

THE FERTILISER (INORGANIC, ORGANIC OR MIXED) (CONTROL) ORDER, 1985

(GSR 758(E), dt. 25-9-1985)

*[As amended by the Fertiliser (Inorganic, Organic or Mixed) (Control)
Ninth Amendment Order, 2026 vide SO 4045(E), dt. 22-7-2026,
w.e.f. 23-7-2026]*

In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

CHAPTER I PRELIMINARY

1. Short title and commencement

(1) This Order may be called the Fertiliser ¹[Inorganic, Organic or Mixed)] (Control) Order, 1985.

(2) It shall come into force on the date ² of its publication in the Official Gazette.

2. Definitions

In this Order, unless the context otherwise requires,—

(a) 'Act' means the Essential Commodities Act, 1955 (10 of 1955);

³[(aa) Bio-fertilizer means the product containing carrier based (solid or liquid) living micro-organisms which are agriculturally useful in terms of nitrogen fixation, phosphorus solubilization or nutrient mobilization, to increase the productivity of soil and/or crop;]

⁴[(ab) "biostimulant" means a substance or microorganism or a combination of both whose primary function when applied to plants, seeds or rhizosphere is to stimulate physiological processes in plants and to enhance its nutrient uptake, growth, yield, nutrition efficiency, crop quality and tolerance to stress, regardless of its nutrient content, but does not include pesticides or plant growth regulators which are regulated under the Insecticide Act, 1968 (46 of 1968);]

(b) 'certificate of source' means a certificate given by a State Government, Commodity Board, manufacturer, ⁵[importer], pool handling agency or, as the case may be, wholesale dealer indicating therein the source from which fertiliser for purpose of sale is obtained;

(c) 'Commodity Board' means the Coffee Board constituted under section 4 of the Coffee Act, 1942 (7 of 1942) or the Rubber Board constituted under Section 4 of the Rubber Act, 1947 (24 of 1947), the Tea Board constituted under Section 4 of the Tea Act, 1953 (29 of 1953), or, as the case may be, the Cardamom Board constituted under Section 4 of the Cardamom Act, 1965 (42 of 1965);

¹ Inserted vide SO 349(E), dt. 6-2-2017, w.e.f. 6-2-2017.

² Enforced w.e.f. dt. 25-9-1985.

³ Inserted vide SO 391(E), dt. 24-3-2006, w.e.f. 24-3-2006.

⁴ Inserted vide SO 882(E), dt. 23-2-2021, w.e.f. 23-2-2021.

⁵ Inserted vide SO 397(E), dt. 18-6-1993.

- (d) 'compound or complex fertiliser' means a fertiliser containing two or more nutrients during the production of which chemical reaction takes place;
- (e) 'controller' means the person appointed as Controller of Fertilisers by the Central Government and includes any other person empowered by the Central Government to exercise or perform all or any of the powers, or as the case may be, functions of the Controller under this Order;
- ¹[(ee) "Customised Fertiliser" means a granular multi nutrient carrier which contains Primary, Secondary and/or micro nutrient forms, both from inorganic and/or organic sources, manufactured through a systematic process of Fusion blend granulation ²[or precision blend technology], formulated on the basis of soil fertility data and include 100% water soluble specialty fertiliser as customized combination products;]
- (f) 'dealer' means a person carrying on the business of selling fertilisers, whether wholesale or retail, ³[or industrial use] and includes a manufacturer, importer and a pool handling agency ⁴[Marketer] carrying on such business and the agents of such person; manufacturer, ⁵[importer] or pool handling agency;
- ⁶[(g) x x x]
- ⁷[(h) Fertiliser means any essential substance, either in straight or mixed form and derived from either inorganic, organic or mixed sources, that is used or intended to be used to provide essential plant nutrients or beneficial elements or both for the soil or for the crop or makes essential plant nutrients available to the plants either directly or by biological process or by both in the soil or plant as notified from time to time by Central Government and specified in the schedules appended to this order or as may be notified by the State Governments ⁸[and includes a biostimulant ⁹[nano fertiliser and organic carbon enhancers from Compressed Bio Gas plants ¹⁰[and Bio Gas Plants]].
- Explanation :* For the purpose of Fertiliser,—
- (i) "the essential plant nutrients" include Primary Nutrients (Nitrogen, Phosphorous and Potassium), Secondary Nutrients (Calcium, Magnesium and Sulphur) and Micro Nutrients (Zinc, Manganese, Copper, Iron, Boron and Molybdenum);
- (ii) "Beneficial element" means any element as notified by the Central Government from time to time.]
- (i) 'Form' means a form appended to this Order;
- ¹¹[(j) 'grade' means the nutrient contents in the fertiliser, expressed in percentage];

1 Substituted vide SO 1444(E), dt. 8-5-2017, w.e.f. 8-5-2017. Prior to substitution, sub-clause (ee) read as under:

"(ee) "Customised fertiliser" means the fertilizer specified under clause 20B;"

2 Inserted vide SO 3885(E), dt. 29-10-2020, w.e.f. 29-10-2020.

3 Inserted vide SO 795(E), dt. 22-11-1991.

4 Inserted vide SO 3054(E), dt. 23-9-2016, w.e.f. 23-9-2016.

5 Inserted vide SO 397(E), dt. 18-6-1993.

6 Omitted vide SO 725(E), dt. 28-7-1988, w.e.f. 28-7-1988.

7 Substituted vide SO 349(E), dt. 6-2-2017, w.e.f. 6-2-2017. Prior to substitution, clause (h) read as under:
 "(h) 'fertiliser' means any substance used or intended to be used as a fertiliser of the soil and/or crop specified in Part A of Schedule I and includes a mixture of fertilisers, special mixtures of fertilizer, provisional fertiliser, customised fertilizers, Bio-fertilizers specified in Schedule III and Organic fertilizers specified in Schedule IV and non-edible de-oiled cake fertilizers specified in Schedule V"

8 Inserted vide SO 882(E), dt. 23-2-2021, w.e.f. 23-2-2021.

9 Substituted for "and nano fertilizer" vide SO 897(E), dt. 17-2-2025, w.e.f. 20-2-2025.

10 Inserted vide SO 3482(E), dt. 29-6-2026, w.e.f. 29-6-2026.

11 Substituted vide SO 725(E), dt. 28-7-1988, w.e.f. 28-7-1988.

- (k) 'granulated mixture' means a mixture of fertilisers made by intimately mixing two or more fertilisers with or without inert material and granulating them together, without involving any chemical reaction;
- ¹[(kk) 'importer' means a person who imports fertiliser in accordance with the Export and Import policy of the Central Government, as amended from time to time];
- (l) 'inspector' means an Inspector of Fertilizers appointed under Clause 27;
- ²[(ll) 'Industrial dealer' means a dealer who sells fertilisers for industrial purposes;
- (lll) 'Industrial purposes' means the use of fertiliser for purposes other than fertilisation of soil and increasing productivity of crops;]
- (m) 'manufacturer, ¹[importer]' means a person who produces fertilisers or mixtures of fertilisers ³[x x x] and the expression "manufacture, ¹[import]" with its grammatical variations shall be construed accordingly;
- ⁴[(ma) "Marketer" means such fertiliser companies who sell, offer for sale, carry on the business of selling of fertiliser manufactured by other fertiliser company;]
- ⁵[(mb) the mixture of micronutrient are those which are made by mixing of micronutrient notified in Schedule-I under the sub-heading "1(g) MICRONUTRIENTS" of said Order;]
- ⁶[(n) 'mixture of fertilisers' means a mixture of fertilisers made by physical mixing of two or more fertilisers; with or without inert material in physical or granular form and includes a mixture of NPK fertilisers, a mixture of micronutrient fertilisers and a mixture of NPK with micronutrient fertilisers];
- ⁷[(na) "nano fertiliser" means the fertiliser of nano scale complying with the specifications as provided in clause 20D;]
- ⁸[(nn) "Notified Authority" means an authority appointed under clause 26A];
- ⁹[(nna) "non-edible de-oiled cake fertilizer" means substance obtained as residue after oil extraction (by expeller and/or through solvent extraction) from crushed seeds of non-edible oilseeds ¹⁰[including Castor, Neem, Karanj (Pongamiapinnata), Mahua (madhucalongifolia) and Jatropha] for use in soil as fertilizer;]
- (o) 'offer for sale' includes a reference to an intimation by a person of a proposal by him for the sale of any fertiliser, made by publication of a price list, by exposing the fertiliser for sale indicating the price, by furnishing of a quotation or otherwise howsoever;
- ¹¹[(oo) "Organic fertilizer" means substances made up of one or more unprocessed material(s) of a biological nature (plant/animal) and may include unprocessed mineral materials that have been altered through microbiological decomposition process;]

