
**PLANTS, FRUITS AND SEEDS (REGULATION OF IMPORT INTO INDIA)
ORDER, 1989**

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**PLANTS, FRUITS AND SEEDS (REGULATION OF IMPORT INTO INDIA)
ORDER, 1989**

Ministry of Agriculture (Department of Agriculture and Co-operation), Noti. No. S.O. 867(E), dated October 27, 1989, published in the Gazette of India, Extra., Part II, Section 3(ii) dated 27th October, 1989 pp. 15-32 {No. 8-4-87-PP.I.) In exercise of the powers conferred by sub-section (1) of Section 3 of the Destructive Insects and Pests Act, 1914 (2 of 1914), and in suppression of

Plants, Fruits and Seeds (Regulation of Import into India) Order, except as respects things done or omitted to be done before such suppression, the Central Government hereby makes the following order for the purpose of prohibiting and regulating the import into India of agricultural articles mentioned herein, namely:-

CHAPTER 1

Preliminary

1. Short title and commencement :-

(1) This order may be called the Plants, Fruits and Seeds (Regulation of Import into India) Order, 1989.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions :-

In this order, unless the context otherwise requires,-

(a) "Competent Authority" means an authority notified by the Central Government from time to time by notification in the Official Gazette ;

(b) "Designated Inspection Authority" means the authority notified by the Central Government from time to time through a notification to be published in the Official Gazette for the inspection of the plants grown in post entry quarantine facilities ;

(c) "Entry Point" means sea port, airport or land customs station through which import is permitted under this order ;

(d) "Form" means form attached to this order ;

(e) "nursery" means any orchard, or any other place, facility, glass-house, screen house, utilised for raising plants ;

(f) "Official Phytosanitary Certificate" means a phytosanitary certificate in the format (reproduced as Schedule 1) prescribed by the International Plant Protection Convention sponsored by the Food and Agricultural Organisation of the United Nations Organisation and issued by the authorised officer of the country of origin of consignments ;

(g) "packing material" means the packing material consisting of saw dust, wood shavings, waste paper and synthetic material used for packing of plants fruits or seeds ;

(h) "pest" means any form of plant or animal life or any pathogenic agent, injurious or potentially injurious to plants or plant products and includes any insect, mite, nematode, snail, bacterium, fungus, virus, viroid, mycoplasma-like organism (MLO), phanerogam or weed ;

(i) "plant" means any plant or part thereof, whether living or dead trees, shrubs, nursery stock, and includes all vegetatively propagated materials ;

(j) "Plant Protection Adviser" means the Plant Protection Adviser to the Government of India, Directorate of Plant Protection, Quarantine and Storage,

N.H. IV, Faridabad ;

(k) "Post-entry Quarantine" means growing of plants in isolation for any specified period in a glass-house, and facility, area of nursery, approved by the Plant Protection Adviser ;

(l) "seeds" means seeds of agricultural, horticultural, fruit and fodder crop?, forest trees and includes seedlings and tubers, bulbs, rhizomes, roots, cuttings, all types of grafts and other vegetatively propagated material utilized for sowing, planting or consumption :

(m) "Schedule" means schedule annexed to this order ;

(n) "soil" includes earth, peat, compost, clay, sand or any medium capable of supporting life of plants and includes ballast or any soil for mineralogical or microbiological investigations or soil utilised for any other purpose.

CHAPTER 2

2

3. General conditions for import :-

All consignments of plants, fruits and seeds (hereinafter referred to as 'consignments') shall be imported into India subject to the following conditions, namely :-

(1) No consignment shall be imported into India without a valid permit issued under clause (3) ;

(2)

(i) All applications for a permit to import consignments by land, air or sea shall be sent in (triplicate) at least one month in advance to the Competent Authority, and the application for the import of seeds, fruits and plants for consumption shall be made in Form 'A' and that for the import of seeds and plants for sowing or planting shall be made in Form 'B' ;

¹(ii) Each application shall be accompanied by a registration fee of Rs. 150 (rupees one hundred fifty) for the import of seeds, fruits, plants and plant products for consumption or processing and Rs. 300 (rupees three hundred) for the import of seeds, plants and planting material for sowing or planting in the form of a bank demand draft in favour of the Pay and Accounts Officer concerned,"

(3)

