

Insecticides (Price, Stock Display and Submission of Reports) Order, 1986

In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely;

1. Short title, extent and commencement :-

- a. This order may be called the Insecticides (Price, Stock Display and Submission of Reports) Order, 1986.
- b. It extends to the whole of India.
- c. It shall come into force with immediate effect.

2. Definition :- In this Order, unless the context otherwise requires, --

- a. **"Act"** means the Essential Commodities Act, 1955 (10 Of 1955) ;
- b. **"Controller"** means the person appointed as controller of Insecticides by the Central Government and includes any other person empowered by the Central Government to exercise all or any of the functions of the Controller under this Order ;
- c. **"dealer"** means a person carrying on the business of selling insecticides, whether wholesale or retail, and includes an/agent of a dealer ;
- d. **"Insecticide"** shall have the meaning assigned to it in Clause (e) of section 3 of the Insecticides Act, 1968 (46 of 1968);
- e. **"Insecticide Inspector"** means the Insecticide Inspector appointed by the Central or State Government under Section 20 of the Insecticides Act (46 Of 1968) ;
- f. **"Manufacturer"**, in relation to any insecticide, includes;
 - i. Any process or part of a process for making, altering, finishing, packing, labeling, 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 a preparation containing an insecticide is formulated;
- g. **"Manufacturer"** means any person who manufactures insecticides and includes a formulator of the insecticides;
- h. **"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.

3. Manufacturer and dealer to display stock and price list of insecticides :-

Every manufacturer or a dealer who makes or offers to make a retail sale of any insecticide shall prominently display in his place of business;

- a. The quantities of stock of different insecticides held by him on daily basis;
- b. A list of prices or rates of such insecticides for the time being in force.

4. Manufacturers and dealers to give memorandum to purchasers :-

Every manufacturer or a dealer shall give a cash or credit memorandum to a purchaser of an insecticide in such form as the Controller may direct.

5. Manufacturers to comply with certain requirements in regard to packing etc. :-

- (1) Every manufacturer shall in regard to packing and marking of containers of insecticides comply with the following requirements, namely;-
 - a. Every container in which any insecticide is packed shall bear such particulars as may from time to time be specified by the Controller in this behalf ;
 - b. Every container shall be so packed and sealed that the contents of which cannot be tampered without breaking the seal and
 - c. Insecticides manufactured in India which are packed in bags shall be machine-stitched in such a manner that contents thereof cannot be tampered with, or without visible break in the stitching.
- (2) Without prejudice to the generality of the provisions contained in sub-clause (1) The Controller may by an order notified in the official Gazette, specify the requirements in regard to packing and marking of containers of insecticides of any specific type or description whether such insecticides are manufactured in India or not.

6. Maintenance of records and submission of returns etc. :-

The Controller May, by an order in writing , direct the manufacturer or the dealer or any class thereof,-

- a. To maintain such book, accounts and record relating to the manufacture and sale of insecticides in such form as he may specify ;
- b. To submit to such authority returns or statement in such form and containing such information and within such time as he may specify ;
- c. To produce such stocks accounts, or records, when so required for inspection , before the Controller or the Inspector of Insecticides or any other authority as may be specified by the Controller in this behalf.

7. Service of orders and directions :- Any order or direction made or issued by the Controller or by any other authority under that order may be served in the manner provided in sub-section (5) of Section 3 of the Act.