1 Inserted vide SO 397(E), dt. 18-6-1993.

2 Inserted vide SO 795(E), dt. 22-11-1991.

3 Words "or mixture of micro nutrient fertilisers" omitted vide SO 354(E), dt. 3-6-1993, w.e.f. 3-6-1993.

4 Inserted vide SO 3054(E), dt. 23-9-2016, w.e.f. 23-9-2016.

5 Inserted vide SO 4477(E), dt. 22-9-2022, w.e.f. 22-9-2022.

6 Substituted vide SO 354(E), dt. 3-6-1993, w.e.f. 3-6-1993.

7 Inserted vide SO 884(E), dt. 24-2-2021, w.e.f. 24-2-2021.

8 Inserted vide SO 49(E), w.e.f. 16-1-2003.

9 Inserted vide SO 2886(E), dt. 3-12-2010, w.e.f. 3-12-2010.

10 Substituted for "(such as Castor, Neem)" vide SO 2671(E), dt. 1-7-2021, w.e.f. 2-7-2021.

11 Inserted vide SO 391(E), dt. 24-3-2006, w.e.f. 24-3-2006.

¹[(ooa) Organic Carbon Enhancer from Compressed Bio Gas plants ²[and Bio Gas Plants] means any organic material produced by fermentation process either as a main product or by product, which increases or maintains the organic carbon when applied to soil or plant grow material media having favourable effect on soil and plant growth and is specified in Schedule VIII of the Order;]

(p) 'physical mixture' means a mixture of fertilisers ³[made by physically mixing two or more] fertilisers with or without inert material necessary to make a required grade, without involving any chemical reaction;

⁴[(pp) "Provisional fertilizer" means fertilizer specified under clause 20A;]

(q) 'prescribed standard' means—

(i) in relation to fertiliser included in Column 1 of Part A of Schedule-I, the standard set out in the corresponding entry in Column 2, subject to the limits of permissible variation as specified in Part B of the ⁵[Schedule and includes all such fertilizers whose standards are specified in such Schedule and are fortified with such micronutrients as given below:

<i>Micronutrients</i>	<i>Concentration (%)</i>
Zinc	0.4-1.0
Boron	0.1-0.3
Molybdenum	0.01-0.05
Copper	0.2-0.5

Explanation : The specification of the fertilizer which shall be fortified with above mentioned micronutrient shall remain the same as specified in Schedule-I.]

(ii) in relation to a mixture of fertilisers, the standard set out in respect of that mixture under sub-clause (1) of clause 13 by the Central Government, subject to the limits of permissible variation as specified in Part B of Schedule-I;

⁶[(iii) in relation to a ⁷[mixture of fertilisers] the standard set out in respect of that mixture under sub-clause (2) of clause 13 by the State Government, subject to limits of permissible variation as specified in Part B of Schedule-I;

⁸[(iv) in relation to a Bio-fertilizer included in column 1 of Part A of Schedule III, the standard set out in the corresponding entry in column 2, subject to the limits of permissible variation as specified in Part B of that Schedule;

(v) in relation to an Organic Fertilizer included in column 1 of Part A of Schedule IV, the standard set out in the corresponding entry in column 2, subject to the limits of permissible variation as specified in Part B of that Schedule;]

⁹[(vi) in relation to a non-edible de-oiled cake fertilizer specified in column (2) of Part A of Schedule V, the standard set out in the corresponding

1 Inserted vide SO 897(E), dt. 17-2-2025, w.e.f. 20-2-2025.

2 Inserted vide SO 3482(E), dt. 29-6-2026, w.e.f. 29-6-2026.

3 Substituted vide SO 725(E), w.e.f. 28-7-1988.

4 Inserted vide SO 2164(E), dt. 28-12-2006, w.e.f. 28-12-2006.

5 Substituted for "Schedule; and" vide SO 2345(E), dt. 29-5-2023, w.e.f. 29-5-2023.

6 Inserted vide SO 725(E), w.e.f. 28-7-1988.

7 Substituted for "mixture of NPK fertilizers, mixture of micro-nutrient fertilizers and combinations thereof" vide SO 354(E), dt. 3-6-1993, w.e.f. 3-6-1993.

8 Inserted vide SO 391(E), dt. 24-3-2006, w.e.f. 24-3-2006.

9 Inserted vide SO 2886(E), dt. 3-12-2010, w.e.f. 3-12-2010.

- entry in column (2) of the said part, subject to the limits of permissible variation as specified in Part B of the said Schedule;]
- ¹[(vii) prescribed standard means in relation to Customised Fertilisers, standards set out in respect of Customised Fertilisers under clause 20B by the Central Government, subject to limits of permissible variation as specified in part B of Schedule-I;]
- ²[(viii) in relation to a biostimulant included in column (2) of Part-A of Schedule VI, the standard set out in the corresponding entry in column (3), subject to the limits of permissible variations as specified in Part-B of the said Schedule;]
- ³[(ix) in relation to a mano fertiliser, means the specifications set out under clause 20D;]
- ⁴[(x) in relation to an Organic Carbon Enhancer derived from Compressed Biogas plants included in Schedule VIII, the standard set out under the respective column of the said Schedule;]
- (r) 'pool handling agency' means an agency entrusted by the Central Government with functions relating to handling and distribution of imported fertilisers;
- (s) 'registering authority' means a registering authority appointed under Clause 26 ⁵[in respect of mixture of fertilizers and special mixture of fertilizers];
- (t) 'retail dealer' means a dealer who sells fertilisers to farmers/ plantations ⁶[for agricultural use such as for fertilisation of soil and increasing productivity of crops];
- (u) 'Schedule' means a schedule appended to this Order;
- (v) 'special mixture of fertilisers' means any mixture of fertilisers prepared for experimental purposes in pursuance of a requisition made by any person (including a person engaged in the cultivation of tea, coffee or rubber) for sale to that person in such quantity and within such period as may be specified in such requisition; and
- (w) 'wholesale dealer' means a dealer who sells fertilisers otherwise than in retail ⁵[for agricultural use such as for fertilisation of soil and increasing productivity of crops].

COMMENTS

Fertiliser is an essential commodity. Essential commodities are commodities, in the commercial sense or any movable or tangible thing that is produced or used as the subject of barter or sale, which is indispensable, necessary, important in the highest degree or requisite. Section 2 of the Essential Commodities Act, 1955 defines "essential commodity" thus:

- (a) "essential commodity" means any of the following classes of commodities—
- (i) cattle fodder including oilcakes and other concentrates;
 - (ii) coal including coke and other derivatives;
 - (iii) component parts and accessories of automobiles;
 - (iv) cotton and woollen textiles;
 - (iva) drugs;

Explanation: In this sub-clause, "drugs" has the meaning assigned to it in clause (b) of section 3 of the Drugs and Cosmetics Act, 1940 (23 of 1940),

1 Inserted vide SO 1444(E), dt. 8-5-2017, w.e.f. 8-5-2017.
2 Inserted vide SO 882(E), dt. 23-2-2021, w.e.f. 23-2-2021.
3 Inserted vide SO 884(E), dt. 24-2-2021, w.e.f. 24-2-2021.
4 Inserted vide SO 5575(E), dt. 3-12-2025, w.e.f. 3-12-2025.
5 Inserted vide SO 49(E), w.e.f. 16-1-2003.
6 Substituted vide SO 795(E), dt. 22-11-1991.

