

THE SEEDS ACT, 1966

(ACT NO. 54 OF 1966)

[29th December, 1966]

An Act to provide for regulating the quality of certain seeds for sale, and for matters connected therewith

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Seeds Act, 1966.
- (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act, and for different States or for different areas thereof.

Definitions

2. In this Act, unless the context otherwise requires,
 - (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;

- (9) “notified kind or variety” , in relation to any seed, means any kind or variety thereof notified under Section 5;
- (10) “Prescribed” means prescribed by rules made under this act;
- (11) “seed” means any of the following classes of seeds used for sowing or planting-
- (i) seeds of food crops including edible oil seeds and seeds of fruits and vegetables;
 - (ii) cotton seeds;
 - (iii) seeds of cattle fodder;
- and includes seedlings, and tubers, bulbs, rhizomes, roots, cuttings, all types of grafts and other vegetatively propagated material, of food crops or cattle fodder;
- (12) “Seed Analyst” means a Seed Analyst appointed under section 12;
- (13) “Seed Inspector” means a Seed Inspector appointed under section 13;
- (14) “State Government”, in relation to a Union territory, means the administrator thereof;
- (15) “State Seed Laboratory”, in relation to any State, means the State Seed Laboratory established or declared as such under sub-section (2) of section 4 for that State; and
- (16) “variety” means a sub-division of a kind identifiable by growth, yield, plant, fruit, seed, or other characteristic.

Central Seed Committee

3. (1) The Central Government shall, as soon as may be after the commencement of this Act, constitute a Committee called the 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 persons to be nominated by the Central Government to represent such interests that Government thinks fit, of whom not less than two persons shall be representatives of growers of seed;
 - (iii) one 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 renomination.
- (4) The Committee may, subject to the previous approval of the Central Government, make bye-laws fixing the quorum and regulating its own procedure and the conduct of all business to be transacted by it.
- (5) 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.
- (6) The functions of the Committee or any sub-committee thereof may be exercised notwithstanding any vacancy therein.
- (7) The Central Government shall appoint a person to be the secretary of the Committee and shall provide the Committee with such clerical and other staff as the Central Government considers necessary.

Central Seed Laboratory and State Seed Laboratory

4. (1) 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.
- (2) 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 where analysis of seeds of any notified kind or variety shall be carried out by Seed Analysts under this Act in the prescribed manner.

Power to notify kinds or varieties of seeds

5. If 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 the 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, etc.

6. The Central Government may, after consultation of the 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 marks or label may contain.

Regulation of sale of seeds of notified kinds or varieties

7. 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.

Certification agency

8. 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 Act.

Grant of certificate by certification agency

9. (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

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

- (a) the certificate granted by it under section 9 has been obtained by misrepresentation as to an essential fact; or
- (b) 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 thereunder;

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

11. (1) Any person aggrieved by a decision of a certification agency under section 9 or section 10, may, within thirty 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 appellate was prevented by sufficient cause from filing the appeal in time.

- (2) 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.
- (3) Every order of the appellate authority under this section shall be final.

Seed Analysts

12. 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 Inspectors

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.

- (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.

Powers of Seed Inspector

14. (1) The Seed Inspector may-
- (a) take samples of any seed of any notified kind or variety from-
 - (i) any person selling such seed; or
 - (ii) any person who is in the course of conveying, delivering or preparing to deliver such seed to a purchaser or a consignee; or
 - (iii) a purchaser or a consignee after delivery of such seed to him;
 - (b) send such sample for analysis to the Seed Analyst for the area within which such sample has been taken;
 - (c) enter and search at all reasonable times, with such assistance, if any, as he considers necessary, any place in which he has reason to believe that an offence under this Act has been or is being committed and order in writing the person in possession of any seed in respect of which the offence has been or is being committed, not to dispose of any stock of such seed for a specific period not exceeding thirty days or, unless the alleged offence is such that the defect may be removed by the possessor of the seed, seize the stock of such seed;
 - (d) examine any record, register, document or any other material object found in any place mentioned in clause (c) and seize the same if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act; and
 - (e) exercise such other powers as may be necessary for carrying out the purposes of this Act or any rule made thereunder.
- (2) Where any sample of any seed of any notified kind or variety is taken under clause (a) of sub-section (1), its cost, calculated at the rate at which such seed is usually sold to the public, shall be paid on demand to the person from whom it is taken.
- (3) The power conferred by this section includes power to break-open any container in which any seed of any notified kind or variety may be contained or to break-open the door of any premises where any such seed may be kept for sale:
- Provided that the power to break-open the door shall be exercised only after the owner or any other person in occupation of the premises, if he is present therein, refuses to open the door on being called upon to do so.
- (4) Where the Seed Inspector takes any action under clause (a) of sub-section (1), he shall, as far as possible, call not less than two persons to be present at the time when such action is taken and take their signatures on a memorandum to be prepared in the prescribed form and manner.
- (5) The provisions of the Code of Criminal Procedure, 1898 (5 of 1898), shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 98 of the said Code.

Procedure to be followed by Seed Inspectors

15. (1) Whenever a Seed Inspector intends to take sample of any seed of any notified kind or variety for analysis, he shall-
 - (a) give notice in writing, then and there, of such intention to the person from whom he intends to take sample;
 - (b) except in special cases provided by rules made under this Act, take three representative samples in the prescribed manner and mark and seal or fasten up each sample in such manner as its nature permits.
- (2) When samples of any seed of any notified kind or variety are taken under sub-section (1), the Seed Inspector shall-
 - (a) deliver one sample to the person from whom it has been taken;
 - (b) send in the prescribed manner another sample for analysis to the Seed Analyst for the area within which such sample has been taken; and
 - (c) retain the remaining sample in the prescribed manner for production in case any legal proceedings are taken or for analysis by the Central Seed Laboratory under sub-section (2) of section 16, as the case may be.
- (3) If the person from whom the samples have been taken refuses to accept one of the samples, the Seed Inspector shall send intimation to the Seed Analyst of such refusal and thereupon the Seed Analyst receiving the sample for analysis shall divide it into two parts and shall seal or fasten up one of those parts and shall cause it, either upon receipt of the sample or when he delivers his report, to be delivered to the Seed Inspector who shall retain it for production in case legal proceedings are taken.
- (4) Where a Seed Inspector takes any action under clause (c) of sub-section (1) of section 14:
 - (a) he shall use all despatch in ascertaining whether or not the seed contravenes any of the provisions of section 7 and if it is ascertained that the seed does not so contravene, forthwith revoke the order passed under the said clause or, as the case may be, take such action as may be necessary for the return of the stock of the seed seized;
 - (b) if he seizes the stock of the seed, he shall, as soon as may be, inform a magistrate and take his orders as to the custody thereof;
 - (c) without prejudice to the institution of any prosecution, if the alleged offence is such that the defect may be removed by the possessor of the seed, he shall, on being satisfied that the defect has been so removed, forthwith revoke the order passed under the said clause.
- (5) Where as Seed Inspector seizes any record, register, document or any other material object under clause (d) of sub-section (1) of section 14, he shall, as soon as may be, inform a magistrate and take his orders as to the custody thereof.

