

# **INDIAN SEEDS ACT, 1966**

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# INTRODUCTION

- To ensure the availability of quality seeds, Government of India has enacted Seeds Act, 1966
- To regulate the quality of certain notified kind / varieties of seeds for sale
- Seeds producer can operate effectively and make good quality seed available to cultivators
- The Seed Act was passed by the Indian Parliament on 29th December 1966 and it came into force from 2nd October, 1969

# SEED LEGISLATION

1. **Sanctioning legislation:** authorizes formation of Advisory bodies, Seed Certification Agencies, Seed Testing laboratories, FS and CS programme, Recognition of Seed certification Agencies of Foreign countries, Appellate authorities etc.
2. **Regulatory legislation:** controls the quality of seeds sold in the market including suitable agencies for regulating the seed quality

- 1. Short title, extent and commencement**
- 2. Definitions**
- 3. Central Seed Committee**
- 4. Central Seed Laboratory and State Seed Laboratory**
- 5. Power to notify kinds or varieties of seeds**
- 6. Power to specify minimum limits of germination and purity, etc**
- 7. Regulation of sale of seeds of notified kinds or varieties**
- 8. Certification agency**
- 9. Grant of certificate by certification agency**
- 10. Revocation of certificate**
- 11. Appeal**
- 12. Seed Analysts**
- 13. Seed Inspectors**

**14. Powers of Seed Inspector**

**15. Procedure to be followed by Seed Inspectors**

**16. Report of Seed Analyst**

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

**18. Recognition of seed certification agencies of foreign countries**

**19. Penalty**

**20. Forfeiture of property**

**21. Offences by companies**

**22. Protection of action taken in good faith**

**23. Power to give directions**

**24. Exemption**

**25. Power to make rules**

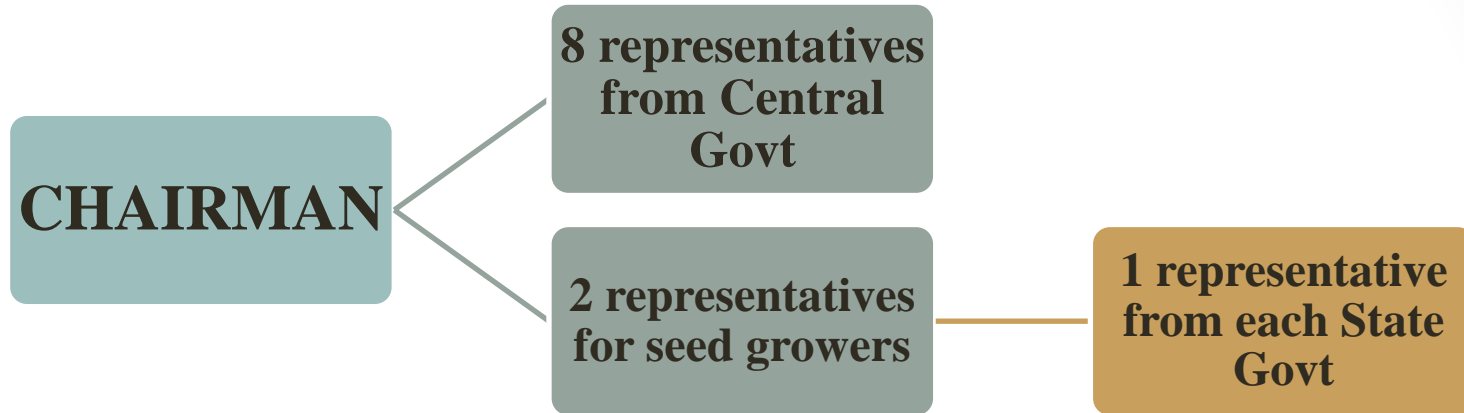
# Short title, extent and commencement

- THE SEEDS ACT, 1966 (ACT NO. 54 OF 1966)
- Enacted by Parliament in the 17<sup>th</sup> year of the Republic of India
- This act extent to the whole of India

## Definitions

- (1) “Agriculture” includes horticulture;
- (2) “Central Seed Laboratory” means the Central Seed Laboratory established or declared as such under sub-section (1) of section 4;
- (3) “Certification agency” means the certification agency established
- (4) “Committee” means the Central Seed Committee constituted under sub-section (1) of Section 3;
- (5) “Container” means a box, bottle, casket, tin, barrel, case, receptacle, sack, bag, wrapper or other thing in which any article or thing is placed or packed;
- (6) “Export” means taking out of India to a place outside India;
- (7) “Import” means bringing into India from a place outside India;
- (8) “Kind” means one or more related species or sub-species of crop plants each individually or collectively known by one common name such as cabbage, maize, paddy and wheat;

# Central Seed Committee



- The members of the Committee shall be entitled to hold office for 2 years
- Make bye-laws fixing the quorum and regulating its own procedure
- Committee may appoint one or more sub-committees
- Central Government shall appoint a person to be the secretary of the Committee

# Central Seed Laboratory and State Seed Laboratory

- Declare any seed laboratory as the Central Seed Laboratory to carry out the functions entrusted as per this act
- State Seed Laboratory where analysis of seeds of any notified kind or variety shall be carried out by Seed Analysts
- The Seed Testing Laboratory at the IARI, New Delhi, has been notified as the Central Seed Testing Laboratory during 1960.
  - a. Initiate testing programme in collaboration with the State Seed Laboratories in India designed to promote uniformity in test results.
  - b. Collect data continuously on the quality of seeds found in the market and make this data available to the Committee
  - c. Act as **referee laboratory** in testing seed samples for achieving uniformity in seed testing.
  - d. Testing of disputed sample from different state Seed testing laboratory and private seed testing organization.
- **Central Seed Testing Referral Laboratory was established under NSRTC, Ministry of Agriculture and Farmers Welfare at Varanasi as a separate National Seed Quality Control Laboratory, which serves as a (CSTL) on 1st April, 2007**