- (v) foodstuffs, including edible oil seeds and oils;
- (vi) iron and steel, including manufactured products of iron and steel;
- (vii) paper, including newsprint, paperboard and straw board;
- (viii) petroleum and petroleum products;
- (ix) raw cotton, whether ginned or unginned, and cotton seeds;
- (x) raw jute;
- (xi) any other class of commodity which the Central Government may, by notified orders, declare to be an essential commodity for the purposes of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of Entry 33 in List III in the Seventh Schedule to the Constitution;
- (b) "food-crops" include crops of sugarcane;
- (c) "notified order" means an order notified in the Official Gazette;
- (cc) "order" includes a direction issued thereunder;
- (d) "State Government", in relation to a Union Territory, means the Administrator thereof;
- (e) "sugar" means—
 - (i) any form of sugar containing more than ninety per cent of sucrose, including sugar candy;
 - (ii) khandsari sugar or bura sugar or crushed sugar or any sugar in crystalline or powdered form; or
 - (iii) sugar in process in vacuum pan sugar factory or raw sugar produced therein.

Section 3 of the Essential Commodities Act empowers the Central Government to make Orders for controlling the production, supply, distribution, etc. of essential commodities, and in exercise of the power, the government issued the Fertiliser (Control) Order, 1985 in respect of fertilisers, same being an essential commodity as defined in the Essential Commodities Act.

The expression "control" connotes power to issue directions regarding how a thing may be done by a superior authority to an inferior authority.—*K.S. Ramamurthy Reddiar v. Chief Commissioner, Pondicherry, AIR 1963 (SC) 1464*

The word 'control' is synonymous with superintendence, management or authority to direct, restrict or regulate.—*The Shamrao Vithal Co-operative Bank Ltd. v. Kasargode Panduranga Mallya, AIR 1972 (SC) 1248*

The word "control" suggests check, restraint or influence. Control is intended to regulate and hold in check and restrain from action.—*State of Mysore v. Allum Karibasappa, AIR 1974 (SC) 1863*

The term 'control' is of a very wide connotation and amplitude and includes a large variety of power which are incidental or consequential to achieve the powers vested in the authority concerned.—*Corporation of the City of Nagpur, Civil Lines, Nagpur v. Ramchandra G. Modak, AIR 1984 (SC) 626*

CHAPTER II

PRICE CONTROL

3. Fixation of prices of fertilisers

(1) The Central Government may, with a view to regulating equitable distribution of fertilisers and making fertilisers available at fair prices, by notification in the Official Gazette, fix the maximum prices or rates at which any fertiliser may be sold by a dealer, manufacturer,¹[importer] or a pool handling agency.

(2) The Central Government may, having regard to the local conditions of any area, the period of storage of fertilisers and other relevant circumstances, fix different prices or rates for fertilisers having different periods of storage or for different areas or for different classes of consumers.

(3) No dealer, manufacturer,¹[importer] or pool handling agency shall sell or offer for sale any fertiliser at a price exceeding the maximum price or rate fixed under this clause.

¹ Inserted vide SO 397(E), dt. 18-6-1993.

COMMENTS

Where the Central Government has already fixed prices for sale of fertiliser by notification under the Fertiliser (Control) Order, a subsequent notification by the State Government fixing different prices cannot prevail.—*Ramchandra Mawa Lal Vamasi v. State of U.P. AIR 1987 (SC) 1837*

4. Display of stock position and price list of fertilisers

Every dealer, who makes or offers to make a retail sale of any fertilisers, shall prominently display in his place of business,—

- (a) the quantities of opening stock of different fertilisers held by him on each day;

Explanation : The actual stocks at any point of time during the day may be different from that of the displayed opening stocks to the extent of sale and receipt of such fertilisers upto the time of inspection during that day.

- (b) a list of prices or rates of such fertilisers fixed under clause 3 and for the time being in force.

COMMENTS

Where the accused was convicted for keeping fertiliser bags in excess of what was shown in stock register, under Punjab Green Dealers and Price Control Order for violation of the Fertiliser (Control) Order, it was held that inasmuch as defences available under both Orders are totally different serious prejudice was caused to the accused.—*Rulduram v. State of Punjab, 1997 FAJ 13*

Where certain stock was seized by an IAS probationer along with the Executive Magistrate and there was no notification empowering any of them as Inspector, the seizure would hold patently illegal in *Raj Kumar Prasad v. State of Bihar, 1997 FAJ 153*

5. Issue of cash/credit memorandum

Every dealer shall issue a cash or credit memorandum to a purchaser of a fertiliser in ¹[Form-M].

COMMENTS

A dealer in fertilisers should issue cash or credit memorandum to a purchaser. Form "M" added by Notification S.O. 261(E), dated 16-4-1991 with effect from the same date is the requisite form to be filled in for cash or credit memorandum to be issued by dealer, manufacturer, importer, or pool handling agency to the purchaser of fertilisers.

Licence under the Fertiliser (Control) Order is essential to carry on the business of fertilisers and, the rules further prohibit sale of fertilisers by one retail dealer to another retail dealer since it is opposed to public policy hit by section 23 of the Contract Act, 1872.—*Balaji Trading Co. v. Lingayya & Co., 1996 (3) ALT 16*

CHAPTER III

**CONTROL OF DISTRIBUTION OF FERTILISERS BY
MANUFACTURER/²[IMPORTER]**

6. Allocation of fertilisers to various States

The Central Government may, with a view to securing equitable distribution and availability of fertilisers to the farmers in time, by notification in the Official Gazette, direct any manufacturer, ²[importer] to sell the fertilisers produced by him in such quantities and in such State or States and within such period as may be specified in the said notification.

COMMENTS

Any government of a country is duty-bound to ensure equitable distribution of essential commodities in the interest of the public at large. The question of controlling prices of essential

¹ Substituted vide SO 261(E), w.e.f. 16-4-1991.

² Inserted vide SO 397(E), dt. 18-6-1993.

commodities including fertilisers and ensuring the supply and distribution in adequate quantities of these commodities and availability thereof at fair prices had been engaging the close and constant attention of our government. There had been wide spread public criticism of the manner in which some sections of the trade and middlemen were able to get around and render ineffective the legal and administrative measures devised for the maintenance and supplies essential to the community. The Essential Commodities Act, 1955 was enacted with the dominant object of securing, in the interest of general public, the control of production, supply, distribution, trade and commerce in commodities which have been declared as essential under that Act. The very same objective is behind clause 6 of the Fertiliser (Control) Order as well.

¹[CHAPTER IV

AUTHORISATION OR REGISTRATION OF DEALERS]

²[7. **Registration of Industrial dealers and authorisation of other dealers**

No person shall sell, offer for sale or carry on the business of selling of fertilizer at any place as wholesale dealer or retail dealer except under and in accordance with clause 8:

PROVIDED that a State Government may, if it considers it necessary or expedient, by notification in the Official Gazette, exempt from the provisions of this clause any person selling fertilizer to farmers in such areas and subject to such conditions as may be specified in that notification.]

8. Application for intimation or registration

(1) Every person intending to sell or offer for sale or carrying on the business of selling of fertilizer as Industrial Dealer shall obtain a certificate of registration from the controller by making an application in Form A together with the fee prescribed under clause 36 and a Certificate of source ³[in Form O].

