THE SEEDS RULES 1968

PART I - Preliminary

1.**Short title.** – These rules may be called the Seeds Rules, 1968.

2.**Definitions.** – In these rules, unless the context otherwise requires,-

(a) "Act" means the Seeds Act, 1966 (54 of 1966);

(b)"advertisement" means all representations other than those on the label, disseminated in any manner or by any means relating to seed for the purposes of the Act;

(c) "certification sample" means a sample of seed drawn by a certification agency or by a duly authorised representative of a certification agency established under section 8 or recognized under section 18 of the Act;

(d) "certification tag" means a tag or label of certain design to be specified by the certification agency and shall constitute the certificate granted by the certification agency;

(e) "certified seed" means seed that fulfils all requirements for certification provided by the Act and these rules and to the container of which the certification tag is attached;

(f) "certified seed producer" means a person who grow or distributes certified seed in accordance with the procedure and standards of the certification agency;

(g) "complete record" means the information which relates to the origin, variety, kind, germination and purity of seed of any notified kind or variety offered for sale, sold or otherwise supplied; (h) "form" means a form appended to these rules;

(i) "origin" means the State, Union Territory or foreign country where the seed is grown and in case seeds of different origin are blended the label shall show the percentage of seed of each origin; (j) "processing" means cleaning, drying, treating, grading and other operations which would change the purity and germination of the seed and thus requiring re-testing to determine the quality of the seed, but does not include operations such as packaging and labelling;

(k) "section" means a section of the Act;

(l) "service sample" means a sample submitted to the Central Seed Laboratory or to a State Seed Laboratory for testing, the results to be used as information for seeding, selling or labelling purposes;

(m) "treated" means that the seed has been subjected to an application of a substance or process in such a manner as to reduce, control or repel certain disease organisms, insects, or any other pests attacking such seeds or seedlings growing therefrom and for other purposes.

PART II – **Central Seed Committee**

3. **Functions of the Central Seed Committee.** – In addition to the functions entrusted to the Committee by the Act, the Committee shall,-

(a)recommend the rate of fees to be levied for analysis of samples by the Central and State Seed Testing Laboratories and for certification by the certification agencies;

(b)advise the Central or State Governments on the suitability of seed testing laboratories;

(c)send its recommendations and other concerning records to the Central Government;

(d)recommend the procedure and standards for certification, tests and analysis of seeds; and

(e)carry out such other functions as are supplemental, incidental or consequential to any of the functions conferred by the Act or these rules.

4. **Travelling and Daily Allowances Payable to Members of the Committee and its sub-Committees.** – The members of the committee and its sub-committees shall be entitled to draw travelling and daily allowances as specified below when they are called upon to attend a meeting of the committee or a sub-committee thereof:

(a)An official member of the committee or its sub-committees shall be entitled to draw travelling and daily allowances in accordance with the rules of the Government under which he is for the time being employed and from the same source from which his pay and allowances are drawn.

(b)A non-official member shall be allowed travelling and daily allowances in accordance with the general orders issued in this behalf by the Central Government from time to time.

PART III – **Central Seed Laboratory**

5. **Functions.** – In addition to the functions entrusted to the Central Seed Laboratory by the Act, the Laboratory shall carry out the following functions, namely:-

(a) initiate testing programmes in collaboration with the State Seed Laboratories designed to promote uniformity in test results between all seed laboratories in India.

(b)collect data continually on the quality of seeds found in the market and make this data available to the Committee; and

(c)carry out such other functions as may be assigned to it by the Central Government from time to time.

PART IV – **Seed Certification Agency**

6. **Functions of the Certification Agency.** – In addition to the functions entrusted to the certification agency by the Act, the Agency shall-

(a)certify seeds of any notified kinds or varieties;

(b)outline the procedure for submission of applications and for growing, harvesting, processing, storage and labelling of seeds intended for certification till the end to ensure that seed lots finally approved for certification are true to variety and meet prescribed standards for certification under the Act or these rules;

(c)maintain a list of recognised breeders of seeds;

(d) verify, upon receipt of an application for certification that the variety is eligible for certification, that the seed source used for planting was authenticated and the record of purchase is in accordance with these rules and the fees have been paid;

(e) take sample and inspect seed lots produced under the procedure laid down by the certification agency and have such samples tested to ensure that the seed conforms to the prescribed standards of certification;

(f)inspect seed processing plants to see that the admixtures of other kinds and varieties are not introduced;

(g)ensure that action at all stages, e.g. field inspection, seed processing plant inspection, analysis of samples taken and issue of certificates (including tags, marks, labels and seals) is taken expeditiously;

(h)carry out educational programmes designed to promote the use of certified seed including a publication listing certified seed growers and sources of certified seed;

(i)grant certificates (including tags labels, seals etc.) in accordance with the provisions of the Act and these rules;

(j)maintain such records as may be necessary to verify that seed plants for the production of certified seed were eligible for such planting under these rules;

(k)inspect fields to ensure that the minimum standards for isolation, roguing (where applicable) use of male sterility (where applicable) and similar factors are maintained at all times, as well as ensure that seedborne diseases are not present in the field to a greater extent than those provided in the standards for certification.

