

LOK SABHA

THE SEEDS BILL, 1964

(Report of the Select Committee)

(Presented on the 4th November, 1966)



**LOK SABHA SECRETARIAT
NEW DELHI**

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<u>Sl. No.</u>	<u>Title</u>
5.	The Patents Bill, 1965 - Report of the Joint Committee. (Presented on the 1st November, 1966) -do- Evidence (Volume I) -do- Evidence (Volume II)
6.	The Representation of the People (Amendment) Bill, 1966 - Report of the Joint Committee (Presented on the 1st November, 1966)
7.	The Seeds Bill, 1966 - Report of the Select Committee (Presented on the 4th November, 1966) -do- Evidence

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SELECT COMMITTEE ON THE SEEDS BILL, 1964.

COMPOSITION OF THE COMMITTEE

Shri S. C. Samanta—*Chairman*

MEMBERS

2. Shri R. Achuthan
3. Shri Maganti Ankineedu
4. Shri Parashottamdas Haribhai Bheel
5. Shri Brij Raj Singh
6. Shrimati Jyotsna Chanda
7. Shri N. T. Das
8. Shri M. L. Dwivedi
9. Shri Gajraj Singh Rao
10. Shri R. Muthu Gounder
11. Shri Badshah Gupta
12. Shri Hari Vishnu Kamath
13. Shri Kisan Veer
14. Shri Jiyalal Mandal
15. Shrimati Shashank Manjari
16. Shri Shyam Dhar Mishra¹
17. Shri Mohan Nayak
18. Shri Sarjoo Pandey
19. Shri S. K. Paramasivan
20. Shri Man Sinh P. Patel
21. Shri Deorao S. Patil
22. Shri Kishen Pattnayak²
23. Shri Pratap Singh
24. Shri H. C. Linga Reddy
25. Dr. Sarojini Mahishi
26. Shrimati Shakuntala Devi³

1. Appointed on the 6th September, 1966, *vice* Shri Annasaheb Shinde resigned from the Committee w.e.f. 5th September, 1966.

2. Resigned from the Committee with effect from 20th October, 1966.

3. Appointed on the 18th May, 1966 *vice* Shri Manikya Lal Verma resigned from the Committee w.e.f. 13th May, 1966.

(iv)

27. Shri Ku. Sivappaghassan
28. Shri Sivamurthi Swami
29. Shri Shiva Datt Upadhyaya
30. Shri C. Subramaniam.

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVES OF THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY,
DEVELOPMENT AND CO-OPERATION DEPARTMENT OF AGRICULTURE
OF AGRICULTURE)

1. Shri I. J. Naidu, *Joint Secretary.*
2. Dr. G. V. Chalam, *Joint Commissioner (Seeds).*
3. Shri Hit Prakash, *Deputy Commissioner (Seeds Development).*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

REPORT OF THE SELECT COMMITTEE

I, the Chairman of the Select Committee to which the Bill* to provide for regulating the quality of certain seeds for sale, and for matters connected therewith, as passed by Rajya Sabha, was referred, having been authorised to submit the report on their behalf, present their report, with the Bill as amended by the Committee annexed thereto.

2. The motion for consideration of the Bill was moved in the House by Shri Shah Nawaz Khan, Deputy Minister of Food and Agriculture, on the 11th May, 1965, and discussed on the 11th May and 8th August 1965 and on the 15th February, 1966.

4. The Bill was, however, referred to the Select Committee on the 15th February, 1966 on an amendment moved by Shri Annasahib Shinde, Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation (Appendix I).

5. The Committee held nine sittings in all.

6. The first sitting of Committee was held on the 24th February, 1966. The Committee, at this sitting decided to hear evidence of organisations, public bodies etc. desirous of presenting their views or suggestions before the Committee and to issue a press communique inviting memoranda for the purpose by the 15th April, 1966. The Committee also decided to invite the comments of the State Governments on the provisions of the Bill.

At this sitting, the Committee also decided to form Study Groups to visit various Seed Farms in the country for an on-the-spot study of the latest methods of evolving seeds and varieties and other connected matters relating to the provisions of the Bill.

7. Eight memoranda/Representation on the Bill were received by the Committee from different associations/individuals as mentioned in Appendix II.

The State Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Madhya Pradesh, Madras, Maharashtra, Mysore Orissa, Punjab, Uttar Pradesh and West Bengal furnished their comments on the Bill. The Governments of Union Territories of Tripura, Laccadives,

*The Bill was published in the Gazette of India Extraordinary, Part II Section 2 dated the 7th Sept. 1964 and passed by Rajya Sabha on the 18th November, 1964.

Minicoy and Amindivi Islands and Andaman and Nicobar Islands intimated that they had no comments to offer on the provisions of the Bill.

8. The Committee divided themselves into nine Study Groups who visited the various Seeds Farms/Vegetable Farms/Research Stations etc. in the various parts of the country for an on-the-spot study of their working (Appendix III). The Study Groups also held discussions with the representatives of the State Governments, a cross-section of representative Farmers and Seed Growers etc.

9. At their fourth and fifth sittings held on the 4th and 5th July, 1966, respectively, the Committee heard the evidence given by the representatives of the All India Seed Growers, Merchants and Nurserymen Association, Madras, the Director of Agriculture, Government of Gujarat, and the representative of the Birla Institute of Scientific Research, New Delhi.

10. The Committee have decided that the evidence given before them should be printed and laid on the Tables of both the Houses *in extenso*.

11. The Committee considered the Bill clause-by-clause at their eighth and ninth sittings held on the 26th and 27th October, 1966 respectively.

12. The Report of the Committee was to be presented by the first day of the Fifteenth Session, 1966 of Lok Sabha. As this could not be done, the Committee requested for extension of time upto last day of the first week of the Sixteenth Session, 1966 of Lok Sabha which was granted by the House on the 25th July, 1966.

13. The Committee considered, and adopted, their Report on the 1st November, 1966.

14. The observations of the Committee with regard to the principal changes proposed in the Bill are detailed in the succeeding paragraphs.

15. *Clause 1.*—Now that entry 33 in the Concurrent List has been made applicable to the State of Jammu and Kashmir, the Committee are of the view that the provisions of the Bill should be made applicable to that State also. The clause has been amended suitably for this purpose.

16. *Clause 2.*—The Committee feel that the provisions relating to 'breeder seed', 'foundation seed', 'hybrid', 'registered seed', etc., which are matters of detail, need not be made in the Bill. Accordingly, the definitions of these terms in this clause have been omitted.

17. *Clause 3.*—The Committee note that most of the State Governments have been pressing for individual representation on the Central Seed Committee instead of representation being given to a group of States as proposed in the Bill. The Committee are of opinion that each State should be represented on the Committee. The Committee are also of opinion that representation of bodies like the Indian Standards Institution on the Committee should be given and that the term of members of the Committee should be at least two years as against the period of one year proposed in the Bill. For these purposes, the clause has been suitably amended.

18. *Clause 4.*—The Committee are of the view that instead of regulating the quality of seeds in general, it is enough if the quality of seeds of particular kinds or varieties is regulated. Accordingly the clause has been amended to empower the Central Government to notify the kinds or varieties of seeds instead of seeds as proposed in the Bill and notify different kinds or varieties for different States or for different areas thereof.

20. *Original clause 6.*—The Committee feel that it is not necessary to provide for the maintenance of a list of names of varieties and hybrids of seeds. The clause has accordingly been omitted.

21. *Clause 6 (original clause 7).*—The Committee are of opinion that the provisions relating to specification of minimum standards of pedigree, crop purity and seed quality of foundation seed, etc., which are matters of detail, need not be made in the Bill. The clause has been amended for the purpose.

22. *(Original clause 8).*—The Committee consider that this clause may be put before the clause relating to grant of certificate by a certification agency. The clause has accordingly been transposed.

23. *Clause 7 (original clause 9).*—The Committee feel that there should neither be licensing of sale of seeds nor compulsory certification of seeds. The Committee further feel that no separate provision need be made to regulate the sale of varieties or hybrids of seeds. For these purposes, the clause has been suitably amended.

24. *Clause 8 (original clause 10).*—The clause provides for the establishment of a certification agency by the State Government instead of appointment of licensing officers as proposed in the Bill. The Committee consider that power should be vested in the Central Government to establish, after consultation with the State Government, a certificate agency in any State. Necessary provision for the purpose has been made in the clause.

25. *Original clause 11.*—Since there is to be no licensing of sale of seeds, the clause has become unnecessary and has accordingly been omitted.

26. *Clause 9 (original clause 12).*—Since certification of seeds is not to be made compulsory, the clause has been redrafted to provide that those persons who desire to have the seed certified by a certification agency may get it certified.

27. *Clause 10 (original clause 13).*—Since there is to be no licensing of sale of seeds and no compulsory certification of seeds, the clause has been amended to provide only for the revocation of certificates and the circumstances under which the certificates may be revoked.

28. *Clauses 11, 14, 15 and 18 (original clauses 14, 17, 18 and 21).*—The amendments proposed by the Committee in these clauses are only consequential.

29. *Clause 17 (original clause 20).*—The Committee consider that inter-State movement of seeds should be free. The clause has been amended to take away the restriction regarding inter-State movement of seeds.

30. *Clause 19 (original clause 22).*—The Committee feel that punishment of imprisonment for the first offences under the Act is too harsh and that a sentence of fine extending up to five hundred rupees for the same would meet the ends of justice. The clause has been amended accordingly.

31. *Clause 24 (original clause 27).*—The Committee feel that the provisions of the Bill should not apply to 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. The clause has been redrafted for this purpose.

The other changes made by the Committee are only of consequential or verbal nature.

32. The Committee recommend that the Bill as amended be passed during the current session of Lok Sabha so that the objects underlying it are achieved and the labours of the Committee are not rendered infructuous.

NEW DELHI;
The 1st November, 1966.

S. C. SAMANTA,
Chairman,
Select Committee.

MINUTES OF DISSENT

I

Just as the Central Seed Committee will be constituted, I am of the opinion that in each State a State Seed Advisory Committee or State Consultative Committee should also be constituted. A major part of the work under the Seeds Act will be for the State. These Advisory Committees as in the case of Central Committee should have a Chairman nominated by the State Government to represent such interest as that government thinks fit. Besides these, one member of each of the regions would be there from farmers. The member of Central Committee of that State, shall be the *ex officio* member of the State Committee. This Committee may be appointed by the State Government by notification in the official gazette. This Committee will advise the State Government in regard to any matters connected with the purpose of this Act.

The expenses in relation to the State Committee should be met by the State Government.

In the Fourth Plan, there is a provision for the organisation of the State Seed Committees.

NEW DELHI;

DEORAO S. PATIL.

Dated the 1st November, 1966.

II

The idea and purpose for which this Bill is sought to be enacted is of course concerned with the interest of better and bigger food production, but it is the sad experience of implementation of such enactments, which impels me to submit this note of dissent. The points worth considering for dissent are as follows:—

- (1) The expenses on Government farm for production are already very heavy and they would become still heavier with extra staff requisite for the implementation of the provisions of the Act. Government farms and other such agencies have no proper scientific storage.

(ix)

The price of seeds sold by Government is very very high, while in most cases better seed can be procured from good self-cultivating farmers and farmers are wise enough to secure good seeds.

- (2) Only persons purchasing from Government seed farms or other Government agencies are those who get seed Taccavi loan and under these circumstances, they perforce have to take bad quality, spoiled and moth-eaten seed and for this also they have to go to Block Development Officers, agriculture inspectors, co-operative societies several times and spend a lot of time and money going from one Office to another.
- (3) In effect, this enactment would result in all the value of statutory controls, as in other civil supply enactments, and with such control enactments, monied people and capitalists would be actual beneficiaries and as agents for Government selling. Government supported dairies and poultries what are standing examples.
- (4) It is wrongly assumed that actual tiller of the soil and cultivators, especially peasant proprietor is not conversant with bigger and better production on his farm and for that purpose he does not know what is best and most suitable seed for his land (quality and kind and other means of irrigation etc. including).
- (5) In my opinion, this Bill at this stage should be dropped and not proceeded with, and instead, help in the form of good fertilizer, irrigation facilities etc. be provided to actual tillers of the soil, and good quality seed, if available with Government, and which farmers approve, be supplied to them on subsidised basis as loan; and later after harvesting, the best foodgrain seeds be purchased from them, for future distribution; and those whose harvest is not of such high standard, they may pay back to the Government for loaned articles of food and food production the produce at market-rate to Government.

Subsidy should be liberal and loans for two or three years. This would save huge Government expenses envisaged in the implementation of this enactment and also avoid corruption and corrupt practices and Government's laudable objective would be achieved. The food production is suffering because almost all help is given by

manoeuvring to big capitalists and they are masters in black marketing and profiteering and as corrupt practices agents.

NEW DELHI;

GAJRAJ SINGH RAO.

Dated the 2nd November, 1966.

III

While several salutary changes have been made by the Committee in the provisions of the Bill, it has not been made abundantly clear that the certification of quality seeds should be entrusted to an independent, unofficial agency or Committee divorced from production.

In view of the vastness of our country, the necessity for Advisory Committee at the States level, besides that at the Central level, should be considered.

NEW DELHI;

HARI VISHNU KAMATH.

Dated the 3rd Nov. 1966.

THE SEEDS BILL, 1964
(AS REPORTED BY THE SELECT COMMITTEE)

ARRANGEMENT OF CLAUSES

CLAUSES

1. Short title, extent and commencement.
2. Definitions.
3. Central Seed Committee.
4. Central Seed Laboratory and State Seed Laboratory.
5. Power to notify kinds or varieties of seeds.
6. Power to specify minimum limits of germination and purity, etc.
7. Regulation of sale of seeds of notified kinds or varieties.
8. Certification agency.
9. Grant of certificate by certification agency.
10. Revocation of certificate and payment of compensation.
11. Appeal.
12. Seed Analysts.
13. Seed Inspectors.
14. Powers of Seed Inspector.
15. Procedure to be followed by Seed Inspectors.
16. Report of Seed Analyst.
17. Restriction on export, and import of seeds of notified kinds or varieties.
18. Recognition of seed certification agencies of foreign countries.
19. Penalty.
20. Forfeiture of property.
21. Offences by companies.
22. Protection of action taken in good faith.
23. Power to give directions.
24. Exemption.
25. Power to make rules.

THE SEEDS BILL, 1964

(AS REPORTED BY THE SELECT COMMITTEE)

[Words side-lined or underlined indicate the amendments suggested by the Committee; asterisks indicate omissions.]

▲

BILL

to provide for regulating the quality of certain seeds for sale, and for matters connected therewith.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

- | | | |
|----|--|---|
| 1. | (1) This Act may be called the Seeds Act, 1966. | Short
title,
extent
and
com-
mence-
ment. |
| | (2) It extends to the whole of India. * * * | |
| 5 | (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act, and for different States or for different areas thereof. | |
| | 2. In this Act, unless the context otherwise requires,— | Defini-
tions. |
| 10 | (1) "agriculture" includes horticulture; | |
| | * * * * * | |

(2) "Central Seed Laboratory" means the Central Seed Laboratory established or declared as such under sub-section (1) of section 4;

(3) "certification agency" means the certification agency established under section 8 or recognised under section 18; 5

* * * * *

(4) "Committee" means the Central Seed Committee constituted under sub-section (1) of section 3;

(5) "container" means a box, bottle, casket, tin, barrel, case, receptacle, sack, bag, wrapper or other thing in which any article or thing is placed or packed; 10

(6) "export" means taking out of India to a place outside India;

* * * * *

(7) "import" means bringing into India from a place outside India; 15

(8) "kind", in relation to a notified seed, means one or more related species or sub-species of crop plants each individually or collectively known by one common name such as cabbage, maize, paddy and wheat; 20

* * * * *

(9) "notified or variety", in relation to any seed, means any kind or variety thereof notified under section 5;

(10) "prescribed" means prescribed by rules made under this Act; 25

* * * * *

(11) "seed" means any of the following classes of seeds used for sowing or planting—

(i) seeds of food crops including edible oil seeds and seeds of fruits and vegetables; 30

(ii) cotton seeds;

(iii) seeds of cattle fodder,

and includes seedlings, and tubers, bulbs, rhizomes, roots, cuttings, all types of grafts and other vegetatively propagated material, of food crops or cattle fodder;

5 (12) "Seed Analyst" means a Seed Analyst appointed under section 12;

(13) "Seed Inspector" means a Seed Inspector appointed under section 13;

10 (14) "State Government", in relation to a Union territory, means the administrator thereof;

(15) "State Seed Laboratory", in relation to any State, means the State Seed Laboratory established or declared as such under sub-section (2) of section 4 for that State; and

15 (16) "variety" means a sub-division of a kind identifiable by growth, yield, plant, fruit, seed, or other characteristic.

3. (1) The Central Government shall, as soon as may be after the commencement of this Act, constitute a Committee called the Central Seed Committee to advise the Central Government and the State Governments on matters arising out of the administration of this Act and to carry out the other functions assigned to it by or under this Act. Central Seed Committee.