(2) Every person including a manufacturer, an importer, a pool handling agency, wholesaler and a retail dealer intending to sell or offer for sale or carrying on the business of selling of fertilizer shall make a Memorandum of Intimation to the Notified Authority, in Form A1 duly filled in, in duplicate, together with the fee prescribed under clause 36 and certificate of source in Form O:

⁴[PROVIDED that in case of nano fertilizers, the manufacturer along with form A-1 for obtaining the Authorization letter submit the Bio toxicity or safety data, conducted by the Good Laboratory Practices (GLP) laboratories or National Accreditation Board for Testing and Calibration Laboratories (NABL) as per the guidelines issued by the Department of Bio Technology, to the notified authority of the concerned State Government.]

(3) On receipt of a Memorandum of Intimation, complete in all respects, the Notified Authority shall issue an acknowledgement of receipt in Form A2 and it shall be deemed to be an authorisation letter granted and the concerned person as authorised dealer for the purposes of this Order:

PROVIDED that a certificate of registration granted before the commencement of the Fertiliser (Control) (Amendment) Order, 2003, shall be deemed to be an authorization letter granted under the provisions of this Order:

PROVIDED FURTHER that where the applicant is a State Government, a manufacturer or an importer or a pool-handling agency, it shall not be necessary for it or him to submit Form O:

1 Substituted for "CHAPTER IV. REGISTRATION OF DEALERS" vide SO 49(E), w.e.f. 16-1-2003.

2 Substituted vide SO 49(E), w.e.f. 16-1-2003.

3 Inserted vide SO 354(E), dt. 3-6-1993, w.e.f. 3-6-1993.

4 Inserted vide SO 1242(E), dt. 9-3-2026, w.e.f. 10-3-2026.

PROVIDED ALSO that a separate Memorandum of Intimation shall be submitted by an applicant for wholesale business or retail dealership, as the case may be:

PROVIDED ALSO that where fertilizers are obtained for sale from different sources, a certificate of source from each such source shall be furnished in Form O:

¹[PROVIDED ALSO that a wholesale dealer, excepting a manufacturer, a pool handling agency or a State Government, shall not issue the certificate of source of another wholesale dealer. A wholesale dealer shall issue a certificate of source only to a retail dealer:]

²[PROVIDED ALSO that where the manufacturer of organic fertilizer is a State Government or municipality, it shall not be necessary for it to obtain the authorisation letter:

³[PROVIDED ALSO that the manufacturer of Fermented Organic Manure and Liquid Fermented Organic Manure, shall not be required to obtain the authorisation letter under sub-clause (3) of clause 8 of this Order for a period of ten years from the date of publication of the Fertiliser (Inorganic, Organic or Mixed)(Control) Seventh Amendment Order, 2026:]

PROVIDED ALSO that where the manufacturer of vermi-compost, other than a State Government or municipality, has annual production capacity less than 50 metric tonnes, it shall not be necessary for him to obtain the authorisation letter.]

⁴[(4) No authorisation letter shall be granted to any applicant for retail dealership, unless the applicant possesses the certificate course of fifteen days from any State Agriculture University or Krishi Vigyan Kendras or National Institute of Agricultural Extension Management (MANAGE) or National Institute of Rural Development and Panchayati Raj (NIDPR) or Fertiliser Association of India or any other approved Government Institute:

1 Inserted vide SO 354(E), dt. 3-6-1993, w.e.f. 3-6-1993.

2 Inserted vide SO 2803(E), dt. 3-11-2009, w.e.f. 3-11-2009.

3 Substituted vide SO 3482(E), dt. 29-6-2026, w.e.f. 29-6-2026. Earlier, proviso was inserted vide SO 2216(E), dt. 17-5-2023, w.e.f. 17-5-2023 and read as under:

“PROVIDED ALSO that the manufacturer of Fermental Organic Manure and Liquid Fermented Organic Manure, shall not be required to obtain the authorisation letter under sub-clause (3) of clause 8 of the said Order for a period of three years from the date of issue of notification.”

4 Substituted vide SO 3720(E), dt. 30-7-2018, w.e.f. 30-7-2018. Prior to substitution, sub-clause (4) read as under:

“(4) No authorisation letter shall be granted to any applicant under this Order unless the applicant possesses the following qualifications, namely:—

(v) Bachelor of Science in Agriculture from a recognised University or Institute; or

(vi) Bachelor of Science in Chemistry from a recognised University or Institute; or

(vii) Diploma in Agriculture Science from a recognised University or Institute; or

(viii) Certificate Course on agri-inputs for a minimum period of six months from National Institute of Agricultural Extension Management (MANAGE), National Institute of Plant Health Management (NIPHM) and other Government approved institute:

PROVIDED that the dealers, who have been granted authorisation letter, before the commencement of the Fertiliser (Control) Fourth Amendment Order, 2015 shall not be required to possess the qualifications at the time of renewal of their authorisation letter:

PROVIDED FURTHER that the said qualifications shall not be applicable to the registered Agricultural Co-operative Societies and State Marketing Federations but they shall engage a person with the above qualifications:

PROVIDED that a State Government may, by notification in Official Gazette, specify such bachelor degree equivalent to the Bachelor of Science in agriculture or Bachelor of Science in chemistry or any other degree or diploma or certificate having at least one of the subjects as agriculture input or chemistry for the purpose of this sub-clause.”

PROVIDED that a person in possession of Bachelor of Science in Agriculture or chemistry or Diploma in Agriculture Science from a recognised University or Institute or equivalent course having one of the subject on fertiliser or agri inputs, as notified by the State Government shall not be required to possess separate certificate course:

PROVIDED FURTHER that a dealer ¹[, Agricultural Cooperative Society or State Marketing Federations] who has been granted authorisation letter before commencement of the Fertiliser (Inorganic, Organic or Mixed) (Control) Fourth Amendment Order, 2018 shall not be required to possess the qualification at the time of renewal of their authorisation letter:

²[PROVIDED ALSO that the said qualification shall not be applicable for renewal of the authorisation letter of the registered Agricultural Cooperative Societies and State Marketing Federations subject to condition that such Society or Federation shall engage a person who possesses the qualification under this clause.]]

COMMENTS

Under clause 8, every person intending to sell or offer for sale or carrying on the business of selling fertiliser as industrial dealer shall obtain a registration certificate from the Controller. The required form of application is Form "A" and the certificate of source for carrying on the business of selling fertilisers in wholesale or retail for industrial use should be issued in Form "O". Likewise, every person including a manufacturer, an importer, a pool handling agency, wholesaler and retailer should make a memorandum of intimation to the notified authority, in Form A1, newly introduced by the Fertiliser (Control) (Amendment) Order, 2003 vide S.O. 49(E). In this case also, the certificate of source shall be in Form "O".

9. Grant or refusal of certificate of registration

The ³[x x x] Controller shall grant a certificate of registration in Form-B within thirty days of the receipt of application to any person who applies for it under Clause 8:

PROVIDED that no certificate of registration shall be granted to a person,—

- (a) if his previous certificate of registration is under suspension; or
- (b) if his previous certificate of registration has been cancelled within a period of one year immediately preceding the date of application; or
- (c) if he has been convicted of an offence under the Act, or any Order made thereunder within three years immediately preceding the date of making the application; or
- (d) if he fails to enclose with the application a certificate of source; or
- (e) if the application is incomplete in any respect;

⁴[(f) if he makes an application for obtaining the certificate of registration for industrial dealer and, excepting if he is a manufacturer, ⁵[importer] or pool handling agency, holds ⁶[an authorisation letter] for wholesale dealer or retail dealer or both, and as the case may be, the *vice versa*.]

⁷[**10. Period of validity of certificate of registration and letter of authorization**

Every certificate of registration granted under clause 9 and every authorization letter issued under clause 8 shall, unless renewed, suspended or cancelled, be valid for a period of ⁸[five years] from the date of its issue.

