

INSECTICIDES (AMENDMENT) RULES, 2006

MINISTRY OF AGRICULTURE

(Department of Agriculture and Cooperation)

NOTIFICATION

New Delhi, the 12th September, 2006

***G.S.R. 548(E).**— Whereas the draft of certain rules called the Insecticides (Amendment) Rules, 2006 further to amend the Insecticides Rules, 1971 which the Central Government proposes to make, in exercise of the powers conferred by section 36 of the Insecticides Act, 1968 (46 of 1968) in consultation with the Central Insecticides Board, was published under the notification of the Government of India in the Ministry of Agriculture (Department of Agriculture and Cooperation) number G.S.R. 52 (E) dated the 6th February, 2006 in the Gazette of India, Extraordinary, Part II, Section-3, Sub-section (i) dated the 6th February, 2005, inviting objections or suggestions from all persons likely to be affected thereby, before the expiry of the period of forty five days from the date on which the copies of the Gazette containing the said notification were made available to the public;

And whereas, copies of the said Gazette notification were made available to the public on the 6th February, 2006;

And whereas no objections and suggestions were received from the public in respect of the said notification;

Now, therefore, in exercise of the powers conferred by section 36 of the Insecticides Act, 1968 (46 of 1968), the Central Government, after consultation with the Central Insecticides Board, hereby makes the following rules, further to amend the Insecticides Rules, 1971, namely:-

1. (1) These rules may be called the **Insecticides (Amendment) Rules, 2006**.

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

2. In the Insecticide Rules, 1971 (hereinafter referred to as the said rules), in rule 2, for clauses (a) to (s), the following clauses shall be substituted, namely -

"(a) "Act" means the Insecticides Act, 1968 (46 of 1968);

(b) "Commercial Pest Control Operation" means any application or dispersion of Insecticide including fumigants in household or public or private premises or land and includes pest control operations in the fields including aerial applications for commercial purposes but excludes private use;

(c) "dealer" means a person carrying on the business of selling insecticides, whether wholesale or retail, and includes an agent of a dealer;

(d) "expiry date" means the date that is mentioned on the container, label or wrapper of an insecticide against the column 'date of expiry';

(e) "Form" means a form set out in the First Schedule;

(f) "Laboratory" means the Central Insecticides Laboratory;

(g) "manufacturer" means any person who manufactures insecticides and includes a formulator of the insecticides;

(h) "pests" means any insect, rodent, fungi, weed and other forms of plant or animal life not useful to human beings;

(i) "Pest Control Operator" means any person who undertakes pest control operations and includes the person or the firm or the company or the organisation under whose control such a person is operating;

(j) "primary package" means the immediate package containing the insecticides;

(k) "principal" means the importer or manufacturer of insecticides, as the case may be;

(l) "registration" includes provisional registration;

- (m) "rural area" means an area which falls outside the limits of any Municipal Corporation or Municipal Committee or a Notified Area Committee or a Cantonment;
- (n) "Schedule" means a Schedule annexed to these rules;
- (o) "secondary package" means a package which is neither a primary package nor a transportation package;
- (p) "section" means a section of the Act;
- (q) "testing facility" means an operational unit where the experimental studies are being carried out or have been carried out in relation to submission of data on product quality or on safety or on efficacy or on residues or on stability in storage of the insecticides for which an application for registration is made;
- (r) "transportation package" means the outer most package used for transportation of insecticides."

3. After rule 10C of the said rules, the following rule shall be inserted, namely:-

"10D Manufacturer and dealer to display stock and price list of insecticides.- Every manufacturer and every dealer who makes or offers to make a retail sale of any insecticide shall prominently display at his place of business,-

- (a) the quantities of stock of different insecticides held by him on daily basis; and
- (b) a list of prices or rates of such insecticides for the time being available in such place of business."

4. For rule 15 of the said rules, the following rule shall be substituted, namely:-

"15. Issuing cash or credit memo and maintenance of register, books of accounts and records.- (1) All sales of insecticides shall be made by a bill or cash memo or credit memo in the form prescribed under any law.

(2) All sales of insecticides made to a licensed manufacturer (formulator or packer), stockist, distributor, dealer, retailer or to a bulk consumer shall be entered insecticide wise, in a register in Form XII and a Statewise monthly return of all sales to actual consumers shall be sent to the licensing officer, in Form XIV within 15 days from the close of the relevant month.

(3) Every importer or manufacturer of insecticide shall maintain a stock register in Form XV for technical grade insecticides and in Form XVI for formulated insecticides.

(4) Every manufacturer or importer shall maintain a book of accounts and register of such sale, manufacture or import of technical Grade Insecticide and formulated Insecticide and submit the monthly statement or return to the licensing officer, in Form XV A and XVI A respectively within 15 days from the closing of the month.

(5) Without prejudice to the provisions of sub-rules (1) and (4), the Central Government or the State Government or any other person authorized by the Central Government or the State Government, as the case may be, may, by notice in writing require any importer or manufacturer or any other person dealing in insecticides to furnish within the time specified in the notice, such registers, books of accounts, records, documents or other such information with respect to any insecticides or any batch thereof, including the particulars of all persons to whom it has been sold or distributed, as it may consider necessary."

5. In the First Schedule to the said rules,-

(i) after Form XV, the following Form shall be inserted, namely:-

"Form XV A

(See rule 15)

MONTHLY RETURN/STATEMENT OF TECHNICAL GRADE INSECTICIDES IMPORTED / MANUFACTURED FOR THE PERIOD FROM.....TO.....

Serial number	Name of the Insecticide	Batch No.	Date of expiry	Details of total quantity* imported / manufactured	Quantity* utilized for formulations	Quantity* sold Name and address and licence number of purchaser	Closing balance
1	2	3	4	5	6	7	8

***(Quantity in metric tonnes)**

VERIFICATION

Ido hereby verify that what 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 verify this statement in my capacity as..... (Designation).

Signature.....

Name.....

Seal.....";

(ii) after Form XVI, the following Form shall be inserted, namely:-

"Form XVI A**(See rule 15)****MONTHLY RETURN/STATEMENT OF FORMULATED INSECTICIDE FOR THE PERIOD FROM
.....TO.....**

Serial number	Name of the Insecticide formulation	Batch No.	Date of expiry	Details of total quantity* of technical grade insecticide used for formulation	Total formulated Quantity*
1	2	3	4	5	6

*(Quantity in metric tonnes)

VERIFICATION

I.....do hereby verify that what 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 verify this statement in my capacity as..... (Designation).

Signature.....

Name.....

Seal.....".

[F. No. 20-30/2003-PP.-I]

ASHISH BAHUGUNA, Jt. Secy.

Note:- The Principal rules were published in the Gazette of India, *vide* no. G.S.R. 1650, dated 19th October, 1971 and subsequently amended *vide*:-

- (1) G.S.R. 474(E), dated 24th July, 1976,
- (2) G.S.R. 736(E), dated 9th December, 1977,
- (3) G.S.R. 1064(E), dated 7th November, 1988,
- (4) G.S.R. 533(E), dated 6th August, 1993,
- (5) G.S.R. 371(E), dated 20th May, 1999, and
- (6) G.S.R. 372(E), dated 20th May, 1999.
