

# The Orissa Insecticides (Appeal) Rules, 1976

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### Rule THE-ORISSA-INSECTICIDES-APPEAL-RULES-1976 of 1976

- Published on 4 December 1976
- Commenced on 4 December 1976
- [This is the version of this document from 4 December 1976.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Insecticides (Appeal) Rules, 1976 Published vide Notification No. 32688-6-A (P)-6/76-A.C., dated 4th December, 1976, Orissa Gazette Part 3-A, No. 53/31.12.1976 Notification No. 32688-6-A (P)-6/76-A.C., dated 4th December, 1976. - Whereas the draft of the Orissa Insecticides (Appeal) Rules, 1976 were published as required by Sub-section (1) of Section 37 of the Insecticides Act, 1968 (No. 46 of 1968) in the Orissa Gazette No. 16, dated the 16th April, 1976 under notification of Government of Orissa in Agriculture and Co-operation (Agriculture) Department No. 11215-VI-A (P)-6/76-A.C., dated the 5th April, 1976 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date of publication of the said notification; Whereas objections and suggestions have not been received; Now, therefore, in exercise of the powers conferred by Clause (a) of Subsection (2) of Section 37 of the Insecticides Act, 1968 (No. 46 of 1968), the State Government, after consultation with the Central Insecticides Board, hereby make the following rules, namely :

#### 1. Short title and commencement.

(1) These rules may be called the Orissa Insecticides (Appeal) Rules, 1976. (2) They shall come into force on the date of their publication in the Official Gazette.

#### 2. Definition.

- In these rules, unless the context otherwise requires, 'Act' means the Insecticides Act, 1968 (No. 46 of 1968).

#### 3. Appeal.

(1) Any person aggrieved by a decision of the Licensing Officer under Section 13 excepting under the proviso to Sub-section (4) thereof or Section 14 of the Act, may, within a period of thirty days from the date on which the decision is communicated to him, appeal to the Secretary to Government,

Agriculture and Co-operation Department if the order appealed against was passed by the Licensing Officer for manufacture of insecticides, and to the Director, Agriculture and Food Production, Orissa if the order appealed against was passed by the Licensing Officer for selling, stocking or exhibiting for sale or distributing any insecticide.(2)The appeal shall be in writing and shall set out concisely under distinct heads the grounds on which the appeal is preferred.(3)Every appeal shall be accompanied by a treasury chalan evidencing the payment of rupees ten in cases of refusal by the licensing authorities to grant a licence for manufacture, selling, stocking or exhibiting for sale or distributing any insecticide.(4)The fee payable for preferring an appeal shall be deposited under the "Head of Account-150-Agriculture-(1) Other Receipts".(5)Every such appeal shall be presented either in person or through an agent duly authorised in writing in this behalf by the appellant or may be sent by registered post.

#### **4. Procedure to be followed by the appellate authority.**

- In deciding appeals under this Act, the appellate authority shall, as far as may be, follow the same procedure which a Court follows in deciding appeals from the decree or order of an original Court under the Code of Civil Procedure, 1908 (5 of 1908).