



THE SINDH FERTILIZER (CONTROL) RULES, 1999 *

SCAN TO VERIFY

LAW DEPARTMENT

GOVERNMENT OF SINDH

www.sindhlaws.gov.pk

[Karachi the 29th September, 1999]

Notification No. 4(25)SO(INPUTS)/93-95/VOL:IV. – in exercise of the powers conferred by section 22 of the Sindh Fertilizer (Control) Act 1994 the Government of Sindh are pleased to make following rules:-

PART – I

PRELIMINARY

1. **Short title, commencement and application.** – These Rules may be called the Sindh Fertilizer (Control) Rules, 1999.
2. They shall come into force at once.
3. **Definition** – In these rules, unless there is anything repugnant in the subject or context:
 - (1) “**Act**” means the Sindh Fertilizer (Control) Act, 1994.
 - (2) “**Form**” means form appended to these rules.
 - (3) “**Laboratory**” means at Fertilizer Testing Laboratory setup under the Act.
 - (4) “**Licence**” means a licence issued for sale and distribution of fertilizer or fertilizer.
 - (5) “**Licencing Authority**” means such authority as may be appointed by Government under these rules.
 - (6) “**Section**” means a section of the Act.

The words and expression used but not defined in these rules shall have same meaning as assigned to them in the Sindh Fertilizer (Control) Act, 1994.

PART-II
SALE, DISTRIBUTION AND STOCKING OF FERTILIZER AND
FERTILIZER MATERIAL

- 4. Licensing Authority** – (1) The Controller shall appoint licensing authorities for such area as may be specified.
- (2) Application for Licensing – Application for license by a duly trained person by the provincial Government / Fertilizer manufactures for safe handling storage, transportation or use of fertilizer shall be made in Form-1 to the Licencing authority, and shall be accompanied by a fee of “Two Thousand Rupees” which shall be non refundable.
- (3) A licence to sell, stock and exhibit for sale, or fertilizer material shall be issued to fertilizer dealer in Form-2 and such consolidated list will be maintained by the Director General Agriculture Extension, Sindh.
- (4) A license to sell, stock and exhibit for sale, and distribute fertilizer or fertilizer material except standard fertilizer registered by Federal Government shall be issued to fertilizer distributor in Form-12 to the Licencing authority for the period of three years, shall be accompanied by a fee of fifty thousand and twenty five thousand rupees for renewal, which shall be non refundable.
- (5) If fertilizer or fertilizer material are sold or stocked for sale more than one place by the fertilizer dealer. A separate application shall be made, and a separate licence shall be issued, in respect license shall be issued, in respect of each such place.
- (6) License to sell fertilizer shall, unless sooner suspended or cancelled, be in force for three years, from the date of issue and be renewed for a further period of three years at a time, on an application made in this behalf in Form-3 subject to payment of renewal fee of one thousand rupees for fertilizer dealership.
- (7) Certificate of renewal shall be issued by the licencing authority in Form – 4.

- 5. Condition of Licence** – A licensee shall:-

- (1) Provide and maintain an adequate premise for the proper sale and storage of fertilizer and fertilizer material in respect of which licence has been granted.
 - (2) Maintain adequate number of properly trained staff, having sufficient knowledge regarding the products and its use.
 - (3) Provide necessary training to the sellers, regarding safe storage and use of fertilizer.
 - (4) Keep the fertilizer in the prescribed package.
 - (5) Maintain proper storage facility for fertilizer and fertilizer material.
 - (6) Not to allow transportation of adulterated / spurious fertilizer or fertilizer material.
- 6. Delegation of powers.** – A licencing authority may with the approval of the Controller by on order in writing delegate the powers sign licence and such other powers as maybe specified in the order to any other person under his control.
- 7. Record and its inspection.** – Record of all purchases and sale dealing of fertilizer and fertilizer material shall be maintained, which include the following particulars.
- (i) The date of purchase and sale
 - (ii) The name and addresses of the concerned from whom purchased and sold.
 - (iii) The name of the manufactures.
 - (iv) The analysis report from provincial laboratory with percentage of fertilizer and fertilizer material.