(i) The Competent Authority shall issue permit in Form "C" for import of seeds and fruits for consumption and in Form "D" for import of seeds and plants for sowing or planting, if he is satisfied that the applicant meets all the necessary conditions ;

(ii) The issue of permit may be refused or withheld by the Competent Authority after giving reasonable notice to the applicant and for reasons to be recorded in writing ;

(iii) The import permit issued under this clause shall be valid for a period of six months provided that the Competent Authority may, on request, extend the period of validity for a further period of six months, for reasons to be recorded in writing ;

(4) The Competent Authority shall forward to the importer an orange and green colour tag specified in Form "E", in the case of permits issued for import of seeds and plants for sowing or planting so as to facilitate the identification of consignments at the time of their arrival at the land customs station or port of entry.

(5)

(i) All the consignments for consumption, sowing and propagation or planting shall be imported into India only through entry points notified by the Central Government from time to time in this behalf, provided that all consignments of dry fruits, fresh fruits and vegetables for consumption, imported from Afghanistan, Pakistan and West Asian countries by land shall be imported only through Attari-Wagha Border.

(ii) All consignments of plants and seeds for sowing and propagation or planting shall be imported into India through land customs station, seaport, airport at Amritsar, Bombay, Calcutta, Delhi and Madras and such other entry points as may be specifically notified by the Central Government from time to time.

(6)

(i) The consignment, on arrival, at an entry point, shall be inspected by the Plant Protection Adviser or any other officer duly authorised by him in this behalf, in accordance with the guidelines issued by the Plant Protection Adviser from time to time ;

(ii) The Plant Protection Adviser or the officer authorised by him may, after inspection, fumigation, disinfection or disinfestation, as may be considered necessary by him, accord quarantine clearance for the entry of a consignment into India or require, in public interest, destruction of the consignment or return of the same to the country of origin ;

(iii) Where fumigation or disinfestation or disinfection is considered necessary in respect of a consignment of plants, seeds and fruits of more than 1000 cubic metre in volume, the importer shall on his own or at his cost through an agency approved by the Plant Protection Adviser arrange for the fumigation, disinfestation or disinfection of the consignment, under the supervision of an officer duly authorised by the Plant Protection Adviser in that behalf ;

(7) it shall be the responsibility of the importer,-

(a) to bring the consignments to the concerned Plant Quarantine and Fumigation Station, or to places of inspection, fumigation or treatment as directed by the Plant Protection Adviser or the officer duly authorised by him ;

(b) to open, repack and load into or unload from the fumigation chamber and

seal the consignments ; and

(c) to remove them after inspection and treatment, according to the directions issued by the Plant Protection Adviser or an officer duly authorised by him.

(8) The consignments intended for other countries shall be allowed transit through or transshipment at air or sea ports or land customs stations, provided they are packed in such a manner as will not permit spillage of any soil or material or escape of any pest, and subject also to the condition that they are not opened in any place in India.

(9) No consignment shall be imported unless accompanied by an Official Phytosanitary Certificate issued by the authorised officer of the country of origin of the consignment :

2 Provided that cut flowers, garlands, bouquets, fruits and vegetables weighing less than two kilograms imported for personal consumption may be allowed to be imported without a Phytosanitary Certificate or an import permit.

(10) Consignments for import should be packed in the packaging material envisaged as in Clause I(g) of this order. No consignment wherein hay or straw or any material of plant origin is used for packaging or as a part of packaging material shall be allowed to be imported.

(11) Import of soil, earth, compost, sand, plant debris along with plants, fruits or seeds shall not be permitted except under the following conditions.-

(i) The consignments of soil, earth, clay and similar material for any microbiological, soil-mechanics or mineralogical investigations and peat for horticultural purposes may be permitted through specified air or sea ports or land custom station, on applications made for that purpose ;

(ii) The application for the purpose referred to in (i) above shall be made to the Plant Protection Adviser, at least one month in advance, in Form "F" ;

(iii) The Plant Protection Adviser may, after scrutiny of the application, and if satisfied of the purpose for which such consignment is being imported, issue special permit in Form "G".

(iv) The consignments shall be inspected, fumigated, disinfected or disinfected, on arrival, by the Plant Protection Adviser or any other officer duly authorised by him in this behalf.