(2) The Committee shall consist of the following members, namely:—

25 (i) a Chairman to be nominated by the Central Government;

(ii) eight persons to be nominated by the Central Government to represent such interests as that Government thinks fit;

(iii) one person to be nominated by the Government of each of the States.

30 (3) The members of the Committee shall, unless their seats become vacant earlier by resignation, death or otherwise, be entitled to hold office for two years and shall be eligible for re-nomination.

(4) The Committee may, subject to the previous approval of the Central Government, make bye-laws fixing the quorum and regulating its own procedure and the conduct of all business to be transacted by it.

(5) The Committee may appoint one or more sub-committees, consisting wholly of members of the Committee or wholly of other persons or partly of members of the Committee and partly of other persons, as it thinks fit, for the purpose of discharging such of its functions as may be delegated to such sub-committee or sub-committees by the Committee. 5

(6) The functions of the Committee or any sub-committee thereof may be exercised notwithstanding any vacancy therein.

(7) The Central Government shall appoint a person to be the secretary of the Committee and shall provide the Committee with such clerical and other staff as the Central Government considers necessary. 10

Central
Seed
Labora-
tory and
State
Seed
Labora-
tory.

4. (1) The Central Government may, by notification in the Official Gazette, establish a Central Seed Laboratory or declare any seed laboratory as the Central Seed Laboratory to carry out the functions entrusted to the Central Seed Laboratory by or under this Act. 15

(2) The State Government may, by notification in the Official Gazette, establish one or more State Seed Laboratories or declare any seed laboratory as a State Seed Laboratory where analysis of seeds of any notified kind or variety shall be carried out by Seed Analysts under this Act in the prescribed manner. 20

Power to
notify
kinds or
varieties
of seeds.

5. If the Central Government, after consultation with the Committee, is of opinion that it is necessary or expedient to regulate the quality of* seed of any kind or variety to be sold for purposes of agriculture, it may, by notification in the Official Gazette, declare such kind or variety to be a notified kind or variety for the purposes of this Act and different kinds or varieties may be notified for different States or for different areas thereof. 25

Power
to specify
minimum
limits of
germina-
tion and
purity,
etc.

6. The Central Government may, after consultation with the Committee and by notification in the Official Gazette, specify— 30

(a) the minimum limits of germination and purity with respect to any* seed of any notified kind or variety;

(b) the mark or label to indicate that such seed conforms to the minimum limits of germination and purity specified 35

under clause (a) and the particulars which such mark or label may contain.

* * * * *

7. * No person shall, himself or by any other person on his behalf carry on the business of selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of any notified kind or variety, unless—

Regulation of sale of seeds of notified kinds or varieties.

(a) * such seed is identifiable as to its kind or variety;

* * * * *

10 (b) * such seed conforms to the minimum limits of germination and purity specified under clause (a) of section 6;

(c) * the container of such seed bears in the prescribed manner, the mark or label containing the correct particulars thereof, specified under clause (b) of section 6; and

15 (d) he complies with such other requirements as may be prescribed.

* * * * *

8. The State Government or the Central Government in consultation with the State Government may, by notification in the Official Gazette, establish a certification agency for the State to carry out the functions entrusted to the certification agency by or under this Act.

Certification agency.

* * * * *

9. (1) Any person selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of any notified kind or variety may, if he desires to have such seed certified by the certification agency, apply to the certification agency for the grant of a certificate for the purpose.

Grant of certificate by certification agency.

(2) Every application under sub-section (1) shall be made in such form, shall contain such particulars and shall be accompanied by such fees as may be prescribed.

(3) On receipt of any such application for the grant of a certificate, the certification agency may, after such enquiry as it thinks fit and after satisfying itself that the seed to which the application relates conforms to the minimum limits of germination and purity specified for that seed under clause (a) of section 6, grant a certificate in such form and on such conditions * * * as may be prescribed.

Revoca-
tion of
certificate.

10. If * * * the certification agency * * * is satisfied, either on a reference made to it in this behalf or otherwise, that—

(a) * * the certificate granted by it under section 9 has been obtained by misrepresentation as to an essential fact; or

(b) the holder of * * the certificate has, without reasonable cause, failed to comply with the conditions subject to which * * the certificate * * has been granted or has contravened any of the provisions of this Act or the rules made thereunder,

then, without prejudice to any other penalty to which the holder of * *, the certificate may be liable under this Act, * * the certification agency may, after giving the holder of * * the certificate * * an opportunity of showing cause, revoke * * the certificate.

Appeal:

11. (1) Any person aggrieved by a decision 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 in this behalf:

Provided that the appellate authority may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.

(3) Every order of the appellate authority under this section shall be final.

12. The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit, having the prescribed qualifications, to be Seed Analysts and define the areas within which they shall exercise jurisdiction.

13. (1) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit, having the prescribed qualifications, to be Seed Inspectors and define the areas within which they shall exercise jurisdiction.

65 of 1860.

(2) Every Seed Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code and shall be officially subordinate to such authority as the State Government may specify in this behalf.

14. (1) The Seed Inspector may—

Powers
of Seed
Inspector.

(a) take samples of any * seed of any notified kind or variety from—

(i) any person selling such seed; or

(ii) any person who is in the course of conveying, delivering or preparing to deliver such seed to a purchaser or a consignee; or

(iii) a purchaser or a consignee after delivery of such seed to him;

(b) send such sample for analysis to the Seed Analyst for the area within which such sample has been taken;

(c) enter and search at all reasonable times, with such assistance, if any, as he considers necessary, any place in which he has reason to believe that an offence under this Act has been or is being committed and order in writing the person in possession of any * seed in respect of which the offence has been or is being committed, not to dispose of any stock of such * seed for a specific period not exceeding thirty days or, unless the alleged offence is such that the defect may be removed by the possessor of the * seed, seize the stock of such * seed;

(d) examine any record, register, document or any other material object found in any place mentioned in clause (c) and seize the same if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act; and

(e) exercise such other powers as may be necessary for carrying out the purposes of this Act or any rule made thereunder.

(2) Where any sample of any * seed of any notified kind or variety is taken under clause (a) of sub-section (1), its cost, calculated at the rate at which such seed is usually sold to the public, shall be paid on demand to the person from whom it is taken.

(3) The power conferred by this section includes power to break-open any container in which any * seed of any notified kind or variety may be contained or to break-open the door of any premises where any such seed may be kept for sale:

Provided that the power to break-open the door shall be exercised only after the owner or any other person in occupation of the premises, if he is present therein, refuses to open the door on being called upon to do so.

(4) Where the Seed Inspector takes any action under clause (a) of sub-section (1), he shall, as far as possible, call not less than two persons to be present at the time when such action is taken and take their signatures on a memorandum to be prepared in the prescribed form and manner.

(5) The provisions of the Code of Criminal Procedure, 1898, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 98 of the said Code.

15. (1) Whenever a Seed Inspector intends to take sample of any seed of any notified kind or variety for analysis, he shall—

Procedure
to be
followed
by Seed
Inspectors.

(a) give notice in writing, then and there, of such intention to the person from whom he intends to take sample;

5 (b) except in special cases provided by rules made under this Act, take three representative samples in the prescribed manner and mark and seal or fasten up each sample in such manner as its nature permits.

(2) When samples of any * seed of any notified kind or variety are taken under sub-section (1), the Seed Inspector shall—

(a) deliver one sample to the person from whom it has been taken;

15 (b) send in the prescribed manner another sample for analysis to the Seed Analyst for the area within which such sample has been taken; and

(c) retain the remaining sample in the prescribed manner for production in case any legal proceedings are taken or for analysis by the Central Seed Laboratory under sub-section (2) of section 16, as the case may be.

20 (3) If the person from whom the samples have been taken refuses to accept one of the samples, the Seed Inspector shall send intimation to the Seed Analyst of such refusal and thereupon the Seed Analyst receiving the sample for analysis shall divide it into two parts and shall seal or fasten up one of those parts and shall cause it, either
25 upon receipt of the sample or when he delivers his report, to be delivered to the Seed Inspector who shall retain it for production in case legal proceedings are taken.

(4) Where a Seed Inspector takes any action under clause (e) of sub-section (1) of section 14,—

30 (a) he shall use all despatch in ascertaining whether or not the * seed contravenes any of the provisions of section 7 and if it is ascertained that the * seed does not so contravene, forth-
with revoke the order passed under the said clause or, as the
35 case may be, take such action as may be necessary for the return of the stock of the * seed seized;

(b) if he seizes the stock of the * seed, he shall, as soon as may be, inform a magistrate and take his orders as to the custody thereof;

(c) without prejudice to the institution of any prosecution, if the alleged offence is such that the defect may be removed by the possessor of the * seed, he shall, on being satisfied that the defect has been so removed, forthwith revoke the order passed under the said clause. 5

(5) Where 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, as soon as may be, inform a magistrate and take his orders as to the custody thereof. 10

Report
of Seed
Analyst.

16. (1) The Seed Analyst shall, as soon as may be after the receipt of the sample under sub-section (2) of section 15, analyse the sample at the State Seed Laboratory and deliver, in such form as may be prescribed, 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. 15

(2) After the institution of a prosecution under this Act, the accused vendor or the complainant may, on payment of the prescribed fee, make an application to the court for sending any of the samples mentioned in clause (a) or clause (c) of sub-section (2) of section 15 to the Central Seed Laboratory for its report and on receipt of the application, the court 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 may then despatch the sample under its own seal to the Central Seed Laboratory which shall thereupon send its report to the court in the prescribed form within one month from the date of receipt of the sample, specifying the result of the analysis. 20 25

(3) The report sent by the Central Seed Laboratory under sub-section (2) shall supersede the report given by the Seed Analyst under sub-section (1). 30

(4) Where the report sent by the Central Seed Laboratory under sub-section (2) is produced in any proceedings under section 19, it shall not be necessary in such proceedings to produce any sample or part thereof taken for analysis. 35

17. No person shall, for the purpose of sowing or planting by any person (including himself), export or import or cause to be exported or imported any * seed of any notified kind or variety, unless—

Restriction on export, and import of seeds of notified kinds or varieties.

5 (a) it conforms to the minimum limits of germination and purity specified for that seed under clause (a) of section 6; and

(b) its container bears, in the prescribed manner, the mark or label with the correct particulars thereof specified for that seed under clause (b) of section 6.

10 18. *The Central Government may, on the recommendation of the Committee and by notification in the Official Gazette, recognise any seed certification agency established in * * any foreign country, for the purposes of this Act.

Recognition of seed certification agencies of foreign countries.

* * * * *

15 19. If any person—

Penalty.

(a) contravenes any provision of this Act or any rule made thereunder; or

(b) prevents a Seed Inspector from taking sample under this Act; or

20 (c) prevents a Seed Inspector from exercising any other power conferred on him by or under this Act,

he shall, on conviction, be punishable—

(i) for the first offence * * with fine which may extend to five hundred rupees * *; and

25 (ii) in the event of such person having been previously convicted of an offence under this section, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

20. When any person has been convicted under this Act for the contravention of any of the provisions of this Act or the rules made thereunder, the * seed in respect of which the contravention has been committed may be forfeited to the Government.

Forfeiture of property.

Offences
by com-
panies.

21. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded 5
against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence. 10

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such 15
director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes 20
a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the
firm.

Protec-
tion of
action
taken in
good
faith.

22. No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government for anything 25
which is in good faith done or intended to be done under this Act.

Power to
give
direc-
tions

23. The Central Government may give such directions to any State Government as may appear to the Central Government to be necessary for carrying into execution in the State any of the provi- 30
sions of this Act or of any rule made thereunder.

Exemption.

24. 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.

Power to
make
rules.

25. (1) The Central Government may, by notification in the 35
Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

5 (a) the functions of the Committee and the travelling and daily allowances payable to members of the Committee and members of any sub-committee appointed under sub-section (5) of section 3;

(b) the functions of the Central Seed Laboratory;

* * * * *

(c) the functions of a certification agency;

10 (d) the manner of marking or labelling the container of * seed of any notified kind or variety under clause (c) of sub-section (1) of section 7 and under clause (b) of section 17;

(e) the requirements which may be complied with by a person carrying on the business referred to in section 7;

15 (f) the form of application for the grant of a certificate under section 9, the particulars it may contain, the fees which should accompany it, the form of the certificate and the conditions subject to which * the certificate may be granted;

* * * * *

20 (g) the form and manner in which and the fee on payment of which an appeal may be preferred under section 11 and the procedure to be followed by the appellate authority in disposing of the appeal;

25 (h) the qualifications and duties of Seed Analysts and Seed Inspectors;

(i) the manner in which samples may be taken by the Seed Inspector, the procedure for sending such samples to the Seed Analyst or the Central Seed Laboratory and the manner of analysing such samples;

30 (j) the form of report of the result of the analysis under sub-section (1) or sub-section (2) of section 16 and the fees payable in respect of such report under the said sub-section (2);

* * * * *

(k) the records to be maintained by a person carrying on the business referred to in section 7 and the particulars which such records shall contain; and

(l) any other matter which is to be or may be prescribed.

(3) Every rule made under this Act shall be laid as soon as may 5
be after it is made, before each House of Parliament while it is in
session for a total period of thirty days which may be comprised
in one session or in two successive sessions, and if, before the expiry
of the session in which it is so laid or the session immediately follow- 10
ing, both Houses agree in making any modification in the rule or both
Houses agree that the rule should not be made, that rule shall, there-
after have effect only in such modified form or be of no effect, as the
case may be; so, however, that any such modification or annulment
shall be without prejudice to the validity of anything previously 15
done under that rule.

APPENDIX I

(Vide Para 4 of the Report)

Motion in Lok Sabha for reference of the Bill to Select Committee

“That the Bill to provide for regulating the quality of certain seeds for sale, and for matters connected therewith, as passed by Rajya Sabha, be referred to a Select Committee consisting of 30 members, namely:—

- (1) Shri R. Achuthan
- (2) Shri Maganti Ankineedu
- (3) Shri Parashottamdas Haribhai Bheel
- (4) Shri Brij Raj Singh
- (5) Shrimati Jyotsna Chanda
- (6) Shri N. T. Das
- (7) Shri M. L. Dwivedi
- (8) Shri Gajraj Singh Rao
- (9) Shri R. Muthu Gounder
- (10) Shri Badshah Gupta
- (11) Shri Hari Vishnu Kamath
- (12) Shri Kisan Veer
- (13) Shri Jiyalal Mandal
- (14) Shrimati Shashank Manjari
- (15) Shri Mohan Nayak
- (16) Shri Sarjoo Pandey
- (17) Shri S. K. Paramasivan
- (18) Shri Man Sinh P. Patel
- (19) Shri Deorao S. Patil
- (20) Shri Kishen Pattnayak

- (21) Shri Pratap Singh
- (22) Shri H. C. Linga Reddy
- (23) Shri S. C. Samanta
- (24) Dr. Sarojini Mahishi
- (25) Shri Annasaheb Shinde
- (26) Shri Ku. Sivappraghassan
- (27) Shri Sivamurthi Swami
- (28) Shri Shiva Datt Upadhyaya
- (29) Shri Manikya Lal Varma
- (30) Shri C. Subramaniam.

with instructions to report by the first day of the next session.”

APPENDIX II

(Vide para 7 of the Report)

Statement of Memoranda received by the Select Committee.

Sl. No.	Name of document	From whom received	Action taken
1	Memorandum	All India Seed Growers, Merchants and Nurserymen Association, Madras.	Circulated to Members and evidence of the Association taken on 4-7-1966.
2	Memorandum	Shri G. A. Patel, Director of Agriculture, Government of Gujarat, Ahmedabad.	Circulated to Members and his evidence taken on 4-7-1966.
3	Memorandum	Birla Institute of Scientific Research, New Delhi.	Circulated to Members and evidence of the Institute taken on the 5th July, 1966.
4	Memorandum	The Haldar Vibhag Sahakari Ginning, Pressing and Cotton Sale Society Ltd. Nabipur, Taluk and District Broach, Gujarat.	Circulated to Members.
5	Representation	Shri K. K. Raj, President the Samni Vibhag Co-operative Ginning Pressing Society Samni Dist. Broach, Gujarat.	Do.
6	Do.	Halvibhag Namipur.	Do.
7	Do.	Haldar Society Haldar . . .	Do.
8	Do.	Shri Prabhudas Motibhai Patel, Broach.	Do.

APPENDIX III

(Vide Para 8 of the Report)

Visit of members of the Select Committee on the Seeds Bill, 1946 to seeds farms/vegetable farms / Research Stations in various States for an on the spot study of their working.

