

M.Sc. Ag. IV semester

Course: Principles & Practices of Seed Production

Chapter: 04

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TOPIC: SEED ACT 1966

The seed act 1966 was passed by both the houses of parliament on **29th December, 1966 as Act No.54 of 1966 and came into enforcement on 02nd October 1969.**

It has- **11** Part, **08** forms and **25** Sections

Some Definitions:

1. "**Central Seed Laboratory**" means the Central Seed Laboratory established or declared as such under **section 4 (1)** - sub-section (1) of section 4
2. "**Certification agency**" means the certification agency **established under Section 8** or **recognised under Section 18**
3. "**Committee**" means the **Central Seed Committee (CSC)** constituted under **Section 3(1)**- sub-section of Section 3
4. "**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;
5. "**Export**" means taking out of India to a place outside India;
6. "**Import**" means bringing into India from a place outside India;
7. "**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;
8. "**Notified kind or variety**" means any seed, any kind or variety notified under **Section 5**
9. "**Seed**" means any of the following classes of seeds used for sowing or planting-
 - a) Seeds of food crops including edible oil seeds and seeds of fruits and vegetables
 - b) cotton seeds

- c) Seeds of cattle fodder

(That includes seedlings, tubers, bulbs, rhizomes, roots, cuttings, all types of grafts and other vegetatively propagated material, of food crops or cattle fodder)

- 10. "Seed Analyst"** means a Seed Analyst appointed under **section 12**
- 11. "Seed Inspector"** means a Seed Inspector appointed **under section 13**
- 12. "State Seed Laboratory"**, in relation to any State, means the State Seed Laboratory established or declared as **under Section 4(2)**- under sub-section (2) of section 4 for that State
- 13. "Variety"** means a sub-division of a kind identifiable by growth, yield, plant, fruit, seed, or other characteristic.

IMPLEMENTATION OF SEED ACT: Some important functionaries

CENTRAL SEED COMMITTEE

(Constituted under **Section 3(1)**- sub-section of Section 3 of Seed act 1966)

1. Central Seed Committee to advise the Central Government and the State Governments on matters arising out of the administration of this Act and to carry out the other functions assigned to it by or under this Act.
2. The Committee shall consist of the following members, namely:-
 - i. A Chairman to be nominated by the Central Government
 - ii. Eight (08) persons to be nominated by the Central Government to represent such interests that Government thinks fit, of whom not less than two (02) persons shall be representatives of growers of seed
 - iii. One (01) person to be nominated by the Government of each of the States
3. The members of the Committee shall, unless their seats become vacant earlier by resignation, death or otherwise, be entitled to hold office for two years and shall be eligible for re-nomination.
4. The Committee may appoint one or more sub-committees, consisting wholly of members of the Committee or wholly of other persons or partly of members of the Committee and partly of other persons, as it thinks fit, for the purpose of discharging such of its functions as may be delegated to such sub-committee or sub-committees by the Committee.

CENTRAL SEED LABORATORY (CSTL)

(Established under **section 4 (1) of Seed Act 1966** - sub-section (1) of section 4)

The Central Government may, by notification in the Official Gazette, establish a Central Seed Laboratory or declare any seed laboratory as the Central Seed Laboratory to carry out the functions entrusted to the Central Seed Laboratory by or under this Act.

The Seed Testing Laboratory is located at Division of Seed Science & Technology, Indian Agricultural Research Institute, New Delhi, has been notified as the Central Seed Testing Laboratory and it was established during 1960.

