

রেজিস্টার্ড নং ডি এ-১ “জাতির পিতা বঙ্গবন্ধু শেখ মুজিবুর রহমানের
জন্মশতবার্ষিকী উদ্‌যাপন সফল হোক”



অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

রবিবার, জুলাই ৩১, ২০২২

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
আইন, বিচার ও সংসদ বিষয়ক মন্ত্রণালয়
লেজিসলেটিভ ও সংসদ বিষয়ক বিভাগ
মুদ্রণ ও প্রকাশনা শাখা

প্রজ্ঞাপন

তারিখ: ২৩ আষাঢ়, ১৪২৯ বঙ্গাব্দ/০৭ জুলাই, ২০২২ খ্রিষ্টাব্দ

এস.আর.ও. নং ২৪৭-আইন (অনুবাদ)/২০২২।—সরকারি কার্যবিধিমালা, ১৯৯৬ এর প্রথম তফসিল (বিভিন্ন মন্ত্রণালয় এবং বিভাগের মধ্যে কার্যবন্টন) এর আইটেম ২৯(খ) এর ক্রমিক ৫ ও ৮ এবং মন্ত্রিপরিষদ বিভাগের বিগত ০৩-০৭-২০০০ ইং তারিখের সভায় গৃহীত সিদ্ধান্ত বাস্তবায়নের নিমিত্ত “সার (ব্যবস্থাপনা) বিধিমালা, ২০০৭” (এস.আর.ও. নং ৯২-আইন/২০০৭, তারিখ: ১৪ জ্যৈষ্ঠ, ১৪১৪ বঙ্গাব্দ/২৮ মে, ২০০৭ খ্রিষ্টাব্দ) এর ইংরেজি অনুবাদ সর্বসাধারণের জ্ঞাতার্থে প্রকাশ করিল।

মোহাম্মদ দেলোয়ার হোসেন
সহকারী সচিব (মুদ্রণ ও প্রকাশনা)।

(১২৯৬৭)
মূল্য : টাকা ১৬.০০

Government of the People's Republic of Bangladesh
Ministry of Agriculture

NOTIFICATION

Date: 14 Jaishtha 1414 BE/May 28, 2007 AD

S.R.O. No. 92-Law/2007.—In exercise of the powers conferred by section 30 of the Fertilizer (Management) Act, 2006 (Act No. VI of 2006), the Government is pleased to make the following rules, namely:—

1. Name of the rules.—These rules may be called the Fertilizer (Management) Rules, 2007.

2. Definitions.—(1) In these rules, unless there is anything repugnant in the subject or context,—

- (a) “Act” means the Fertilizer (Management) Act, 2006 (Act No. VI of 2006);
- (b) “Appellate Authority” means the Secretary, Ministry of Agriculture;
- (c) “Registration Authority” means the Registration Authority as mentioned in rule 3 of these rules;
- (d) “Schedule” means the Schedule attached with these rules; ¹[***]
- (e) “Prescribed Form” means the Form Attached with these rules ²;
- (f) “registration certificate” means the registration certificate issued to the applicant to produce, import, preserve, distribute, market, transport or sell fertilizer under rule 4 of these rules.]

1. The word and semicolon “and;” were omitted by clause (a) of rule (1) of the Amending Rules issued under S.R.O. No. 77-Law/2015. dated-05 April, 2015.

2. The semicolon was substituted for the fool stop at the end and thereafter the following clause (f) was inserted by clause (b) of rule (1) of the Amending Rules issued under S.R.O. No. 77-Law/2015. dated-05 April, 2015.

3. **Registration Authority.**—For the purpose of section 2(9) of the Act, the Registration Authority shall be the Director General of the Department of Agricultural Extension.

