

Bill No. 153 of 2019

THE INSECTICIDES (AMENDMENT) BILL, 2019

By

DR. MANOJ RAJORIA, M.P.

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BILL

further to amend the Insecticides Act, 1968.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Insecticides (Amendment) Act, 2019.

Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

46 of 1968.

2. In section 4 of the Insecticides Act, 1968 (hereinafter referred to as the principal Act),—

Amendment of section 4.

(a) in sub-section (3), after clause (xvi), the following clause shall be inserted, namely:—

“(xxii) one scientist who shall be an expert in non-animal alternatives, to be nominated by the Central Government.”; and

(b) in sub-section (4), for the words “under clauses (xiv) to (xxi)”, the words “under clauses (xiv) to (xxii)” shall be substituted.

Amendment
of section 5.

3. In section 5 of the principal Act, in sub-section (1), for the words “and the Plant Protection Adviser to the Government of India”, the words, “the Plant Protection Adviser to the Government of India and the scientist appointed under clause (xxii) of sub-section (3) of section 4” shall be substituted.

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STATEMENT OF OBJECTS AND REASONS

The world, in the past ten years, has seen a paradigm shift in the way chemicals are being tested for health risk assessment. Safety testing is moving away from simply causing recognizable toxic effects in animals and moving into understanding symptoms, disorders, diseases and toxicity endpoints more holistically. This includes moving away from obsolete, time consuming, painful experiments on animals to swift, sustainable, superior non-animal technologies.

Europe and the United States have already begun to invest heavily in this research area, with collaborative research agreements being struck to maximize coordination, data sharing and potential synergies.

Europe, in the recent past, has made considerable progress in reducing the number of animals used to test a new active substance by an unprecedented 40% to 50% compared to previous requirements—making it one of the largest one-time regulatory animal test reduction ever achieved.

Whereas Europe was lagging behind 15-20 years in its regulation for safety assessment of pesticides, India's regulation still has elements that date back forty-five years. Obsolete, animal intensive experiments are still being mandated by the regulatory authority.

India has been a signatory to the Mutual Acceptance of Data (MAD) agreement of the Organisation for Economic Cooperation and Development (OECD) since 2011. The OECD contains a number of non-animal alternatives for any of its member countries or MAD signatory countries to uptake. However with India, the uptake and putting in practice, these alternatives have been extremely slow. This is due to the fact that neither the Central Insecticide Board nor the Registration Committee consist of any member with expertise in the non-animal alternatives. The Board heavily relies on stakeholders outside the Committee. With the advent of alternatives in a larger way in the near future owing to the development of alternatives worldwide and the requirements of Indian law, *i.e.*, section 17(2)(d) of the Prevention of Cruelty to Animals Act, 1960 requires that “experiments on animals are avoided wherever it is possible to do so”, it is important that a scientist with knowledge and expertise on non-animal alternatives be included in the Central Insecticide Board and the Registration Committee so that redundant animal testing could be avoided thereby saving animals from unnecessary pain and suffering; and advancing India's standards in technology by bringing its regulatory requirements at par with the global leaders.

Hence this Bill.

NEW DELHI;
June 18, 2019.

MANOJ RAJORIA

ANNEXURE

EXTRACT FROM THE INSECTICIDES ACT, 1968

(46 OF 1968)

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The Central
Insecticides
Board.

4. (1) The Central Government shall, as soon as may be constitute a Board to be called the Central Insecticides Board to advise the Central Government and State Governments on technical matters arising out of the administration of this Act and to carry out the other functions assigned to the Board by or under this Act.

(2) The matters on which the Board may advise under sub-section (1) shall include matters relating to—

(a) * * * * *

(b) * * * * *

(3) * * * * *

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(xxi) one ecologist to be nominated by the Central Government.

(4) The persons nominated under clauses (xiv) to (xxi) inclusive, of sub-section (3) shall, unless their seats become vacant earlier by resignation, death or otherwise, hold office for three years from the date of their nominations, but shall be eligible for re-nomination:

Provided that the persons nominated under clauses (xvii) and (xviii) shall hold office only for so long as they hold the appointments by virtue of which their nominations were made.

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Registration
Committee.

5. (1) The Central Government shall constitute a Registration Committee consisting of a Chairman, and not more than five persons who shall be members of the Board (including the Drugs Controller, India and the Plant Protection adviser to the Government of India—

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further to amend the Insecticides Act, 1968.

(Dr. Manoj Rajoria, M.P.)