

Law of Seeds
THE SEEDS ACT, 1966

1. Short title, extent and Commencement: -

- (1) This Act will replace the existing 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.

2^u Definitions:- 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 under Section 8 or recognised under Section 18;
- (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 ;
- (iv) jute seeds,]

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.

3. *Central Seed Committee: -

- (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 as 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 re-nomination.
- (4) The Committee may, subject to the previous approval of the Central Government, make byelaws 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 secretary of the Committee and shall provide the Committee with such clerical and other staff as the Central Government considers necessary.

4. Central Seed Laboratory and State Seed Laboratory:

- (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 Laboratory or declare any seed laboratory as a State Seed Laboratory where analysis of seeds of any notified kind of variety shall be carried out by Seed Analysts under this Act in the prescribed manner.

5. Power to notify kinds or varieties of seeds:-

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 this Act and different kinds or varieties may be notified for different States or for different areas thereof.

6. Power to specify minimum limits of germination and purity, etc. :-

The Central Government may, after consultation with 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 such mark or label may contain.

7. Regulation of sale of seeds of notified kinds or varieties:-

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.

8. Certification agency:-

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.

8-A. The Central Seed Certification Board*:-

- (1)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.

(2) 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.

(3) 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:

Provided that a person nominated under Clause (ii) or Clause (iii) of sub-section (2) shall hold office only for so long as he holds the appointment by virtue of which his nomination was made.

8-B. Other Committees:- The Board may appoint as many Committees as it deems fit consisting wholly of the members of the Board or wholly of other persons or partly of members of the Board and partly of other persons as it thinks fit to exercise such powers and perform such duties as may be delegated to them, subject to such conditions as it may think fit, by the Board.

8-C. Proceedings of Board or Committee not to be invalid by reason of any vacancy therein:- No proceeding of the Board or any Committee thereof shall become invalid merely by reason of the existence of any vacancy therein or any defect in the constitution thereof.

8-D. Procedure for Board:-The Board may, subject to the previous approval of the Central Government, make bye-laws for the purpose of regulating its own procedure and the procedure of any Committee

thereof and the conduct of all business to be transacted by it or such Committee.

8-E. Secretary and other Officers:- The Central Government shall, -

- (i) appoint a person to be the Secretary of the Board, and
- (ii) provide the Board with such technical and other staff as the Central Government considers necessary.]

9. 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 [prescribed standards], grant a certificate in such form and on such conditions as may be prescribed;

[Provided that such standards shall no be lower than the minimum limits of germination and purity specified for that seed under Clause (a) of Section 6.

10. Revocation of Certificate:- 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 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.

11. Appeal:-

(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 appellant 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

12. Seed Analysts: 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.

13. Seed Inspectors:-

(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.

14. Powers of Seed Inspector:-

(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 in 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 there under.
- (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 no 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.

15. Procedure to be followed by Seed Inspectors:-

- (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 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 91), 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 dispatch 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 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, as soon as may be, inform a magistrate and take his orders as to the custody thereof.

16. Report of Seed Analyst: --

- (1) The Seed Analyst shall, as soon as may be after the receipt of the sample under sub-section (2) of Section 15, analyses 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 dispatch the sample under its own seal to the Central Seed Laboratory which shall there upon 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 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.

17. **Restriction on export and import of seeds of notified kinds or varieties:--**No person shall , for the purpose of sowing or planting by any person (including himself), export or import or cause to be exported or imported any seed of any notified kind or variety, unless,--

(a) it conforms to the minimum limits of germination and purity specified for that seed under Clause(a) of Section 6; and

(c) 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.

18. **Recognition of seed certification agencies of foreign countries:--**The Central Government may, on the recommendation of the Committee and by notification in the Official Gazette, recognize any seed certification agency established in any foreign country, for the purposes of this Act.

19. **Penalty:--** If any person,--

(a) contravenes any provision of this Act or any rule made hereunder ; 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.