4. **Application for registration and issuing registration.**—(1) If any person intends to produce, import, preserve, distribute, market, transport or sell any type of fertilizer, he shall have to apply for registration of the said fertilizer in the Form mentioned below, namely:—

Sl. No	Particulars	Schedule Form No.
(1)	Application for registration of producing fertilizer	Form-1
(2)	Application for registration of importing fertilizer	Form-2
(3)	Application for registration of preservation, distribution, marketing, transportation and sale of fertilizer	Form-3
(4)	Application for renewal of registration	Form-4

(2) The following documents and information shall be furnished along with the application referred to in sub-rule (1), namely:—

- (a) 5 (five) copy passport size photographs;
- (b) Nationality Certificate;
- (c) photocopy of passport;
- (d) attested copy of Trade License;
- (e) attested copy of Tax Identification Number (TIN) Certificate;
- (f) attested copy of Value Added Tax Registration Certificate;
- (g) Bank Certificate as evidence of financial solvency; and
- (h) overall planning for the investment along with the details of the place of the fertilizer management, office accommodation, the money to be invested in the business, and the list of the modern communication tools and machineries, such as: Fax, Phone, Internet Connection, etc. with other necessary documents in support of the other facilities.

(3) The sample of the fertilizer shall be provided along with the application as referred to in sub-rule (1) and the sample of the fertilizer provided with the application shall cause to be tested in the laboratory designated under section 27 of the Act.

(4) The Registration Authority shall, upon receiving the application under sub-rule (1), assign an Inspector to verify the genuineness of the information mentioned in the application and ask him to submit a report thereon in writing.

(5) The Inspector assigned under sub-rule (4) shall make a physical inspection of the place mentioned in the application and, upon examination of the information and inquiring into all the matters, submit a complete report in this behalf to the Registration Authority within 60 (sixty) days from the date of assignment.

(6) After receiving the report under sub-rule (5), the Registration Authority shall give its decision on the matters of application within a period not exceeding 15 (fifteen) days.

(7) If the Registration Authority decides to issue a registration certificate to the applicant, it shall issue the registration certificate in favour of the applicant in “Form-5” as referred to in the Schedule.

(8) If the Registration Authority decides to reject the application of an applicant, it shall convey it to the applicant by a letter within 7 (seven) days of the decision.

(9) The applicant aggrieved by the decision of the Registration Authority may prefer an appeal against the said decision to the Appellate Authority within 15 (fifteen) days receiving the letter under sub-rule (8).

(10) After receiving the applicant under sub-rule (9), the Appellate Authority shall dispose of it after giving the applicant an opportunity of being heard and, in this regard, the decision of the Appellate Authority shall be deemed to be final.

5. **Disqualifications.**—An application shall not be considered for registration on the ground of the following faults, such as:—

- (a) if the application is incomplete or contains wrong information;
- (b) if the registration of the applicant is previously suspended or cancelled; and
- (c) if the applicant is convicted of any offence committed under the Fertilizer (Control) Order, 1999 or the Fertilizer (Management) Act, 2006 or these rules within preceding 3 (three) years from the date of application.

6. **Determination of registration and renewal fee and security money.**—(1) The registration fee under these rules shall be Taka ³[10 (Ten) Thousand].

(2) The renewal fee of registration shall be Taka ⁴[5 (Five) Thousand] and every registration holder desiring to renew the registration shall have to apply to the Registration Authority in “Form-4”.

(3) A sum of Taka ⁵[20 (Twenty) Thousand] shall be deposited as security fee for obtaining registration certificate.

7. **Validity period of registration.**—(1) The registration certificate issued under sub-rule (7) of rule 4 shall have effect for ⁶[2 (Two) years]. from the date of issuance.

8. **Inspector.**—For the purpose of section 9 (1) of the Act, the Upazilla Agricultural Officers, the Additional Agricultural Officers and the Agricultural Extension Officers working in the Department of Agricultural Extension shall perform duties as Inspectors.