The functions of CSTL

- Initiate testing programme in collaboration with the State Seed Laboratories designed to promote uniformity in test results between all seed laboratories in India.
- Collect data continuously on the quality of seeds found in the market and make this data available to the Central Seed Committee
- Carry out such other functions as may be assigned to it by the Central Government from time to time
- Act as referee laboratory in testing seed samples for achieving uniformity in seed testing.
 - Testing of disputed sample from different state Seed testing laboratory or from private seed testing organization.
 - Its evaluation of results are final & binding

CENTRAL SEED TESTING REFERRAL LABORATORY

Central Seed Testing Referral Laboratory was established under National Seed Research & Training Centre, Ministry of Agriculture and Farmers Welfare at Varanasi as a separate National Seed Quality Control Laboratory, which serves as a Central Seed Testing Laboratory (CSTL) w.e.f. 1st April, 2007 by Gazette Notification No. REGD.NO. D.L-33004/99 dated: 8th March, 2007.

CSTL is maintaining the uniformity in seed testing result among all State Seed Testing Laboratories at the national level. It acts as referral Laboratory for court referred seed samples and also a member laboratory of International Seed Testing Association (ISTA) Switzerland. In addition, CSTL monitor the market seeds through purchasing the samples from various seed selling points and its testing.

- 5% Re-testing programme of seed samples: Under the 5% Re-testing programme, CSTL is testing 5% samples from notified state seed testing laboratories across the country free of cost.
- Court referred seed samples: Under this programme, CSTL is testing seed samples received from the Hon'ble court.
- ISTA (PT) Programme
- Grow Out Test

STATE SEED LABORATORIES

The **State** Government may, by notification in the Official Gazette, establish one or more **State Seed Laboratories** or declare any **seed laboratory** as a **State Seed Laboratory** under **section 4(2) of seed Act 1966**, where analysis of **seeds** of any notified kind or variety shall be carried out by **Seed Analysts** under this **Act** in the prescribed manner.

- The State Seed Testing Laboratories are required to send five percent samples to the Central Seed Testing Laboratory along with their analysis results.
- The Act envisages the establishment of State Seed Testing Laboratories in each State by notification in the official Gazette. The functions assigned to this laboratory are to carry out the seed analysis work of the State in a prescribed manner.
- There are **nine notified Seed Testing Laboratories** available in state of Uttar Pradesh.

At present in **Uttar Pradesh**, seed is tested in **laboratories** under the supervision of Deputy Director, Agriculture (Research), Regional farm **testing** and demonstration centre Barabanki-

1. Regional Agriculture Seed Testing & Demonstration Station, Department of Agriculture, Barabanki	2. Regional Agriculture Seed Testing & Demonstration Station, Department of Agriculture, 9515, Civil Line, Jhansi	3. Regional Agriculture Seed Testing & Demonstration Station, Department of Agriculture, Meerut
4. Seed Testing Laboratory, UP State Seed Certification Agency, Alambagh, Lucknow	5. Regional Agriculture Seed Testing & Demonstration Station, Department of Agriculture, Azamgarh	6. Seed Testing Laboratory, UP State Seed Certification Agency, 35-C/6, Rampur Bagh, Bareilly
7. Regional Agriculture Seed Testing & Demonstration Center, Department of Agriculture, 32-8, Civil Line, Mathura	8. Regional Agriculture Seed Testing & Demonstration Center, Department of Agriculture, Station Road, Hardoi	9. Seed Testing Laboratory, Department of Seed Technology, C.S. A.U&T, Kanpur

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, provides for the establishment of a central seed certification board. The Central Government shall, by notification in the Official Gazette, establish a Central Seed Certification Board (hereinafter referred to as the Board) to advise the Central Government and the State Governments on all matters relating to certification, and to co-ordinate the functioning of the agencies established under section 8 of Seed Act 1966.