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

21. **Offences by companies:--**

- (1) Where an offence under this Act has been committed by a company, every person who at the time of 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.

- (3) Notwithstanding anything contained in sub-section (1), where a company has committed an offence under this Act 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 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.

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

23. **Power to give directions:-** 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 there under.

24. **Exemption :-** 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.

25. **Power to make rules :-**

- (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for, -
 - (a) the functions of the Committee and the traveling and daily allowances payable to members of the Committee and member 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 labeling 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 ;

[(ff) the standards to which seeds should conform ;]

- (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 or 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 or more successive sessions, and if, before the expiry of the session immediately following the sessions or the successive sessions aforesaid], 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, s 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 Rules, 1968

In exercise of the powers conferred by Section 25 of the Seeds Act, 1966(54 of 1966), the Central Government hereby makes the following rules, namely,-

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 grows 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 labeling;
- (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 result to be used as information for seeding, selling or labeling purposes;
- (m) "treated" mean 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, or any other pests attacking such seeds or seedlings growing there from 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-committee:-** 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 members of the committee or its sub-committee 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 labeling 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 seeds 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 (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, rouging (where applicable) use of male sterility (where applicable) and similar factors are maintained at all times, as well as ensure that seed borne 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 mercurial 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 up to 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 alter, 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, foundation, registered and certified, and each class shall meet the following standards for that class,-
 - (a) Foundation seed shall be the progeny of breeder's 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 identity 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 might 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 of 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 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.

17-A. The Certification agency shall, before granting the certificate, ensure that the seed conforms to the standards laid down in the Manual known as "India minimum Seed Certification Standards" published by the Central Seed Committee, as amended from time to time.]

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 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.

Part IX

Seed Analysts and Seed Inspectors

20. **Qualification of Seed Analysts:-** 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: -
- (1) 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 in accordance with the procedures laid down in the Seed Testing Manual published by the Indian Council of Agricultural Research as amended from time to time.
 - (3) The seed Analyst shall deliver in Form VII, a copy of the report of the result of analysis to the persons specified in sub section(1) of Section 16, as soon as may be but not later than 30 days from the date of receipt of samples sent by the Seed Inspector under sub-section (2) of the Section 15.]
 - (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 year's 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) procedure 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 [State Government].

23.A. Action to be taken by the Seed Inspector if a complaint is lodged with him:-

- (1) If farmer has lodged a complaint in writing that the failure of the crop is due to the defective quality of seeds of any notified kind or variety supplied to him, the Seed Inspector shall take in his possession the marks or labels, the seed containers and a sample of unused seeds to the extent possible from the complaint for establishing the source of supply of seeds and shall investigate the causes of the failure of his crop by sending samples of the lot to the Seed Analyst for detailed analysis at the State Seed Testing Laboratory. He shall thereupon submit the report of his findings as soon as possible to the competent authority.
- (2) In case, the Seed Inspector comes to the conclusion that the failure of the crop is due to the quality of seeds supplied to the farmer being less than the minimum standards notified by the Central Government, he shall launch proceedings against the supplier for contravention of the provisions of the act or these Rules.]

Part X

Sealing, Fastening, Dispatch 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 sub-section(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 packet 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:-
- 39. Form of Memorandum:-** The memorandum to be prepared under sub-section(4) of Section 14 shall be in Form VIII.

INDIAN MINIMUM SEED CERTIFICATION STANDARD

The General Seed Certification Standards are applicable to all crops which are eligible for certification, and with field and seed standards for the individual crops, shall constitute the Minimum Seed Certification Standards. The word 'seed' or 'seeds' as used in these standards shall include all propagating materials.

I. Purpose of Seed Certification

The purpose of seed certification is to maintain and make available to the public, through certification, high quality seeds and propagating materials of notified kind and varieties so grown and distributed as to ensure genetic identity and genetic purity. Seed certification is also designed to achieve prescribed standards.

II. Certification Agency

Certification shall be conducted by the Certification Agency notified under section 8 of the Seeds Act, 1966.

