

REVISED

TERMS & CONDITIONS FOR

REGISTRATION OF
PESTICIDE DISTRIBUTORS

in Punjab



Agriculture Department
Government of Punjab

Designed by
**Directorate of
Agricultural Information
Punjab**

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PREFACE

Rule 9 of the Punjab Agriculture Pesticide Rules, 2018 provides for registration of Pesticide Distributors in Punjab. This Rule gives basic information regarding registration of pesticide distributors but lacks detailed procedure.

An effort was made in 2016 to supplement the said Rule through SOPs. However, these SOPs have been proving insufficient to cater requirements of the stakeholders besides creating hurdles in the case of doing business.

Several consultative sessions have been conducted during last 8 months to prepare an agreed draft of the Terms & Conditions for Registration of Pesticide Distributors in Punjab. The Secretary Agriculture (South Punjab) and the Additional Secretary (I.F. South Punjab) have offered valuable improvements. The leading Associations of pesticide distributors, Crop Life Pakistan and Pakistan Crop Protection Association have taken an active part in this process of revision. The D.G (PWCDCP) and the DDA (PP), Punjab have also played an important role in making these Terms and Conditions comprehensive and all encompassing.

It is hoped that these new T&C's would prove very beneficial in promoting the idea of ease of doing business, removing impediments in the way of registration and making the distributors accountable..

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TERMS & CONDITIONS FOR REGISTRATION OF PESTICIDE DISTRIBUTORS IN PUNJAB

Whereas it is expedient to revise terms and conditions for registration of pesticide distributors/renewal of registration in the Punjab with a view to promote ease of business; to remove impediments in the way of registration and to make the distributors accountable, the following terms and conditions are hereby issued under Rule (9)(4) of the Punjab Agricultural Pesticide Rules, 2018 for registration of pesticide distributors in Punjab.

1. Short Title, Extent and Commencement

- i) These terms and conditions may be referred as the Terms and Conditions for Registration of Pesticide Distributors in Punjab, 2021.
- ii) These terms and conditions extend to whole of the Punjab.
- iii) These terms and conditions shall come into force at once.

2. Submission of Applications

- I) Applications for registration as a pesticide distributor or for renewal of registration with the Punjab Agriculture Department shall be submitted by hand in the office of the DG (PW&QCP)/ Registering Authority, Punjab, Lahore on prescribed Proforma (Appendix-A), through the Chief Executive Officer/Managing Partner/Proprietor/Authorized Representative (in case of public and private limited companies) of the company/firm/proprietor, as the case may be.
- ii) On activation of the requisite facility, applications shall be submitted online.
- iii) Such applications can be submitted throughout the year at the

File Receiving Desk established in office of the Director General (PW & QCP), Punjab, Agriculture House, 21-Davis Road, Lahore.

- iv) The application shall be accompanied by the files in duplicate, complete in all respects (as prescribed in appendix B). Incomplete files shall not be entertained.
- v) All appointments, undertakings, affidavits and agreements must be under the signature of the C.E.O of the company/Managing Partner of the firm/Sole Proprietor /Authorized representatives for public and private limited companies. Only such representatives are entitled for all types of correspondence with the Department and he is responsible for authenticity of documents of his company/firm/proprietor.
- vi) The applications for registration as pesticide distributor shall be submitted in black colour files whereas the applications for renewal of registration shall be submitted in blue colour files.
- vii) An applicant, before filing an application for registration or renewal of registration shall complete all the infrastructural requirements as per existing Rules and Regulations and instructions of the Department issued from time to time.
- viii) The company/firm/proprietor already having registration as a pesticide distributor shall submit its case for renewal of registration two months prior to the expiry date of registration.

3. Registration/ Renewal Fee:

- I) All kinds of registration/renewal fee shall be deposited in the State Bank of Pakistan in form of Demand Draft in the name of the DG (PW&QCP), Punjab, Lahore.
- ii) A registration fee of Rs.300,000/- (Rupees three hundred thousand only) for registration of pesticide distributor

company/firm/proprietor shall be payable.

- iii) A fee of Rs. 100,000/- (Rupees one hundred thousand only) for renewal of registration of pesticide distributor/company / firm/proprietor shall be payable .
- iv) For online sale of pesticides, the company/firm/proprietor shall get registration certificate for online business of pesticides in Punjab.