PART V – **Marking or Labelling**

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

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

8.**Contents of the mark or label.** – There shall be specified on every mark or label-

(i)particulars, as specified by the Central Government under clause (b) of section 6 of the Act; (ii)a correct statement of the net content in terms of weight and expressed in metric system; (iii)date of testing;

(iv)if the seed in container has been treated-

(a)a statement indicating that the seed has been treated;

(b)the commonly accepted chemical or abbreviated chemical (generic) name of the applied substance; and

(c)if the substance of the chemical used for treatment, and present with the seed is

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

(v)the name and address of the person who offers for sale, sells or otherwise supplies the seed and who is responsible for its quality;

(vi)the name of the seed as notified under section 5 of the Act.

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

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

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

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

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

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

PART VI – **Requirements**

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

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

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

(14) **Classes and sources of certified seed.** – (1) There shall be three classes of certified seed, namely, foundations, registered and certified and each class shall meet the following standards for that class:-

(a)Foundation seed shall be the progeny of breeders' seed, or be produced from foundation seed which can be clearly traced to breeder's seed. Production shall be supervised and approved by a seed certification agency and be so handled as to maintain specific genetic purity and identify and shall be required to meet certification standards for the crop being certified.

(b) Registered seed shall be the progeny of foundation seed that is so handled as to maintain its genetic identity and purity according to standard specified for the particular crop being certified.

(c) Certified seed shall be the progeny of registered or foundation seed that is so handled to maintain genetic identity and purity according to standards specified for the particular crop being certified.

(2) At the discretion of the certification agency (when considered necessary to maintain adequate seed supplies) certified seed may be the progeny of certified seed provided this reproduction may not exceed three generations and provided further that it is determined by the seed certification agency, that the genetic purity will not be significantly altered.

PART VII –

15. **Application for the Grant of a Certificate.** – Every application for the grant of a certificate under sub-section (1) of section 9 shall be made in

Form I in accordance with the procedure outlined by the certification agency for submission of applications and contain the following particulars, namely:-

(a)the name, profession, and place of residence of the applicant; (b)the name of the seed to be certified; its notified kind or variety; (c)class of the seed;
(d)source of the seed;
(e)limits of germination and purity of the seed;
(f)mark or label of the seed.

16.**Fees.** – Every application under sub-section (1) of section 9 shall be accompanied by a fee of Rs. 25 in cash.

17.**Certificate.** – Every certificate granted under sub-section (3) of section 9 shall be in Form II and shall be granted by the certification agency, after making enquiries and satisfying itself in accordance with the provisions of the said sub-section on the following conditions, for the period to be specified by the certification agency, namely:-

(i)The person to whom the certificate is granted under sub-section (3) of section 9 shall attach a certification tag to every container of the certified seed and shall follow the provisions in respect of marking or labelling provided by or under the Act.

(ii)The certification tag shall contain the following particulars, namely:- (a)name and address of the certification agency;
(b)kind and variety of the seed;
(c)lot number or other mark of the seed;
(d)name and address of the certified seed producer;
(e)date of issue of the certificate and of its validity;
(f)an appropriate sign to designate certified seed;
(g)an appropriate word denoting the class designation of the seed.

(iii)The colour of the certification tag shall be white for foundation seed, purple for registered seed and blue for certified seed.

(iv)The container of the certified seed shall carry a seal of such material and in such form as the certification agency may determine and no container carrying a certification tag shall be sold by the person if the tag or seal has either been tampered with or removed.

(v)The certification tag on the container shall specify-

(a)the period during which the seed shall be used for sowing or planting;
(b)that the use of seed after the expiry of the validity period by any person is entirely at his risk and the holder of the certificate shall not be responsible for any damage to the buyer of the seed;
(c)that no one should purchase the seed if the seal or the certification tag has been tampered with.

(vi)The holder of the certificate shall keep record of the details of each lot of the seed which is issued for sale in such form as to be available for inspection and to be easily identified by reference to the number of the lot as shown in the certification tag of each container and such records shall be retained in the case of a seed for which expiry date is fixed for a period of two years from the expiry of such date.

