

L. A. BILL No. XLI OF 2023.

A BILL

*to amend the Insecticides Act, 1968, in its application to
the State of Maharashtra.*

46 of 5 WHEREAS it is expedient to amend the Insecticides Act, 1968, in its
1968. application to the State of Maharashtra, for the purposes hereinafter
appearing; it is hereby enacted in the Seventy-fourth Year of the Republic of
India, as follows :—

1. This Act may be called the Insecticides (Maharashtra Amendment) Short title.
10 Act, 2023.

Insertion of new section 29A in 46 of 1968.	2. After section 29 of the Insecticides Act, 1968, in its application to the State of Maharashtra, the following section shall be inserted, namely :—	46 of 1968.
Offences to be cognizable and non-bailable.	“29A. Notwithstanding anything contained in this Act or the Code of Criminal Procedure, 1973, the offences punishable under sub-section (1) of section 29, shall be cognizable and non-bailable.”.	2 of 1974. 5

STATEMENT OF OBJECTS AND REASONS

The Insecticides Act, 1968 (46 of 1968) is enacted to regulate the import, manufacture, sale, transport, distribution and use of insecticides with a view to prevent risk to human beings or animals and for matters connected therewith.

2. It is noticed that, many manufacturers, dealers and sellers are engaged in manufacture and sale of misbranded insecticides. Farmers spent money to purchase such insecticides which do not give results for controlling pests and diseases. This results in financial loss to the farmers due to less agricultural output. Apart from this, residual of such insecticides is hazardous to human health and causes environmental pollution. Therefore, the Government of Maharashtra considers it expedient to prevent sale of misbranded insecticides and for that purpose make the offences specified under sub-section (1) of section 29 of the Insecticides Act, 1968, cognizable and non-bailable by inserting new section 29A in the said Act in its application to the State of Maharashtra.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 2nd August, 2023.

DHANANJAY MUNDE,
Minister for Agriculture.

ANNEXURE TO THE L.A. BILL No. XLI OF 2023 -THE INSECTICIDES
(MAHARASHTRA AMENDMENT) BILL, 2023.

(Extracts from The Insecticides Act, 1968)

(XLIV of 1968)

1. to 28.

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29. (1) Whoever,—

Offences
and punish-
ment.

(a) imports, manufactures, sells, stocks or exhibits for sale or distributes any insecticide deemed to be misbranded under sub-clause (i) or sub-clause (iii) or sub-clause (viii) of clause (k) of section 3 ; or

(b) imports or manufactures any insecticide without a certificate of registration ; or

(c) manufactures, sells, stocks or exhibits for sale or distributes an insecticide without a licence ; or

(d) sells or distributes an insecticide, in contravention of section 27 ; or

(e) causes an insecticides, the use of which has been prohibited under section 27, to be used by any worker ; or

(f) obstructs an Insecticide Inspector in the exercise of his powers or discharge of his duties under this Act or the rules made thereunder, shall be punishable—

(i) for the first offence, with imprisonment for a term which may extend to two years, or with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees, or with both;

(ii) for the second and a subsequent offence, with imprisonment for a term which may extend to three years, or with fine which shall not be less than fifteen thousand rupees but which may extend to seventy-five thousand rupees, or with both.

(2) Whoever uses an insecticide in contravention of any provision of this Act or any rule made thereunder shall be punishable with fine which shall not be less than five hundred rupees but which may extend to five thousand rupees, or imprisonment for a term which may extend to six months, or with both.

(3) Whoever contravenes any of the other provisions of this Act or any rule made thereunder or any condition of a certificate of registration or licence granted thereunder, shall be punishable—

(i) for the first offence, with imprisonment for a term which may extend to one year, or with fine which shall not be less than five thousand rupees but which may extend to twenty-five thousand rupees, or with both ;

(ii) for the second and a subsequent offence, with imprisonment for a term which may extend to two years, or with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees, or with both.

(4) If any person convicted of an offence under this Act commits a like offence afterwards it shall be lawful for the court before which the second or subsequent conviction takes place to cause the offenders name and place of residence, the offence and the penalty imposed to be published in such newspapers or in such other manner as the court may direct.

30. to 38.	*	*	*	*
SCHEDULES	*	*	*	*

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

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**[A Bill to amend the Insecticides
Act, 1968, in its application to
the State of Maharashtra.]**

[SHRI DHANANJAY MUNDE,
Minister for Agriculture.]

JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Assembly.