

29. **Seeds act and rules**

Introduction

The seed is an important agricultural input and it plays vital role in increasing production and productivity. There is a need to safeguard the farmers with the supply of genetically pure and quality seeds. Any new variety produced by the Scientist has to be multiplied many times to meet the needs of the farmers. 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 was designed to create a 'Climate' in which the seeds man could operate effectively and to make good quality seed available to cultivators. **Seeds rule** under the act was **notified in September 1968 and 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

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

- a. Power to notify the kind / variety
- b. Labelling provisions
- c. Seed testing

- d. Seed analyst
- e. Seed inspectors
- f. Penalty
- g. General provisions

II. Seed Certification

III. Restriction of Import and Export of Seeds

1. Minimum limits and labelling

Quality control as envisaged in the Act is to be achieved through pre and post marketing control, voluntary certification and compulsory labelling of the seeds of notified kind / varieties.

(a) Power to notify the kind / varieties

New varieties evolved by the State Agricultural Universities and ICAR institutes are notified and released /notified respectively under section 5 of the seeds act in consultation with the central seed committee and its sub committees constitute under section 3 and 3(5) of the Seeds Act. As on date more than 2500 varieties and 130 varieties were notified and denotified under this section. 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** under section 5 of the Seeds Act. 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 germination, physical purity and genetic purity of varieties / hybrids for crops have been prescribed and notified for labelling seeds of notified kind / varieties under section 6(a) of the Seeds Act. Size of the label, colour of the label and content of the label were also notified under sub clause (b) of Section 6 of Seeds Act. Colour of the label is opal green and size of the label is 10 cm x 15 cm or proportionate thereof. Responsibility for making labelling content of mark or label, 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.

Section 7 of the act regulates the sale of notified kind or varieties. Accordingly no person shall keep for sale, offer to sell, barter or otherwise supply any seed of any notified kind or variety, after the dates recorded on the container mark or label as the date unto which

the seed may expected to retain the germination not less than prescribed under clause (a) of section 6 of the Act.

(c)Seed Testing

There is a provision to set up a central seed laboratory and state seed laboratory to discharge functions under section 4(1) and 4(2) of the Seed Act. In the year 1968 there were 23 state seed testing laboratories in the country. At present there are 86 Seed testing laboratories functioning in the country. During 1995-96 these laboratories tested about 5 lakh samples. Seed testing laboratories have been assigned certain important functions under part III (5) of Seed Rule.

(d)Seed Analysts

State Government could appoint the Seed Analysts through notification in the Official Gazette under Section 12 of the Seed Act defining his area and his jurisdiction. Seed Analyst should possess certain minimum qualification as prescribed under clause 20 part IX of Seed Rule.

(e)Seed Inspectors

Classes of seed

The State Government, under section 13 of the Act may appoint such a person as it thinks fit, having prescribed qualification (Clause 22 part IX of Seed Rule) through notification, as a Seed Inspector and define the areas within which he shall exercise jurisdiction for enforcing the seed law. He will be treated as a public servant within a meaning of section 21 of the I.P.C. (45 of 1860). He has power to examine records, register document of the seed dealer. He will also exercise such other powers as may be necessary for carrying out the purposes of this Act or rule made there under. Duties of Seed inspectors 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, register documents or any other material, he should inform a magistrate and take his order for which he can use form No.IV.

(f)Penalty

If any person, contravenes any provision of the Act or Rule, or prevents a seed inspector from taking sample under this Act or prevents a Seed Inspector from exercising any other power conferred on him could be punished under section 19 of the act with a fine of five hundred rupees for the first offence. In the event of such person have been previously convicted of an offence under this section with imprisonment for a term, which may extend to six months or with fine, which may extent to one thousand rupees or with both.

II. Seed certification

The object of the seed certification is to maintain and make available to the public through certification high quality propagating material of notified kind / varieties so grown and distributed as to ensure genetic identity and genetic purity. The certified standards enforce are Indian minimum seed certification standards and seed certification procedures form together for the seed certification regulations. Seeds of only those varieties which are notified under section under Section 5 of the seeds act shall be eligible for certification.

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 that in the subsequent generation.
- Breeder seed could not come under the purview of seed certification as it is 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 standard 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, part VI clause 14 of Seeds Rule).

Certified seed

- Seed act section 9 provides any person desires of producing certified seed shall register his name with concerned seed certification agency duly remitting the prescribed fee in form No.1 for grant of certificate. Certificate could be granted in form No.11 after meeting the requirement of certification agency prescribed under Part VII clause 15, 16 and 17 of Seed rule.
- It should have the minimum genetic purity of 99%
- Certified seed may be the progeny of certified seed , provided this reproduction 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