



The Haryana Horticulture Nurseries Act, 2025

Act No. 17 of 2025

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PART - I
HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 28th April, 2025

No. Leg. 18/2025.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 07th April, 2025 and is hereby published for general information:-

HARYANA ACT NO. 17 OF 2025
THE HARYANA HORTICULTURE NURSERIES ACT, 2025

AN
ACT

to provide for the registration and regulation of horticulture nurseries in the State of Haryana and for matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventy-sixth Year of the Republic of India as follows:-

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| <p>1. (1) This Act may be called the Haryana Horticulture Nurseries Act, 2025.</p> <p>(2) It extends to the whole of the State of Haryana.</p> <p>(3) It shall come into force on such date, as the Government may, by notification in the Official Gazette, appoint.</p> | <p>Short title, extent and commencement.</p> |
| <p>2. In this Act, unless the context otherwise requires,-</p> <p>(a) “appellate authority” means Additional Chief Secretary or Principal Secretary to Government, Haryana, Agriculture and Farmers Welfare Department or any officer nominated by him, not below the rank of Special Secretary;</p> <p>(b) “competent authority” means competent authority appointed under section 3;</p> <p>(c) “export” means taking out the horticulture plant or plant material out of the State or out of India by land, sea or air;</p> <p>(d) “fruit plant” means any plant which can produce edible fruits or nuts and includes budwood, seedlings, grafts, seeds and cuttings of such plant;</p> <p>(e) “Government” means the Government of the State of Haryana in the administrative department;</p> <p>(f) “horticulture nursery” means any place where horticulture plant and plant material are sold for transplantation, in the regular course of business;</p> <p>(g) “horticulture plant” means a plant belonging to any of the category of fruits, vegetables, tubers, spices, condiments, flowers, ornamental, medicinal and aromatic crops or such other plant, as the Government may, by notification declare to be a horticulture plant;</p> <p>(h) “import” means bringing the horticulture plant or plant material from outside the State or from other countries for further propagation;</p> <p>(i) “inspecting officer” means an officer of the Horticulture Department authorized by the competent authority for inspection of horticulture nursery;</p> <p>(j) ‘kind’ means one or more related species or sub-species of crop plant each individually or collectively known by one common name such as mango, tomato, rose, coconut etc.;</p> <p>(k) “ornamental plant” means a plant cultivated for decorative purposes, enhancing the aesthetic appeal of gardens, landscape and indoor spaces;</p> <p>(l) “owner” means a person who owns or has control over the affairs of a horticulture nursery and includes the person designated to be the incharge of the horticulture nursery owned by the State Government/Central Government/ board/ corporation/ autonomous bodies;</p> | <p>Definitions.</p> |

- (m) “plant material” means any horticulture plant or propagation material including budwood, scion, rootstock, seeds, cuttings, rhizomes, bulbs, suckers, runners, used in raising the horticulture plant;
- (n) “prescribed” means prescribed by the rules made under this Act;
- (o) “private sector varieties” means and includes plant varieties developed, maintained and marketed by private seed companies;
- (p) “public sector varieties” means and includes plant varieties developed, maintained and distributed for public benefit at affordable prices by government institutions such as State Horticultural Universities/ State Agricultural Universities/ Indian Council of Agricultural Research;
- (q) “rootstock” means a horticulture plant or part thereof on which any horticulture plant has been grafted or budded;
- (r) “scion” means a part of horticulture plant which is grafted or budded on to a rootstock;
- (s) “State” means the State of Haryana;
- (t) “State Government” means the Government of the State of Haryana;
- (u) “unknown pedigree” means and includes plant variety whose ancestry, genetic lineage or parentage is not documented, traced or officially recorded;
- (v) “variety” means a sub-division of a kind identifiable by growth, yield, plant, fruit, seed or other characteristics.

Appointment of competent authority.

3. The Government may, by notification appoint an officer, not below the rank of Additional Director to be competent authority for the purposes of this Act.

Owner to obtain licence for registration of horticulture nursery.

4. No owner of a horticulture nursery 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, except under and in accordance with the standards prescribed for this purpose and with a licence obtained by him from the competent authority under the provisions of this Act and the rules made thereunder:

Provided that where an owner has more than one horticulture nursery in the same district or village or in different districts or villages, whether in the same name or other name, he shall obtain a separate licence in respect of each such nursery.

Application for grant of licence or its renewal.

5. (1) Any owner who desires to obtain a licence shall apply to the competent authority in such form and manner, accompanied by such fee as may be prescribed:

Provided that from the date of commencement of this Act, the horticulture nursery owned by the State Government or the Central Government or corporate bodies of the State and Central Government shall be exempted from licence fee or renewal fee.

(2) In case of fresh application for grant of licence or for renewal of licence, the competent authority shall direct the inspecting officer to inspect the horticulture nursery and submit a report in such form and manner, as may be prescribed.

(3) The competent authority on being satisfied by the report of the inspecting officer, shall grant a licence to the applicant.

(4) The competent authority if not satisfied with the report of the inspecting officer, may after giving a reasonable opportunity to the applicant of being heard and after recording the reasons, may refuse or renew the licence, as the case may be, and furnish a copy of the order to the applicant.