Such record shall be preserved for three years from the date of sale of the fertilizer or fertilizer material.

- 8.**
- (1) The licensee of fertilizer dealership shall produce for inspection by an Inspector appointed under the Act, on demand, all registers and records maintained under these rules and shall supply to the Inspector such information as he may require for the purpose of ascertaining whether the provision of the Act and rules there under have been observed.
 - (2) The licensee for distributor shall produce for inspection by an Inspector appointed under the Act, on demand, all registers and records maintained under these rules and shall supply to the Inspector such information as he may require for the purpose of ascertaining whether the provision of the Act and rules there under have been observed.

- 9. Cancellation and Suspension of licence.** – licence is liable to be suspended or cancelled, if licensee is found guilty of mal-practice involving adulteration, infringement of patent rights or any other activity repugnant to the Sindh Fertilizer (Control) Act, 1994 and the Rules made there under:

Provide before licence is suspended or cancelled, a show cause notice in writing mentioned reasons for cancellation of suspension of licence is to be served upon licensee.

- 10. Appeal.** – A licensee whose licence has been suspended or cancelled may appeal to the Controller within three months of the date of the order.

PART-III
ADVERTISING OF FERTILIZER OR FERTILIZER
MATERIAL

- 11. Condition of Advertising:-** (1) The controller may allow the Advertisement of Fertilizer or fertilizer Material, approve the contents of such advertisement and specify the conditions subject to which such advertisement shall be made.
- (2) An Advertisement may be made through press subject to the condition that the Controller may prohibit such advertisement if, in its opinion, the public interest so requires.
- (3) Advertisement material shall be presented with courtesy and good tastes and words and phrases implying urgency, uniqueness or such expressions which are absolute in character, such, as 'the most potent', 'the most rapid', 'the most efficacious'.
- (4) No licence shall in the course of trade or business engage in a conduct that misleading or deceptive.
- (5) Sale promotion by false representation that goods and services are of a particular standard quality or grade is an offence.

PART-IV
PACKING AND LABELING

- 12. Packing.** The container of fertilizer or fertilizer material shall be such as may be suitable for its storage and transportation and shall be of such material which does not deteriorate its contents.
- 13. Labeling,-** No person shall or distribute any fertilizer or fertilizer material unless it is labeled in accordance with these Rules and approved by the controller or person authorized by him.
- 14. Manner of Labeling,** - the following information shall be printed conspicuously and legibly and indelibly in English, Sindhi and Urdu on the container or bag and every tab or label attached thereto may, namely:-
- (1) Net contents,
(2) Date & place of manufacturing / formulation,
(3) The name and percentage by weight of plant nutrients.
(4) For Liquid fertilizer, Liquid Micronutrient and Growth regulator.
- (a) Date of expiry
(b) Batch No. or Lot No.
(c) Price

PART – V
FERTILIZER LABORATORY

- 15. Functions of the Laboratory.** – The following shall be functions of the laboratory, namely:
- (1) To analyze and test such samples of fertilizer or fertilizer material sent to it under the act and these rules.
 - (2) To carry out such other duties as may be entrusted to it by the Government.
- 16.** (1) The samples of fertilizer or fertilizer material for testing or analysis in the laboratory shall be sent by the registered post in seal packet together with a memorandum in Form-5 in an outer cover to Government Analyst.
- (2) The packet as well as the outer cover shall be marked with a distinguishing number.
 - (3) A copy of the memorandum and the specimen impression of the seal used to seal the packet shall be sent separately by registered post to the Government Analyst.
- 17. Regarding condition of seals.** – On receipt of the packet, it shall be opened by an officer authorized in writing in that behalf by the Government Analyst of the Laboratory, who shall record the condition of the seals on the packet.
- 18. Report of result of test or analysis.** – (1) After testing or analysis the report of the result of test or analysis together with full particulars of the test applied shall be supplied forthwith to the sender in Form-6.
- (2) The report of the test or analysis shall be signed by the Government Analyst of the Laboratory or an officer authorized by him.
- 19. Access of information.** – No person other than Government Analyst of the Laboratory shall have access to the information deposited in the laboratory.
- 20. Disclosure of information.** – No person or the staff of the laboratory shall disclose to any person nor the staff of the laboratory any information relating to the test, analysis or test report.

