

SUPPLEMENT Corrigenda 1

INSECTICIDES ACT, 1968

- P. 33. In rule 10 (2). in first proviso, in line 2, for words "registered in such" read "registered as such"
- P. 34. In rule 10, in line 7 from top. for sub rule "(4) (i)" read "(4-A) (i)"
- P. 34. In rule 10, in line 8 from top, "or shall" read "or sell" for words
- P-34. In rule IOB, in line 1, for words "insecticides sulphur" read "insecticide sulphur"
- P. 36. In rule 15 (3), in line 2, for words "to formulate" read "for formulated"
- P. 36. In rule 15 (4), in second line from bottom, for words "particulars or all" read "particulars of all"
- P. 37. In rule 18 (2), in the last line for words "one copy to" read "one copy thereof to"
- P. 40. In rule 24 (2), in the first line, for words "sufficient of the" read "sufficient if the"
- P. 40. In rule 24 (2), in the second line, for words "follows that" read "follows the" and for "month of" read "method of"
- P. 40. In proviso to rule 25 (2), in first line, for words "consideration to" read "consideration the"
- P.40. In proviso to rule 25 (2), in second line, for words "exempt from" read "exempt the"
- P. 42. In rule 37 (1), in line 3, for words "engaged spraying" read "engaged in spraying"
- P. 42. In rule 37 (1), in line 5, for words "units any" read "units and"
- P. 44. In form 1, column 4 (ii), in line 2 for words "where this read "whether this"
- P. 44. In Form 1, Column 5, in line- 2 words "chemical composition" be deleted.
- P. 44. In form 1, column 6, in line 1 words 11 chemical composition" to be added as heading of column 6.
- P. 45. In Form 1, Column 8, in line 1, for word "poisonous" read "noxious". P. 45.
- P. 45. In Form 1, col. 10 (i), in line 1, for words "product, quality" read words "product quality".
- P. 45. In Form 1, column 10 (ii) in line 1, add words (as may be specified by the Registration Committee)" after the word quality.
- P. 45. In Form 1, Column 13, the word "verification" after the words signature of the applicant with seal be deleted.

1 Vide G.S.R. 696(e), dated 10th November, 1993 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3(i), dated 10th November, 1993

- P. 45. In Form 1, after Column 13 word "*verification*" be put as heading of the verification portion.
- P. 45. In Form 1, in Column "Note", in line 2, in place of words "by him in case of" read "by him" in case of;
- P. 46. In Form II-A, in para 1, the letter "C" before the word "certified" be deleted.
- P. 46. In Form II-A, at the end of column 5, for the words "New Delhi" read "Faridabad"
- P. 46. In Form II-B, in the last sentence, mark * be read before the word "please" and the words "Signature (appellant) appearing immediately above the sentence be deleted.
- P. 46. In Form II-B, after Verification portion, below the word "place" word Note be added before 1.
- P. 47. In Form III, in Column 3 in line 3 and 4, for words "is applied for" read "is applied"
- P. 51. Below the heading Form XIII, for words "insecticides wise" read "insecticides-wise"
- P. 51. In Form XIII, in horizontal Column No. 3 for the words "insecticides" read 'insecticide'
- P. 51. In Form XIII, in horizontal Column No. 9 for "Quantity sold size No. of quantity of Packs the sold pack' read "Quantity sold, Size No of the Packs and Quantity, of the packs sold"
- P. 52. In Form XIV, in horizontal Column No. 2, for words "Name of the insecticides with its brand name" read "Name of the insecticide with its Brand name, strength"
- P. 52. In Form XV, above the words "Quantity in metric tons", in the horizontal column, No. 1 to 9 as indicated in Form XVI be put serially
- P. 53. -In Form XVI in horizontal column No. 2 for words "grade in pesticides" read "grade Insecticide"
- P. 53. In Form XVI, in horizontal Column No. 6, for word "balance of technical grade insecticide (4+5)" read "Balance of technical grade insecticide (4-5)"
- P. 53. In form XVII, in Column 5, for words "be continued in" read "be contained in"
- P. 55. In Form XXII, under the head PAST HISTORY, in Column 5, for words "years/reasons" read "years' season'.
- P. 55. In Form XXII, Under the heading FAMILY HISTORY, in Column 3, for words "gaemorrhagie disorders" read "Hemorrhagie"
- P. 55. In Form XXII, in last heading "1 general Examination" in line 3, for words "pulses" read "pulse"
- P. 56. In Form XXII, in heading "II Gastro Intestinal" for words "gastro Intestinal" read "gastro-Intestinal"
- P. 56. In Form XXII, in heading "IV Neuro Muscular" for words "Paranesthesia" read "paresthesia"
- P. 56. In Form XXII, under the heading "Investigation", for words "serum eholinesterags" read "Serum cholinesterase"

- P. 57. In Form XXII, in first line, for words " Serum cholinesterase" read "X serum cholinesterase"
- P. 57. In Form XXII. in line 9, item No. 2, for words "employees" read "Employee",
- P. 58. In the second schedule, in Sr. No. 27 & 28 for "Dimotheate" read "Dinethoate"
- P. 58. In the second schedule, in Sr. Nos. 33 to 36, "fonitrothion" read "fenitrothion"
- P. 58. In the Second Schedule, in Sr. No. 40, for "formethion" read "formothion"
- P. 58. In the second schedule, in Sr. No. 52, in Column No. 3, for word "cone" read "concentrate"
- P. 58. In the second schedule in Sr. Nos. 57 and 58, for words Oxy dometon-methyl" read "Oxy-demotion-Methyl"
- P. 58. In the Second schedule in Sr. Nos. 74 and 75, for words "thiomoton" read "thiometon"
- P. 59. In the second Schedule, in Sr. No. 78, for words "Trichlorfan" read "Trichlophan"
- P. 59. In the second schedule, in Sr. Nos. 79 and 90, for words Yrichloron" read yrichlorphon"
- P. 59. In the Second Schedule, after Sr. No. 80 after Sr. No. 80, in classification (B), for word "Arcaricides" read "Acaricides"
- P. 59. In the Second schedule, after Sr. No. 83, for "carbendazirn" (NMC)" read "carbendazim (MBC) (Bavistin)"
- P. 59. In second schedule, in Sr. No. 84, for "Carbendazim.. read "Carbendazim (Bavistin)"
- P. 59. In the second schedule, in Sr. No. 88, for words "cuprousoxide (Fungicidal grade)" read "cuprous Oxide (Fungicidal grade)"
- P. 59. In the second schedule, in Sr. Nos. 89 & 90, for words "Edlophenphos" read "Ediphenphos".
- P. 59. In the second schedule, in Sr. Nos. 93 & 94, for " Mancozeh" read "Mancozeb"
- P. 59. In the second schedule, in Sr. Nos. 96 to 98, for "Pentachloro nitrebenzene (Quimtozine)" read ' *pentachloronitrobenzene* (PCNB)"
- P. 59. In the second schedule, in Sr. No. 99, for "Penyl mercury acetate" read "phenyl mercury acetate"
- P. 59. In the second schedule, in Sr. No. 115, for "2, 4-0" read "2, 4-D (Sodium Salt)"
- P. 59. In the Second Schedule, in Sr. No. 118, for "Fluchlorapin" read Fluchloraiin"
- P. 60. In the second schedule, in Sr No. 123, for "Paraquet dichloride" read "Paraquat dichloride"
- P. 60. In the second schedule, in Sr. No. 123, in Column 3, for words "Salt Quae Solution" read "Soluble liquid"
- P. 60. In the second schedule, in . Sr. No. 128, for "chlormoquatchloride" read "chlormequat chloride"

SUPPLEMENTARY AMENDMENT

v

- P. 60. In the second Schedule, in Sr. No. 131, in line 3, for words "mixture"(3 :. 1' v/v)" read "mixture (3: 1 v/v)"
- P. 60. In the second schedule, in last paragraph, in second line for word "schedule" read "schedule"
- P. 60. In the second schedule, after last paragraph, in item, "1 .technical grade" for "Rs. 1160.00" read "Rs. 160.00"
- P. 60. Wherever the word "cone" appears, it may be read as concentrate.

THE INSECTICIDES ACT, 1968

(Act No. 46 of 1968)

An Act to regulate the import, manufacture, sale, transport, distribution and use of insecticides with a view to prevent risk to human beings or animals, and for matters connected therewith

[2nd September, 1968]

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:

1. Short title, extent and commencement.-(1) This Act may be called the Insecticides Act, 1968.

(2) It extends to the whole of India.

(3) It shall come into force on such date 1 as the Central Government may, by notification in the official Gazette, appoint and different dates may be appointed for different States 2 and for different provisions of this Act.

Comments

Paramount object in statutory interpretation.-The paramount object in statutory interpretation is to discover what the Legislature intended. This intention is primarily to be ascertained from the text of enactment in question. That does not mean the text is to be construed merely as a piece of prose, without reference to its nature or purpose. A statute is neither a literary text nor divine revelation. Words are certainly not crystal, transparent and unchanged. Statutes should be construed, not as theorems of Euclid, but with some imagination of the purposes which lie behind them.³

Provisions whether directory or mandatory. It is well established that the wordings of any provisions are not determinative as to whether it is absolute or directory. Even the absence of penal provision for non-compliance does not lead to an inference that it is only directory. The Court, therefore, must carefully get into the underlying idea and ascertain the purpose to be achieved notwithstanding the text of the provision.⁴

Principle of the statute.-It is true that on account of the interpretation of law should be made liberally so as to obtain the object of the legislation, but the well-known principle of the statute is that this can only be done without doing any violence to the language of the statute for the simple reason that the Court can interpret and not legislate.⁵

2. **Application of other laws not barred.**-The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force. 3.

Definitions.-In this Act, unless the context otherwise requires,

(a) "animals" means animals useful to human beings and includes fish and fowl, and such kinds of wild life as the Central Government may, by notification in the official Gazette, specify, being kinds which in its opinions, it is desirable to protect or preserve;

(b) "Board" means the Central Insecticides Board constituted under Sec. 4;

(c) "Central Insecticides Laboratory" means the Central Insecticides Laboratory established, or as the case may be, the institution specified under Sec. 16 ;

(d) "import" means bringing into any place within the territories to which this Act extends from a place outside those territories; (e)

"insecticide" means

-
- Sections 4, 7, 8 and 36 came into force on 1st March, 1971, *vide* .S.R. 00, published in the *Gazette of India, Extraordinary*, Pt. II, Sec. 3 (i), dated 27th February, 1971, remaining provisions came into force on 1st August, 1971, *vide* G.S.R. 1108, published in the *Gazette of India, Extraordinary*, Pt. II, Sec. 3 (i), dated 28th July, 1971.
 - Extended to the State of Sikkim *vide* S.O. 1039 (E), dated 2nd December, 1987, published in the *Gazette of India, Extraordinary*, Pt. II, Sec. 3 (ii), dated 8th December, 1987.
 - Union of India v. Philip Tiago De Gama*, (1990) 1 S.C.J. 230 at p. 236; *see also* *Madanlal Manoharlal v. State of Haryana*, (1990) 1 S.C.J. 226 at p. 229.
 - Karnal Leather Karamchari Sangathan (Regd.) v. Liberty Footwear Company (Regd.)*, A.I.R. 1990 S.C. 247 at p. 254.
 - Suraj Narain v. Smt. Laxmi Devi*, A.I.R. 1982 Raj. 63 at p. 65; *see also* *Sulochana Amma v. Narayanan Nair*, A.I.R. 1994 S.C. 152 at p. 154; *Gauri Shankar Gaur v. State of U.P.*, A.I.R. 1994 S.C. 169 at p. 177.

- (i) any substance specified in the schedule; or
- (ii) such other substance (including fungicides and insecticides) as the Central Government may, after consultation with the Board, by notification in the official Gazette, include in the schedule from time to time; or
- (iii) any preparation containing any one or more of such substances;
- (f) "Insecticide Analyst" means an insecticide analyst appointed under Sec. 19;
- (g) "Insecticide Inspector" means an insecticide Inspector appointed under Sec. 20;
- (h) "label" means any written, printed or graphic matter on the immediate package and on every other covering in which the package is placed or packed and includes any written, printed or graphic matter accompanying the insecticide;
- (i) "licensing officer" means a licensing officer appointed under Sec. 12;
- (j) "manufacture", in relation to any insecticide, includes
 - (i) any process or part of a process for making, altering, finishing, packing, labelling, breaking up or otherwise treating or adopting any insecticide with a view to its sale, distribution or use but does not include the packing or breaking up of any insecticide in the ordinary course of retail business; and
 - (ii) any process by which preparation containing an insecticide is formulated;
- (k) "misbranded"-an insecticide shall be deemed to be misbranded
 - (i) if its label contains any statement, design or graphic representation relating thereto which is false or misleading in any material particular, or if its package is otherwise deceptive in respect of its contents; or
 - (ii) if it is an imitation of, or is also under the name of, another Insecticide; or
 - (iii) if its label does not contain a warning or caution which may be necessary and sufficient, if complied with to prevent risk to human beings or animals; or
 - (iv) if any word, statement or other information required by or under this Act to appear on the label is not displayed thereon in such conspicuous manner as the other words, statements, designs or graphic matter have been displayed on the label and in such terms as to render it likely to be read and understood by any ordinary individual under customary conditions of purchase and use; or
 - (v) if it is not packed or labelled as required by or under this Act; or
 - (vi) if it is not registered in the manner required by or under this Act; or
 - (vii) if the label contains any reference to registration other, than the registration number; or
 - (viii) if the insecticide has a toxicity which is higher than the level prescribed or is mixed or packed with any substance so as to alter its nature or quality or contains any substance which is not included in the registration;
- (l) "package" means a box, bottle, casket, tin, barrel, case, receptacle, sack, bag, wrapper, or other thing in which an insecticide is placed or packed;
- (m) "premises" means any land, shop, stall or place where any insecticide is sold or manufactured or stored or used, and includes any vehicle carrying insecticides;
- (n) "prescribed" means prescribed by rules made under this Act;
- (o) "registered", with its grammatical variations and cognate expressions, means registered under this Act;
- (p) "sale", with its grammatical variations and cognate expressions, means the sale of any insecticide whether for cash or on credit and whether by wholesale or retail, and includes an agreement for sale, an offer for sale, the exposing for sale or having in possession for sale of any insecticide and includes also an attempt to sell any such insecticide;
- (q) "State Government", in relation to a Union territory, means the administrator thereof;

(r) "worker" means a person employed under a contract of service or apprenticeship.

Comments

Scope of the Sec. 3 (k) (i).-In *Valuri Sriarama Sastri v. State of Andhra Pradesh, Hyderabad (the Insecticide Inspector, Guntur)*,¹ A-1 was as firm, A-2 to A7 were its partners. A-6 died during the pendency of the case in the trial Court. A-8 is a firm. A-9 is its managing partner, and A-10 to A-16 are its partners. A-8 firm, manufactures and distributes insecticides to A-1 firm which is a dealer in insecticides at Guntur. On 4th November, 1977, the Inspector of Insecticides, Guntur (PW) inspected A-1's shop when A-5 was present and found insecticides exposed for sale. He took samples of D.D.T. ten per cent. dust and Endosulphan four per cent. dust. One sample was sent to the Insecticide Analyst at Hyderabad. He gave a report stating that Endosulphan was misbranded as the active ingredients present was 3.2. per cent. as against the guaranteed four per cent. He found the D.D.T. sample within normal limits. At the time of taking the samples, the Insecticides Inspector had also seized the invoice and the way bill produced by A-5. They show that A-1's firm purchased the insecticides in question from A-8's firm. A-8 to A-16 were convicted for contravention of Sec. 3 (k) (i) read with Sec. 29 (1) (a) of the Insecticides Act, 1968, and each was sentenced to pay a fine of Rs. 400. A-8 to A-16 denied the offence and stated that they did not misbrand the insecticides. A-8 to A-16 were convicted and sentenced to pay a fine of Rs. 400 each. It is submitted by their learned Counsel that a copy of the Insecticides Analyst report was not served upon them and therefore they had no opportunity to send the sample for analysis- to the Central Insecticides Laboratory under Sec. 24 of the Insecticides Act, 1968. In this connection he relied upon Sec. 13 of the Prevention of Food Adulteration Act, 1954, and submitted that the decisions rendered with reference to that section are equally applicable to the facts of this case. Next it was submitted that there is no proof that the offence has been committed with the consent or connivance or is attributable to any neglect on the part of the accused 10 to 16, the Directors of the company, within the meaning of subsection (2) of Sec. 33 and therefore their conviction is not valid. The conviction and sentences of A-8 and A-9 were confirmed and the conviction and sentences awarded to A-10 to A-16 were set aside.

Question of the article being substandard and/or misbranded. It was stated in the letter issued by the Secretary of the Board that the "toxicity level" and "active ingredient" are two completely different entities. It is further stated that the toxicity level for any registered product has not yet been notified under the Insecticides Act, 1968. There was another letter from the Deputy Director (Agr. and Food), Indian Standards Institution, addressed to Messrs. Pesticides India, New Delhi, saying that it was confirmed that ISI has not published any standard on Benethiocorle 50 per cent. E.C. which has the chemical of which trade name was Saturn. Thus it is clear view that in the absence of any standard of toxicity prescribed by any authority under the Act or otherwise, there was no question of the article being substandard or misbranded²

Abuse of the process of Court. In the under-noted case the petition was filed under Sec. 482, Cr. P.C., with a prayer for quashing of the proceedings pending in the Court of Judicial Magistrate, First Class, Patti, District Amrutsa in consequence of First Information Report No. 144 dated 23rd May, 1984 of police Station, Patti, registered for offences under Sec. 3 (k) (viii), 17 (1), 18 (1) (c) read with Sec. 24 (1) of the Insecticides Act, 1968 and Sec. 420, I.P.C. It is needless to go into another serious objection in regard to the summoning of the three petitioners who are not even *prima facie* shown to be incharge ;of the manufacturing process of the item concerned. The trial Court could not just pick and choose a person connected with the firms in question, to face a criminal charge. The result is that the order summoning the petitioners as accused of the case is nothing but an abuse of the process of Court.

Duty of Courts -The Legislatures do not always deal with specific controversies which the Courts decide. They incorporate general purpose behind the statutory

1. (1981) 2 A.L.T. 346 at pp. 347, 348, 350, 351.

2. *Madan Dangui u. State of Punjab, 1987 Cr. L.J. 138 at pp. 139, 140(P. & H.)*

3. *Ibid.*

words and it is for the Courts to decide specific cases. If a given case is well within the general purpose of the Legislature but not within the literal meaning of the statutes, then the Court must strike the balance.

Heading of the section.-The headings prefixed to a section or sets of sections may be read along with the enacting part of sections while construing them with a view to resolve any doubt they may have as to ambiguous words. But the heading cannot be used to give a different effect to the clear words in the section. The heading of a section does not also prevail, where the intention of the Legislature can be gathered by reference to other sections.

4. The Central Insecticides Board.-(1) The Central Government shall, as soon as may be, constitute a Board to be called the Central Insecticides Board to advise the Central Government and State Governments on technical matters arising out of administration of this Act and to carry out the other functions assigned to the Board by or under this Act.

(2) The matters on which the Board may advise under sub-section (1) shall include matter relating to

(a) the risk to human being or animals involved in the use of insecticides and the safety measures necessary to prevent such risk;

(b) the manufacture, sale, storage, transport and distribution of insecticides with a view to ensure safety to human beings or animals.. (3) The Board shall consist of the following members, namely

- (i) The Director-General of Health Services, *ex officio*, who shall be Chairman;
- (ii) The Drugs Controller, India, *ex officio*;
- (iii) the Plant Protection Adviser to the Government of India, *ex officio*;
- (iv) the Director of Storage and Inspection, Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) *ex officio*;
- (v) the, Chief Adviser of Factories, *ex officio*;
- (vi) the Director, National Institute of Communicable Diseases, *ex officio*;
- (vii) the Director-General, Indian Council of Agricultural Research, *ex officio*;
- (viii) the Director-General, Indian Council of Medical Research, *ex officio*;
- (ix) the Director, Zoological Survey of India, *ex officio*;
- (x) the Director-General, Indian Standards Institution, *ex officio*;
- (xi) the Director-General of shipping or, in his absence, the Deputy Director-General of Shipping, Ministry of Transport and Shipping *ex officio*;
- (xii) the joint Director, Traffic (General), Ministry of Railways (Railway Board), *ex officio*;
- (xiii) the Secretary, Central Committee for Food Standards, *ex officio*;
- [(xiii-a)] the Animal Husbandry Commissioner, Department of Agriculture, *ex officio*;
- (xiii-b) the joint Commissioner (Fisheries), Department of Agriculture, *ex officio*;
- (xiii-c) the Deputy Inspector-General of Forests (Wild Life), Department of Agriculture *ex officio*;
- (xiii-d) the Industrial Adviser (Chemicals), Directorate-General of Technical Development, *ex officio*;
- (xiv) one person to represent the Ministry of Petroleum and Chemicals, to be nominated by the Central Government;
- (xv) one pharmacologist to be nominated by the Central Government
- (xvi) one medical toxicologist to be nominated by the Central Govern
- (xvii) one person who shall be in charge of the department dealing with public health in a State, to be nominated by the Central Government;
- (xviii) two persons who shall be Directors of Agriculture in States, to be nominated by the Central Government;

-
1. Union of India v. Filip Tiago De Gama, (1990) 1 S.C.J. 230 at p. 236.
 2. Refugee Co-operative Housing Society Ltd., New Delhi v. Harbans Singh Bhasin, A.I.R. 1982 Delhi 335 at p. 339.;see also Modi Industries Ltd. v. State of U.P., (1994) 1 S.C.C. 159 at p. 168; Amir Ahmad v. Ram Niwas Agrawal, (1994) 2 S.C.C. 50 at p. 53.
 3. Ins. by Act 24 of 1977, Sec.2 (w.e.f. 2nd August, 1977).