(12) The importer of the consignments or his agent shall pay to the Plant Protection Adviser or any other officer duly authorised by him in this behalf, the fees prescribed in Schedule III to meet the cost of inspection, fumigation, disinfestation, disinfection before the release of the consignments.

1. Substituted for "(ii) A fee of Rs. 50 shall be payable along with the application for the import of seeds, fruits and plants for consumption and Rs. 100 for application for the import of seeds and plants for sowing or planting and the fee shall be payable in the form of Demand Draft payable to the Competent Authority having jurisdiction." by the Plants, Fruits and Seeds (Regulation of Import into India) (Amendment) Order. 2000

2. Substituted by "The Plants, Fruits and Seeds (Regulation of Import into India) Amendment Order, 2001

CHAPTER 3

3

4. Special conditions :-

(1) In addition to the general conditions specified in Chapter II, the articles hereinafter mentioned shall be imported subject to special conditions prescribed for them in Schedule II, namely :-

- (i) All species of Allium ;
- (ii) Cacao and all species of Sterculiaceae and Bombacaceae ;
- (iii) All species of Citrus ;
- (iv) Coconut, seeds and all species of Cocos ;
- (v) Coffee plants and seeds, and all species of Coffee ;
- (vi) Cotton seeds, and all species of Gossypium ;
- (vii) Seeds of forest trees ;
- (viii) Groundnut seeds, and all species of Araches.
- (ix) Bucrene and all species of Medicago ;
- (x) Potato and all species of Solanum ;
- (xi) Rubber and all species of Hevea ;
- (xii) Sugarcane and all species of Saccharum ;
- (xiii) Tobacco and all species of Nicotiana ;
- (xiv) Berseem and all species of Trifolium ;
- (xv) Sunflower and all species of Helianthus ;
- (xvi) Wheat and all species of Triticum ;
- (xvii) Paddy and all species of Oryzae ;
- (xviii) Cuttings, saplings and bud-woods of flowers or ornamental plants ;
- (xix) Seeds and the plant material of fruits.

(2) Every consignment of the articles hereinbefore mentioned shall be accompanied with the official Phytosanitary Certificate issued by the authorised officer of the country of origin of consignment, containing additional declarations that they are free from pests specified against them in Column 4 of Schedule II.

CHAPTER 4

Post-entry Quarantine

5. . :-

Plants and seeds, which require Post-entry Quarantine as laid down in Schedule II of this order, shall be grown in Post-entry Quarantine facilities, approved and certified by the Designated Inspection Authority, to conform to the conditions laid down by the Plant Protection Adviser. The period for which, and the conditions under which, the plants and seeds shall be grown in such facilities shall be specified in the permit granted under Clause 3.

6. . :-

The Post-entry Quarantine facilities shall be established and provided by the importer or his agent at his own cost and these shall be ready for use at the time of arrival of the consignment in India. The importer shall obtain a certificate from the Designated Inspection Authority who, after inspection of the Post-entry Quarantine facilities, shall certify that such Post-entry Quarantine facilities have been duly established and provided in accordance with the guidelines of the Plant Protection Adviser. The importer shall produce this certificate before the Officer-in-Charge of the Quarantine Station at the entry point, at the time of arrival of the consignment.

7. . :-

(i) The Officer-in-Charge of the Quarantine Station, if after inspection of the consignment is satisfied, shall accord quarantine clearance with Post- entry Quarantine condition on the production, by an importer, of a certificate from the Designated Inspection Authority as envisaged in Clause 7, with the stipulation that the plants shall be grown in such Post-entry Quarantine facility for the period specified in the import permit.

(ii) After according quarantine clearance with Post-entry Quarantine conditions to the consignments of plants and seeds requiring Post-entry Quarantine, the Officer-in-Charge of the Quarantine Station at the entry point shall inform the Designated Inspection Authority, having jurisdiction over the Post-entry Quarantine facility, of their arrival at the location where such plants would be grown by the importer.

8. . :-

The importer shall inform in advance the Designated inspection Authority having jurisdiction, about the time of planting of such material.

9. . :-

The importer shall permit to the Designated Inspection Authority complete access to the Post-entry Quarantine facility for the inspection of plants and shall, at all times, abide by his instructions concerning the plants in the Post-entry Quarantine.