Provide that any such information may be disclosed to the extent necessary for the purpose of prosecution under the Act.

PART-VI
GOVERNMENT ANALYST AND
INSPECTOR

21. **Qualification of Government Analyst,** - No person shall be appointed to be Government Analyst unless he possesses a Master's degree in Chemistry or soil science having atleast five years experience in the chemical analysis of fertilizer or fertilizer material.
22. **Duties of Analyst.** – (1) The Government Analyst shall analyst or test or cause to be analyzed or tested such samples of fertilizer or fertilizer material as may be sent to him by an inspector under the Act or any other person and furnish report of the results of test or analysis in accordance with these rules.
- (2) On receipt of a package of sample for test or analysis the Government Analyst shall compare the scales on the packet with the specimen impression received separately and shall note the condition of the scales on the package.
- (3) After the test or analysis has been completed the Government Analyst shall forthwith supply to the Inspector a report in triplicate in Form-7 of the result of the test or analysis together with full details of the test methods applied.
- (4) The method of analysis of fertilizer or fertilizer material shall be as under:-
- i. Nitrogen: Digestion, Distillation and Titration by modified kjeldhal method.
 - ii. Phosphours: Yellow colour method by Barton solution.
 - iii. Potassium: Flame photometer method.
 - iv. Micronuttrients: By Atomic absorption
(Zn,Cu,Mn,Fe,Etc);
 - v. Boron: Hot Plate Method

Provided that the method of analysis mentioned above is in conformity with the standards prepared by Pakistan Standard Institute (PSI) for fertilizer or fertilizer material.

23. **Report of results of test or analysis:** - An application from a purchaser for test or analysis shall be made in Form-8 and the report of the test or analysis of the Fertilizer or Fertilizer Material made on such application shall be supplied to the applicant in Form-9.
24. **Fees.** – The Fees for test or analysis of a fertilizer or fertilizer material shall be two hundred rupees.

25. **Qualification of Inspector.** – A person who is appointed as an Inspector under the Act shall be a person who possesses atleast Master's degree in Agriculture.
26. **Duties of Inspector.** – An Inspector may within the local limits of the area for which his appointed.
- (1) Inspect any premises wherein fertilizer or fertilizer material is being sold or stocked or exhibited for sale or is being distributed and all relevant records and registers relating thereto:
 - (2) Take sample of fertilizer or fertilizer material which is being sold or stocked or exhibited for sale or is being distributed and forwarded them for test or analysis in accordance with these rules provided that a sample shall not exceed one & half kilogram in quantity or 250 ml in liquid in the presence of such person (unless he willfully absent himself), shall make three samples each 500 grams and effectively seal and suitable mark the sample and permit such person to add his own seal and mark to all or any of the portions so sealed and marked.
 - (3) Enter and search, at all reasonable times, with such assistance, if any as he considers necessary, any building, vessel or place, in which he has reason to believe from personal knowledge or from information given by any person and taken down in writing that an offence under the act or these rules has been or is being committed:
 - (4) Seize such fertilizer or fertilizer material and all other articles, including registers, cash memos, invoices, bills which he has reason to believe may furnish evidence of the commission of an offence punishable under the Act:
 - (5) Any fertilizer seized can be kept or stored in the building or place where it was seized or can be removed to any other place.
27. **Form of intimation of purpose of taking sample.** – Where an Inspector takes a sample for those for the purpose of test or analysis, he shall intimate such purpose in writing in Form-10 to the licensee from whom he takes it.
28. **Prohibition of disclosure of information.** – Except for the purpose of official business or when required by a court of law, an Inspector shall not without the sanction in writing of his official superior, disclose to any person any information acquired by him in the course of his official duties.
29. **Form of receipt for seized fertilizer or fertilizer material.** – A receipt by an Inspector by an Inspector for the stock of fertilizer or fertilizer material seized by him shall be in Form-11.
30. **Procedure for dispatch of sample fertilizer or fertilizer material-** (1) The portion of the sample or container to be sent by an Inspector to the Government Analyst for test or analysis

under the Act shall be sent by registry post or by hand in a sealed packet together with a memorandum in Form-5 in an outer cover addressed to the Government Analyst.