Sl. No.	Date of Visit	Members	Places visited
1	2	3	4

Study Group I

- | | | | |
|----|------------------|--|---|
| 1. | 2nd April, 1966. | <ol style="list-style-type: none"> 1. Shri S.C. Samanta.—<i>Chairman</i> 2. Shri Parashottamdas Haribhai Bheel 3. Shri Brij Raj Singh 4. Shri Hari Vishnu Kamath 5. Shri Jiyalal Mandal 6. Shrimati Shashank Manjari 7. Shri S. K. Paramasivan 8. Shri Deorao S. Patil 9. Shri Pratap Singh 10. Shri Shiva Datt Upadhyaya. | <p>(a) Indian Agricultural Research Institute, wheat fields, Pusa, Delhi.</p> <p>(b) Seeds Godown at C.T.O. Building, Pusa.</p> <p>(c) Cooperative Farm in Punjab Khor.</p> |
|----|------------------|--|---|

Study Group II

- | | | | |
|---|----------------------------|--|---|
| 2 | 16th and 17th April, 1966. | <ol style="list-style-type: none"> 1. Shri S.C. Samanta—<i>Chairman</i> 2. Shri Parashottamdas Haribhai Bheel 3. Shrimati Jyotsna Chanda 4. Shri Ku. Sivapppraghassan 5. Shrimati Shashank Manjari 6. Shri Hari Vishnu Kamath 7. Shri Gajraj Singh Rao 8. Shri Pratap Singh 9. Dr. Sarojini Mahishi 10. Shri N.T. Das. | <p>Central Mechanised Farms, Suratgarh and Jetsar (in Sri Ganga Nagar District), Rajasthan.</p> |
|---|----------------------------|--|---|

Study Group III

- | | | | |
|---|-------------------|---|--|
| 3 | 24th April, 1966. | <ol style="list-style-type: none"> 1. Shri S.C. Samanta—<i>Chairman</i> 2. Shri R. Achuthan 3. Shrimati Jyotsna Chanda 4. Shrimati Shashank Manjari 5. Shri Pratap Singh 6. Shri R. Muthu Gounder 7. Shri N. T. Das 8. Shri Shiva Datt Upadhyaya. | <p>Hempur Seed Farm and Pantnagar Farm of the U. P. Agricultural University.</p> |
|---|-------------------|---|--|

1

2

3

4

Study Group IV

- | | | | |
|---|-------------------------|--|--|
| 4 | 1st & 2nd
May, 1966. | 1. Shri S. C. Samanta— <i>Chairman</i>
2. Shri Parashottamdas Hari-
bhai Bheel
3. Shrimati Jyotsna Chanda
4. Shri R. Muthu Gounder
5. Shrimati Shashank Manjari
6. Shri S. K. Paramasivan. | Seed Farms in Himachal Pra-
desh:—
(a) Progency-Cum-Demonstra-
tion Orchard Kwagdhar, &
farm at Renuka.
(b) Jamotwa Encalyptu planta-
tion Farm near Paonta.
(c) Dhaulakuan Agriculture farm. |
|---|-------------------------|--|--|

Study Group V

- | | | | |
|---|----------------------------|---|---|
| 5 | 26th to 31st
May, 1966. | 1. Shri S. C. Samanta— <i>Chairman</i>
2. Shri Maganti Ankineedu
3. Shri Brij Raj Singh
4. Shrimati Jyotsna Chanda
5. Shri N. T. Das
6. Shri M. L. Dwivedi
7. Shri Gajraj Singh Rao
8. Shri Kisan Veer
9. Shri Jiyalal Mandal
10. Shrimati Shashank Manjari
11. Shri Man Singh P. Patel
12. Shri Deorao S. Patil
13. Shri Pratap Singh
14. Shri H. C. Linga Reddy
15. Dr. Sarojini Mahishi
16. Shri Shiva Datt Upadhyaya
17. Shrimati Shakuntala Devi
18. Shri R. Muthu Gounder. | I. Seed Farms in the South:—
(a) Maize Research Station, Am-
berpet.
(b) Agricultural Research Insti-
tute, Rajendranagar.
(c) Andhra Government Seed
Farm and the National Seeds
Corporation Foundation Seed
Farm Nandikotkur.
(d) Private Seed Fields owned
by local leading farmers, namely,
Sarvashri Narayanaswami and
Vijjavara near Bangalore.
(e) Hybrid Millet Plots at
Mathipalayam and Dhom-
bilipalayam.
(f) "Gold Seed" Hybrid Seeds
Production Plot of Coimbatore
Seeds Corporation and its
processing Centre at Pacha-
palayam.
(g) Hybrid Commercial Farm
and Neelavani Dairy Farm at
Vedapati.
(h) Millet Breeding Station,
Coimbatore.
(i) Hybrids Seed Plots of M/s.
Sakthi Sugars.
(j) Madras Government State
Seed Farm, Kakathope. |
|---|----------------------------|---|---|

Study Group VI

- | | | | |
|---|-------------------------------|---|--|
| 6 | 13th to 15th
August, 1966. | 1. Shri S. C. Samanta— <i>Chairman</i>
2. Shri M. L. Dwivedi
3. Shri Badshah Gupta. | (a) Punjab Agricultural Uni-
versity Vegetable Research
Station, Ludhiana. |
|---|-------------------------------|---|--|

1	2	3	4
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(b) U.P. Government Vegetable Research Station Kalianpur (Kanpur) and Government Agriculture College, Kanpur.

C.U.P. Government Agriculture School Instructional Farm Bulandshahr and Government Agriculture Farm, Shikarpur (District, Bulandshahr).

Study Group VII

7 20th to 25th
September,
1966.

1. Shri S.C. Samanta—*Chairman*
2. Shri Brij Raj Singh
3. Shri H.V. Kamath
4. Shri Jiya Lal Mandal
5. Shri Mohan Nayak
6. Shrimati Shakuntala Devi
7. Shri Shiva Dutt Upadhyaya.

Seed/Vegetable Farms/ Research Stations etc. in Himachal Pradesh and Punjab :—

(a) Central Potato Research Institute, Simla.

(b) Apple Orchards, Thanedhar.

(c) Central Potato Research Institute, Kufri.

(d) Indo-German Project, Bhangrota.

(e) Progeny-Cum-Demonstration Orchard & Himachal Pradesh Government Seed Farm, Nagwain.

(f) Indian Agricultural Research Institute Central Vegetable Breeding Sub-Station, Kulu Valley, Katrain.

(g) Sungal & Rampur Tea Estates, Palampur. Meeting with the progressive farmers/growers.

Study Group VIII

9 29th Sept. to
5th Oct. 1966.

1. Shri S.C. Samanta—*Chairman*
2. Shri N.T. Das
3. Shri Ku. Sivappaghasan

I—Maharashtra

(a) Farms (including Hybrid Jowar Seeds & Foundation Jowar Seeds Farms) of the Maharashtra State Farming Corporation Ltd. Walchand Nagar.

(b) State Government Seed Farm and Private Hybrid Seed Farms Baramati.

(c) Nimbkar Seeds Processing Plant, Phatkan.

(d) Ashta Co-operative Oil Mill, Hybrid Seed Plots, Co-operative Lift Irrigation, Digra.

(e) Seed Processing Plant of the Cultivators Cooperative Sugar Factory, Sangli.

(f) Seeds farms of Godavari Sugar Mills Shyamawadi, Khopargaon, private hybrid seeds Farms at Ekruhha, Godhawane and Undirgaon, Government Seed Farm, Srirampur.

II—Gujarat.

(g) Cotton Agricultural Research Station and Seed Testing Laboratory, Surat.

(h) Seed Farms of members of the Haldar Group Vividh Karyakari Seva Sahakari Mandli, Haldar (Distt. Broach) and the Karjan Co-operative Cotton Sale, Ginning and Pressing Society Karjan (Distt. Baroda).

(i) State Government Taluka Foundation Seed Farms at Karjan and Nadiad.

Study Group IX

9 11th to 18th
Oct. 1966.

1. Shri S.C. Samanta—*Chairman*
2. Shri Badshah Gupta
3. Shri Deorao S. Patil
4. Shrimati Jyotsna Chanda
5. Shri H.C. Linga Reddy
6. Shri Mar. Sinh P. Patel
7. Shri M.L. Dwivedi
8. Shri Parshottamdas Haribhai Bheel
9. Shri Pratap Singh
10. Dr. Sarojini Mahishi
11. Shri M. Ankineedu.

I—BIHAR

(a) Central Potato Research Station, Patna.

(b) Agricultural Research Institute, Patna.

(c) Seed Testing Laboratory, Patna.

(d) Seed Multiplication Farm, Phacanbigaha.

(e) Seed Multiplication Farm, Argara, Distt. Ranchi.

(f) Agricultural Research Institute Kanke (Ranchi).

II—ORISSA

(g) Central Rice Research Institute, Cuttack.

(h) Government Agricultural Farm Sakhigopal, near Bhubaneswar.

1	2	3	4
			III—West Bengal
			(i) Block Seed Farm, Chakdah Nadia Distt. (West Bengal).
			(j) Krishnagar Jute, Seed Multi- plication Farm Krishnagar, Nadia.
			(k) Horticultural Research Sta- tion, Krishnagar, Nadia.
			(l) Seed Testing Laboratory Government of West Bengal Tolley Ganj, Calcutta.

APPENDIX IV

Minutes of the Sitzings of the Select Committee on the Seeds Bill, 1964.

I

First Sitting

The Committee met on Thursday, the 24th February, 1966 from 16.30 to 17.00 hours.

PRESENT

Shri S. C. Samanta—*Chairman.*

MEMBERS

2. Shri R. Achuthan
3. Shri Parashottamdas Haribhai Bheel
4. Shrimati Jyotsna Chanda
5. Shri N. T. Das
6. Shri M. L. Dwivedi
7. Shri Gajraj Singh Rao
8. Shrimati Shashank Manjari
9. Shri Deorao S. Patil
10. Shri Kishen Pattnayak
11. Shri Annasaheb Shinde
12. Shri Ku. Sivappraghassan
13. Shri Sivamurthi Swami
14. Shri Shiva Datt Upadhyaya.

Shri S. D. Mishra, *Deputy Minister in the Ministry of Food, Agriculture, Community Development and Cooperation was also present.*

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri A. K. Srinivasamurthy, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVES OF THE MINISTRY OF FOOD & AGRICULTURE

1. Shri I. P. Mathur, *Deputy Secretary.*
2. Dr. G. V. Chalam, *Deputy Agricultural Commissioner (Seeds).*

SECRETARIAT

Shri M. C. Chagla—*Deputy Secretary.*

2. At the outset, Shri S. D. Mishra, Deputy Minister of Food, Agriculture, Community Development & Cooperation sought and was granted, permission of the Chairman under Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha, to be present at the sittings of the Committee and to participate in their proceedings.

3. The Committee considered whether any evidence should be heard by them. After some discussion, the Committee decided that a Press Communique might be issued advising organisations, associations, public bodies and individuals, who were desirous of presenting their suggestions or views or of giving evidence before the Committee in respect of the Bill, to send written memoranda thereon to the Lok Sabha Secretariat by the 15th April, 1966, at the latest.

The Committee also decided that copies of the Press Communique be sent to the State Governments/Administrations and their comments or memoranda, if any, on the Bill invited.

4. The Committee authorised the Chairman to select the parties, after receipt of written memoranda, to be asked to send their representatives to give oral evidence before the Committee.

5. The Committee then decided to visit the Indian Agricultural Research Institute, Pusa, New Delhi for an on-the-spot duty of the latest methods for evolving varieties and seeds, their preservation etc., as suggested by the Deputy Minister. The Committee also decided to visit some other seed farms for an on-the-spot study of their working.

6. The Committee authorised the Chairman to fix the dates for visit to the I.A.R.I., New Delhi, and for the next sitting of the Committee.

7. The Committee then adjourned.

II

Second Sitting

The Committee met on Wednesday, the 30th March, 1966 from 10.15 to 10.50 hours.

PRESENT

Shri S. C. Samanta—*Chairman.*

MEMBERS

2. Shri Brij Raj Singh
3. Shrimati Jyotsna Chanda

4. Shri Gajraj Singh Rao
5. Shri R. Muthu Gounder
6. Shri Kisan Veer
7. Shri S. K. Paramasivan
8. Shri Deorao S. Patil
9. Shri Pratap Singh
10. Shri Ku. Sivapppraghassan
11. Shri Shiva Datt Upadhyaya
12. Shri Manikya Lal Varma

Shri S. D. Mishra, *Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation* was also present.

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVE OF THE MINISTRY OF FOOD & AGRICULTURE

Shri S. K. Sarkar, *Under Secretary.*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee considered the suggestion made by the Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation at their first sitting that the Committee might visit some of the State Seed Farms for an on-the-spot study of the latest methods of evolving varieties, seeds; their preservation, sprouting efficacy, etc., and decided to visit the Indian Agricultural Research Institute Farm, Pusa, New Delhi, at 9.00 hours on Saturday, the 2nd April, 1966. The Deputy Minister in the Ministry of Food, Agriculture, Community Development and Cooperation undertook to make necessary arrangements for the visit.

3. The Committee also decided to visit the following Government Seed Farms, which were described as model farms by the Deputy Minister, for an on-the-spot study of their working in two groups:—

- (i) Seed Farm at Suratgarh (Rajasthan).

Saturday, the 16th and Sunday, the 17th April, 1966.

(ii) Seed Farm, Hempur (Terai—U.P.).

Saturday, the 23rd and Sunday, the 24th April, 1966.

The Chairman stated that he would place the matter before the Speaker for his approval.

4. A suggestion was also made that the Committee should also visit some modernised Seed Farms in the private sector, as agriculture was predominantly a private sector enterprise. Another suggestion was to visit some of State Seed Farms also. The Chairman mentioned that all those aspects would be considered after the receipt of the Memoranda on the Bill, the last date for which was the 15th April, 1966.

5. The Committee decided to meet on some day after the 15th April, 1966 to formulate their future programme of work.

The Committee then adjourned.

III

Third Sitting

The Committee met on Tuesday, the 19th April, 1966 from 10.15 to 10.50 hours.

PRESENT

Shri S. C. Samanta—*Chairman*.

MEMBERS

2. Shri R. Achuthan
3. Shri Parashottamdas Haribhai Bheel
4. Shri N. T. Das
5. Shri M. L. Dwivedi
6. Shri Gajraj Singh Rao
7. Shri R. Muthu Gounder
8. Shri Kisan Veer
9. Shrimati Shashank Manjari
10. Shri Mohan Nayak
11. Shri Sarjoo Pandey
12. Shri Man Sinh P. Patel
13. Shri Deorao S. Patil
14. Shri Kishen Pattnayak

15. Shri Pratap Singh
16. Shri Sivamurthi Swami
17. Shri Shiva Datt Upadhyaya

Shri S. D. Mishra, *Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation* was also present.

REPRESENTATIVE OF THE MINISTRY OF FOOD & AGRICULTURE

Shri Hit Prakash, *Deputy Commissioner (Seeds Development)*.

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

2. The Committee considered their future programme of work.

3. The Chairman informed the Committee that so far (the last date being the 15th April, 1966), the following State Governments/Organisations/Bodies had submitted memoranda/comment on the Seeds Bill, 1964, as passed by the Rajya Sabha and expressed their Desire to give oral evidence before the Committee;

- (1) All India Seed Growers, Merchants and Nurserymen Association, Madras.
- (2) Government of Gujarat.
- (3) Birla Institute of Scientific Research, New Delhi.

On a suggestion being made by some Members that the time-limit for the submission of the memoranda might be extended further, the Committee decided that in case any such requests were made even at a later date before they concluded the recording of evidence, these would be considered.

4. The Committee then discussed their programme for visit to some of the State Government Seed Farms in pursuance of the decision taken by them earlier at their sitting held on the 30th March, 1966. The Committee decided that Members of the Committee might visit some of the Seed Farms in Himachal Pradesh e.g., Dhaula Kuan Farm, Sirumaila, Bag Pashog Multiplication Farm and Kawag Dhar Potatoes Farm in the Himachal Pradesh Lower Hills on Sunday, the 1st May and Monday, the 2nd May, 1966 (which was a holiday on account of 'Muharram'). The Committee were informed that the Chief Minister of Himachal Pradesh, who happened to be here a few days back, had welcomed such a visit and had promised to provide all facilities to the Members.

The Committee authorised the Chairman to obtain the approval of the Speaker in this behalf.

5. The Committee also decided to visit the local office of the National Seeds Corporation at Delhi on some convenient date during the current session.

6. Suggestions were made by some Members that the Committee might also visit some modernised Seed Farms in the South in the private sector like the Coimbatore Seed Farm which specialised in the production of hybrid maize and sorghum. The Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation, Shri S. D. Mishra, suggested that the Central Government Seed Farm at Kurnool (Andhra Pradesh), might also be visited, if a visit to any of the Seed Farms in Andhra Pradesh, Madras and Mysore States was decided upon. The Chairman mentioned to the Committee that he would have this matter examined and place it before the Speaker for his approval.

7. The Committee decided to meet from Monday, the 4th July, 1966 onwards for hearing oral evidence and also for taking up clause-by-clause consideration of the Bill.

8. The Committee then adjourned.

IV

Fourth Sitting

The Committee met on Monday, the 4th July, 1966 from 10.00 to 12.50 hours.

PRESENT

Shri S. C. Samanta—*Chairman*.