## **Power to notify kinds or varieties of seeds**

To regulate the quality of seed of any kind or variety to be sold for agriculture purposes, it is to be a notified kind in the Official Gazette

### **Power to specify minimum limits of germination and purity, etc.**

The minimum limits of germination and purity with respect to any seed of any notified kind or variety are recommended

### **Regulation of sale of seeds of notified kinds or varieties**

Seed should be notified kind which confirms to the minimum limits of germination and purity sealed in a container with the mark or label containing the correct particulars

### **Certification agency**

Establish a certification agency for the State to carry out the functions

## Grant of certificate by certification agency

Any person selling, bartering or supplying any notified kind or variety seeds, if he desires to have such seed certified can apply to the certification agency for the grant of a certificate

## Revocation of certificate

If the holder of the certificate without reasonable cause, failed to comply with the conditions or has contravened any of the provisions of this Act, can revoke the certificate

## Appeal

Any person aggrieved by a decision of a certification agency may, **within 30 days** from the date on which the decision is communicated to him, prefer an appeal to **the appellate authority**

## Seed Analyst

- The State Government may, appoint such persons having the prescribed qualifications, to be Seed Analysts and define the areas within which they shall exercise jurisdiction
- On receipt of a sample for analysis, Seed Analyst shall first ascertain the mark and the seal or fastening
- The Seed Analyst shall analyze the samples according to the provisions of the Act and deliver the result report of the analysis

## Seed Inspector

Every Seed Inspector shall be deemed to be a public servant under **section 21 of the Indian Penal Code (45 of 1860)** and shall be officially subordinate to such authority as the State Government may specify

# Powers of Seed Inspector

- (a) **Inspection of all places** used for growing, storage or sale of any seed of any notified kind or variety by certification agency
- (b) **Procure and send samples of any seeds for analysis**, if necessary, which may be suspected for being produced, stocked or exhibited for sale in contravention of the Act
- (c) **Investigate any complaint**, which may be made to him in writing in respect of any contravention of the provisions of the Act
- (d) **Maintain a record of all inspections** made and action taken by him in the performance of his duties including the taking of samples and the seizure of stocks
- (e) **Submit copies of record** to the Director of Agriculture or the certification agency
- (f) **Detain imported containers** which are suspected to contain seeds, import of which is prohibited except and in accordance with the provisions of the Act
- (g) **Provisions of Criminal Procedure 1898 (5 of 1898) code**: search or seizure made under the authority of a warrant issued under section 98

# Procedure to be followed by Seed Inspectors

1. Give notice in writing, then and there, of such intention to the person from whom he intends to take sample
2. When samples of any seed of any notified kind or variety are taken:
  - (a) deliver one sample to the person from whom it has been taken;
  - (b) send another sample for analysis to the Seed Analyst for the area within which such sample has been taken;
  - (c) retain the remaining sample for production in case any legal proceedings are taken or for analysis by the Central Seed Laboratory
3. if he seizes the stock of the seed, he shall inform a magistrate and take his orders as to the custody

## Report of Seed Analyst

The report sent by the Central Seed Laboratory

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

- it conforms to the minimum limits of germination and purity
- its container bears mark or label with the correct particulars

## Recognition of seed certification agencies of foreign countries

The Central Govt. on the recommendation of the Committee recognize any seed certification agency established in any foreign country

## Penalty

- for the first offence with fine which may extend to **500 rupees**
- Imprisonment for a term which may extend to **6 months**, or with fine which may extend to **1000 rupees**, or **both**.

## Forfeiture of property

- The seed in respect of which the contravention has been committed may be forfeited to the Government.

## **Offences by companies**

Where an offence under this Act has been committed by a company and it is proved with the consent to any neglect on the part of, any director, manager, secretary or other officer of the company, shall be deemed to be guilty of that offence and punished accordingly

### **Protection of action taken in good faith**

No prosecution or other legal proceeding shall lie against the Government or any officer for anything done in good faith or intended to be done under this Act

### **Power to give directions**

The Central Government may give such directions and execute duties to any State Government

### **Exemption**

Any seed of any notified kind or variety grown by a person and sold by him in his own premises direct to another person for the purpose of sowing

# Power to make rules

1. Functions of the Central Seed Laboratory;
2. Functions of a certification agency;
3. Manner of labelling the container of seed of any notified kind or variety
4. Form of application for the grant of a certificate under section 9
5. Form and manner in which and the fee on payment of which an appeal may be preferred
6. Procedure to be followed by the appellate authority in disposing of the appeal
7. Qualifications and duties of Seed Analysts and Seed Inspectors
  - ❖ the manner in which samples may be taken by the Seed Inspector,
  - ❖ the procedure for sending samples to the Seed Analyst or the Central Seed Laboratory
  - ❖ Analyzing of seed samples
  - ❖ form of report of the analysis results
  - ❖ records to be maintained by a person



# THE CENTRAL SEED CERTIFICATION BOARD

Under section 8a of the seed act 1966, which was introduced into the act by **THE SEEDS (AMENDMENT) ACT, 1972 (No. 55 of 1972)** provides for the establishment of a central seed certification board.

## **Co-ordinates the functioning of the agencies and certification**

- ❖ **a Chairman** to be nominated by the Central Government
- ❖ **4 members**, to be nominated by the Central Government employed by the State Governments as **Directors of Agriculture**
- ❖ **3 members**, to be nominated by the Central Government employed by the Agricultural Universities as **Directors of Research**
- ❖ **13 persons**, to be nominated by the Central Government of which not less than **4 persons** shall be representatives of **seed producers or tradesmen**

**THANK YOU**