

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

বাংলাদেশ



গেজেট



অতিরিক্ত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

রবিবার, জুলাই ১৭, ২০২২

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

Notification

Dated: 06-07-2022

S.R.O. No. 244-Law/2022.—In exercise of the powers conferred by section 33 of the Fertilizer (Management) Act, 2006 (Act No. VI of 2006), the Government is pleased to publish the following authentic English text of the Act:

The Fertilizer (Management) Act, 2006

Act No. VI of 2006

An Act to make provisions for regulation of production, import, preservation, distribution, marketing, transportation and sale of fertilizer and substance identical with fertilizer to be used in cultivation

WHEREAS it is expedient and necessary to make provisions for regulation of production, import, preservation, distribution, marketing, transportation and sale of fertilizer and substance identical with fertilizer to be used in cultivation and the matters ancillary thereto;

THEREFORE, it is hereby enacted as follows:—

1. **Short title and commencement.**—This Act may be called the Fertilizer (Management) Act, 2006.

(2) It shall come into force at once.

(১২১৪১)

মূল্য : টাকা ২০.০০

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

- (1) “micronutrient fertilizer” means fertilizer containing such nutrition which contains Zinc, Boron, Iron, Manganese, Copper, Molybdenum and Chlorine and is very essential for plants even in a little amount;
- (2) “essential plant nutrient” means the following ¹[one or more nutrients], such as:—
 - (a) Nitrogen;
 - (b) Phosphorus;
 - (c) Potassium;
 - (d) Sulfur;
 - (e) Calcium;
 - (f) Magnesium;
 - (g) Zinc;
 - (h) Boron;
 - (i) Iron;
 - (j) Manganese;
 - (k) Copper;
 - (l) Molybdenum; and
 - (m) Chlorine.
- (3) “court” means any court of the Magistrate of the first class or, as the case may be, the court of Metropolitan Magistrate having jurisdiction to try any offence committed under this Act;
- (4) “plant growth regulator or stimulant” means such hormones which help to control the growth or stimulation of the plants or part of plants;
- (5) “Committee” means the National Fertilizer Standardization Committee constituted under section 4;
- (6) “retailer” means the person who directly sells fertilizer to the cultivators or consumers;

¹ The words “one or more nutrients” were substituted for the words “one or more ingredients” by section 2(a) of the Fertilizer (Management) (Amendment) Act, 2018(Act No. XL of 2018).

- (7) “bio-fertilizer” means microbes based fertilizer which helps to increase the production of crops by supplying nutrients in the plants after dissolving Nitrogen coherent of air or non- dissoluble Phosphorus and other nutrients;
- ²[“(7A) “organic fertilizer” means fertilizer collected, processed or converted from organic substance;]
- (8) “registration” means registration under section 8;
- (9) “Registration Authority” means any authority determined by the Government;
- (10) “guaranteed analysis” means mentioning of minimum percentage of all essential plant nutrient components recognized as the components of the concerned fertilizer;
- (11) “prescribed” means prescribed by rules;
- (12) “net weight” means the weight of fertilizer excluding the weight of the sack, vessel or container of fertilizer;
- (13) “Inspector” means the Inspector appointed under section 9;
- (14) “laboratory” means the laboratory designated by the Government under section 27;
- (15) “Code of Criminal Procedure” means the Code of Criminal Procedure, 1898 (Act No. V of 1898);
- (16) “person” means any person and also includes any establishment, company, partnership business, firm or any other organization;
- (17) “brand” means the word, design or trade mark used for identifying fertilizer except common chemical or generic name;
- (18) “rules” means the rules made under this Act;
- (19) “specification” means the specification issued under section

² Sub-section “(7A)” was inserted by section 2(a) of the Fertilizer (Management) (Amendment) Act, 2009 (Act No. XXXVIII of 2009).

- ³[(20) ⁴“mixed balanced fertilizer”] means the fertilizers prepared only from—
- (a) mixture of different types of chemical fertilizer; and
 - (b) mixture of different types of organic fertilizer;]
- (21) “compound fertilizer” means such chemical fertilizer which contains at least two essential nutrients of plants;
- (22) “chemical fertilizer” means the fertilizer produced by chemical process and collected from inorganic or artificial substance;
- (23) “label” means the description as mentioned in section 13 on the surface of the sack or vessel or container of fertilizer for the knowledge of all concerned;
- ⁵[(24) “fertilizer” means chemical fertilizer, organic fertilizer and bio-fertilizer and also includes straight fertilizer, mixed fertilizer, compound fertilizer, micronutrient fertilizer and substance identical with fertilizer;]
- (25) “substance identical with fertilizer” means the substance like plant growth regulator or stimulant; and
- (26) “straight fertilizer” means such chemical fertilizer which contains any one of the three major nutrients of plants, such as: Nitrogen, Phosphorus, Potassium.