4. Delay in Submission of Applications:

- i) The company/firm/proprietor who fails to submit its case for renewal within the stipulated period may avail a grace period of two months from the date of expiry of registration subject to payment of fine at the rate of Rs. 10,000 per month.
- ii) The company/firm/proprietor who fails to submit its case for renewal within the grace period may file a representation before the Additional Secretary (Task Force) within one year of the date of expiry of registration for condonation of delay, stating the grounds for delay.
- iii) The Additional Secretary (Task Force), if satisfied, with the grounds of delay produced by the applicant, may allow submission of case for renewal of registration with imposition of fine of Rs. 15,000 per month for the entire period of delay.
- iv) If a company/firm/proprietor fails to submit its case for renewal of the registration within one year as stated in the preceding para, it may apply to the Secretary Agriculture for renewal of registration within two years of the date of expiry of registration.
- v) The Secretary Agriculture, if satisfied with the grounds of delay produced by the applicant, may allow submission of case for renewal of registration certificate with imposition of fine of

Rs. 30,000 per month for the entire period of delay.

- vi) If a company/firm/proprietor fails to submit the case for renewal of the registration within two years as stated in the preceding para, its registration shall stand cancelled and the company/firm/proprietor shall apply for a new registration.

5. Processing of Cases

- I) The Deputy Director of Agriculture (Plant Protection), Punjab Lahore shall conduct preliminary scrutiny and submit the cases within 30 days before the concerned Sub-committee of the Expert Committee. In case of occurrence of discrepancies in the case for registration, the DDA (PP) shall intimate the company/firm/proprietor within a week.
- ii) The company/firm/proprietor after receipt of intimation regarding discrepancies in documents shall remove those discrepancies within 30 days.
- iii) In case of failure to remove discrepancies within stipulated time period, the case shall be rejected by Deputy Director of Agriculture (Plant Protection) Punjab, Lahore.
- iv) The company/firm/proprietor may file a representation within 30 days of the receipt of intimation before the Registering Authority against the rejection of application for registration/renewal of registration.
- v) The Registering Authority may direct DDA (PP), Punjab Lahore to reconsider the case with imposition of fine of Rs. 10,000/.
- vi) The Sub-Committee of the Expert Committee shall conduct final scrutiny and physical verification of the infrastructure of the applicant company/firm/proprietor and shall submit its report to the office of the Registering Authority, within 60 days of receiving of the case.

- vii) The Sub Committee of the Expert Committee shall conduct final scrutiny of the documents submitted by the company/firm/proprietor and shall conduct physical Inspection of the Infrastructure as per Appendix- C.
- viii) A company/firm/proprietor aggrieved of the findings of the report of the Sub Committee of the Expert Committee may make a representation against those findings before the Registering Authority, within 30 days of receipt of intimation.
- ix) The Registering Authority shall decide the matter within 30 days of the making of the representation.
- x) In case the matter is decided in favour of the company/firm/proprietor, re-inspection shall be conducted by the sub-committee of the Expert Committee along with DDA (PP), Punjab Lahore within 30 days of the decision.
- xi) An amount of Rs. 35000/- shall be charged as re-inspection fee.
- xii) The Expert Committee shall decide the cases within 30 days.
- xiii) The decision of the Expert Committee shall be forwarded to the Secretary Agriculture for approval.
- xiv) A company/firm/proprietor aggrieved of the recommendations of the Expert Committee may file a review petition before the Secretary Agriculture within 30 days of its approval.

6. Issuance of Registration Certificate

- i. The DDA (PP) shall issue certificate of registration within a week after approval of the recommendations by the Secretary Agriculture.
- ii. A registration certificate shall be issued in the name of the Chief Executive/Managing Partner/Director of company/firm/proprietor.

7. Registration Period

- i) The certificate for registration of a pesticide distributor shall be issued provisionally for one year.
- ii) The provisional certificate may be renewed for two years, and subsequent renewal may be made for a period of three years.
- iii) Each renewal shall be subject to satisfactory report of the Subcommittee of the Expert Committee on physical verification of infrastructure, scrutiny of documents, recommendations of the Expert Committee and approval by the Secretary Agriculture.