10. . :-

The Designated Inspection Authority shall inspect the plants grown in the Post-entry Quarantine facility of the importer for the detection of the incidence of pests and diseases and observance of general terms and conditions governing the approval of the Post-entry Quarantine. Such inspections shall be at the time of planting and at such intervals as may be considered necessary by the Designated Inspection Authority in accordance with the guidelines issued by

the Plant Protection Adviser.

11. . :-

(i) The Designated Inspection Authority shall permit the release of plants from Post-entry Quarantine, if they are found to be free from pests and diseases for the period specified in the permit for importation.

(ii) Where the plants in the Post-entry Quarantine are found to be affected by pests and diseases during the specified period :-

(a) the Designated Inspection Authority shall order the destruction or return to the country of origin of the affected consignment of whole or a part of the plant population in the Post-entry Quarantine if the pest or disease is exotic, and

(b) the Designated Inspection Authority shall advise the importer about the curative measures to be taken to the extent necessary, if the pest or disease is not exotic and permit the release of the affected population from the Post-entry Quarantine only after curative measures have been observed to be successful. Otherwise, the plants shall be ordered to be destroyed.

(iii) Where destruction of any plant population is ordered by the Designated Inspection Authority, the importer shall destroy the same in the prescribed manner under the supervision of Designated Inspection Authority.

12. . :-

The importer shall be liable to pay the prescribed fee for inspection of plants in the Post-entry Quarantine facility as laid down in Schedule III.

CHAPTER 5

Appeal and Revision

13. . :-

(i) If an importer is aggrieved by the decision of a Designated Inspection Authority regarding the destruction of any plant population, he may appeal to the Plant Protection Adviser within 7 days from the date of communication of the decision giving the grounds of appeal.

(ii) It shall be lawful for the Plant Protection Adviser to rely on the observation of the Designated Inspection Authority and such other expert opinion, as he may deem necessary, for deciding the appeal.

14. . :-

The memorandum of appeal shall set out the grounds on which the decision is challenged and shall be accompanied by a Treasury Challan evidencing the payment of a fee of Rs. 10.

15. . :-

The Plant Protection Adviser may, at any time, call for the records relating to any case pending before the Designated Inspecting Authority for the purpose of satisfying itself as to the legality or propriety of any decision passed by that authority and may pass such order in relation thereto, as it thinks fit:

Provided that no such order shall be passed after the expiry of three months from the date of the decision :

Provided further that the Plant Protection Adviser shall not pass any order prejudicial to any person, without giving him a reasonable opportunity of hearing.

CHAPTER 6

6

16. Powers of Relaxation :-

The Central Government may, in public interest, relax any of the conditions of this order relating to the permit and the Phytosanitary Certificate in relation to the import of any consignment.

SCHEDULE 1

Official Phytosanitary Certificate

Plant Protection Organisation of _____ No. _____ (Name of the country) To, The Plant Protection Adviser to the Government of India, Dte. of Plant Protection, Quarantine and Storage, N.H. IV, Faridabad-121001 (India) Description of consignment Name and address of the exporter : _____ Declared name and address of consignee : _____ Number and description of packages : _____ Distinguishing marks : _____ Place of origin : _____ Declared means of conveyance : _____ Declared port of entry/land custom station: _____ Name of the produce and the quantity declared: _____ Commercial and Botanical names of the plants/seeds/fruits: _____
This is to certify that the plants or plant products described above have been inspected and found free from quarantine pests and substantially free from other injurious pests ; and that they are considered to conform with the current phytosanitary regulations of the importing country. Disinfestation andfor disinfection treatment Date: _____ Treatment: _____ Chemical (active ingredient) _____ Duration and temperature _____ Concentration _____ Additional information _____
Additional declaration _____
(Stamp of Organisation) Place of Issue : _____ Name of the authorised officer : _____ Signature Date : _____ No financial liability with respect to this certificate shall attach to _____ (Name of the Plant Protection Organisation) _____ or to any of its officers or representatives.
*Optional clause.

SCHEDULE 2

Conditions for import of plants, seeds for sowing, planting and consumption

1	2	3	4	5
2.	Cocoa and all species of the family Stercu- liaceae and Bombacaceae.	West Indies, Africa and Sri Lanka	Pod rot (Monilia rorei Mealy Pod (Trachyspha- eria fructigena). Witches Broom (Crinipellia per- nicaious) and swollen	Growing imported seeds and plants under post- enlry quarantine.