Report of Seed Analyst

16. (1) The Seed Analyst shall, as soon as may be after the receipt of the sample under sub-section (2) of section 15, analyse the sample at the State Seed Laboratory and deliver, in such form as may be prescribed, one copy of the

report of the result of the analysis to the Seed Inspector and another copy thereof to the person from whom the sample has been taken.

- (2) After the institution of a prosecution under this Act, the accused vendor or the complainant may, on payment of the prescribed fee, make an application to the court for sending any of the samples mentioned in clause (a) or clause (c) of sub-section (2) of section 15 to the Central Seed Laboratory for its report and on receipt of the application, the court shall first ascertain that the mark and the seal or fastening as provided in clause (b) of sub-section (1) of section 15 are intact and may then despatch the sample under its own seal to the Central Seed Laboratory which shall thereupon send its report to the court in the prescribed form within one month from the date of receipt of the sample, specifying the result of the analysis.
- (3) The report sent by the Central Seed Laboratory under sub-section (2) shall supersede the report given by the Seed Analyst under sub-section (1).
- (4) Where the report sent by the Central Seed Laboratory under sub-section (2) is produced in any proceedings under Section 19, it shall not be necessary in such proceedings to produce any sample or part thereof taken for analysis.

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

17. 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.

Recognition of seed certification agencies of foreign countries

18. The Central Govt. may, on the recommendation of the Committee and by notification in the Official Gazette, recognise any seed certification agency established in any foreign country, for the purposes of this Act.

Penalty

19. If any person-
 - (a) contravenes any provision of this Act or any rule made thereunder; or
 - (b) prevents a Seed Inspector from taking sample under this Act;
or
 - (c) prevents a Seed Inspector from exercising any other power conferred on him by or under this Act;
he shall, on conviction, be punishable-
 - (i) for the first offence with fine which may extend to five hundred rupees, and

- (ii) in the event of such person having 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 extend to one thousand rupees, or with both.

Forfeiture of property

20. When any person has been convicted under this Act for the contravention of any of the provisions of this Act or the rules made thereunder, the seed in respect of which the contravention has been committed may be forfeited to the Government.

Offences by companies

21. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

- (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. – For the purpose of this section,-

- (a) “company” means any body corporate and includes a firm or other association of individuals; and
(b) “director”, in relation to a firm, means a partner in the firm.

Protection of action taken in good faith

22. No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government for anything which is in good faith done or intended to be done under this Act.

Power to give directions

23. The Central Government may give such directions to any State Government as may appear to the Central Government to be necessary for carrying into execution in the State any of the provisions of this Act or of any rule made thereunder.

Exemption

24. Nothing in this Act shall apply to any seed of any notified kind or variety grown by a person and sold or delivered by him on his own premises direct to another person for being used by that person for the purpose of sowing or planting.

Power to make rules

25. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purpose of this Act.
- (2) In particular and without prejudice to the generality of the fore-going power, such rules may provide, for-
- (a) the functions of the Committee and the travelling and daily allowances payable to members of the Committee and members of any sub-committee appointed under sub-section (5) of section 3;
 - (b) the functions of the Central Seed Laboratory;
 - (c) the functions of a certification agency;
 - (d) the manner of marking or labelling the container of seed of any notified kind or variety under clause (c) of Section 7 and under clause (b) of section 17;
 - (e) the requirements which may be complied with by a person carrying on the business referred to in section 7;
 - (f) the form of application for the grant of a certificate under section 9, the particulars it may contain, the fees which should accompany it, the form of the certificate and the conditions subject to which the certificate may be granted;
 - (g) the form and manner in which and the fee on payment of which an appeal may be preferred under section 11 and the procedure to be followed by the appellate authority in disposing of the appeal;
 - (h) the qualifications and duties of Seed Analysts and Seed Inspectors;
 - (i) the manner in which samples may be taken by the Seed Inspector, the procedure for sending such samples to the Seed Analyst or the Central Seed Laboratory and the manner of analysing such samples;
 - (j) the form of report of the result of the analysis under sub-section (1) or sub-section (2) of section 16 and the fees payable in respect of such report under the said sub-section (2);
 - (k) the records to be maintained by a person carrying on the business referred to in section 7 and the particulars which such records shall contain; and
 - (l) any other matter which is to be or may be prescribed.
- (3) Every rule made under this Act shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, that rule shall, thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SEEDS (CONTROL) ORDER, 1983

**Government of India
Ministry of Agriculture
(DEPARTMENT OF AGRICULTURE & COOPERATION)**

New Delhi, dated the 30th Dec., 1983

ORDER

GSR 932 (E) – In exercise of the powers conferred by section 3 of the **Essential Commodities Act, 1955 (10 of 1955)**, the Central Government hereby makes the following order, namely:-

PRELIMINARY

1. Short title and extent:

- (i) This Order may be called the Seeds (Control) Order, 1983.
- (ii) It extends to the whole of India.
- (iii) It shall come into force on the 30th December, 1983.

2. Definitions :

In this Order, unless the context otherwise requires,

- (a) “Act” means the Essential Commodities Act, 1955 (10 of 1955).
- (b) “Controller” means a person appointed as Controller of Seeds by the Central Government and includes any person empowered by the Central Government to exercise all or any functions of the Controller under this Order;
- (c) “Dealer” means a person carrying on the business of selling, exporting or importing seeds, and includes an agent of a dealer;
- (d) “Export” means to take or cause to be taken out from any place in India to a place outside India;
- (e) “Form” means a form appended to this Order;
- (f) “Import” means to bring or cause to be brought to any place in India from outside India;
- (g) “Inspector” means an inspector of seeds appointed under clause 12;
- (h) “Registering authority” means a licensing authority appointed under clause 11;
- (i) “Seeds” means the seeds as defined in the Seeds Act, 1966 (54 of 1966).
- (j) “State Government” in relation to a Union Territory means the Administrator thereof by whatever designation known.

