

Insecticides Act, 1968

Section 36 - Power of 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 allowances 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) ¹ [***] the fee payable in respect of registration;

(g) the manner of appeal to the Central Government under section 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 sub-section (2) of section 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 sub section (5) of section 22 to a person from whom a sample of an insecticide is taken for test or analysis;

(p) the form in which an Insecticide Analyst shall submit a report of his test or analysis to the Insecticide Inspector under sub-section (1) of section 24;

(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;

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(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;

(za) the restrictions on storage of insecticides during transport or otherwise along with articles of food;

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

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

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

(ze) any other matter which has to be, or may 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 ³ [or in two or more successive sessions, and if before the expiry of the session immediately following the session or 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.

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1. Words omitted by Insecticide (Amendment) Act, 1977 (24 of 1977), S. 9(a)(1) (2-8-1977).
 2. Omitted by Insecticide (Amendment) Act, 1977 (24 of 1977) S. 9(a)(11).
 3. Substituted by Insecticide (Amendment) Act, 1977 (24 of 1977), S. 9(b).
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