(xix) four persons, one of whom shall be an expert in industrial health and occupational hazards, to be nominated by the Central Government;

(xx) one person to represent the Council of Scientific and Industrial Research, to be nominated by the Central Government;

¹[(xxi) one ecologist to be nominated by the Central Government.]

(4) The persons nominated under Cls (xiv) to ²[(xxi)] inclusive, of sub-section (3) shall, unless their seats become vacant earlier by registration, death or otherwise, hold office for three years from the date of their nomination but shall be eligible for renomination:

Provided that the persons nominated under Cls. (xvii) and (xviii) shall hold office only for so long as they hold the appointments by virtue of which their nominations were made.

³[(5) No act or proceeding of the Board, the Registration Committee or any committee appointed under Sec. 6, shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Board, the Registration Committee or such committee, as the case may be.]

Comment

This section provides for the consultation of the Central Insecticides Board to advise the Central Governments on the matters as mentioned in the section.

5. Registration Committee.-(1) The Central Government shall constitute a Registration Committee consisting of a Chairman, and not more than five persons who shall be members of the Board (including the Drugs Controller, India and the Plant Protection Adviser to the Government of India) -

(i) to register insecticides after scrutinising their formulae and verifying claims made by the importer or the manufacturer, as the case may be, as regards their efficacy and safety to human beings and animals; and

(ii) to perform such other functions as are assigned to it by or under this Act.

(2) Where the Chairman is not a member of the Board, his term of office and other conditions of service shall be such as may be determined by the Central Government.

(3) Subject to the provisions of sub-section (2), a member of the Registration Committee shall hold office for so long as he is a member of the Board.

(4) The Committee may also co-opt such number of experts and for such purpose or period as it may deem fit, by any expert so co-opted shall have no right to vote.

(5) Registration Committee shall regulate its own procedure and the conduct of the business to be transacted by it.

6. Other Committees.-The Board may appoint such committees as it deems fit and may appoint to them, persons who are not members of the Board to exercise such powers and perform such duties as may, subject to such conditions, if any, as the Board may impose, be delegated to them by the Board. .

7. Procedure for Board.-The Board may, subject to the previous approval of the Central Government, make bye-laws for the purpose of regulating its own procedure and the procedure of any committee thereof and the conduct of all business to be transacted by it or such committee.

8. Secretary and other officers.-The Central Government shall

(i) appoint a person to be the Secretary of the Board who shall also function as Secretary to the Registration Committee; and

(ii) provide the Board and the Registration Committee with such technical and other staff as the Central Government considers necessary.

9. Registration of insecticides.-(1). Any person desiring to import or manufacture any insecticide may apply to the Registration Committee for the registration of such insecticide and there shall be separate application for each such insecticide:

1. Ins. bb Act 24 of 1977, Sec. 2 (w.e.f. 2nd August, 1977).

2. Subs. by *ibid.*, for Cl. (xx) (w.e.f. 2nd August, 1977).

3. Subs. by *ibid.*, for the former sub-section (5) (w.e.f. 2nd August, 1977).

Provided that any person engaged in the business of import or manufacture of any insecticide immediately before the commencement of this section shall make an application to the Registration Committee within a period of ¹[seventeen months] from the date of such commencement for the registration of any insecticide which he has been importing or manufacturing before that date:

²[Provided further that where any person referred to in the preceding proviso fails to make an application under that proviso within the period specified therein, he may make such application at any time thereafter on payment of a penalty of one hundred rupees for every month or part thereof after the expiry of such period for the registration of each such insecticide.]

(2) Every application under sub-section (1) shall be made in such form and contain such particulars as may be prescribed.

(3) On receipt of any such application for the registration of an insecticide, the Committee may, after such enquiry as it deems fit and after satisfying itself that the insecticide to which the application relates conforms to the claims made by the importer or by the manufacturer, as the case may be, as regards the efficacy of the insecticide and its safety to human beings and animals, register ³[on such conditions as may be specified by it] and on payment of such fee as may be prescribed, the insecticide, allot a registration number thereto and issue a certificate of registration in token thereof within a period of twelve months from the date of receipt of the application:

Provided that the Committee may, if it is unable within the said period to, arrive at a decision on the basis of the materials placed before it, extend the period by a further period not exceeding six months:

Provided further that if the Committee is of opinion that the precautions claimed by the applicant as being sufficient to ensure safety to human beings or animals are not such as can be easily observed or that notwithstanding the observance of such precautions the use of the insecticide involves serious risk to human beings or animals, it may refuse to register the insecticide.

⁴[(3-A) In the case of applications received by it prior to the 31st day of March, 1975, notwithstanding the expiry of the period specified in sub-section (3) for disposal of such applications, it shall be lawful and shall be deemed always to have been lawful for the Registration Committee to dispose of such applications at any time after such expiry but within a period of one year from the commencement of the Insecticides (Amendment) Act, 1977 (24 of 1977):

Provided that nothing contained in this sub-section shall be deemed to make any contravention before the commencement of the Insecticides (Amendment) Act, 1977 (24 of 1977), of a condition of a certificate of registration granted before such commencement, an offence punishable under this Act.

(3-B) Where the Registration Committee is of opinion that the insecticide is being introduced for the first time in India, it may, pending any enquiry, register it provisionally for a period of two years on such conditions as may be specified by it.

(3-C) The Registration Committee may, having regard to the efficacy of the insecticide and its safety to human beings and animals, vary the conditions subject to which a certificate of registration has been granted and may for that purpose require the certificate-holder by notice in writing to deliver up the certificate to it within such time as may be specified in the notice.]

(4) Notwithstanding anything contained in this section, where an insecticide has been registered on the application of any person, any other person desiring to import or manufacture the insecticide or engaged in the business of, import or manufacture thereof shall on application and on payment of prescribed fee be allotted a registration number and granted a certificate of registration in respect thereof on the same conditions on which the insecticide was originally registered.

1. Subs. by Act 46 of 1972, Sec. 2, for "six months" (w.e.f. 8th August, 1971).

2. Ins. by *ibid.* (w.e.f. 8th August, 1971).

3. Subs. by Act 24 of 1977, Sec. 3, for "on such conditions" (w.e.f. 2nd August, 1977).

4. Ins. by *ibid.* (w.e.f. 2nd August, 1977).

Comments

Scope and applicability of.-In *New Horizons Private Ltd. v. Union of India*,¹ the factum of the requirement for the petitioners' cultivation have not been denied by the respondents. Therefore, since there is no dispute in regard to the factual aspect of the matter, Sec. 9 does not have any manner of application in the facts and circumstances of the case.

Statutory rule.-A statement contained in a statute or statutory rule of the factual background leading up to the enactment has ordinarily to be accepted and acted upon by the Court as wholly correct.²

10. Appeal against non-registration or cancellation.-Any person aggrieved by a recession of the Registration Committee under Sec. 9 may, within a period of thirty days from the date on which the decision is communicated to him appeal in the prescribed manner and on payment of the prescribed fee to the Central Government whose decision thereon shall be final:

Provided that the Central Government may entertain an appeal after the expiry of the said period, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

11. Power of revision of Central Government.-The Central Government may, at any time, call for the record relating to any case in which the Registration Committee has given a decision under Sec.9 for the purpose of satisfying itself as to the legality or propriety of any such decision and may pass any such order in relation thereto as it thinks fit:

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

Provided further that the Central Government shall not pass any order prejudicial to any person unless that person has had a reasonable opportunity of showing cause against the proposed order.

12. Licensing officers.-The State Government may, by notification in the official Gazette, appoint such persons as it thinks fit to be licensing officers for the purposes of this Act and define the areas in respect of which they shall exercise jurisdiction.

13. Grant of licence.-(1) Any person desiring to manufacture or to sell, stock or exhibit for sale or distribute any insecticide,³ [or to undertake commercial pest control operations with the use of any insecticide] may make an application to the licensing officer for the grant of a licence:

Provided that any person engaged in the business of manufacturing or selling, stocking or exhibiting for sale or distributing any insecticide immediately before the commencement of this section shall make an application to the licensing officer for the grant of a licence within a period of⁴ [seventeen months] from the date of such commencement:

³[Provided further that any person engaged in the commercial pest control operations immediately before the commencement of the Insecticides (Amendment) Act, 1977 (24 of 1977), shall make an application to the licensing officer for the grant of a licence within a period of six months from the commencement of the said Act.]

(2) Every application under sub-section (1) shall be made in such form and shall contain such particulars as may be prescribed.

(3) On receipt of any such application for the grant of a licence, the licensing officer may grant a licence in such form, on such conditions and on payment of such fee as may be prescribed.

(4) A licence granted under this section shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fee as may be prescribed:

1. A.I.R. 1986 Cal. 303 at p. 304.

2. Wing Commander J. Kumar v. Union of India, A.I.R. 1982 S.C. 1064 at p. 1070; see also Sankaranada Guha v. Addl. Commissioner, Commercial Taxes, West Bengal, (1994) 93 S.T.C. 408 at p. 413.3. Ins. by Act 24 of 1977, Sec. 4 (w.e.f. 2nd August, 1977).

4. Subs. by Act 46 of 1972, Sec. 3, for "three months" (w.e.f. 1st August, 1971).

Provided that where a licence has been granted to any person who has made an application under [the first proviso or, as the case may be the second proviso] to subsection (1), that licence shall be deemed to be cancelled in relation to any insecticide, the application for registration whereof has been refused or the registration whereof has been cancelled, under this Act, with effect from the date on which such refusal or cancellation is notified in to official Gazette.

¹[(5) In prescribing fees the grant or renewal of licences under this section, different fees may be prescribed for the sale or distribution of insecticides for purposes of domestic use and for other purposes.]

14. Revocation, suspension and amendment of licences.--(1) If the licensing officer is satisfied, either on a reference made to him in this behalf or otherwise, that

(a) the licence granted under Sec. 13 has been granted because of misrepresentation as to an essential fact; or

(b) the holder of a licence has failed to comply with the conditions *subject to* which the licence was granted or has contravened any of the provisions of this Act or the rules made thereunder,

then, without prejudice to any other penalty to which the holder of the licence may be liable under this Act, the licensing officer may, after giving the holder of the licence an opportunity of showing cause, revoke or suspend the *licence*.

(2) Subject to any rules that may be made in this behalf, the licensing officer may also vary or amend a licence granted under Sec. 13.

15. Appeal against the decision of a licensing officer.--(1) Any person aggrieved by a decision of licensing officer under Sec. 13 [except under the proviso to sub-section (4)] or Sec. 14 may, within a period of thirty days from the date on which the decision is communicated to him, appeal to such authority in such manner and on payment of such fee as may be prescribed:

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

(4) On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of showing cause, dispose of the appeal ordinarily within a period of six months and the decision of the appellate authority shall be final.

16. Central Insecticides Laboratory.-The Central Government may, by notification in the official Gazette, establish, a Central Insecticides Laboratory under the control of Director to be appointed by the Central Government to carry out the functions entrusted to it by or under this Act:

Provided that if the Central Government so directs by a notification in the official Gazette, the functions of the Central Insecticides Laboratory shall, to such extent as may be specified in the notification, be carried out at any such Institution as may be specified therein and thereupon the functions of the Director of the Central Insecticides Laboratory shall to the extent so specified, be exercised by the head of the institution.

17. Prohibition of Import and manufacture of certain insecticides.--(1) No person shall, himself or by any person on his behalf, import or manufacture

(a) any misbranded insecticides;

(b) any insecticide the sale, distribution or use of which is for the time being prohibited under Sec. 27;

(c) any insecticide except in accordance with the condition on which it was registered;

(d) any insecticide in contravention of any other provision of this Act or of any rule made thereunder:

Provided that any person who has applied for registration of an insecticide ³[under any of the provisos] to sub-section (1) of Sec. 9 may continue to import or manufacture any such insecticide and such insecticide shall not be deemed to be a misbranded insecticide within the meaning of sub-section (vi) or sub-clause (vii) or sub

1. Subs. by Act 24 of 1977, Sec. 4 (w.e.f. 2nd August, 1977).

2. Ins. by *ibid*.

3. Subs by Act 46 of 1972, Sec. 4, for "under the provlsio" (w.e.f. 1st August, 1971).

1 clause (viii) of Cl. (k) of Sec. 3, until he has been informed by the Registration Committee of its decision to refuse to register the said insecticide.

(2) No person shall, himself or by any person on his behalf; manufacture any insecticide except under, and in accordance with the condition of, a licence issued for such purpose under this Act.

18. Prohibition of sale, etc. of certain insecticides.--(1) No person shall, himself or by any person on his behalf, sell, stock or exhibit for sale, distribute

¹[transport, use, or cause to be used] by any worker

(a) any insecticide which is not registered under this Act;

(b) any insecticide, the sale, distribution or use of which is for the time being prohibited under Sec. 27;

(c) any insecticide in contravention of any other provision of this Act or of any rule made thereunder.

(2) No person shall, himself or by any person on his behalf, sell, stock or exhibit for sale or distribute ²[or use for commercial pest control operations] any insecticide except under, and in accordance with the conditions of, a licence issued for such purpose under this Act.

Explanation.-For the purposes of this section an insecticide in respect of which any person has applied for a certificate of registration ³[under any of the provisos] to sub-section (1) of Sec. 9, shall be deemed to be registered till the date on which the refusal to register such insecticide is notified in the official Gazette.

Comment

The section prohibits the sale, stocking, etc. of the insecticides which are not registered under the Act.

19. Insecticide Analysts.-The Central Government or a State Government may, by notification in the official Gazette, appoint persons in such number as it thinks fit and possessing such technical and other qualifications as may be prescribed to be Insecticide Analysts for such areas and in respect of such insecticides or class of insecticides as may be specified in the notification:

Provided that no person who has any financial interest in the manufacture, import or sale of any insecticide, shall be so appointed.

20. Insecticide Inspectors.--(1) The Central Government or a State Government may, by notification in the official Gazette, appoint persons in such number as it thinks fit and possessing such technical and other qualifications as may be prescribed to be Insecticide Inspectors for such area as may be specified in the notification:

Provided that any person who does not possess the required qualifications may be so appointed only for the purposes of Cls. (a) and (b) of sub-section (1) of Sec. 21:

Provided further that no person who has any financial interest in the manufacture, import or sale of any insecticide shall be so appointed.

(2) Every Insecticide Inspector shall be deemed to be a public servant within the j meaning of Sec. 21 of the Indian Penal Code (45 of 1860), and shall be officially subordinate to such authority as the Government appointing him may specify in this behalf.

21. Powers of Insecticide Inspectors.--(1) An Insecticide Inspector shall have power

(a) to enter and search, at all reasonable times and with such assistance, if any, as he considers necessary, any premises in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed, or for the purpose of satisfying himself that the provisions of this Act or the rules made thereunder or the conditions of any certificate of registration or licence issued thereunder are being complied with;

(b) to require the production of, and to inspect, examine and make copies of, or take extracts from, registers, records or other documents kept by a manufacturer, distributor, carrier, dealer or any other person in pursuance of the

1. Subs. by Act 24 of 1977, Sec. 5, for "transport or cause to be used" (w.e.f. 2nd August, 1977). 2 Ins. by ibid. (w.e.f. 2nd August, 1977).

3 Subs. by Act 46 of 1972, Sec. 5, for "under the proviso" (w.e.f. 1st August, 1971).

provisions of this Act or the rules made thereunder and *seize* the same, if he has reason to believe that all or any of them may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder;

(c) to make such examination and inquiry as he thinks fit in order to ascertain whether the provisions of this Act or the rules made thereunder are being complied with and for the purpose stop any vehicle;

(d) to stop the distribution, sale or use of an insecticide which he has reason to believe is being distributed, sold or used in contravention of the provisions of this Act or the rules made thereunder, for a specified period not exceeding twenty days, or unless the alleged contravention is such that the defect may be removed by the possessor of the insecticide, seize the stock of such insecticide;

(e) to take samples of any insecticide and send such samples for analysis to the Insecticide Analyst for test in the prescribed manner; and

(f) to exercise such other powers as may be necessary for carrying out the purposes of this Act or the rules made thereunder.

¹[2] The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), shall, as far as may be, apply to any search or seizure under this Act as they apply to any search or seizure made under the authority of a warrant issued under Sec. 94 of the said Code.]

(3) An Insecticide Inspector may exercise the powers of a police officer under ²[Sec. 42 of the Code of Criminal Procedure, 1973 (2 of 1974)], for the purpose of ascertaining the true name and residence of the person from whom a sample is taken or insecticide is seized.

22. Procedure to be followed by Insecticide Inspectors.-(1) Where an Insecticide Inspector seizes any record, register or document under Cl. (b) sub-section (1) of Sec. 21, he shall, as may be, inform a Magistrate and take his orders as to the custody thereof.

(2) Where an Insecticide Inspector takes any action under Cl. (d) of sub-section (1) of Sec. 21 --

(a) he shall use all despatch in ascertaining whether or not the insecticide or its sale, distribution or use contravenes any of the provisions of Sec. 18 and if it is ascertained that the insecticide or its sale, distribution or use does not so contravene, forthwith revoke the order passed under the said clause or, as the case may be, take such action as may be necessary for the return of the stock seized;

(b) if he seizes the stock of the insecticide he shall, as soon as may be, inform a Magistrate and take his orders as to the custody thereof;

(c) without prejudice to the institution of any prosecution, if the alleged contravention be such that the defect may be remedied by the possessor of the insecticide, he shall, on being satisfied that the defect has been so remedied, forthwith revoke his order and in case where the Insecticide Inspector has seized the stock of insecticide, he shall, as soon as may be, inform a Magistrate and obtain his order as to the release thereof.

(3) Where an Insecticide Inspector takes any sample of an insecticide, he shall tender the fair price thereof and may require a written acknowledgment therefor.

(4) Where the price tendered under sub-section (3) is refused, or where the Insecticide Inspector seizes the stock of any insecticide under Cl. (d) of sub-section (1) of Sec. 21, he shall tender a receipt therefor in the prescribed form.

(5) Where an Insecticide Inspector takes a sample of any insecticide for the purpose of test or analysis, he shall intimate such purpose in writing in the prescribed form to the person from whom he takes it, and in the presence of such person unless he wilfully absents himself, shall divide the sample into three portions and effectually seal and suitably mark the same and permit such person to add his own seal and mark to all or any of the portion so sealed and marked:

Provided that where the insecticide is made up in containers of small volume, instead of dividing a sample as aforesaid, the Insecticide Inspector may, and if the

1. Subs. by Act 24 of 1977, Sec 6, for the former sub-section (2) (w.e.f. 2nd August, 1977). 2. Subs. by *ibid.*, for "Sec 57 of the Code of Criminal Procedure, 1898".

Insecticide be such, that it is likely to deteriorate or be otherwise damaged by exposure shall take three of the said containers after suitably marking the same and, where necessary, sealing them.

(6) The Insecticide Inspector shall restore one portion of a sample so divided or more one container, as the case may be, to the person from whom he takes it and shall retain the remainder and dispose of the same as follows:

(i) one portion or container, he shall forthwith send to the Insecticide Analyst for test or analysis; and

(ii) the second, he shall produce to the Court before which proceedings, if any, are instituted in respect of the insecticide.

23. Persons bound to disclose place where insecticides are manufactured or kept.- Every person for the time being in charge of any premises where any Insecticide is being manufactured or is kept for sale or distribution shall, on being required by an Insecticide Inspector so to do, be legally bound to disclose to the Insecticide Inspector the place where the insecticide is being manufactured or is kept, as the case may be.

24. Report of Insecticide Analyst.-(1) The Insecticide Analyst to whom a sample of any insecticide has been submitted for test or analysis under sub-section (6) of Sec. 22, shall, within a period of sixty days, deliver to the Insecticide Inspector submitting it a signed report in duplicate in the prescribed form.

(2) The Insecticide 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.

(3) Any document purporting to be a report signed by an Insecticide Analyst shall be evidence of facts stated therein, and such evidence shall be conclusive unless the person from whom the sample was taken has within twenty-eight days of the receipt of a copy of the report notified in writing the Insecticide Inspector or the Court before which any proceeding in respect of the sample are pending that he intends to adduce evidence in controverting of the report.

(4) Unless the sample has already been tested or analysed in the Central Insecticides Laboratory, where a person has under sub-section (3) notified his intention of adducing evidence in controversion of the Insecticide Analyst's report the Court may, of its own motion or its discretion at the request either of the complainant or of the accused, cause the sample of the insecticide produced before the Magistrate under sub-section (6) of Sec. 22 to be sent for test or analysis to the laboratory, which shall make the test or analysis and report in writing signed by, or under the authority of, the Director of Central Insecticides Laboratory the result thereof, and such report shall be conclusive evidence of the facts stated therein.

