

Insecticides (Prohibition) Order, 2023

UNION OF INDIA

India

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- Published in Gazette of India : Extraordinary on 2 February 2023
- Commenced on 2 February 2023
- [This is the version of this document from 2 February 2023.]

S.O. 70(E).— Whereas, the Central Government in the erstwhile Ministry of Agriculture, Department of Agriculture and Cooperation constituted an Expert Committee on 8th July, 2013 to examine the continued use or otherwise of neo-nicotinoid insecticides registered in India. The mandate of the Committee was further expanded on 9th August, 2013, to review sixty-six insecticides which were banned or restricted or withdrawn in other countries but continue to be registered for domestic use in India. The Committee after detailed examination submitted its report to the Central Government on the 9th December, 2015; which was referred to the Registration Committee. The Registration Committee submitted their recommendations to the Central Government; And whereas, the Department issued order dated 4th October 2016, conveying the approval for implementation of the recommendations of the Registration Committee; And whereas, the said Expert Committee had recommended continuing the use of the twenty seven insecticides as specified in the schedule to this notification and the same to be reviewed after completion of the recommended studies, this was considered by Registration Committee and submitted recommendations to the Government; And whereas, the Central Government, after consultation with the Registration Committee and duly considering their report with regard to status of submission of recommended studies, data and safety concerns, was satisfied that the use of twenty seven insecticides as specified in the schedule to this Notification are likely to involve risk to human beings and animals as to render it expedient or necessary to take immediate action; And whereas, the Central Government, in exercise of the powers conferred by sub-section (2) of section 27 of the Insecticides Act, 1968 (46 of 1968) published a draft Order for Banning of Insecticides vide notification number S.O. 52(E), dated 1st May, 2020, in the Gazette of India, Extraordinary, Part-II, section-3, sub-section (ii) and invited objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of forty-five days from the date on which the copies of the Official Gazette in which the said notification was published were made available to the public; And whereas, copies of the said Gazette notification were made available to the public on the 8th May, 2020; And whereas, the objections or suggestions received in respect of the said draft order were referred to an Expert Committee constituted for the purpose which were duly considered by the said Expert Committee; And whereas, the Central Government, after considering the report of the Expert Committee and after consultation with the Registration Committee, set up under the Insecticides Act, 1968 (46 of 1968), is satisfied that the use of three insecticides involves health hazards and risk to human beings and animals due to non-availability of data on safety and efficacy; And whereas, the said draft order for Banning of Insecticides Order, 2020 published vide notification number S.O. 52(B), dated 8th May, 2020, was challenged in various High Courts of the country. The Hon'ble High court of Rajasthan had stayed

the implementation of the said rules vide interim order dated 2.07.2020 relating to Prohibition of Insecticides till further order in the case. And whereas, thereafter, Hon'ble High Court of Rajasthan, has issued direction through an order dated 8.0.2023 in the matter of S.B. Civil Writ Petition No. 7474/2020 filed by Narayan Singh Rathore, that the interim order dated 2.07.2020 is vacated. Now therefore, the draft order, which the Central Government proposes to make, in exercise of the powers conferred by sub-section 2 of Section 27 read with section 28 and sub-section () of section 36 of the Insecticides Act, 1968 is hereby published for information of all persons likely to be affected thereby and notice is hereby given that the said draft order shall be taken into consideration after the expiry of a period of thirty days from the date on which the copies of the Gazette of India containing this order are made available to the public; Any objection or suggestion which may be received from any person in respect of the said draft Order before the expiry of the aforesaid period of thirty days will be considered by the Central Government. Any objection or suggestion in respect to the said draft order may be forwarded to the Joint Secretary (Plant Protection), Ministry of Agriculture and Farmers Welfare, Department of Agriculture and Farmers Welfare, Krishi Bhawan, New Delhi-110 002 or through email at jspp-dac @ gov. in.

1. Short title and commencement. -

(1) This order may be called the Insecticides (Prohibition) Order, 2023; (2) It shall come into force on the date of its final publication in the Official Gazette.

2. Prohibition of Certain Insecticides-

No person shall import, manufacture, sell, transport, distribute and use insecticides as provided in the Schedule. B. The Registration Committee shall call back the certificate of registration granted for the insecticides as provided in the said Schedule. C. If any person who holds the certificate of registration fails to return the certificate to the Registration Committee, referred to in clause (2), within a period of three months, action shall be taken under the provisions contained in the said Act. D. The certificate of registration for the insecticides as provided in the Schedule granted under section 9 of the said Act shall be deemed to be cancelled from the date of publication of this order. E. The State Government shall take all such steps under the provisions of the said Act and the rules framed thereunder, as it considers necessary for the execution of this order by the respective states.

Schedule

[See paragraph 2] List of Prohibited Insecticide

S. No.	Name of Insecticide	Decision of Central Government
(1)	(2)	(3)
1.	Dicofol	The registration, import, manufacture, formulation, transport, sale is prohibited and its use is completely banned from the date of publication of this order.

S. No.	Name of Insecticide	Decision of Central Government
2.	Dinocap	The registration, import, manufacture, formulation, transport, sale is prohibited and its use is completely banned from the date of publication of this order.
3.	Methomyl	The registration, import, manufacture, formulation, transport, sale is prohibited and its use is completely banned from the date of publication of this order.

3. Further, the Central Government, on recommendations of the Expert Committee, in exercise of the power conferred by sub-section (2) of section 27 of the Act, has decided for omitting crops as mentioned in column (3) of the table below from the label and leaflets of the following insecticides mentioned in column (2) of the table below, namely:

(A) Label claim of the following insecticides for the crops mentioned against each insecticide shall be omitted from the approved use due to non-availability of bio-efficacy and residue data with effect from the date of publication of this order: TABLE

S. No.	Name of Insecticide	Names of crops to be omitted from approved usage
1	Carbofuran	All other formulations of Carbofuran except Carbofuran three percent Encapsulated granule (CG) along with the crop labels may be stopped from use.
2	Malathion	Sorghum, Pea, Soybean, Castor, Sunflower, Bhindi, Brinjal, Cauliflower, Radish, Turnip, Tomato, Apple, Mango and Grape.
3	Monocrotophos	All other formulations of this pesticide except Monocrotophos fifteen percent Water soluble granules (SG) may be stopped from use in respective label crops.
4	Quinalphos	ute, Cardamom and Sorghum
5	Mancozeb	Guava, Jowar and Tapioca.
6	Oxyfluorfen	Potato and Groundnut.
7	Dimethoate	label deletion of fruits and vegetables that are consumed as raw food items.
8	Chlorpyrifos	Ber, Citrus and Tobacco.

(B) All registrants granted certificate of registration in respect of the above mentioned insecticides shall submit their certificate along with label and leaflet for deletion of label claims on the above mentioned crops to the Secretary, Central Insecticides Board and registration Committee, NH-IV, Faridabad, within six months from date of publication of this Order, failing which action to revoke licenses under section 44 of the Insecticides Act, 1968 shall be initiated. (C) Non-endorsement or correction in the certificate of registration will not be taken as permission or approval to operate

upon such certificates of registration in contravention of the provisions of this Order.(D)Certificate of registration not submitted by the due date shall be deemed to have been cancelled.(E)The State Government shall take such steps in their respective States as they may deem fit for carrying out the provisions of this order.