III. Certified Seed Producer

Certified Seed producer means a person/ organisation who grows or distributes certified seed in accordance with the producers and standards of the certification.

IV. Eligibility Requirements for Certification of Crop Varieties.

Seed of only these varieties which are notified under section 5 of the Seeds Act, 1966 shall be eligible for certification.

V. Classes and Sources of Seed

A. Breeder Seed

Breeder Seed is seed or vegetative propagating material controlled by the originating or sponsoring plant breeder of the breeding programme or institution and/or seed whose production is personally supervised by a qualified plant breeder and which provides the source for the initial and recurring increase of Foundation seed.

Breeder seed shall be genetically so pure as to guarantee that in the subsequent generation i.e. certified Foundation seed class shall conform to the prescribed standards of genetic purity. The other quality factors of Breeder seed such as physical purity, inert matter, germination etc. shall be indicated on the label on actual basis. The Breeder seed shall be packed and supplied by the breeders in the form and manner indicated in Appendix-I.

B. Certified Seed

Certified seed shall be the seed certified by Certification Agency notified under section 8 of the Seeds Act, 1966 or seed certified by any Certification Agency established in any foreign country provided the Certification Agency has been recognized by the Central Government through notification the Official Gazette. Certified seed shall consist of two classes, namely, Foundation and certified seed and each class shall conform to the following description:

1. Certified Foundation seed shall be the progeny of Breeder seed, or be produced from Foundation seed which can be clearly traced to Breeder seed. Thus, Foundation seed can even be produced from Foundation seed. During the production of certified Foundation seed, the following guidelines shall be observed;
 - (a) Certified Foundation seed produced directly from Breeder seed shall be designated as Foundation seed stage-I;
 - (b) Certified Foundation produced from Foundation seed stage-I shall be designated as Foundation seed stage-II;

- (c) Certified Foundation seed stage-II will not be used for further increase of Foundation seed and shall be used only for production of certified seed class;
 - (d) Minimum Seed Certification Standards shall be the same for both Foundation seed stage-I and II unless otherwise prescribed;
 - (e) Certification tag shall be of white colour for both Foundation seed stage.-I and II and shall contain the information as to its stage;
 - (f) Production of Foundation seed stage-II shall ordinarily be adopted in respect of such crop varieties provided, when it is expressly felt by the Certification Agency that breeder seed is in short supply;
 - (g) Production of Foundation seed stage-II may be adopted for the following group of crops;
 - Vegetatively propagated crops;
 - Apodictically reproduced crops;
 - Self-pollinated crops;
 - Often cross-pollinated and cross-pollinated crops, these being gene-pools should not loose their genetic identity and purity if measures to safeguard the same are adequately taken;
 - Composite and synthetics;
 - Parental line increase of hybrids.
2. Production of Foundation seed stage-I and II shall be supervised and approved by the Certification. Agency and be so handled as to maintain specific genetic identity and genetic purity and shall be required to conform to certification standards specified for the crop/variety being certified.
3. (a) Certified seed shall be progeny of Foundation seed and its production shall be so handled as to maintain specific genetic identity and purity according to standards prescribed for the crop being certified;

(b) Certified seed may be the progeny of Certified seed provided this reproduction does not exceed three generations beyond Foundation seed stage-I and;

- It is determined by the Certification Agency that genetic identity and genetic purity will not be significantly altered.
- and when the Certification Agency is satisfied that there is genuine shortage or Foundation seed despite all the reasonable efforts made by the seed producer.

(c) Certification tag shall be of blue color (shade ISI no. 104 AZURE BLUE) for certified seed class.

(d) Certified seed produced from certified seed shall not be eligible for further seed increase under certification. Certification tags for such production which is not eligible for further seed increase under certification shall be super scribed with, "not eligible for further seed increase under certification."