(5) Every licence granted under this section shall be in such form, as may be prescribed and shall be valid for a period of five years from the date of its issuance and be renewed by the competent authority for a further period of not more than five years in such manner alongwith such fee, as may be prescribed.

6. The owner shall be permitted to sell public sector varieties and private sector varieties and kind thereof as per their choice: Permission to sell.

Provided that the owner of the fruit plant shall only sell varieties and kind thereof as provided in sub-section (1) and (2) of section 13.

7. (1) The competent authority may suspend or cancel any licence granted or renewed under this Act on any of the following grounds, namely:- Power to cancel or suspend licence or destroy horticulture plant and plant material.

- (a) if he has parted in whole or in part or has otherwise ceased to maintain or hold horticulture nursery;
- (b) if he has, without reasonable cause, failed to comply with any of the terms and conditions of the licence or any direction of the competent authority or has contravened any of the provision of this Act or the rules made thereunder;
- (c) if he has applied to be adjudicated or been adjudicated an insolvent;
- (d) if he has become incompetent to maintain or hold such horticulture nursery;
- (e) if he has refused to surrender or produce his licence or the registers and other records required to be maintained under this Act or the rules made thereunder;
- (f) on any other ground, as may be prescribed:

Provided that in case of suspension or cancellation of licence under this Act, the owner shall not be entitled for any compensation and refund of fee paid by him.

(2) The competent authority may suspend the licence pending the proceeding under sub-section (1).

(3) Before passing an order under sub-section (1), the competent authority shall inform the grounds to the owner on which it has been proposed to take action and further to give him a reasonable opportunity of hearing against such action.

(4) The competent authority or any officer authorized by him may destroy whole or part of the horticulture plant or plant material if the same is found to be of unknown pedigree or infected with pests and diseases. The entire process of identification and destruction shall be documented through videography to ensure transparency and to maintain proper records.

(5) Copy of every order passed under sub-section (1) or (2) shall be communicated to the owner and in case the owner refuses or avoid receiving of the same, the copy of order shall be affixed at conspicuous place of the horticulture nursery and shall be deemed to be communicated.

8. (1) On the expiry of the period of validity specified in a licence or on receipt of an order of suspension or cancellation of the licence, the owner shall surrender the licence to the competent authority, provided that the competent authority may, after receipt of such licence and on an application of owner, may give reasonable time, as it thinks fit to enable him to wind up the horticulture nursery or otherwise. Surrender of licence.

(2) In case the owner does not wind up within the stipulated period, the horticulture plant and plant material shall be destroyed by the inspecting officer at the cost of owner in addition to the penalty as provided under section 16.

9. If a licence granted to an owner under this Act is lost, destroyed, mutilated or damaged, the competent authority shall, on an application and on payment of such fee, as may be prescribed, issue a duplicate licence. Issue of duplicate licence.

10. (1) Any person aggrieved by an order passed by the competent authority under section 5 or 7, may file an appeal to the appellate authority, in such form and manner and within such period, as may be prescribed: Appeal.

Provided that the appellate authority may entertain an appeal even after expiry of the prescribed period, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard, pass such order as it thinks fit.

(3) Any order passed under this section shall be final.

Duties of
owner.

11. The following shall be the duties of owner, namely:-

- (a) to maintain a register and to produce the record for inspection on demand by the competent authority or any person authorized by him or inspecting officer in such form and manner, as may be prescribed;
- (b) to display the rates for each of the horticulture plant and plant material at a conspicuous place in the horticulture nursery;
- (c) to maintain a bill book in such form and manner, as may be prescribed;
- (d) to maintain register and other record atleast for ten years in case of fruit plant and two years in case of horticulture plant and plant material;
- (e) to keep the horticulture nursery soil, plant material and horticulture plant free from pest and disease;
- (f) to maintain a register giving the details of the plant protection measures in such form and manner, as may be prescribed;
- (g) to maintain records in such form and manner, as may be prescribed.

Duties of
owner of fruit
plant.

12. In addition to the duties as provided in section 11, the owner of the fruit plant shall also have the following duties, namely:-

- (a) to undertake only such varieties of the fruit plant for business or propagation as specified in the licence;
- (b) to keep a complete record of the origin or source of every rootstock and scion in such form, as may be prescribed, showing-
 - (i) the botanical name, together with local name, if any of the rootstock used;
 - (ii) the botanical name, together with the local name, if any, of the scion used;
 - (iii) the plant stock position and price structure at the conspicuous place of the horticulture nursery on a display board in local language with green colour background and white labelling;
- (c) to keep the fruit plant as well as the plant material used for the propagation of fruit plant free from pest and diseases and to maintain the quality standards as specified by the National Horticulture Board, Government of India/ State Horticultural Universities/ State Agricultural Universities/Indian Council of Agricultural Research/ Horticulture Department, Haryana;
- (d) to ensure that fruit plant intended for sale shall have a conspicuous label/water resistant QR code specifying the name of the variety of fruit plant, its age, source and the name of the rootstock;
- (e) to maintain a record of plant material and fruit plant available in the horticulture nursery which have been propagated or imported;
- (f) to obtain permission from the competent authority, whenever a new variety is to be added;
- (g) to ensure that each package or container containing plant material and fruit plant is distinctly labelled to designate the variety sold and/or include a QR code.