MEMBERS

2. Shri Maganti Ankineedu
3. Shri Brij Raj Singh
4. Shrimati Jyotsna Chanda
5. Shri N. T. Das
6. Shri M. L. Dwivedi
7. Shri Gajraj Singh Rao
8. Shri Badshah Gupta
9. Shri Hari Vishnu Kamath

10. Shri Kisan Veer
11. Shri Jiyalal Mandal
12. Shrimati Shashank Manjari
13. Shri Mohan Nayak
14. Shri S. K. Paramasivan
15. Shri Deorao S. Patil
16. Shri Pratap Singh
17. Shri H. C. Linga Reddy
18. Dr. Sarojini Mahishi
19. Shrimati Shakuntala Devi
20. Shri Annasaheb Shinde
21. Shri Sivamurthi Swami
22. Shri C. Subramaniam
23. Shri Sarjoo Pandey

Shri S. D. Mishra, *Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation* was also present.

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVES OF THE MINISTRY OF FOOD & AGRICULTURE

1. Shri I. J. Naidu, *Joint Secretary.*
2. Shri Hit Prakash, *Deputy Commissioner (Seeds Development).*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. At the outset, the Minister of Food, Agriculture, Community Development & Cooperation (Shri C. Subramaniam) expressed regret for his not having been able to attend the earlier sittings of the Committee and explained the new Seed multiplication programme of the Government in respect of wheat paddy, and hybrid seeds of maize, jowar and bajra etc. He said that it was important to ensure that seeds were produced in sufficient quantities, the quality was maintained and the supply was made to the farmers in time. For this purpose, it was necessary to find out whether any regulation or control on the part of Government was necessary and, if so, to

what extent. The distribution machinery would also have to play a very vital role. He added that the Committee had to examine whether the control and regulatory measures proposed in the Bill would be conducive to the proper development of the seed production as a whole. He felt that the Committee would have to visit the various seed production areas to find out how the seeds were being produced and what were the practical difficulties involved in the process and then to formulate their proposals in the Bill. He attached great importance to the Members of the Committee visiting the seed farms, contacting the actual seed producers and finding out from them what their practical difficulties were. He said that the best season to see was when the seeds were on the fields and that would be between August and October. He emphasised that Government attached great importance to the production of seeds of foodgrains, fruits and vegetables and also to other non-foodgrains seeds like the oil seeds and seeds for cotton and jute fibres. He pointed out that many developed countries depended upon potato as a staple food rather than wheat and rice. Therefore, it was important to look into multiplication of potato seeds free from disease. He felt that in the context of the new problems which had arisen because of the new programmes that Government had taken up, it would not be possible for the Committee to have a full examination of the entire aspect of seed production and the control of seed quality within the time available for the Committee to submit their report. He suggested that the Committee might ask for a further extension of time for submitting their Report, so that they might examine the provisions of the Bill more thoroughly from all aspects.

3. The Deputy Minister of Food, Agriculture, Community Development & Cooperation (Shri S. D. Mishra) stated that Government had studied the study notes of the Study Groups of the Select Committee which had visited the various States and Farms and found them very instructive and exhaustive. He added that Government would also request the Speaker for extension of time for presentation of the Report of the Committee and to grant permission to the Select Committee to undertake the proposed visits to the various Seeds Farms.

4. The Committee then heard the evidence given by the following witnesses:—

I. All India Seed Growers, Merchants and Nurserymen Association, Madras.

(1) Shri V. N. Palekar, President.

(2) Shri L. C. Thirumalachari, Secretary-Treasurer.

II. Shri G. A. Patel, Director of Agriculture, Government of Gujarat, Ahmedabad.

5. The Chairman informed the Committee that, since the Committee would be visiting the Central Rice Research Institute, Cuttack, and some other Seeds Farms later, the Committee might examine the Director of that Institute* and the Managing Director of the National Seeds Corporation, New Delhi, after the Committee had completed their visits to various Seeds Farms.

6. The Committee then adjourned to meet again on Tuesday, the 5th July, 1966, at 14.00 hours.

V

Fifth Sitting

The Committee met on Tuesday, the 5th July, 1966 from 14.00 to 15.45 hours.

PRESENT

Shri S. C. Samanta—*Chairman*.

MEMBERS

2. Shri Maganti Ankineedu
3. Shri Brij Raj Singh
4. Shrimati Jyotsna Chanda
5. Shri N. T. Das
6. Shri M. L. Dwivedi
7. Shri Gajraj Singh Rao
8. Shri Badshah Gupta
9. Shri Hari Vishnu Kamath
10. Shri Kisan Veer
11. Shri Jiyalal Mandal
12. Shrimati Shashank Manjari
13. Shri Mohan Nayak
14. Shri Sarjoo Pandey
15. Shri S. K. Paramasivan
16. Shri Deorao S. Patil
17. Shri Pratap Singh

*Shri S. Y. Padmanabhan, Director, Central Rice Research Institute, Cuttack, who was present, was informed accordingly.

18. Shri H. C. Linga Reddy
19. Dr. Sarojini Mahishi
20. Shri Annasaheb Shinde
21. Shri Sivamurthi Swami.

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVE OF THE MINISTRY OF FOOD & AGRICULTURE

Shri Hit Prakash, *Deputy Commissioner (Seeds Development).*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee heard the evidence given by Shri V. N. Kohli representing the Birla Institute of Scientific Research, New Delhi.

3. A verbatim record of the evidence given was taken.

4. The Chairman mentioned to the Committee that as suggested by the Minister at the sitting of the Committee held on the previous day, the Committee would have to visit some of the Seed Farms etc. to acquaint themselves further with the working of some of the Seed Farms. In the circumstances, the Committee could not take up clause-by-clause consideration of the Bill during their current series of sittings. Therefore, the Committee would have to ask for an extension of time. It was agreed that the House might be moved for the grant of extension of time for the presentation of the Report of the Committee by the last day of the first week of the November-December, 1966 Session. The Chairman and, in his absence, Shri H. V. Kamath, were authorised to move the necessary motion in the House.

5. A suggestion was also made that Government should be asked to ensure that the Bill, as reported by the Committee, was passed by the Current Lok Sabha, so that all the labours of the Committee might not become infructuous.

The Committee then adjourned.

Sixth Sitting

The Committee met on Tuesday, the 2nd August, 1966 from 10.00 to 10.45 hours.

PRESENT

Shri S. C. Samanta—*Chairman.*

MEMBERS

2. Shri Parashottamdas Haribhai Bheel
3. Shri Brij Raj Singh
4. Shri N. T. Das
5. Shri M. L. Dwivedi
6. Shri Gajraj Singh Rao
7. Shri Badshah Gupta
8. Shri Jiyalal Mandal
9. Shri Mohan Nayak
10. Shri Sarjoo Pandey
11. Shri Deorao S. Patil
12. Shri Pratap Singh
13. Shri Shiva Datt Upadhyaya

Shri S. D. Mishra, *Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation* was also present.

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVES OF THE MINISTRY OF FOOD & AGRICULTURE

Shri Hit Prakash, *Deputy Commissioner (Seeds Development).*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Chairman informed the Committee that a letter had been received from the Government of Gujarat enquiring whether it

would be convenient for the Select Committee to visit Gujarat State to observe the Complexity Seed distribution work, particularly cotton in Gujarat some time in January—February. The Chairman, however, pointed out in this connection that it would *not* be possible for the Committee to fix the visit to Gujarat in the manner suggested by that Government, as the Committee were required to report to the House before that—namely the last day of the first week of the next session. It was, therefore agreed that a Study Group might be set up to undertake the visit some time during the next inter-session period. It was further decided that the Gujarat Government should be addressed in the matter asking them to intimate the dates convenient to them during the next inter-session period—say, the latter half of September or October next and also suggest a tentative programme.

3. The Committee then considered their further programme in the context of the contemplated visits to the Seeds Farms in the various States as suggested by the Ministry of Food, Agriculture, Community Development & Cooperation in their Office Memorandum No. 4(1)/66-Seeds (Dev.), dated the 30th July, 1966. It was agreed that the Chairman and some of the members who had not so far joined and Study Group might visit the following farms during this month, namely on the 13th, 14th, and 15th August which were holidays:—

- (i) Punjab Agriculture University Vegetable Research Station, Ludhiana.
- (ii) Potato Regional Research Station, Babugarh, Meerut.
- (iii) Multiplication of foundation Seed for Potatoes, Mukteswas U.P.

4. The Committee also authorized the Chairman to divide the Committee into three Study Groups for undertaking an on-the-spot Study of the remaining Seeds Farms in the next inter-session period and also to draw up a tentative tour programme, subject to the Speaker's approval.

5. The Committee then decided to meet again towards the end of the current session to finalize their tour programme.

The Committee then adjourned.

VII

Seventh Sitting

The Committee met on Thursday, the 1st September, 1966 from 10.00 to 11.00 hours.

PRESENT

Shri S. C. Samanta—*Chairman.*

MEMBERS

2. Shri Parashottamdas Haribhai Bheel
3. Shri Brij Raj Singh
4. Shrimeti Jyetsna Chanda
5. Shri N. T. Das
6. Shri M. L. Dwivedi
7. Shri Gajraj Sing Rao
8. Shri Hari Vishnu Kamath
9. Shri Kisan Veer
10. Shrimati Shashank Manjari
11. Shri Mohan Nayak
12. Shri Man Singh P. Patel
13. Shri Deorao S. Patil
14. Shri Pratap Singh
15. Shri Sivamurthi Swami
16. Shri Shiva Datt Upadhyaya
17. Shri S. D. Mishra, *Deputy Minister in the Ministry of Food, Agriculture, Community Development and Cooperation* was also present.

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee considered their future programme of work.
 3. The Chairman mentioned to the Committee that as suggested by the Minister of Food and Agriculture at their sitting held on the 4th July, 1966, they would have to visit some more Farms/Research Stations for an on-the-spot study of their working and meet the repre-
- 1799 (B) LS—7.

sentatives of the State Governments concerned to discuss the implications of the Bill. The Committee decided to divide themselves into three groups, to visit the Farms etc. in the various States and fixed the dates noted against each:—

I 19th to 25th September, 1966—

Seed/Vegetable Farms/Research Station in Himachal Pradesh (Simla) and Punjab (Kullu Valley).

II. 29th September to 5th October, 1966—

Maharashtra and Gujarat

(The Chairman at this stage mentioned the programme for visit to the Farms in Gujarat forwarded by that Government, which had earlier invited the Committee to visit that State).

III. 11th to 18th October, 1966—

Bihar, Orissa and West Bengal.

It was decided to authorize the Chairman to restrict the number of members joining each Group to 9 only.

It was decided that the members should indicate their choice to join either of the three Groups. Thereafter the programme would be finalized. In the meantime, Chairman was asked to obtain Speaker's approval to the contemplated visits.

4. The Committee decided to sit from the 31st October, 1966 onwards to take up clause-by-clause consideration of the Bill.

5. Shri Kamath suggested that the Chairman and the Deputy Minister (who was present at the sitting) should get an assurance from the Leader of the House that the Bill as reported by the Select Committee would be definitely pushed through the next Session and passed by Parliament. Otherwise, all these tours would involve infructuous expenditure and should not be undertaken.

The Deputy Minister mentioned that they were taking necessary action in the matter to get priority for the Bill being included in the Legislative programme for the next Session.

6. The Committee then adjourned.

VIII

Eighth Sitting

The Committee met on Wednesday, the 26th October, 1966 from 14.30 to 17.15 hours.

PRESENT

Shri S. C. Samanta—*Chairman*.

MEMBERS

2. Shri R. Achuthan
3. Shri Brij Raj Singh
4. Shrimati Jyotsna Chanda
5. Shri M. L. Dwivedi
6. Shri Gajraj Singh Rao
7. Shri Badshah Gupta
8. Shri Hari Vishnu Kamath
9. Shri Kisan Veer
10. Shri Jiyalal Mandal
11. Shri Mohan Nayak
12. Shri Sarjoo Pandey
13. Shri Man Singh P. Patel
14. Shri Deorao S. Patil
15. Shri Pratap Singh
16. Shri H. C. Linga Reddy
17. Dr. Sarojini Mahishi
18. Shrimati Shakuntala Devi

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law*.

REPRESENTATIVES OF THE MINISTRY OF FOOD & AGRICULTURE

1. Shri I. J. Naidu, *Joint Secretary*.
2. Dr. G. V. Chalam, *Joint Commissioner (Seeds)*.
3. Shri Hit Prakash, *Deputy Commissioner (Seeds Development)*.
4. Dr. A. B. Joshi, *Deputy Director General (Crops) Indian Council of Agricultural Research, New Delhi*.

5. Shri Amir Singh, *Seeds Testing Officer, Indian Council of Agricultural Research, New Delhi.*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. At the outset, the Chairman apprized the Committee of the contents of the letter of resignation sent by Shri Kishan Pattnayak, a Member of the Committee. The Committee also decided that in view of the fact that they were about to conclude their deliberations, it would not be necessary to fill up the resultant vacancy.

3. The Committee then took up clause-by-clause consideration of the Bill.

4. Clause 2.—The following amendments were accepted:—

- (i) omit sub-clauses (2), (5), (9), (10), (13), & (16);
- (ii) in sub-clause (4), for "Section 8" substitute "Section 10".
- (iii) in sub-clause (3), after "established", insert "or declared as such";

(iv) for sub-clause (8), substitute—

"(8) 'export' means taking out of India to a place outside India";

(v) for sub-clause (11) and (12), substitute—

"(11) 'import' means bringing into India from any place outside India;

(12) 'kind', in relation to any seed, means one or more related species or sub-species of crop plants each individually or collectively known by one common name such as cabbage, maize, paddy and wheat";

(vi) for sub-clause (14), substitute—

"(14) 'notified kind or variety' in relation to any seed means any kind or variety thereof notified under section 5"

(vii) in sub-clause (17) after "classes of Seeds", insert "used for sowing or planting" and after "cutting", insert "all types of grafts";

(viii) in sub-clause (21), after "established", insert "or declared as such";

The clause, as amended, was adopted.

5. *Clause 3*.—The following amendment were accepted:—

(i) For sub-clause (2), *substitute*—

“(2) The Committee shall consist of the following members, namely:—

- (a) a Chairman to be nominated by the Central Government;
- (b) eight persons to be nominated by the Central Government to represent such interests as that Government thinks fit;
- (c) one person to be nominated by the Government from each of the States”.

(ii) In the last line of sub-clause (3), for “one year” *substitute* “two years”.

The clause as amended was adopted, subject to further consideration of the composition of the Central Seeds Committee being taken up on the 27th October, 1966, when the Minister was likely to be present.

6. *Clause 4*.—The following amendment was accepted :

For clause 4, *substitute*—

- “4. (1) The Central Government may, by notification in the Official Gazette, establish a Central Seed Laboratory or declare any seed laboratory as a Central Seed Laboratory to carry out the functions entrusted to the Central Seed Laboratory by or under this Act. Central
Seed
Laboratory
and State
Seed
Labora-
tory.
- (2) The State Government may, by notification in the Official Gazette, establish one or more State Seed Laboratory or declare any seed Laboratory as a State Seed Laboratory where analysis of seeds of any notified kind or variety shall be carried out by seed analysis under this act in the prescribed manner.”

The clause, as substituted. was adopted.

7. *Clause 5*.—The following amendment was accepted:—

For clause 5 *substitute*—

- “5. If the Central Government after consultation with the Committee, is of opinion that it is necessary or expedient to regulate the quality of seed of any kind or variety to be sold for purposes of agriculture, it may, by notification Power to
notify
kinds or
varieties
of seeds.

in the Official Gazette, declare such kind or variety to be a notified kind or variety for the purposes of this Act and different kinds or varieties may be notified for different States or for different areas thereof."

The clause, as substituted, was adopted.

8. *Clause 6.*—The clause was omitted.

9. The Committee then adjourned to meet again on the 27th October, 1966, at 14.00 hours for further clause-by-clause consideration of the Bill.

IX

Ninth Sitting

The Committee met on Thursday, the 27th October, 1966 from 14.00 to 17.32 hours.

PRESENT

Shri S. C. Samanta—*Chairman.*

MEMBERS

2. Shri R. Achuthan
3. Shri Brij Raj Singh
4. Shrimati Jyotsna Chanda
5. Shri M. L. Dwivedi
6. Shri Gajraj Singh Rao
7. Shri Badshah Gupta
8. Shri Hari Vishnu Kamath
9. Shri Kisan Veer
10. Shri Jiyalal Mandal
11. Shri Shyam Dhar Mishra
12. Shri Mohan Nayak
13. Shri Sarjoo Pandey
14. Shri Deorao S. Patil
15. Shri Pratap Singh
16. Shri H. C. Linga Reddy
17. Dr. Sarojini Mahishi

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVES OF THE MINISTRY OF FOOD & AGRICULTURE

1. Shri I. J. Naidu, *Joint Secretary.*
2. Dr. G. V. Chalam, *Joint Commissioner (Seeds).*
3. Shri Hit Prakash, *Deputy Commissioner (Seeds Development).*
4. Dr. A. B. Joshi, *Deputy Director General (Crops), Indian Council of Agricultural Research, New Delhi.*
5. Shri Amir Singh, *Seeds Testing Officer, Indian Council of Agriculture Research, New Delhi.*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee resumed clause-by-clause consideration of the Bill.

