Topic: Seed Act and Seed Act enforcement.

**Lecture 1**

**Seed Act and Seed Act enforcement**

Seed law is enforced with seeds act, seed rule and seed order.

**Seed act**

The Act No. 54 of 1966 to provide for regulating the quality of certain seed for sale and for matters connected therewith enacted as seed Act, 1966 by the parliament on 29th December, 1966, that extends to that extant to the whole country. The original Act contains 25 section with many sub sections. In the Act, Central Seed Laboratory was established under sub-section (1) of section 4, whereas, State Seed Laboratory established or declared as such under sub-section (2) of section 4 for that state. The Seeds Act, 1966 was enacted by Parliament on 9th September ,1972 as Seeds (Amendment ) Act, 1972 with five amendments. The amendments are mentioned in the test with the year 1972. The sections of Seed Act, 1966 with their details are as follows.

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| **Section No.** | **Broad Technical details of section** |
| **Section 1** | **Short title, extent and commencement** |
| **Section 2** | **Definition: In this act, unless the context otherwise requires.** |
| **Section 3** | **Central Seed committee**  This section tells us about the functions of the central seed committee, its constituent member, time for which member hold office, working mechanism, sub-committees, appointment of secretary of the committee and other staffs. |
| **Section 4** | **Central Seed Laboratory and State Seed Laboratory**  This section tell us about the Establishment of central and state seed laboratory. |
| **Section 5** | **Power to notify kinds or varieties of seeds**  Central government after consultation with the committee is of opinion that it is necessary or expedient to regulate the quality of seed of any variety to be sold for the purpose of agriculture. It also declare by notification in the official gazette, declare such variety to be notified for different states or for different areas. |
| **Section 6** | **Power to specify minimum limits of germination and purity, etc.**  The Central Government after consultation of the committee and by notification in the Official Gazette, specify the minimum limits of germination and purity with respect to any seed of any notified kind or variety. |
| **Section 7** | **Regulation of sale of seeds of notified kind or varieties**  This section tells us about the rules and regulation framed for the sale and supply of seeds of notified kind or variety |
| **Section 8** | **Certification Agency**  This section tells us about the functions of the Central Seed Committee, its constituent member, time for which member hold office, working mechanism, sub-committees, appointment of secretary of the committee and other staffs. Amendment No.3 introduce new sections 8A to 8E. |
| **Section 9** | **Grant of certificate by certificate agency**  This section explains about the granting of certificate to the person who want to sell, supply seed after satisfying itself that the seed to which the application relates confirms to the minimum limits of germination and purity specified for that seed by the seed Certification Agency. |
| **Section 10** | **Revocation of certificate**  This section provided the legal power to seed certification agency to showing cause, revoke the certificate, if the holder of the certificate failed to comply with the conditions to which the certificate has been granted or contravened any of the provision of this act. |
| **Section 11** | **Appeal**  Any person aggrieved by a direction 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. |
| **Section 12** | **Seed Analysts**  This section gives state government the power to appoint such persons as it thinks fit, having the prescribed qualification to be seed analysts and define the areas within which they shall exercise jurisdiction. |
| **Section 13** | **Seed Inspectors**  This section gives state government the power to appoint such persons as it thinks fit, having the prescribed qualification to be seed Inspectors and define the areas within which they shall exercise jurisdiction. |
| **Section 14** | **Powers of seed inspector**  This section deals with powers of Seed Inspector. |
| **Section 15** | **Procedure to be followed by Seed Inspectors**  This section deal with the explanation of legal procedure to be followed by Seed Inspector while taking the sample for analysis, if he found that the certificate holder contravenes any provisions of section 7 of seed Act, 1966. |
| **Section 16** | **Report of Seed Analyst**  This section deals with the delivery of 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 within one month from date of receipt of the sample. |
| **Section 17** | **Restriction on export and import of seeds of notified Kinds or varieties.**  This section deals with the rules and regulation to be followed by certificate holder for export or import of any seed of any notified kind or variety. |
| **Section 18** | **Recognition of seed certification agencies of foreign countries**  The Central Govt. may on the recommendation of the committee and by notification in the Official Gazette, recognize any seed certification agency established in any foreign country |
| **Section 19** | **Penalty**  This section deals with imposing penalty to persons who contravenes any provision of this act or any rule made under or prevents a seed inspector from taking sample under this act or prevents a seed inspector from exercising any other power conferred on him under this act; he shall, on conviction be punishable. |
| **Section 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. |
| **Section 21** | **Offences by companies**  This section make clear that every person who at the time the offence was committed was in charge, will be dealt responsible and deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly. |
| **Section 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. |
| **Section 23** | **Power to give directions**  The Central Government may give such direction 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. |
| **Section 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. |
| **Section 25** | **Power to make rules**  The central Government may, by notification in the official Gazette, makes rules to carry out the purpose of this Act. |