a receipt to the dealer in Form-X.

8. Permit for export of saffron.

(1) No dealer shall export saffron without obtained and export permit from the Registration Authority.(2)A dealer intending to export saffron outside the State shall apply to the Registration Authority for issuance of export permit in Form-III.(3)The application form shall be accompanied with a fee of rupees two thousand in the form of a Bank Draft or Treasury Receipt and a sample of the saffron consignment/pack to be exported by such dealer.(4)After the receipt of application along with saffron consignment/ pack, the Registration Authority, or such other authority or officer as the Registration Authority may authorize for the purpose, shall get prepared a representative composite sample as per the procedure. The quantity of the sample so prepared shall be sufficient to make four samples of the size as may be determined by the Registration Authority. The composite sample will be divided into four equal parts, out of which one part shall be referred to Quality Control Laboratory for analysis, second part to be Phytosanitary Certificate Issuing Laboratory, third part to the applicant/export and fourth part will be retained as guard sample with the Quality Control Laboratory.(5)The Quality Control Laboratory and Phytosanitary Certificate Issuing Laboratory shall analyze the sample for prescribed standards and report to the Registration Authority as soon as may be but shall not later than 20 days from the date of receipt of the samples, unless the sample is subjected to such tests which require more than 20 days for completion of test.(6)Once the Quality Control Laboratory and Phytosanitary Certificate Issuing Laboratory certify that the saffron samples are as per the prescribed standards, the applicant/exporter shall be directed to pack, seal and label the saffron quantity to be exported under the provision of the Registration Authority in accordance with the Act and these rules. (7) Upon completion of packing, sealing and labeling, the

Registration Authority shall issue the export permit as per Form-IV.

9. Permission for import of saffron in the State.

(1)No person, trade or company shall import saffron into the State without seeking permission from the Registration Authority.(2)Any person, trader or Company intending to import dried saffron into the State, shall apply in Form-IIA to the Registration Authority along with a fee of rupees two thousand in the form of a Bank Draft or Treasury Receipt.(3)The application shall be accompanied by a no objection certificate from the Plant Quarantine Authority notified by the Government and a Phytosanitary Certificate from the source of origin or import. A pack of the imported dried saffron shall also be attached with the application.(4)The imported dried saffron shall be marked in accordance with Labeling Standards as prescribed in the Act and these rules and the label shall legibly be marked with words Imported Saffron with the name of the place wherefrom imported. The color of the label shall be Blue or Red.(5)On satisfying itself about the quality and standard of the saffron intended to be imported by the applicant, the Registration Authority shall permit the applicant the import of the saffron in the State.(6)The person importing saffron shall enter the details of imported dried saffron on arrival in the Stock Register and such saffron shall be packed, sealed and labeled a per the prescribed standards with an intimation to the Registration Authority.

10. Issuing case memo and maintenance of records.

(1)Every dealer shall record all purchases in a Stock Register to be maintained in Form-V and the stock position of saffron shall be sent to Registration Authority within 15 days of the purchase.(2)Every sale of saffron shall be made by a bill or cash memo to be maintained by the dealer in the manner as may be prescribed by the Registration Authority.(3)Every sale of saffron either by a dealer or by a firm or stockiest, distributor to a retailer or to a bulk consumer shall be entered in a register in Form-VI and a monthly return of all sales to the consumers shall be intimated to the Registration Authority in Form-VII within 15 days from the closing of the month.

11. Packaging/labeling of saffron.

(1)Every package containing the saffron shall be packed and labeled in accordance with section 15 of the Act.(2)Before putting any saffron into the primary package every batch thereof shall be analyzed in accordance with section 12 of the Act.(3)Saffron, whether in filament or in powder form, shall be packed in a suitable material, ensuring that it is water proof and that it will not affect the quality of saffron.(4)The following particulars shall be marked or labeled on each container:-i. Name and address of the processor/packer; ii. Registration No.; iii. Name of the material; iv. Trade name or Brand name, if any; v. Type of Saffron (Filament/Powder); vi. Grade; vii. Batch or Code No.; viii. Net Mass; ix. Year of harvest; x. Packing date; xi. Expiry date/best before; xii. Place of cultivation/origin; xiii. Maximum retail price.

