Insecticides Rules, 1971

(GSR 1650, DT. 9-10-1971)

In exercise of the powers conferred by section 36 of the Insecticides Act, 1968 (46 of 1968), the Central Government, after consultation with the Central Insecticides Board, hereby makes the following rules, namely :-

CHAPTER I

PRELIMINARY

1. Short title and commencement

1. These rules may be called the Insecticides Rules, 1971/
2. They shall come into force on the 30th day of October, 1971.

2. Definition

In these rules, unless the context otherwise requires :-

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

b. [***]

c. "expiry date" means the date that is mentioned on the container, label or wrapper against the column `date of expiry';]

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;

g. [***]

h. "pests" means any insects, rodents, fungi, weeds and other forms of plant or animal life not useful to human beings;]

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 Notified Area Committee or a Cantonment;

m. "Schedule" means a Schedule annexed to these ruled;

n. " secondary package" means a package which is neither a primary package nor a transportation package;

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 an residues or on stability in storage of the insecticides for which the application for registration is made.

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q. "transportation package" means the outermost package used for transportation of insecticides.)

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

s. 'Pest Control Operators'; means any person who undertakes pest control operations and includes the person or the firm or the company or the organization under whose control such a person(s) is operating.

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.

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 insecticide 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 interested 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

6. Manner of registration

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 authorized by him; in case of Hindu Undivided Family, by the Karta or any person duly authorized by him;in case of partnership firm by the managing partner; in case of a company, by any person duly authorized in that behalf by the Board of Directors; and in any other case by the person in-charge or 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 bank draft, drawn in favor of the Accounts Officer, Directorate or Plant Protection, Quarantine & Storage, payable at Faridabad towards registration fee shall be sent to the Secretary, Registration Committee, Directorate of Plant Protection, Quarantine & Storage, NH-IV, Faridabad-121001, Haryana. The fee shall be payable as follows:-

   i. rupees five thousand each in case of application for registration under Sections 9(3) and 9(3B) of the Insecticides Act, 1968;

   ii. rupees two thousand five hundred in case of application for registration under Section 9(4) of the Insecticides Act, 1968.

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.

6A. Issue of duplicate certificate of registration

A fee of rupees one hundred shall be paid in the form of demand draft drawn on the State bank of India, Faridabad in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine & Storage, Faridabad, Haryana for a duplicate copy of a Certificate of Registration if the original is defaced, damaged or lost.

6B. Addition, deletion or alteration on the Certificate of Registration including labels and leaflets

A Fee of rupees one hundred shall be paid in the form of 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 on each occasion for each Certificate of Registration for addition, deletion, alternation on the Certificate of Registration including labels and leaflets.

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7. Appeal

1. An appeal against any decision of the Registration Committee under section 9 shall be preferred in writing [in Form II-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. The appellant can submit a DD of Rs.100/- towards fee as per stay order of High Court of Gujarat. However, the appellant shall have to pay the revised fee for registration as per the out come of Writ Petition No.5303/1999 filed by Gujarat Pesticides Formulators Association vs. Union of India pending for final disposal in the Hon'ble High Court of Gujarat at Ahmedabad".

4. The fee payable for preferring an appeal shall be paid by a demand draft drawn on the State Bank of India, New Delhi in favor of the Pay and Accounts Officer, Department of Agriculture & Cooperation, New Delhi.

8. Manner of publication of refusal to register or cancellation of 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.

CHAPTER IV

GRANT OF LICENCES

9. Licences to manufacture insecticides

1. Application for the grant or 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 two thousand for every insecticide and a maximum of rupees twenty thousand for all insecticides for which the licence is applied.

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.

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 there under for the time being in force.

vi. The licensee shall obtain ISI Mark Certificate from Bureau of Indian Standard within three months of the commencement of the manufacture.

vii. No Insecticides shall be sold or distributed without ISI Mark Certification.

4. A licensing officer may, after giving reasonable opportunity of being heard, to the applicant, refuse to grant any license.

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4A. No license 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 one hundred shall be paid for a duplicate copy of a licence issued under this rule, if the original is defaced, damaged or lost.

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. The fee payable under sub-rule (1) for grant or renewal of a licence shall be rupees five hundred for every insecticide for which the licence is applied subject to maximum rupees seven thousand five hundred. There shall be a separate fee for each place, if any insecticide is 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 as such shall be rupees seven thousand five hundred 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 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.]

3A. Pest Control Operators—

i. Any person who desires to undertake pest control operations, with the use of Aluminum Phosphide, Methyl bromide. Ethylene dibromide or as notified shall apply for a licence in Form VI-A with a fee of rupees one thousand for each place of operation. The licence granted for such operations shall be valid for a period of five years provided that the licence shall be renewed after verification or inspection at the expiry of this period on application in Form VI-B for a further period of five years with an application fee of rupees one thousand.

ii. A licence to stock and use insecticides for pest control operators will be issued in Form VI-C.

iii. Any person who applies for grant of licence for undertaking pest control operations should be at least a graduate in Agriculture or in Science with Chemistry as a subject with a certificate of

minimum 15 days training from any of the following Institutions- Central Food Technological Research Institute, Mysore; Indian Grain Storage Institute, Hapur and National Plant Protection Training Institute, Hyderabad.

iv. For undertaking fumigation, the pest control operators shall have to obtain special permission from the Plant Protection Adviser to the Government of India in addition to obtaining licence. The Plant Protection Adviser will grant such permission as per procedure or guide lines approved by the Registration Committee.

v. The commercial pest control operators shall adhere to the prescribed guidelines or procedures as laid down by the Plant Protection Adviser to the Government of India in regard to the fumigation operations undertaken by them.