(5) The cost of a test or analysis made by the Central Insecticides Laboratory under sub-section (4) shall be paid by the complainant or the accused as the Court shall direct.

Comment

Scope of the section. It is clear that in view of Sec. 24 of the Act a copy of the report of the Insecticides Analyst should be delivered to a person from whom the sample was taken. It need not be delivered to a person from whom the sample was not taken. Under sub-section (4) of Sec. 24, the accused can request the Magistrate to send the sample produced before the Court under sub-section (6) of Sec. 22 for analysis to the Central Insecticides Laboratory. Therefore, it is not as if, that an accused who is not served with a copy of the report under sub-section (2) of Sec. 24 is precluded from having the sample tested or analysed with the Central Insecticides Laboratory.

25. Confiscation.-(1) Where any person has been convicted under this Act for contravening any of the provisions of this Act or of the rules made thereunder, the stock of the insecticide in respect of which the contravention has been made shall be liable to confiscation.

(2) Without prejudice to the provisions contained in sub-section (1), where the Court is satisfied on the application of an Insecticide Inspector or otherwise and after such inquiry as may be necessary, that the insecticide is a misbranded insecticide, such insecticide shall be liable to confiscation.

Comment

The section provides for the confiscation of the stock of insecticides held in contravention of the provisions of the Act.

26. Notification of poisoning.-The State Government may, by notification in the official Gazette, require any person or class of persons specified therein to report all occurrences of poisoning (through the use or handling of any insecticide) coming within his or their cognizance to such officer as may be specified in the said notification.

27. Prohibition of sale, etc. of Insecticide for reasons of public safety.-(1) If, on receipt of a report under Sec. 26 or otherwise, the Central Government or the State Government is of opinion, for reasons to be recorded in writing, that the use of any insecticide specified in sub-clause (iii) of Cl. (e) of Sec. 3 or any specific batch thereof is likely to involve such risk to human beings or animals as to render it expedient or necessary to take immediate action then that Government may, by notification in the official Gazette, prohibit the sale, distribution or use of the insecticide or batch, in such area, to such extent and for such period (not exceeding sixty days) as may be specified in the notification pending investigation into the matter:

Provided that where the investigation is not completed within the said period, the Central Government or the State Government, as the case may be, may extend it by such further period or periods not exceeding thirty days in the aggregate as it may specify in a like manner.

(2) If, as a result of its own investigation or on receipt of the report from the State Government and after consultation with the Registration Committee, the Central Government, is satisfied that the use of the said insecticide or batch is or is not likely to cause any such risk, it may pass such order (including an order refusing to register the insecticide or cancelling the certificate of registration, if any, granted in respect thereof) as it deems fit, depending on the circumstances of the case.

28. Notification of cancellation of registration, etc.-A refusal to register any insecticide or a cancellation of a certificate of registration of any insecticide shall be notified in the official Gazette and in such other manner as may be prescribed.

29. Offences and punishment.-(1) Whoever,

(a) imports, manufactures, sells, stocks or exhibits for sale or distributes any insecticide deemed to be misbranded under sub-clause (I) or sub-clause (iii) or sub-clause (viii) of Cl. (k) of Sec. 3; or

(b) imports or manufactures any insecticide without a certificate of registration;

or

(c) manufactures, sells, stocks or exhibits for sale or distributes an insecticide without a licence; or

(d) sells or distributes an insecticide, in contravention of Sec. 27; or

(e) causes an insecticide, the use of which has been prohibited under Sec. 27, to be used by any worker; or

(f) obstructs an Insecticide Inspector in the exercise of his powers or discharge of his duties under this Act or the rules made thereunder, shall be punishable -

(i) for the first offence, with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both;

(ii) for the second and a subsequent offence, with imprisonment for a term which may extend to three years, or with fine, or with both.

(2) Whoever uses an insecticide in contravention of any provision of this Act or any rule made thereunder shall be punishable with fine which may extend to five hundred rupees.

(3) Whoever contravenes any of the other provisions of this Act or any rule made thereunder or any condition of certificate or registration or licence granted thereunder, shall be punishable-

(f) for the first offence, with imprisonment for a term which may extend to six months, or with fine or with both;

(if) for the second and a subsequent offence, with imprisonment for a term which may extend to one year, or with fine or with both.

(4) If any person convicted of an offence under this Act commits a like offence afterwards it shall be lawful for the Court before which the second or subsequent conviction takes place to cause the offender's name and place of residence, the offence and the penalty imposed to be published in such newspapers or in such other manner as the Court may direct.

Comments

The section spells out the acts which are made punishable under the section, e.g. import or manufacture of any insecticide without the licence or import or manufacture, etc. of any insecticide deemed to be misbranded within Sec. 3 of the Act.

And further, classifies the offence into categories, namely, the both offence and second offence for which the different quantum of punishment has been prescribed.

Scope of the section.- A-1, A-2, A-3, A-4, A-5 and A-7 in the instant case were convicted for contravention of Sec. 3 (k)(f) read with Sec. 29 (1) (a) of the Insecticides Act, 1968, and each was sentenced to pay a fine of Rs. 400. Admittedly A-1 is not an importer or a manufacturer of an insecticide. It is only a retail dealer. It is not also an agent of an importer of manufacturer for the distribution of an insecticide. It has produced the invoice and the way bill which show that it had purchased the insecticide in question on 25th October, 1977 from A-8's firm at Piduguralla. It is not disputed that A-8 is a licensed manufacturer. If so, A-1 was not liable for contravention of any of the provisions of the Act. Both courts below glossed over this aspect of the matter.¹

30. Defence which may or may not be allowed In prosecutions under this Act.-

(1) Save as hereinafter provided in this section, it shall be no defence in a prosecution under this Act to prove merely that the accused was ignorant of the nature or quality of the insecticide in respect of which the offence was committed or of the risk involved in the manufacture, sale or use of such insecticide or of the circumstances of its manufacture or import.

(2) For the purposes of Sec. 17 an insecticide shall not be deemed to be misbranded only by reason of the fact that

(a) there has been added thereto some innocuous substance or ingredient because the same is required for the manufacture or the preparation of the insecticide as an article of commerce in a state fit for carriage or consumption, and not to increase the bulk, weight or measure of the insecticide or to conceal its inferior quality or other defect; or

(b) in the process of manufacture, preparation or conveyance some extraneous substance has unavoidably become intermixed with it.

(3) A person not being an importer or a manufacturer of an insecticide or his agent for the distribution thereof, shall not be liable for contravention of any provision of this Act, if he proves

(a) that he acquired the insecticide from an importer or a duly licensed manufacturer, distributor or dealer thereof;

(b) that he did not know and could not, with reasonable diligence, have ascertained that the insecticide in any way contravened any provision of this Act; and

(c) that the insecticide, while in his possession, was properly stored and remained in the same state as when he acquired it.

31. Cognizance and trial of offences.--(1) No prosecution for an offence under this Act shall be instituted except by, or with the written consent of, the State Government of a person authorized in this behalf by the State Government.

1. Veluri Srivarama Sastry and Sons V. State of Andhra Pradesh, (1981) 2 Andh. L.T. 346 at pp. 347, 348.

(2) No Court inferior to that of a ¹[Metropolitan Magistrate or a Judicial Magistrate of the first class] shall try any offence under this Act.

Comments

The sanction in written consent of the State Government is the condition precedent for launching the prosecution under the Act. Only a court of a Metropolitan Magistrate or a Judicial Magistrate of the First Class or any Court superior to those courts, shall try the offence under the Act.

Requirements of law for the offences under the Insecticides Act.- In the under-noted case the trial Court, while dealing with the matter in its order dated 28th August, 1985, directing the framing of the charge, completely ignored the provisions of Sec. 31 of the Insecticides Act, as per which no prosecution for an offence under the said Act could be instituted except by, or with the written consent of the State Government or a person authorised in this behalf by the State Government. In fact, it adopted a novel course to bypass the said provision by observing that Sec. 420, I.P.C., had also been added as one of the offences for which the accused had been charged. It was further observed that the dealers have cheated the innocent farmers by supplying substandard medicines and have thus caused loss to the poor farmers and have given undue profit to the manufacturers, dealers and the suppliers. There was no material whatsoever on the basis of which this observation was made by the trying Magistrate. It is obvious that the mere addition of Sec. 420, I.P.C., would not nullify the requirements of law for offences under the Insecticides Act .²

32. *[Magistrate's power to impose enhanced penalties] Rep. by Act 24 of 1977, Sec. 8.*

33. Offences by companies.-(1) Whenever an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, or was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act 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.

(2) Notwithstanding anything contained in sub-section (1), 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 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 accordingly.

Explanation.-For the purpose 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, means a partner in the firm.

Comment

Scope of the section. It is settled law that under sub-section (2) when an offence is committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributed to any neglect on the part of any director of the company, then alone that director will also be deemed to be guilty of the offence and can be proceeded against and punished accordingly. A director in relation to a firm, means a partner in the firm. In this case A-10 to A-16 are partners. The prosecution did not place any evidence before the Court to show that the offence had been committed with their consent or connivance or attributable to any neglect on their part. So far as the Firm, A-8 is concerned it is liable under Sec. 33 (1) of the Act. Equally A-9, the managing partner of the firm, is liable under sub –

1. Subs. by Act 24 of 1977, Sec 7, for certain words (w.e.f. 2nd October, 1977) 2. Madan Dangi v. State of Punjab, 1987 Cr. L.J. 138 at p. 140 (P. & H.).

section (1) of Sec. 33 because at the time the offence was committed; he was in charge of and was responsible for the firm for the conduct of the business of the firm.¹

31. Power of the Central Government to give directions.—The Central Government may give such directions to any State Government as may appear to the Central Government to be necessary for carrying into execution in the State any of the provisions of this Act or of any rule or order made thereunder.

35. Protection of action taken in good faith.—No prosecution, suit or other proceeding shall lie against the Government, or any officer of the Government, or the Board, the Registration Committee or any Committee of the Board, for anything in good faith done or intended to be done under this Act.

Comment

This section exempts the Government or any officer of the Government, etc. from the prosecution for the acts done in good faith.

36. Power of the Central Government to make rules.—(1) The Central Government may, after consultation with the Board and subject to the condition of previous publication, by notification in the official Gazette, make rules for the purpose of giving effect to the provisions of this Act:

Provided that consultation with the Board may be dispensed with if the Central Government is of opinion that circumstances have arisen which render it necessary to make rules without such consultation, but in such a case the Board shall be consulted within six months of the making of the rules and the Central Government shall take into consideration any suggestions which the Board may make in relation to the amendment of the said rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe

- (a) the method of packing and labelling;
- (b) the manner of registration of an insecticide;
- (c) the functions of the Board and of the Registration Committee and the travelling and other allowance payable to members of the Board, the Registration Committee and any Committee of the Board;
- (d) the places at which insecticides may be imported and prohibit their import at any other place;
- (e) the form of application for registration of an insecticide and the particulars relating thereto;
- (f) the fee payable in respect of the registration;
- (g) the manner of appeal to the Central Government under Sec. 10 and the fee payable therefor;
- (h) the form of application for the grant of licence and the particulars relating thereto;
- (i) the form of licence, the conditions attached thereto and the fee payable therefor;
- (j) the period for which a licence may be renewed and the fee for such renewal;
- (k) the circumstances in which a licence may be varied or amended under subsection (2) of Sec. 14;
- (l) the functions of the Central Insecticides Laboratory;
- (m) the qualifications, powers and duties of an Insecticide Analyst and an Insecticide Inspector;
- (n) the manner of testing or analysing the samples of any insecticide and the fee payable therefor;
- (o) the form in which intimation shall be given by an Insecticide Inspector under subsection (5) of Sec. 22 to a person from whom a sample of an insecticide is taken for test or analysis;
- (p) the form in which the Insecticide Analyst shall submit a report of his test or analysis to the Insecticide Inspector under sub-section (1) of Sec. 24;

1. Messrs. Veluri Srivarama Sastry and Sons v. State of Andhra Pradesh, Hyderabad (The Insecticide Inspector, Guntur), (1981) 2 A.L.T. 346 at p. 351; see also K.G. Papu v. Govt of A.P., 1994 (1) F.A.C. 72 (A.P.).

2. Omitted by Act 24 of 1977, Sec. 9 (w.e.f. 1st August 1977).

(q) the protective clothing and equipment to be used by workers during the manufacture, formulation, transport, distribution and application of insecticides and other facilities to be provided to keep themselves and things supplied to them free from any contamination;

(r) the use by the workers of any such protective clothing, equipment and other facilities;

(s) the precautions to be taken against poisoning through the use or handling of insecticides;

(t) the measures for detecting and investigating cases in which poisoning has occurred;

(u) the facilities to be provided for ensuring first-aid treatment;

(v) the instruction and training to be provided regarding the use of things supplied to the workers for ensuring their safety;

(w) the facilities for medical examination of workers engaged in the manufacture or handling of insecticides;

[.]

(y) the equipment for, and method of application of, an insecticide and the disposal of surplus material, washings and containers, following application;

(z) *the* maintenance and inspection of records and returns;

(z-a) the restrictions on storage of insecticides during transport or, otherwise along with articles of food;

(z-b) the maximum proportion of any insecticide which may be added to, or contained in, any preparation for domestic use and the restriction thereon;

(z-c) the manner in which refusal to register an insecticide or cancellation of certificate of registration thereof may be notified;

(z-d) the officer or authority to whom the Central Government may delegate any of the powers and functions conferred on it by this Act;

(z-e) any other matter which has to be prescribed.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session (or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions, aforesaid), both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

37. Power of the State Government to make rules.-(1) The State Government may, after consultation with the Board and subject to the condition of previous publication, by notification in the official Gazette, make rules for the purpose of giving effect to the provisions of this Act and not inconsistent with the rules, if any, made by the Central Government.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for -

(a) the authority to which, the manner in which, and the fee on payment of which, an appeal may be filed under Sec. 15 and the procedure to be followed by the appellate authority in disposing of the appeal;

(b) the delegation of any of the powers and functions conferred by this Act on the State Government to any officer or authority specified by that Government.

Comments

Retrospectivity of an amendment.-If the suit was pending on the date when the amendments in the principal Act were brought into force, the amended provisions of the Act will govern the disposal of the suit.³

It is well-settled rule of construction that every statute or statutory rule is prospective unless it is expressly or by necessary implication made to have

1. Omitted by Act 24 of 1977, Sec. 9 (w.e.f. 2nd August, 1977).

2. Subs. by Sec. 9, *ibid.*, for certain words (w.e.f. 2nd August, 1977).

3. *New Theatres (Camatic Talkies) Ltd., Coimbatore u. N. Vajrapsni Naidu, AIR. 1984 & C. 1 at p. 4.*

retrospective effect. Unless there are words in the statute or in the rules showing the intention to affect existing rights the rule must be held to be prospective. If a rule is expressed in language which is fairly capable of either interpretation it ought to be construed as prospective only. In the absence of any express provision or necessary intendment the rule cannot be given retrospective effect except in matter of procedure¹

Doctrine of implied repeal.- The doctrine of implied repeal is based on the postulate that the Legislature which is presumed to know the existing state of the laws did not intend to create any confusion by retaining conflicting provisions. Courts in applying this doctrine are supposed merely to give effect to the legislative intent by examining the object and scope of the two enactments. But in a conceivable case, the very existence of two provisions may by itself, and without more, lead to an inference of mutual irreconcilability if the later set of provisions is by itself a complete Code with respect to the same matter. In such a case the actual detailed comparison of the two sets of provisions may not be necessary. It is a matter of legislative intent that the two sets of provisions were not expected to be applied simultaneously²

38. Exemption.-(1) Nothing in this Act shall apply to

(a) the use of any insecticide by any person for his own household purposes or for garden or in respect of any land under his cultivation;

(b) any substance specified or included in the schedule or any preparation containing any one or more such substances, if such substance or preparation is intended for purposes other than preventing, destroying, repelling or mitigating any insects, rodents, fungi, weeds and other forms of plant or animal life not useful to human beings.

(2) The Central Government may, by notification in the official Gazette, and subject to such conditions, if any, as it may specify therein, exempt from all or any of the provisions of this Act or the rules made thereunder, any educational, scientific or research organization engaged in carrying out experiments, with insecticides.

Comments

The section grants exemptions from the applicability of this Act to acts as mentioned in the section, such as, the use of any insecticide by any person for his own use, etc.

Scope of the section.-Section 38 of the Insecticides Act, 1968, expressly states that nothing in this Act shall apply to the use of any insecticide by any person for his own household purposes or for kitchen garden or in respect of any land under his cultivation. Therefore, Sec. 9 has no manner of application in the facts and circumstances of the instant case.³

THE SCHEDULE

[See Sec. 3 (e)]

List of Insecticides

Acrylonitrile

Aldrin (1 : 2 : 3 : 4 : 10 : 10 = hexachloro-1 : 4 : 4a; 5 : 8; 8a-hexahydro-1 : 4 : 5 : 8-dimethanonaphthalene)

Allethrin (allyl homologue of Cinerin 1)

Aluminium Phosphide

Amiton

Antu (Alpha-naphthyl thiourea)

Aramite [2 (p-tert-butylphenoxy) isopropyl 1-2 chloroethyl sulphite]

Barium Carbonate

Barium Fluoride Silicate

BHC (Benzene Hexachloride (1, 2, 3, 4, 5, 6-hexachlorohexane) Bis-dimethylamino Fluorophosphine Oxide Calcium Arsenate

Calcium Cyanide

1. *P. Maiundran u. Stets of Karnataka, A.I.R. 1990 S.C. 405 at p. 408; see also Gurbachan Singh V. Satpal Singh, A.I.R. 1990 S.C. 209 at p. 219; Y. Arid Nadarv. V. Authorised Officer, Land Reforms, Thanjavur A.I.R. 1990 Mad. 33 at p. 36.*

2. *Rajan Lal Adukia, Union of India. A.I.R. 1990 S.C. 104 at p. 110.*

3. *New Horizons Private Ltd, Union of India. A.I.R. 1986 Cal. 303 at p. 304.*

Captan (N-trichloromethylmercapto-4-cyclohexane), 1, 2-dicarboximide
 Carbaryl (1-naphthyl-N-methyl carbamate) Carbon Disulphide
 Carbon Tetrachloride
 Chlorbenside (p-chlorobenzyl-p-chlorophenyl sulphide)
 Chlorobis ethyl amino triazine
 Chlordane (1, 2, 3, 4, 5, 6, 7, 8, 1-Octachlore-2, 3, 3a, 4, 7, 7a-hexahydro-4,-7-methanoindane)
 Chlorobenzilate (Ethyl 4, 4-dichlorobenzilate)
 Chlorothion (o, o-dimethyl-o-3chloro, 4-nitrophenyl thiono phosphate)
 Chloro-I.P.C.
 Chloropicrin
 Chlorofension (p-chlorophenyl-p-chlorobenzene sulphonate) S-p-chlorophenylthio methyl-o-o-diethyl phosphorodithioate (Trithion) CIPC
 [isopropyl-N (3-chlorophenyl) carbamate] CMU (Manuron)
 Copper Arsenate
 Copper Cyanide
 Copper naphthanate
 Copper Sulphate
 Coumachlor [3-(a-acetonyl-4-chlorobenzyl-4-hydroxy coumarin)]
 Copper Oxychloride
 Cuprous Oxide
 Dalapon (Sodium 2,2, dichloropropionate) D-D Mixture
 DDD (Dichloro Diphenyl Dichloroethane)
 DDT [a mixture of 1, 1-trichloro-2-bis (p-chlorophenyl) ethane and 1-1, 1-trichloro-2-o-chlorophenyl)-2 (p-chlorophenyl) ethane]
 DDVP (2,2-dichlorovinyl dimethyl phosphate)
 Demeton-O(O, o-diethyl-S [(9-ethylthio)-ethyl] phosphorothioate)
 Diazinon (0, O-d ethyl-0 [e-isopropyl-6-menthyl-4-pyrimldinyl] phosphoro thioate)
 Dibrom (1, 2-dibromo, 1, 2, 2-dichloroethyl dimethyl phosphate) Dichlorophenoxy acetic add (2, 4-D)
 Dieldrin (1 : 2 : 3 : 4 : 10 ; 10-hexachloro-6, 6-epoxy-1; 4a : 5 : 6 : 7 : 8 : 8a Octahydro-1 : 4 : 5 : 8-dimethanonaphthalene)
 Dimethoate (0, O-dimethyl-S (N-methylcarbamoyl methyl) phosphorodithioate),
 Dipterex (0, O-dimethyl-2, 2, 2-trichloro hydroxy ethyl phosphonate) DNOC (Dinitro-ortho-compound) (3 : 5-dinitro-o-cresol) EDCT mixture (ethylene Dichloride Carbon Tetrachloride mixture) Ekatin
 Endrin (1, 2, 3, 4, 10-10-hexachloro-6, 7-epoxy-1, 4, 4a, 5, 6, 7, 8, 8a Octahydro-1, 4-endo-endo 5-8-dimethanonaphthalene)
 E.P.N. (O-ethyl-O-p nitriphenyl benzene, thiophosphonate)
 Ethroxy ethyl mercury chloride
 Ethyl di-n-propylthiolcarbamate (Eptam)
 Ethyl mercury phosphate
 Ethyl mercury chloride
 Ethylene dibromide
 Ethylene dichloride
 Fenson (Parachlorophenyl benzene sulphonate)
 Fenthion (3-methyl-4methyl thiophenyl phosphorothionate)
 Ferbam (Ferric Dimethyl dithio carbamate)
 Gusathion (0, O-dimethyl S (4-oxo-1,2) 3-benzotriazinyl-3-methyl (phosphorothioate)
 Heptachlor (1, 4, 5, 6, 7, 8, 8-heptachloro-4-7-methano-3a, 4, 7, 7a-tetrahydroindene)
 HETP(Hexaethyl tetraphosphate)
 Hexaclorobenzene
 Hydrogen cyanide