- (2) A copy of the memorandum and specimen impression of the seal used to seal the packet shall be sent to the Government Analyst separately by registered by registered post or by hand.

FORM-1
[See Rule 4 (2)]

**APPLICATION FOR LICENCE TO SELL, STOCK AND EXHIBIT FOR SALE AND
DISTRIBUTION OF FERTILIZER AND FERTILIZER MATERIAL**

- | | | |
|----|---|----|
| 1. | Name of the Applicant | :: |
| 2. | Father's Name | :: |
| 3. | Address of the Applicant | :: |
| | | |
| 4. | National Identity Card No. | :: |
| 5. | Name of Bank with A/C No. | :: |
| 6. | Storage facility with
Structure and Location | :: |

I do hereby apply for the licence as a dealer/vendor of fertilizer and fertilizer material. My particulars which are given above are correct to the best of my knowledge and belief. I undertake to abide by Sindh Fertilizer (Control) Act 1994 & Rules 1999.

SIGNATURE OF THE APPLICANT

Date: _____

FORM-2
[See Rule 4 (3)]

**LICENCE FOR DEALER/VENDOR OF
FERTILIZER AND FERTILIZER MATERIAL**

No. _____

Certified that the person whose particulars are given below has been issued a licence as dealer/vendor or fertilizer and fertilizer material.

- | | | |
|----|----------------------------|----|
| 1. | Name | :: |
| 2. | Father's Name | :: |
| 3. | Address | :: |
| | | |
| 4. | National Identity Card No. | :: |
| 5. | Date | :: |

LICENCING AUTHORITY

Date: _____

SEAL

FORM-3
[See Rule 4 (5)]

**APPLICATION FOR RENEWAL OF LICENCE AS A
DEALER/VENDOR OF FERTILIZER AND FERTILIZER**

No. _____

- | | | |
|----|----------------------------|----|
| 1. | Name | :: |
| 2. | Father's Name | :: |
| 3. | Address | :: |
| | | |
| 4. | National Identity Card No. | :: |
| 5. | No. and Date of Licence | :: |
| 6. | No. & Date of Challan | :: |

I do hereby apply for the renewal of licence issued in terms of the rule 4 (3) of the Sindh Fertilizer (Control) rule 1999 of which the particulars are given above. It is certified that no changes have been made since issue of the original certificate except as indicated above.

SIGNATURE OF THE APPLICANT

Date: _____

FORM-4
[See Rule 4 (6)]

CERTIFICATE OF RENEWAL

This is to certify that licence as Dealer/Vendor of fertilizer and fertilizer material bearing:

No. _____ Dated _____ of

M/s _____ S/o _____

R/o _____ NIC No. _____

Address _____

is renewed for the period of two years w.e.f _____

to _____

SIGNATURE OF LICENCING AUTHORITY
OFFICIAL SEAL

Date: _____

FORM-5
[See Rule 16 (1)]

MEMORANDUM

I do hereby certify that accompanying is a sample of fertilizer taken by me on _____ at _____ (specify full address) from stock in the charge of M/s _____ (state name and address of importer/stockiest/seller/formulator) in the presence of _____ (state name and address of witness).

The following further particulars are given in connection with the sample:-

1. Name of Fertilizer:
2. Marks or number on sample.
3. Information given on bag from
Which sample was taken
4. Approximate quantity of fertilizer
represented by sample
5. Other particulars.

SIGNATURE OF WITNESS

SIGNATURE OF INSPECTOR

PLACE _____

DATE: _____

NOTE: A copy of this memorandum shall be handed over or forwarded to the owner of the fertilizer or to his agent. A copy of shall be retained by the Inspector.