DEALER IN SEEDS TO BE LICENSED

3. Dealer to obtain licence

- (1) No person shall carry on the business of selling, exporting or importing seeds at any place except under and in accordance with the terms and conditions of licence granted to him under this order.
- (2) Notwithstanding anything contained in sub-clause (1), the State Government may, by notification in the Official Gazette, exempt from the provisions of that sub-clause such class of dealers in such areas and subject to such conditions as may be specified in the notification.

4. Application for licence

Every person desiring to obtain a licence for selling, exporting or importing seeds shall make an application in duplicate in Form 'A' together with a fee of rupees fifty for licence to licensing authority.

5. Grant and refusal of licence

- (1) The licensing authority may, after making such enquiry as it thinks fit, grant a licence in Form 'B' to any person who applies for it under clause 4:

Provided that a licence shall not be issued to a person-

- (a) whose earlier licence granted under this Order is under suspension, during the period of such suspension;
 - (b) whose earlier licence granted under this Order has been cancelled, within a period of one year from the date of such cancellation.
 - (c) who has been convicted under the Essential Commodities Act, 1955 (10 of 1955) or any order issued thereunder within three years preceding the date of application.
- (2) When the licensing authority refuses to grant licence to a person who applies for it under clause 4, he shall record his reasons for doing so.

6. Period of validity of licence

Every licence under this Order, shall, unless previously suspended or cancelled, remain valid for three years from the date of its issue.

7. Renewal of licence

- (1) Every holder of licence desiring to renew the licence, shall, before the date of expiry of the licence, make an application for renewal in duplicate, to the licensing authority in Form 'C' together with a fee of rupees twenty for renewal. On receipt of such application, together with such fee, the licensing authority may renew the licence.
- (2) If any application for renewal is not made before the expiry of the licence, but is made within one month from the date of expiry of the licence, the licence may be

renewed on payment of additional fee of rupees twenty five, in addition to the fee for renewal of licence.

8. Dealers to display stock and price list

Every dealer of seeds shall display in his place of business:

- (a) the opening and closing stocks, on daily basis, of different seeds held by him;
- (b) a list indicating prices or rates of different seeds.

9. Dealers to give memorandum to purchaser

Every dealer shall give a cash or credit memorandum to a purchaser of seeds.

10. Power to distribute seeds

Where it is considered necessary to do so in public interest, the Controller may, by an order in writing direct any producer or dealer to sell or distribute any seed in such manner as may be specified therein.

ENFORCEMENT AUTHORITY

11. Appointment of licensing authority

The State Government may by notification in the Official Gazette appoint such number of persons as it thinks necessary to be licensing authority and may also define in that notification the area within which each such licensing authority shall exercise his jurisdiction.

12. Appointment of Inspectors

The State Government may by notification in the Official Gazette appoint such number of persons as it thinks necessary to be inspectors and may in such notification define the local area within which each such Inspector shall exercise his jurisdiction.

13. Inspection and punishment

(1) An Inspector may with a view to securing compliance with this Order-

- (a) require any dealer to give any information in his possession with respect to purchase, storage and sale of seeds by him;
- (b) enter upon and search any premises where any seed is stored or exhibited for sale to ensure compliance with the provisions of this Order;
- (c) draw samples of seeds meant for sale, export and seeds imported, and send the same in accordance with the procedure laid down in Schedule I, to a laboratory notified under the Seeds Act, 1966 (54 of 1966) to ensure that the sample conforms to standard of quality claimed;
- (d) seize or detain any seed in respect of which he has reason to believe that a contravention of this Order has been committed or is being committed;

- (e) seize any books of accounts or document relating to any seed in respect of which he has reason to believe that a contravention of this Order has been committed or is being committed.

Provided that the Inspector shall give a receipt, in respect of the books of accounts or documents seized, to the person from whom they have been seized.

Provided further that the seized books of accounts or documents shall be returned to the person from whom the same had been seized after copies thereof or extracts therefrom as certified by such person have been taken.

- (2) Subject to the provision of paragraph (d) of sub-clause (1), the provision, of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.
- (3) Where any seed is seized by an Inspector under this clause, he shall forthwith report the fact of such seizure to a Magistrate where-upon the provisions of sections 457 and 458 of the Code of Criminal Procedure, 1973 (2 of 1974) shall, so far as may be, apply to the custody and disposal of such seed.
- (4) Every person, if so required by an Inspector, shall be bound to offer all necessary facilities to him for the purpose of enabling him to exercise his power under this clause.

14. Time limit for analysis

The laboratory to which a sample has been sent by an Inspector for analysis under this Order shall analyse the said samples and send the analysis report to the concerned Inspector within 60 days from the date of receipt of the sample in the laboratory.

15. Suspension/Cancellation of licence

The licensing authority may, after giving the holder of the licence an opportunity of being heard, suspend or cancel the licence on the following grounds, namely:-

- (a) that the licence had been obtained by misrepresentation as to a material particular; or
- (b) that any of the provisions of this Order or any condition of licence has been contravened.

16. Appeal

Any person aggrieved by an order-

- (a) refusing to grant, amend or renew the licence for sale, export or import of seeds;
- (b) suspending or cancelling any licence, may within sixty days from the date of the order, appeal of such authority as the State Government may specify in this behalf, and the decision of such authority shall be final.

Provided that an application for appeal shall accompany an appeal fee of rupees fifty.

MISCELLANEOUS

17. Amendment of licence

The licensing authority may, on receipt of a request in writing together with a fee of rupees ten from a dealer, amend the licence of such dealer.

18. Maintenance of records and submission of returns, etc. :

- (1) Every dealer shall maintain such books, accounts and records relating to his business as may be directed by the State Government.
- (2) Every dealer shall submit monthly return relating to his business for the preceding month in Form 'C' to the licensing authority by the 5th day of every month.

Sd/-
R.K. Srivastava
Joint Secretary to the Govt. of India



FORM 'A'
(See clause 4)

FORM OF APPLICATION TO OBTAIN DEALER'S LICENCE

To

The Registering Authority,
_____ (Place)
State of/ U.T. of

1. Full name and address of the applicant:

- (a) Name and postal address:
(b) Place of business (please give exact address):
(i) for sale
(ii) for storage

2. Is it a proprietary/partnership/Limited Company/Hindu undivided family concern?
Give the Name(s) and address(es) of proprietor/partner/Manager/Karta.