3. The Act to be in addition to any other law.—The provisions of this Act shall be not in derogation of, but in addition to, the provisions of any other law for the time being in force relating to the concerned matters.

4. National Fertilizer Standardization Committee.—(1) For the purposes of this Act, the Government shall, by notification in the official Gazette, constitute a National Fertilizer Standardization Committee consisting of not exceeding ⁶[17(Seventeen)] members having experience in fertilizer including one representative of the Ministry of Industry and the Secretary of the Ministry of Agriculture to be its Chairman.

³ Sub-section “(20)” was substituted by section 2(b) of the Fertilizer (Management) (Amendment) Act, 2009 (Act No. XXXVIII of 2009).

⁴ The words “mixed balanced fertilizer” were substituted for the words “mixed fertilizer” by section 2(b) of the Fertilizer (Management) (Amendment) Act, 2018 (Act No. XL of 2018).

⁵ The sub-section “(24)” was substituted by section 2(c) of the Fertilizer (Management) (Amendment) Act, 2009 (Act No. XXXVIII of 2009).

⁶ The figure, bracket and word “17(Seventeen)” were substituted for the figure, bracket and word “15(Fifteen)” by section 3(b) of the Fertilizer (Management) (Amendment) Act, 2018 (Act No. XL of 2018).

(2) The Committee shall discharge the following functions, such as:—

- (a) to give advice to the Government about the matters related to procurement, import, distribution, sale and trade of fertilizer;
- ⁷[(b) to conduct tests, in the stage of laboratory and field or crop, of the new chemical fertilizer, organic fertilizer, bio-fertilizer, mixed balanced fertilizer, compound fertilizer, soil conditioner or amendment and plant growth regulator or stimulants the quality of which are not determined and, upon verification of the result of those tests or their impact on environment, make recommendation to the Government for approval of production, import, marketing and use of the said items in the country;]
- ⁸[(bb) to make recommendation to the Government for approval of the specification of the organic fertilizer produced and marketed on commercial basis;]
- (c) to give advice to the Government for determining the specification of different types of fertilizers and raw materials used in production of the fertilizer;
- (d) to give advice to the Government for determining the specification of mixture of different grades and compound fertilizer suitable for soil and crops in various agro-ecological zones;
- (e) to make recommendation to the Government on the method of formulation of physical or granular mixture of fertilizer;
- (f) to give advice to the Government about establishing required number of laboratories for regulation of the standard of all kinds of fertilizer;
- (g) to determine or modify the method of collection and analysis of the sample of fertilizer ;

⁷ Clause “(b)” was substituted by section 3(b) of the Fertilizer (Management) (Amendment) Act, 2018(Act No. XL of 2018).

⁸ Clause “(bb)” was inserted by section 3 of the Fertilizer (Management) (Amendment) Act, 2009(Act No. XXXVIII of 2009).

- (h) to review the approved list of fertilizer and make recommendations to the Government for making any addition to, or exclusion from, the said list, if necessary; and
- (i) to give advice or make recommendation to the Government on such other matters as may be referred to by the Government.

5. Meetings of the Committee.—(1) Subject to the provisions of this section, the Committee may determine the procedure of its meetings.

(2) The meetings of the Committee shall be held at such place and time as may be determined by its Chairman.

(3) The Chairman of the Committee and in his absence, any member nominated by him and in absence of both, any member selected by the members present in the meeting shall preside over the meeting.

6. Sub-Committees.—The Committee may form one or more sub-committees consisting of its members, and may also co-opt any person from outside of the Committee.

7. Issuance of specification.—For the purposes of this Act, the Government shall, in consultation with the Committee, by notification in the official Gazette, issue specification for determining the physical quality and chemical characteristics of fertilizer and the level of other components of fertilizer with essential nutrients of plants.

8. Registration.—(1) No person shall produce, import, preserve, distribute, market, transport or sell any kind of fertilizer without obtaining registration from the Registration Authority in the prescribed manner.