Hydrogen phosphide
Lead arsenate 40
Lime Sulphur (Calcium polysulphide, water-free sulphur, calcium thiosulphate mixture)
Lindane (gamma, B.H.C.)
Malathion S(1, 2-Bis (ethoxycarbonyl ethyl) 0, O-dimethyl-phosphorodithioate)
Maleic hydrazide (1, 2-dihydropyridazine 3,6-dione) Maneb Manganese ethylene
bisdithiocarbamate) MCPA-(4-chloro-2 Methyl phenoxy acetic acid) Mercuric chloride
Metaldehyde
Metasystox
Methoxychlor (1, 1, 1-trichloro-2, 2-di-p-methoxyphenylethane)
Methoxy ethyl mercury chloride Methyl bromide
Methyl demeton (Dimeton-methyl and Dimeton-Methyl)
Methyl Mercury Chloride
Methyl Parathion (0, O-dimethyl-O-nitrophenolthiophosphate)
Metox (Chlorsulphicide)
Nabam (Disodium ethylene-1, 1 bisdithiocarbamate)
Nicotine sulphate
Octa methyl pyrophoramide
Para-dichloro benzene
Parathion (0, O-diethyl-0-p-nitrophenylthiophosphate)
Paris Green (Copper Aceto arsenite)
Pentachloronitrobenzene (P.C.N.B.) Pentachlorophenol
Phenyl mercury acetate
Phenyl mercury chloride
Phenyl mercury urea
Phosdrine
Phthalimidomethyl-O-O-dimethyl phosphorodithioate (Imidan)
Piperonyl butoxide (butyl carbityl) (6-propyl piperonyl) either 0 Pival
(2-Pivalyl-indiane 1-3-dione),
Potassium cyanide
n-propyl ethyl-n-butyl thiocarbamate (Tillam)
Phytrethrins (insectically active principles of *Chrysanthemum cinerariae folium*)
Rotenone
Ryania
Sodium fluoroacetate
Sodium cyanide
Sodium Fluro Silicate
Sulphur (wetable or colloidal sulphur)
Strechinine
Sulphoxide (1, 2-methylene-dioxy-4 (1-octylsulphinyl) propyl benzene) TCA
(tichlor acetic acid sodium and ammonium salts)
Tedion (tetrachlor diphenyl sulphone)
TEPP (tetraethyl Pyrophosphate)
Tetrachloro-p-benzoquinone Thanite
Thiram [bis(dimethyl Thiocarbamyl) disulphide]
Tolyl mercury acetate
Trichiorphon
Triorthoeresyl phosphate
Thallium sulphate
Thiometon
Taxaphene (chlorinated camphene containing 67-69% chlorine)
Trichlorophenoxy acetic acid (2, 4, 5-T) Warfarin (3-a-acetonyl
benzyl-4 hydroxy-coumarin)

Zinc phosphide		
Zimet		
Zineb (Zinc ethylene bis-dithiocarbamate)		
Ziram (Zinc dimethyl dithiocarbamate)		
Zulate		
¹ [Acrolen	...	2 Propenal or Acrylaldehyde
Actellic (Pirimiphosemethyl)	...	2-diethylamino-6-methylpyrimidin-4-yl dimethylphosphorothionate
Afugon	...	Diethyl methyl ethoxycarbonyl pyrazolopyrimidine-yl-phosphorothionate
Alachlor	...	2-Chloro-2, 6-diethyle-n-(methoxymethyl) acetanilide
Aldicarb	...	2-methyl-2 (methylthio) propional-dehyde o-(methylcarbamoyl) oxime
Amidithion	...	S-(N-2-methoxyethyl-Carlomoyl-methyl) dimethylphosphorothiolothionate
Amitrole	...	3-Amino-1, 2, 4-triazole
Ammonium Sulphamate	...	Ammonium Sulphamate
Asulam	...	Methyl-N (4-a minobenzenesulphonyl) carbamate
Atrazine	...	2-Chloro-4-ethylamino-6-isopropylamino-1, 3, 5-triazine
Aureofungin		
Azinyhos-ethyl	...	S-(3, 4-dihydro-4oxobenzo-(d)-(1,2,3) triazine-3-ylmethyl) diethyl phosphorothio- lothionate
Barban	...	4-chloro-2-ynyl-3-chloriphenyl carbamate
Barium Polysulphide	...	Barium Polysulphide
Bassa	...	O-Secondary-butylphenylmethyl carbamate
BCPE (Chlorphenithel)	...	1, 1-bis-(4-Chlorophenyl)-ethanol
Benomyl	...	Methyl-N-benzimidazol-2-yl-N (buty learbemoyal carbamate)
Bensulide	...	S(O, O-Di-isopropyl phosphorodithionate) cester with N-(2-mercaptoethyl) benzene sulphenamide
Binapacryl	...	2-(1-methyl-n-propyl)-4, 6-dinitrophenyl-2 methylcrofonate
Bromacil	...	5-bromo-6-methyl-3-(1-methylpropyl) uracil
Brompyrazen	...	5-amino-4-bromo-2-phenylpyridazin-3 one.
Bromoxynil	...	3, 5-dibromo-4-hydroxybenzotrile
Brozone	...	Methyl bromide and chloropicrin in petroleum solvent
Buturon	...	3-(4-chlorophenyl)-1-methyl-1 (1-methyl prop-2-ynyl) urea
Butylate	...	S-ethyl-N, N-disobutglthiocarbamate
Bux		Mixture of m-(1-methyl butyl) phenylmethyl carbamate and m-(1-ethyl propyl phynyl methyl carbamate
Cadmium based compounds	...	(Cadmium chloride, Cadmium sulphate, Cadmium succinate)
Captafel	...	N-O(1, 1, 2, 2-tetrachlorethylthio) eyelohex-4-ene-1, 2-diocarboxymide ...
Carbefuran		2, 3-dihydro-2, 2-dimethyl-7-benzofuranyl methylcarbamate
Carbophenothion	...	S-[(p-Chlorophenylthio)]-methyl-o, o-diethyl Phosphorodithiotate

1. Ins. by G.S.R. 9 (E), published in the gazette of India, Extraordinary, Pt, II, Sec. 3(i), dated 9th January 1975.

Carboxin (DCMO)	...	5, 6-Dihydro-2-methyl-1, 4-oxathiin-3-carboxanilide
Chinomethionate	...	6-methyl-2-oxo-1, 3-dithio (4, 5-b quinoxaline
Chloramben	...	3-amine-2, 4-dichlorobenzonic acid
Chlorbufam (BIPC)	...	1-methyl-2-propynyl-propynyl-m chlorocarbonilate
Chlorfenyiphos	...	2-chloro-1 (2, 4-dichlorophenyl)-Vinyl diethylphosphate
Chloromequat Chloride		(2-chloroethyl) trimethylammonium chloride
Chloroneb,	...	1, 4-dichloro-2, 5-dimethoxybenzine
Chloropropane	...	Chloropropane
Chloroxur-n	...	N'-4-(4 Chlorophenoxy) phenyl-N N dimethyl-ureat
Citicide	...	Chlorinated turpene
Citowett	...	Alkylaryl polyglykelether
Clonitralid	...	5, dichloro-4-'nitro-salicylic-anilide ethanolamine
Copper Hydroxide		Copper Hydroxide
Coumafuryl		3-(a-Acetyl-furfuryl)-4-hydrocyceumarin
Coumaphos		3-Chloro-4-methyl-7-coumarinyl diethyl phosphorothionate
Coumatetralyl	...	4-hydroxy-3(1, 2, 3, 4-tetrahydrol-na phthyl) coumarin
Coyden	...	3, 5-dichloro, 6-dimethyl-4-pyridinol
CPAS	...	4-Chlorophenyl, 2, 4, 5-trichlorophyny lazosulphide
Cyclomoph	...	N-Cyclodecyl-2, 6-dimethyl-morpho linacetate
Cyclurin (OMU)	...	N'-Cycle-octyl-N-dimethyl-urea
Cytrolane	...	2-(diethoxy phosphraylimino) 4-methyl-1, 3 dithiolane
Decarbofuran	...	2, 3-dihydro-2-methulobenzofuren-7-yl methyl carbamate
Decazolin	...	1-(alpha, alpha-dimethyl-beta-acetox propionyl-3-isopropyl-2, 4-dioxodeoa hydroquinzaoline
DEET		N, N-diethyl-m-toluamide
Dibromochloropropane	...	1, 2-dibromo-3-chloropropane
Dicamba	...	3, 6-dichloro-2-methoxybenzoic acid
Dichlorbenil	...	2, 6-dichlorobanza nitrite
Dichlofenthion	...	0-(2, 4dichlorophenyl) 0, O-diethyl phosphorothioate
Dichione	...	2, 3-dichloro-1, 4-naphthoquinanone
Dicoloropropane		1, 3-dichloropropane
Dicloran	...	2, 6-dichloro-4-nitroaniline
Dicofol	...	2, 2, 2-trichloro-1, 1-di-(4chlorophenyl) ethanol
Dicrotophos	...	Dimethyl phosphate ester with (E)-3 Hydroxy-N, N-dimethyl-cis-crotonamide dimethyl phosphate
2, 4-DB	...	4-(2, 4-Dichlorophenoxy) butyric acid
Difenphos (Abate)	...	0, 0, 0', 0'-Tetrmethyl 0, 0'-thiodi-p phenylene phosphorothioate
Dikar	...	A blend of Ditghane M-45 and Tech. Karathane
Dimas (Afar)	...	N-dimethylamino succinic acid
Dinocap	...	Mixture of 4 and 5 parts of 2, 4-dinitro-6 octophany crotonates to 2 parts of the

		isomer of 2, 6. dinitro-4-octyl phenyl crotonates - •	
Dinoseb	...	4-dinitro-6-S-butylphenol	
Dinoseb acetate		2, 4-dinitro-6-5-butyl phenol acetate	
Dioxathion	-	S-S-1, 4-dioxane-2, 3-ylidene (bis, (o, o diethyl) phos phosphorothio-thionate	
Diphacinene	•••	2-diphenylacetyl 1, 3 indanediene	
Diphenamid _		N N-dimethyl-2, 2-diphenylacetamide	
Disulfoton	••	diethyl s-(2-ethylthio) ethyl) phosphorothiothionate	
Diuron	...	N'-3, 4-dichlorophenyl) NN-dimethyl urea	
DMPA	•••	O-(2, 4-dichlorophenyl) O' methyl N isopropyl)-phosphoroamidithicate	
Dodine	••	Didecylguanidine-monoacetate	
Dodomorph	...	4-Cyclododecyl-2, 6-dimethyl-morpholine	
Drat (Chlorophacinone)	••	2-(a-Chlorphenyl-a-pheylacetyl) indane-1, 3 dione	
DSMA	...	0, 0-diethyl O-(3, 5, 6-trichloro-2 pyridyl) phosphorothioate	
Dusting Sulphur			
Ediphenphos	•••	O-ethyl-s, s-diphenyl-dithiophosphate	
Endosulfan		6, 7, 8, 9, 10, 10-hexachloro_1, 5, 5a, 6, 9, 6a hexahydro-6, 9-methano-2, 4 3-benzo (e)-dioxatheiepin-3-oxide	
Endothall	•••	7-oxabicyclo (2, 2, 1);heptane-2, 3 dicarboxylate	
EPTC	...	S-ethyl-dipropylthiocarbamate	
Erbon	••	2-(2, 4, 5-trichlorophenoxy) methyl 2, 2 dicholoropionate	
Ethion	•••	Tetraethyl SS' methylene his phosphorothioate	
Ethrel	...	2-chloroethane phosphonic acid	
Fenac	••	Sodium 2, 3, 6-trichlorophenylacetate	
Fenazeflor	...	Phenyl 5, 6-dichloro-2-triflouromethyl benzi midazole-1-carboxylate	
Fenitrothion	•••	dimethyl 3-methyl-4-nitrophenyl phosphorothioate	
Fensulfthion	••	diethyl 4-(methyl sulphinyl) phenyl phosphorothionate	
Fentinacetate	••	triphenyltin acetate	
Fentin chloride	...	triphenyltin chloride	
Fentin hydroxide	••	triphenyltin hydroxide	
Folex	••	SSS Tributyl phosphorotrithioate	
Formethion	••	S-(N-formethylcarbamoyl methyl) 00 dimethyl phosphorodithioate	
Fonofos (Dyfonate)	••	O-ethol-s-phenylethyl phosphorodithioate	
Fujithion		0, O-Dimethyl-s-Parachlorophenyl phosphorothis	
Gibberellins ••		Gibberellic acid	
Herban	...	3-(5, 3-a, 4, 5, 6, 7, 8, 8-a-hexahydro-4, 7 methanoindanyl)-1, 1-dimethyl urea	
Indole Acetic and Butyric Acids .	..	Indole Acetic Acid, Indole Butric acid	
Iozynil (Pantrol)	..	3, 5-di-iodo-4-hydroxy benzethitrile	
Isobenzan	••	1, 3, 4, 5, 6, 7, 7-Octachloro 1, 3, 3a, 4, 7' 7a-hexahydro-4, - 7, methanois olbenzofuran	
Isononuron	••	N' (hexahydro-4, 7,-methanoindan-lyl-) NN dimethyl urea	
Kitazin	...	0-0-Di-Isopropyl-s-Benzyle thiophosphate	

Lenacil	3-cyclohexyl-5, 6-trimethylenuracil	
Linuron	... N-(3, 4-dichlorophenyl)-N-methoxy-N-methyl urea	
Lucel	5, 6, 7, 8 tetrachloroquinoxaline	
Machete (Butachlor)	... (2-chloro-2', 6',-diethyl-N-(Butoxmethyl) acetanilide)	
M.C.P.B.	... 4 (4-Chloro-2-methylphenoxy) butyric acid	
Menazon	... S-(4-6-diamino-1, 3, 5-triazin-2-yl methyl) dimethyl-phosphorothiolotionate	
Methamidophos	... O-S-dimethyleaster amide of thiophosphoric acid	
Metam Sodium	N-methyldithiocarbamic acid	
Methomyl	... S-methyl N-(methylolcarbamy) oxy thioacetimidate	
Methylmetiram	... Ammonium complex with Zn-(N' N 1, 2 propylenebis-(dithiocarbamate and N',N' Poly-1, 2-propylene-bis (Thiocarbamoyl)-disulphide	
Metiram	... Ammonium complex with Zn-(N', N-1' 2 Ethylenebis, (dithiocarbamate) and N'-N'-Poly 1, 2-propylene-bi (Thiocarbamoyl)-di sulphide	
Metoxuron	... N' (3-chloro-4-methoxyphenyl)-N, N demethyl urea	
Mevinphos	... 2-methoxy carbonyl-1-methyl vinl dimethyl phosphate	
MIPCIN	... 2-incorpylphenyl-N-methyl carbamate	
Menap	... O-ethyl S, S-dipropyl phosphordthioate	
Molinat	... S-ethyl-N-hexaphydro-1 Hazepinuthiol carbamate	
Monocrotophos	... 3-hydroxy-N-methyl-crotonamide dimethyl phosphate	
Monolinuron	... N-(4-chlorophenyl N-Methoxy-N-methyl urea	
MSMA	... Monosodium methaeearsonate	
Neled	1, 2, dibromo-2, 2-dichloroethyl dimethyl phosphate	
Naphthylacetic acid	... Naphthylacetic acid and its derivations	
Naburon	1-Butyl-3-(3, 4-dichlorophenyl)-1-methyl urea	
Nemafos Thinozim	0, O-diethyl C-2 pyrazinyl phosphorothioate	
Neopynamin	... 3, 4, 5, 6-tetrahydro-phthalimidomethyl chrysauthamate	
Nickel Chloride	... Nickel Chloride	
Nitrofen	2, 4-dichlorophenyl 4- nitrophenyl ether	
Omethotae	... dimethyl 8-(n-methyl-carbamoyl methyl) phosphorothioate	
Orthane	... 0, S-Dimethyl N-acetyl phospho ramidothioate	
Oxapyrazon	... (5-bromo-1, 6-dihydro-6-oxo-1-phenyl-4 pyridazinyl Oxamicacid-compound with 2 dimethyl aminoethanol (1 & 1)	
Oxycarboxin (DCMCD)	... 5, 6, dihydro-2-methyl-1, 4-oxathin-3 carboxanilide 4, 4-dioxide	
Paraquat	... 1, 1-pimethyal-4, 4-bipyridyliumion	
Pebulate	1, Propyl-butyl-ethlocarbamate	
Phenthoate	... S-aethoxycarbonylbanzyl;0, 0-dimethyl phosphore rodithioate	
Phorate	... diethyl S-(ethylthizimethyl) phospho thiolithicate.	

Phosalone		S (6-ectoro-2-oxabenzoxolin-3y1) methyl-0, 0-diethyl-phosphorothioate
Phosphamidon	...	2-chloro-2-diethylcar bamoyl-I-methyl vinyl dimethyl Phosphate
Phosphorus paste	...	Phosphorus paste
Phosmet (Imidan)	...	0, 0-dimethyl-S-phtballimide-methyphos phorodithioate
Phosvel (Leptophos)	...	Pheynlglyoxylonitrite oxime 0-0 diethyl phosphorothioate
Picloram	...	4-amino-3, 5, 6, trichloroplocolinic acid
Plictran	...	Tricyclohexyl tinhydroxide derivatives
Pronamide (Kerb)	...	3, 5-dichloro-N (1,-dimethyl-2 propynyl) benexamide
Propanil	...	3, 4,-(hchloropropionanilide
Propargite (Omite)	...	Prop-2-ynyl phenoxy)-eycohexyl sulphite
Propineb	...	O-Isoproposyphenylmethyl carbamate
Prynachlor	...	0-N-butyn-(1) y ; Chloroacetanilide
Pyrac,arbolid		2- methyl-5, 6-dihydro-4- H-pyran-3 carboxylic anilde
Pyrazan (PCA)	...	5-amino-4-chloro-2-phenyl-3-pyridazone
Quinalphos		-O, O-diethyl quinoxalin-2-yl phosphorothioate
Rabicide	...	4, 5, 6, 7,-tetrachlorophalide
Ro-Neet	...	S-ethyl N-ethyl-N-cyclohexyl-thiocarbamate
Ronnel	...	0, O-Dimethyl (0-2, 4, 5-trichlorophenyl) , phosphorothioate
4-421	...	Octachlorodipropylether
Sclex	, ...	3,-(3, 5-dichlorophenyl)-5, 5-deimethyl oxazo-lidinedione 2, 4
Simazine		2-Chloro-4, 6-bis (ethylamin) s-trazine
Sindone A	...	1, 1, 4-dimethyl-4, 6-di-isopropyl-indanyl ethyl ketone
Sindone B	...	1, 1, 4-trimethyl 4, 6-di-isopropyl-5-indanyl ethyl ketone
Sirmate	...	3, 4-and 2, 3-Dicholobenzyl N-methyl carbamate
Swep	...	methyl 3, 4 dichlorocarbanilate
Tar Acid	...	Complex phenolic compounds or tar,oil or creosotes
Travron G		2, 2, 2-trichlorethyl stryrene
Tecnazene	...	1, 2, 4, 5-tetrachloro-3-nitrobenzenes
Terbacil	...	3-t-butyl-5 chloro-methyluracil
Tetrachlorvinphos (Gardona)	...	2-chloro-1-(2-, 4, 4-trichlorophenyl) vinyl dimethyl phosphate
Tetram	...	O,O-Diethyl S-2-diethylamino ethyl phosphorothioate hydrogen oxalate
2, 4, 5-TB	...	4-(2, 4, 5-trichlorocophenoxy)-butyric acid
Thiadiazinthion(Terracur)	...	5-Carboxymathyl-methyl-2 H-1, 3, 5 thiadla zin 2 thione
Thiophanate-M		1, 2-di-(3-mathoxy-carbonyl-2 thiouried) benzene
Tranid	...	exo-3-chloro-endo-6-cyano-2 norbornan 0 Ene-I-Methyl-carbamoyl) oxime
Triallate	...	S-2, 2, 3-Trichloroallyl dis-lopropylthic carbamate
Tridemorph	...	2, 6-dimethyl-4-tridecyl morpholone
Tunic	...	2, (3, S-dichlorophenyl)-4-Methyl Im 2, 4 oxadiazolinine-3, 5, dione
Udonkor	...	N-(beta-cyanothyl) monochloroacetamide