(vii)The holder of the certificate shall allow any Seed Inspector, authorised in writing by the certification agency in that behalf, to enter with or without prior notice the premises where the seeds are grown processed and sold and to inspect premises, plant and the process of processing at all reasonable h

(viii)The holder of the certificate shall allow the Seed Inspector, authorised in writing by the certification agency, to inspect all registers and records maintained under these rules and to take samples of the seeds and shall supply to the Seed Inspector such information as he may require for the purposes of ascertaining whether the conditions subject to which the certificate has been granted, have been complied with.

(ix)The holder of the certificate shall on request furnish to the certification agency from every lot of the seed or from such lot or lots as the said agency may from time to time specify, a sample of such quantity as the agency may consider adequate for any examination required to be made.

(x)If the certification agency so directs, the holder of the certificate shall not sell or offer for sale any lot in respect of which a sample is furnished under the preceding clause until the agency authorises the sale of such lot.

(xi)The holder of the certificate shall on being directed by the certification agency that any part of a lot has been found by the said agency not to conform to prescribed standards of quality or purity specified by or under the Act, withdraw the remainder of that lot from sale and so far as may, in the particular circumstances of the case, be practicable, recall all issues already made from that lot.

(xii)The holder of the certificate shall comply with the provisions of the Act and these rules and with the directions given after not less than one month's notice by the certification agency to such holder.

PART VIII – **Appeals**

18. **The form and manner in which and the fee on payment of which the appeal may be referred.** –

(1) Every memorandum of appeal under sub-section (1) of section 11 shall be in writing and shall be accompanied by a copy of the decision of the certification agency against which it has been preferred and shall set forth concisely and under distinct heads the grounds of objection to such decision without any argument, or narrative.

(2**)** Every such memorandum of appeal shall be accompanied by a treasury receipt for a sum of Rs. 100/-/

(3) Every such memorandum of appeal may be presented either in person or through an agent duly authorised in writing in this behalf by the appellant or may be sent by the registered post.

19. **Procedure to be followed by the Appellate Authority.** – In deciding appeals under the Act the appellate authority shall exercise all the powers which a Court has and shall follow the same procedure which a Court follows in deciding appeals from the decree or order of an original Court under the Code of Civil Procedure, 1908 (5 of 1908)

PART IX – **Seed Analysts and Seed Inspectors**

20. **Qualifications of Seed Analyst.** – A person shall not be qualified for appointment as Seed Analyst unless he-

(i)possesses a Master's or equivalent degree in Agriculture or Agronomy or Botany or Horticulture of a University recognised for this purpose by the Government and has had not less than one year's experience in seed technology; or

(ii)possesses a Bachelor's degree in Agriculture or Botany of a University recognised for this purpose by the Government and has had not less than three years' experience in seed technology.

21. **Duties of a Seed Analyst.** – On receipt of a sample for analysis the Seed Analyst shall first ascertain that the mark and the seal or fastening as provided in clause (b) of sub-section (1) of section 15 are intact and shall note the condition of the seals thereon.

(2) The Seed Analyst shall analyse the samples according to the provisions of the Act and these rules.

(3) The Seed Analyst shall deliver the copy of the report of the result of the analysis to the persons specified in sub-section (1) of section 16.

(4) The Seed Analyst shall from time to time forward to the State Government the reports giving the result of analytical work done by him.

22. **Qualifications of Seed Inspectors.** – A person shall not be qualified for appointment as Seed Inspector unless he is a graduate in Agriculture of a University recognised for the purpose by the Government and has had not less than one years experience in seed production, or seed development or seed analysis or testing in a seed testing laboratory.

23. **Duties of a Seed Inspector. -** In addition to the duties specified by the Act the seed inspector shall -

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

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

24. **Manner of taking Samples.** – Samples of any seed of any notified kind or variety for the purpose of analysis shall be taken in a clean dry container which shall be closed sufficiently tight to prevent leakage and entrance of moisture and shall be carefully sealed.

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

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

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

(a)The stopper shall first be securely fastened so as to prevent leakage of the containers in transit.

(b)The container shall then be completely wrapped in fairly strong thick paper. The ends of the paper shall be neatly folded in and affixed by means of gum or other adhesive.

(c)The paper cover shall be further secured by means of strong twine or thread both above and across the container, and the twine or thread shall then be fastened on the paper cover by means of sealing wax on which there shall be at least four distinct and clear impressions of the seal of the sender, of which one shall be at the top of the packet, one at the bottom and the other two on the body of the packet. The knots of the twine or thread shall be covered by means of sealing wax bearing the impression of the seal of the sender.