3. *The figure, brackets and the words “10(Ten) Thousand” were substituted for the figure, comma mark, brackets and the words “5,000.00(Five Thousand)” by clause (a) of rule (2) of the Amending Rules issued under S.R.O. No. 77-Law/2015. dated-05 April, 2015.*
4. *The figure, brackets and the words “5(Five) Thousand” were substituted for the figure, comma mark, brackets and the words “5,000.00(Five Thousand)” by clause (b) of rule (2) of the Amending Rules issued under S.R.O. No. 77-Law/2015. dated-05 April, 2015.*
5. *The figure, brackets and the words “20(Twenty) Thousand” were substituted for the figure, comma, mark, brackets and the words “5,000.00(Five Thousand)” by clause (c) of rule (2) of the Amending Rules issued under S.R.O. No. 77-Law/2015. dated-05 April, 2015.*
6. *The figure, brackets and the words “2(Two) Years” were substituted for the figure and word “5 year” by the rule (3) of the Amending Rules issued under S.R.O. No. 77-Law/2015. dated-05 April, 2015.*

9. **Filing of case.**—While making inspection under section 9(2) of the Fertilizer (Management) Act, 2006, the Inspector may, on behalf of the Government, file a case against the persons violating the law related to fertilizer under section 9(3)(e) of the Act.

10. **Constitution of the Fertilizer Import Inspection Committee.**—The Government shall, by office order, constitute an “Inspection Committee” consisting of the following members in each port under section 11(4) of the Act, for the purpose of collecting sample and accelerating analysis and removing defect in fertilizer at the time of releasing fertilizer or fertilizer like raw materials imported in the sea, land or air ports, namely :—

Sl. No.	Representatives	Prescribed posts in the Committee
(1)	Deputy Director, Department of Agricultural Extension (Concerned District)	Convener
(2)	1(one) Chemical Examiner from BCIC	Member
(3)	1(one) Fertilizer Inspector/Specialist	Member
(4)	1(one) Representative from the Customs Authority	Member
(5)	1(one) Representative from the Department of Environment	Member
(6)	1(one) Representative of the Importer	Member
(7)	1(one) Representative from the Pre-Shipment Inspection Agency	Member.

11. **Import of specimen fertilizer.**—(1) Maximum 20 KG of granular/powder fertilizer and maximum 10 liters of liquid fertilizer can be imported under the proviso of section 11(1) of the Act.

(2) In the case of importing specimen fertilizer, the same terms and conditions shall be followed as are followed in the case of importing fertilizer.

(3) In the event of importing of specimen fertilizer, a letter of evidence of using the fertilizer in other countries and a certificate regarding its utilities in the agriculture of Bangladesh issued by the producer shall be submitted.

12. **The terms of reference of the Inspection Committee.**—The terms of reference of the Inspection Committee under section 11(5) of the Act shall be as follows, namely :—

- (a) to verify whether the imported fertilizer or substance identical with fertilizer or raw materials thereof has been imported according to law following a report made to the Inspection Committee by the importer after arriving the same in the port;
- (b) to ensure whether the imported fertilizer or substance identical with fertilizer or raw materials thereof is ordered by the Government;
- (c) to check and verify whether the attested copy of guaranteed analysis of the imported fertilizer and Bank L/C thereof are furnished;
- (d) to ensure whether the importer is registered with ‘DAE’;
- (e) if the imported fertilizer is ordered by the Government and the importer is registered with ‘DAE’, to collect the sample as per rules and send it to at least three public laboratories for testing;
- (f) if the result of tests of at least two laboratories out of the tests conducted in three laboratories conforms with the results specified by the Government, to issue clearance order for releasing the fertilizer;
- (g) if the result of the test does not conform with the results specified by the Government, to make order for taking action as per section 14(5) of the Fertilizer (Management) Act, 2006; and
- (h) if this committee holds that the fertilizer or substance identical with fertilizer or raw materials thereof has been imported in contravention with any provision of the Act or these rules, to hold up unloading of the fertilizer or substance identical with fertilizer or raw materials thereof from any ship or vessel, as the case may be, and instantly report it to the concerned authority.

13. Destruction of any fertilizer, substance identical with fertilizer or raw materials beyond specification or environment polluting.—(1) if, upon testing of the sample, it is proved that the fertilizer or substance identical with fertilizer or raw materials thereof is beyond specification or environment polluting, the concerned producer, preservator, marketer or distributor of the fertilizer or the person having possession thereof shall take measures under section 14(5) of the Act.

(2) In the case of noncompliance of the provision of sub-rule (1), action shall be taken in the manner prescribed in section 14(7) of the Act.