1 Inserted vide SO 4045(E), dt. 22-7-2026, w.e.f. 23-7-2026.

2 Third proviso omitted vide SO 4045(E), dt. 22-7-2026, w.e.f. 23-7-2026.

3 Words "registering authority or, as the case may be, the" omitted vide SO 49(E), w.e.f. 16-1-2003.

4 Inserted vide SO 795(E), dt. 22-11-1991.

5 Inserted vide SO 397(E), dt. 18-6-1993.

6 Substituted for "a valid certificate of registration" vide SO 49(E), w.e.f. 16-1-2003.

7 Substituted vide SO 49(E), w.e.f. 16-1-2003.

8 Substituted for "three years" vide SO 3447(E), dt. 25-9-2019, w.e.f. 25-9-2019.

¹[Notwithstanding anything contained in the said clause, the letter of Authorisation granted to the manufacture of City Compost issued under clause 8, unless suspended or cancelled is valid in perpetuity.]

11. Renewal of certificates of registration and authorization letters

(1) Every holder of a certificate of registration granted under clause 9 or authorization letter granted or deemed to have been granted under clause 8, desiring to renew such certificate or authorization letter shall, before the date of expiry of such certificate of registration or authorization letter, as the case may be, make an application for renewal to the Controller, in Form C, or to the Notified Authority in Form A1, respectively, in duplicate, together with the fee prescribed under clause 36 for such renewal and a certificate of source as required under clause 8.

(2) On receipt of an application under sub-clause (1), together with such fee and certificate of source, the controller may renew the certificate of registration or the Notified Authority, as the case may be shall issue acknowledgement receipt of renewal in form A2:

PROVIDED that a certificate of registration shall not be renewed if the holder of the same did not sell any fertiliser during the period of one year immediately preceding the date of expiry of the period of validity.

(3) If any application for renewal is not made before the expiry of the period of validity of the certificate of registration or, as the case may be, the authorization letter but is made within one month from the date of such expiry, the certificate of registration or, as the case may be, the authorization letter shall be dealt as provided in sub-clause (2) on payment of such additional fee as may be prescribed under clause 36 in addition to the fee for renewal.

(4) Where the application for renewal of certificate of registration is made within the time specified in sub-clause (1) or sub-clause (3), the applicant shall be deemed to have held a valid certificate of registration until such date as the controller passes orders on the application for renewal.

(5) If an application for renewal of a certificate of registration or authorisation letter is not made within one month from the date of expiry of their period of validity, the same shall be deemed to have lapsed on the date on which its validity expired and any business carried on after that date shall be deemed to have been carried on in contravention of clause 7.]

CHAPTER V

²[MANUFACTURE OF MIXTURE OF FERTILISERS, ORGANIC FERTILIZERS AND BIO-FERTILIZERS]

12. Restriction on preparation of mixtures of fertilisers

No person shall carry on the business of preparing any mixture of fertilisers ³[special mixture of fertiliser, ⁴[xxx]] except under and in accordance with the terms and conditions of a certificate of manufacture, ⁵[import] granted to him under Clause 15 or 16.

1 Inserted vide SO 1444(E), dt. 8-5-2017, w.e.f. 8-5-2017.

2 Substituted for "MANUFACTURE OF MIXTURE OF FERTILISERS" vide SO 391(E), dt. 24-3-2006, w.e.f. 24-3-2006.

3 Substituted for "or special mixture of fertilisers" vide SO 391(E), dt. 24-3-2006, w.e.f. 24-3-2006.

4 Words "Bio-fertilizers or Organic fertilizers" omitted vide SO 3054(E), dt. 23-9-2016, w.e.f. 23-9-2016.

5 Inserted vide SO 397(E), dt. 18-6-1993.

¹[13. Standards of mixtures of Fertilisers²[(1) Subject to the other provisions of this Order,—

- (a) no person shall manufacture any mixture of fertilizers whether of solid or liquid fertilizers specified in Part A of Schedule-I of the Order unless such mixture conforms of the standards set out in the notification to be issued by the ³[Central Government in the Official Gazette];
- (b) no person shall manufacture any Bio-fertilizer unless such Bio-fertilizer conforms to the standards set out in the Part A of Schedule-III;
- (c) no person shall manufacture any Organic fertilizer unless such organic fertilizer conforms to the standards set out in the Part A of Schedule-IV.]

⁴[(2) Subject to the other provisions of this Order, no person shall manufacture any mixture of fertilisers unless such mixture conforms to the standards set out in the notification to be issued by the State Government in the Official Gazette.*Explanation :* For the purposes of this sub-clause, mixture of fertilisers shall not include liquid fertilisers and 100% water soluble fertilisers, containing N.P.K.]⁵[x x x](4) No Certificate of Manufacture/⁶[Import] shall be granted in respect of any mixture of fertilisers or which does not conform to the standards set out in the notification referred in sub-clause (1) or (2);

(5) Nothing in this clause shall apply to special mixtures of fertilisers.]

COMMENT

Vide **SO 2900(E), dt. 24-10-2015**, the Central Government hereby fixes the following General Specifications of hundred per cent. Water Soluble Mixture of Fertiliser to be manufactured or imported into India.

General Specifications of hundred per cent. water soluble mixture of fertilisers

(i)	Moisture per cent. by weight, maximum	0.5
(ii)	Total primary nutrients (NPK) with secondary nutrients (S, Ca, Mg) and/or micronutrients (Zn, B, Mn, Fe, Cu, Mo) containing 3 primary nutrients (not less than 35 units), per cent. by weight minimum 2 primary nutrients (not less than 25 units), per cent. by weight minimum	40.0 30.0
(iii)	Total Chloride, per cent. by weight, maximum	1.5
(iv)	Matter insoluble in water per cent. by weight, maximum	0.5
(v)	Sodium as NaCl, per cent. by weight, maximum	0.5
(vi)	Lead (as Pb) per cent. by weight, maximum	0.003
(vii)	Cadmium (as Cd) per cent. by weight, maximum	0.0025
(viii)	Arsenic (as As) per cent. by weight, maximum	0.01

Note : (i) Forms of nutrient per cent. in hundred per cent. Water soluble fertilizer to be declared on packs.

(ii) Nutrient content mentioned in clause (ii) above is subject to condition that none of the primary nutrients included in 100% WSF is less than five per cent.

¹ Substituted vide SO 725(E), dt. 28-7-1988.² Substituted vide SO 391(E), dt. 24-3-2006, w.e.f. 24-3-2006.³ Substituted for "State Government in the Official Gazette" vide SO 2164(E), dt. 28-12-2006, w.e.f. 28-12-2006.⁴ Substituted vide SO 329(E), dt. 12-5-1999.⁵ Sub-clause (3) omitted vide SO 49(E), w.e.f. 16-1-2003.⁶ Inserted vide SO 397(E), dt. 18-6-1993.

- (iii) Nutrient content mentioned in clause (ii) above is subject to condition that none of the secondary nutrients included in 100% WSF is less than two per cent.
- (iv) Nutrient content mentioned in clause (ii) above is subject to condition that none of the micronutrients except for B and Mo included in 100% WSF is less than one per cent.
- (v) B and Mo included in Sr.no. (ii) above shall not be more than one per cent.