3. In what capacity this application is made:

- (i) Proprietor
(ii) Partner
(iii) Manager
(iv) Karta

4. Was the applicant ever convicted under the Essential Commodities Act, 1955 (10 of 1955), or any order issued thereunder during the last three years preceding the date of application? If so, give details

5. Give the details of seeds to be handled.

S.No. Name of Seed

6. I/we have deposited the licence fee of rupees fifty vide challan No. _____
dated _____ in treasury/bank _____

7. Declaration:

- (a) I/we declare that the information given above is true to the best of my/our knowledge and belief and no part thereof is false.
(b) I/we have carefully read the terms and conditions of the licence given in Form 'B' appended to the Seeds (Control) Order, 1983, and agree to abide by them.

Signature of Applicant

Date: _____

Place: _____

Note: (1) Where the business of selling/exporting/importing seeds is intended to be carried on at more than one place, a separate licence should be obtained for each such place.

For use in the office of Licensing Authority

Date of receipt _____

Name and designation of officer receiving the application



FORM 'B'
(See clause 5)

LICENCE TO CARRY ON THE BUSINESS OF A DEALER IN SEEDS

Licence No. _____

Date: _____

Subject to the provisions of the Seeds (Control) Order, 1983 and to the terms and conditions of this Licence Shri/M/s _____ is hereby granted licence to sell, export, import and store for the said purposes of seeds.

2. The licensee shall carry on the aforesaid business at _____
(Place for storage and place for sale) _____ (Tehsil or District)

Date: _____

Seal:

Licensing Authority

State of _____

Terms and conditions of licence

- (i) The licence shall be displayed at a prominent and conspicuous place in a part of the business premises open to the public.
- (ii) The holder of the licence shall comply with the provisions of the Seeds (Control) Order, 1983 and the notifications issued thereunder and for the time being in force.
- (iii) This licence comes into force with immediate effect and shall be valid upto _____ unless previously cancelled or suspended.
- (iv) The holder of the licence shall from time to time report to the licensing authority any change in the premises where he carries on his business of sale, export, import or storage for the said purposes of seeds.
- (v) The licensee shall give every facility to the licensing authority or any other officer acting under his Authority for the purpose of inspecting his stock in any shop, depot or godown or other place/places used by him for the purpose of storage, sale or export of seeds.



FORM 'C'
(See clause 7)

**APPLICATION FOR RENEWAL OF LICENCE TO CARRY ON THE BUSINESS OF A
DEALER IN SEEDS**

To

The Licensing Authority
_____ (Place)
State of/U.T. of _____

I/We hereby apply for renewal of the Licence to carry on the business of dealer in seeds under the name and style of Shri/M/s. _____ The licence, desired to be renewed, was granted by the Licensing Authority for the State of _____ and allotted Licence No. _____ on the _____ day of _____ 19____

Signature of applicant(s)

Full name and address of the applicant(s) _____

Date and Place: _____

Certified that the Licence bearing No. _____ granted on _____ to carry on the business of a dealer in seeds at the premises situated _____ is hereby renewed upto _____, unless previously cancelled or suspended under the provisions of the Seeds (Control) Order, 1983.

Date: _____

Licensing Authority

Renewal No. _____

State of _____

Seal:



FORM 'D'
(See clause 18)

1. Month and year:
2. Name and designation of Licensee:

(Quantity in Quintals)

Crop/ Variety	Class of seed	Opening stock on the first day of the month	Quantity purchased during the month	Total quantity imported	Total	Total quantity sold	Total quantity exported	Closing stock on the last day of the month
1	2	3	4	5	6	7	8	9

(3+4+5)

6-(7+8)

Signature of dealer

Name: _____

Address: _____

SCHEDULE I

(See clause 13)

Sealing, Fastening, Despatch and Analysis of Samples

I. Manner of taking Samples

Samples of any seed for the purpose of analysis shall be taken in a clean dry container which shall be closed sufficiently tight to prevent leakage and entrance of moisture and shall be carefully sealed.

II. Sampling Intensity

Bulk Sampling – When sampling seed lots are stored in bulk (heaps, bins, wagons, etc.), the following sampling intensity should be regarded as a minimum requirement for obtaining the “bulk sample”.

- (a) upto 500 kilograms – at least 5 individual samples except in case of small lots upto 50 kilograms where a smaller number of samples is sufficient, not less than, 3 samples need be taken.
- (b) 501 to 3,000 kilograms – one individual sample for each 300 kilograms, but not less than 5 individual samples.
- (c) 3,001 to 20,000 kilograms – one individual sample for each 500 kilograms but not less than 10 individual samples.

For seed in bulk the individual samples should be distributed at random all over the bulk and the samples drawn from varying depths.

Bag sampling – For seed lots in bags or other containers the following sampling intensity should be regarded as a minimum requirement:

- (d) upto 5 containers – sample each container but always take at least 5 individual samples.
- (e) from 6 to 30 containers – sample at least one in every three containers but never less than 5.
- (f) 31 containers or more – sample at least one in every five containers but never less than 10.

Unless doubt exists about the homogeneity of a lot, all such primary samples should be combined to make a composite sample of the lot for submitting to the seed testing laboratory. If the individual or primary samples are not sufficiently homogenous, they may be sent to the laboratory for a heterogeneity test.

III. Containers to be labelled and addressed – All containers containing samples for analysis shall be properly labelled and the parcels shall be properly addressed. The label on any sample of seed sent for analysis shall bear-

- (a) serial number;

- (b) name of the sender with official designation, if any;
- (c) name of the person from whom the sample has been taken;
- (d) date and place of taking the sample;
- (e) kind or variety of the seed for analysis;
- (f) nature and quantity of preservative, if any, added to the sample.

IV. Manner of Packing, Fastening and Scaling the Samples – All samples of seeds sent for analysis shall be packed, fastened and sealed in the following manner:

- (a) The stopper shall first be securely fastened so as to prevent leakage of the containers in transit.
- (b) The container shall then be completely wrapped in fairly strong thick paper. The ends of the paper shall be neatly folded in and affixed by means of gum or other adhesive.
- (c) The paper cover shall be further secured by means of strong twine or thread both above and across the container, and the twine or thread shall then be fastened on the paper cover by means of sealing wax on which there shall be at least four distinct and clear impressions of the seal of the sender, of which, one shall be at the top of the packet, one at the bottom and the other two on the body of the packet. The knots of the twine or thread shall be covered by means of sealing wax bearing the impression of the seal of the sender.