12. Qualification of Saffron Analyst.

- A person shall be eligible for appointment as Saffron Analyst under the Act only if he possesses the following qualifications, namely :-(a)A Post-graduate in Agriculture Sciences; or(b)A Graduate in Agriculture Sciences with an experience of three years in the analysis of saffron in a recognized laboratory.

13. 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 by Saffron Inspector or the person from whom the samples was obtained.

14. 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 Enforcement Inspector under the provision of the Act and shall furnish reports or results of such tests or analysis.(2)The saffron analyst shall from time to time and at least once in a month forward to the Government reports giving the result of analytical work and investigation analyzed or investigated by him.

15. Qualification of Enforcement Inspector.

- A person shall be eligible for appointment as Enforcement Inspector under the Act only if he/she possesses the following qualification, namely :-(a)a graduate in agriculture; and(b)three years field experience.

16. Duties of Enforcement Inspector.

(1)The Enforcement Inspector shall have the following duties namely:-(i)to satisfy himself that the conditions of registration of a saffron dealer are being complied with by him; (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 these rules; (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; and(vi)to make such inquiries to inspections as may be necessary to detect the sale and use of saffron in contravention of the Act.

17. Form of receipt for seized saffron.

- When an Enforcement Inspector seizes any saffron from any trader or transporter or any other agency in respect of any offence under the Act for quality analysis, he shall issue a receipt of the

same in Form-X to such trader, transporter or agency, as the case may be.

18. Form of intimation of purpose of taking samples.

- When the Enforcement Inspector take a samples for the purpose of test or analysis, he shall intimate such purposes in writing in Form-XI to the person from whom he takes it.

19. Dispatch of samples for test or analysis.

(1)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.(2)The packet as well as the outer cover shall be marked with distinct mark.(3)A copy of memorandum in Form-XII 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.

20. Report of Saffron Analyst.

(1)The Saffron Analyst to whom a samples of any saffron has been submitted for test or analysis shall, within period of 20 days deliver the analysis report under his hand and seal in duplicate to the Enforcement Inspector.(2)The Enforcement Inspector on receipt of the analysis report 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.

21. Specifications of saffron as per grades.

- The specification and Standard of Saffron shall confirm to the standards/specification in the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 rules and as specified in Schedule appended to these rules.

22. Appeal.

(1)Any person aggrieved by an order of the Registration Authority under section 6 or section 7 of the Act or an order of Enforcement Inspector under section 13 of the Act, may within a period of two months prefer an appeal to the Appellate Authority.(2)Every memorandum of appeal shall set forth concisely and distinctly the grounds of appeal and shall be accompanied by a copy of order against which appeal has been preferred and a fee of rupees five hundred in shape of a bank draft or treasury receipt in favour of the Appellate Authority. It shall be presented by the appellant himself or a person duly authorized by him in this behalf.(3)The Appellate Authority may, after affording a reasonable opportunity of being heard to the parties, pass such order as may deem just and proper.(4)An appeal preferred under sub-rule (1) shall be decided, as far as practicable, within a period of three months.Application for Registration as Saffron Dealer/exporter/importer

(Form-I)	Space forphotogra	aph			
1.	Name and Addres	ss of the applicant			
2.	Address of the pro	emises			
3.	The name and grated to distribute/sale_	nde of Saffron which ap			
4.	Whether the appl	ication is for retail or w	holesale		
5.	Name and addres	s of the supplier			
6.	Manner of packin	g			
7.	Qualification of th	ne applicant			
8.	Particulars of fee	deposited		·	
Signature	e of				
applicant	VerificationI,		S/o		,
Dealer/T		affron Act, 2007)(Forn	oplicant.Certificate of Regist n-II)Registration	ration(As Sa	ffron
				hereby	granted
	~		place specified below in the		
			t to the terms and condition		
_			reunder :Description of Plac		usiness
	d style by which is carried on	Location of sale centre/business	· ·		Grades
Date :Sea	ıl: Issuing Author	rity.			
in a prom the certifi holder of premises Registrati his stock, trade.App	cate shall comply the certificate shall of business or stor ion Authority or ar shop, premises or	uous place in a part of l with the provisions of S Il from time to time rep re.(iv)The holder of the ny other officer acting u any other such place/s rt of Saffron(Form-IIA)	a:(i)Certificate of Registrations of the pusiness premises open to pusiness premises open to pusing a suffron Act, 2007 and rules to the Registration Authoriticate shall give every funder the authority for the pused by him for the purpose. The Registration Authority.	ublic.(ii)The thereunder.(cority any chafacility to the turpose of instee of his	holder of iii)The ange in e specting
1. Name	e and address	of the applicant_			
2. Place	e of business p	oremises			
3. Reais	stration No.				