14. Essential Plant Nutrient Deficiency.—(1) In the event of any guaranteed analysis of fertilizer referred to in section 15(1) of the Act, one or more essential plant nutrient deficiency shall be determined by prescribed investigation allowance, and in order to fulfill the deficiency of a certain nutrient, any over guarantee of any other ingredient shall not be acceptable as its alternative.

(2) The person responsible for the deficiency mentioned in sub-rule (1) shall be punished under section 15(2) of the Fertilizer (Management) Act, 2006.

15. Issuance of specification.—The highest allowable level of chemical pollutant in fertilizer. substance identical with fertilizer or raw materials shall be determined as per Part-A of Schedule-1, and the deficiency of essential plant nutrient shall be determined as per Part-B of Schedule-1.

Schedule-1

Part-A

Maximum allowable level of the chemical pollutants in fertilizer or substance identical with fertilizer :—

Sl. No.	Name of pollutant elements	Maximum allowable level
(1)	Arsenic	50 ppm
(2)	Cadmium	10 ppm
(3)	Lead	100 ppm
(4)	Mercury	5 ppm
(5)	Chromium	500 ppm
(6)	Nickel	50 ppm

Schedule-1**Part-B****INVESTIGATIONAL ALLOWANCES**

1. If any necessary plant nutrients analysis of fertilizer is less than the certified guaranteed analysis and the amount of deficit is more than the investigational allowances (IA) shown in the schedule below, such fertilizer shall be considered to be deficient of specific nutrient as per section 15(1) of the Act :—

Guaranteed rate	Percentage of deficit of Nitrogen-N	Percentage of deficit of Phosphate-P2 O5	Percentage of deficit of Potash-K2O
1-4	0.49	0.67	0.41
5	0.51	0.67	0.41
6	0.52	0.67	0.43
7	0.54	0.68	0.47
8	0.55	0.68	0.53
9	0.57	0.68	0.60
10	0.58	0.69	0.65
11-12	0.61	0.69	0.79
13-14	0.63	0.70	0.87
15-16	0.67	0.70	0.94
17-18	0.70	0.71	1.01
19-20	0.70	0.72	1.08
21-22	0.75	0.72	1.15
23-24	0.78	0.73	1.21
25-26	0.81	0.73	1.27
27-28	0.83	0.74	1.33
29-30	0.86	0.75	1.39
>31	0.88	0.76	1.44

(2) If the secondary and micro nutrients analysis of any fertilizer is less than the certified guaranteed analysis and the amount of deficit is more than the investigational allowances (IA) shown in schedule below, such fertilizer shall be considered to be deficient of specific nutrients :—

Element	Investigational Allowances
Calcium	5% of 0.2+ confirmation rate
Magnesium	5% of 0.2+ confirmation rate
Sulphur	5% of 0.2+ confirmation rate
Zinc	10% of 0.005+ confirmation rate
Boron	15% of 0.003+ confirmation rate
Molybdenum	30% of 0.0001+ confirmation rate
Chlorine	10% of 0.005+ confirmation rate
Copper	10% of 0.005+ confirmation rate
Iron	10% of 0.005+ confirmation rate
Manganese	10% of 0.005+ confirmation rate
Sodium	10% of 0.005+ confirmation rate
Cobalt	30% of 0.0001+ confirmation rate

While counting as per the schedule shown, the maximum allowance given shall be 1%.

Schedule-2**“Form-1”****[See rule 4(1)]****Application for Registration of producing fertilizer**

Attested passport size photo of the Applicant (02 copies)

1. Name of the applicant :
- Father's name :
- Mother's name :
- Detailed Address :
2. Name and address of the institution :
3. Name, location and address of the factory :
4. Specification of the fertilizer produced :
5. Name and academic qualification (with certificate) of the technical qualified employees of the factory :
6. Detailed description of the production process :
7. Information of the factory's own laboratory for testing the quality of the fertilizer produced (certified by the concerned Deputy Director, DAE) :
8. Attested copy of recent (within three months) chemical analysis of the fertilizer applied for (Result obtained from the laboratory designated by the Government) :
9. Attested copy of the registration certificate from Bangladesh Small and Cottage Industries Organization/ Investment Board :
10. TIN Number of the applicant :
11. Attested copy of trade license :
12. Attested copy of membership certificate of the BFA current year (where applicable) :
13. Name and address of the marketing centers of the applicant :
14. Treasury invoice number and date of deposit of registration fee (with original copy) :

I do hereby declare that all the information stated above is true and correct.

