

Seed Legislation in India: The Seeds Act, Regulatory Framework, and Law Enforcement

*Jyoti and Harish Kumar

Assistant Professor, School of Agricultural Sciences, IIMT University, Meerut, India

*Corresponding Author's email: jyotisinghsst05@gmail.com

Seed legislation is the backbone of modern agriculture. It guarantees that the main component of agriculture production – the seed – is pure, viable, healthy and available to farmers. A strong legal system helps to halt the transmission of disease through seed, to keep spurious or poor quality seed out of the market and to safeguard both plant breeders' rights and farmers' traditional rights. The conceptual framework and the need for seed legislation. Conceptual Framework and Need for seed legislation. Seed is a living biological product as opposed to products made in the factory. It is not easy to evaluate the quality by visual observation. Substandard seeds lead to low seedling establishment, irregular stands, increased disease incidence and significant grain losses, affecting directly the agricultural productivity and food security.

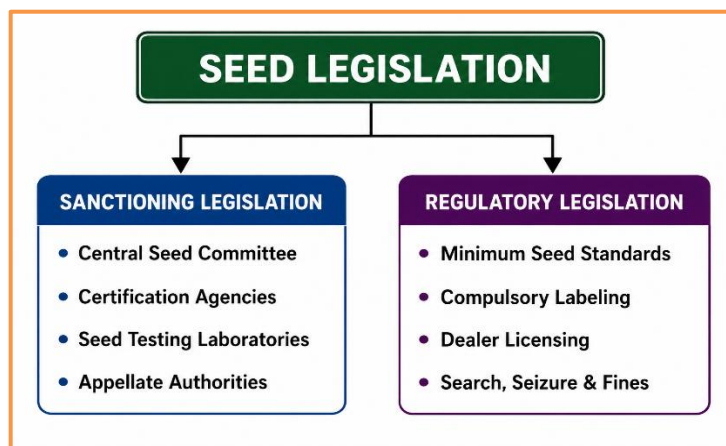
Primary Objectives of Seed Legislation:

1. **Quality Assurance:** establishing minimum standards of physical purity, genetic purity, germination and moisture.
2. **Farmer Protection:** Implementing licensing systems, enforcing transparency and accountability of dealers, and developing inspection systems to weed out fraudulent practices.
3. **Market Regulation:** Establishing licensing mechanisms, dealer accountability, and inspection protocols to eliminate fraudulent practices.
4. **Variety Standardization:** Systematically evaluating and notifying crop varieties best suited for specific agro-climatic zones.

Structure of Seed Legislation

The structure of seed legislation. Seed laws in the world and in India at large can be said to be divided into two major functional parts:

1. **Sanctioning (Institutional) Legislation:** Authorizes the establishment of statutory bodies, official certification agencies, the state and the central seed testing laboratories and appellate machinery.
2. **Regulatory (Enforcement) Legislation:** Establishes the legal requirements, makes labeling mandatory, specifies inspection rules, authorizes enforcement agents and provides penalties for failure to comply.



Historical Timeline of Indian Seed Laws and Policies

Year	Legislation / Policy	Key Purpose & Statutory Scope
1966	The Seeds Act	Enacted to regulate the quality of notified kinds/varieties sold for sowing.
1968	The Seed Rules	Established operational protocols for certification, field inspections, and seed sampling.
1983	Seeds (Control) Order	Promulgated under the Essential Commodities Act, 1955; made seed dealer licensing mandatory.
1988	New Policy on Seed Development	Opened up import of quality seeds and parent lines to boost private sector involvement.
2001	PPV&FR Act	A sui generis framework protecting plant breeders' rights while safeguarding farmers' rights.
2007	National Seed Plan	Focused on increasing Seed Replacement Rate (SRR) and strengthening infrastructure.
2015	Cotton Seeds Price Order	Regulated maximum sale prices (MSP) and trait/royalty fees for Bt cotton seeds.