			Shoot virus.	
3.	All species of Citrus (lemon, lime, orange, grape fruit etc.)		"Mal Secco" (Deuterophoma trachipeilla)	Growing imported seeds and plants under post-entry quarantine.
4.	Coconut seeds and plants (all species of cocoa)		Red Ring (Rhadinaphelenchus cocophilus). Lethal yellowing, cadang cadang, Bronze leaf wilt, Guam coconut disease. Leaf Scorch, Coconut leaf miner (Promecotheca cumingi)	(i) Consignments can only be imported by Director, Central Plantation Crops Research Institute, Kasaragod (Kerala). (ii) Imported material shall be grown in individual containers under post-entry quarantine.
5.	Coffee (a) Plants, seeds (all species of Coffee)		American leaf spot (Omphalia flavida). Virus diseases and coffee berry borer (Hypothenamus hampii)	(i) Consignments of coffee seeds, plants can only be imported by Director, Coffee Research Station pin-577 117, Karnataka.
	(b) Coffee Beans	Sri Lanka, Africa, South America	Coffee berry borer (Hypothenamus hampii)	
6.	Cotton seeds all species of Gossypium)		Black arm (Xanthomonas malvacearum) and (Glomerella gossypii)	Consignment of seeds can only be imported by Director, Central Institute for Cotton Research, Nagpur (Maharashtra).
7.	Forest seeds (all species of pinus, Ulmus and Castanea)		Coronartium ribicola Endothea paiasitica) Ceratoystis ulmi Dothios-troma pini Lophoderminuin Pinastris	Consignments can only be imported by Director, Biological Research, Forest Research Institute, New Forest Post, Dehradun or any organisation under Central or State Government.
8.	Groundnut seeds (Peanut all species of Arachis)		(i) Production of seeds in areas tree of Puccinia arachidis and Sphaceloma arachidis. (ii) Inspection of parent crops in active grow	(i) Consignments can only be imported as decorticated seeds. (ii) Consignments can only be imported for

	-		ing season and certifi-	research work.
			cation for freedom	(iii) Consignments origi-
			from peanut mottle,	nating from .North
			peanut Stunt & mar-	and South America
			ginal chlorosis viruses	shall be grown in
				intermediate post-
				entry quarantine
				facility in non-
				groundnut growing
				countries and heal-
				thy seedlings or cut-
				tings shall only be
				imported.
9.	Luerene (all species of Medicago)		Bacterial wilt (Corynebacterium incisionum)	
10.	Potato (all species of Solanum)		Wart (Synchytrium endobioticum Cyst nematodes Golobodera pallida, G. rostochiensis). Leptinotarasa decimlineata) and freedom of parent crops from virus diseases.	(i) Consignments can only be imported for research by Director, Central Potato Research Institute, Simla (H. P.) (ii) Consignments shall be grown under post-entry quarantine.
11.	Rubber (all species of Hevea)	America or West Indies	South American Leaf Blight (Mycrocyclus ulei) Sphaerostilbe repens	
12.	Sugarcane (all species of Saccharum)	Fiji, New Guinea, Australia, Philippines	Leaf Scald (Xanthomonas albicans), Gummosis (Xanthomonas vasculorum), Screh, white leaf, Downy mildew and chlorotic streak.	(i) Consignments shall be imported only by Director, Sugarcane Breeding Instt. Coimbatore (Tamil Nadu). (ii) Consignments shall be grown under post-entry quarantine.
13.	Sunflower (all species of Helianthus)	Argentina, Peru	Downy Mildew (Plasmopara halstedii), Orobanche Camana.	(i) Consignments imported for sowing and planting shall be grown under post-entry quarantine. (ii) Consignments im-

