



# Seed Act

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## Introduction

- In order to ensure the availability of quality seeds, Government of India has enacted **Seeds Act, 1966** and **Seed rules, 1968**.
- **The seed (Control) order, 1983** was promulgated under **essential commodities act, 1955** in order to ensure the production, marketing and equal distribution of the seeds.

## Seeds Act, 1966

- The object of Seed Act is to regulate the **quality** of certain notified kind / varieties of seeds for sale and for matters connected therewith.
- The seed act **passed** by the Indian Parliament in **1966**
- Seeds rule under the act was **notified** in **September 1968**
- The act was **implemented** entirely in **October, 1969**.
- This act extent to the whole of India and it has **25 sections**.
- Seed legislation could broadly be divided into two groups
  1. Sanctioning legislation
  2. Regulatory legislation

# 1. Sanctioning legislation

- Sanctioning legislation authorizes **formation of**
  - Advisory bodies,
  - Seed Certification Agencies,
  - Seed Testing laboratories,
  - Foundation and Certified Seed Programmes,
  - Recognition of Seed certification Agencies of Foreign countries, Appellate authorities etc.

## 2. Regulatory legislation

- Regulatory Legislation controls the **quality of seeds** sold in the market including suitable agencies for regulating the seed quality.
- **On quality control basis**, the Seeds Act could conveniently be divided into the following:
  - I. Minimum limit and labelling of the notified kind / varieties of seed
  - II. Seed Certification
  - III. Restriction of Import and Export of Seeds



# 1. Minimum limits and labelling

## (a) Power to notify the kind / varieties

- New varieties evolved by the State Agricultural Universities and ICAR institutes are **notified and released /notified** under **section 5, section 3 and 3(5)** of the Seeds Act, respectively.
- **List of varieties** notified and denotified from 1969 to 2005 are compiled and made available in the form of a book called **catalogue of varieties notified and denotified**.
- **Functions** of the Central Seed Committee and its sub-committee are defined in **Clauses 3 and 4 of part II of seed rule**.

## **(b) Labelling provision**

- **Minimum limits** for seed standards under **section 6(a)**
- Size, colour and content of **label** under sub clause **(b) of Sec 6**
- Colour of the label is **opal green** and size is **10 cm x 15 cm**
- **Responsibility for making labelling content**, manner of marking, false / misleading statement on label etc, are defined under clause **7,8,9,10,11 and 12 of part V** of seeds rule.
- **Regulation of the sale** of notified varieties under **Section 7** where No person shall sale or supply seed after the dates recorded on the label.
- The seed can be **retained** if the germination is as prescribed under **clause (a) of section 6**.

## **(c) Seed Testing**

- Setting up of central and state **seed laboratory** under section **4(1) and 4(2)**.
- At present there are **86** Seed testing laboratories functioning in the country.
- Seed testing laboratories have been assigned certain important **functions under part III (5)**



## **(d) Seed Analysts**

- **Appointment** of the Seed Analysts by State Government through Official Gazette notification under **Section 12**
- Seed Analyst should possess certain minimum qualification as prescribed under clause 20 part IX of Seed Rule.

## **(e) Seed Inspectors**

- The State Government, under **section 13 appoints** Seed Inspector having prescribed **qualification (Clause 22 part IX)**
- Treated as a **public servant** under **section 21 of the I.P.C.**
- Power to examine records, register documents of seed dealer.
- Has other powers necessary for carrying out the purposes of this Act or rule made there under.
- His **duties** are defined in **clause 23 of part IX** of Seed rule.
- He can **issue, stop sale order** in case the seed in question contravenes the provision of relevant Act and rules for which he can use **form No. III.**
- When he **seizes any record**, he should inform a magistrate and take his order for which he can use **form No. IV.**

## **(f) Penalty**

- Under **section 19**, any person contravening the Act or Rule, or duties of seed inspector will be punished of the act with a fine of **five hundred rupees** for the first offence.
- Further cases results in the **imprisonment up to six months** or with fine, which may extent to **one thousand rupees** or with both.

## II. Seed certification

- Objective: to **maintain and make available** to the public through certification **high quality** propagating material of notified varieties to ensure genetic **identity** and **purity**.
- Indian minimum seed certification standards and procedures together form seed certification regulations.
- Only notified varieties seeds under **Section 5** are eligible
- Classes of seed:
  - Breeder seed
  - Foundation seed
  - Certified Seed



## Breeder seed

- Breeder seed is a seed directly controlled by the breeder.
- Breeder seed should be genetically so pure as to guarantee the same in the subsequent generation.
- Doesn't come under seed certification and not meant for public sale.
- Breeder seed should be packed and supplied with breeder's **golden yellow colour tag** as per the guideline given in Indian Minimum Seed Certification standards.
- It is also the fact that no standards for breeder seed have been prescribed.

## Foundation seed

- Foundation class of seed and certified class of seed are to be certified by the Certification Agencies as per the Indian Minimum Seed Certification Standards.
- **Section 8** of the Seeds Act provide state government or the Central Government consultation with State Government, may be notification in official gazette, established certification agencies for the state to carry out the functions entrusted to certification agency by or under this Act (**Part IV, clause 6** and **part VI clause 14** of Seeds Rule).

## Certified seed

- Seed act **section 9** provides **registration** with concerned seed certification agency duly remitting the prescribed fee in **form No.1** for grant of certificate.
- **Certificate grant- form No.11** after meeting the requirements prescribed under **Part VII clause 15, 16 and 17**
- It should have the minimum genetic purity of **99%**
- Certified seed may be the progeny of certified seed , provided this **does not exceed two generations** beyond foundation seed and provided that if certification agency determines the genetic and physical purity, if not be significantly altered



- In case of **highly self pollinated crops** certification of one further generation may be permitted
- Certified seed produced from certified seed, shall be eligible for further seed increase under certification, except in case of highly self pollinated crops, where certification of one further generation may be permitted
- Certification tags issued once for certified seed **not eligible for further seed increase** under certification
- For paddy and wheat, certified seed produced from certified seed is eligible for certification by NSC up to **two generations from foundation seed**



### **III. Restriction on export and import of seeds of notified kinds or varieties**

- **No person shall**, for the purpose of sowing or planting by any person (including himself), **export or import** or cause to be exported or imported any seed of any notified kind or variety, unless:
  - a. It conforms to the minimum limits of germination and purity specified for that seed under **clause (a) of section 6**; and
  - b. Its container bears, in the prescribed manner, the mark or label with the correct particulars thereof specified for that seed under **clause (b) of section 6**.