Deep-Dive: Core Provisions of The Seeds Act, 1966

It is a federal act, the Seeds Act, 1966 (Act No. 54 of 1966) which has 25 sections and is applicable throughout India. It has a detailed breakdown of its key statutory requirements below:

Section 3: Central Seed Committee (CSC)

Central Seed Committee is appointed by the Central Government to provide advice to Central Government and State Government on all administrative and technical issues relating to administration of the Act.

Section 4: Central Seed Laboratory & State Laboratories

Sets up Central Seed Laboratory (CSL) (Indian Agricultural Research Institute, New Delhi) as a referral laboratory and State Seed Testing Laboratories (SSTL) in every state.

Section 5: Power to Notify Kinds or Varieties

Section 5 will have powers to notify kinds or varieties. On the recommendation of the CSC, if the Central Government is satisfied, that a crop variety is suitable for commercial cultivation in any part of any State, it publishes the notification in the Official Gazette. The strict regulatory specifications of the Act are only applicable to these notified kinds/varieties. The regulatory provisions of the Act apply strictly to these notified kinds/varieties.

Section 6: Power to Fix Minimum Standards

Empowers the Central Government to prescribe:

- **Minimum percentage of germination.**
- **Minimum percentage of physical and genetic purity.**
- **Maximum allowable moisture content** and limits for inert matter, weed seeds, and other crop seeds.

Section 7: Regulation of Sale of Seeds of Notified Kinds

“Regulation of Sale of Seeds of Notified Kinds”. Section 7 is entitled “Regulation of Sale of Seeds of Notified Kinds”.

No person shall be allowed to engage in the business of seed selling, exporting or importing of any notified variety unless: The seed meets the minimum standards for physical purity and germination as specified in Section 6. The container has a proper and accurate label that includes the following information:

1. Variety name & Lot number
 - Physical & Genetic purity percentage
 - Germination percentage & Date of testing
 - Date of expiry/validity period
 - Chemical treatment status (if treated with poison)

Sections 8–11: Seed Certification Machinery

- **Section 8 (Certification Agency):** State Governments establish official Seed Certification Agencies (or designate existing institutions) to execute certification programs.
- **Section 9 (Grant of Certificate):** Any producer of seed of notified variety can apply for certificate. The certification is voluntary; but if a producer decides to make the choice of certification in the fields there are strict rules to be followed and in the seeds as well.
- **Section 10 (Revocation of Certificate):** Certificates can be revoked if obtained by misrepresentation or if the producer fails to maintain standards.
- **Section 11 (Appeals):** Provides for the appellate process for growers who are dissatisfied with decisions of the Certification Agency.

Seed Law Enforcement Machinery

The enforcement mechanism relies on a network of field inspectors and statutory analytical laboratories to monitor market compliance.

1. Seed Inspectors (Sections 13 & 14)

The Seed Inspectors are public servants who have been appointed by the State Government and have wide regulatory powers:

- **Entry & Inspection:** Inspect processing plants, storage godowns and retail premises in which seeds are stored for sale.
- **Official Sampling:** Take representative samples from any line notified and send to Seed Analyst for verification.
- **Stop-Sale & Seizure:** Make temporary stop-sale order up to 30 days or seizure of seed stocks, registers and documents in case of a suspected violation.
- **Prosecution:** Make formal complaints in appropriate courts against defaulting dealers or firms.

2. Seed Analysts (Section 12)

The evaluation of the official samples sent by the Seed Inspectors is carried out by the Seed Analysts at the respective State Seed Testing Laboratories. They carry out standard tests according to ISTA (International Seed Testing Association) procedures:

- **Purity Analysis:** Separation of pure seed, inert matter, weed seed and other crop seed.
- **Germination Test:** assessment of normal seedlings, abnormal seedlings and dead seeds under controlled environment.
- **Moisture Testing:** Oven drying or Electric Moisture Meter verification.