(2) If any person contravenes the provision of sub-section (1), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with⁹[rigorous imprisonment for 2 (two) years, or with fine not exceeding Taka 5 (five) lac], or with both.

(3) The Registration Authority shall not register any fertilizer beyond specification.

(4) For the production and import of each kind of fertilizer, registration shall have to be obtained separately in such manner as may be prescribed.

⁹ The words “rigorous imprisonment for 2(two) years or with fine not exceeding Taka 5 (five) lac” were substituted for the words “rigorous imprisonment for six months or not exceeding taka 30(thirty) thousands ” by section 4 of the Fertilizer (Management) (Amendment) Act, 2018(Act No. XL of 2018).

9. Inspector.—(1) For the purpose of implementing the provisions of this Act, the Government may, in such manner as may be prescribed, appoint one or more officers of the Department of Agricultural Extension or any officer of any other Institution or any other person as an Inspector.

(2) The Inspector appointed under sub-section (1) may, at any time, inspect and have access into any fertilizer factory and its contiguous place, fertilizer godown or any place where or transport by which fertilizer or substance identical with fertilizer is stored or transported, or the sale, marketing or distribution centers of fertilizer.

(3) During inspection according to sub-section (2), the Inspector.—

- (a) may examine all papers related to purchase and sale of fertilizer of the concerned person and the fertilizer or substance identical with fertilizer or its raw materials remaining under his control;
- (b) may interrogate any person engaged in preserving or selling of fertilizer and connected therewith and give necessary instructions, if any irregularity or fault is found;
- (c) may, if empowered by the Government in this behalf, send to the laboratory for test collecting the samples of fertilizer or substance identical with fertilizer or its raw materials or any other materials related thereto in the manner determined by the Government and, where applicable, order to stop production, sale, marketing or distribution thereof in such manner as may be prescribed;
- (d) shall submit report to the concerned Deputy Director of the Department of Agricultural Extension or any officer assigned by the Government about any irregularity or fault found during inspection; and
- (e) may file a case against the person contravening any provision of this Act or the rules made thereunder.

10. Production of fertilizer.—(1) No person shall produce any fertilizer or substance identical with fertilizer or its mixture beyond specification.

(2) The authority of every fertilizer factory shall establish a laboratory in its fertilizer factory to test the quality of the fertilizer or substance identical with fertilizer produced therein.

(3) If any person contravenes the provision of sub-section (1) or (2), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for 6 (six) months, or with fine not exceeding Taka 30 (thirty) thousand, or with both.

11. Import of fertilizer—(1) No person shall import any fertilizer or substance identical with fertilizer or its raw materials beyond specification:

Provided that any fertilizer which is useful for crops and is used in producing crops in other countries of the world may, subject to scientific evidence, be imported as sample in such conditions and manner as may be specified by the Government.

(2) If any person contravenes the provision of sub-section (1), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for 6 (six) months or with fine not exceeding Taka 30 (thirty) thousand, or with both.

(3) At the time of releasing the imported fertilizer, a guaranteed analysis shall be submitted by its producer.

(4) There shall be an Inspection Committee in each port to collect its sample at the time of releasing the imported fertilizer or substance identical with fertilizer or its raw materials from the sea, land or air port, and expedite testing thereof to make it faultless.

(5) The terms of reference of the Inspection Committee and other matters shall be prescribed by rules.

12. Storing, preservation, sale, marketing, transportation and distribution, etc. of the fertilizer beyond specification.—(1) No person shall store, preserve, sell, market, transport or distribute or keep possession of any fertilizer, substance identical with fertilizer or its raw materials beyond specification.

(2) No fertilizer shall be stored, preserved, sold, marketed or distributed in any other way except in any sack, vessel or container:

Provided that in the case of retail sale, these restrictions shall not be applicable.

(3) If any person contravenes the provisions of sub-section (1) and (2), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for 6 (six) month or with fine not exceeding Taka 30 (thirty) thousand, or with both.

13. Sacks, vessels or containers of fertilizer.—(1) A label shall have to be attached on the surface of the sack, vessel or container of fertilizer or separately with it, and the following information shall have to be written in Bengali and English legibly and conspicuously in such label, such as:-

- (a) name of the fertilizer (brand name, if any, shall also be mentioned);
- (b) name of necessary plant nutrients containing in the fertilizer and percentage thereof;
- (c) net weight of the fertilizer;
- (d) name of the producer and the country of origin;
- (e) guaranteed analysis;
- (f) the name, address and registration number of the importer ¹⁰[;]
- ¹¹[(g) the date of production; and
- (h) maximum retail price (MRP).]