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.

ii. The licence shall comply with the provisions of the Act, and the rules made there under for the time being in force.

iii. Where the license 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).

iv. If the licensing officer is satisfied that a particular insecticide is harmful to human beings, animals or environment, he may after recording reasons and referring the Insecticide to the Insecticide analyst, prohibit temporarily its sale for a period of thirty days or till he obtains the report of the Analyst, whichever is earlier.

4A. i. Every person shall along with his application for grant or renewal of a licence to undertake operation or sell, stock or exhibit for sale or distribute Insecticides, file a certificate from the principal whom he represents or desires to represent the Form VI-D.

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 authorized 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, principal shall send to the licensing officer of the State where he

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intends to sell his products an adequate number of copies of the specimen signature or the specimen signatures of the persons authorized 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.

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 one hundred shall be payable for a duplicate copy of a licence issued under this rule if the original is defaced, damaged or lost.

10A. 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 an environment friendly manner as may be specified from time to time by the Central Government in consultation with the Central Insecticides Board and shall not be used for remanufacture.

10B. Special provision with regard to sulphur

With regard to insecticide 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.

10C. 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 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.

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 section 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 clause (iii) of sub-rule (8) of rule 9 or under clause (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 five hundred for the first month or part thereof, rupees one thousand for the second month or part thereof and rupees one thousand and five hundred for the third month or par thereof, in case of licence to manufacture insecticides or to carry pest control operations;

ii. rupees one hundred for the first month or part thereof, rupees two hundred for the second month or part thereof and rupees three hundred 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 n case of death or disability of the licensee, the Licensing Officer may after recording reasons 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. Where an appeal is preferred under Section 15, the licence shall continue to be revoked until disposal of appeal or as ordered by the appellate authority pending disposal of the appeal.

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

12. Conditions of licence

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 and the premises in respect of which licence is to be granted are adequate and equipped with proper storage accommodation for avoiding any hazards for preserving the properties of insecticides 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].

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 person.

2. The application under sub-rule (1) shall be accompanied by a fee of rupees one hundred.

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 therefore shall be refunded to the applicant.

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

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

4. Without prejudice to the foregoing, the Central Government or the State Government or any other person authorized 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 of all persons to whom it has been sold or distributed, as it may consider necessary.

CHAPTER V

PACKING AND LABELLING

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16. Prohibition of sale or distribution unless packed and labelled

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

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, not with standing the fact that any further steps are still required to be taken to make it marketable.

18. Leaflet to be contained in a package

1. [The packing of every insecticides 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.

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.]

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.

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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 Organisation 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 rules of chemical nomenclature shall be given).

v. Net content of volume. (The net contents shall be exclusive of wrapper or other material. The correct statement of the net

content to 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 containers 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 45^0 (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 dermal toxicity LD 50 mg/kg. Body weight of test animals	Colour of identification band on the label
1	2	3	4
1. Extremely toxic	1-50	1-200	Bright red
2. Highly toxic	51-500	201-2000	Bright yellow
3. Moderately toxic	501-5000	2001-20000	Bright blue
4. Slightly toxic	More than 5000	More than 20000	Bright green

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6. In addition to the precautions to be undertaken under sub-rules (3), (4) and (5) the label to be affixed in the package 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 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. Labeling 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".

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 ANALYSTS 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 :

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.

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23. Duties of Insecticides Analyst

1. The Insecticides 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 insecticides 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 Insecticides 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.

2. In making the test or analysis of insecticides, it shall be sufficient if the insecticides analyst follows that specifications and the months 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 Insecticides Inspector a report in triplicate in Form IX of the result of test or analysis.

25. Fees payable for testing or analysis

1. The fees payable for testing or analyzing insecticides under sub-section (5) of section 24 of the Act shall be as specified in the Second Schedule.

2. The fee payable for testing or analyzing 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 the genuine difficulties, of any particular State Government, exempt from payment of the fee for such period as it may consider reasonable.

26. Qualifications of Insecticides Inspector

A person shall be eligible for appointment as an Insecticides 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 Insecticides Inspector

The Insecticides Inspector shall have the following duties, namely:

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

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

3. to procure and send for test and analysis, samples of insecticides 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 there under;

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 there under;

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.]

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 rule made there under are being observed;

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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 Insecticides Inspector shall not disclose to any person any information acquired by him in the performance of his official duties.

30. Form of order not to dispose of stock

An order by the Insecticides 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 Insecticides 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 Insecticides Inspector for the stock of any insecticide seized shall be in Form XI.

33. Form of intimation for 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 XII to the person from whom he takes it.

34. Dispatch 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 XII in an outer cover addressed to the Insecticide Analyst.

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 Insecticides Analyst.

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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.

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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 other 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.

CHAPTER VIII

PROVISIONS REGARDING PROTECTIVE CLOTHING, EQUIPMENT, AND OTHER FACILITIES FOR WORDERS DURING MANUFACTURE, ETC. OF INSECTICIDES

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 during spraying operation shall be examined medically before their employment and at least quarterly in the case of those engaged in manufacturing / formulation units and 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 organo phosphorous compound or a carbonate compound, the blood cholinesterase's 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 carbonate compounds) and blood residue (if working with organo chlorine 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 (Par I)—1967] and Part II Symptoms, diagnosis and treatment [IS : 4015 (Par II)—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 fore-arm, made of materials impermeable to liquids;
   c. dust-proof goggles;
   d. boots.

40. Respiratory devices

For preventing inhalation of toxic dusts, vapours of 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 undertake 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.

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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. making 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 specialization 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.

CHAPTER IX

MICELLANEOUS

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.

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.

46. Traveling 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 traveling and other allowances for attending meetings of the Board shall be entitled to such traveling and other allowances for attending meetings of the Board, 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.

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