Vamidothion			, O-dimethyl-s-2-1, methyl-8-carbamoyl ethylthio ethyl) phosphorothioate
Vegetta	...		Ethylene thiuram monosulphide
Vomzlate	...		S-propyl NN-diprophythiolcarbamate
Zectran	...		4-dimethylamino-3, 5-xylel-N-methylcarbamate
Basagram	...		3-Isopropyl-IH-2, 3-benxathiadixin 4-3H) one, 2-2-dioxide
Basalin	...		N-2-chioressthy) N-propyl-trifhcoro 2, 6, dinitro-p-toultidine
Bavistin	...		2-methoxy-carbamoyl)-benzimidazole
Campogram M	2, 5-dimethyl furan 3-carbanic acid anilide and 320 gals og (Zinc)
Trifluralin	...		2, 6-dinitro-NN-dipropyl-4-triflouromethyl aniline
Fluineturon	...		N-(3-trifluoro-methylphenyl)-N'N'-dimethyl urea
Metabromuron	...		N-(P-bromophenyl)-N'-methyl-N-methoxy urea
Mancozeb	...		Zinc-Manganese ethylene-bis-dithiocarbamate]
¹ [Methabenzthiazuron	...		1, 3-Dimethyl-3 (2, benzothiozoiyl)-urea]
² [Streptomycin	...		
Tetracyclines			
Terbuteryne	...		2-tert, butylamino 4-ethylamino-6-methylio, S-triazine)
Glysofosate	...		[N-1(Phosphonomethyl) glycine] present as isoprophylamine salt]
Bacillus thuringienisis			
³ [Benthiocarb	...		S-(4-chlorobe.nzyl)-N, N-diethylthiol carbamate
Cypermethrin	...		x-cyano-3-phenoxybenzyl-2, 2-dimethyl-3 (2-dichlorovinyl) cyclopropane carboxylate
			(S)-x-cyano-m-phenoxybenzyl (IR-3R)-3- (2, 2-dibromovinyl) _ dimethyl cyclopropane carboxylate
Decamethrin	Fenvalerate	...	x-cyano-m-phenoxybenzyl-x-isopropyl pchlorophynel-acetate
Permethrin	...		3-phenoxy benzyl (cis-trans-3-(2, 2 dischlorvinyl) 2, 2,, dimethyl-cyclopropane carboxylate.
Tetrachloroisophthalonitrile	...		1, 2, 4 Trichloro-3, 5-dinitrobenzene.]
⁴ [Bromophos	...		0-(4 Bromo 2, 5 dichlorophenyl) 00-dimethyl phosphorothioate
[Bromobhes ethyl	...		0-(4 Bromo 2, 5dichlorophenyl) 00-di-ethyl phosphorothioate
Cartap	...		1,3-di (carmolythio) 2-dimethyl aminopropane
Dichloprophen (Antiphen)	...		5, 5-dichloro 2, 2, dihydroxy diphenyl methane
Dirtobuton	...		Isopropyl-2 (1-methyl-n-propyl) 4, 6-dinitro phenyl carbonate
Dithianon	...		2, 3-dicyano-1, 4-dithia-antharquin-one

1. Ins. by G.S.R. 823 (E), published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated 28th September, 1976.

2. Ins. by G.S.R. 200 (E), published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i), dated 29th March, 1978.

3. Ins. by G.S.R. 574 (E), dated 6th October, 1979.

4. Ins. by G.S.R. 32 (E), dated 12th February, 1980.

Ethyl formate	...	Thyl formate
Fenfuram	...	2-methyl-furan-3 carboxanilide
Glyphosine	...	N, N-bis (Phosphonomethyl) glycine
Guazatine	...	1,17-diguanidino-9-azahepta decane
Isofanphos	...	O-ethyl-0-(2-isopropoxy-carbonyl) phenyl isopropylphosphoramidothioate, Isoproturon
	...	N-, n-dimethyl-N-4-isopropyl phenyl urea ,
Magnesium phosphide	...	Magnesium phosphide
Matribuzin	...	4-amino-6-tort, butyl-3 (methyl thio, 1, 2, 4 triazine-5-(4 H) one
Triadimefon	...	1-(4-chlorophenoxy)-3, 3-dimethyl-l)-1-H-1, 2, 4-tridzon-1-yl)-2 butanone
Triforine	...	1, 4-di (2, 2, 2-trichloro-1-formami doethyl) piperazine
Vacor	...	N-3 pyridyl methyl-N-p-nitrophenyl urea]
1.[Flucythrinate	...	RS-Cyano-3-3Phenoxy Benzyle (s) 2-(4 difluomethoxy phenyl)-methylbutyrate
Triazophos	...	0, O-diethyl 0-1-phenyl-1, 2, 4 triazol-3 zylphosphorothioate
Diflbenzuron	...	1 (4-chlorophenyl)-3 (2), 6-difluorobenzoval) urea
Bitertanol	...	B41 1-biphenyl)-4 YloxY)-1, (1 1 dimethyl ethyl-I 1, 2,-triazole-I-ethnol
Sethoxydim	...	2, 1(ethoxyimine) butyl-5 (2-ethyithopropy) 3-hydroxy 2-cyclohexen-l-one
Brodifaccum	...	3-(3-(4-bromobiphenyl-4-yl)-1, 2, 3, 4, tetrahydro 1-naphtyl) 4-hydroxyeoumarin
Methoprene	...	Isopropyl (2E, 4E 11-Methoxy-3, 7-11 trimethyl-2, 4-didecadienotate.]
2. Isoprothiolane	...	Diesopropyl-1, 3-dithiolan-2yl-idenemalenate
Carbosulfan	...	2, 3-dihdry.-2, 2-dimethyl-7-benzofuranyl [(dibutylamine, thio] methyl carbamate
Prochloraz	...	N-propyl-N-[2-(2, 4, 6, trichlorophenoxy) ethyl], inidaxole-l-carbozamide
''' Methacrifos	...	0-2 methoxycarbonylprop 1-enyl- 0, 0, dimethyl-phosphorothioate
Chloroluron	...	3-(3-chloro-p-tolyl-1, 1-dimethylurea
Probenazole	...	3-allyloxy 1, 2-benzolsothiazol-1, 1-dioxide
Fluvaiinate	...	(RS)-d-cyano-3 phynoxybenzyl (R)-2(2) Chloro-4-trifluoromethyl-aniline)-3-methyl butanoate
DEPA	...	N-diethyl-phenyl acetamide
Fenpropathrin	...	-d Cyano-3 Phenoxybenzyl-2,2, 3, 3, 3 tetramethyl-1-cyclopropane-Carboxylate
Phenothrin	...	3 phenoxybenzyl (IRS)-cis-trans chrysanthemate
Kasugamycln	...	-[5-amino-2-methyl-6-(2, 3, 4, 5, 6 pentahydroxy-cyclohexyl)tetrahydropyran-3 yl) amino-a-iminoace-tic-acid
Amidine Hydrazone	...	Tetrahydro-5, 5-dimethyl 2(1-H) pyrimidinone-3 4-(trifluoromethyl) phenyl] (1(2-4 trifluoromethyl) phenyl (ethenyl-2propenytidene) hydrazone

1. Ins. by G.S.R. 500 (E), published in the Gazette of India, Extraordinary, Pt. 11, Sec. 3 (i), dated 18th June, 1985.

2. -- Ins. by G.S.R. 839 (E), published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (ii), dated 14th November, 1985.

Anilofos ... S [N(4-chloro-phenyl) (N-isopropyl carbomoyl-methyl) 0, O-dimethyl dithiophosphate

A herbal "extract containing diallyl disulphide, Allyl propyl disulphide and Allyl isothiocyanate, diallyl disulphide, Allyl propyl disulphide and allyl isothiocyanate.]

¹[Phenamiphos ... Ethyl 4-methylthio-m-tolyl (Fenamiphos) ... isopropylphosphoramidate

Ametryne ... N-ethyl-N¹ 1-(methylethyl)-6{methylthio)-1, 3, 5-triazine-2, 4-diamine

Prometryne ... N, N-ibis (1-methylethyl(-6-(methylthio) 1, 3-5-triazine-2, 4-diamine

Fluazifop ... RS : 2-[4(5 trifluoromethyl-2-pyridyloxy phenoxy), proppionic acid.]

G.S.R. 858 (E) dated 12th August, 1988.-In exercise of the powers conferred by sub-clause (ii) of Cl. (c) of Sec. 3 of the Insecticides Act, 1968 (46 of 1968), the Central Government, after consultation with the Central Insecticides Board hereby includes the following substances in the Schedule to the said Act, namely :

1. Cypermethrin (SIR-Cis-and R-IS-Cis-isomer) enzyI (Alphamethrin) ... (IUPACKS)-alphacyano-3-phenoxybenzyl (IR, 3R)--(2, 2-dichlorovinyl-2, 2-dimethyl - 2-dimethyl cyclopropane Carboxylate & oxyb (2),alp 2 d chlorvinyl) 2, 2` dimethyl cyclopropane carboxylate
2. Benfuracarb ... (IUPAC) Ethyl N-2, 3-dihydro-2, 2-dimethyl benzofuron-7-yl oxycarbonyl (methyl) aniothio-N-isopropyl-* -alaninate
3. Cyphenothrin ... (IUPAC) (RS)-0-cyan-3-phenoxybehzyl (IR)Cis, trans-chrysanthemate
4. Cyfluthrin ... (IUPAC) Cyano-(4-fluro-3-phenoxyphenyl)methyl-3-(2, 2-dichloroethenyl)-2, 2dimethyl-cyclopropane carboxylate
5. Dimethazone ... (IUPAC) 2-(2-chlorophenyl) 4-4-dimethyl-3-isoxazolidinone)
6. Dienochlor ... (IUPAC) Perchloro-1, 1-bicyclopenta-2, 4dience
7. Ephofenprox ... 2-(4-ethoxyphenyl)-2-methylpropyl 3 phenoxybenzyl ether
8. Floeoutnafen benzylxy)phenyl ... d etrah()furoahyl naphthyl coumarin (mixture of Cis & trans isomers)
9. Fenarimol ... (IUPAC) (±)-2, 4-dichloro-a-(Pyrimidin 5 yl) benzhydryl alcohol
10. Fluroxypyr ... (IUPAC) 4-amino-3, 5-dichloro-6-fluro-2-pyridyloxy acetic acid
11. Flufenoxuron ... 1-(4-2-chloro-4-(trifluoro methyl) phenoxy2-fourophenyl) 3(2-6-difluorobenzoyl) urea
12. Filept ... (IUPAC) N-(trichloromethylthio) phthalimide
13. Clopyralid ... (IUPAC) 3, 6-dichloropyridine-2-carboxylic acid
14. -Myglobutanil ... (IUPAC) 2-P-Chlorophenyl 2-(1H-1, 2, 4 triazol-1-yl-methyl) hoxaneritriale
15. Methedathion ... S-2, 3-dihydro-5-methoxy-2-oxo-1, 3, 4, thiadizol-3-yl-methyl 0-0 dimethyl phosphorodithioate

1. Ira by G.S.R. 31 (q, dated 15th January, 1987.

2. Published in the Gazette of India, Extraordinary, Pt. 1, Sec. 3(i), dated 12th August, 1988.

28	INSECTICIDES ACT, 1968	Sch.)
16. Oxadixyl	... (IUPAC) 2-methoxy-N-(2-oxo-1, 3-oxazolidin-3 yl) acet-2, 6-ylidide	
17. Penconazoie	... (IUPAC) 1(2, 4-dichloro-p-propylphenethyl) 1 H-1, 2, 4,-triazole	
18. Pretilachlor	... (IUPAC) 2-chloro-2, 6-diethyl-N(2-propoxy ethyl) acetanilide	
19. Prallethrin	... RS-2-methyl-3-(2-propynyl) 4-oxocyclopent 2-enyl (IR)-cis, trans-chly-santhemat	
20. Puridate	... (IUPAC) 6-chloro-3-phenyl pyridazine-4-yl S octvl thiocarbonate	
21. Pyrooluilon	... (IUPAC) 1, 2, 5, 6-tetrahydropyrrolo (3,2, 1 i-j) quinolon-4-one	
22. Pyridaphenthion	... 0, O-diethyl 2, 3-dihydro-3-OXm-2-phenyl 6-pyridazinyl-phosphorothioate	
23. Sulprofos	... (IUPAC) O-ethyl 0-4 (methylthio) phenyl S propyl phosphorodithioate	
24. Sebuphos	... S, S-di-sec-butyl O-ethyl phosphorodithioate	
25. Thriadimenol	... (IUPAC) I-(4-chloro-phenoxy)-3, 3-dimethyl 1-yl) butan-2-ol	
26. Tricyclazole	... (IUPAC) 5- methyl-1, 2, 4-triazole (3, 4-b) (1, 3) benzothiazole	
27. Tridiphane	... (IUPAC) (RS)-2-(3, (IUPZC) (RS)-, (3, 5 dizhlor phenyl), 2-2, 2,-, trichloroethyl oxirane	

S.O. 378 (E) dated the 26th May, 1989¹.-Whereas, with a view to reviewing the continued use in India of pesticides that are either banned or restricted for use in other countries, the Government of India, had set up an Expert Committee.

Now, therefore, after considering the recommendations of the said Expert Committee, and in consultation with the Registration Committee, set up under the Insecticides Act, 1968, the Central Government, in exercise of the powers conferred on it, under sub-section (2) of Sec. 27 read with Sec. 28 of the Insecticides Act, 1968, hereby passes the following order:

(1) The use of DDT in agriculture is hereby withdrawn. In very special circumstances warranting the use of DDT for plant protection work, the State or Central Government may purchase it directly from Messrs. Hindustan Insecticides Limited, to be used under expert Governmental supervision.

(2) The use of DDT for the public health programme to 10,000 MTs per annum, except in case of any major outbreak of epidemic is hereby restricted.

(3) The Central Government further orders that the registration certificates issued by the Registration Committee to various registrants under Sec. 9 of the said Act shall stand modified/cancelled to give effect to this order.

(4) It is also ordered that all the holders of the registration certificates for manufacture and import of DDT should return their registration certificate to the Secretary, Registration Committee, Directorate of Plant Protection, Quarantine and Storage, NH-IV Faridabad (Haryana) by the 15th June, 1989.

(5) However, non-endorsement/correction of the registration certificates will not be taken as permission/approval to operate upon original certificate of registration in contravention of the provisions of this order.

(6) Certificates not submitted by the due date shall be deemed to have been cancelled.

S.O. 569 (E), dated the 25th July, 1989².-Whereas the Government of India had set up an Expert Committee with a view to reviewing the continued use in India of pesticides that are either banned or restricted for use in other countries.

Now, therefore, after considering the recommendations of the said Expert Committee, and in consultation with the Registration Committee, set up under the Insecticides Act, 1968, the Central Government in exercise of the powers conferred

1. Published to the Gazette of Inch, Extraordinary, Pt II, Sec3(II)dated 26th May, 1988.

2. Published in the Gazette of India Extraordinary, Pt. II, sec. 3(II)dated 25th July, 1989.

on it, under sub-section (2) of Sec. 27 read with Sec. 28 of the Insecticides Act, 1968, hereby passes the following order

(1) Chlorobenzilate is hereby banned for use in agriculture. If required it can be imported by Government/Semi-Government Organisations and prepared folbex strips for making it available to be keepers for controlling mites of honeybees.

(2) Dibromo-Chloropropane (DBPC) is hereby banned and the registration certificates issued by the Registration Committee to various registrants shall stand cancelled.

(3) Toxaphene (Camphechlor) is hereby banned and the registration certificates issued by the Registration Committee to various registrants shall be cancelled.

(4) The **use** of Sodium Cyanide shall be restricted for fumigation of cotton bales by Plant Protection Adviser to the Government of India under expert supervision.

(5) Penta-Chloro-Nitor-Benzene (PCNB) is hereby banned and the registration certificates issued by the Registration Committee to various registrants shall stand cancelled.

(6) Captafol shall be used only as seed dresser. Its use as foliar spray is hereby banned.

(7) All the holders of the registration certificates for manufacture and import, of these insecticides should return their registration certificates to the Secretary, Registration Committee, Directorate of PP, Q&S, NH-IV Faridabad (Haryana) by the 31st July, 1989.

(8) Non-endorsement or correction of the registration certificates will not be taken as permission or approval to operate upon original certificate of registration in contravention of the provisions of this order.

(9) Certificates not submitted by the due date shall be deemed to have been cancelled.

THE INSECTICIDES RULES, 1971

CHAPTER I

Preliminary

1. Short title and commencement.- (1) These rules may be called the Insecticides Rules, 1971.
- ²[(2) They shall come, into force on the 30th of October, 1971.]
3. Definitions.- In these rules, unless the context otherwise requires
- (a) "Act" means the Insecticides Act, 1968 (46 of 1968);
³*, * * *
- ⁴[(c) "expiry date" means the date that is mentioned on the container, label or wrapper against the column 'date of expiry';]
- ⁵[(d) "form" means a form set out in the First Schedule;
- (e) "laboratory" means the Central Insecticides Laboratory;]
- (f) "schedule" means a schedule annexed to these rules;
³l, * * *¹
- ⁶[(h) "Pests" means any insects, rodents, fungi, weeds and other forms of plant or animal life not useful to human beings;]
- ⁷[(i) "primary package" means the immediate package containing the insecticides;
- (j) "principal" means the importer or manufacturer of insecticides, as the case may be ;
- (k) "registration" includes provisional registration;
- (l) "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;
- (m) "Schedule" means a Schedule annexed to these rules ;
- (n) "secondary package" means a package which is neither a primary package nor a transportation pack';
- (o) "section" means a section of the Act;
- (p) "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 ;
- (q) "transportation package" means the outer most package used for transportation of insecticides."]

Comment

General principle of construction.- There is one principle on which there is complete unanimity of all the courts in the world and this is that were the words or the language used in a statute are clear and cloudless, plain, simple and explicit, unclouded and unobscured

1. Vide G.S.R.1650, dated 9th October, 1971, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i).
2. Subs. by G.S.R. 736 (E), dated 9th December, 1977, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 9th December, 1977.
3. Omitted by *ibid*.
4. Ins. by G.S.R. 533 (4) dated 6th August, 1993 (w.e.f. 6th August, 1993). 5. Subs. by *ibid*.
6. Subs by *ibid*. (w.e.f. 6th August, 1993.).
7. Added by *ibid*.

and intelligible and pointed so as to admit of no ambiguity, vagueness, uncertainty or equivocation there is absolutely no room for deriving support from external aids. In such cases, the statute should be interpreted on the face of the language itself without adding, subtracting or omitting words therefrom. Where the language is plain, and unambiguous the Court is not entitled to go behind the language so as to add or supply omissions and thus play the role of a political reformer or of a wise counsel to the Legislature¹

CHAPTER II

Functions of the Board, Registration Committee and Laboratory

3. **Functions of the Board.**-The Board shall, in addition to the functions assigned to it by the Act, carry out the following functions, namely:

(a) advise the Central Government on the manufacture of insecticides under the Industries (Development and Regulation) Act, 1951 (65 of 1951);

(b) specify the uses of the classification of insecticides on the basis of their toxicity as well as their being suitable for aerial application;

(c) advise tolerance limits for insecticides, residues and an establishment of minimum intervals between the application of insecticides and harvest in respect of various commodities;

(d) specify the shelf-life of insecticides;

(e) suggest colourisation, including colouring matter which may be mixed with concentrates of insecticides, particularly those of highly toxic nature;

(f) carry out such other functions as are supplemental, incidental or consequential to any of the functions conferred by the Act or these rules.

4. **Functions of Registration Committee.**-The Registration Committee shall, in addition to the functions assigned to it by the Act, perform the following functions, namely

(a) specify the precautions to be taken against poisoning through the use or handling of insecticides;

(b) carry out such other incidental or consequential matters necessary for carrying out the functions assigned to it under the Act or these rules.

Comment

The List of the functions of the Registration Committee is not exhaustive.

5. **Functions of Laboratory.**-The functions of the Laboratory shall be as follows

(a) to analyse such samples of insecticides sent to it under the Act by any officer or authority authorized by the Central or State Governments and submission of certificates of analysis to the concerned authority; (b) to analyse samples of materials for insecticides residues under the provisions of the Act;

(c) to carry out such investigations as may be necessary for the purpose of ensuring the conditions of registration of insecticides;

(d) to determine the efficacy and toxicity of insecticides;

(e) to carry out such other functions as may be entrusted to it by the Central Government or by a State Government with the permission of the Central Government and after consultation with the Board.

CHAPTER III

Registration of Insecticides

5. **Manner of registration**²(1) (a) An application for registration of an insecticide under the Act shall be made in Form I and the said Form including the verification portion, shall be signed in case of an individual by the individual himself or a person duly authorised by him ; in case of Hindu Undivided Family, by the *Karta* or any person duly authorised by him ; in case of partnership firm by the managing partner ; in case of a company, by any person duly authorised in that behalf by the Board of Directors ; and in any other case by the

1. *S.P. Gupta v. President of India*, A.I.R. 1982 S.C. 149 at pp. 304, 314.; see also *Bat Kishan v. Shrilal*, A.I.R. 1994 M.P. 14 at p.17.

2 Subs. by G.S.R. 533 (E), dated 6th February, 1993 (w.e.f. 6th August, 1993).

person in charge of responsible for the conduct of the business. Any change in members of Hindu Undivided Family or partners or the Board of Directors or the person in charge, as the case may be, shall be forthwith intimated to the Secretary, Central Insecticides Board and Registration Committee and the Licensing Officer.