4. Name and	I grade of saffron to be ir	nported
5. Type (filar	ment/powder)	
6. Quantity t	o be imported	
7. Name and	l address of exporter	
8. Expected	date of arrival	
9. Cost of im	nported product	
Declaration :(a)	I/We have deposited a fee of Rs	vide Challan
	· -	Cash/Treasury.(b)I/We declare that the information
given above is t	rue to the best of my knowledge	and no part thereof is false.(c)I/We have carefully &K Saffron Act, 2007 and rules made thereunder.
Date :	Place :	Signature of Applicant.
	ation for Export Permit(Form-II	
Authority	Place	State
	e and address of Applica	nt/Exporter/Firm: (b)Address
	he product to be exporte	d
4. Name and	l address of importer/cor	nsignee
5. Expected	date of dispatch	
	deposited a fee of Rs. 80	00/- vide Challan No

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 Applic	eant.		
For office useDate of ReceiptNam	ne and Signature of Recei	ving Authority(Form	n-IV)Permit
No	Registration No		Saffron Export
PermitM/s. (Name of exporter)_			Full
address		Ca	arrying on business
as			
No		_Is/are hereby autho	orized to export
saffron with details as under :-			
1 Patah/Cada Na			
1. Batch/Code No			
2. Quantity to be exported	l		
3. Packing date			
<u> </u>			
4. Quality Control Lab. An	alysis No. and Date)	
5. Phytosanitary Lab. Ana	llysis No. and Date_		
Date :Seal : Issuing Authority. Register of Purchases of Saffron(Form-V)		
S. No Name of the source Reside	ence Date of Quantit	y Grade Crop sed year	Date of Grand expiry Total
Farmer Lachha Mongr Parentage	ra Powder		
Register of Sales Made to the Cor	nsumers(Form-VI)		
S. No. Name of consumer/purchaser Ac	ldress (Frade	^ Of	Bill/Challan Grand No. Total
Lachha Mongra Po	owder		
Monthly Returns of Sales of Saffr	•	ealer for the Month	
S. Trade/Brand Date Batch	Date of Name of	Name of Size	e No. of Total

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No.	name of saffron	of sale	No./Code No.	expiry	purchaser with full address	dealer with lecense No.	of pack	-	quantity
what deriv	t even is stated wed from the receity as	above fords. I de to C	is true to the I further dec Seal and Sig consumer/de Batch No./Code	best of a lare that natureN caler for	my knowledge a I am competen ame the Month of Name of purchaser with full address/State	nd belief bast to and veriStateName of	sed on fy this -Wise I(Fo	informa stateme: Monthly	tion nt in my Returns of
that deriv capa Saffi Poss deta rules	what even is staved from the reducity as con act, 2007/reessionWhereas iled below, is best made thereune	ated abcords. I ules , I have eing dis	ove is true to I further dec Seal a e reason to be stributed/so ereby requir	o the bestlare that and Sign receive the din content of the conten	st of my knowled I am competen latureName quiring a Person lat the stock of_ ltravention of the lder Saffron Act, liod of	dge and belied to and verical not to Dispose provisions, 2007/Rule	ef based fy this(Form ose off in s of Safes	d on info stateme m-IX)Or any Sto your po fron Act	nt in my rder under ck in his ssession and the to stop
1. 2.									
3.									
4.									
(For Act, been pren	2007/ Rules seized by me u	eceipt inder t	he provision	The	nReceipt for sto ne stock of the sa ron Act, 2007/ I t	affron detail Rules	ed belo	w has th	nis day _from the