2. Every person who intends to manufacture or import the hundred per cent. Water Soluble mixture of fertiliser covered under the above mentioned general specifications of hundred per cent. water soluble mixture of fertiliser is required to follow the following requirements:

- (i) The person shall sell, offer for sale or carry on the business of selling of the product after thirty days from the date on which intimation in regard to the details of the product and their intention to sell is made to the following authorities:
 - (a) District Agriculture Office or Chief Development Officer and District Magistrate in the District where the company intends to sell their product;
 - (b) Secretary Agriculture or Horticulture of the concerned State or Union Territory, as the case may be;
 - (c) Director Agriculture or Horticulture of the concerned State or Union Territory, as the case may be;
 - (d) Joint Secretary, Integrated Nutrient Management, Department of Agriculture, Cooperation and Farmers Welfare, Ministry of Agriculture and Farmers Welfare;
 - (e) Joint Secretary, Department of Fertilisers, Ministry of Chemicals and Fertilisers;
 - (f) Director, Central Fertiliser Quality Control and Training Institute, Faridabad;
- (ii) Every person shall sell, offer for sale or carry on the business of selling of the product after thirty days from the date on which the details of their product is advertised in two local widely circulated daily news papers of the concerned districts; and
- (iii) Every person shall legibly label or mark the specifications of their product on its container or bag and the enforcement agencies shall analyze the sample as per the specifications specified on the bags of such fertiliser.

*[(iv) Every manufacturer or importer is required to provide the details of raw material used in making the hundred per cent. water soluble mixture of fertilizers.]

* Inserted vide SO 2001(E), dt. 22-6-2020.

14. Application for certificate of manufacture/¹[Import] of mixtures of fertilisers

(1) Every person desiring to obtain a certificate of manufacture for preparation of any mixture of fertilisers, shall possess such qualification as may be prescribed for this purpose by the State Government or shall employ a person possessing such qualification for the preparation of such mixture ²[and possess the minimum laboratory facility as specified in Clause 21A of this Order.]

(2) An applicant for a certificate of manufacture, ¹[import] for preparation of mixture of fertilisers or special mixture of fertilisers shall make an application to the registering authority,—

- (a) if he is an applicant for a certificate of manufacture, ¹[import] for any mixture of fertilisers in Form-D, in duplicate, together with the fee prescribed therefor under Clause 36; or
- (b) if he is an applicant for a certificate of manufacture, ¹[import] for any special mixture, in ³[Form-D] in duplicate together with the fee prescribed therefor

1 Inserted vide SO 397(E), dt. 18-6-1993.

2 Inserted vide SO 261(E), w.e.f. 16-4-1991.

3 Substituted for "Form E" vide SO 3254(E), dt. 23-12-2014.

under the said Clause 36 and an attested copy of the requisition of the purchaser.

¹[xxx]

15. ²[Grant or refusal of certificate of manufacture for preparation of mixture of fertilisers ³[xxx]]

⁴[(1) On receipt of an application under clause 14, the registering authority shall, by order in writing, either grant or refuse to grant the certificate of manufacture in respect of any mixture of fertiliser, ³[xxx] or special mixture of fertilizer and shall, within forty-five days from the date of receipt of the application, furnish to the applicant a copy of the order so passed.]

(2) Where an application for a certificate of manufacture, ⁵[import] of mixture of fertilisers, ³[xxx] is not refused under sub-clause (1), ⁶[the registering authority shall, within forty-five days from the date of receipt of the application, grant] a certificate of manufacture, ⁵[import] in Form F and where an application for a certificate of manufacture, ⁵[import] for a special mixture is not refused under that sub-clause, ⁷[such authority shall, within forty-five days from the date of receipt of the application, grant] a certificate of manufacture, ⁵[import] to the applicant in ⁸[Form-F].

COMMENTS

Clause 15 provides for grant or refusal of certificate of manufacture, import for preparation of mixtures of fertilisers, Bio-fertilisers or organic fertilisers and clause 16 lays down the conditions for grant of certificate of manufacture, import in respect of special mixture of fertilisers and period of validity of such certificate.

16. Conditions for grant of certificate of manufacture, ⁵[import] in respect of special mixture of fertilisers and period of validity of such certificate

(1) No certificate of manufacture, ⁵[import] in respect of any special mixture of fertilisers shall be granted to an applicant unless he holds a valid certificate of manufacture, ⁵[import] under this Order for any mixture of fertilisers.

(2) Every certificate of manufacture, ⁵[import] granted in respect of any special mixture of fertilisers shall be valid for a period of ⁹[six months] from the date of its issue:

PROVIDED that the registering authority may, if it is satisfied that it is necessary so to do, extend the said period to such further period or periods as it may deem fit, so however that the total period or periods so extended shall not exceed ¹⁰[twelve months].

1 Omitted vide SO 3054(E), dt. 23-9-2016, w.e.f. 23-9-2016. Prior to omission, sub-clause (3) read as under:
“(3) Every person desiring to obtain a Certificate of Manufacture for preparation of Organic fertilizer or Bio-fertilizer shall make an application in Form D, in duplicate, together with a fee prescribed thereof under clause 36, to Registering authority:

PROVIDED that where the manufacturer of organic fertilizer is a State Government or a municipality, it shall not be necessary for it to obtain the Certificate of Manufacture:

PROVIDED FURTHER that where the manufacturer of vermi-compost, other than a State Government or municipality, has annual production capacity less than fifty metric tonnes, it shall not be necessary for him to obtain the Certificate of Manufacture for preparation of vermi-compost.”

2 Substituted vide SO 391(E), dt. 24-3-2006, w.e.f. 24-3-2006.

3 Words “Bio-fertilisers or Organic fertilisers” omitted vide SO 3054(E), dt. 23-9-2016, w.e.f. 23-9-2016.

4 Substituted vide SO 49(E), w.e.f. 16-1-2003.

5 Inserted vide SO 397(E), dt. 18-6-1993.

6 Substituted for “the registering authority shall grant” vide SO 49(E), w.e.f. 16-1-2003.

7 Substituted for “such authority shall grant” vide SO 397(E), dt. 18-6-1993.

8 Substituted for “Form G” vide SO 3254(E), dt. 23-12-2014.

9 Substituted for “three months” vide SO 3254(E), dt. 23-12-2014.

10 Substituted for “six months” vide SO 49(E), w.e.f. 16-1-2003.

17. Period of validity of a certificate of manufacture for preparation of mixtures of fertilisers ¹[xxx]

Every certificate of manufacture, ²[import] granted under Clause 15 for preparation of a mixture of fertilisers ¹[xxx] shall, unless suspended or cancelled, be valid for a period of three years from the date of issue.

18. Renewal of certificate of manufacture for preparation of mixtures of fertilisers ¹[xxx]

(1) Every holder of a certificate of manufacture, ²[import] for preparation of a mixture of fertilisers ¹[xxx] desiring to renew the certificate shall, before the date of expiry of the said certificate of manufacture, ²[import] make an application to the registering authority in Form-D in duplicate, together with the fee prescribed for this purpose under Clause 36.

(2) On receipt of an application for renewal as provided in sub-clause (1), and keeping in view the performance of the applicant and other relevant circumstances, the registering authority may, if he so decides, renew the ³[certificate of manufacture] by endorsement on Form F and in case the ³[certificate of manufacture] is not renewed, the registering authority shall record in writing his reasons for not renewing the ³[certificate of manufacture].

(3) If an application for renewal is not made before the expiry of the ³[certificate of manufacture] but is made within one month from the date of expiry of the ³[certificate of manufacture] the ³[certificate of manufacture] may be renewed on payment of such additional fee as may be prescribed by the State Government for this purpose.

(4) Where the application for renewal is made within the time specified in sub-clause (1) or sub-clause (3), the applicant shall be deemed to have held a valid ³[certificate of manufacture] until such date as the registering authority passes order on the application for renewal.

(5) If an application for renewal of a certificate of manufacture, ²[import] is not made within the period stipulated under sub-clause (1) or, as the case may be, under sub-clause (3), the certificate of manufacture, ²[import] shall be deemed to have expired immediately on the expiry of its validity period, and any business carried on or after that date shall be deemed to have been carried on in contravention of Clause 12.

