



## Seed Bill

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This article is based on **“The Seed Bill must be tweaked for better results”** which was published in The Hindu Business Line on 02/12/2019. It highlights the provisions of the draft Seed Bill-2019 and issues associated with it.

Recently, the **Ministry of Agriculture & Farmers’ Welfare** has finalized the **draft Seed Bill 2019** and is expected to table it in the ongoing winter session of Parliament. The Bill aims to ***regulate the quality of seeds sold and facilitate the production and supply of these seeds to farmers***. It aims to **foster competition** by amending the **Seed Act, 1966** and **Seed Rules, 1968**. There are certain proposals in the Bill such as registration of seed varieties, powers granted to the government to fix prices inter-alia which suffer from certain drawbacks. In this regard, the **seed industry** has made certain observations and recommendations to the government.

## Highlights of the Seed Bill- 2019

- It is an important legislation to ensure the supply of modern, high quality, cutting edge seed technologies to the farmers which will help them in **enhancing their productivity and profitability**.
- **Formation of Seed Committee**  
The Bill authorizes the Central government to reconstitute a **Central Seed Committee** (based in **New Delhi**) that will be responsible for the effective implementation of its provisions.
- **Registration of Seed Varieties**
  - **Draft Bill Provision:** All varieties of seeds **for sale** have to be **registered** and are required to meet certain **prescribed minimum standards**. For instance, for transgenic varieties of seeds, registration is to be obtained under the **Environment (Protection) Act, 1986**. This can bring **greater accountability** to seed companies.
  - **Industry Recommendation:** Make the registration process **time-bound**.

- **Exemptions**

- **Bill:** Exempt farmers from obtaining registration for **varieties developed by them**. However, if the farmer sells such seeds for a monetary consideration, then that sale needs to be registered. This is to protect the interests of other farmers who buy seeds from such a farmer.

Also, farmers are allowed to sow, exchange or sell their 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.

- **Recommendation:** Exemption of **export-oriented varieties** from registration has been made. This will encourage **custom production of seeds** in India.

- **Research-based Companies**

- **Bill:** In the proposed Bill, there is a differentiation between the seed producer, seed processor and seed dealer for the purpose of **licensing**. However, there is **no recognition of National Level Integrated Seed Companies** with R&D capabilities.

- **Recommendation:** There must be a system of accreditation of national level research-based companies with integrated facilities for research, product testing, data analytics, seed production, seed quality control, seed processing, farmer extension and marketing. **These companies need to be given a national licence** that can be renewed at regular intervals based on fresh inspections and track record.

- **Truthfully labelled seeds**

- **Bill:** Currently, a large percentage of seed is sold under a **self-certification programme** called Truthfully Labelled (TL) seeds. The certification process has been kept **voluntary**.
- **Recommendation:** TL seeds category must continue, as the mandatory registration of seed varieties eliminates the risk of misuse of TL provision. The TL certification has helped the industry to grow and facilitated the supply of high-quality seeds to the farmer in the last 30 years.

- **Nurseries**

- **Bill:** Licences/ registration of **fruit nurseries**.
- **Recommendation:** Apply this provision to all nurseries and not just fruit nurseries.

- **Price Control**
  - **Bill:** Empowers **the government to fix prices of selected varieties** in case of 'emergent' situations such as seed shortage, abnormal increase in price, monopolistic pricing, profiteering, etc. which are open to subjective interpretation.
  - **Recommendation:** The industry opposes any kind of price control, as it can stifle innovation and result in a scale back of research investments.
- **Review of complaints**
  - **Bill:** **Consumer Protection Act, 1986** to be used to deal with complaints related to the non-performance of seed.
  - **Recommendation:** Seed performance is dependent on several **agro-climatic and biological factors** and is **not always** related to the **quality of the seed**. Hence, this aspect must be kept in mind while reviewing a complaint.
- **Penal Provisions**
  - **Bill:** Differentiates the agronomic performance of the seed, its physical quality and the supply of spurious seed, and consequently penalizes the offences and prescribes punishment.
  - **Recommendation:** All offences are not criminal. **Minor offences** (unintended offences) **and major offences** (made intentionally) should be differentiated. The minor offences in the Bill must be made as compoundable.

## Legislative Frameworks for Seeds in India

- Historically, the seed industry in India has been governed by several legislative & policy frameworks such as Seed Act (1966), Seed Rules (1968), Seed (Control) Order (1983), New Policy on Seed Development (1988), Plants, Fruits & Seeds (Regulation of Import into India) Order (1989), **Protection of Plant Varieties and Farmers' Right Act (2001)**, and the **Essential Commodities Act, 1955** including Seeds (1955), National Seed Policy (2002), and Seed Bill (2004).
  - All of these legislations were passed to take care of **seeds right from the production level to marking, labeling, and marketing levels** so as to **maintain** the quality standards as prescribed by the Central Seed Committee (formed under the Seed Act, 1966).
  - These laws make **quality seeds and planting material available** to a common farmer and provide him a mechanism to approach concerned authority for justice.
- The Seed Bill (2004) was proposed to replace the Seed Act (1966), however, owing to several shortcomings it was not passed. The 2019 draft version tries to overcome the drawbacks of the 2004 Bill.

## Way Forward

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- Agriculture production is purely based on the basic input, i.e., **seed**. Until and unless the purity, quality and seed standards are maintained, production programme cannot be successful. Hence, to maintain these quality standards, legislations in this regard are equally important.
- It is also necessary **to disseminate the information** regarding seed legislations to the farmers in order to make them **aware of their rights**.
- Companies with national licence and accreditation must be allowed to **conduct trials for seed varieties and generate data** (which is to be made acceptable for product registration purposes). This will help in speedy reach of new research products to the market for the timely benefit of the farmer.

Overall, the seed law must have the **twin objective** of **regulating the supply of seeds** for the benefit of the farmers and, at the same time, **enable the development** of the seed industry.

### ***Drishti Mains Question***

Discuss the challenges faced by the seed industry in India and suggest steps that can be taken to overcome them.