3. Licensing under Seeds (Control) Order, 1983

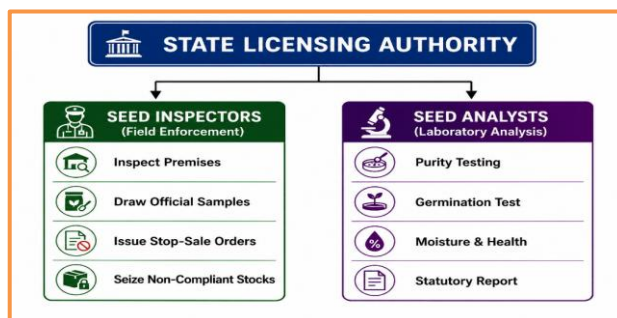
Under Clause 3 of the Seeds (Control) Order, 1983:

- All seed traders are required to have a seed dealer's license from the State Licensing Authority.
- Price lists, inventory and cash memos/invoices must be made available to dealers and include lot information.
- Dealers are required to keep stock registers which can be readily accessed for official audit.

Offences and Penalties

Under **Section 19** of the Seeds Act, 1966:

- **First Offence:** Fine up to ₹500.
- **Subsequent Offences:** Imprisonment for a term up to **6 months**, a fine up to ₹1,000, or both.
- **Obstruction of Duty:** Preventing a Seed Inspector from drawing samples or exercising statutory powers is a distinct punishable offence.



- **Administrative Penalties:** Suspension or permanent cancellation of the Seed Dealer License under the Seeds (Control) Order, 1983.

Modern Developments, Digitalization, and Farmers' Rights

A. SATHI Portal (Seed Authentication, Traceability & Holistic Inventory)

A. SATHI Portal (Seed Authentication, Traceability & Holistic Inventory)

- An integrated end to end digital system developed by the Ministry of Agriculture & Farmers Welfare, Government of India to ensure full traceability of the supply chain:
- Using QR - code tracking from Breeder Seed, to Foundation Seed, to Certified Seed, to Retail Outlet.
- Helps to ensure that spurious seeds and counterfeiting do not enter the formal seed market.

B. Farmers' Rights under the PPV&FR Act, 2001

The protection of traditional farming practices is explicit in Section 39(1)(iv) of the PPV&FR Act, 2001, while quality control is the focus of the Seeds Act.

A farmer shall be deemed to have a right to save, use, sow, re-sow, exchange, share or sell his farm produce, including seed of a variety protected under this Act, in the same manner as he has heretofore, except that he shall not be entitled to sell branded seed of a variety protected under this Act.

Summary Table: Seed Classes vs. Statutory Parameters

Seed Class	Producing Authority	Tag Color	Genetic Purity Target	Mandatory Certificate?
Breeder Seed	Plant Breeder / ICAR / SAU	Golden Yellow	100%	No (Breeder Certificate)
Foundation Seed	NSC / State Seed Corporations	White	99%	Yes
Certified Seed	Registered Seed Producers / NSC	Blue	98%	Yes
Truthful Labelled (TL)	Private Seed Firms / Farmers	Opal Green	Declared by Seller	No (Self-Declared Label)

References

1. Government of India (1966). *The Seeds Act, 1966 (Act No. 54 of 1966)*. Ministry of Agriculture and Farmers Welfare, New Delhi.
2. International Seed Testing Association (ISTA) (2023). *International Rules for Seed Testing*. ISTA, Bassersdorf, Switzerland.
3. Ministry of Agriculture, India (1968). *The Seed Rules, 1968*. Department of Agriculture & Cooperation.
4. Ministry of Civil Supplies, India (1983). *The Seeds (Control) Order, 1983* (Promulgated under the Essential Commodities Act, 1955).
5. Protection of Plant Varieties and Farmers' Rights Authority (2001). *Protection of Plant Varieties and Farmers' Rights Act, 2001*. Government of India.