CHAPTER VI

**RESTRICTIONS ON MANUFACTURE, ²[IMPORT], SALE, ETC.
OF FERTILISERS**

19. Restriction on manufacture, ²[import], sale and distribution of fertilisers

⁴[x x x] No person shall himself or by any other person on his behalf—

- (a) manufacture, ²[import], for sale, sell, offer for sale, stock or exhibit for sale or distribute any fertiliser which is not of prescribed standard;

¹ Words "Bio-fertilisers or Organic fertilisers" omitted vide SO 3054(E), dt. 23-9-2016, w.e.f. 23-9-2016.

² Inserted vide SO 397(E), dt. 18-6-1993.

³ Substituted for "certificate of registration" vide SO 49(E), w.e.f. 16-1-2003.

⁴ Figure '1' omitted vide SO 163(E), dt. 14-2-1994.

- (b) manufacture, ¹[import] for sale, sell, offer for sale, stock or exhibit for sale or distribute any mixture of fertilisers which is not of prescribed standard ²[subject to such limits of permissible variation as may be specified from time to time by the Central Government] or special mixture of fertiliser which does not conform to the particulars specified in the certificate of manufacture, ¹[import] granted to him under this Order in respect of such special mixture;
- (c) sell, offer for sale, stock or exhibit for sale or distribute,—
- (i) any fertiliser the container whereof is not packed and marked in the manner laid down in this Order;
 - (ii) any fertiliser which is an ³[imitation of or] a substitute for another fertilisers under the name of which it is sold;
 - (iii) any fertiliser which is adulterated;
Explanation : A fertiliser shall be deemed to be adulterated, if it contains any substance the addition of which is likely to eliminate or decrease its nutrient contents or make the fertiliser not conforming to the prescribed standard;
 - (iv) any fertiliser the label or container whereof bears the name of any individual firm or company purporting to be manufacturer, ¹[importer] of the fertiliser which individual, firm or company is fictitious or does not exist;
 - (v) any fertiliser, the label or container whereof or anything accompanying therewith bears any statement which makes a false claim for the fertiliser or which is false or misleading in any material particular;
 - (vi) any substance as a fertiliser which substance is not, in fact, a fertiliser; or
 - (vii) any fertiliser without exhibiting the minimum guaranteed percentage by weight of plant nutrient:

⁴[PROVIDED that specifications of city compost in Schedule IV shall, in case of municipalities, be applicable only when it is traded in packaged form for use in agriculture:

PROVIDED FURTHER that the specifications of vermi-compost in Schedule IV shall be applicable only in such cases where it is sold in packaged form and for agricultural purposes:]

⁵[PROVIDED ALSO that the specifications of non-edible deoiled cake fertilizer in Schedule V shall be applicable only in such case where it is sold in packaged form for agricultural purposes.]

1 Inserted vide SO 397(E), dt. 18-6-1993.

2 Substituted vide SO 725(E), dt. 28-7-1988.

3 Substituted for "imitation or" vide SO 49(E), w.e.f. 16-1-2003.

4 Inserted vide SO 2803(E), dt. 3-11-2009, w.e.f. 3-11-2009.

5 Inserted vide SO 2886(E), dt. 3-12-2010, w.e.f. 3-12-2010.

COMMENTS

Where the sample was reported to be sub-standard and the prosecution was only against one of the executives of the fertiliser company without impleading the company as a co-accused, prosecution was held to be unsustainable, in *S.H. Chisty v. State of Haryana* 1998 FAJ 313

Where the person-in-charge of and responsible to the business of the company is not shown in the FIR, proceedings are liable to be quashed.—*Arunachalam v. Palaniappan* 1996 (1) FAC 228. Likewise, without impleading the manufacturer company, any of its officers cannot be made an accused in the complaint and such a complaint is unsustainable.—*Naiter Singh v. State of Punjab* 2000 FAJ 53

Where conviction was made on ground of manufacturing adulterated zinc sulphate solely relying on the report of Fertiliser Quality Controller, without examining him to prove the report, conviction cannot stand.—1997(1) ALD (Cri) 502 (AP)

The specified time schedule for sending samples for analysis and also for sending the relevant report to the officer concerned, including the time for furnishing the same to the accused will have to be followed scrupulously. If the accused intends to send the sample for testing by an independent analyst, the officer concerned has no discretion but to send the same within the prescribed 60 days to such independent analyst.—*District and Sessions Judge, Guntur v. State of A.P.* 2000 (1) ALD (Cri.) 268 (AP) : 2000 (1) ALT Cri. 103

The mere fact that there is no specific provision in the Fertilizer (Control) Order enabling the accused to get the third sample analysed by an independent analyst does not affect the validity of Clause 19(1). Therefore, Clause 19(1) was held not suffering from any vice of unconstitutionality.—*District and Sessions Judge, Guntur v. State of A.P.* 2000 (1) ALD (Cri.) 268 (AP)

¹[19A. In cases where the samples were drawn from the dealers out of original sound bags (without any mark of tempering) and are found non-standard, then in such circumstances both dealer and manufacturer shall be made party for filing the case in the concerned court under the Act and proceedings under clause 31 of this Order.]

20. Specifications in respect of imported fertiliser

Notwithstanding anything contained in this Order, the Central Government may, by an order published in the Official Gazette, fix separate specifications in respect of imported fertilisers ²[which shall be valid for a period not exceeding three years].

COMMENTS

The Central Government vide Order dated 15-2-2013, hereby fixes the specifications of Calcium Cyanamide to be imported into India for a period of one year from the date of publication of this notification in the Official Gazette, for the purpose of sale of the same in India, for use of agriculture, namely:—

1 Inserted vide SO 1021(E), dt. 7-3-2022, w.e.f. 8-3-2022.

2 Inserted vide SO 2345(E), dt. 29-5-2023, w.e.f. 29-5-2023.

Calcium Cyanamide**Specifications:**

(i)	Moisture per cent. by weight, maximum	1.0
(ii)	Total Nitrogen per cent. by weight, minimum	19.5
(iii)	Cyanamide nitrogen per cent. by weight, minimum	15.0
(iv)	Nitrate nitrogen per cent. by weight, maximum	1.5
(v)	Particle Size : Not less than 90 per cent. of the material shall pass through 4 mm IS sieve and be retained on 1 mm IS sieve	

Every importer who intends to import the Calcium Cyanamide into the country is required to follow the following terms and conditions for importing the Calcium Cyanamide:—

- (i) Every importer shall inform the Ministry of Agriculture, Department of Agriculture and Cooperation and the Director Agriculture of concerned State in which he intends to discharge the imported fertiliser within fifteen days before the expected date of arrival of the fertiliser.
- (ii) The importer shall inform name of the districts of the State to the Ministry of Agriculture, Department of Agriculture and Cooperation and Director Agriculture of the concerned State where they intend to sell the material.
- (iii) On the bags of fertiliser, the importer shall print that the material is irritant to skin and eyes and the same shall be used by wearing gloves in hand.
- (iv) Along with each bag, the importer shall pack the hand gloves for use of farmers.
- (v) In the bags of fertilisers in which the material is packed, the importer shall provide a leaflet indicating the following:—
 - (a) Avoid contact of the product with skin;
 - (b) Wear protective clothing and gloves;
 - (c) Wash hands and exposed skin after work and before meal.

The Central Government vide Order dated 15-2-2013, hereby fixes the specifications of Potassium Magnesium Sulphate (30:10:17) to be imported into India for a period of two years from the date of publication of this notification, in the Official Gazette, for the purpose of sale of the same in India, for use in agriculture, namely:—

Potassium Magnesium Sulphate (30:10:17)**Specifications:**

(i)	Moisture per cent. by weight, maximum	0.5
(ii)	Magnesium (as MgO) per cent. by weight, minimum	10.0
(iii)	Water soluble Potash (as K ₂ O) per cent. by weight, minimum	30.0
(iv)	Total Sulphur (as S) per cent. by weight, minimum	17.0
(v)	Total Chlorides (as Cl) per cent. by weight (on dry basis), maximum	2.5
(vi)	Particle size not less than 90 per cent. of the material shall pass through 4 mm IS sieve and be retained on 1 mm IS sieve. Not more than 5 per cent. shall be below 1mm IS sieve.	