THE SEEDS RULES 1968

PART I - Preliminary

1. **Short title.** – These rules may be called the Seeds Rules, 1968.
2. **Definitions.** – In these rules, unless the context otherwise requires,-
 - (a) “Act” means the Seeds Act, 1966 (54 of 1966);
 - (b) “advertisement” means all representations other than those on the label, disseminated in any manner or by any means relating to seed for the purposes of the Act;
 - (c) “certification sample” means a sample of seed drawn by a certification agency or by a duly authorised representative of a certification agency established under section 8 or recognized under section 18 of the Act;
 - (d) “certification tag” means a tag or label of certain design to be specified by the certification agency and shall constitute the certificate granted by the certification agency;
 - (e) “certified seed” means seed that fulfils all requirements for certification provided by the Act and these rules and to the container of which the certification tag is attached;
 - (f) “certified seed producer” means a person who grow or distributes certified seed in accordance with the procedure and standards of the certification agency;
 - (g) “complete record” means the information which relates to the origin, variety, kind, germination and purity of seed of any notified kind or variety offered for sale, sold or otherwise supplied;
 - (h) “form” means a form appended to these rules;
 - (i) “origin” means the State, Union Territory or foreign country where the seed is grown and in case seeds of different origin are blended the label shall show the percentage of seed of each origin;
 - (j) “processing” means cleaning, drying, treating, grading and other operations which would change the purity and germination of the seed and thus requiring re-testing to determine the quality of the seed, but does not include operations such as packaging and labelling;
 - (k) “section” means a section of the Act;
 - (l) “service sample” means a sample submitted to the Central Seed Laboratory or to a State Seed Laboratory for testing, the results to be used as information for seeding, selling or labelling purposes;
 - (m) “treated” means that the seed has been subjected to an application of a substance or process in such a manner as to reduce, control or repel certain disease organisms, insects, or any other pests attacking such seeds or seedlings growing therefrom and for other purposes.

PART II – Central Seed Committee

3. **Functions of the Central Seed Committee.** – In addition to the functions entrusted to the Committee by the Act, the Committee shall,-
- (a) recommend the rate of fees to be levied for analysis of samples by the Central and State Seed Testing Laboratories and for certification by the certification agencies;
 - (b) advise the Central or State Governments on the suitability of seed testing laboratories;
 - (c) send its recommendations and other concerning records to the Central Government;
 - (d) recommend the procedure and standards for certification, tests and analysis of seeds; and
 - (e) carry out such other functions as are supplemental, incidental or consequential to any of the functions conferred by the Act or these rules.
4. **Travelling and Daily Allowances Payable to Members of the Committee and its sub-Committees.** – The members of the committee and its sub-committees shall be entitled to draw travelling and daily allowances as specified below when they are called upon to attend a meeting of the committee or a sub-committee thereof:
- (a) An official member of the committee or its sub-committees shall be entitled to draw travelling and daily allowances in accordance with the rules of the Government under which he is for the time being employed and from the same source from which his pay and allowances are drawn.
 - (b) A non-official member shall be allowed travelling and daily allowances in accordance with the general orders issued in this behalf by the Central Government from time to time.

PART III – Central Seed Laboratory

5. **Functions.** – In addition to the functions entrusted to the Central Seed Laboratory by the Act, the Laboratory shall carry out the following functions, namely:-
- (a) initiate testing programmes in collaboration with the State Seed Laboratories designed to promote uniformity in test results between all seed laboratories in India.
 - (b) collect data continually on the quality of seeds found in the market and make this data available to the Committee; and
 - (c) carry out such other functions as may be assigned to it by the Central Government from time to time.

PART IV – Seed Certification Agency

6. **Functions of the Certification Agency.** – In addition to the functions entrusted to the certification agency by the Act, the Agency shall-
- (a) certify seeds of any notified kinds or varieties;
 - (b) outline the procedure for submission of applications and for growing, harvesting, processing, storage and labelling of seeds intended for certification till the end to ensure that seed lots finally approved for certification are true to variety and meet prescribed standards for certification under the Act or these rules;

- (c) maintain a list of recognised breeders of seeds;
- (d) verify, upon receipt of an application for certification that the variety is eligible for certification, that the seed source used for planting was authenticated and the record of purchase is in accordance with these rules and the fees have been paid;
- (e) take sample and inspect seed lots produced under the procedure laid down by the certification agency and have such samples tested to ensure that the seed conforms to the prescribed standards of certification;
- (f) inspect seed processing plants to see that the admixtures of other kinds and varieties are not introduced;
- (g) ensure that action at all stages, e.g. field inspection, seed processing plant inspection, analysis of samples taken and issue of certificates (including tags, marks, labels and seals) is taken expeditiously;
- (h) carry out educational programmes designed to promote the use of certified seed including a publication listing certified seed growers and sources of certified seed;
- (i) grant certificates (including tags labels, seals etc.) in accordance with the provisions of the Act and these rules;
- (j) maintain such records as may be necessary to verify that seed plants for the production of certified seed were eligible for such planting under these rules;
- (k) inspect fields to ensure that the minimum standards for isolation, roguing (where applicable) use of male sterility (where applicable) and similar factors are maintained at all times, as well as ensure that seedborne diseases are not present in the field to a greater extent than those provided in the standards for certification.

PART V – Marking or Labelling

7. **Responsibility for Marking or Labelling.** – When seed of a notified kind or variety is offered for sale under section 7, each container shall be marked or labelled in the manner hereinafter specified. The person whose name appears on the mark or label shall be responsible for the accuracy of the information required to appear on the mark or label so long as seed is contained in the unopened original container:

Provided, however, that such person shall not be responsible for the accuracy of the statement appearing on the mark or label if the seed is removed from the original unopened container, or he shall not be responsible for the accuracy of the germination statement beyond the date of validity indicated on the mark or label.