3. *Clause 3.*—(Vide para 5 of the Minutes dated the 26th October, 1966). The Committee concluded their discussion on the clause.

4. *Clause 7.*—The following amendment was accepted:—

For clause 7, substitute—

7. The Central Government may, after consultation with the Committee, and by notification in the Official Gazette, specify—
- “Power to specify minimum limits of germination and purity etc.
- (a) the minimum limits of germination and purity with respect to any seed of any notified kind or variety;
 - (b) the mark or label to indicate that such seed conforms to the minimum limits of germination and purity specified under clause (a) and the particulars which such mark or label may contain”.

The clause, as substituted, was adopted.

5. *Clause 8.*—The clause was omitted.

6. *Clause 9.*—The following amendment was accepted:—

For clause 9, substitute:—

“Regulation of sale of seeds of notified kinds or varieties.

9. No person shall, himself or by any other person on his behalf, carry on the business of selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of any notified kind or variety unless—
- (a) such seed is identifiable as to its kind or variety;
 - (b) such seed conforms to the minimum limits of germination and purity specified under clause (a) of section 7;
 - (c) the container of such seed bears, in the prescribed manner, the mark or label containing the correct particulars thereof specified under clause (b) of section 7; and
 - (d) he complies with such other requirements as may be prescribed”.

The clause, as substituted, was adopted.

7. *Clause 10.*—The following amendment was accepted:—

For clause 10, substitute:—

“Certification agency.

10. The State Government, or the Central Government in consultation with the State Government, may, by notification in the Official Gazette, establish a certification agency for the State to carry out the functions entrusted to the certification agency by or under this Act”.

The clause, as substituted, was adopted.

8. *Clause 11.*—The clause was omitted.

9. *Clause 12.*—The following amendment was accepted:—

For clause 12, substitute:—

“Grant of certificate by certification agency.

12. (1) Any person selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of any notified kind or variety may, if he desires to have such seed certified by the certification agency, supply to the certification agency for the grant of a certificate for the purpose.

(2) Every application under sub-section (1) shall be made in such form, shall contain such particulars and shall be accompanied by such fees as may be prescribed.

(3) On receipt of any such application for the grant of a certificate, the certification agency may, after such inquiry as it thinks fit and after satisfying itself that the seed to which the application relates conforms to the minimum limits of germination and purity specified under clause (a) of section 7, grant a certificate in such form and on such conditions as may be prescribed."

The clause, as substituted, was adopted.

10. *Clause 13.*—The following amendment was accepted:—

For clause 13, substitute:—

13. If the certification agency is satisfied, either on a reference made to it in this behalf or otherwise, that—

(a) the certificate granted by it under section 12 has been obtained by mis-representation as to an essential fact; or

(b) the holder of the certificate has, without reasonable cause, failed to comply with the conditions subject to which the certificate has been granted or has contravened any of the provisions of this Act or the rules made thereunder,

then, without prejudice to any other penalty to which the holder of the certificate may be liable under this Act, the certification agency may, after giving the holder of the certificate an opportunity of showing cause, revoke the certificate and may allow compensation to the purchaser."

The clause, as substituted, was adopted, subject to the Legislative Counsel inserting the provision regarding payment of compensation at the appropriate place in the Bill.

11. *Clause 14.*—The following amendment was accepted:—

In sub-clause (1), for "any person aggrieved by a decision of a licensing officer or a certification agency under section 11 or section 12 or section 13" substitute "Any person

aggrieved by a decision of a certification agency under section 12 or section 13".

The clause, as amended, was adopted.

12. *Clauses 15 and 16.*—The clauses were adopted without amendment.

13. *Clause 17.*—The following amendments were accepted:—

Sub-clause (1).

- (1) In paragraph (a), for "notified seed" substitute "seed of any notified kind or variety";
- (2) in paragraph (c), for "notified seed" wherever occurring, substitute "seed";
- (3) for "notified seed", substitute "seed of any notified kind or variety."

The clause, as amended, was adopted.

14. *Clause 18.*—The following amendments were accepted:—

- (1) Sub-clause (1) for "notified seed", substitute "seed of any notified kind or variety";
- (2) Sub-clause (2) for "notified seed", substitute "seed of any notified kind or variety";
- (3) Sub-clause (4) for "notified seed" wherever occurring, substitute "seed".

The clause, as amended, was adopted.

15. *Clause 19.*—The clause was adopted without amendment.

16. *Clause 20.*—The following amendment was accepted:—

For clause 20 substitute—

20. No person shall, for the purpose of growing or planting by any person (including himself), export or import or cause to be exported or imported any seed of any notified kind or variety unless—

- (a) it conforms to the minimum limits of germination and purity specified for that seed under clause (a) of section 7; and

"Restriction on export and import of seeds of notified kinds or varieties.

(b) its container bears, in the prescribed manner, the mark or label with the correct particulars thereof specified for that seed under clause (b) of section 7."

The clause, as substituted, was adopted.

Clause 21.—The following amendment was accepted:—

For clause 21, substitute—

21. The Central Government may, on the recommendation of the Committee and by notification in the Official Gazette, recognize any seed certification agency established in any foreign country for the purposes of this Act."

"Recogni-
tion of
seed certi-
fication
agencies
of foreign
Countries.

The clause, as substituted, was adopted.

18. Clause 22.—The following amendment was accepted:—

For paragraph (i), substitute—

"(1) for the first offence, with fine which may extend to five hundred rupees; and"

The clause, as amended, was adopted.

19. Clause 23.—The following amendment was accepted:—

For "notified seed", substitute "seed".

The clause, as amended, was adopted.

20. Clauses 24 to 26.—The clauses were adopted without amendment.

21. Clause 27.—The following amendment was accepted:—

For clause 27, substitute—

27. 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 purposes of sowing or planting."

"Exemp-
tion.

The clause, as substituted, was adopted.

22. Clause 28.—The following amendments were accepted:—

(1) Omit sub-clauses (2) (c), 2 (f), (2) (g), (2) (i) and (2) (n);

(2) for sub-clause (2) (c), *substitute*—

“(c) the manner of marking or labelling the container of seed of any notified kind or variety under clause (c) of section 9 and under clause (b) of section 20;

(cc) the requirements which may be complied with by a person carrying on the business referred to in section 9”;

(3) in sub-clause (2) (h), after “the particulars it may contain”, *insert* “the fees which should accompany it” and *omit* “and the fee on payment of which”;

(4) in sub-clause (2) (o), for “by a dealer in notified Seeds”, *substitute* “by a person carrying on the business referred to in section 9”.

The clause, as amended, was adopted.

23. *Clause 1.*—The following amendments were accepted:—

(1) In sub-clause (1), for “1964” *substitute* “1966”.

(2) In sub-clause (2), *omit* “except the State of Jammu and Kashmir”.

The clause, as amended, was adopted.

24. *Enacting Formula.*—The following amendment was accepted:—

For “Fifteenth” *substitute* “Seventeenth”.

The Enacting Formula, as amended, was adopted.

25. *Title.*—The title was adopted without amendment.

26. The Chairman apprised the Committee of the provisions of Direction 87 regarding Minutes of Dissent.

27. The Legislative Counsel was directed to correct patent errors and to carry out amendments of consequential nature in the Bill.

28. The Committee decided that their Study Notes need not be laid on the Table of the House.

29. The Committee decided that the evidence given before them might be printed and laid on the Table of the House and that the memoranda/representations submitted to the Committee by the Associations and others might be placed in the Parliament Library for reference by Members.

30. The Chairman announced that the Minutes of Dissent, if any, might be sent to the Lok Sabha Secretariat so as to reach them by 19.66 at 15.00 hours to consider their draft Report.

31. The Committee decided to meet on Tuesday, the 1st November, 10.00 hours in Wednesday, the 2nd November, 1966.

The Committee then adjourned.

X

Tenth Sitting

The Committee met on Tuesday, the 1st November, 1966 from 15.00 to 15.35 hours.

PRESENT

Shri S. C. Samanta—*Chairman.*

MEMBERS

2. Shri Parashottamdas Haribhai Bheel
3. Shrimati Jyotshna Chanda
4. Shri M. L. Dwivedi
5. Shri Hari Vishnu Kamath
6. Shri Shyam Dhar Mishra
7. Shri Sarjoo Pandey
8. Shri Man Sinh P. Patel
9. Shri Deorao S. Patil
10. Shri H. C. Linga Reddy
11. Dr. Sarojini Mahishi
12. Shrimati Shakuntala Devi
13. Shri Shiva Datt Upadhyaya.

REPRESENTATIVE OF THE MINISTRY OF LAW

Shri S. Harihara Iyer, *Deputy Legislative Counsel, Ministry of Law.*

REPRESENTATIVES OF THE MINISTRY OF FOOD & AGRICULTURE

1. Shri I. J. Naidu, *Joint Secretary.*
2. Shri Hit Prakash, *Deputy Commissioner (Seeds Development).*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee adopted the Bill as amended, with the omission of sub-clauses (2), (3) and (4) of clause 10.

3. The Committee adopted the Draft Report with the deletion of second sub-para of 27 and addition of the following at the end of para 32 :—

“during the current Session of Lok Sabha, so that the objects underlying it are achieved and the Committee’s labours are not rendered infructuous”.

4. The Members were asked to give their minutes of dissent, if any, by 11.00 hrs. on Thursday, the 3rd November, 1966. Three copies of the minutes were to be sent.

5. The Committee authorised the Chairman and in his absence, Shri M. L. Dwivedi to present the Report and to lay the Evidence on the Table of the Lok Sabha on the 4th November, 1966.

6. The Committee placed on record their appreciation of the assistance rendered to them in their task by the Lok Sabha Secretariat, the Ministry and the Legislative Counsel.

The Committee then adjourned.

24/4/66

C. B. No. 194

LOK SABHA
SELECT COMMITTEE
ON
THE SEEDS BILL, 1964

EVIDENCE



LOK SABHA SECRETARIAT
NEW DELHI

November, 1966/Kartika, 1888 (Saka)

Price : Rs. 0.60

WITNESSES EXAMINED

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	2. Shri L. C. Thirumalachari, Hon. Secretary & Treasurer of the Association.		
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	Shri V. N. Kohli.		

SELECT COMMITTEE ON THE SEEDS BILL, 1964.

MINUTES OF EVIDENCE GIVEN BEFORE THE COMMITTEE

Monday, the 4th July, 1966 at 10.00 hours

PRESENT

Shri S. C. Samanta—Chairman

MEMBERS

2. Shri Maganti Ankineedu
3. Shri Brij Raj Singh
4. Shrimati Jyotsna Chanda
5. Shri N. T. Das
6. Shri M. L. Dwivedi
7. Shri Gajraj Singh Rao
8. Shri Badshah Gupta
9. Shri Hari Vishnu Kamath
10. Shri Kisan Veer
11. Shri Jiyalal Mandal
12. Shrimati Shashank Manjari
13. Shri Mohan Nayak
14. Shri S. K. Paramasivan
15. Shri Deorao S. Patil
16. Shri Pratap Singh
17. Shri H. C. Linga Reddy
18. Dr. Sarojini Mahishi
19. Shrimati Shakuntala Devi
20. Shri Annasaheb Shinde
21. Shri Sivamurthi Swami
22. Shri C. Subramaniam
23. Shri Sarjoo Pandey

Shri S. D. Mishra, Deputy Minister in the Ministry of Food, Agriculture, Community Development & Cooperation was also present.

DRAFTSMAN

Shri S. Harihara Iyer, Deputy Draftsman, Ministry of Law.

REPRESENTATIVES OF THE MINISTRY

1. Shri I. J. Naidu, Joint Secretary, Ministry of Food, Agriculture, Community Development & Cooperation.
2. Shri Hit Prakash, Deputy Commissioner (Seeds Development), Ministry of Food, Agriculture, Community Development & Cooperation.

SECRETARIAT

Shri M. C. Chawla—Deputy Secretary.

1951, THE SEEDS ACT, 1950

WITNESSES EXAMINED

I. All India Seed Growers, Merchants and Nurserymen Association, Madras.

- (1) Shri V. N. Palekar, President.
- (2) Shri L. C. Thirumalachari, Secretary-Treasurer.

II. Shri G. A. Patel, Director of Agriculture, Government of Gujarat, Ahmedabad.

I. All India Seed Growers, Merchants and Nurserymen Association, Madras.

1. Shri V. N. Palekar, President.
2. Shri L. C. Thirumalachari, Secretary-Treasurer.

(The witnesses were called in and they took their seats).

Mr. Chairman: I want to make it clear in the beginning itself that under the Directions of the Speaker your evidence shall be treated as public and is liable to be published unless you specifically desire that all or any part of the evidence tendered by you is to be treated confidential. Even if it is to be treated as confidential, it is liable to be made available to the Members of Parliament.

Copies of your memorandum and the further explanation have been circulated to the members of the Committee. If you want to add any new points or emphasize some particular points, you may do so. Otherwise, members will ask questions.

Shri V. N. Palekar: Mr. Chairman, I would have very much liked to speak in Hindi but, I am afraid, I will commit many mistakes. So, with your permission, I will speak in English.

In the beginning itself let me assure you on behalf of our Association that we will give the fullest support to any measure which will be in the interests of either agriculture or horticulture. In our opinion, the

present Minister has put in much more dynamism than any of his predecessors in his work. We want to extend our co-operation to him in his work. However, our Association feels that if we hurry less, we will progress more.

For instance, what we have been suggesting for the last twenty years is that we should have a very sound base before we build up the superstructure. Hon. Members will remember that until the last world war we used to import all seeds of temperate types of vegetables from abroad. During the war it had to be stopped because the exporting countries, particularly, Netherlands, could not export any more. At that time, the ICAR lead by Shri Feroze Karghat, ICS, initiated a scheme to produce seeds in India. That was in 1943 or 1944. Perhaps hon. Members do not know that most of the seeds which we used to import were not really produced in the countries from which they were exported. They were simply putting their seal on things produced in other countries. This was made possible because of the mentality or craze of Indian people for goods made in England, America, Germany or Japan in preference to goods made in India. So, Shri Feroze Karghat wanted to produce these seeds in India, especially because we have the climate suitable for these seeds in certain parts of our country. Till then the seeds of foreign type of vegetables like cabbage,

sunflower or carrot etc. were not produced in India. So, we selected some areas in Kashmir, Quetta, Kulu, Darjeeling and the Nilgiris for the growing of these seeds. From the harvesting point of view because of heavy rains in Darjeeling, Kalimpong and Nilgiris, only Kashmir and Quetta were supposed to be the best places. Some of us did not like Quetta for the simple reason that we at that time felt that Kashmir was much nearer to us than Quetta. Anyhow, some scheme was initiated by the ICAR and certain rules and regulations were framed to be followed by the State of Kashmir and the Province of Quetta for growing seeds. Unfortunately, because of various developments—we need not discuss whose fault it was—the scheme did not make any progress.

At that time, even though there was no association, some of our trade people also took the initiative to grow seeds on a small scale. Those seeds were even exported and reports from foreign countries showed that Indian seeds were definitely superior to foreign seeds. When the Government came to know about it, they wanted to have a proper scheme for the regulation of this trade. It was decided, on the initiative of our association, that a research station should be established for producing nucleus seeds. So, the Government of India decided on Kulu and Katrain for producing nucleus seeds. Here I must admit that our Association could not function effectively because of internal quarrels and jealousies.

On the other hand, I should say mildly, the Government made a blunder. The main object was to produce nucleus seeds and then give them to the cultivators for multiplication; instead of that, somebody here from the Ministry—I think, it was the Ministry of Education and Lands in those days—thought that they should also trade in seeds so that the original object of growing nucleus seeds was left aside. Unfortunately, that nucleus seed was given to some far-

mers far away in Manali and distant places. Some of the refugees from Quetta, when they came over here after 1947, tried to get hold of that particular seed so that the whole effort of Government and also of the private trade was spoilt by this sort of thing.

Anyway, after so many ups and downs, now we feel that there is a lot of co-operation between Government officers, particularly on the research side, and trade. We do feel that there should be some sort of rules and regulations but we humbly suggest that before a Seed Bill is actually passed into a Seed Act, we should form a sort of a base.

There are certain essential things which are done in foreign countries. Take the Netherlands for instance. The biggest exporting countries have got no such legislation so far, but what they have done is that they have established—initially the trade had established and ultimately the whole thing was co-ordinated between the trade and the Government—what they call, N.A.K.G. and N.A.K.B. Services. They had divided the subjects first into agricultural seeds and horticultural seeds and then under horticultural seeds had subdivided them into some other seeds. Then, there are some other subjects for plant material. They built up certain services and after building up certain services and establishing a sort of uniform standard, now they are thinking of legislation.