IV. Phase of Seed Certification

Certification shall be completed in six broad phases listed as under:

- (a) receipt and scrutiny of application;
- (b) verification of seed source, class and other requirements of seed used for raising the seed crop;
- (c) Field inspections to verify conformity to the prescribed field standards;
- (d) Supervision at post-harvest stages including processing and packing;
- (e) Seed sampling and analysis, including genetic purity test and/or seed health test, if any, in order to verify conformity to the prescribed standards; and
- (f) Grant of certificate and certification tags, tagging and sealing.

VII. Establishing Source of Seed

The individual intending to produce seed under certification shall submit to the certification Agency, one or more relevant evidence such as certification tags, seals, labels, seed containers, purchase records, sale records etc, as may be demanded by the Certification Agency during submission of the application, its scrutiny and/or during first inspection of the seed crop, in order to confirm if the seed used for raising the crop has been obtained from the source approved by it and conforms to the provisions contained in para V. This requirement also applies to both parents in seed production involving two parental lines.

VIII. Field Area for Certification

There is no minimum or maximum limit for the area offered by a person for certification, provided the certified seed production meets all the prescribed requirements.

IV. Unit of Certification

For the purpose of field inspections, the entire area planted under seed production by an individual shall constitute one unit provided;

- (a) It is all under one variety;
- (b) It does not exceed ten hectares;
- (c) It is not divided into separated by more than fifty meters between them;
- (d) It is planted with or is meant to produce seed belonging to the same class and stage in the generation chain;
- (e) The crop over the entire area is more or less of the same stage of growth so that observations made are representative of the entire crop;
- (f) The total area planted, by and large, corresponds to the quantity of seed reported to have been used; and the Certification Agency's

permission had been obtained to sow a larger area by economizing on seed rate; if that be the case;

- (g) raised strictly as a single crop and never as mixed;
 - (h) not so heavily and uniformly lodged that more than one third of the plant population is trailing on the ground leaving no scope for it to stand up again thus making it impossible for the certification Agency to inspect the seed crop at the appropriate growth stage in the prescribed manner;
 - (i) as far as possible, so maintained as to show adequate evidence of good crop husbandry thereby improving the reputation for certified seed; and
- सुद्ध Not grown as inter, companion or rotation crop unless otherwise specified in **Appendix-II**.

X. Use of Chemical Hybridizing Agents (CHAs')

- (a) In case of hybrid seed production, the seed producer can use proper Chemical Hybridizing Agents (CHAs') on seed parent (female line) in order to induce male sterility. Consequently the Minimum Seed Certification Standards specified for production of 'A' and 'B' lines shall not be applicable for the relevant hybrid.
- (b) The hybrid seed produced through the application of CHAs' shall be compulsorily subjected to grow-out test as a pre-requisite for grant of certificate.

XI. Field Inspection

- (a) The field inspection work which requires technically-trained personnel shall be performed by the persons who have been so authorised by the Certification Agency.
- (b) Field inspection meant to verify those factors which can cause irreversible damage to the genetic purity or seed health shall be conducted without prior notice to the seed producer;

- (c) Soon after the completion of the field inspection, a copy of the report shall be handed over to the seed producer or his representative.

XII. Re-inspection

Seed fields not conforming to prescribed standards for certification at any inspection, the Certification Agency shall, upon the request of seed producer and after he removes the sources of contamination in the seed field and within the prescribed isolation distance and/or the contaminated plants in the seed field (if so directed by the Certification Agency) perform one or more re-inspections provided such removal can ensure conformity of the seed crop to the prescribed standards and provided further the no irreversible damage has been caused to the quality of seed by the contaminants(s).

The certification Agency may at its discretion, also perform one or more re-inspections over and above the minimum number of inspections prescribed if considered necessary.

XIII. Harvesting, Threshing and Transportation

Seed crop meeting field standards for certification shall be harvested, threshed and transported to the seed processing plant in accordance with the guidelines issued by the certification Agency. During these operations, seed producer will take all precautions to safeguard the seed from admixture and other causes of seed deterioration.

