

2024:PHHC:151339



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.**

225

**CWP-8212-2021 (O&M).
Date of Decision: 19.11.2024.**

**THE PUNJAB SEED PESTICIDES AND FERTILIZERS
ASSOCIATION (REGD.)**

... Petitioner(s)

Versus

THE STATE OF PUNJAB AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Rajesh Kumar Girdhar, Advocate, and
Mr. Chirag Girdhar, Advocate,
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer made in the present petition was for issuing directions to the respondents to allow the dealers of Insecticides to seek addition of any insecticide in their licenses without payment of any additional fee etc. since there is no such provision under the Insecticides Act and the Rules framed thereunder or under any other law requiring the dealers to pay Rs.7,500/- for addition of any insecticide in their lincense.

2024:PHHC:151339



2 Reply way of affidavit of Jatinder Singh, Chief Agricultural Officer, Amritsar, on behalf of respondent No.1 to 4 has been filed wherein it has been averred that the matter of charging additional fee for addition of insecticides in the existing licenses is already under consideration. The respondent-Department has already sought clarification from the Government of India vide Memo No.1841 dated 21.10.2019.

3 During the pendency of the decision at the Central Government level, respondent No.2 has already issued directions vide Memo No.842-864 dated 09.06.2020 to all the Chief Agriculture Officers not to charge any additional fee for endorsement of additional insecticides. It is further averred that various reminder letters have been sent to the Government of India even thereafter for seeking clarification but no response is forthcoming.

4 Learned counsel for the petitioner contends that be that as it may since the respondents have already issued a Memo dated 09.06.2020 to the effect that no fee is to be charged for endorsement of additional insecticides on the existing licences subject to the clarification being received from the Central Government, the present petition may be disposed of at this stage with liberty to the petitioner to take recourse to an appropriate remedy in the event of any such charge being levied again after the receipt of clarification by the Government of Punjab.

5 Disposed of as withdrawn with liberty as aforesaid.

6 Needless to mention that the respondent-State shall abide by its Memo No.842-864 dated 09.06.2020, for not charging any additional

2024:PHHC:151339



license fee for making endorsement of additional insecticides on the existing licences.

November 19, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No