I humbly submit that we should follow the same method because once a Seed Bill is passed into an Act, it is very difficult to amend it. Secondly, as far as we know, there is no legislation on farms; there is no farm inspection service; there is no plant protection service—nothing is there. So, what is the idea of passing a Seed Bill into an Act before there are any of these services? In foreign countries every export is accompanied by, what is called, a phytosanitary certificate. That means that

the seed is of a certain quality and is free from pests and diseases. We have no such service here. Suppose, we want to export tomorrow. What will be the basis of that export? There should be some sort of a service which will certify that the seed is good.

So, what I would suggest is to leave it to voluntary organisations, like the All India Association or to whomsoever you trust. Let us organise the thing. We are prepared to co-operate fully with the Government particularly with the Government scientists because we are very very proud of our scientists. Those scientists have done remarkably well and they are the envy of foreign nations also.

Then, there is one particular thing over which there has been so much trouble. We have been alleged of doing blackmarketing. On the other hand, we have to point out that some of the Government's own organisations are blackmarketing. I say this with due respect to the Government people who might be present here--I do not know if they are present here. We are trying to create certain discipline in the trade and I may say that the present Government officers for the last four or five years have been prepared to co-operate with us. We know fully well that if we really take up this work, we can get the work done much more quickly than any number of Bills that are passed into Acts because, with all due respect to you, there will always be loopholes in them. Secondly, as you know, the main object of the Bill will be frustrated.

Here I will tell you how difficult it is to certify certain seeds. In America there is supposed to be only one lady who will be able to distinguish between a cabbage seed and a cauliflower seed. It is a very technical thing. Suppose, you pass this Bill and the Government appoints a certifying officer. He will say that a particular seed is not a cabbage seed

even though it may be a cabbage seed. So, unless we have a trained cadre of officers, to pass a Bill at this stage will more or less be a theoretical affair.

I would respectfully submit that we should first start with rules and regulations. Then, we should have a sort of an inspection service and a plant protection service. On the top of it we should have propaganda, particularly as the Government is the biggest buyer now. I would request the Government to support the Indian claim rather than put in in their tenders "Indian as well as foreign". They know fully well that foreign things are not available and even supposing they are available, I would request the Government to support our industries first. I hang down my head in shame when I see this. I am really pained to see that some Government officers even proudly display foreign things. We feel all these things and then day in and day out we are told that we are naughty boys. Some of us may be naughty and some of us may be too naughty, but definitely all of us are not naughty. The ISI lays down standards and when those standards are laid down why should Government departments not follow them? We are prepared to follow them. Every time they want implements, for example, they would want foreign implements. Wherefrom to get foreign implements these days? Are we going to smuggle them? What are we to do?

So, what I would suggest is that first we should have rules and regulations. I can assure you, on behalf of all the interests I represent, that we will support the Government if they do these things on these lines. I am sure that if the Seeds Bill is passed as it exists now, there will be too many clashes and too many conflicts, unfortunately. It is the interest of the country that will suffer. Whatever may be your scientific theories, you have got to get the work done

To stop the import of seeds you have got to do this and the sooner you do this the better it will be for all of us.

Shri L. C. Thirumalachari: Mr. Chairman and gentlemen, I have just to supplement what my friend has said just now. His plea has been that basically the Seeds Bill is inopportune at the present moment; so, it is worth-while postponing it, bringing into being the voluntary certification scheme and other services. But if it is still felt, that the Bill is to be passed into an Act, there are certain improvements that could be effected into the body of the Bill. They find a place in the memorandum that I have submitted already. An explanation thereof I have also circulated today. I will just explain that and if still any doubt is felt, I am here to explain how we feel on the subject.

I classify these into two categories. One is "General" and the other is "Clause-by-clause." In General I have stated the important functions. A major part of the working of the provisions of this Bill is entrusted to a Seed Committee which is composed, except by a couple of non-officials, of various executives of the Government and even those non-officials are to be nominated by the Government out of their free will.

Further the entire administration of the Act is entrusted to the State Executive such as licensing, certification, etc., and the basis for their action is being formulated by the Seed Committee which is again virtually a channel of the executive. Hence, if the composition of the Seed Committee is statutorily meant to contain more of independent non-officials, that might make matters better. In this case I would also submit that in working this, it has been sought to place the services of a row of certification officers who are from the lower rung of the ladder and unfortunately we fear that in seeds, as such, there are not sufficiently trained people to execute these plans and unfortunately we

need hundreds and hundreds of such people within the country to take charge as licensing authority after it is notified according to this Bill. So here it is better that some experienced non-official is grafted into this Seed Committee.

Secondly, I have stated that whereas this Bill provides more for the physical quality of the seeds it covers very little about the intrinsic worth of the seeds. A casual study of the Bill will show that more stress has been laid on the germination powers of the seed and all those powers pertain to physical quality and except in a very minor way,—one or two—stress has not been placed on the intrinsic worth of the seed which they are made to supply. If, for instance, the distributor takes care to see that the physical quality of the seed is all right, if it germinates all right, then it goes to the cultivator. Unfortunately, if instead of giving some crop it gives different crop it makes a lot of difference. The ultimate cultivator will lose. So I submit that due care has not been taken to see that the intrinsic worth of the seed is fully taken into consideration in this Bill. In this connection if you please go through the Jammu and Kashmir Seed Act which was passed a decade ago but which came into being only a few years ago there are certain sections: section (3) regulates the sowing of the vegetable seeds of standard quality giving various qualifications for the various varieties; section (5) prescribes the grower to follow certain methods of cultivation. These steps are taken to ensure the quality. These are not contemplated in the present Bill whereas sufficient precaution is taken to ensure the physical quality of the seeds.

The major lacuna which we feel is that it is most anomalous that the producers who supply the seed materials for distribution to the retailer are exempted from the purview of this Bill. Unfortunately, it is not always possible for the seed producer to sell his own seed rather for the

distributor to produce his own seeds for sale. In foreign advanced countries there is a big category of mere seed producers and a similar category of retailers and they are complementary. So if, for instance, it is followed here, that is, if the producer is exempted from the purview of this Bill, two things will arise. The producer may produce any trash and the distributor has to depend on the producer and he will distribute those things alone. According to this Bill, if passed into an Act, a seed may qualify for being good physically and theoretically but it will be bad in the ultimate end. In this connection it may also be said that the small producer should not be hit hard. But, of course, whomsoever it is, if the ultimate interest of the cultivator is dearest to the heart of the legislators, it should be seen that the producer, once he becomes a seller, should be subjected to the same provisions of this Bill as other dealers are. Hence we submit that the producers should not be exempted so long as they offer to sell any part of their produce which they grow.

It has been a sad experience that inter-State movement has been hampered by certain States in India. Luckily we have got very fine climate conditions in India which no other country in the world can boast of. You have got the hottest and the coldest regions in the country and you can produce from A to Z any kind of seed. So, certain seeds are salubrious to be produced in certain areas and it is absolutely necessary that there should be free inter-State movement which is in the interest of the country as a whole. It is out of sheer experience I am putting these facts before you. States have got full power to restrict inter-State movement of seeds. Hence our plea has been to centralise the seed legislation so that peculiar attitudes of some States may not hamper the free movement of seeds from certain specialised growing areas to other States. Luckily the Central Government has taken up this legislation. However, a proviso in this Bill

is absolutely necessary whereby free inter-State movement of all kinds of seeds is made possible as provided for in the Federal Bill of the U.S.

There is one more point, that is, our awareness of the scientific side of the seed production of certain items. There should be necessary isolation distances to prevent contamination in the cross-pollinating varieties if one is expected to produce pure uncontaminated seeds for distribution. Provision is not particularly made in the Bill to protect crops from such contamination from neighbouring contaminable crops as it specifically provided for in Section (3), sub-section (5) of the J. and K. Seed Act. Similarly a provision in this Bill has to be made to protect pure crops from contamination. Unless a specific provision is made in this Bill that the Government is empowered to prohibit growing contaminable crop within the vicinity of registered seed crop, the actual crop will be contaminated and the country will be very much handicapped. The producer will unfortunately have to distribute something bad to the actual cultivator. These are the broad general comments, which our Association is just making.

As regards the specific clauses, our Association has submitted that under Section (1) Sub-section (2), Jammu & Kashmir is beyond the pale of this Bill. I may state that the majority of the—rather most of the—temperate type of vegetables which form the majority of the vegetables produced in this country, emanate from Jammu & Kashmir and I hope a Study Group had gone there and studied the Jammu & Kashmir Seed Production Centre, which is a major centre for the whole of India and the entire country is dependent on them. Jammu & Kashmir has got a Seed Act of course, but certain clauses there are very very lenient and the standards far far below the international standards and the standards which even our Indian Standards Institute has fixed and which possibly our Seed Committee, envisaged in this Act, will adopt.

Nothing short of it will be fair to be adopted. Unfortunately, for instance, take carrots. The minimum germination power that might be adopted by our Bill will be about 60 per cent. Perhaps, the minimum is only 50 per cent. in Jammu & Kashmir and the Jammu & Kashmir growers are at liberty within their limits to supply seeds with 50 per cent germination power and according to our law it may be necessary to have 60 per cent. whereas international standard is 70 per cent. Supposing we are only to get from that area and no other area seeds having 50 per cent. and we allow to our distributors not less than 60 per cent., how is it possible unless we control even Jammu & Kashmir. I think, a major part of the seed distribution will be affected and I wish Jammu & Kashmir is also brought under the purview of this legislation.

*Section (2) Sub-Section (17)—
Clauses (i) to (iii):*

It is another moot point. Unfortunately, in this definition of seed, seeds are supposed to include fruit seedlings and vegetatively propagated fruit plants. Literally, for instance, if these two things are substituted i.e. fruit seedlings and vegetatively propagated fruit plants in sections 7, 15, 16, 17, 18, 19, 20 and 21, that will rather read a little absurdly, because analysis of seeds may not mean analysis of plants or vegetarian propagated fruit plants. Germination is spoken of in these sections and if the seed is substituted for these things, there is no germination in plants, in vegetatively propagated plants or seedlings. So they are incongruent. Secondly, I do not think anywhere in any part of the world you have got a plant legislation of that kind. Only recently in the U.K. they have passed one Plant Breeders Rights Law and a little before in Holland and Denmark, they had a similar legislation. In America there is no such legislation on plants, Unfortunately, according to this definition, even plants are brought within the purview of this legislation which is not fair. I wish that the fruit seedlings and the vegetatively propa-

gated fruit plants be excluded from this definition so that those evidently conflicting meanings may not arise and also the legislation may be confined only to the seeds.

*Section (3) Sub-Section (2) clause
(iii):*

According to this sub-section, a Seed Committee is supposed to do the whole thing, according to this Bill. Here there are various representations given to various bodies and one of them is the National Seeds Corporation which came into existence some years ago. It is a trading body. Originally it was meant to be a producing body, but now it has turned into a trading body similar to those we represent here. If a statutory representation is given to such a trading body, it is but fair that our Association which is in the existence for a long time, rather the only representative Association of seed growers and whose membership controls almost the majority of the distribution of seeds in the country—numbers do not count but the majority of the seeds distributed in the country are passed through our members—may be given statutorily its place in that Seed Committee.

In Section (3) sub-Section (3), the term of the membership of the Seed Committee is limited to one year. I wonder if this will be very useful, because by the time each member comes to know about the intricacies of the working of this Act, he will be out and the next man possibly will take some time to study it and the consecutiveness will break. Of course, in the last category you have rotation being given to several States, for which if the length of the tenure is prolonged, that will hit hard several States. You can limit for that particular category the term as one year and for others, three years, if it is possible.

*Section (9) Sub-section (1) clause
(b):*

Here in a particular kind, there may be only certain varieties which in the opinion of the Government are fit to

be sold. That will be very hard, because, firstly, it may not be suitable to that particular area and there will be areas in which there are other varieties which will be more suited and more beneficial also. If this is pressed, it will work hardship to the actual cultivators.

Section 12 Sub-section (3):

We know, in practice, if the certification is applied, it takes even 6 months or even 9 months for somebody to just take into consideration that thing. If a crop certification is applied for, by 6 months the whole crop will be harvested. If the certificate is delayed, the whole crop is unfit to be sold. Hence a limitation to the certification process, if imposed, would be beneficial, for instance a period of 20 days or 30 days, or some such thing, may be laid down.

According to this Act samples are meant to be taken from seeds that are distributed and after they are in the hands of the purchaser. That will work the greatest hardship to the distributor, because once it reaches the hands of the purchaser, anything may happen to it. He is not sure that what he has distributed is exactly in his hands and if that sample is going to be taken by the Government and analysed or tested, the reality may not be there. In no part of the world such a clause is there. Either if it is in the custody of the distributor or in the process of transfer to the distributor, then only it should be allowed to be tampered by the Government and taken samples thereof. It will be fair even here to limit to that position and not to take samples when actually the seeds reach the hands of the purchaser or the cultivator, whoever it is.

Under Sec. 17(3), samples are to be taken from any place. Of course, there are some qualifications. Here the proviso should be so amended as to apply only to the owner or his duly accredited representative in charge of sales in the premises. If he refuses to open and not a third party or a servant refusing to open the door. Suppose a

servant refuses to open. Then if you take the owner to task, that will be a little hard.

Section 22 deals with the punishment to be given. Imprisonment is never prescribed if the act is not intentional. Of course, punishment should be there to strictly see that things are observed fully. But it is quite possible that sometimes inadvertence may creep in, in which case imprisonment is never prescribed even in U.K. and U.S. Acts. If the intention is proved, then only imprisonment is prescribed. So, imprisonment may be removed from the punishment clause here.

About the next item, Section 25, I wonder if it will be accepted in the spirit in which it is given. In practice, if some people of the lower rung or certifying inspection agencies, who are corrupt nowadays—this may be known to Hon'ble Members—take some action against some honest men and if it is proved that that is immune from any action, they are at liberty to take any action against any distributor and do it with impunity. If as a sort of check, a small punishment is given for the malicious persecution on the part of Government servants, that will limit the *mala fide* action of some of the inspection and other agencies.

So, these, I submit, are the possible changes to the Bill that we suggest, if it is found that the Bill is at all necessary. As my colleague has already said, the Bill itself is premature and too early, unless the ground is cleared and a set of experts are brought into being and the voluntary certification is brought into force, when you will develop a set of people who will inspect and certify and who would get qualified. Also in our agricultural service, there is a dearth of experts and you have in the highest category here administrators in the post of experts. So in such a dearth, if this Bill also comes into force as an Act, you will have a set of people who don't know anything about certification or about qualification or the purity and

all these things about seeds and if they are given the power to do all these things, it will work very great hardship not only to the distributors but to the public at large. So our association submits that it is too premature and that the Bill may be postponed for a long time. Meanwhile a voluntary certification scheme may be brought forth and the Government people may be instructed to consume only such certified seeds. If the Government prefers only such certified things, definitely everyone will run into the voluntary certification scheme, which will unofficially bring into the forefront a fine scheme which will prove a good ground for such a legislation to come in at a later period.

Mr. Chairman: The witnesses have given their views and have also given long comments on them. Now I would request any Hon'ble Members who want further clarifications to put questions.

Shri M. L. Dwivedi: You have mentioned in your memorandum that Jammu and Kashmir be included within the purview of the Bill. You have also said that a lot of seeds emanate from Jammu and Kashmir and, therefore, it is necessary. Now do you say these are the only reasons why Jammu and Kashmir should be included within the purview of the Bill, and whether it is necessary for the committee to visit the seed farms there and if so, what will be the special advantage in doing so?

Shri V. N. Palekar: I will explain why I insist on Jammu and Kashmir being included. Constitutionally it may not be possible. But it is likely some way will be found out; if the Seed Bill is passed here, the same Seed Bill can be enacted in Jammu and Kashmir. Now our emphasis on Jammu and Kashmir is only for one reason. As I told you, the major portion of the different types of vegetable seeds used to be imported. During the war, when that was stopped, the only source of seeds was Jammu and Kashmir where the Government and the trade took up the multiplication

work. Now the question will be asked "why Jammu and Kashmir". The whole point is that there are certain seeds which can be raised only at a certain altitude, e.g. the Brassica types cauliflower, etc. Such varieties can be raised only at a particular altitude. They require a particular type of climate. They require some sort of a snowy climate. Now in the hills, there are certain places where also such climate exists. But the most essential point is that at the time of harvest of seeds, there should be no rain and no possibility of rain. Most of these seeds generally ripen and are harvested sometime in July-August. That is just the time when you get rains in the Nilgiris and Kalimpong. Even in Kulu, the rains start earlier.

The second thing is that they require a certain day-light period. In Jammu and Kashmir you get that day-light period and there the weather is also ideal—no excessive heat and no excessive coldness. So from all points of view, that is the only place where certain types of vegetable seeds can be grown most economically and I can assure all the Hon'ble Members present here that if the thing is properly done as it was done in the pre-war days, these seeds can beat the foreign seeds not only in quality but also in price. I can assure you that they will be absolutely up to the international standard.

Now I will give you one example to show that what we suggest is much more constructive than what the Bill suggests. We are proud that we have one variety of cauliflower known as Early Patna. Now during the British days it was obvious that nobody would encourage that sort of thing. But even after Independence, our people have not cared to look after that variety and unfortunately that variety has gone to Japan. From Japan it has gone to Israel. Israel has improved on that and they call it 60 days. The source was India, and though I have been urging Government for the last two or three years to concentrate on it, nothing has been done. The trade

is willing to co-operate with Government, and we expect co-operation from the other side.