8. **Contents of the mark or label.** – There shall be specified on every mark or label-
- (i) particulars, as specified by the Central Government under clause (b) of section 6 of the Act;
 - (ii) a correct statement of the net content in terms of weight and expressed in metric system;
 - (iii) date of testing;
 - (iv) if the seed in container has been treated-
 - (a) a statement indicating that the seed has been treated;
 - (b) the commonly accepted chemical or abbreviated chemical (generic) name of the applied substance; and
 - (c) if the substance of the chemical used for treatment, and present with the seed is

harmful to human beings or other vertebrate animals, a caution statement such as “Do not use for food, feed or oil purposes”. The caution for mercurials and similarly toxic substance shall be the word “Poison” which shall be in type size, prominently displayed on the label in red:

- (v) the name and address of the person who offers for sale, sells or otherwise supplies the seed and who is responsible for its quality;
- (vi) the name of the seed as notified under section 5 of the Act.

9. **Manner of marking or labelling the container under clause (C) of section 7 and clause (B) of section 17.** – (1) The mark or label containing the particulars of the seed as specified under clause (b) of section 6 shall appear on each container of seed or on a tag or mark or label attached to the container in a conspicuous place on the innermost container in which the seed is packed and on every other covering in which that container is packed and shall be legible.

(2) Any transparent cover or any wrapper, case or other covering used solely for the purpose of packing of transport or delivery need not be marked or labelled.

(3) Where by a provision of these rules, any particulars are required to be displayed on a label on the container, such particulars may, instead of being displayed on a label be etched, painted or otherwise indelibly marked on the container.

10. **Mark or Label not to contain false or misleading statement.** – The mark or label shall not contain any statement, claim, design, device, fancy name or abbreviation which is false or misleading in any particular concerning the seed contained in the container.

11. **Mark or label not to contain reference to the Act or Rules contradictory to required particulars.** – The mark or label shall not contain any reference to the Act, or any of these, rules or any comment on, or reference to, or explanation of any particulars or declaration required by the Act or any of these rules which directly or by implication contradicts, qualifies or modifies such particulars or declaration.

12. **Denial of Responsibility for mark or label content prohibited.** – Nothing shall appear on the mark or label or in any advertisement pertaining to any seed of any notified kind or variety which shall deny responsibility for the statement required by or under the Act to appear on such mark, label or advertisement.

PART VI – Requirements

13. **Requirements to be complied with by a person carrying on the Business referred to in Section 7.** – (1) No person shall sell, keep for sale, offer to sell, barter or otherwise supply any seed of any notified kind or variety, after the date recorded on the container, mark or label as the date upto which the seed may be expected to retain the germination not less than that prescribed under clause (a) of section 6 of the Act.

(2) No person shall after, obliterate or deface any mark or label attached to the container of any seed.

(3) Every person selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of notified kind or variety under section 7, shall keep over a period of three years a complete record of each lot of seed sold except that any seed sample may be discarded one year after the entire lot represented by such sample has been disposed of. The sample of seed kept as part of the complete record shall be as large as the size notified in the official Gazette. This sample, if required to be tested, shall be tested only for determining the purity.

- (14) **Classes and sources of certified seed.** – (1) There shall be three classes of certified seed, namely, foundations, registered and certified and each class shall meet the following standards for that class:-
- (a) Foundation seed shall be the progeny of breeders' seed, or be produced from foundation seed which can be clearly traced to breeder's seed. Production shall be supervised and approved by a seed certification agency and be so handled as to maintain specific genetic purity and identify and shall be required to meet certification standards for the crop being certified.
 - (b) Registered seed shall be the progeny of foundation seed that is so handled as to maintain its genetic identity and purity according to standard specified for the particular crop being certified.
 - (c) Certified seed shall be the progeny of registered or foundation seed that is so handled to maintain genetic identity and purity according to standards specified for the particular crop being certified.
- (2) At the discretion of the certification agency (when considered necessary to maintain adequate seed supplies) certified seed may be the progeny of certified seed provided this reproduction may not exceed three generations and provided further that it is determined by the seed certification agency, that the genetic purity will not be significantly altered.

PART VII – Certification of Seeds

15. **Application for the Grant of a Certificate.** – Every application for the grant of a certificate under sub-section (1) of section 9 shall be made in Form I in accordance with the procedure outlined by the certification agency for submission of applications and contain the following particulars, namely:-
- (a) the name, profession, and place of residence of the applicant;
 - (b) the name of the seed to be certified; its notified kind or variety;
 - (c) class of the seed;
 - (d) source of the seed;
 - (e) limits of germination and purity of the seed;
 - (f) mark or label of the seed.
16. **Fees.** – Every application under sub-section (1) of section 9 shall be accompanied by a fee of Rs. 25 in cash.
17. **Certificate.** – Every certificate granted under sub-section (3) of section 9 shall be in Form II and shall be granted by the certification agency, after making enquiries and satisfying itself in accordance with the provisions of the said sub-section on the following conditions, for the period to be specified by the certification agency, namely:-
- (i) The person to whom the certificate is granted under sub-section (3) of section 9 shall attach a certification tag to every container of the certified seed and shall follow the provisions in respect of marking or labelling provided by or under the Act.
 - (ii) The certification tag shall contain the following particulars, namely:-
 - (a) name and address of the certification agency;
 - (b) kind and variety of the seed;
 - (c) lot number or other mark of the seed;
 - (d) name and address of the certified seed producer;
 - (e) date of issue of the certificate and of its validity;
 - (f) an appropriate sign to designate certified seed;
 - (g) an appropriate word denoting the class designation of the seed.

- (iii) The colour of the certification tag shall be white for foundation seed, purple for registered seed and blue for certified seed.
- (iv) The container of the certified seed shall carry a seal of such material and in such form as the certification agency may determine and no container carrying a certification tag shall be sold by the person if the tag or seal has either been tampered with or removed.
- (v) The certification tag on the container shall specify-
 - (a) the period during which the seed shall be used for sowing or planting;
 - (b) that the use of seed after the expiry of the validity period by any person is entirely at his risk and the holder of the certificate shall not be responsible for any damage to the buyer of the seed;
 - (c) that no one should purchase the seed if the seal or the certification tag has been tampered with.
- (vi) The holder of the certificate shall keep record of the details of each lot of the seed which is issued for sale in such form as to be available for inspection and to be easily identified by reference to the number of the lot as shown in the certification tag of each container and such records shall be retained in the case of a seed for which expiry date is fixed for a period of two years from the expiry of such date.
- (vii) The holder of the certificate shall allow any Seed Inspector, authorised in writing by the certification agency in that behalf, to enter with or without prior notice the premises where the seeds are grown processed and sold and to inspect premises, plant and the process of processing at all reasonable hours.
- (viii) The holder of the certificate shall allow the Seed Inspector, authorised in writing by the certification agency, to inspect all registers and records maintained under these rules and to take samples of the seeds and shall supply to the Seed Inspector such information as he may require for the purposes of ascertaining whether the conditions subject to which the certificate has been granted, have been complied with.
- (ix) The holder of the certificate shall on request furnish to the certification agency from every lot of the seed or from such lot or lots as the said agency may from time to time specify, a sample of such quantity as the agency may consider adequate for any examination required to be made.
- (x) If the certification agency so directs, the holder of the certificate shall not sell or offer for sale any lot in respect of which a sample is furnished under the preceding clause until the agency authorises the sale of such lot.
- (xi) The holder of the certificate shall on being directed by the certification agency that any part of a lot has been found by the said agency not to conform to prescribed standards of quality or purity specified by or under the Act, withdraw the remainder of that lot from sale and so far as may, in the particular circumstances of the case, be practicable, recall all issues already made from that lot.
- (xii) The holder of the certificate shall comply with the provisions of the Act and these rules and with the directions given after not less than one month's notice by the certification agency to such holder.