(2) If any person contravenes the provision of sub-section (1), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for 6 (six) months or with fine not exceeding Taka 30 (thirty) thousand, or with both.

14. Fertilizer, etc. being beyond specification or environment polluting.—(1) If any person produces, preserves, sells or distributes or keeps in possession of any fertilizer or its raw materials beyond specification or environment polluting, the Inspector—

- (a) shall, in presence of at least one witness, collect the sample of such fertilizer or its raw materials and send it to a laboratory for test;
- (b) May, with reasons to be recorded in writing, issue an order immediately to hold up production, sale, distribution or use of the fertilizer or its raw materials of the concerned lot for a period of not exceeding 10 (ten) days; and
- (c) shall immediately submit a report about the matter to the Deputy Director, the Department of Agricultural Extension of the concerned district including the Department of Agricultural Extension.

¹⁰ The semi-colon “(;)” was substituted for the full-stop “(.)” by section 4 of the Fertilizer (Management) (Amendment) Act, 2009(Act No. XXXVIII of 2009).

¹¹ The clause “(g and h)” were inserted/added by section 4 of the Fertilizer (Management) (Amendment) Act, 2009(Act No. XXXVIII of 2009).

(2) If the Deputy Director of the district of the Department of Agricultural Extension is, on the basis of a report received according to sub-section (1)(c) and conducting such inquiry as may be necessary, satisfied that the concerned person is producing, preserving, selling, marketing or distributing, or keeping in possession for selling, marketing or distributing any fertilizer or substance identical with fertilizer or its raw materials beyond specification or environment polluting, or using such raw materials of fertilizer to make fertilizer, then he—

- (a) may wait for the result of test of the sample collected according to sub-section (1);
- (b) may, if necessary, extend the period of order specified in clause (b) of sub-section (1) until receiving the result of test from the laboratory or for ten (10) days, whichever is earlier;
- (c) shall send the order issued according to clause (b) to the person under whose control or possession the said fertilizer or substance identical with fertilizer or its raw material remains, and forward a copy thereof to the Additional Director of the concerned zone of the Department of Agricultural Extension.

(3) Any person aggrieved by an order issued under sub-section (2) may prefer an appeal to the Director General of the Department of Agricultural Extension within 15 (fifteen) days from the date of receipt of the order.

¹²[(4) The Appellate Authority shall dispose of the appeal within not more than 15 (fifteen) days from the date of preferring the appeal.

(4A) Any person aggrieved by the order issued under sub-section (4) may submit an application to the Appellate Authority for reviewing within 30 (thirty) days from the date of receipt of such order and it shall have to be disposed of within not more than 15 (Fifteen) days from the date of receipt of the application.

(5) If the sample of fertilizer or substance identical with fertilizer or raw materials thereof is proved to be beyond specification or environment polluting upon test under clause (a) of sub-section (1), the whole of the fertilizer or substance identical with fertilizer or its raw materials of the concerned lot shall, after expiry of the time of appeal or, in case of filing appeal, after disposal of appeal, or after expiry of the time of review or, in case of filing application for review, after disposal of it, be destroyed by the concerned producer, preserver, seller, marketer or distributor or the person keeping possession of the fertilizer at his own cost, in such manner and time as may be specified by the Government or the authority empowered by the Government.

¹² Sub-sections “ (4), (4A) and (5)” were substituted for the sub-sections “ (4) and (5)” by section 5 of the Fertilizer (Management) (Amendment) Act, 2018(Act No. XL of 2018).

(6) If any person violates any direction under sub-section (5), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for a term which may extend to 2 (two) years, or with fine not exceeding Taka 2 (two) lac, or with both.

(7) If any person does not destroy the fertilizer or substance identical with fertilizer or raw materials thereof according to the direction given under sub-section (5), the Government or the authority empowered in this behalf by the Government shall destroy such fertilizer or substance identical with fertilizer or raw materials thereof in the prescribed manner and all the expenses incurred for destruction shall be recovered from the concerned person under the provisions of the Public Demand Recovery Act, 1913 (Act No. III of 1913).

15. Plant nutrient deficiency.—(1) If it is proved in any test that there is deficiency of one or more necessary components in guaranteed analysis of any fertilizer, according to the Investigational Allowance prescribed by rules, then the person from whom the fertilizer was found for sale shall be responsible for the deficiency.