Similarly, by exporting orchids we can earn lakhs of foreign exchange, and yet we are after the export of bananas which are required by the common man. Orchid flowers are sold as cut flowers here for Rs. 1.50 whereas each cost five dollars in America.

I would suggest Members of the Committee visiting Jammu and Kashmir for definite types of vegetables sometime in October-November; Faizabad, Jaunpur, Banaras and Bareilly in U.P.; where cauliflower seeds are grown; Hajipur in Bihar which can easily compete with Israel; Baramia in Madhya Pradesh where they have started Pusa Savani Bindi; Pacha in Gujarat and Jalna in Maharashtra.

There is a lot of confusion about this word certificate. What I find in the Bill is different from what it is in America. Supposing a farm sells seeds of Tomato Marglobe variety; there is no objection provided the seed is all right. But it can also ask the Government people to visit the farm and certify the purity of the strain. When they do so, that would be called a certified crop. If I sell certified seeds, that means that the Government scientists treat that variety as a better variety, more pure and more desirable.

You must be having some witnesses from the States. I am sure there are States which feel that this is a little early, and there will be too much confusion if this Bill is passed immediately. At some of our regional conferences certain opinions have been expressed and ultimately it boils down to this that both the Government and the trade should realise that they have to work together. Our Association is ready to co-operate with Government but not in the proposed way.

Shri M. L. Dwivedi: It has come to light that there are certain seed growers who have got limited capacity

of producing seeds but they are selling much larger quantities.

Shri L. C. Thirumalachari: That is why we request you to visit Kashmir. A sort of Seed Act is in force there, but it is enforced more in the breach than in observance. A man who produces only 500 kilos exports 5,000 kilos. That is the system of certification in vogue there. That is why we want all-India control so that these areas may be required to be more careful and rigid.

Shri H. C. Linga Reddy: In one breath he says it should be postponed. In another breath he says it is necessary. May I know the reason he assigns for not bringing the Bill in the present form, and if he feels it can be brought, what is the way in which it can be brought?

Shri L. C. Thirumalachari: Our submission is that we do not want a Bill to be passed at all. We want a voluntary system of certification agencies brought into being by the existing powers of the Government, by which those who submit to it will be given all facilities. If that is brought into being this Act is absolutely unnecessary at present. When the whole thing is clear then it would be appropriate that a Bill of this sort may be brought into being.

Shri H. C. Linga Reddy: That may also mean control of seeds.

Shri L. C. Thirumalachari: It is not statutory control. You certify a certain thing as good, and if you insist that Government purchases or prefers to purchase only such good things, normally every producer will run for certification and there will be voluntary participation of that service which is meant to be forced now. Little by little, that will be growing and by and by you will be getting into service, people who are trained in this particular aspect, such as examination and other things, which are not taught ordinarily in colleges. That is a specialised thing which they can learn and in the course of years you will

get a large number of such qualified people. At that time, if you get this kind of Bill, then you will be in a position to control the entire thing successfully.

Shri H. C. Linga Reddy: You have not given reasons for not having this Bill.

Shri V. N. Palekar: I will give you an instance which will illustrate it better. When the ICAR framed certain rules and regulations and Kashmir was supposed to follow, that was done on a Government to Government basis. There were certain members who started doing this. The seed was wanted and it was supposed to be dumped in the Government godowns. I was one of the people who, in spite of the Defence of India Rules, told the Chairman of the ICAR that I refused to give the seeds. I jotted down the reasons. He appointed an officer and found out that every reason of mine was right. Not as a private trader on a big scale but even as a small man, I must say that I have Indian interests at the back of my heart. I think I can say that even after the war I was going to continue the work. In the case of the Government it is not like that. Government would have the authority to import again. We as Indians thought that we could compete with the foreigners in spite of the absence of any tariff protection. So, according to the Government rules, in Srinagar and Quetta, they grew these things; they registered farms. They were supposed to have certain ideologies. For instance, what did they do? They had registered certain farms. What I did was, supposing there were four varieties, I asked my men to grow them in an order; if one farm is located in a certain place, the next will be just two miles away. Automatically, they got isolated. It was the Government which followed our system rather than our following the Government system. What I am suggesting is that by mutual co-operation, we could do this voluntarily and much more quickly, than having these rules and files and increasing the number of forms and

formalities, etc. What I would urge before the Government is, we are prepared to organise the farms and grow crops, but provide us with the technical knowhow and assistance. Let there be a small committee appointed for this purpose. We will go and accompany them; three or four at a time and see the crops at the proper time; let some assistance come. One group may see the crop; the second group may come at the time of the harvest; and so on. All these can be easily done rather than making the whole thing a compulsory affair. The only point is, we have to get rid of our inferiority complex. The moment we think that our seed is all right and that it is of international standards, you will see that there will be absolutely no trouble at all. I have been doing this for the last 20 years in Kashmir.

Consistently, the ICAR people have been asking me as to how I succeeded in Kashmir when they failed. I gave them instances as to how I proceeded with the work. I have sent the samples of these seeds to them, and to countries like Holland which is one of the biggest seed-producing countries and also to Australia. It was a doctor, who asked me how I did it; I have before me letters from foreign countries. They had written to me that those seeds were better than their own. This is only an illustration as to how private people can do this in co-operation with the Government, rather than Government themselves by legislation. Personally I feel that the Seed Bill should come in afterwards, when we have all the services. Excuse me if I am a little frank.

Shri H. C. Linga Reddy: In your explanatory memorandum at page 4, you have said that a proviso should be added to the relevant clause, to exclude from the meaning of seed, fruit seedlings and vegetatively propagated fruit plant. But from the definition of seed given at page 2 of the Bill, it includes seedlings and tubers, bulbs, rhizomes, roots, cuttings and other vegetatively propagated material, of food crops or cattle fodder. If these two things are excluded, will not the Bill become

narrow in its scope, or, is not necessary that you should have both these categories also? I mean the vegetatively propagated material and cuttings also, so that it may be fully comprehensive.

Shri L. C. Thirumalachari: What is meant in the Bill is seeds as such.

Shri H. C. Linga Reddy: It includes tubers and cuttings.

Shri L. C. Thirumalachari: I do not want to get them in this Bill, within its purview. I want only seeds as such.

Shri H. C. Linga Reddy: According to the definition in the Bill, it should include seedlings as well.

Shri L. C. Thirumalachari: Seedlings and vegetatively propagated fruit plant. That is a different thing altogether. That comes in nursery stock. I do not want to delete them. I say that a proviso may be added to exclude them so that the whole thing may be there; that is to say, tomato is sold even as a seedling. The Act should also apply to that.

Shri H. C. Linga Reddy: By exclusion of these items, how can the whole thing may be there?

Shri L. C. Thirumalachari: That category of plants may be excluded.

Shri Shyam Dhar Mishra: Are you thinking of another Bill for these vegetables, nurseries, etc., or, are you thinking that there may be no Bill at all?

Shri L. C. Thirumalachari: No Bill is necessary for plants at all. As it is, in the whole world, there is no legislation for plants.

Shri Shyam Dhar Mishra: Are you satisfied that seedlings and seeds are available for vegetable production?

Shri L. C. Thirumalachari: That is under contemplation at present. Vegetables, or cereals, are meant to be controlled by this legislation. We think

that they should be controlled voluntarily. Voluntary certification will solve the problem.

Shri Hari Vishnu Kamath: In your memorandum, on the first page, you have repeated an old dictum, which you think is a very valid dictum, namely,

"A good enactment is always elaborate and unambiguous with well defined functions to the executive and minimum number of regulations in the rules pertaining to the Act without leaving them much to use their discretion."

I believe you are not quite conversant with the modern trend in legislation. That is, the Bill itself does not contain too many provisions and much is left to what is called delegated legislation. If you turn to page 13 of the Bill, clause 28(3) lays down that every rule made under this Act will be laid before Parliament. It is not that the Government is left unfettered to make any rule they like. Every rule comes before Parliament and Parliament has the power to modify or even throw out that rule.

Shri L. C. Thirumalachari: In actual practice, we find that most of the rules are made as a skeleton and are filled up by the executive.

Shri Hari Vishnu Kamath: Government has got the rule-making power, but every rule will come before Parliament and Parliament can even throw out the rules. You need not be anxious on that score.

Dr. Sarojini Maheshi: In page 5 of your memorandum you have said that section 17(1)(a)(iii) may lead to undesirable consequences, etc. Supposing the dealer, with a view to defraud the purchaser, shows some good seeds at the time of inspection, but at the time of actual sale, give bad seeds to the purchaser, what can be done? So, immediately after delivery, if you take samples from the purchaser and test them, what is the harm?

Shri L. C. Thirumalachari: If the purchaser has some grudge against the seller, he can substitute some bad seeds and say that they were supplied by the seller. Every seller has to maintain a tag showing the date on which it was tested, etc. These are checked now and then by the inspecting staff. He is not supposed to stock anything which has not been according to the prescribed standards.

Dr. Sarojini Mahishi: If the tag is kept intact along with the seal with the purchaser and if a sample is taken out of that and tested, what is the harm?

Shri L. C. Thirumalachari: If the seal is intact, how can the purchaser find out that it is bad?

Dr. Sarojini Mahishi: If a sample is taken from the same bag which was delivered to the purchaser and if the seal is intact, what is the harm?

Shri L. C. Thirumalachari: If the seal is intact, it is all right.

Dr. Sarojini Mahishi: You want section 17(3)'s proviso to be amended. But is it not that the servant who is there during the working hours will be there as the representative of the owner, as his agent? A servant or third party has no business to be there during the working hours and say that he is not going to open the door.

Shri L. C. Thirumalachari: If it is during working hours, it is all right.

Dr. Sarojini Mahishi: You can add the words "working hours" if you want.

Regarding section 22, are you not satisfied with the proviso to clause 24 which says that no person shall be punishable under this Act if he proves that the offence was committed without his knowledge and he exercised all due diligence to prevent it? If you want that there should be distinction between imprisonment and fine and minor offences should be punishable with fine only, that distinction is already there in section 22.

Regarding section 25, clause 14 provides that if any person is aggrieved by a decision of a licensing officer or a certification agency under section 11 or 12 or 13, within 30 days he can make an appeal and the decision of the appellate authority shall be final. The rules applicable to public servants will be applicable to these persons also.

Shri L. C. Thirumalachari: We want that they should be taken to task if there is malicious prosecution.

Dr. Sarojini Mahishi: In theory the provision is there and there is no scope for malicious exercise of these powers.

Shri L. C. Thirumalachari: In practice, it is there in plenty.

Shri V. N. Palekar: We have made our suggestions. You can take the spirit of it and do the drafting as you like.

Dr. Sarojini Mahishi: Then I come to clause 27(2). The conditions are going to be prescribed. Any producer cannot enter into competition with a registered seed-grower unless he fulfils the necessary conditions that are going to be laid down.

Shri L. C. Thirumalachari: It is not a question of competition. If you say: "except for his own sowings" then it is quite all right. Whatever conditions you may lay down, it is provided here that he can sell. Our submission is that you should be more specific.

Shri S. K. Paramasivan: Supposing one sells, say, ordinary maize as hybrid maize, how are you going to prevent that without this Act?

Shri L. C. Thirumalachari: At present hybrid seeds are not being produced by all. I do not think anybody will purchase hybrid seeds from an ordinary man unless it has been certified as such by the inspecting Officer.

Shri V. N. Palekar: I think the particular difficulty that you envisage is going to arise next year because the cultivators, as is usual with them, are

going to keep a part of the crop as seeds for the next year. It is for the Government to find out measures against that danger. For all this, proper propaganda is required.

Shri Ghyam Dhar Mishra: In the explanation to the memorandum that you have submitted, you have rightly commented on the merits of the Bill and also the procedures and methods that are going to be employed. Firstly, you have said that representation on the Seeds Committee should be provided statutorily, the membership should be for three years and that your Association should be statutorily represented on this Seeds Committee. I want to know how your body, which is the All-India Seeds-growers, merchants and nursery men Association, can represent both the growers and the merchants at the same time. In a developing state of affairs where there are no certified seed growers or dealers if you statutorily give representation to one association, will it not conflict with the very purpose with which we are bringing this Bill. If you read the composition of the Committee as provided in the Bill, you will find that we have provided for four persons to be nominated by the Central Government from the Central Seeds Laboratory, the National Seeds Corporation, growers of seeds and plant breeders; two persons to be nominated by the Central Government to represent dealers in seeds and so on. Therefore, we are having separate representation for growers and separate representation for dealers. Even though you are a registered body, it is a federal body in the sense that it is really a federation of people from below. Therefore, if we put in the Act a provision for representation of your association, in the growing economy that we are in, we might be in trouble. Under the present provision, it is within our competence to nominate one of your persons. But if you want a statutory provision, I think it will defeat the very purpose with which this Bill has been brought.

The other point is, the period should be three years and not one year. The

provision is: "The members of the Committee shall, unless their seats become vacant earlier by resignation, death or otherwise, be entitled to hold office for one year and shall be eligible for re-nomination". We have put in this with a definite purpose. We expect that in future there will be more people wanting to have representation on this Committee. Therefore, if we have a quick succession of representation every year instead of every three years, that would be better.

Coming to the merits of the Bill, you want that the producers should also be roped in this Bill. While your objective in suggesting this may be laudable, don't you think that in a country like ours with about 360 million acres cultivated by about 60 million families it will be difficult to rope in all the seed producers? It will create a lot of complications at the lower level. May be, after 10 or 15 years, we may do this. At the moment, will it not serve our purpose if we just involved, at the beginning stage, only the dealers? In that case, your suggestion here does not find any place. What are your comments on this?

There is one thing more. You have said that there should be voluntary certification I think the whole Committee could be for this if it had observed earlier that voluntary efforts in this sector and in other sectors had been very encouraging. But our experience is otherwise. There are various complaints even from some of the States that seeds are collected from the cultivators, sometimes genuine and sometimes non-genuine, and the dealers are trying to pass non-genuine or a mixture of genuine and non-genuine as genuine seeds. Therefore, how do you think that the voluntary efforts will succeed and thrive. We have seen the results of that in other fields of the seeds sector. For example, we have the quality-marking schemes. We have the voluntary quality-marking schemes and we have also the compulsory

quality-marking schemes. The experience of the Government is that compulsory-marking schemes are successful. They fetch better prices. But the voluntary quality-marking schemes are just slacking. What have you to say to all these three points?

Shri Gajraj Singh Rao: They have themselves admitted that that evil is there to a very great extent. In view of that, how do they say that there is no need for this Bill?

Shri L. C. Thirumalachari: As regards this voluntary certification, because the scope is limited here and it is the purchasing agency which is going to prefer the voluntary certification, and if it is made compulsory for the Government purchases which are the major part of the purchases in India, it will automatically go on increasing. If the Government agencies prefer the voluntary certification, it will increase day by day.

Shri Gajraj Singh Rao: What is the sanction behind it? As you have stated, that evil is prevalent to a very great extent. Except on moral grounds, what is the sanction behind the voluntary certification? Legally speaking, if there is no warranty, what is the sanction behind it and how to punish the guilty? Either it is civil damages or it is criminal prosecution. These are the only two sanctions.

Shri Shyam Dhar Mishra: I think we have to convert them by persuasion?

Shri Gajraj Singh Rao: In their own statement, they have said that it is in a very very bad form and that all these bad practices are going on. Therefore, there is the need for this Bill. What are the remedies that you suggest if you do not want this Bill? Is it only morality?

Shri L. C. Thirumalachari: Not mere morality.

Shri Gajraj Singh Rao: In case of non-warranty, what is the remedy for the general public? He may say that

this is a pure seed but that may not be so.

Shri L. C. Thirumalachari: The voluntary certificate scheme only means...

Shri Gajraj Singh Rao: We know its meaning. But in case of non-warranty what remedy is there for the general public to punish those people unless there is a Bill like this?

Shri L. C. Thirumalachari: If a man sells a certified thing which is not so, that amounts to cheating.

Shri Gajraj Singh Rao: So, according to you, he should be prosecuted for cheating. On the one hand you say that there should be no question of imprisonment, on the other hand you say, he should be prosecuted for cheating. In that case, you shall have to provide an amendment to the Indian Penal Code for these things.

Shri L. C. Thirumalachari: If it involves moral turpitude, the only punishment is imprisonment. We do not plead for anything less than that.

Shri Gajraj Singh Rao: You say, it is cheating. So, there must be a provision to the effect that such acts come within the purview of cheating as defined in Section 420. But rather I feel that this Bill provides a lenient punishment clause. Don't you think so?

Shri V. N. Palekar: I appreciate your point. Ultimately, the idea is that if some crime has been committed, it has got to be punished. That is the basic idea. What we say is this. We do not say that such a Bill is not required. What we say is that it is too early to have this Bill.