FORM-6
[See Rule 18 (1)]

REPORT OF TEST OR ANALYSIS BY
FERTILIZER TESTING LABORATORY

It is hereby certified

- (1) that on _____ the sample of _____ was received
from _____ in the Fertilizer testing Laboratory
_____ for test or analysis \.
- (2) that the sample was labeled, sealed and marked _____ and
- (3) that the sample was tested and/or analysed and found that (specify details of the result of test
and/or analysis) _____

SIGNATURE OF ANALYST
FERTILIZER LABORATORY

DATED: _____

FORM-7
[See Rule 22 (3)]

REPORT OF RESULT OF ANALYSIS
OR TEST OF SAMPLE OF FERTILIZER BY GOVERNMENT

I (Full Name _____) a duly appointed Government Analyst, in terms of Section 8 of the Sindh Fertilizer (Control) Act, 1994 do hereby make oath and state:

- (1) that on _____ I received a sample of _____ from _____
for analysis and/or test.
- (2) that the sample was labeled, sealed and marked _____
- (3) that I have analysed or tested the sample and found that (specify details of results of analysis and/or test) _____.

SIGNATURE OF GOVERNMENT ANALYST

DATED: _____

FORM-8
[See Rule 23]

**APPLICATION FOR TESTING OF FERTILIZER OR
FERTILIZER MATERIAL BY THE PURCHASER**

(To be submitted in triplicate)

- | | | |
|----|---|----|
| 1. | Name of the Applicant | :: |
| 2. | Address of the Applicant | :: |
| 3. | Name of Fertilizer /
Fertilizer Material | :: |
| 4. | Name of dealer/vendor | :: |
| 5. | Cash Memo/Bill No. & date | :: |
| 6. | Requirement of tests | :: |

Specification limit

- (i)
- (ii)
- (iii)

I do hereby apply for the testing of fertilizer in term of Rule 28 of Sindh Fertilizer (Control) Rules, 1999 of which particulars are given above. A challan of fee, for Rs. _____ is being submitted herewith as per schedule.

SIGNATURE OF THE APPLICANT

DATED: _____

FORM-9
[See Rule 23]

REPORT OF THE TEST OR ANALYSIS
FOR PURCHASER

1. Name of person from whom sample is received
2. Date of receipt
3. Name of fertilizer / Fertilizer Material.
4. Percent of active ingredient
5. Opinion of the Government Analyst

The sample referred to above is/is not of standard quality as specified.

SIGNATURE OF GOVERNMENT ANALYST

DATED: _____

FORM-10
[See Rule 27]

INTIMATION TO PERSON FROM WHOM
SAMPLE OF FERTILIZER / FERTILIZER
MATERIAL IS TAKEN

To,

I have this day taken from premises of _____ situated at
_____ sample of the fertilizer / fertilizer material specified below for
the purpose of test or analysis.

Details of sample taken

SIGNATURE OF INSPECTOR

DATED: _____

FORM-11
[See Rule 29]

RECEIPT OF STOCK OF FERTILIZER / FERTILIZER
MATERIAL SEIZED UNDER SECTION 10(1) OF THE SINDH
FERTILIZER (CONTROL) ACT, 1994

The stock of fertilizer/fertilizer material detailed below, has this day been seized by me under the provision of section 16(1) of the Sindh Fertilizer (Control) Act, 1994 from the premises of

_____ situated at
_____.

Details of fertilizer / fertilizer material seized (give full inventory of the confiscated material with quantity of each)

DETAILS OF MATERIAL

APPROXIMATE WEIGHT

SIGNATURE OF INSPECTOR

DATED: _____

FORM-12
[See Rule-4 (4)]

APPLICATION FOR REGISTRATION AS DISTRIBUTOR OF FERTILIZER
/ FERTILIZER MATERIAL IN THE PROVINCE OF SINDH

1. Name of firm / Company along with address of office, contract Telephone #, Fax #.
2. Name of Proprietor / Directors / Partners.
3. Copy of Registration from (Registrar of Firm / Companies).
4. Bank Guarantee amounting Rs.5 Million along Bank Account #
5. Product Registration Certificate from Notified Provincial Lab.
6. Copy of Registered Labels of Product / Products.
7. Transportation.
8. Technical field staff (at least three agriculture graduates from Sindh Province) with Vehicles.
9. Store/Warehouse Certificate concerned from District Officer Agriculture Extension Sindh (Fertilizer Inspector). (away from populated area).
10. Farmers Dealers training programme.
11. Undertaking

Signature of applicant