27. **Form of Order.** – The order to be given in writing by the Seed Inspector under clause (c) of 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 packed enclosed together with a memorandum in

Form V in an outer cover addressed to the Seed Analyst.

30. **Memorandum and Impression of seal to be sent separately.** – A copy of the memorandum and a specimen impression of the seal used to seal the packet shall be sent to the Seed Analyst separately by registered post or delivered to him or to any person authorised by him.

31. **Addition of Preservatives to Samples.** – Any person taking a sample of seed for the purpose of analysis under the Act may add a preservative as may be specified from time to time to the sample for the purpose of maintaining it in a condition suitable for analysis.

32. N**ature 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

35. **Form of Report.** – The report of the result of the analysis under sub-section (1) or sub-section (2) of section 16 shall be delivered or sent in

Form VII.

36. **Fees.** – The fees payable in respect of the report from the Central Seed Laboratory under sub-section (2) of section 16 shall be Rs. 10/- per sample of the seed analysed.

37. **Retaining of the Sample.** – The sample of any seed shall, under clause (c) of sub-section (2) of section 15, be retained under a cool, dry environment to eliminate the loss of viability and insect proof or rat proof container. The containers shall be dusted with suitable insecticides and the storage room fumigated to avoid infestation of samples by insects. The sample shall be packed in good quality containers of uniform shape and size before storage.

PART XI - **Miscellaneous**

38. **Records.** – A person carrying on the business referred to in section 7 shall maintain the following records, namely:-

(a)stock record of seed;

(b)record of the sale of seeds;

39. **Form of Memorandum.** – The memorandum to be prepared under subsection (4) of section 14 shall be in

FORM I

Form of application for seed production under the seed certification programme

1.Name (in Block Letters) _____

2.Complete Address
(In Block Letters)

Village _____
Post Office _____
District _____
State _____
Telegraph Office _____
Nearest Rly. Station _____
Telephone No. _____

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

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

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

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

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

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

9. Actual or proposed date of planting.

Signature.

Date

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

1.Number of field inspections made _____
Dates of Inspection
(Copy of inspection reports to be attached).

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

3.Certificate issued.

Tag No.

Date of issue
Issued by

Signature
Director
Seed Certification
Agency.

FORM

II

Seed Certification Agency

_____ Tag No.

_____

Director
Seed
Certification
Agency

Kind _____ Variety _____ Lot No. _____

Germination _____% Not below %

Date of test _____

Certification valid upto _____

Minimum pure seed %

Innert matter _____% Not more than _____% Weed seeds (Max) %

Other crop seeds _____ Not more than _____% Producer _____ (Name and Full Address) _____ Class of seed _____

N.B.:-

1.A white tag shall be used for foundation seed.

2.A purple tag shall be used for registered seed.

3.A blue tag shall be used for certified seed.

4.Certification shall be valid for the period indicated on the tag provided seed is stored under cool dry environment.

FORM III

To

(Name and address of
the vendor)

_____
_____

_____
_____

_____
_____

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

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

_____
_____
_____

Place _____ Seed Inspector
Date _____ Area

Details of stock of seeds

_____
_____

Date _____ Seed Inspector

FORM IV

To

_____

_____

_____

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

_____

_____

_____

_____ situated at

_____

Place _____

Date _____

Seed Inspector

Details of records seized

_____

_____

_____

_____

Date _____

Seed Inspector

FORM V

Memorandum to Seed Analyst.

Serial No. of Memorandum.

From:

_____

_____

To

The Seed Analyst

_____

_____

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

1.Serial No. of the sample.

2.Date and place of collection.

3.Nature of the articles submitted for analysis/test.

2. A copy of this memo and specimen impression of the seal used to seal the packet of samples is being sent separately by post/hand.*

Date _____ Seed Inspector *Strike out whichever is not applicable Area

_____

FORM VI

To

_____

_____

_____

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

Date _____ Seed Inspector

FORM VII

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

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

_____

_____

_____

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

_____

_____

_____

_____

Place _____ Seed Analyst Date _____ Central Laboratory If opinion is required on any other matter suitable paragraph(s) may be added.

FORM VIII To

_____

_____

_____

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

Date _____ Seed Inspector

Details of samples taken

_____ _____

_____ _____

_____ _____

_____ Whether cost of sample damanded?

Cost of sample _____Rs._____ paid.

Date _____ Seed Inspector

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

[No. 4(2)/67-Seeds Dev.]
S.M.H. BURNEY, Jt. Secy.