Signature of the applicant:

Date :

Schedule-2**“Form-2”****[See rule 4(1)]****Application for Registration of producing fertilizer**

1. Name of the applicant :
- Father's name :
- Mother's name :
- Detailed Address :
2. Name and address of the institution :
3. Specification of the imported fertilizer :
4. Name and address of the freight/forwarding company :
(with documents)
5. Country of origin :
6. Information of the factory's own laboratory for testing the :
quality of the fertilizer imported (certified by the concerned
Deputy Director, DAE)
7. Attested copy of the registration certificate from Bangladesh :
Small and Cottage Industries Organization/ Investment
Board
8. TIN Number of the applicant :
9. Attested copy of trade license :
10. Attested copy of membership certificate of the BFA current
year (where applicable)
11. Names and address of the marketing centers of the applicant :
12. Treasury invoice number and date of deposit of registration :
fee (with original copy)

I do hereby declare that all the information stated above is true and correct.

Signature of the applicant:

Date :

Schedule-2**“Form-3”**

[See rule 4(1)]

Attested
passport size
photo of the
Applicant
(05 copies)**Application for registration of preservation, distribution, marketing,
transportation and sale of fertilizer**

1. Name of the applicant :
- Father's name :
- Mother's name :
- Detailed Address :
2. Details of fertilizer storing facility :
3. Details of fertilizer distribution/marketing :
4. Details of Fertilizer transport facility :
5. Details of fertilizer selling system :
6. Attested copy of the registration certificate from Bangladesh Small and Cottage Industries Organization/
Investment Board :
7. TIN Number of the applicant :
8. Attested copy of trade license :
9. Attested copy of membership certificate of the BFA
current year (where applicable) :
- 10 Name and address of the marketing centers of the applicant :
- 11 Treasury invoice number and date of deposit of
registration fee (with original copy) :

I do hereby declare that all the information stated above is true and correct.

Signature of the applicant:

Date :

Schedule-2**“Form-4”****[See rule 4(1)]****Application for renewal of registration**

Attested
passport size
photo of the
Applicant
(05 copies)

To

The Registration Authority

.....

.....

Sir,

I am making an application for renewal of the registration as the term of registration number.....obtained for production, import/preservation, distribution, marketing, transportation and sale of fertilizer onunder the Fertilizer (Management) Rules, 2007. The detailed information is furnished below:

1. Name and address of the institution:
2. Renewable registration number, date of obtaining registration and validity of registration (Photocopy attached):
3. Performance report of 02 (two) years of the institution (two copies):
4. Have the terms and conditions stipulated in registration ever been breached? If done so, detailed description thereof:
5. Bank draft, Pay-order or Invoice of taka.....for renewal fee (non refundable) to the Registration Authority:
6. Detailed description if any criminal or civil case is pending before the court against the person obtaining registration (owner/partners/managing director/director):
7. Detailed description if any punishable action has been taken against the applicant:

I do hereby declare that all the information stated above is true. When any information is proved to be false or concocted, the Registration Authority may cancel the registration and take any legal action against me or us.

Signature of the applicant:

Date :

“Form-5”

[See rule-4 (7)]

Government of the People’s Republic of Bangladesh

Registration Authority

Fertilizer Registration Certificate

Registration No.:

Date :

.....Father:.....

Address:.....

issued the registration certificate for five years being effective from.....
to.....for production/import/preservation, marketing,
transportation, sale of the following fertilizer.

Description of the fertilizer:

a) Name :.....

b) Ingredients:.....

Signature of the Registration Authority and seal

By Order of the President

ড. মোঃ আবদুর রৌফ

অতিরিক্ত সচিব (পরিকল্পনা-১)

সচিবের রণটিন দায়িত্বে।