PART VIII – Appeals

18. **The form and manner in which and the fee on payment of which the appeal may be referred.** –
- (1) Every memorandum of appeal under sub-section (1) of section 11 shall be in writing and shall be accompanied by a copy of the decision of the certification agency against which it has been preferred and shall set forth concisely and under distinct heads the grounds of objection to such decision without any argument, or narrative.
 - (2) Every such memorandum of appeal shall be accompanied by a treasury receipt for a sum of Rs. 100/-
 - (3) Every such memorandum of appeal may be presented either in person or through an agent duly authorised in writing in this behalf by the appellant or may be sent by the registered post.
19. **Procedure to be followed by the Appellate Authority.** – In deciding appeals under the Act the appellate authority shall exercise all the powers which a Court has and shall follow the same procedure which a Court follows in deciding appeals from the decree or order of an original Court under the Code of Civil Procedure, 1908 (5 of 1908)

PART IX – Seed Analysts and Seed Inspectors

20. **Qualifications of Seed Analyst.** – A person shall not be qualified for appointment as Seed Analyst unless he-
- (i) possesses a Master's or equivalent degree in Agriculture or Agronomy or Botany or Horticulture of a University recognised for this purpose by the Government and has had not less than one year's experience in seed technology; or
 - (ii) possesses a Bachelor's degree in Agriculture or Botany of a University recognised for this purpose by the Government and has had not less than three years' experience in seed technology.
21. **Duties of a Seed Analyst.** – On receipt of a sample for analysis the Seed Analyst shall first ascertain that the mark and the seal or fastening as provided in clause (b) of sub-section (1) of section 15 are intact and shall note the condition of the seals thereon.
- (2) The Seed Analyst shall analyse the samples according to the provisions of the Act and these rules.
 - (3) The Seed Analyst shall deliver the copy of the report of the result of the analysis to the persons specified in sub-section (1) of section 16.
 - (4) The Seed Analyst shall from time to time forward to the State Government the reports giving the result of analytical work done by him.
22. **Qualifications of Seed Inspectors.** – A person shall not be qualified for appointment as Seed Inspector unless he is a graduate in Agriculture of a University recognised for the purpose by the Government and has had not less than one years experience in seed production, or seed development or seed analysis or testing in a seed testing laboratory.

23. **Duties of a Seed Inspector.** - In addition to the duties specified by the Act the seed inspector shall -
- (a) inspect as frequently as may be required by certification agency all places used for growing, storage or sale of any seed of any notified kind or variety;
 - (b) satisfy himself that the conditions of the certificates are being observed;
 - (c) procure and send for analysis, if necessary, samples of any seeds, which he has reason to suspect are being produced stocked or sold or exhibited for sale in contravention of the provisions of the Act or these rules;
 - (d) investigate any complaint, which may be made to him in writing in respect of any contravention of the provisions of the Act or these rules;
 - (e) 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 and submit copies of such record to the Director of Agriculture or the certification agency as may be directed in this behalf;
 - (f) when so authorised by the State Government detain imported containers which he has reason to suspect contain seeds, import of which is prohibited except and in accordance with the provisions of the Act and these rules;
 - (g) institute prosecutions in respect of breaches of the Act and these rules; and
 - (h) perform such other duties as may be entrusted to him by the competent authority.

PART X – Sealing, Fastening, Despatch and Analysis of Samples

24. **Manner of taking Samples.** – Samples of any seed of any notified kind or variety for the purpose of analysis shall be taken in a clean dry container which shall be closed sufficiently tight to prevent leakage and entrance of moisture and shall be carefully sealed.
25. **Containers to be labelled and addressed.** – All containers containing samples for analysis shall be properly labelled and the parcels shall be properly addressed. The label on any sample of seed sent for analysis shall bear-
- (a) serial number;
 - (b) name of the sender with official designation, if any;
 - (c) name of the person from whom the sample has been taken;
 - (d) date and place of taking the sample;
 - (e) kind or variety of the seed for analysis;
 - (f) nature and quantity of preservative, if any, added to the sample;
26. **Manner of Packing, Fastening and Sealing the Samples.** – All samples of seeds sent for analysis shall be packed, fastened and sealed in the following manner:
- (a) The stopper shall first be securely fastened so as to prevent leakage of the containers in transit.
 - (b) The container shall then be completely wrapped in fairly strong thick paper. The ends of the paper shall be neatly folded in and affixed by means of gum or other adhesive.
 - (c) The paper cover shall be further secured by means of strong twine or thread both above and across the container, and the twine or thread shall then be fastened on the paper cover by means of sealing wax on which there shall be at least four distinct and clear impressions of the seal of the sender, of which one shall be at the top of the packet, one at the bottom and the other two on the body of the packet. The knots of the twine or thread shall be covered by means of sealing wax bearing the impression of the seal of the sender.
27. **Form of Order.** – The order to be given in writing by the Seed Inspector under clause (c) of subsection (1) of section 14 shall be in Form III.