(b) The Registration Committee may, if necessary direct inspection of the 'testing facility' for establishing the authenticity of the data.]

(2) An application form duly filled together with a treasury challan evidencing the payment of registration fees of rupees one hundred shall be sent to the Registration Committee, Insecticides Act, Department of Agriculture, Government of India, New Delhi.

¹[(3) The registration fee payable shall be paid by a demand draft drawn on the State Bank of India, Faridabad, in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine and Storage, Faridabad, Haryana.

(4) 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[6-A. Issue of **duplicate** certificate of registration.-A fee of rupees five shall be paid for a duplicate copy of a certificate of registration if the original is defaced, damaged or lost.] **Comment**

When the original certificate of registration is defaced, damaged or lost, a fee of rupees five shall be paid for a duplicate copy of a certificate of registration.

7. Appeal.- (1) An appeal against any decision of the Registration Committee under Sec. 9 shall be preferred in writing [in Form 11-B in duplicate] to the Central Government in the Department of Agriculture.

(2) The appeal shall be in writing and shall set out concisely and under distinct heads the grounds on which the appeal is preferred.

(3) Every appeal shall be accompanied by a treasury challan evidencing the payment of a fee of rupees ten and a copy of the decision appealed against.

¹[(4) The fees payable for preferring an appeal shall be paid by a demand draft drawn on the State Bank of India, Faridabad, in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine and Storage, Faridabad, Haryana.]

Comment

The fee for filing an appeal is Rs. 10 which should be paid through a treasury challan.

8. Manner of publication of refusal to register or cancellation of **the certificate of registration**.-A refusal to register an insecticide or a cancellation of the certificate of registration of an insecticide shall also be published in any two English and Hindi newspapers which have circulation in a substantial part of India and in any of the journals published by the Department of Agriculture of the Government of India.

Comment

The rule requires the publication of refusal to register or cancellation of the insecticides' certificate of registration through the circulation in the English and Hindi newspapers of wide circulation in India.

CHAPTER IV

Grant of Licences

9. Licences to manufacture insecticides.- (1) Application for the grant of renewal of a licence to manufacture any insecticide shall be made in Form III or Form IV, as the case may be, to the licensing officer and shall be accompanied by a fee of rupees fifty for every insecticide for which the licence is applied, subject to a maximum of rupees five hundred.

(2) If an insecticide is proposed to be manufactured at more than one place, separate applications shall be made and separate licences shall be issued in respect of every such place.

1. Subs. by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993). 2. Ins. by *ibid.*

¹[(3) A licence to manufacture insecticides shall be issued in Form V and shall be subject to the following conditions, namely

(i) The licence and any certificate of renewal shall be kept on the approved premises and shall be produced for inspection at the request of an Insecticide Inspector appointed under the Act or any other officer or authority authorized by the licensing officer.

(ii) Any change in the expert staff named in the licence shall forthwith be reported to the licensing officer.

(iii) If the licensee wants to undertake during the currency of the licence to manufacture for sale of additional insecticides, he shall apply to the licensing officer for the necessary endorsement in the licence on payment of the prescribed fee for every category of insecticides.

(iv) An application for the renewal of a licence shall be made as laid down in rule 11.

(v) The licensee shall comply with the provisions of the Act and the rules made thereunder for the time being in force.]

²[(4) A licensing officer may, after giving reasonable opportunity of being heard, to the applicant, refuse to grant any licence.

(4-A) No licence to manufacture an insecticide shall be granted unless the licensing officer is satisfied that necessary plant and machinery, safety devices and first-aid facilities, etc., exist in the premises where the insecticide is proposed to be manufactured.]

(5) A fee of rupees five shall be paid for a duplicate copy of a licence issued under this rule, if the original is defaced, damaged, or lost.

Comment

The fee fixed by the rule for the licence to manufacture of every insecticide is Rs. 50 and the maximum fee is Rs. 500.

10. Licence for sale, etc., of insecticides.-(1) Applications for the grant or renewal of a licence to sell, stock or exhibit for sale or distribute insecticides shall be made in Form VI or Form VII, as the case may be, to the licensing officer and shall be accompanied by the fees specified in sub-rule (2).

²[(2) The fee payable under sub-rule (1) for the grant or renewal of a licence shall be rupees twenty for every insecticide for which the licence is applied, subject to a maximum of rupees three hundred. There shall be a separate fee for each place, if any insecticide is proposed to be sold, stocked or exhibited for sale at more than one place

Provided that the maximum fee payable in respect of insecticides commonly used for household purposes and registered in such shall be rupees ten for every place

Provided further that if the place of sale is established in the rural areas, the fee shall be one-fifth of the fee specified in this sub-rule.]

(3) If any insecticide is proposed to be sold or stocked for sale at more than one place, separate applications shall be made and separate licences shall be issued in respect of every such place. [and for every insecticides.]

¹[(4) A licence to sell, stock or exhibit for sale or distribute insecticides shall be issued in Form VIII and shall be subject to the following conditions namely:

(i) The licence shall be displayed, in a prominent place in the part of the premises open to the public.

-
1. Subs. by G.S.R. 474 (E), dated 24th July, 1977, published in the *Gazette of India, Extraordinary*, Pt. II, Sec. 3 (it), dated 24th July, 1976.
 2. Subs. by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).
 3. Added by *ibid.*

(ii) The licence shall comply with the provisions of the Act, and the rule made thereunder for the time being in force.]

i [(iii) Where the licensee wants to sell, stock or exhibit for sale or distribute any additional insecticides during the currency of the licence, he may apply to the licensing officer for necessary endorsement on the licence on payment of fees specified in sub-rule (2).]

²[(4) (i) Every person shall along with his application for grant or renewal of a licence to undertake, operations or shall, stock or exhibit for sale or distribute insecticides, file a certificate from the principal whom he represents or desires to represent.

(ii) The certificate to be issued by the principal shall be addressed to the licensing officer of the concerned area and shall contain full particulars of the principal including their registration and manufacturing licence numbers, full name and address of the person proposed to be authorised and also the type of formulations to be used in commercial pest control operations, sold, stocked or exhibited, for sale or distribution.

(iii) In order to verify the genuineness or otherwise of the certificate, the principal shall send to the licensing officer of the State where he intends to sell his products an adequate number of copies of the specimen signature or the specimen signatures of the persons authorised in writing to issue the principal's certificate.

(iv) In case of suspension, revocation or cancellation of the certificate, the principal shall forthwith intimate the licensing officer having jurisdiction.]

1 [(5) A licensing officer may, after giving a reasonable opportunity of being heard to the applicant refuse to grant any licence.]

(6) A fee of rupees five shall be payable for a duplicate copy of a licence issued under this rule if the original is defaced, damaged or lost.

Comment

The fee for the licence for the sale of every insecticide is Rs. 20 and the maximum fee is Rs. 300.

³[10-A. **Segregation and disposal of date-expired pesticides--**(a) Immediately after the date of expiry all such stocks after being segregated and stamped 'not for sale' or 'not for use' or 'not for manufacture', as the case may be, shall be kept by the licensee in a separate place specially demarcated for the purpose with a declaration, date-expired insecticide, to be exhibited on the conspicuous part of the place.

(b) All such stocks then shall be disposed of in such a manner as may be specified from time to time by the Central Government in consultation with the Central Insecticides Board.

10-B. Special provision with regard to sulphur In regard to insecticides sulphur and its formulations, all licensees shall,

(a) observe all precautions to prevent its theft;

(b) report any such theft to the nearest police authorities promptly; and

(c) maintain a separate register showing names and addresses of all the persons to whom it has been sold or distributed and the quantities to be sold or distributed.

Comment

Rule 10-B deals with special provision with regard to insecticides, sulphur and its formulations.

10-C. Prohibition against sale or storage of insecticides in certain places.-No person shall manufacture, store or expose for sale or permit the sale or storage of any insecticide in

1. Subs. by GS.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).
2. Ins. by *ibid*.
3. Ins. by GS.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).

the same building where any articles consumable by human, beings or animals are manufactured, stored or exposed for sale.

Explanation.-Nothing contained in this rule will apply to the retail sales of household insecticides from the building wherefrom other articles consumable by human beings or animals are usually sold provided such household insecticides have been registered as such and are packed and labelled in accordance with these rules.]

Comment

Rule 10-C deals with prohibition against manufacture, store or expose for sale or permit the sale or storage of any insecticides in certain places.

11. Duration of licences.-(a) Any licence issued or renewed under this chapter shall, unless sooner suspended or cancelled, be in force for a period of two calendar years:

Provided that the licence to manufacture insecticides, if any, issued on the basis of provisional registration granted under sub-section (3-B) of Sec. 9, shall expire on the date of expiry of the provisional registration

Provided further that the licence granted by endorsement on the main licence under Cl. (iii) of sub-rule (8) of rule 9 or under Cl. (iii) of sub-rule (4) of rule 10 or under sub-rule (3) of rule 10-A shall expire or be renewable along with the main licence.

(b) An application for the renewal of a licence shall be made before its expiry and if such an application is made after the date of expiry but within three months from such date, a late fee of

(i) rupees fifty for the first month or part thereof, rupees one hundred for the second month or part thereof and rupees one hundred and fifty for the third month or part thereof in the case of licence to manufacture insecticides or to carry pest control operations ;

(ii) rupees ten for the first month or part thereof, rupees twenty for the second month or part thereof and rupees thirty for the third month or part thereof, in case of any other licence shall be paid along with the application for renewal: Provided that where the main pest control operation unit or the place of sale is located in the rural areas, the late fee shall be one-fifth of the said late fee:

Provided further that in case of death or disability of the licence the licensing officer may, after recording reason in writing, exempt the applicant from payment of the late fee.

Explanation.-(1) Where an application for renewal is made before the expiry of the licence and the order regarding refusal or renewal is passed after the expiry of the licence, the applicant shall be deemed to have been carrying on his business in accordance with the expired licence till the date of communication of the final order on that application.

(2) Where an application for renewal is made after the expiry of the licence with late fee, the applicant shall be deemed to have been carrying on his business in accordance, with the expired licence (from the date of expiry) till the date of communication of the final order on that application.]

(c) The licence shall continue to be in force until it is renewed or revoked or where an appeal is preferred under Sec. 15, until the disposal of appeal. 2[* * *]

(d) A licensing officer may, after giving an opportunity of being heard, refuse to renew the licence 3[for reasons to be recorded in writing].

1. Subs. by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).

2. The words "and shall be deemed to have expired if the application for renewal is not made within a month after its expiry" omitted by *ibid*.

3. Subs. for the words "and on such refusal the fee paid for such renewal and the penalty, if any, paid shall be refunded to the applicant" by *ibid*.

Comment

Penal provisions-Rule of interpretation.-In any case, when criminal quasi-criminal liability is sought to be imputed on the basis of provisions of law which are capable of two reasonable interpretations, the one favourable to the accused must prevail.'

12. Conditions of licence. 2[(a) Subject to conditions laid down in sub-rule (3) of rule 9 under sub-rule (4) of rule 10, a licence shall not be granted to any person under this chapter unless the licensing officer is satisfied that the premises in respect of which licence is to be granted are adequate and equipped with proper storage in respect of which the licence is granted.]

(b) In granting a licence, the licensing officer shall have regard, among other things to (i) the number of licences granted in the locality during any year; and (ii) the occupation, trade or business carried on by the applicant.

13. **Varying or amending a licence.**-(1) The licensing officer may either on an application made by the licensee or if he is satisfied that the conditions under which a licence has been granted under this chapter have been changed that it is necessary so to do, vary or amend a licence, [after satisfying himself that the Registration Committee has amended the registration certificate and] after giving an opportunity of being heard to the person holding the licence.

Comment

The licensing officer is empowered to vary or amend a licence only after giving an opportunity of being heard to the holder of licence.

14. Transfer of licence.- (1) The holder of a licence may, at any time, before the expiry of the licence, apply for permission to transfer the licence to any other pawn. (2) The application under sub-rule (1) shall be accompanied by a fee of rupees five.

(3) The licensing officer may, after such inquiry as he thinks fit accord permission to transfer the licence and on such permission being given an endorsement to that effect shall be made in the licence.

(4) If the permission to transfer a licence is refused, the fee paid therefor shall be refunded to the applicant.

Comment

The rule enables the holder of a licence to transfer the licence before its expiry.

⁴[15. **Issuing cash memo and maintenance of records.**-(1) All sales of insecticides shall be made by a bill or cash 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 insecticidewise, in

a register in Form XIII and a statewise monthly return of all sales to actual consumers shall be sent to the licensing officer, in Form MV within 15 days from the close of the month.

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

(4) Without prejudice to the foregoing, the Central Government or the State Government or any other person authorised by it 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 information with respect of any insecticides or any batch thereof, including the particulars or all persons to whom it has been sold or distributed, as it may consider necessary.]

1. **Delhi Development Authority v. H.S. Kalra, 1983 Cr.L.J. 666 at p. 667 (Delhi).**
2. **Subs. by G.S.R. 474(E), dated 24th July, 1976, published in the Gazette of India, Extraordinary, Pt. 11, Sec. 3 (ii), dated 24th July, 1976.**
3. **Ins. by G.S.R. 533 (E), sated 8th August, 1993 (w.e.f. 6th August, 1993).**
4. **Subs. by ibid.**

Rule 15 deals with issuing of a bill or cash memo in the prescribed form under any law for all sales of insecticides and maintenance of the records.

CHAPTER V

Packing and Labelling

16. Prohibition of sale or distribution unless packed and labelled.-No person shall stock or exhibit for sale or distribute ¹[or cause to be transported] any insecticide unless it is packed and labelled in accordance with the provisions of these rules.

Comment

The rule prohibits the sale or exhibition of sale of every insecticide unless it is packed and labelled.

²[17. Packaging of insecticides-(1) Every package containing the insecticides shall be of a type approved by the Registration Committee.

(2) Before putting any insecticide into the primary package, every batch thereof shall be analysed as per the relevant specifications of the manufacture thereof, in accordance with the approved methods of analysis and the result of such an analysis shall be recorded in the register maintained for the purpose. If any insecticide is put in the package it shall be presumed that it is fit and ready for sale, distribution or use for which it is intended, notwithstanding the fact that any further steps are still required to be taken to make it marketable.]

Comment

Rule 17 deals with packaging of insecticides in a manner approved by the Registration Committee and before putting any insecticide into package, every batch of insecticides shall be analysed as per the relevant specifications of the manufacture in accordance with approved methods of analysis.

18. Leaflet to be contained in a package.-³[(1) The packing of every insecticide shall include a leaflet containing the following details, namely

(a) the plant disease, insects and noxious animals or weeds for which the insecticide is to be applied, the adequate direction concerning the manner in which the insecticide is to be used at the time of application;

(b) particulars regarding chemicals harmful to human beings, animals and wild life, warning and cautionary statements including the symptoms of poisoning suitable and adequate safety measures and emergency first-aid treatment where necessary; (c) cautions regarding storage and application of insecticides with suitable

warnings relating to inflammable, explosive or other substance harmful to the skin; (d) instructions concerning the decontamination or safe disposal of used containers;

(e) a statement showing the antidote for the poison shall be included in the leaflet and the label;

(f) if the insecticide is irritating to the skin, nose, throat or eyes, a statement shall be included to that effect.

¹(g) common name of the insecticide as adopted by the International Standards

Organisation and where such a name has not yet been adopted such other name as may be approved by the Registration Committee.] ¹[(2) Two copies of the leaflets duly approved by the Registration Committee and signed by the Secretary, Registration Committee, shall be returned to the manufacturer and

one copy to the State licensing officer.]

-
1. **Ins. by G.S.R. 533(E), dated 6th August, 1993 (w.e.f. 6th August, 1993).**
 2. **Subs. by *ibid* (w.e.f. 6th August, 1993).**
 3. **Renumbered by *ibid* (w.e.f. 6th August, 1993).**

19. Manner of labelling.- (1) The following particulars shall be either printed or written in indelible ink on the label of the innermost container of any insecticide and on the outer most covering in which the container is packed:

(i) Name of the manufacturer (if the manufacturer is not the person in whose name the insecticide is registered under the Act, the relationship between the person in whose name the insecticide has been registered and the person who manufactures, packs or distributes or sells shall be stated).

(ii) Name of insecticide (brand name or trade mark under which the insecticide is sold).

(iii) Registration number of the insecticide.

(iv) Kind and name of active and other ingredients and percentage of each. (Common name accepted by the International Standards Organization or the Indian Standards Institutions of each of the ingredients shall be given and if no common name exists, the correct chemical name which conforms most closely with the generally accepted rule of chemical nomenclature shall be given).

(v) Net content of volume. (The net content shall be exclusive of wrapper or other material. The correct statement of the net content in terms of weight, measure, number of units of activity, as the case may be, shall be given. The weight and volume shall be expressed in the metric system).

(vi) Batch number.

(vii) Expiry date, i.e. up to the date the insecticide shall retain its efficiency and safety.

(viii) Antidote statement.

(2) The label shall be so affixed to the container that it cannot be ordinarily removed.

(3) The label shall contain in a prominent place and occupying not less than one-sixteenth of the total area of the face of the label, a square, set at an angle of 45° (diamond shape). The dimension of the said square shall depend on the size of the package on which the label is to be affixed. The said square shall be divided into two equal triangles, the upper portion shall contain the symbol and signal word specified in sub-rule (4) and the lower portion shall contain the colour specified in sub-rule (5).

(4) The upper portion of the square, referred to in sub-rule (3) shall contain the following symbols and warning statements

(i) insecticides belonging to Category I (Extremely toxic) shall contain the symbol of a skull and cross-bones and the word "POISON" printed in red;

the following warning statements shall also appear on the label at appropriate place, outside the triangle

(a) "KEEP OUT OF THE REACH OF CHILDREN"

(b) "IF SWALLOWED, OR IF, SYMPTOMS OF POISONING OCCUR CALL PHYSICIAN IMMEDIATELY";

(ii) insecticides in Category II (highly toxic) will contain the word "POISON" printed in red and the statement "KEEP OUT OF THE REACH OF CHILDREN"; shall also appear on the label at appropriate place, outside the triangle,

(iii) insecticides in Category III (moderately toxic) shall bear the word "DANGER" and the statement "KEEP OUT OF THE REACH OF CHILDREN"; shall also appear on the label at suitable place outside the triangle;

(iv) insecticides in Category IV (slightly toxic) shall bear the word "CAUTION".

(5) The lower portion of the square referred to in sub-rule (4) shall contain the colour specified in column (4) of the table below, depending on the classification of the insecticides specified in the corresponding entry in column (1) of the said table.

TABLE

Classification of the insecticides	Medium Lethal dose by the oral route (acute toxicity) LD 50 mg/kg. body weight of test animals	Medium lethal dose by the dermal route (derma toxicity) LD 50 mg/ kg. body weight of test animals	Identification band on the label
1	2	3	4
1. Extremely toxic 2 Highly toxic 3. Moderately toxic 4. Slightly toxic	1-50 51---500 501-5000 More than 5000	1-200 201-2000 2001-20000 More than 20000	Bright red Bright yellow Bright blue Bright green

(6) In addition to the precautions to be undertaken under sub- rules (3), (4) and (5) the label to be affixed in the packages containing insecticides which are highly inflammable shall indicate that it is inflammable or that the insecticides should be kept away from the heat or open flame and the like.

(7) The label and the leaflets to be affixed or attached to the package containing insecticides shall be printed in Hindi, English and in one or two regional languages in use in the areas where the said packages are likely to be stocked, sold or distributed.

(8) Labelling of insecticides must not bear any unwarranted claims for the safety of the producer or its ingredients. This includes statements such as, "SAFE", "NON-POISONOUS", "NON-INJURIOUS" or "HARMLESS" with or without such qualified phrase as "when used as directed".

Comment

Applicability.-In *Messrs. Veluri Srivarama Sastry v. State of A.P., Hyderabad*,¹ the accused were convicted, under Sec. 3 (k) (a) read with 29 (1) (a) and rule 19 (4) read with 29 (3) of the Insecticides Act., 1968, and sentenced to pay a fine of Rs. 400 each. It was submitted by their learned Counsel that a copy of the insecticides analyst report was not served upon them and, therefore, they had no opportunity to send the sample for analysis to the Central Insecticides Laboratory under Sec. 24 of the Insecticides Act, 1958. In view of Sec. 24 of the Act a copy of the report of the insecticides analyst should be delivered to a person from whom the sample was taken. It need not be delivered to a person whom the sample was not taken. Under sub-section (4) of Sec. 24, the accused can request the Magistrate to send the sample produced before the Court under sub-section (6) of Sec. 22 for analysis to the Central Insecticides Laboratory. Therefore, it is not as if, that an accused who is not served with a copy of the report under sub- section (2) of Sec. 24 is precluded from having the sample tested or analysed with the Central Insecticides Laboratory.

20. Prohibition against altering inscriptions, etc. on containers, labels or wrappers of insecticides.-No person shall alter, obliterate or deface any inscription or mark made or recorded by the manufacturer on the container, label or wrapper of any insecticide

Provided that nothing in this rule shall apply to any alteration of any inscription or mark, made on the container, label or wrapper of any insecticide at the instance, direction or permission of the Registration Committee.