8. Change of Chief Executive Officer/Managing Partner/Proprietor/ Status

- i) A company, on change of its Chief Executive Officer, shall inform the Registering Authority of the new appointment and shall provide the relevant statutory return/form within a period of thirty days.
- ii) A company shall also provide its annual return (Form A) to the Registering Authority within a period of thirty days of submission of the same with the SECP.
- iii) A partnership firm, on change of its partnership status, shall inform the Registering Authority of the incoming and outgoing partner, as the case may be, and shall provide the amended partnership deed and relevant statutory return/form within a period of thirty days.
- iv) Upon change of status from a firm to a company, with the ownership remaining same, the Registering Authority may allow to continue registration in name of the new company on provision of a copy of certificate of incorporation or similar documents issued by the SECP.

- v) In case of sale of the business by a sole proprietor, the purchaser shall obtain a new registration certificate. In case of violation of this condition, the registration of the concerned proprietor shall be cancelled after affording an opportunity of hearing.

9. Change in Infrastructure

- i) All companies/firms/proprietors shall, within thirty days of occurrence of any change in the following infrastructure, submit a request to the Department for change in their registration certificate:
 - a) Office premises
 - b) Warehouse address
- ii) The Registering Authority, if satisfied, may allow re-inspection of the infrastructure subject to payment of prescribed fee.
- iii) An amended registration certificate shall be issued after physical verification of such change by the concerned sub-committee.
- iv) In case of failure to intimate the Department about changes within the stipulated period, the company/firm/proprietor shall be fined Rs.25,000/- (Twenty-five thousand only).

10. Opening of Regional Stores

- I) A company/firm/proprietor may open regional stores across the Punjab in addition to its main store subject to fulfillment of requirements as per law.
- ii) A company/firm/proprietor may apply to the Registering Authority for grant of permission for opening of regional stores on the prescribed form (Appendix-E).
- iii) The application shall be accompanied by the following

documents:

- a) Registration Certificate;
- b) Regional-store contract & location of store;
- c) Appointment of a regional-store In charge;
- d) Installation of a board showing the name of company/firm/proprietor and Mobile number of the Store In charge; and
- e) A company/firm/proprietor may use its stores as sale points for selling pesticides directly to the farmers at reduced prices.
Provided that the company/firm/proprietor shall have to abide by all rules and terms & conditions applicable in this regard.

11. Provision of Analytical Procedures/ Protocol Before Marketing of New Chemistry

No company / firm / proprietor shall sell or offer for marketing/sale/distribution any new chemistry without providing analytical procedures/protocol to the Government Analyst.

12. Sale of Pesticides Through Authorized Dealers Only

- i) Every company/firm/proprietor shall provide complete list of registered pesticide dealers to the Registering Authority annually.
- ii) No company/firm/proprietor shall sell or offer for marketing/ sale/ distribution of its pesticides other than through duly authorized dealers.
- iii) No company/firm/proprietor shall sell its pesticides without proper invoice.
- iv) All dealership certificates shall bear signature and by name stamp of CEO/ MD/ Proprietor or Authorized Representative duly intimated to the Registering Authority.
- v) All pesticides supplied to the registered dealers shall be accompanied by invoice bearing the name of the authorized officer.

13. Payment of Salary Through Bank

At the time of renewal of registration certificate, the company/firm/ proprietor shall submit salary slips issued by a bank in respect of their technical staff for the entire period of previous registration.

14. Prohibition on Registration of

Company/Firm/Proprietor with Identical Name

No company/firm/proprietor shall be registered with a name which contains words or expressions identical with or resembling or similar to the name of any other company/ firm/sole proprietor already registered as pesticide distributor.

15. Cancellation of Registration certificate

- I) In case, three pesticide samples of a pesticide distribution company/firm/proprietor drawn from the warehouse are declared adulterated by the government analyst with in a calender year, the registration certification of the firm shall be cancelled by the Registering Authority, subject to providing an opportunity of hearing.
- ii) In case a company/firm/ proprietor is found involved in obtaining registration through providing any misleading/ false information, the registration certificate of such company/firm shall be liable to be cancelled by the Registering Authority subject to providing an opportunity of hearing.
- iii) In case a company/firm/proprietor fails to provide the information required by the Registering Authority within the prescribed period, per day fine of Rs. 1000/- shall be imposed after expiry of the prescribed period.
- iv) A company/firm/proprietor aggrieved of the decision of the Registering Authority may make representation before the Additional Secretary (Task Force) within 30 days of the receipt of such decision.