The Board shall consist of the following members, namely:-

- (i) a Chairman to be nominated by the Central Government;
- (ii) four members, to be nominated by the Central Government from out of the persons employed by the State Governments as Directors of Agriculture;
- (iii) three members, to be nominated by the Central Government from out of the persons employed by the Agricultural Universities as Directors of Research;
- (iv) thirteen persons, to be nominated by the Central Government to represent such interests as that Government thinks fit, of whom not less than four persons shall be representatives of seed producers or tradesmen
- (v) A member of the Board shall, unless his seat becomes vacant earlier by resignation or otherwise, be entitled to hold office for **two years** from the date of his nomination:

STATE SEED CERTIFICATION AGENCY

(Certification agency" means the certification agency **established under Section 8 or recognised under Section 18)**

The State Government or the Central Government in consultation with the State Government may, by notification in the Official Gazette, establish a certification agency for the State to carry out the functions entrusted to the certification agency by or under this

Grant of certificate by certification agency

1. Any person selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of any notified kind or variety may, if he desires to have such seed certified by the certification agency, apply to the certification agency for the grant of a certificate for the purpose.
2. Every application under sub-section (1) shall be made in such form, shall contain such particulars and shall be accompanied by such fees as may be prescribed.
3. On receipt of any such application for the grant of a certificate, the certification agency may, after such enquiry as it thinks fit and after satisfying itself that the seed to which the application relates conforms to the minimum limits of germination and purity specified for that seed under clause (a) of section 6, grant a certificate in such form and on such conditions as may be prescribed.

Revocation of certificate

If the certification agency is satisfied, either on a reference made to it in this behalf or otherwise, that-

- The certificate granted by it under section 9 has been obtained by *misrepresentation* as to an essential fact; or
- The holder of the certificate has, without reasonable cause, failed to comply with the conditions subject to which the certificate has been granted or has contravened any of the provisions of this Act or the rules made there under;
- Then, without prejudice to any other penalty to which the holder of the certificate may be liable under this Act, the certification agency may, after giving the holder of the certificate an opportunity of showing cause, revoke the certificate.

Appeal

- Any person aggrieved by a decision of a certification agency under **section 9** or **section 10**, may, **within thirty (30) days** from the date on which the decision is communicated to him and on payment of such fees as may be prescribed, prefer an appeal to such authority as may be specified by the State Government in this behalf:
- Provided that the appellate authority may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
- On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.
- Every order of the appellate authority under this section shall be final.

POWER TO NOTIFY KINDS OR VARIETIES OF SEEDS

(Under section 5 of Seed Act 1966)

The Central Government, after consultation with the Committee, is of opinion that it is necessary or expedient to regulate the quality of seed of any kind or variety to be sold for purposes of agriculture, it may, by notification in the Official Gazette, declare such kind or variety to be a notified kind or variety for the purposes of this Act and different kinds or varieties may be notified for different States or for different areas thereof.

POWER TO SPECIFY MINIMUM LIMITS OF GERMINATION AND PURITY

(Under section 6 of Seed Act 1966)

The Central Government may, after consultation with the Central Seed Committee and by notification in the Official Gazette, specify-

- a. The minimum limits of germination and purity with respect to any seed of any notified kind or variety;
- b. The mark or label to indicate that such seed conforms to the minimum limits of germination and purity specified under clause (a) and the particulars which such mark or label may contain.

REGULATION OF SALE OF SEEDS OF NOTIFIED KINDS OR VARIETIES

(Under section 7 of Seed Act 1966)

No person shall, himself or by any other person on his behalf, carry on the business of selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of any notified kind or variety, unless-

- a. such seed is identifiable as to its kind or variety;
- b. such seed conforms to the minimum limits of germination and purity specified under clause (a) of section 6;
- c. the container of such seed bears in the prescribed manner, the mark or label containing the correct particulars thereof, specified under clause (b) of section 6; and
- d. he complies with such other requirements as may be prescribed.

SEED ANALYSTS

(Under section 12 of Seed Act 1966)

The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit, having the prescribed qualifications, to be Seed Analysts and define the areas within which they shall exercise jurisdiction.

SEED INSPECTOR

(Under section 13 of Seed Act 1966)

13(1): The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit, having the prescribed qualifications, to be Seed Inspectors and define the areas within which they shall exercise jurisdiction.

13(2): Every Seed Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860) and shall be officially subordinate to such authority as the State Government may specify in this behalf.

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