XIV. Bulking

Bulking of unprocessed seed stocks to obtain larger homogeneous seed stocks may be permitted by the Certification Agency provided the stocks to be bulked meet the following requirements;

- belong to the same certified seed producer;
- belong to the same crop, variety, class of seed and stage in the generation chain;

- were produced in the same season and under similar agro-climatic conditions;
- were subjected to certification by the same Certification Agency.
- have more or less similar physical appearance and levels of moisture;
- are adequately homogeneous in composition.

XV Seed Processing and Packing Schedule

The Certification Agency shall prepare and communicate seed processing and packing schedule to all certified seed producers soon after the certification of seed crops at field stage. The seed producers shall adhere to the schedule specified by the Certification Agency. However, re-scheduling may be accepted by the Certification Agency on the request of seed producer on genuine grounds.

XVI. Seed Lot

A seed lot is a physically identifiable quantity of seed which is homogeneous.

XVII. Lot Size

A seed lot would represent any quantity of agricultural seeds upto a maximum of 20,000 kilogram's for seeds of the size of rice or larger (except maize seed, seed potato, sweet potato, yams, taro and chow-chow for which the maximum size of the lot may be 40,000 kilogram's) and 10,000 kilogram's for seeds smaller than rice subject to a tolerance limit of 5.0%. The quantities in excess of the above maximum limits shall be sub-divided and separate lot identification shall be given. The maximum lot size of certain crops is indicated in Appendix-III.

XVIII. Construction of Seed Lot Number

Each seed lot shall be assigned a specific number in order to facilitate maintaining its identity, tracing back to its origin, handling in stores, transit etc., accounting and inventory maintenance and referring/communicating

about a certain quantity of seed. The procedure for assigning lot numbers is given in Appendix-IV.

XVX. Seed Processing

Seed processing means cleaning, drying, treating, grading and other operations which will improve the quality of seeds. Seed from fields which conformed to the standards of certification at field stage shall, as soon as possible after the harvest will be brought at processing plant for processing. The screen aperture size specified in **Appendix-V** shall be used for clearing and grading of seeds so that typical contaminants such as weed seeds, small seeds, damaged seeds, broken and shriveled seeds, straw, chaff, levees, twigs, stones, soil particles etc. are remove. However, the Certification Agency is authorised to deviate under exigencies to use the screen of small aperture size than specified. In such cases the Certification Agency shall record the reasons for reduction in the aperture size of the screen. Processed seed shall not have seed of the size lower than the bottom screen used beyond 5.0% (by weight).

XX. Seed Treatment

When a variety, seed of which is under certification is susceptible to a seed borne disease organism or when seed under certification is carrying a seed borne pathogen and a seed treatment is available which may control the disease or pathogen when properly applied, the Certification Agency may require such seed to undergo such treatment before Certification. In case seed is required to be treated before sowing by user, the chemical calculated at the recommended dose shall be kept in a plastic packet and placed inside the seed container with complete direction and precautions required for treating of the seed. The information about the treatment shall also be displayed on seed containers. If the seeds have been treated, the following instructions shall also be complied with:

- (a) A statement indicating that the seed has been treated;
- (b) The commonly accepted chemical or abbreviated chemical 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 mercurial and similarly toxic substances shall be the word "POISON" which shall be in type size, prominently displayed on the label in red.

XXI. Samples and Sampling of Seeds

Soon after completion of the seed processing or after seed treatment as the case may be, the Certification Agency shall draw a representative composite sample as per procedure specified in Seed Testing Manual. The Quantity of seed samples so drawn shall be sufficient to provide three samples of the size of submitted sample. The composite sample will be divided into three equal parts, and one shall be sent for analysis to a notified Seed Testing Laboratory, the second part to the seed producer and retain the third part as a guard sample.