				ported for consump-
				tion shall be utilised
				under supervision
				of Plant Protection
				Adviser or any
				officer authorised by
				him.
14.	Tobacco (all spe-		Blue Mould (Peronospora	(i) Tobacco seed for
	cies of Nicotiaba)		tabacina)	sowing and planting
	(a) Tobacco seed			shall only be import-
				ed by Director
				Central Tobacco
				Research Institute,
				Raj a h m u n d r y
				(Andhra Pradesh)
				for research.
				(ii) Consignments shall
				be grown under post-
				entry quarantine.
	(b) Un-manufac-		Tobacco Moth	
	tured tobacco		(Ephestia elutelia)	
15.	Berseem (all spe-		Bulb and Stem Namatode	
	cies of Trifolium)		(Ditylenchus dipsaci)	
16.	Wheat (all spe-		Ergot (Claviceps pur-	(i) Consignments for
	cies of Triticum)		purea), Dwarf bunt (Til-	sowing and planting
	(a) for sowing		letia contraversa), Spike-	shall only be import-
	and			
	planting.		let rot Pseudomonas antro-	ed by Director,
			faciens) and granary wee-	National Bureau of
			vil (Sitophilus granarius)	Plant Genetic Re-
				sources, New Delhi.
				(iii) Consignment shall
				be grown in post-
				entry quarantine.
	(b) for consump-		Granary weevil (Sitoph	(i) Ergot not to exceed
	tion		ilus granarius)	0.05% limit.
				(ii) Dwarf bunt not to
				exceed 0.005%.
Note.Import of wheat preferably				
be undertaken during sum-				
mer months.				
17.	Paddy seeds/rice		Granary weevil (Sitoph	
			ilus granarius).	
18.	Cultings/ Sapl-		Exotic pests and diseases	Consignments shall be
	ings/budwood of		to be specified in the im-	grown in approved post-
	flowers and or-		port permit.	entry quarantine.

	amental plants.			
19.	Planting mater-		Exotic pests and diseases	(i) Import to be per-
	ial/seeds of fruits.		to be specified in the im-	mitted selectively by
			port permit.	the Central Govern-
				ment on the recom-
				mendations of Di-
				rector of Horticul-
				ture/Agriculture of
				State Government.
				(ii) Consignment to be
				grown under post
				entry quarantine
				conditions, to be
				specified by the
				Plant Protection
				Adviser.

SCHEDULE 3

3

A-INSPECTION FEES [Clauses 3(12) and 12]			
Sl. No.	Particulars of Import	Volume/Wt.	Fee
1	2	3	4
1.	Plants, cuttings, saplings, bud-wood etc. for planting as under Clause 4, Schedule 11, requiring Post Entry Quarantine.	(i) Up to 10 Nos. (ii) Above 10 Nos. ; for every 100 Nos. or prrt thereof. (iii) Above 100 Nos. up to 1000 Nos. or part thereof. (iv) Above 1000 Nos. up to 10,000. (v) Above 10,000 Nos.	Nil Rs. 50 Rs. 250 Rs. 500 Rs. 250 for every 1000 Nos. or part thereof.
2.	Plants, bulbs, tubers, corns, rhizomes etc. for Planting, not requiring Post Entry Quarantine.	(i) Up to 10 Nos. (ii) Above 10 Nos. up to 1000 Nos. or part thereof. (iii) Above 1000 Nos.	Nil. Rs. 100 Rs. 100 plus Re. 0,05 per piece.
		A. For coarse cereals/Pulses/ Oil seeds	
3.	Seeds for sowing.	(i) Up'to 100 gms. (ii) Above 100 gms. for every 1 Kg. or part thereof. (iii) Above 1 Kg.; for every 10 Kos. or part thereof.	Nil. Rs. 2 Rs. 10

		B. For Vegetables/flowers	
		(i) Up to 100 Kgs.	Re. 1 per Kg.
		(ii) Above 100 Kgs. up to 1000 Kgs.	Re. 0.50 per Kg.
		(iii) Beyond 1000 Kgs.	Re. 0.20 per Kg.
		C. For Others	
		(i) Above 10 Kgs. for every 200 Kgs. or part thereof.	Rs. 100
		(ii) Above 100 Kgs. for every 1000 Kgs. or part thereof.	Rs. 500
4.	Plants, seeds and fruits for con- sumption.	(i) Up to 2 Kgs.	Nil.
		(ii) Above 2 Kg. ; for every 10 Kg. or part thereof.	Rs. 2
		(iii) Above 10 Kg.; for every 100 Kgs. or part thereof.	Rs 20
		(iii) Above 100 Kg. ; for every 1000 Kg. or part thereof.	Rs. 40