16.Repeal and savings

- i) The SOPs issued vide this office notification N0. **AS(TF) 1-8-2/2015 dated 09th Nov., 2016** are hereby repealed.
- ii) Notwithstanding the repeal of the SOPs specified in sub para (i), everything done, action taken, obligation, liability, penalty incurred, registration, inquiry or processing commenced, committee constituted or person appointed or authorized, jurisdiction or power conferred, and order or notification issued under any of the provisions of the said SOPs, shall, if not inconsistent with the provisions of these terms and conditions be continued and so far as may be deemed to have been respectively done, taken, incurred, commenced, appointed, authorized, conferred, made or issued under these terms and conditions.

**APPLICATION FOR REGISTRATION /RENEWAL OF REGISTRATION
OF PESTICIDE DISTRIBUTOR IN PUNJAB**

The Director General Agriculture,
Pest Warning & Quality Control of Pesticides,
Punjab, Lahore.

Sir

I hereby submit my application for _____ pesticide distributor.

A. Particulars of the Company/Firm/ Sole Proprietorship

- i) Name _____
- ii) Address _____
- iii) Status _____ NTN No _____

B. Personal Information of the Chief Executive Officer/ Managing Partner/ Sole Proprietor

- i) Full Name (*Capital Letters*) _____
- ii) Father's Name (*Capital Letters*) _____
- iii) Contact No _____ E-Mail Address _____
- iv) CNIC _____

C. Fee Deposit Detail

- i) Pay Order/ DD of Worth Rs. _____ (In Words) _____
- ii) Bank Name with Branch Address _____

D. Previous License (*In case of Renewal*)

- i) Registration No _____ Date of Issuance _____
- ii) Validity From _____ / _____ / _____ To _____ / _____ / _____

E. Documents to be attached as per Appendix-B

Undertaking

I hereby undertake that all information/ particulars given in the application form are true to the best of my knowledge.

Signature of CEO/ Managing Partner/sole proprietor) _____

Dated _____

**APPLICATION FOR REGISTRATION OF A PESTICIDE
DISTRIBUTOR**

1. Name and address of the firm with name of chief executive
2. Whether the firm is public limited, private limited, Registered firm, sole proprietorship, (attached attested copies of memorandum/ partnership deed, form C
3. Income Tax Certificate issued by CBR and GIR number in the name of firm. (Attached certificate)
4. In case of company minimum paid up capital of Rs. 1.00 Million and in case of individual capital investment of 0.5 million (attach Bank Statement)
5. Name of pesticides registered in the name of firm (Attached registration certificate)
6. Complete address/ location of stores with name of in charge
7. Rental agreement of pesticide stores
8. Location of major/ Zonal pesticide stores in Punjab.
9. The store should
 - i. Be away from populated area
 - ii. Be properly ventilated
 - iii. Have protected electrical installation
 - iv. Have certified firefighting and safety equipment from Civil Defence Department
 - v. Be equipped with protected and safety clothing
 - vi. Have emergency shower & eye wash facilities
 - vii. Have safe arrangements for prevention of spoilage and disposal of waste, for the environment, humans and animal lives.
10. Location of formulation plants if available (optional)
11. The formulation plant should have well equipped pesticide analytical system omission control system and should follow industrial hygiene precautions.
12. Name of technical staff, qualification, location of their posting, postal address and contact number (attached appointment letter ,joining report, Photographs, CNIC, in cotton and rice zone of Punjab especially attested copies of their testimonial minimum requirement is 05 agriculture graduate)
13. Number of vehicles (attached attested photocopies of registration of at least 05 vehicles in the name of firm or lease agreement with the owner of vehicle)
14. Pesticide refiling and repacking unit

- i. If the firm is self-importer of pesticide, proof regarding the re-packing or re-filling pesticides and its own registered re-packing/ re-filling unit issued by the DPP, Karachi may be furnished.
 - ii. If the pesticide importer is availing, refiling/ re-packing facility from some other unit an agreement with such firm may be furnished. The facilitator firm unit must be registered with DPP Karachi.
 - iii. If the pesticide distributor is purchasing pesticides re-packed by the importer, a proof from the importer firm may be furnished.
15. Pay order/ bank draft of registration fee Rs. 300000 in advance, previous licenses must be attached.
16. Attestation of Documents
- i. Undertakings/affidavits shall be attested from Oath Commissioner and agreements from Notary public having by name stamp with Cell Number, CNIC number & Validity date.
 - ii. The agreements must bear complete name, address and CNIC number of the witnesses with Cell Number, CNIC Number.
 - iii. All appointments, undertakings affidavits and agreements must be signed by the C.E/M.P. of the firm himself.
 - iv. Only C.E/M.P. is entitled for all type of correspondence with Department and he is responsible for authenticity of documents of his firm.
17. Complete sampling record of entire previous period of registration.
18. Undertaking on stamp paper of rupees 50 stamp paper
- At the time of the fresh registration certificate, the Chief Executive Officer/ Managing Partner/ Sole proprietor of the company/firm shall submit an undertaking to abide by all provisions of the Act *ibid* and further amendments/ instructions issued from time to time by the Department

