

INSECTICIDES (AMENDMENT) ACT 2000

THE INSECTICIDES (AMENDMENT) ACT, 2000

ACT NO. 23 OF 2000

[5th August, 2000.]

An Act further to amend the Insecticides Act, 1968.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:-

Short title. 1. Short title.-This Act may be called the Insecticides (Amendment) Act, 2000.

Amendment of section 21.

2. Amendment of section 21.-In the Insecticides Act, 1968 (46 of 1968) (hereinafter referred to as the principal Act), in section 21, in sub-section (1), in clause (d), for the word "twenty", the word "thirty" shall be substituted.

Amendment of section 22.

3. Amendment of section 22.-In section 22 of the principal Act,-

(a) for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) Where an Insecticide Inspector takes any sample of an insecticide, he shall issue a receipt therefor stating therein that the fair price of such sample shall be tendered if the sample, after test or analysis is not found to be misbranded and the Insecticide Analyst has reported to that effect and on such price having been tendered may require a written acknowledgement therefor.";

(b) in sub-section (4), the words, brackets and figure "Where the price tendered under sub-section (3) is refused, or" shall be omitted.

Amendment of section 24.

4. Amendment of section 24.-In section 24 of the principal Act,-

(a) in sub-section (1), for the word "sixty", the word "thirty" shall be substituted;

(b) in sub-section (4), for the words "which shall make the test or analysis", the words "which shall, within a period of thirty days, make the test or analysis" shall be substituted.

Amendment of section 27.

5. Amendment of section 27.-In section 27 of the principal Act, in

sub-section (1), the words, brackets and figures "sub-clause (iii) of" shall be omitted.

Amendment of section 29.

6. Amendment of section 29.-In section 29 of the principal Act,-

(a) in sub-section (1), for the portion beginning with the words "shall be punishable-" and ending with the words "three years, or with fine, or with both", the following shall be substituted, namely:- "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";

(b) in sub-section (2), for the words "which may extend to five hundred rupees", the words "which shall not be less than five hundred rupees but which may extend to five thousand rupees, or imprisonment substituted; for a term which may extend to six months, or with oth" shall be

(c) in sub-section (3),- (i) in clause (i), for the words "six months, or with fine, or with both", the words "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" shall be substituted; (ii) in clause (ii), for the words "one year, or with fine, or with both", the words "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" shall be substituted.

Insertion of new section 31A.

7. Insertion of new section 31A.-After section 31 of the principal Act, the following section shall be inserted, namely:-

31A. Special Courts.- (1) If the State Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act in any district or metropolitan area, it may, by notification in the Official Gazette and after consultation with the High Court, notify one or more Courts of Judicial Magistrates of the first class, or, as the case may be, Metropolitan Magistrates, in such district or metropolitan area to be Special Courts for the purposes of this Act.

(2) Unless otherwise directed by the High Court, a court notified

under sub-section (1) shall exercise jurisdiction only in respect of cases under this Act.

(3) Subject to the provisions of sub-section (2), the jurisdiction and powers of the presiding officer of court notified under sub-section

(1) in any district or metropolitan area shall extend throughout the district or the metropolitan area, as the case may be.

(4) Subject to the foregoing provisions of this section, a court

notified under sub-section (1) in any district or metropolitan area

shall be deemed to be a court established under sub-section (1) of

section 11, or, as the case may be, sub-section (1) of section 16 of the Code of Criminal Procedure, 1973 (2 of 1974) and the provisions of that Code shall apply accordingly in relation to such courts.

Explanation.-In this section, "High Court" has the same meaning as in clause (e) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974).'. SUBHASH C. JAIN, Secy. to the Govt. of India.