CHAPTER VI

Insecticide Analysis and Insecticide Inspectors

21. Qualifications of Insecticide Analyst.-A person shall be eligible for appointment as an insecticide analyst under the Act only if he possesses the following qualifications, namely

1. (1981) 2 A.L.T. 346 at PP. 348, 349

(a) A graduate in Agriculture or a graduate in Science with Chemistry as special subject; and

(b) adequate training in analysing insecticides in a recognized laboratory.

22. **Powers of Insecticides Analyst.**-The Insecticides Analyst shall have the power to call for such information of particulars or do anything as may be necessary for the proper examination of the samples sent to him either from the Insecticide Inspector or the person whom the sample was obtained.

23. **Duties of Insecticide Analyst.**-(1) The Insecticide Analyst shall analyse or cause to be analysed or test or cause to be tested such samples of insecticides as may be sent to him by the Insecticide Inspector under the provisions of the Act and shall furnish report or results of such tests or analysis.

(2) An insecticide 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.

24. **Procedure on receipt** of sample-(1) On receipt of a package from an Insecticide Inspector containing a sample for test or analysis, the Insecticide Analyst shall compare the seals on the packet with the specimen impression received separately and shall note the condition of the seals on the packet.

¹ [(2) In making the test or analysis of Insecticides, it shall be sufficient of the Insecticides, Analyst follows that specifications and the month of examination of samples as approved by the Registration Committee.]

(3) After the test or analysis has been carried out under sub-rule (2), the Insecticides Analyst shall forthwith supply to the Insecticide Inspector a report in triplicate in Form IX of the result or test or analysis.

Comment

The methods of examination of samples approved by Indian Standards Institutions are sufficient if followed by the Insecticide Analyst.

25. **Fees payable for testing or analysis.**-² [(1) The fees payable for testing or analysing insecticides under sub-section (5) of Sec. 24 of the Act shall be as specified in the Second Schedule.]

¹ [(2) The fee payable for testing or analysing samples received from the Insecticides Inspector shall also be as specified in the Second" Schedule

Provided that the Central Government may, after taking into consideration to genuine difficulties, of any particular State Government, exempt from payment of the fee For such period as it may consider reasonable.]

Comment

The rule puts restriction on charging the fee for routine tests or rechecking of samples carried out at the instance of the Insecticide Inspector.

26. **Qualifications of Insecticide Inspector.**-A person shall be eligible for appointment as an Insecticide Inspector under the Act only if he possesses the following qualifications, namely

(a) graduate in Agriculture, or graduate in Science with Chemistry as one of the subjects;

(b) adequate field experience.

27. **Duties of Insecticide Inspector.**-The Insecticide Inspector shall have the following duties, namely:

(1) to inspect not less than three times in a year all establishment selling insecticides within the area of his jurisdiction;

(2) to satisfy himself that the conditions of licence are being complied with;

1. Subs. by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).

2. Subs. by G.S.R. 436(E), dated 9th December, 1977, published in the *Gazette of India, Extraordinary*, Ft. II, Sec. 3 (ii), dated 9th December, 1977.

(3) to procure and send for test and analysis, samples, of insecticide 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;

(4) to investigate any complaint in writing which may be made to him;

(5) to institute prosecution in respect of breaches of the Act and the rules made thereunder;

(6) 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 such record to the licensing officer;

(7) to make such inquiries and inspections as may be necessary to detect the sale and use of insecticides in contravention of the Act.

Comment

The word "shall"-Meaning of.-It has been laid down consistently by the Supreme Court that the mere use of the word "shall" by itself in the statute does not make the provisions mandatory, but it is the duty of the courts of justice to try to get the real intention of the Legislature by carefully attending to the whole scope of the statute to be construed. In each, one has to look to subject-matter, consider the importance of the provisions and the relation of that provision with the general object intended to be secured by the Act and upon the review of the case in that aspect decide whether the enactment is mandatory or only directory.

28. Duties of Inspectors specially authorized to inspect manufacture of insecticides.-It shall be the duty of any Inspector authorized to inspect the manufacture of Insecticides

(1) to inspect not less than twice a year all premises licensed for the manufacture of insecticides within the area of his jurisdiction and to satisfy himself that the conditions of the licence and the provisions of the Act or the rules made thereunder are

being observed;

(2) to send forthwith to the licensing officer after each inspection, a detailed report indicating the conditions of the licence and the provisions of the Act or rules made thereunder which are being observed and the conditions and provisions, if any, which are not being observed;

(3) to draw samples of insecticides manufactured on the premises and send them for test or analysis in accordance with these rules;

(4) to report to the Government all occurrences of poisoning.

29. Prohibition of disclosure of information.-Except for the purpose of official business or when required by a court of law, an Insecticide Inspector shall not disclose to any person any information acquired by him in the performance of his official duties.

Comment

The Insecticide Inspector can disclose the informations acquired by him in the performance of his official duties only for the official business or to the Court of law.

30. Form of order not to dispose of stock.-An order by the Insecticide Inspector requiring a person not to dispose of any stock in his possession shall be in Form X.

31. Prohibition of sale.-No person in possession of an insecticide in respect of which an Insecticide Inspector has made an order under rule 30 shall, in contravention of that order, sell or otherwise dispose of any stock of such insecticide.

32. Form of receipt for seized insecticides.-A receipt by an Insecticide Inspector for the stock of any insecticide seized shall be in Form XI.

33. Form of intimation of purposes of taking samples.-Where an Inspector takes a sample of an insecticide for the purpose of test or analysis he shall intimate such purpose in writing in Form (II) to the person from whom he takes it.

34. Despatch of samples for test or analysis.- (1) Samples for test or analysis under the Act shall be sent by registered post or by hand in a sealed packet together with a memorandum in Form (GI) in an outer cover addressed to the Insecticide Analyst.

1. Mohammad Mahboob Khan v. State Transport Appellate Tribunal, U.P., 1982A.L.J. 300 at p. 301.

(2) The packet as well as the outer cover shall be marked with a distinct mark.

(3) A copy of the 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 Insecticide Analyst.

CHAPTER VII

Transport and storage of insecticides in transit by rail, road or water -

35. Manner of packing, storage while in transit by rail--(1) Packages containing insecticides, offered for transport by rail, shall be packed in accordance with the conditions specified in the Red Tariff, issued by the Ministry of Railways.

(2) No insecticide shall be transported or stored in such a way as to come into direct contact with foodstuffs or animal feeds.

(3) No foodstuffs or animal feeds which got mixed up with insecticides as a result of any damage to the packages containing insecticides during transport or storage shall be released to the consignees unless it has been examined for possible contamination by competent authorities, as may be notified by the State Government. (4) If any insecticide is found to have leaked out in transport or storage it shall be the responsibility of the transport agency or the storage owner to take such measure urgently to prevent poisoning and pollution of soil or water, if any.

36. Conditions to be specified for storage of insecticides.--(1) The package containing insecticides shall be stored in separate rooms or premises away from the rooms or premises used for storing articles or shall be kept in separate almirahs under lock and key depending upon the quantity and nature of the insecticides.

(2) The rooms or premises means for storing insecticides shall be well built, dry, well-lit and ventilated and of sufficient dimension.

Comment

The rule requires the packages containing insecticides to be stored in separate rooms or premises.

CHAPTER VIII

Provisions regarding protective clothing, equipment, and other facilities for workers during manufacture, etc. of insecticides

¹[37. Medical Examination.--(1) All persons who are engaged in the work of handling, dealing or otherwise coming in contact with the insecticides during manufacture/formulation of insecticides or being engaged spraying during operation shall be examined medically before their employment and at least quarterly in the case of those engaged in manufacturing/formulation units any yearly in any other cases including operators while in service by a qualified doctor who is aware of risks to which such persons are exposed. Particulars of all such persons, including the particulars of their medical examination, shall be entered in a register in Form. XVII. Where the insecticide in question is an organophosphorous compound or a carbamate compound, the blood cholinesterase level shall be measured at least once a month of all persons working in the manufacturing units. The blood residue estimation shall be done once in a year in the case of persons working with organo chlorine group of insecticides in a manufacturing/formulation unit. In the case of spraying people working with the pest-control operators, the estimation of cholinesterase level (if working with organo phosphorous or carbamate compounds) and blood residue (if working with organochlorine group) shall be conducted as and when advised by the doctor as part of the general medical test.

(2) Any person showing symptoms of poisoning shall be immediately examined and given proper treatment.]

38. First aid measures.-In all cases of poisoning first-aid treatment shall always be given before the physician is called. The Indian Standard Guide for handling cases of insecticide poisoning Part I First-Aid Measures [IS : 4015 (Part I)-1967] and Part II

1. Subs. by GS.R.533 (E), dated 6th August, 1st 3 (w.e.f. 6th August, 1993).

Symptoms, diagnosis and treatment VS: 4015 (Part R)-1967] shall be consulted for such first-aid treatment in addition to any other books on the subject. The workers also should be educated regarding the effects of poisoning and the first-aid treatment to be given.

39. Protective clothing.- (1) Persons handling insecticides during its manufacture, formulation, transport, distribution or application, shall be adequately protected with appropriate clothing.

(2) The protective clothing shall be used wherever necessary, in conjunction with respiratory devices as laid down in rule 40.

(3) The protective clothing shall be made of materials which prevent or resist the penetration of any form of insecticides formulations. The materials shall also be washable so that the toxic elements may be removed after each use.

(4) A complete suit of protective clothing shall consist of the following dresses, namely:

- (a) protective outer garment/overalls/hood/hat;
- (b) rubber gloves or such other protective gloves extending half-way up to the forearm, made of materials impermeable to liquids;
- (c) dust-proof goggles;
- (d) boots.

40. Respiratory devices. For preventing inhalation of toxic dusts, vapours or gases, the workers shall use any of the following types of respirators or gas-masks suitable for the purpose, namely

- (a) chemical cartridge respirator;
- (b) supplied-air respirator;
- (c) demand flow, type respirator;
- (d) full-face or half-face gas-masks with canister.

In no case shall the concentrates of insecticides in the air where the insecticides are mixed exceed the maximum permissible values.

41. Manufacturers, etc. to keep sufficient quantities of antidotes and first-aid medicines.-The manufacturers and distributors of insecticides and persons who undertakes to spray insecticide on a commercial basis (hereafter in these rules referred to as operators) shall keep sufficient stocks of such first-aid tools, equipments, antidotes, injections and medicines as may be required to treat poisoning cases arising from inhalation, skin, contamination, eye contamination and swallowing.

42. Training of workers.-The manufacturers and distributors of insecticides and operators shall arrange for suitable training in observing safety precautions and handling safety equipment provided to them.

43. Aerial spraying operations.-The aerial application of insecticides shall be subject to the following provisions, namely: - (a)

marking of the area shall be the responsibility of the operators;

(b) the operators shall use only approved insecticides and their formulations at approved concentration and height;

(c) washing decontamination and first-aid facilities shall be provided by the operators;

(d) all aerial operations shall be notified to the public not less than twenty-four hours in advance through competent authorities;

(e) animals and persons not connected with the operations shall be prevented from entering such areas for a specific period; and

(f) the pilots shall undergo specialisation training including clinical effects of the insecticides.

44. Disposal of used packages, surplus materials and washings of insecticides. (1) It shall be the duty of manufacturers, formulators of insecticides and operators to dispose packages or surplus materials and washing in a safe manner so as to prevent environmental or water pollution.

(2) The used packages shall not be left outside to prevent their re-use.

(3) The packages shall be broken and buried away from habitation.

Comment

The rule requires the packages to be broken and buried away from the place of habitation.

CHAPTER IX

Miscellaneous

45. Places at which the insecticides may be imported.-No insecticides shall be imported into India except through one of the following places, namely

Ferozepore Cantonment and Amritsar railway stations in respect of insecticides imported by rail across the frontier with West Pakistan.

Ranaghat, Bongaon and Mahiassan railway stations in respect of insecticides imported by rail across the frontier with the East Pakistan.¹

²[Madras, Calcutta, Bombay, Cochin and Kandla]-in respect of insecticides imported by sea into India.

Madras, Calcutta, Bombay, Delhi and Ahmedabad-in respect of insecticides imported by air into India.

Comment

The insecticides may be imported into India only through the places mentioned in the rule.

46. Travelling and other allowances payable to the members of the Board, etc. The members of the Board, Registration Committee and any other Committee appointed by the Board shall be entitled to such travelling and other allowances for attending meetings of the Boards, Registration Committee or other Committee, as the case may be, as are for the time being admissible to Grade I officers of the Central Government.

THE FIRST SCHEDULE³[FORM I

(See rule 6)

Application for registration of Insecticides 1. (a)

Name, address and status of the applicant.

(b) Category of the industry-SSI/DGTD/MRTP/FERA/others.

2. Address of the premises where the manufacture will be done.

3. The common name and trade name of the Insecticides which the applicant proposes to import or manufacture.

4. Whether the application is for import or for manufacture: (i) in the case of import please state:

(a) Name and address of the manufacturer.

(b) Name and address of the supplier if he is duly authorised by the manufacturer. (c) is the insecticide registered in the country (1) of manufacture.

(2) from which supplies are expected to be made.

(ii) in the case of manufacturer please state :

Where the insecticide is meant for domestic consumption or for export or for both.

5. In the case of formulation, the sources of supply of technical grade material and its status of registration, Chemical composition;

6. (1) Kind and name of active and other ingredients and percentages of each.

(ii) Stability in storage (as per details specified by the Registration Committee). (iii) Shelf life claim.

1. Now Bangla Desh.
2. Subs. by G.S.R. 1064 (E), dated 7th November, 1988, published in the *Gazette of India, Extraordinary*, Pt. II, Sec. 3 (i), dated 8th November, 1988.
3. Subs. by G.S.R. 533 (E), dated 6th August, 1993 (*w.e.f.* 6th August, 1993).

7. Toxicity of the products to human beings, wild life, aquatic animals toxicological data to be enclosed (as per details specified by the Registration Committee).
8. The plant diseases, insects and other poisonous animals and weeds against which it is intended to be used. (Published/authentic reports on bioefficacy of the insecticide to be enclosed as per details specified by the Registration Committee).
9. Instructions for storage and use including first-aid and precautionary measures which are proposed for labelling.
10. (i) Ten copies of specification for product, quality and methods of analysis for Technical/Formulated compound (as applicable) and its residues.
(ii) Analytical test report for the product quality.
11. Seven copies of the proposed labels and leaflets (including all printed or graphic matter which will accompany the package containing the insecticide) as per the Insecticides Rules, 1971.
12. Manner of packing.
13. Particulars of fee deposited.

Signature of the applicant
with seal
Verification

I.....S/o..... do hereby solemnly verify that to the best of my knowledge and belief the information given in the application and the annexure and statements/accompanying it, is correct and complete.

I further declare that I am making this application in my capacity as and that I am competent to make this application and verify it by virtue of a photo/attested copy of which is enclosed herewith.

Place Signature....
Datewith seal

Note : The application Form including the verification portion must be signed in case of an individual, by the individual himself or a person duly authorised by him-in case of Hindu undivided family, by the Karta; in case of a partnership firm, by the managing partner; in case of a company, by a person duly authorised in that behalf by the Board of Directors, and in any other case, by a person incharge of or responsible for the conduct of the business".]

FORM II

[See rule 6 (4)]

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE'
(Department of Agriculture)

Certificate of Registration of Insecticides

Certified that the insecticide.....has been registered in the name of the person/undertaking whose particulars are specified below:

1. Names of the person/undertaking.
2. Address.
3. Registration No.
4. Name of the insecticide.

(Brand name or trade name or chemical name of the insecticide, details thereof its composition, etc)

5. Conditions, if any.

New Delhi, the 19. Signature

Seal of the Department
Condition

¹[FORM II-A

(See rule 6)]

Government of India**MINISTRY OF AGRICULTURE****(Department of Agriculture and Cooperation)****Certificate of Provisional Registration of Insecticides**

C. Certified that the insecticide.... has been registered in the name of the person/undertaking whose particulars are specified below provisionally for a period of two years effective from the date of issue:-

1. Name of person/undertaking

2. Address

3. Registration number

4. Name of insecticide

(Brand name or trade name and chemical name or trade name and chemical name of the insecticide, details of composition).

5. Conditions, if any

(i)

(ii)

(iii)

New Delhi, the 19...

Signature

Seal of the Department

FORM II-B

(See rule 7)

Appeal under Sec. 10 of the Insecticides Act, 1988, to the Central Government

To

The Secretary,
Ministry of Agriculture,
(Department of Agriculture and Cooperation),
New Delhi,

Appeal No.... of 19...

1. Name and address of the applicant

2. Address of the manufacturing Unit

3. Name of the insecticides

4. Date of order appealed against

5. Date of communication of the order

6. Whether the appeal is within limitation period 7.

Particulars of the fee deposited

8. Relief claimed in appeal

9. Address to which notice may be sent to the applicant

*Statement of Facts

*Grounds of Appeal

Signature (Appellant)

(Please give each ground in a separate paragraph and number it).

Signature (Appellant)

VERIFICATION

I..... S/o.....the appellant, do hereby verify that what is stated above is true to the best of my knowledge and belief

Date

Place

Signature (Appellant).

1. The appeal must be preferred in duplicate and must be accompanied by a copy of the order appealed against.

2. The form of appeal, grounds of appeal and the form of verification must be signed in case of an individual by the individual himself or a person duly authorised by him : in case of Hindu undivided

family by the *Karta*; in case of a partnership company, by the managing partner ; in the case of a company' by a person duly authorised by the Board of Directors and in any other case, by the person incharge or responsible for the conduct of the business.]

1 [FORM III

(See rule 9)

Application for the grant of licence of manufacture Insecticides.

1. Name, address and status of the applicant

2. Address of the premises where the manufacturing activity will be done

3. Name of the insecticides with their registration number and date for which manufacturing licence is applied for (enclose copies of certificate of registrations duly signed by the applicant).

Name of the Registration No. Date
Insecticides

1.
2.
3.

4. Whether any registration is provisional, if so give particulars:

5. Details of full time expert staff connected with the manufacture and testing of the insecticides in the above unit:

Name Qualification Experience

1.
2.
3.

6. Whether all the facilities required under Chapter VIII of the Rules have been provided. Give full details in a separate sheet.

7. Particulars of the fee deposited

Signature of the applicant

VERIFICATION

I S/o do hereby solemnly verify that to the best of my knowledge and belief the information given in the application and the annexures and statements accompanying it, is correct and complete.

I further declare that I am making this application in my capacity as and that I am competent to make this application and verify it by virtue of a photo/ attested copy of which is enclosed herewith.

Date:

Place:

Signature with seat.]

FORM IV

[See rule 9 (1)]

Application for renewal of licence to manufacture insecticides

1. I/We of hereby apply for the renewal of the licence to manufacture insecticides on the premises situated at (Licence No. and date to be given).

2. The other details regarding the manufacture of the insecticide continue to remain the same. ²[3. Particulars of the fee deposited.]

4. The licence is enclosed herewith.

Date

Signature

³VERIFICATION

I S/o do hereby solemnly verify that what is stated above is true and correct to the best of my knowledge and belief.

-
1. Subs. by GS.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).
 2. *Ibid.*
 3. Ins. by *ibid.* (w.e.f. 6th August, 1993).

I further declare that I am making this application in *my* capacity as (designation) and that I am competent to make this application and verify it, by virtue ofa photo/attested copy of which is enclosed.

Date
Place

Signature with Seal]]

If there is any change in the details of manufacture or conditions of licence subject to which the licence is required to be renewed, the same may be indicated here.

FORM V

[See rule 9 (3)]

1. Number of licence and date of issue.....
2 of is hereby granted a licence to manufacture the following insecticides on the premises situated at under the direction and supervision of the following expert staff.

(a) Expert staff (names)

(b) Name of insecticides

3. The licence authorizes the sale byway of wholesale dealing by the licensee and storage for sale by the licensee of insecticides manufactured under the licence.

[Provided such sales are made from or storage is done in the factory premises.] 4. The licence shall be in force for a period of years from the date of issue.

5. The licence is subject to the conditions stated below and to such conditions as may be specified in the rules for the time being in force under the Insecticides Act, 1968.

Date

Signature.....

Designation.....

Seal of the Licensing Officer

Conditions

1. This licence and any certificate of renewal shall be kept on the approved premises and shall be produced for inspection at the request of an Insecticide Inspector appointed under the Insecticides Act, 1968, or any other officer or authority authorized by the licensing officer.

2. Any change in the expert staff named in the licence shall forthwith be reported to the licensing officer.

3.⁰ If the licensee wants to undertake during the currency of the licence to manufacture for sale of additional insecticides, he should apply to the licensing officer for the necessary endorsement in the licence on payment of fee of rupees for every category of insecticides.

²[4. An application for the renewal of a licence shall be made as laid down in rule 11.]

³[5. The licensee shall comply with the provisions of the Insecticides Act, 1968, and the rules made thereunder for the time being in force.]

FORM VI

[See rule 10 (1)]

Application for the grant of licence to sell, or exhibit for sale or distribute insecticides

To

The Licensing Authority,

State of

1. Full name and address of the applicant.

2. Is the applicant a new comer? (Say "Yes" or "No")

3. If *yes*, the names of the principals, if any, whom he represents.

4.^u * * *]

5. I enclose a certificate from the principles whom I represent or whom I intend to represent and the source/sources from which insecticides will be obtained.