28. **Form of Receipt for Records.** – When a Seed Inspector seizes any record, register, document or any other material object under clause (d) of sub-section (1) of section 14, he shall issue a receipt in Form IV to the person concerned.
29. **Samples how to be sent to the Seed Analyst.** – The container of sample for analysis shall be sent to the Seed Analyst by registered post or by hand in a sealed packed enclosed together with a memorandum in Form V in an outer cover addressed to the Seed Analyst.
30. **Memorandum and Impression of seal to be sent separately.** – A copy of the memorandum and a specimen impression of the seal used to seal the packet shall be sent to the Seed Analyst separately by registered post or delivered to him or to any person authorised by him.
31. **Addition of Preservatives to Samples.** – Any person taking a sample of seed for the purpose of analysis under the Act may add a preservative as may be specified from time to time to the sample for the purpose of maintaining it in a condition suitable for analysis.
32. **Nature and Quantity of the Preservative to be noted on the Label.** – Whenever any preservative is added to a sample, the nature and quantity of the preservative added shall be clearly noted on the label to be affixed to the container.
33. **Analysis of the Sample.** – On receipt of the packet, it shall be opened either by the Seed Analyst or by an officer authorised in writing in that behalf by the Seed Analyst, who shall record the condition of the seal on the packet. Analysis of the sample shall be carried out at the State Seed Laboratory in accordance with the procedure laid down by the Central Government.
34. **Form of Notice.** – The notice to be given under clause (a) of sub-section (1) of section 15 to the person from whom the Seed Inspector intends to take sample shall be in Form VI.
35. **Form of Report.** – The report of the result of the analysis under sub-section (1) or sub-section (2) of section 16 shall be delivered or sent in Form VII.
36. **Fees.** – The fees payable in respect of the report from the Central Seed Laboratory under sub-section (2) of section 16 shall be Rs. 10/- per sample of the seed analysed.
37. **Retaining of the Sample.** – The sample of any seed shall, under clause (c) of sub-section (2) of section 15, be retained under a cool, dry environment to eliminate the loss of viability and insect proof or rat proof container. The containers shall be dusted with suitable insecticides and the storage room fumigated to avoid infestation of samples by insects. The sample shall be packed in good quality containers of uniform shape and size before storage.

PART XI - Miscellaneous

38. **Records.** – A person carrying on the business referred to in section 7 shall maintain the following records, namely:-
(a) stock record of seed;
(b) record of the sale of seeds;
39. **Form of Memorandum.** – The memorandum to be prepared under subsection (4) of section 14 shall be in Form VIII.

FORM I

Form of application for seed production under the seed certification programme

1. Name (in Block Letters) _____

2. Complete Address

(In Block Letters)

Village _____

Post Office _____

District _____

State _____

Telegraph Office _____

Nearest Rly. Station _____

Telephone No. _____

3. Nearest town _____
its distance from your farm Highway
No. or Route _____

4. Name of variety/kind of seed offered
for certification.

5. Area under each variety/kind
offered for certification.

6. Class of seed desired to be produced
Foudation/Registered/Certified.

7. Source of seed for Item 6 above
(also mention Tag No. and other
particulars on the tag).

8. "Isolation distance" (in meters) from
other varieties of the same crop.
North to South : East to West.

9. Actual or proposed date of planting.

Signature.

Date

(To be filled in by the office of the Seed Certification Agency)

1. Number of field inspections made _____

Dates of Inspection

(Copy of inspection reports to be attached).

2. Report of Seed Analyst (copy to be attached).

3. Certificate issued.

Tag No.

Date of issue

Issued by

Signature

Director

Seed Certification Agency.

FORM II

Seed Certification Agency _____

Tag No. _____

Director

Seed Certification Agency

Kind _____ Variety _____

Lot No. _____

Germination _____ % Not below %

Date of test _____

Certification valid upto _____

Minimum pure seed %

Inert matter _____ % Not more than _____ %

Weed seeds (Max) %

Other crop seeds _____ Not more than _____ %

Producer _____ (Name and Full Address) _____

Class of seed _____

N.B.:-

1. A white tag shall be used for foundation seed.
2. A purple tag shall be used for registered seed.
3. A blue tag shall be used for certified seed.
4. Certification shall be valid for the period indicated on the tag provided seed is stored under cool dry environment.

FORM III

To

(Name and address of the vendor)

Whereas I have reason to believe that the stock of seeds in your possession detailed below contravenes the provisions of Section 6 of the Seeds Act, 1966 (No. 54 of 1966).

I hereby direct you under clause (c) of Sub-Section (1) of Section 14 of the Seeds Act, 1966 (No. 54 of 1966) not to dispose of the said stock for a period of from this _____ date and take action to remove the following defects:-

Place _____

Seed Inspector

Date _____

Area

Details of stock of seeds

Date _____

Seed Inspector

FORM IV

To

The records detailed below have this day been seized by me under the provisions of clause (4) of sub-section (1) of Section 14 of the Seeds Act, 1966 (No. 54 of 1966) from the premises of

situated at _____

Place _____

Date _____

Seed Inspector

Details of records seized

Date _____

Seed Inspector

FORM V

Memorandum to Seed Analyst.

Serial No. of Memorandum.

From:

To

The Seed Analyst

The sample described below is sent herewith for test and analysis under clause (b) of sub-section (1) of section 14 and/or clauses (b) and (c) of sub-section (2) of Section 15 of the Seeds Act, 1966.

1. Serial No. of the sample.
 2. Date and place of collection.
 3. Nature of the articles submitted for analysis/test.
2. A copy of this memo and specimen impression of the seal used to seal the packet of samples is being sent separately by post/hand.*

Date _____

Seed Inspector

*Strike out whichever is not applicable

Area _____

FORM VI

To

I hereby give you the notice of my intention of taking a sample of seed from your stocks for the purposes of tests or analysis.

Date _____

Seed Inspector

FORM VII

(Certificate of test and/or analysis by the Seed Analyst)

Certified that the sample(s) bearing number _____ purporting to be a sample
of _____ received on
_____ Memorandum No. _____ dated _____ results
of such test(s)/analysis is/are as stated below.

2. The condition of the seals on the packet and the outer covering on receipt was as follows.

Place _____

Seed Analyst

Date _____

Central Laboratory

If opinion is required on any other matter suitable paragraph(s) may be added.

FORM VIII

To

I have this day taken from the premises of _____ situated at _____ samples of seeds specified below to have the same tested/ analysed by Seed Analyst.

Date _____

Seed Inspector

Details of samples taken

Whether cost of sample demanded?

Cost of sample _____ Rs. _____ paid.

Date _____

Seed Inspector

Area

Signature of the party from whose premises samples taken and payment made.

[No. 4(2)/67-Seeds Dev.]

S.M.H. BURNEY, Jt. Secy.