



Standing Committee Report Summary

The Pesticide Management Bill, 2020

- The Standing Committee on Agriculture, Animal Husbandry and Food Processing (Chair: Mr. P.C. Gaddigoudar) tabled its report on the Pesticide Management Bill, 2020 on December 21, 2021. The Bill was introduced on March 23, 2020. The Bill replaces the Insecticides Act, 1968. It seeks to regulate the manufacture, import, sale, storage, distribution, use, and disposal of pesticides, in order to ensure the availability of safe pesticides and minimise the risk to humans, animals, and environment. Key observations and recommendations of the Committee include:
 - **Definition of pesticides:** The Bill defines pesticide as any substance of chemical or biological origin intended for preventing or destroying any pest in agriculture, industry, public health, pest control operations, or for ordinary use. The Committee note that such a broad definition may treat chemical pesticides (which require stringent regulation) at par with traditional pest control measures. It recommended that the definition should specify that these pesticides must be those as notified in the Schedule by the Registration Committee (which grants registration for use of pesticides) as having pesticidal properties.
 - **Central Pesticides Board:** Under the Bill the central government will constitute the Central Pesticides Board to advise the central and state governments on scientific and technical matters under the Act. The Committee noted that the Board is merely an advisory body with all regulatory authority actually vested in the Registration Committee which is composed of a few technical persons. It recommended that the Board should be empowered to overlook the functioning of the Registration Committee. Further, the Registration Committee should regulate its procedure and conduct of business with the approval of the Board.
 - **Registration of pesticides:** The Bill does not specify a time limit for registration of pesticide by the Registration Committee. The 1968 Act specified a time limit of 12 months for registration of pesticides. The Committee noted that registration must not be left open-ended. It recommended disposing application for registration of pesticide within two years.
 - **Periodic review:** Under the Bill, the Registration Committee must conduct periodic review of registered pesticides and may review any pesticide at any time. The Committee recommended conducting a periodic review every ten years after registering the pesticide. Further, the task of reviewing pesticides should be vested in a body different from the Registration Committee. The Committee recommended constituting
 - a Review Committee consisting of bio-safety and agro-ecology experts to review pesticides.
- **Accountability of Pesticide Inspectors and Analysts:** Under the Bill, Pesticide Inspectors can enter and search premises, seize records, collect and send samples for analysis to the Pesticide Analyst, and stop the distribution of pesticides. The samples are tested by Pesticide Analysts who send reports to the Inspectors. The Committee noted that the Bill does not specifically provide for accountability of these inspectors and analysts. Pesticide inspectors have been given sweeping powers without any checks and balances. It recommended setting up a grievance redressal mechanism against pesticide inspectors and analysts, who act vexatiously or without any reasonable ground under the Bill. An online portal should be created to receive complaints against such inspectors, and the enquiry completed within 30 days.
- **Licensing:** Under the Bill, any person seeking to manufacture, distribute or sell pesticides or undertake pest control operations must apply for a license to a Licensing Officer appointed by the state government. These licenses may be granted in 90 days. The Committee noted that a single Licensing Officer may not be able to cater to the whole state. It recommended appointing a Licensing Committee, comprising three to four persons to grant licenses. Further, the period to grant licenses be reduced to 60 days.
- **Qualification of retailers:** The Committee noted that the Bill does not specify the qualification of retailers and the persons dispensing pesticides at company outlets. It recommended that certain minimum qualification standards are necessary for sellers, dealers and stockists of pesticides as they deal with hazardous substances. Further, farmers buy pesticides as recommended by such retailers.
- **Testing of pesticides:** The Committee noted that cases of sale of spurious, counterfeit and sub-standard pesticides should be addressed in the law. It recommended: (i) creating an online portal to record details of samples collected for testing and publish the results of such tests online, and (ii) accreditation of all pesticide testing laboratories.
- **Integrated Pest Management (IPM):** The Committee noted that the Bill does not contain provisions to promote IPM, which is a long-term strategy with a holistic approach for crop protection rather than simply eliminating pests. It recommended that IPM should be incorporated in the Bill.

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