1. Added by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).

2. Subs. by G.S.R. 474 (E), dated 24th July, 1976, published in the *Gazette of India, Extraordinary*, Pt. II, Sec. 3 (ii), dated 24th July, 1976.

3. Ins. by *ibid.*

4. Omitted by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).

1[. . .]

7. Situation of the dealers premises where the insecticide will be (a) stored; and (b) sold.

8. The names of insecticides in which the applicant desires to carry on business.

9 Full particulars of licences issued in his name by other State Governments, if any, in (heir area.

10. I have deposited the licence fee.

Treasury Challan No.....
Sub-Treasury

11. Declaration

(a) I/ We declare that the information given above is true to my/our knowledge and belief, and no part thereof is false.

(b) I/We carefully have read the terms and conditions of the licence and agree to abide by them.

Name and address of the applicant(s) in block letters.

Date

Place

Signature of the applicant.

Remarks by the Licensing Authority.

FORM VII

[See rule 10 (1)]

Application for renewal of the licence to sell, stock or exhibit for sale or distribute insecticides

To

The Licensing Authority

State of

I/We hereby apply for renewal of the licence to sell, stock or exhibit for sale or distribute insecticides under the name and style of..... The licence desired to be renewed was granted by the licensing authority for the State of and allotted licence Noen the day of19

2. The situation of the applicant's premises where the insecticides are/wilt be

(a) stored and (b) sold

(t) I/ We hereby declare that the situation of my/our premises where the insecticides are stored, and (b) sold, as stated below

(a)	(b)
Premises where insecticides are stored	Premises where insecticides are sold

(it) The insecticides in which I/we am/are carrying on business and the name of the principles whom I/we represent are as stated below Full name and address of the applicant in block letters.

Signature of the applicant(s).

Date:

Place

FORM VIII (See rule 10 (4))

Licence to sell, stock or exhibit for sale or distribution of insecticides

1..... is hereby licensed to sell, stock or exhibit for sale or distribute by retail, insecticide on the premises situated at subject to the conditions specified below and to the provisions of the Insecticides Act, 1968, and the rules thereunder:

Licence shall be in force fromto
[3 * * *]

Licence No
Licensing Authority
Seal.

Date

1. Omitted by G.S.R. 533 (E), dated 6th August, 1983 (w.e.f. 6th* August, 1993).

Conditions

1. The licence shall be displayed in a prominent place in a part of the premises open to the public. 2. The licence shall comply with the provisions of the Insecticides Act, 1968, and the rules thereunder for the time being in force.

¹[3. No insecticides shall be sold or distributed except in packages which are or may be approved by the Indian Standards Institution from time to time.

3-B. If the licensee wants to sell, stock or exhibit for sale or distribute any additional insecticides during the currency of the licence he may apply to the Licensing Officer for insurance of separate licences for each insecticide on payment of the prescribed fee.]

Renewal

^a[4. An application for the renewal of a licence shall be made as laid down in rule 11.]

"Triplicate"

FORM IX [See rule 24 (3)]

Report of Insecticide Analyst

1. Name of the Insecticide Inspector from whom received
2. Serial No. and date of Insecticide Inspector's Memorandum
3. Number of sample
4. Date of receipt
5. Name of the insecticide purporting to be contained in the sample
6. Condition of the sales on the package
7. Result of test or an analysis with protocols of test applied
- Date Insecticide Analyst.

FORM X [See rule 30]

Order under Sec. 21 (1) (d) of the Insecticides Act, 1968, requiring a person not to dispose of any stock in his possession

Whereas I have reason to believe that the stock ofin your possession, detailed below, is being distributed, sold or used in contravention of the provisions of section of the Insecticides Act, 1968 or of the Insecticides Rules,

1971.

I hereby require you under Sec. 21(1) (d) of the said Act, to stop the distribution, sale or use of the said stock for a period of ...days from this date. Date

r ..Details of stock of insecticides formulation. 1.

- 2.
- 3.
- 4.
- 5.
- 6.

Insecticide Inspector.
Seal.

Date

1. Subs. by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).
2. Ins. by G.S.R. 474 (E), dated 24th July, 1975, published in *the Gazette of India, Extraordinary*, Pt. II, Sec. 3 (ii), dated 24th July, 1976.

FORM XI

[See rule 32]

Form of receipt for the seized insecticides

(d) Receipt for stock of insecticide seized under Sec 21 (1) of the Insecticides Act, 1968

The stock of the insecticide detailed below has this day been seized by me under the provisions of Sec. 21 (1) (d) of the Insecticides Act, 1968, from the premises situated at

Details of the insecticide seized are:

(a)

(b)

(c)

(d)

(e)

Date

Insecticide Inspector
Official Stamp.

FORM XII

[See rule 33]

Intimation to person/licensee from whom sample is taken

To

.....

.....

.....

I have this day taken from the premises of situated at samples of the insecticide specified below for the purposes of test or analysis. Date Insecticide Inspector.

Details of sample taken.

Date Insecticide Inspector.

1[FORM XIII

(See rule 15)

Register of sales made to the bulk consumers, insecticides wise

Sl. No.	Date	Name of the Insecticides with Its strength and brand name	Name of the manufacturer	Batch No.	Date of expiry	Name of the purchaser with full address	*Licence No. of pure-purchaser	Quantity sold Size No. of quantity of packs the sold pack	Remarks.

1. Subs. by G.S.R. 533 (E), dated 6th August, 1993 (w.e.f. 6th August, 1993).

• In case of bulk consumer give number and date of the order.

•

FORM XVI
(See rule 15)

Stock Register of Formulated Insecticide.....

\$1. No.	Opening balance of Technical Insecticide Imported/In purchased diverted	Technical grade insecticide imported/purchased diverted	Total technical grade Col. (2+3)	Total technical grade used for mulct-ions	Balance of technical grade insecticides (4+5)	Opening balance of formulations	Quantity formulated/Imported	Total formulated Qty. (7+8)	Quantity sold	Closing balance
1	2	3	4	5	6	7	8	9	10	11

"Triplicate"

FORM XVII

(See rule 24)

Report of Insecticides Analyst

SI. No.....

- Name of the Insecticides Inspector, from whom samples have been received. 2. Serial No. and date of Insecticides Inspector's Memorandum. 3. Number of the sample.
- Date of receipt.
- Name of the Insecticides purporting to be continued in the sample. 6. Conditions of the seals on the package : state whether : -
 - (i) the sample was properly sealed and fastened
 - (ii) the seal was intact and unbroken:
 - (iii) the seal fixed on the container and the outer cover of the sample tallied with the specimen impression of the seal separately sent by the insecticides Inspector; and
 - (iv) the sample was in a condition fit for analysis. 7.
- Date of the test or analysis.
8. Result of test or analysis with protocols of test applied.

VERIFICATION

I certify that I have analysed /caused to be analysed the aforementioned sample, and declare the result of analysis to be as above.

Signed this day of 19

(Signature with Seal'
Insecticide Analyst

FORM XVIII

(See rule 30)

Order under Sec. 21 (1) (d) of the Insecticides Act, 1968, requiring a person not to dispose of any stock in his possession

Whereas I have reason to believe that the stock of in your possession detailed below, is being distributed, sold or used in contravention of the provisions of section of Insecticides Act, 1968, or of the Insecticides Rules, 1971.

I hereby require you under Sec. 21 (1) (d) of the said Act to stop the distribution, sales or use of the said stock for a period of days from this date....

Details of stock of Insecticides/Formulation.,

Date

- 1.
- 2.

- 3.
 - 4.
 - 5.
 - 6.
- Date

Insecticides inspector'
Seal

FORM XIX

(See rule 32)

Form of receipt for the seized insecticides

Receipt for stock of insecticides seized under Sec. 21 1 (of the Insecticides Act, 1968

The stock of the insecticides detailed below has this day been seized by me under the provisions of Sec. 21 (1) (d) of the insecticides Act, 1968, from the premises of f situated at.

Details of the insecticides seized are (a)

(b)

(c)

Date : (d)

Insecticides Inspector
(Office Stamp)

FORM XX

(See rule 33)

To *Intimation to Personal/Licensee from whom samples is taken*

.....
.....
.....

I have this day taken from the premises of situated atsamples of the insecticides specified below for the purpose of test or analysis.

Date

Date

Details of samples taken

Insecticides Inspector

Insecticides Inspector

FORM XXI

(See rule 34)

Memorandum to Government Analyst

From

.....
.....
.....

To

The Government Analyst

The portion of samples/container described below is sent herewith for test or analysis under rule 34 of the Insecticides Rules, 1971. The portion of samples/container has been marked by me with the following mark 1,

Details of portion of sample or container with name of insecticide which it purports to contain. Date

Insecticides Inspector
(Seal)

FORM XXII

(See rule 37)

Register of persons engaged in connection with insecticides and their
periodical medical examination for the year 19

Serial No

NameAge

Father's/Husband's NameFull address

Sex Identification mark

Date of appointment..... Occupation : (Please specify the nature of duty)

1. Past

2. Present

PAST HISTORY

Illness	Poisoning	Allergy	Exposure to Pesticides (Compound)	No. of years/ reason	Remarks, if any
1	2	3	4	5	6

FAMILY HISTORY

Allergy	Psychological disorders	Gaemorhagic disorder
1	2	3

PERSONAL HISTORY

Smoking	Alcohol	Other addiction
1	2	3

OBSERVATIONS

Medical Examination	Pre-employment examination	End of Ist. quarter i.e. after 3 months	After 2nd quarter after 6 months	After 3rd quarter after 9 months	End of Rem year	Rem arks
1	2	3	4	5	6	7

I. General Examination

General body limit

Weight

Pules

Blood pressure

Respiration

Anaemia

Dadema

Jaundice Skin

condition

- Temperature
- Fatigability
- Sweating
- Sleep
- Urination
- II. Gastro ntestinal
 - Nausea Vomiting
 - Appetite Taste
 - Pain in abdomen Bowel movement Liver
 - Spleen
- III. Cardlo Respiratory
 - Nasal discharge
 - Wheeze Cough
 - Expectoration Tightness of chest
 - Dyspnoea
 - Palpitation
 - Heart
 - Cyanosis
 - Tachycardia
- IV. **Neuro Musucular**
 - Headache
 - Dizziness
 - Irritability
 - Pulse
 - Twitchings
 - Tremors
 - Convulsion
 - Paranesthesia
 - Hallucination
 - Unconsciousness
 - Deep reflexes
 - Superifical reflexes
 - Coordination
 - V. Eye
 - Pupil Lachryma
 - tion Double vision
 - Clumped vision
- VI .Psychological
 - Temperament
 - Judgment
 - Nervousness
- VII. Kidney
 - Kidney condition
- VIII. Investigation Blood Hb%

Blood D.C.
 "Serum cholinesterago
 Serum Bilirubin
 Urine routine examination
 Urine microscopic X-ray of
 chest-

*Serum cholinesterage level should be measured in monthly intervals in case of organophosphorus /carbamic group of insecticides. General remarks of the Doctor in the light of the above examination; Advice given to

1. the patient
2. the Employer

Steps taken by the Employer as per Doctor's advice:

Signature/Thumb impression of

1. Doctor
2. Employees
3. Employer/manufacturer
4. Licensing officer at the time of inspection.

N.B.: -In organochlorine group of insecticides the blood residue estimation should be done once a year.]

[THE SECOND SCHEDULE

(See rule 25)

Fees for testing or analysing the samples of Insecticides

SI. No.	Name of Insecticide	Name of Insecticide Testing as per Bureau of Indian standards specification	Type of formulation Testing charges (Rs. in)	
1.	2.	3.	4.	5.
(A)	1. Insecticides	Technical	1306-1974	200.00
	2. Aldrin	Dusting powder	1308-1984	195.00
	3. Aldrin	Emulsifiable cone	1307-1982	240.00
	4. Aldicarb	Encapsulated Granules	9371-1980	320.00
	5. BHC (HCH)	Technical and Refined	560-1980	210.00
	6. BHC (HCH)	Dusting powder	561-1978	195.00
	7. BHC (HCH)	Wettable powder	561-1978	220.00
	8. BHC (Gamma Isomer)	Emulsifiable cone	632-1978	240.00
	9. Carbaryl	Technical	7539-1975	236.00
	10. Carbaryl	Dusting powder	7122-1984	195.00
	11. Carbaryl	Wettable powder	7121-1984	230.00
	12. Carbaryl	Granules	9368-1980	270.00
	13. Carbo-furan	Encapsulated Granules	9360-1980	220.00
	14. Chlordane	Technical	2863-1961	95.00
	15. Chlordane	Dusting powder	2864-1973	95.00
	18. Chlordane	Emulsifiable cone	2682-1984	165.00
	17. DDT	Technical	563-1973	130.00
	18. DDT	Dusting powder	564-1984	95.00
	19. DDT	Wettable powder	565-1984	120.00
	20. DDT	Emulsifiable cone	633-1985	140.00
	21. Diazinon	Technical	1833-1980	110.00
	22. Diazinon	Wettable powder	2862-1984	120.00
	23. Diazinon	Emulsifiable cone	2861-1980	140.00
	24. Diazinon	Granules	9362-1980	170.00
	25. Dichlorvos	Technical	4929-1978	210.00

2	1.	3	4	5
Dichlor	26.	Emulsifiable cone	5277-1978	205.00
Dimoth	27.	Technical	3902-1975	210.00
Dimoth	28.	Emulsifiable cone	3903-1984	240.00
Endosu	29.	Technical	4344-1978	110.00
Endosu	30.	Emulsifiable cone	4323-1980	140.00
Endosu	31.	Dusting powder	4322-1967	95.00
Endosu	32.	Wettable powder	4324-1967	120.00
Fonitro	33.	Technical	5280-1969	120.00
Fonitro	34.	Dusting powder	7126-1973	95.00
Fonitro	35.	Emulsifiable cone	5281-1979	105.00
Fonitro	36.	Granules	9365-1980	170.00
Fenthlo	37.	Technical	7950-1976	210.00
Fenthio	38.	Emulsifiable cone	7948-1976	240.00
Fenthio	39.	Granules	9353-1980	270.00
Formet	40.	Emulsifiable cone	8926-1976	140.00
Hopt	41.	Technical	6432-1972	115.00
Hopt	42.	Dusting powder	6429-1981	95.00
Hopt	43.	Emulsifiable cone	6439-1978	140.00
Undan	44.	Technical	- 1592-1986	220.00
Undan	45.	Granules	9370-1980	270.00
Malathi	46.	Technical	1832-1978	220.00
Malathi	47.	Dusting powder	2558-1978	230.00
Malathi	48.	Wettable powder	2569-1978	265.00
Malathi	49.	Emulsifiable cone	2567-1978	205.00
Methyl	50.	Technical	2570-1980	220.00
Methyl	51.	Dusting powder	8960-1978	95.00
Methyl	52.	Emulsifiable cone	2865-1978	240.00
Methyl	53.	Technical	9372-1980	120.00
Monocr	54.	Technical	8025-1983	175.00
Monocr	55.	Soluble liquid	807-1983	185.00
Nicotin	56.	Solution	1055-1984	60.00
Oxy	57.	Technical	8258-1976	100.00
Oxy	58.	Emulsifiable concentrate	8259-1976	140.00
Phenth	59.	Technical	8293-1976	120.00
Phenth	60.	Emulsifiable concentrate	8291-1976	140.00
Phorate	61.	Technical	7976-1976	120.00
Phorat	62.	Encapsulated Granules	9359-1980	220.00
Phosal	63.	Technical	8488-1977	210.00
Phosal	64.	Emulsifiable concentrate	8287-1977	240.00
Phosph	65.	Technical	4598-1968	100.00
Phosph	66.	Soluble liquid	6177-1981	85.00
Propox	67.	Technical	8496-1977	120.00
Pyreth	68.	Emulsifiable concentrate	4808-1982	115.00
Pyrethr	69.	Extract	1051-1988	85.00
Pyrethr	70.	Larvicidal Oil	6014-1978	115A0
Quinal	71.	Technical	6072-1983	220.00
Quinal	72.	Dusting powder	8029-1984	195.00
Quinal	73.	Emulsifiable concentrate	8028-1976	250.00
73a.Qu		Granules	9366-1980	270.00
Thlomo	74.	Emulsifiable concentrate	3905-1966	140.00
Thiomo	75.	Concentrate	3904-1966	120.00
Temop	76.	Technical	8701-1978	210.00
Temop	77.	Emulsifiable concentrate	8498-1977	240.00

1.	2	3	4	5
78.	Trichloron	Technical	7945-1976	120.00
79.	Trichloron	Dusting powder	7945-1976	95.00
80.	Trichloron	Granules	9364-1976	17.00
(B).	Arcaricides			
81.	Dicofol	Technical	5278-1969	100.00
82.	Dlcofol	Emulsifiable concentrate	5279-1969	105.00
(C).	Fungicides			
83.	Carbendazim(NMC)	Technical	8445-1977	200.00
84.	Carbendazim	Wettable powder	8446-1977	220.00
85.	Copper Oxychloride	Technical	1486-1978	185.00
86.	Copper Oxychloride	Dusting powder	1506-1977	95.00
87.	Copper Oxychloride	Wettable powder	1507-1982	110.00
88.	Cuprous oxide	Technical	1682-1973	125.00
	(Fungicidal grade)			
89.	Edlophenphos	Technical	8954-1978	220.00
90.	Edlophenphos	Emulsifiable concentrate	8955-1978	240.00
91.	Ethyl Mercury chloride	Technical	2354-1983	110.00
92.	Lime Sulphur	Solution	1050-1984	135.00
93.	Mancozeh	Technical	8707-1978	100.00
94.	Mancozeh	Wettable powder	8709-1978	155.00
95.	Methoxy ethyl mercury chloride	Seed dressing	2358-1984	70.00
	(MEMC)			
96.	Pentachloronitre benzene	Technical	7985-1976	210.00
	(Qunitozine)			
97.	Pentachloronitre benzene	Dusting powder	7944-1976	195.00
	(Qunitozine)			
98.	Pentachloronitre benzene	Wettable powder	7948-1976	220.00
	(Qunitozine)			
99.	Penyl mercury acetate	Technical	2126-1973	95.00
	100.Sulphur	Dusting powder	6444-1979	70.00
101.	Sulphur	Wettable powder	3383-1983	130.00
	102.Thlram	Technical	4328-1982	95.00
	103.Thlram	Wettable powder	4766-1982	105.00
	104.Zineb	Technical	3998-1981	75.00
	105.Zineb	Wettable powder	3899-1981	130.00
	106.Ziram	Technical	3900-1975	75.00
	107.Ziram	Wettable powder	3901-1975	105.00
(H)	Herbicides			
	108.Alachlor	Emulsifiable cone	9354-1980	240.00
109.	Alachlor	Granules	9361-1980	170.00
	110.Butachlor	Technical	9355-1980	210.00
	111.Butachlor	Emulsifiable cone	9356-1980	240.00
112.	Butachlor	Granules	9962-1980	170.00
113.	Dalapon	Technical	8267-1976	180.00
	114.Dalapon	Wettable powder	8286-1976	170.00
	115.2,4--0	Technical	4321-1978	130.00
116.	Diuron	Technical	8702-1978	110.00
	117.Diuron	Wettable powder	8703-1978	120.00
118.	Fluchlorapin	Technical	8958-1978	200.00
	119.Fluchlorapin	Emulsifiable cone	8959-1978	240.00
120.	MCPA	Technical	8494-1977	135.00
121.	Nitrofen	Technical	8956-1978	210.00

1.	2	3	4	5
	122. Nitrofen	Emulsifiable cone	8957-1978	240.00
	123. Paraquet dichloride	Sall Quae Solution	8397-1977	200.00
	124. Propanil	Technical	8071-1976	200.00
	125. Propanil	Emulsifiable cone	8227-1976	205.00
	126. Triallate	Technical	9557-1980	210.00
	127. Triallate	Emulsifiable cone	9858-1980	240.00
	(F) Plant Growth Regulators			
	128. Chlormoquat chloride	Technical	8961-1978	135.00
	(G) Fumigants			
	129. Aluminium Phosphide	Tablet	6438-1980	60.00
	130. Ethylene dibromide	Technical	1311-1966	95.00
	131. Ethylene dichloride	Technical	634-1965	130.00
	Carbon Tetrachloride mixture (3 : 1V/V)			
	132. Methylbromide	Technical	1312-1980	85.00
	133. Warfarin	Technical	5558-1970	185.00
	134. Warfarin	Batt cone	5540-1970	160.00
	135. Warfarin (Sodium salt)	Technical	5551-1970	185.00
	136. Warfarin (Sodium salt)	Soluble liquid	7168-1973	260.00
	137. Zinc Phosphide	Technical	1251-1984	60.00

The fees for test or analysis in respect of insecticides or their various formulations other than the ones specified in this schedule shall be as follows unless otherwise specified by the Central Government or by any other officer authorised in this behalf from time to time.

1. Technical grade	Rs. 1160.00
2. Dusting powder	Rs. 125.00
3. Wettable powder	Rs. 160.00
4. Emulsifiable concentrate	Rs. 205.00
5. Granules	Rs. 225.00
6. Other formulations	Rs. 210.00")