

Official Amendments to the Seeds Bill, 2004

The government has circulated a list of amendments to the Seeds Bill, 2004. These amendments shall be voted upon when the Bill is taken up for consideration and passing. In Table 1, we have compared the Seeds Bill, 2004 with the proposed amendments to the Bill.

Table 1: Comparison of Seeds Bill, 2004 and the Amendments to Seeds Bill, 2004

Seeds Bill, 2004	Amendments to Seeds Bill, 2004
Exemption of farmers	
The Bill exempted farmers from the requirement of compulsory registration. However, it stipulated that a farmer cannot sell any seed under a brand name and any seed sold by the farmer has to conform to the prescribed minimum limits of germination, physical purity and genetic purity	The issue has been addressed by allowing farmers to sow, exchange or sell his farm seeds and planting material without having to conform to the prescribed minimum limits of germination, physical purity and genetic purity (as required by registered seeds). However, farmers cannot sell any seed under a brand name.
Defines a farmer as any person who cultivates crops either by cultivating the land himself or through any other person but does not include any individual, company, trader or dealer who engages in the procurement and sale of seeds on a commercial basis.	Expands the definition of a farmer by including any person who conserves jointly with any person any traditional varieties or adds value to such traditional varieties. Excludes farmers from the definition of producer.
Transgenic varieties	
No transgenic variety of seed would be registered unless the applicant has obtained clearance under the provisions of the Environment (Protection) Act, 1986.	In addition to this requirement, the registered seeds have to conform to specified standards for transgenic events and corresponding traits for transgenic seeds which registered seeds. Also, the label of a seed container has to indicate the above mentioned information.
Allows transgenic variety of seeds to be registered provisionally for two years if it has been cleared under the Environment (Protection) Act, 1986.	This provision has been deleted
Registration of seeds	
Any type of seed for sale has to be registered with the Registration Sub-Committee. The registration is valid for 15 years for annual/biennial crops and 18 years for long duration perennial crops.	Amended the registration time limit. The registration is valid for 10 years for annual/biennial crops and 12 years for long duration perennial crops.
Central Seeds Committee	
Central Seeds Committee may specify minimum standard of germination, physical purity, and genetic purity applicable to registered seeds.	Amends the clause by stating that the central government may notify minimum standard on recommendation of the Central Seeds Committee.
Compensation	
For all registered varieties, seed producers, distributors and vendors have to disclose the expected performance under	Amends the provision by setting up a Compensation Committee where farmers can claim compensation if seeds fail

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certain given conditions. If the seed fails to perform to expected standards, the farmer can claim compensation from the dealer, distributor or vendor under the Consumer Protection Act, 1986.

Accreditation of Seed Certification Agencies

Any seller of seeds can get the seed certified by the State Seed Certification Agency or any other accredited certification agency; self certification may also be permitted to accredited agencies. The accreditation shall be done by the CSC in consultation with state government and state seed committee.

Amends the provision by allowing only organizations owned or controlled by the central or state government to be accredited. The accreditation can be done only by the state government with prior approval of the central government.

Power of Seed Inspector

The Seed Inspector does not require a warrant to take samples of any variety from a seed seller; send the samples for analysis to the Seed Analyst; enter and search any place where he has reason to believe that an offence has been committed against the provisions of the Act; and break open any container of seeds or any door where any such seed may be kept for sale.

The provision has been amended by adding that the prior written authorization of the District Magistrate is required by the Seed Inspector if he wants to enter and search a place.

Penalties

The penalty for selling substandard seeds is between Rs 5,000 and Rs 25,000.

Increased the range of penalty to be between Rs 5,000 and Rs 30,000.

The penalty for giving false information is a prison term up to six months and/or a fine up to Rs 50,000.

Increased the fine to Rs 1 lakh.

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