(2) The person responsible for the deficiency referred to in sub-section (1) shall be deemed to have committed an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for 6 (six) months, or with fine not exceeding Taka 30 (thirty) thousand, or with both.

16. Misbranding.—(1) No person shall supply, market or sell any fertilizer by misbranding of any specific brand of fertilizer.

(2) Any fertilizer shall be treated to be of misbranding in the following reasons, such as:—

- (a) if the label of the sack or vessel or container of the fertilizer is false or fabricated, or misleads in any other way;
- (b) if it is proposed for marketing, supply or sale in the name of any other brand approved before; and
- (c) if it is not properly labeled in the manner stated in section 13.

(3) If any person contravenes the provision of sub-section (1), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for a term which may extend to 2 (two) years, or with fine not exceeding Taka 2 (two) lac, or with both.

17. **Adulteration.**—(1) No person shall produce, import, store, preserve, sell, market or distribute any adulterated fertilizer.

(2) Any fertilizer shall be treated to be adulterated on the following reasons, such as:—

- (a) any fertilizer beyond specification;
- (b) if, according to the fertilizer analysis certificate issued by the authority of laboratory, the presence of harmful substance remains in the fertilizer in such amount that it may be detrimental to the soil, plants, animals and environment if used in accordance with the instructions;
- (c) if the label does not contain any description about sufficient cautionary measures against the disadvantage of the said fertilizer including the rules of use of the fertilizer;
- (d) if the fertilizer is produced using such ingredient which is below standard than the chemical composition mentioned on the label or in any other means; and
- (e) if the fertilizer contains any useless or environment pollutant or harmful substance other than necessary materials.

(3) If any person contravenes the provision of sub-section (1), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for a term which may extend to 2 (two) years, or with fine not exceeding Taka 2 (two) lac, or with both.

18. **Special provisions for harmful substance.**—(1) If any fertilizer containing any substance harmful to the growth of plants is used for application in a particular variety of crops, the amount of the harmful substance determined by the Committee shall have to be mentioned on the label, and the Committee shall determine the following limit of the harmful substance in any fertilizer, such as:—

- (a) the amount of Bi-Urate shall not be more than 1.5% (one point five percent) when used as urea foliar spray or citrus fertilizer; and
- (b) the amount of chlorine shall not be more than 2.5% (two point five percent) of the fertilizer when used in tobacco crops (which are highly chloride sensitive).

(2) If any fertilizer contains the amount of harmful substance more than the amount specified in sub-section (1), the said fertilizer shall be treated to be adulterated fertilizer under section 17.

19. **Less weight.**—(1) If any packet, sack, vessel or wrapper of fertilizer containing 0.50% (zero point five zero percent) less than the weight specified in the label is found in the custody or control of any registered person, the person shall be deemed to have contravened the provisions of this Act.

(2) If any person contravenes the provision of sub-section (1) more than once, his registration certificate may be primarily suspended for a period of 90 (ninety) days, and if such contravention repeats, his registration certificate shall be cancelled permanently.

20. **Order to stop sale of fertilizer.**—(1) If any fertilizer is offered or displayed for marketing or sale in contravention with any provision of this Act, the Government may issue an order to the owner or custodian of the fertilizer to stop the marketing, sale, use or removal of such fertilizer.

(2) If any person violates the order under sub-section (1), it shall be deemed to be an offence under this Act, and for such offence he shall be punished with rigorous imprisonment for 6(six) months, or with fine not exceeding Taka 30 (thirty) thousand, or with both.

21. **Trial.**—(1) Notwithstanding anything contained in the Code of Criminal Procedure, the offences committed under this Act shall be triable by a Magistrate of the first class or, where applicable, a Metropolitan Magistrate having local jurisdiction.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, the Magistrate of the first class or, where applicable, the Metropolitan Magistrate may impose any punishment provided for the concerned offence under this Act upon a person convicted.

(3) The court shall not take cognizance of any offence punishable under this Act, unless any Public Servant as defined in section 21 of the Penal Code, 1860 (Act No. XLV of 1860) or the concerned Deputy Director or Inspector of the Department of Agricultural Extension or any officer empowered by the Director General of the Department of Agricultural Extension submits any application in writing describing the offence.