Plant material to
be utilized for
propagation.

13. (1) In case of fruit plant, the owner shall use the varieties of scion and rootstock as approved by the State Horticulture University /State Agriculture University/Government of India / Horticulture Department, Haryana.

(2) If the owner uses imported variety of scion and rootstock of fruit plant produced outside the country, then the same shall be accompanied by an import permit, a phytosanitary certificate and undergo post-entry quarantine.

(3) The competent authority or any person authorized by him may declare any type of plant material unfit for use, if he is satisfied that use of such plant material shall affect the interest of horticulture on account of the following reasons, namely:-

- (a) poor quality of horticulture product;
- (b) poor bearing capacity;
- (c) infected with insects, pests and disease which cannot be cured;
- (d) fruit plant of unknown pedigree;
- (e) any other reasons, which may be considered fit in the interest of horticulture.

(4) In case there is a danger of the spread of the insects, pests and diseases to other nurseries, the owner shall quarantine all horticulture plant and plant material and shall not use and supply the same for further propagation and the competent authority may order to destroy such infected horticulture plant and plant material.

14. The Government may, by notification, regulate or prohibit any horticulture plant and plant material of unknown pedigree grown in any part of the State or imported or exported or affected by an infectious pest or disease, subject to such restrictions and conditions, as may be specified in the notification, for the purpose of maintaining their quality.

Power of Government to regulate and prohibit.

15. (1) The competent authority or any person authorized by him alongwith the inspecting officer shall have the power-

Power to enter and inspect.

- (a) to enter, inspect or examine the horticulture plant and plant material in the horticulture nursery;
- (b) to order production of any record, account books, register or other documents relating to such horticulture nursery and may take extracts of such document;
- (c) to examine any person related with the affairs of the horticulture nursery.

(2) The owner and all persons employed in connection with the affairs of the horticulture nursery shall provide the competent authority or the person authorized by him or the inspecting officer, all reasonable access and facility for such inspection and examination, as may be required and shall answer all questions to the best of their knowledge and belief, produce documents in their possession and furnish such other information in relation to the horticulture nursery, as may be required.

16. (1) Whoever contravenes any of the provisions of this Act or any rules made thereunder or obstructs any officer or person in the exercise of any powers conferred or in the performance of any duty imposed upon him by or under this Act, shall be liable for imprisonment of either description which may extend to one year or with fine upto one lakh rupees only or with both.

Penalty.

(2) If the person committing an offence under this Act is a company, the company as well as every person incharge of, and responsible to the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished as per sub-section (1):

Provided that nothing contained in this sub-section shall render any person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(3) Notwithstanding anything contained in sub-section (2), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished as per sub-section (1).

Explanation.- For the purposes of this section-

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director" in relation to a firm, is a partner in the firm.

Cognizance of offence.	17. No Court shall take cognizance of and try any offence punishable under this Act except on the report in writing of the facts constituting such offence made by the competent authority or any officer authorized by the Government in this behalf.
Compensation.	18. (1) The horticulture plant and plant material, which is not found genuine and of same type as mentioned in the bill/invoice by the owner, shall be treated as violation of the provisions of this Act and the owner shall be liable to be punished as per the provisions of sub-section (1) of section 16. (2) In pursuance to sub-section (1), the owner shall also be liable to pay compensation- (i) in case of horticulture plant other than ornamental plant, equal or upto twice the cost of cultivation; (ii) in case of ornamental plant, double the cost of purchasing of ornamental plant: Provided that the said compensation shall be subject to the recommendations of the committee to be constituted by the competent authority for this purpose.
Jurisdiction of Court.	19. No Court inferior to that of a Magistrate of the first class shall try any offence punishable under this Act or rules made thereunder.
Officers and persons exercising power under this Act to be public servants.	20. All officers appointed under this Act and every person authorized to exercise any powers conferred or to perform any duties imposed on him by or under this Act shall be deemed to be public servant within the meaning of clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023).
Protection of action taken in good faith.	21. No suit, prosecution or other legal proceeding shall lie against the Government or any officer for anything, which is done or intended to be done or order issued in good faith in pursuance of the provisions of this Act or the rules made thereunder.
Power to make rules.	22. (1) The Government may, by notification, make rules to carry out the purposes of this Act. (2) Every rule made under this Act shall be laid as soon as may be after it is made before the State Legislature.
Power to remove difficulties.	23. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty: Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act. (2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.
Repeal and savings.	24. (1) The Haryana Fruit Nurseries Act, 1961 (Punjab Act 13 of 1961) is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the said Act shall be deemed to have been done or taken under the corresponding provisions of this Act.

RITU GARG,
ADMINISTRATIVE SECRETARY TO GOVERNMENT, HARYANA,
LAW AND LEGISLATIVE DEPARTMENT.