

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE AND FARMERS WELFARE
DEPARTMENT OF AGRICULTURE, COOPERATION AND FARMERS WELFARE

LOK SABHA
UNSTARRED QUESTION NO.4079
TO BE ANSWERED ON THE 20TH MARCH, 2018

LICENCE FOR SALE OF PESTICIDE AND FERTILIZER

4079. KUNWAR HARIBANSH SINGH:
SHRI GAJANAN KIRTIKAR:
SHRI BIDYUT BARAN MAHATO:
SHRI A. ANWHAR RAAJHAA:
SHRI T. RADHAKRISHNAN:
SHRI NARANBHAI KACHHADIYA:
SHRI ASHOK SHANKARRAO CHAVAN:
SHRI S.R. VIJAYAKUMAR:

Will the Minister of AGRICULTURE AND FARMERS WELFARE प्रकृति और किसान कल्याण के लिए be pleased to state:

- whether the Government has issued dealer licence for sale of pesticides and fertilizers in the country;
- if so, the criteria fixed by the Government for issue of such licences;
- whether the Government has received representations from the people's representatives to relax the criteria such as compulsory education;
- if so, the details thereof and the response of the Government thereto; and
- the steps taken/being taken by the Government to provide superior quality fertilizers and pesticides to the farmers of the country?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FARMERS WELFARE

प्रकृति और किसान कल्याण के लिए प्रकृति और किसान कल्याण के लिए प्रकृति और किसान कल्याण के लिए (SHRI PARSHOTTAM RUPALA)

(a): As per the provisions of the Insecticides Act, 1968 and Fertiliser Control Order, 1985 the issuance of dealer license for sale of pesticides and fertilisers falls within the domain of State Governments respectively.

(b): The Central Government vide notification, GSR 106(E), dated 01.02.2017 has amended sub rule (1A) of Rule 10 of The Insecticides Rule 1971 as under: -

Person who applies for the grant of license to sell, stock or exhibit for sale or distribute insecticides shall possess or employ a person possessing a graduate degree in Agricultural Sciences or Biochemistry or Biotechnology or Life Sciences or in Science with Chemistry or Botany or Zoology from a recognized university or Institute or one year diploma course in Agriculture or Horticulture or related subjects from any government recognised university or institute with course content on plant protection and pesticides management.

All the new entrant dealers/retailers need to have above mentioned qualifications. However, for the existing dealers/retailers a period of two years have been given to comply with the said qualifications.

Clause 8 (4) of the fertilizer control Order, 1985 stipulates that no authorization letter shall be granted to any applicant under this order unless the applicant possess the following qualification:

- i. Bachelor of Science in Agriculture from recognized University or Institute; or
- ii. Bachelor of Science in Chemistry from recognized University or Institute; or
- iii. Diploma in Agriculture Science from recognized University or Institute; or
- iv. Certificate Course on agri input for a minimum period of six months from National Institute of Agricultural Extension Management (MANAGE), National Institute of Plant Health Management and other Government approved institute.

Provided that the dealers, who have been granted authorization letter before commencement of Fertiliser (Control) Fourth Amendment Order, 2015 shall not be required to possess the qualification at the time of renewal of authorization letter.

Provided further that the said qualifications shall not be applicable to the registered Cooperative Society and State Marketing Federation but they shall engage a person with above qualification.

(c) & (d): The Department of Agriculture, Cooperation and Farmers Welfare (DAC&FW) vide Notification, GSR 106(E), dated 01.02.2017 provided that the existing licensee of pesticides, who are more than forty-five years of age and who have been running their trade either themselves or have inherited with cumulative period of experience of more than ten years as on the date of publication of these rules as amended by The Insecticides (Second Amendment) Rules, 2017 and the annual turnover is less than Rs. five lakh are exempted from the aforesaid rule for a period of licencship continuing in their name.

Further, the Government of India has allowed all the disciplines of Bachelor of Science in Agriculture for obtaining the authorization letter for dealer license for sale of fertilizer. Also the Government of India has clarified to the states that the educational qualification is not required to be possessed by the persons engaged in the business of selling of fertilizer as wholesaler and as manufacturer. It is required only for the retail business.

(e): The Registration Committee, constituted under Section 5 of the Insecticides Act, 1968 registers pesticides after considering its efficacy and safety to human beings, animals and environment. In additions, technical reviews are carried out from time to time to assess the safety of pesticides for their continued use. Further, monitoring of quality of pesticides is a shared responsibility between the Central and State Governments. Central Government and State Governments have notified Insecticides Inspectors to check sale of misbranded pesticides. Insecticide samples are drawn on regular basis and analyzed in 69 State Pesticides Testing Laboratories (SPTLs) and at the two Regional Pesticides Testing Laboratories at Chandigarh and Kanpur. Action is initiated under the provisions of the Insecticides Act, 1968 against those samples which are found misbranded.

The fertilizer has been declared as an Essential Commodity under the Essential Commodities Act, 1955. The Government of India has promulgated the Fertilizer Control Order (FCO), 1985 to regulate the quality of fertilizer. The specifications of all the fertilizer are prescribed in Schedule I, III, IV and V of FCO, 1985. Clause 19 of the FCO, 1985, strictly prohibits the sale of fertilizer which are not of the standards prescribed in FCO, 1985. The State Governments are adequately empowered to take administrative and penal action against the violation of provisions of FCO, 1985. There are 82 fertilizer testing laboratories in the country to check the quality of fertilizer.