XXII. Seed Analysis Report

The Seed Testing Laboratory shall analyze the seed samples in accordance with the prescribed procedure and deliver the Seed Analysis Report to the Certification Agency as soon as may be, but not later than 30 days from the date of receipt of the samples unless the seed is subjected to much tests which require more than 30 days for completion of the test.

XXII. Seed Standards of Genetic Purity

- (a) All certified seed lots shall conform to the following Minimum Standards for genetic purity unless otherwise prescribed;

Foundation	99.00
Certified:	
(i) Varieties, composites, synthetics,	98.00
Multilines	95.00
(ii) Hybrids	

(b) *Grow-Out Test*

The Certification Agency shall conduct grow-out test to determine genetic purity of a seed lot wherever it is a pre-requested for grant of the certificate and also on the seed lots where a doubt has arisen about the genetic purity. The grow-out test can be complemented by certain related laboratory tests. The grow-out test shall be conducted as per the procedure specified in **Appendix-VI**.

XXIV Recleaning, Resampling and Retesting

When a seed lot does not meet the prescribed seed standards, the Certification Agency on the request of seed producer may permit recleaning, resampling and retesting. The recleaning, resampling and retesting shall be permitted only once.

XXV. Seed Standards for Insect Damage

A seed lot under certification shall not have apparent or visible evidence of damage by insects for both Foundation and Certified seed classes in excess

of 1.0% for the seeds of maize and legumes and 0.50% for the seeds other than maize and legumes unless otherwise prescribed.

XXVII Downgrading of Seed Class

If a seed field or a seed lot is not found meeting prescribed standards for the class from which it has been registered but conforms to the prescribed standards to the immediate lower class, the Certification Agency may accept such seed fields/seed lots for certification to the immediate lower class provided request has been made to this effect by seed producer. However, downgrading of the seed class shall not be applicable in case of hybrids and their parents.

XXVII Specification of the Certification Tag

Size, quality, color, layout and contents of the certification tag shall be as specified in Appendix-VII.

XXIX Packing, Tagging, Sealing and Issuance of the Certificate

- (a) on receipt of Seed Analysis Report and the results of the grow-out test wherever prescribed, and if seed lot has met prescribed standards, the Certification Agency shall ensure packing tagging and sealing and issuance of certificate expeditiously. An authorised official of the Certification Agency shall endorse the signature on the reverse of each certification tag and shall affix rubber stamp indicating the official's name and designation. Containers to be used for packing of the certified seeds shall be durable and free from defects.
- (b) Advance tagging may be permitted at the discretion of the Certification Agency with proper safeguards.

XXX. Refusal for Certification

The Certification Agency shall have the authority to refuse certification of any seed production field or any seed lot that does not conform to the Minimum Standards prescribed for that particular crop, either for field or for seed or for both. Such refusal will be subject to any appeal made to the Appellate Authority constituted under section 11(1) of the Seeds Act, 1966.

The model composition of the Appellate Authority is specified in Appendix-VIII.

XXXI. The validity Period of the certificate

The validity period shall be nine months from the date of test at the time of initial certification. The validity period could be further extended for six months provided on retesting seed conforms to the prescribed standards in respect of physical purity, germination and insect damage for all seeds except vegetatively propagating material for which lot shall be re-examined for seed standards specified for respective crop. A seed lot will be eligible for extension of the validity period as long as it conforms to the prescribed standards. The procedure for extension of the validity period is given in **Appendix-IX**.

XXXII. Revocation of Certificate

If the Certification Agency is satisfied, either on reference made to it in this behalf or otherwise that;

- (a) The certificate granted by it under section 9(3) if the Act 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 the 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 the Act, the Certification Agency may, after giving the holder of the certificate an opportunity of showing cause revoke the certificate, under the provisions of section 10 of the Act.

XXXIII Retention of Certification Records

The Certification Agency shall preserve in order all the documents including the guard samples pertaining to certification of each seed lot for two years from the date of grant/extension of the certificate and four years in respect of rejected seed crops of lots from the date of communication of rejection unless and otherwise required for longer period.