VERIFICATION OF INFRASTRUCTURE BY THE SUB COMMITTEE OF THE EXPERT COMMITTEE**A-Scrutiny of documents**

1. Registration Certificate and reliable to registration.
2. Income tax of FBR
3. Bank Statement
4. Pesticide Registration
5. Store Relating Documents
6. Formulation Plant, Filling, Packing, Repacking relating documents
7. Technical Staff Documents
8. Vehicle Documents
9. Pay Order/ Bank Draft
10. Photocopies attestation
11. Undertaking

B- Inspection of infrastructure:

1. Office
2. Store
3. Formulation Plant, Filling, Packing, Repacking unit etc
4. Technical staff
5. Vehicles

C- Checklist for Inspection of Storage Facilities of Pesticides

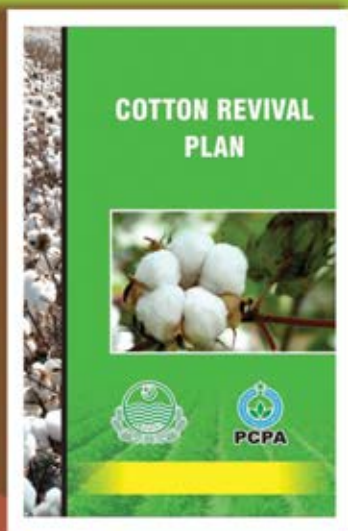
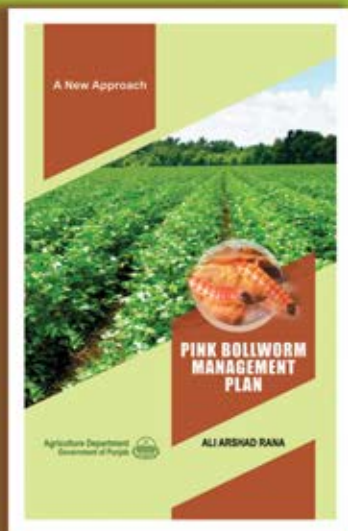
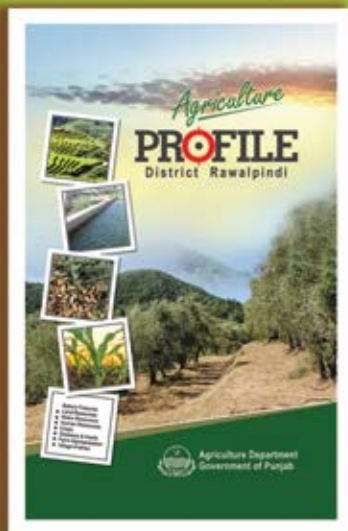
1. Protected electricity installation
2. Protected/safety clothing
3. Disposal /Drainage of waste Material
4. Eye wash /wash basin, towel presence
5. First aid box
6. Away from population area
7. Paved flooring
8. Skull-bone formation on the entrance
9. Name, address, contact no. of the store in-charge on the main entrance
10. Wooden /iron pellets under the pesticide's cartoons for case of cleanliness and to avoid direct contact to water etc.
11. Boards with names of pesticides, chemical names /manufacturing and expiry date of each type of pesticide

REGISTRATION OF REGIONAL STORE

- 1) Address of Company/Firm/Sole Proprietor _____
- 2) Name of CEO/Managing Partner/Sole Proprietor _____
- 3) Date of Registration/ Renewal of Registration _____
- 4) Address of Main Store _____
- 5) Address of Regional Store(s) Already Registered
 - i) _____
 - ii) _____
- 6) Address of Store to be Registered _____
- 7) Fee Deposit Details
Pay Order/ DD of Worth Rs. _____ (In Words) _____
Bank Name with Branch Address _____
- 8) Store Incharge
 - i) Full Name (*Capital Letters*) _____
 - ii) Father's Name (*Capital Letters*) _____
 - iii) Contact No _____ CNIC _____

Name of The Applicant _____ Signature _____

Dated _____



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