(4) If any offence under this Act is committed concurrently with any offence under any other Act, the offence triable under this Act shall be tried in the court of the Magistrate of the first class or, where applicable, in the court of the Metropolitan Magistrate having jurisdiction, and the offence committed under any other Act shall be tried in any other court or tribunal having jurisdiction.

¹³[21A. **Penalty for filing false case.**—If any person, with the intention of causing harm to any other person, files or causes to file any case knowing that there is no just or lawful ground for filing the case under this Act, the person who files or causes to file the case shall be punished with the same punishment as is provided for the case filed.]

22. **Place of trial.**—Notwithstanding anything contained in the Code of Criminal Procedure, the trial of any offence committed under this Act may be held at any place within the local jurisdiction of the concerned court.

23. **Procedure of trial.**—Unless anything contained contrary to the provisions of this Act, the trial of the offence committed under this Act shall be conducted summarily and for this purpose, the procedure provided in Chapter XXII of the Code of Criminal Procedure shall be applied in so far as may be applicable.

24. **Appeal.**—If any person is aggrieved by the judgment and order of any court under this Act, he may prefer an appeal to the Sessions Judge Court or, where applicable, to the Metropolitan Sessions Judge Court having jurisdiction within 30 (thirty) days of such judgment or order:

Provided that the time required for collecting the certified copy of the judgment shall be deducted from such time.

25. **Trial in *absentia*.**—If the court has reason to believe that—

- (a) the accused person has absconded or concealed himself so that he can not be arrested or produced for trial; and
- (b) there is no prospect of arresting him within 7 (seven) days from the issuance of the arrest warrant,

the court may, by order published in at least one national daily Bengali newspaper, direct the accused person to appear before the court within at least 7 (seven) days and if the accused person fails to appear before the court during such time, the court may try him in his absence.

¹³ Section “21(A)” was inserted by section 6 of the Fertilizer (Management) (Amendment) Act, 2018(Act No. XL of 2018).

26. Application of the Code of Criminal Procedure, etc.—(1) Save as otherwise provided in this Act, the provisions of the Code of Criminal Procedure shall be applicable to framing charge or providing first information, investigation, pre trial proceedings, trial and disposal of appeal of any offence.

(2) The offences under this Act shall be cognizable.

27. Laboratory—(1) The Government may, by notification in the official Gazette, designate one or more laboratories for carrying out the purposes of this Act.

(2) If any Inspector sends the sample of any fertilizer or its raw material or any other material to any laboratory in pursuance of sections 9 and 14, the authority of the said laboratory shall, within 5(five) working days of receiving the sample, complete the test and submit a copy of test report to the concerned Inspector, the Deputy Director of the Department of Agricultural Extension of the concerned district and the person from whom the sample was collected.

28. Protection of acts done in good faith.—No suit, prosecution or other legal proceeding shall, in respect of anything done in good faith while performing duties under this Act or rules or order made thereunder, lie against the person performing such duties for any damage caused or likely to be caused to any person consequent to such act.

29. Offences committed by company.—Where an offence under this Act is committed by any company, the owner, director, manager, secretary or any other officer or agent of that company, shall be deemed to have committed the offence, unless he proves that the offence was committed beyond his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Explanation: In this section—

- (a) “company” means any statutory body, commercial institution, partnership business, firm, association or organization, and also includes any shop;
- (b) “director”, in the case of commercial institution, means any partner thereof or also any member of its Board of Directors; and
- (c) “owner” does not include the shareholder who is not involved in the management of the company.

30. **Power to make rules.**—For the purposes of this Act, the Government may, by notification in the official Gazette, make rules.

31. **To make Manuel.**—For the purposes of this Act, the Government may make Fertilizer Inspection Manuel and Manuel for Fertilizer Analysis.

32. **Exemption.**—The Government may, by notification in the official Gazette, exempt any fertilizer or any kind of fertilizer from the application of all or any provision of this Act, subject to such terms and conditions as may be specified in such notification.

¹⁴[33. **Publication of authentic English text.**—(1) After the commencement of this Act, the Government shall, by notification in the official Gazette, publish an authentic English text of this Act.

(2) In the event of conflict between the Bangla and the English text, the Bangla text shall prevail.]

By order of the President

মোঃ আবদুর রৌফ
অতিরিক্ত সচিব (পরিকল্পনা)
সচিবের রুটিন দায়িত্বে।

¹⁴ The section “33” was inserted/added by section 7 of the Fertilizer (Management) (Amendment) Act, 2018(Act. No. XL of 2018).