The Central Government vide Order dated 15-2-2013, hereby fixes the specifications of Colemanite to be imported into India for a period of two years from the date of publication of this notification in the Official Gazette, for the purpose of sale of the same in India, for use in agriculture, namely:—

Colemanite

Specifications:

Boron (as B) per cent. by weight, minimum	11.0
Sodium (as NaCl) per cent. by weight, maximum	0.5
Lead (as Pb) per cent. by weight, maximum	0.003
Copper (as Cu) per cent. by weight, maximum	0.1
Arsenic (as As) per cent. by weight, maximum	0.01
Cadmium (as Cd) per cent. by weight, maximum	0.0025
Moisture per cent. by weight, maximum	6.50

The Central Government vide SO 1907(E), dated 28-7-2014 fixes the following specifications of Calcium Cyanamide to be imported into India for a period of one year from the date of publication of this notification in the Official Gazette, for the purpose of sale of the same in India, for use of agriculture, namely:—

Calcium Cyanamide

(i)	Moisture percent by weight, maximum	1.0
(ii)	Total Nitrogen per cent by weight, minimum	19.5
(iii)	Cyanamide nitrogen per cent by weight, minimum	15.0
(iv)	Nitrate nitrogen per cent by weight, maximum	1.5
(v)	Particle Size - Not less than 90 per cent of the material shall pass through 4 mm IS sieve and be retained on 1 mm IS sieve	

2. Every importer who intends to import the Calcium Cyanamide into the country is required to follow the following terms and conditions for importing the Calcium Cyanamide:—

- (i) Every importer shall inform the Ministry of Agriculture, Department of Agriculture and Cooperation and the Director Agriculture of concerned State in which he intends to discharge the imported fertiliser within fifteen days before the expected date of arrival of the fertiliser.
- (ii) The importer shall inform name of the districts of the State to the Ministry of Agriculture, Department of Agriculture and Cooperation and Director Agriculture of the concerned State where they intend to sell the material.
- (iii) On the bags of fertiliser, the importer shall print that the material is irritant to skin and eyes and the same shall be used by wearing gloves in hand.
- (iv) Along with each bag, the importer shall pack the hand gloves for use of farmers.
- (v) In the bags of fertilisers in which the material is packed, the importer shall provide a leaflet indicating the following:—
 - (a) Avoid contact of the product with skin;
 - (b) Wear protective clothing and gloves;
 - (c) Wash hands and exposed skin after work and before meal.

Vide **SO 1445(E), dt. 8-5-2017**, the Central Government hereby notifies the following specifications in respect of following fertiliser to be imported in India for a period of three years from the date of publication of this notification in the Official Gazette, namely:—

Diatomite Amorphous Silica:

(i)	Moisture per cent. by weight, maximum	12.0
(ii)	pH, minimum	7.5

(iii)	Plant available Silicon (Si(OH)_4) per cent. by weight, minimum	0.08
(iv)	Particle size : Not less than 90 per cent of the material shall pass through a 8 mm sieve and not more than 10% of the material passing through a 2 mm sieve.	—

¹[20A. **Specification in respect of provisional fertilizer**

Notwithstanding anything contained in this Order, the Central Government may, by order published in the Official Gazette, notify specifications, valid for a period not exceeding three years, in respect of fertilizers to be manufactured by any manufacturing unit for conducting commercial trials.]

COMMENTS

The Central Government vide S.O. 1024(E), dt. 10-5-2011 fixes the specifications in respect of the following provisional fertilizers to be manufactured by M/s Indian Farmers Fertilizers Co-operative Ltd. (IFFCO), Paradeep Phosphate Ltd., for a period of three years from 10-5-2011, namely:—

Phosphogypsum:

(i) Moisture percentage by weight, maximum	15.0
(ii) Sodium content as (Na), percentage by weight, maximum on dry basis	0.75
(iii) Particles size—	All the material shall pass through 2 mm sieve and 50% of it should pass through 0.25 mm (60 mesh) sieve
(iv) Sulphur (as S) per cent by weight, minimum on dry basis	13.0
(v) Calcium sulphate dihydrate content per cent by weight, minimum on dry basis	70.0
(vi) Flouride (as F) per cent by weight, maximum	1.0
(vii) Heavy metal content, (as mg per kg), maximum	
Lead (as Pb)	100.00
Cadmium (as Cd)	5.0
Chromium (as Cr)	50.0
Nickel (as Ni)	50.0
Arsenic as (As_2O_3)	10.0
Mercury (as Hg)	0.15

The Central Government vide SO 1911(E), dated 28-7-2014 fixes the specifications in respect of the following provisional fertiliser to be manufactured for a period of three years from the date of publication of this notification in the Official Gazette, namely:—

Phosphogypsum:

(i)	Moisture percentage by weight, maximum	15.0
(ii)	Sodium content as (Na), percentage by weight, maximum on dry basis	0.75

¹ Inserted vide SO 49(E), w.e.f. 16-1-2003.

(iii)	Particles size—	All the material shall pass through 2 mm sieve and 50 per cent of it should pass through 0.25 mm (60 mesh) sieve.
(iv)	Sulphur (as S) per cent by weight, minimum on dry basis	13.0
(v)	Calcium sulphate dihydrate content per cent by weight, minimum on dry basis	70.0
(vi)	Flouride (as F) per cent by weight, maximum	1.0
(vii)	Heavy metal content, (as mg per kg), maximum	
	Lead (as Pb)	100.0
	Cadmium (as Cd)	5.0
	Chromium (as Cr)	50.0
	Nickel (as Ni)	50.0
	Arsenic (as As ₂ O ₃)	10.0
	Mercury (as Hg)	0.15

The Central Government vide SO 2971(E), dated 25-11-2014 fixes the specifications in respect of provisional fertiliser Di Ammonium Phosphate Coated with 4% Sulphur to be manufactured in India for a period of three years from the date of publication of this notification in the Official Gazette, namely:—

Di Ammonium Phosphate fortified with 4% Sulphur

1.	Moisture, per cent by weight, maximum	2.5
2.	Total Nitrogen, per cent by weight, minimum	18.0
3.	Ammonical nitrogen per cent by weight, minimum	15.5
4.	Nitrogen in the form of urea, per cent by weight, minimum	2.5
5.	Neutral Ammonium Citrate Soluble Phosphate (as P ₂ O ₅), per cent by weight, minimum	46.0
6.	Water Soluble Phosphate (as P ₂ O ₅) percent by weight, minimum	41.0
7.	Total Sulphur (as S), per cent by weight, minimum	4.0
8.	Element Sulphur (as S) per cent by weight, minimum	3.0
9.	Particle size—Not less than 90 per cent of the material shall pass through 4 mm IS sieve and be retained on 1 mm IS sieve. Not more than 5 per cent shall be below 1 mm IS sieve	

The Central Government vide Order dated 15-2-2013, hereby notifies the specifications in respect of provisional fertiliser Urea Ammonium Phosphate (24:24:0) fortified with 8% Sulphur to be manufactured in India for a period of two years from the date of publication of this notification in the Official Gazette, namely:—

Urea Ammonium Phosphate (24:24:0 fortified with 8% sulphur)

Specifications:

(i)	Moisture, per cent. by weight, maximum	1.5
(ii)	Total nitrogen per cent. by weight, minimum	24.0
(iii)	Ammoniacal nitrogen per cent. by weight, minimum	7.5