1.
2.
3.
4.
Date: Seal and Signature (Form-XI)To hereby give you the notice of my intention of taking a sample of seed from your stocks for the
purposes of tests or analysis.
Dated Saffron Inspector.
(Certificate of test and/or analysis by the Saffron Analyst)Certified that the sample(s) bearing number purporting to be a sample of Memorandum No dated results of such test(s)/analysis is/are a stated below : The
condition of the seals on the packet and the outer covering on receipt was as follows
: Place: Dated Saffron Analyst. (Form-XII)Memorandum to Saffron AnalystSerial No. of MemorandumFrom : ToThe Saffron Analyst,
1. The sample described below is sent herewith for test analysis under clause X of section (iv) sub-section (iii) of the Saffron Rules, 2016. (a)Serial No. of the sample.(b)Date and place of collection.(c)Nature of the articles submitted for analysis/test.
2. A copy of this memo and specimen impression of the seal used to seal the packet of samples is being sent separately by post/ hand.*
Dated:*Strike out whenever is not Saffron Inspector.Area applicable
Schedule
(See rule 21)Specification of Saffron as Per Grade

1. Scope: This part establishes specification for dried saffron obtained from the pistils of Crocus sativus L. flowers.

It applies to saffron in both the following forms namely :-(a)Filaments and cut filaments ;(b)Powder.Note : - The Saffron Plant is depicted in Figure 1, the saffron flower in Figures 2 and 3, the saffron pistil in figure 4, and some examples of floral waste in figure 5.

2. Stigma: Section of the aerial part of the pistil.

Example: In the Crocus Sativus L. flower, the stigma is dark red in colour and trumpet shaped serrated or indented at the top and joined to the style at the end.

- 3. Style: Part of the pistil between the stigma and the ovary.
- 4. Stamen : Male reproductive organ of a flower. Note : In the Crocus satavus L. Flower stamens are yellow.
- 5. Extraneous matter: All matter which belongs to a plant but which is not retained for specie or herb.

Example: In the Crocus sativus L. Flower, the origin of extraneous matter can be floral waste (e. g. petals, separated styles, stamen, pollen grains and ovary parts) and plant waste which is waste other than floral waste.

6. Foreign matter: All matter that is not part of the plant to which the spice or herb belongs.

Example: In the Crocus sativus L. flower, the origin of foreign matter can be animal (e. g. living insects, dead insects, fragments of insects, contamination from rodents) or non-animal foreign matter. Non-animal foreign matter can be from other plants (e. g. other vegetable matters, leaves, stems, straw) or others (e. g. mineral, plastic).

7. Saffron in filaments : Dried stigmas with a part of style of the Crocus sativus L. flower.

Note: - The stigmas can be separated or joined in groups of two or three at the tip of a part of the style which is yellow white in colour (about 20mn to 40 mn in length).

8. Saffron in cut filaments: Dried stigmas of the Crocus sativus L. flower (with styles removed completely detached from each other).

9. Saffron in powder form: Particles obtained by crushing the filaments of the Crocus sativus L. flower.

Note: - The particle size can vary accordingly to the agreements between the buyer and the seller. Characteristics: (1) General: Saffron is considered to be pure when it complies with requirements of this part and when no matter has been added to a natural product. (2) Sensory analysis: The saffron flavour shall be characteristic and slightly bitter. The product shall be free from foreign flavours. The saffron in filaments, cut filaments and powered forms is classified into three categories (Table 2) which are determined accordingly to physical criteria and chemical properties, and in accordance with the methods specified in ISO 3632-2. Test methods: The test shall be carried out as quickly as possible after preparation of the test samples.

Characteristics	CategoriesI II	Test method
Extraneous matter (mass friction) % max, floraland plant waste	0,5 3	ISO 3632-2 : 2010, Clause 8
Foreign matter (mass fraction)% max,fromnon-animal(from other plants)	0,1 0,5	ISO 363202 : 2010 Clause 9

Table 1 - Classification by physical criteria of saffron in filaments and cut filaments.