Shri Gajraj Singh Rao: That is contradictory by itself. You have said so many times that this Bill is not required. Now, you say that this Bill is required but not at this time. That means it is not required. We are considering the thing at present and not in future.

Shri V. N. Palekar: We are not ready at all for any of these things. Suppose we apply for sanctions and so on. Where is the expert service available? Where are the experts who are going to certify the things. You provide all this and we are prepared to support the Bill.

Shri Shyam Dhar Mishra: We understand that. You say that there should be technical people to certify the seeds. By this time, we have enough extension people who know all this or who are supposed to know all this. If they do not know it, we have to train them. The machinery for that has to be created.

Shri Gajraj Singh Rao: Don't you think our farmers know much better than experts barring a few exceptions? Are they not experts in their own line to say that the seed is good or bad?

Shri L. C. Thirumalachari: Only the experts are supposed to know everything.

Shri Deorao S. Patil: In your Memorandum, you have suggested for specific provisions for regulating the cultivation of any particular variety of seed.

Shri L. C. Thirumalachari: Which point?

Shri Deorao S. Patil: You have suggested that there should be specific provision for regulating the cultivation of any particular variety of seed. Anyway, the second thing that I wanted to ask was this. Do you not think that there should be representation of seed users on this Committee?

Shri L. C. Thirumalachari: Certainly, there should be.

Mr. Chairman: On behalf of the Committee, I tender my thanks to the witnesses who took the trouble to come over here and give their views on the Bill.

(The witnesses then withdrew.)

II. Shri G. A. Patel, Director of Agriculture, Gujarat, Ahmedabad.

(The witness was called in and he took his seat.)

Mr. Chairman: First of all, let me read out the direction of the Speaker on the examination of witnesses. It runs thus:

“Where witnesses appear before a Committee to give evidence, the Chairman shall make it clear to the witnesses that their evidence shall be treated as public and is liable to be published, unless they specifically desire that all or any part of the evidence tendered by them is to be treated as confidential. It shall, however, be explained to the witnesses that even though they might desire their evidence to be treated as confidential, such evidence is liable to be made available to the members of Parliament.”

Now I would request Mr. Patel to give his comments on the Bill and the circumstances connected with the Bill.

Shri G. A. Patel: I particularly like to point out that the spread of an improved variety is a programme, which is usually connected with agricultural extension work and, therefore, a lot of effort is needed in order that it ultimately spreads. This Bill, as I understand it, connects both the variety part of it as well as the seed part of it; the seed trade part of it. Experience in the past years has shown that any impediments that we might put in the spread of a variety by any manner is likely to slow down the progress rather than speeding it up and I am quite sure that the intention is that we must speed up progress and spread a variety rather than restrict it in any manner.

The main reason for myself appearing here is that we were concerned over certain provisions of the Bill in so far as they affect the seed trade.

As far as we understand, this Bill does not control in any manner the growth of a variety of crop as it is governed already by such acts as Cotton Control Act, which envisage the State Government to regulate the growth of certain varieties in specified areas. What I would like to make out is that it is not correct to separate two aspects, i.e., seed trade and growth of varieties. These are two aspects which are intimately connected with each other and any law that we might consider should be a law which combines both of them rather than creating a distinction between the two. For example, at present the State Government can prohibit the growth of certain varieties of cotton in certain areas. At the same time the present law also provides that a variety to be traded in an area will be controlled by what is known as Central Variety Release Committee. The release of a variety in an area is so much dependent on local public opinion. This opinion has to be cultivated first of all: it is not born suddenly. It is a matter of stages before the public opinion gets created in favour of a certain variety. Secondly when the breeder has evolved a variety, he usually tries it out and gets ready to release, but it will be done at the end of a certain season. This usually happens in certain crops, say, in October and in some cases in February. Growing a variety over a large area or distributing the seed has to be decided sometime between November and the next growing season, i.e., June. It would not, therefore, be practicable, under any circumstances, to obtain clearance from the Central Variety Release Committee in a very short time. Even today there are certain Variety Release Committees in certain States, as advised by the Central Government. Even the State Variety Release Committees find it very difficult to keep pace with the individual varieties that are being released. Therefore, the present provisions of the Central Variety release Committee seem to be rather difficult to be implemented, if this is passed. If we understand what

is the implication of the Central Variety Release Committee, it is not so much, in my view, to regulate the seed trade, but on the other hand it is going to regulate the plant breeder who is going to release a variety; it is he who is to be controlled by the Central Variety Release Committee; it is his variety which is to be opined upon by the Central Variety Release Committee. If I understand correctly and if this is the case, I think perhaps a law is not necessary for controlling the plant breeders because, as you are quite aware, most of the work at present is done by government institutions, either financed directly or controlled directly. It does not, therefore, seem necessary that the activities of the plant breeder, who evolves the varieties, should be controlled in any manner. If this happens, I am afraid it is likely to slow down the progress and their enthusiasm and slow down their effectiveness because, before he even introduces a variety, he will have to go to the Central Variety Release Committee for approval for releasing and distributing the variety. I am quite aware that there are certain private seed traders in vegetables, particularly in ornamental plants. I, however, confine my remarks only to certain crops, which are the field crops with which we have the maximum experience. Nevertheless, I cannot help making a remark on things like certification of seedlings of some crops. We have a system of voluntary certification in our State, under which we certify the parents, the mother plants, as well as the crops which are produced from such mother plants. This is entirely done on a voluntary basis. The voluntary nature of it itself is a beginning towards perhaps the ultimate end, which the Seeds Bill proposes to have. My submission mainly is that in such matters as the quality of seed, which is intimately connected with a variety of seed itself, it is necessary that a large amount of public opinion needs to be created before we have statutory provisions. The cotton seed which we certify on an

area of about 33 lakh acres, the seed cotton sold as seed amount to 15,000 tonnes of seed in about a thousand different lots produced by various gins. You can well imagine what will be the implications if the Seed Act is passed under which the seed quality is to be controlled without a prior creation of public opinion in regard to the quality of the seed. We feel this creation of public opinion is a first necessity even in a crop like cotton. Certification regarding the quality of the seed has not yet been acted upon because there is no provision in regard to that. Even at present our experience shows that the seed quality itself as assessed from the large number of samples that we certify has a large variation without uniformity and hence it will hardly be possible even in a small State like Gujarat much less for the country as a whole to have uniform seed standards. Here, I would particularly emphasize that even in manufactured products like the pesticides and fungicides there are no orders, no laws enforcing the quality of the product. There are at present only voluntary organizations like the Indian Standards Institution and it is the willingness of the producer which can decide what quality he wants to produce. When we are at this stage of development even in the case of a manufactured product like pesticide, I feel it is rather premature to enforce an Act which will control the quality of seeds. That is my general submission.

Regarding other things, I have given my views in detail in my notes which have been circulated.

Shri Sivamurthi Swami: Can you enlighten the Committee that as in Gujrat you were controlling the quality of seeds in cotton earlier, what objection is there if on all India basis you take the approval of an all-India Committee or you could suggest to the Committee which are the seeds suited to each area on the basis of the rain or particular situation in each part of your State? As you have got

these Cotton Seeds Variety Committee in Gujarat—in the previous State also when it was Bombay State, the same thing was applied; it is so even in Karnatak and Maharashtra and all these areas—and there has been lot of improvement due to that Cotton Seeds Committee. So also, if a uniform Committee is organized here under this Act, I think it will help to improve the varieties in all the States and there may be differences as you have suggested in the varieties. So, may I know what objection you have, if there is any, as all the Rules are framed on an all-India basis by this Committee?

Shri G. A. Patel: Two principal reasons against having a Central Variety Committee are: one—the time factor involved here. Secondly, we feel that the decision to grow a certain variety in a certain area is best known to the workers in that area. The country is sufficiently large and no single person or no single body can ever hope to attain that much acquaintance and knowledge about a particular terrain and a particular variety in an area. These are two principal reasons why we feel that the Central Variety Release Committee is not conducive for the progress.

Shri Sivamurthi Swami: Under the Bill itself nomination has been given to the States—please see clause (2) (iv) on page 3.

Shri G. A. Patel: Not all the States are represented all the time. They come in rotation and the States which are the principal persons to be effected are, if I may use the word, in a minority in the suggested Variety Release Committee.

Shri Sivamurthi Swami: Then you support the voluntary certification?

Shri G. A. Patel: Yes, that should be continued.

Shri Sivamurthi Swami: Do you think that in this voluntary certification lot of fraud takes place. There

is no check on selling the lower grade varieties saying that it is high-grade jowar or high grade bajra if there is no statutory restriction on dealers. What check would you suggest?

Shri G. A. Patel: By voluntary certification I did not mean that there should be no certifying agency but the choice as to whether the seed must be certified or not must be of the producer himself. It should not be statutorily laid down that he shall get the seeds certified before he can sell it. By voluntary nature I also meant that the Government will create organizations which will help in certification of seeds as it is being attempted in the cotton. I do not mean by voluntary that it will be entirely open or it will be as a grower himself says 'I have certified it myself that it is of so much purity.' I do not mean the voluntary nature of that type. What I meant was that there should be an organization created to help the voluntary certification by the growers themselves.

Shri Shyam Dhar Mishra: Some fears have been expressed. For example, for cotton, under the Cotton Control Act the seeds are released for cotton growing. And this Seed Committee what you call in your comments as Central Variety Committee. You have fears that because it will not be representative of all the States; at any particular time there will be only three States according to the provisions of the Bill and so there will not be a proper consultation by the Central Government with all the States concerned. I suppose this Committee concedes your point and instead of having three representatives from three zones, i.e. at a time only from three States, if we have in this Committee one representative minimum from each State, will that satisfy you because in that case there will be proper consultation and your point will be met.

The other point which I wanted to bring to you is: you know that this

Seeds Bill will cover mostly inter-State variety. It is not going to touch local variety and if you have a local variety you have a State level Committee which will take care of it. What are your fears for the inter-State variety to come under the Central Act which will be implemented in consultation with the State Governments?

Shri G. A. Patel: As I earlier mentioned, we have submitted as to who are the members of the State Committee. There are not only specialists concerned included in the State Varieties Release Committee but also plant pathologist, agronomist as well as the Deputy Director of Extensions who are all intimately connected with the seed production programme. Therefore, the decision that will be taken at the State level by this Committee will be likely to be more mature and due considerations will be given to many aspects which cannot possibly be given at the Central level. As regards your query if the committee is enlarged, whether the purposes would be served, I would like to say they will not be served, because the decisions will be anyway taken by groups of persons who are not intimately connected with the conditions in a particular area. Secondly, regarding the inter-State variety.....

Shri Shyam Dhar Mishra: Excuse me for the interruption. Now suppose Gujarat State is represented and all the other 15 States are also represented. Is it your view that the Gujarat representative will not be able to reflect the viewpoint of Gujarat? If you are representing Gujarat State, you will be heard by the Committee and the interchange of opinions will help the Committee to form its own opinion. If you have a local variety in cotton wheat or paddy and say that you have got this variety and that should be sufficient, do you think even then the Committee will not pay any attention to your views?

Shri G. A. Patel: But the other members of the Committee are not acquainted with that variety. In the State release committee all the knowledgeable persons concerned are there, while in the Central variety release committee, only one member will be fully acquainted with the variety. That is my point. If the purpose of the present Act is only to regulate inter-State trade of seed, well, I have very little to say and such regulations may be introduced if the Government of India thinks it desirable, it being understood that within the State trade and release of variety will be continued to be managed as at present either by introducing an Act which would cover it or without an Act.

Shri Hit Prakash: This Bill is exclusively intended to regulate the quality and trade in seeds and not the cultivating of a variety which may be applicable to one region or to more than one region. But as the Deputy Minister earlier indicated, this Bill will not regulate cultivation of the varieties. Supposing in Gujarat in a particular region, you have notified under your Cotton Control Act that only a particular variety shall be grown and if it is found by the Central Seed Committee that that particular variety is also suitable for so many other regions in the country, then the intention is that the quality of those seeds should be regulated by this Bill. The Bill does not seek to regulate the cultivation of that variety. If a particular variety which you have found suitable for a particular region in Gujarat is also found suitable by technical experts for other regions also, then the intention is that the quality of the seed to be utilised for cultivation of that variety in those regions, should be regulated. The Bill does not seek to regulate the cultivation of the variety.

Shri G. A. Patel: As for as the existing varieties are concerned, the Act will, of course, provide for covering them. But suppose a new variety of

cotton has been evolved at a small farm in Saurashtra and we release that variety in that particular area. Now, if I have correctly understood, if this variety can also be grown in other areas, then it will come under the purview of the Act. My submission is that before that stage is reached, there is another stage when the variety is traded in a particular State. If this law will not apply to that, then I have nothing to say . . .

Shri Hit Prakash: I will clarify the position. The varieties and the kinds to which this Bill shall be applicable shall be notified by Government in the Gazette on the recommendation of the Central Seed Committee. The rules will provide the procedure before a new variety can be released by the Central Seed Committee. But suppose in Gujarat you yourself have evolved a local variety and you yourself start growing it, the Bill will not stop that. But if it is found that the new variety which was evolved by you is so good that it should also be made available to other regions and the Central Seed Committee feels that the variety should be regulated, then the Central Variety Release Committee will approve of it and the Government will notify that the Act shall become applicable to that variety. Till it is notified, you are at perfect liberty to grow it in your State and certify the seed, etc. There may be hundreds of varieties in every State and the Bill cannot be made applicable to all those varieties.

Shri G. A. Patel: May be my understanding or reading of the Act is not complete. But if it is intended that the Act will apply only to inter-State trade, as different from trade within a State, for a particular variety, I have no objection, as I have already stated. I would like to be clear on this point that if the variety is first evolved in an area in Gujarat and if the seed trade, seed multiplication, variety release, etc., go on as at present, then there is no objection. In case the seed has to be taken out to

another State, then it should come under the purview of the Act. That is my proposal.

Shri I. J. Naidu: Kindly read clause 3: it says "the Central Government shall, as soon as may be after the commencement of this Act, constitute a Committee called the Central Seed Committee to advise the Central Government and the State Governments on matters arising out of the administration of this Act and to carry out the other functions assigned to it by or under this Act." In sub-section (5), it is said "the Committee may appoint one or more sub-committees consisting wholly of members of the Committee or wholly of other persons or partly of members of the Committee and partly of other persons, as it thinks fit, for the purpose of discharging such of its functions as may be delegated to such sub-committee or sub-committees by the Committee." So your view, rather your excessive fear, that the State Governments representative's case will not be heard or will be overruled by a mere majority, I think, is rather unjustified. In fact, in agriculture, most of the things

are done by the State. Even in administering Agriculture, the Central Government takes the views of the State Governments and respects them. That is how we can carry on. The fear that a case will be overruled by a majority vote is not really well-founded. No Central Committee or a technical committee can ignore the technical opinion of the State representatives in a matter like agriculture. I mean, unless you have any bad experience in the past, I do not think you should entertain these fears as far as the purpose of this Act is concerned. As our Minister has already pointed out, if you feel that at all time instead of by rotation there should be representation from all the States, perhaps that could be considered.

Mr. Chairman: No more questions? Thank you, Mr. Patel. About the sitting tomorrow, we will have it at 2 o'clock and there will be only one witness of Birla Institute. We will sit here. Thank you friends.

(The witness then withdrew.)

(The Committee then adjourned at 14.00 hours on July 5, 1968)

SELECT COMMITTEE ON THE SEEDS BILL, 1964
MINUTES OF EVIDENCE GIVEN BEFORE THE COMMITTEE

Tuesday, the 5th July 1966 at 14.00 hrs.

PRESENT

Shri S. C. Samanta—Chairman.

MEMBERS

2. Shri Maganti Ankineedu.
3. Shri Brij Raj Singh.
4. Shrimati Jyotsna Chanda.
5. Shri N. T. Das.
6. Shri M. L. Dwivedi.
7. Shri Gajraj Singh Rao.
8. Shri Badshah Gupta.
9. Shri Hari Vishnu Kamath.
10. Shri Kisan Veer.
11. Shri Jiyalal Mandal.
12. Shrimati Shashank Manjari.
13. Shri Mohan Nayak.
14. Shri Sarjoo Pandey.
15. Shri S. K. Paramasivan.
16. Shri Deorao S. Patil.
17. Shri Pratap Singh.
18. Shri H. C. Linga Reddy.
19. Dr. Sarojini Mahishi.
20. Shri Annasaheb Shinde.
21. Shri Sivamurthi Swami.

DRAFTSMAN

Shri S. Harihar Iyer, *Deputy Draftsman, Ministry of Law.*

REPRESENTATIVE OF THE MINISTRY

Shri Hit Prakash, *Deputy Commissioner (Seeds Development), Ministry of Food, Agriculture, Community Development and Cooperation.*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

WITNESS EXAMINED

Birla Institute of Scientific Research, New Delhi.

Spokesman:

Shri V. N. Kohli.

(The witness was called in and he took his seat).

Mr. Chairman: Before we begin our work I would like to refer the direction of the Speaker to the witness present. The direction is that, where witnesses appear before a Committee to give evidence, the Chairman shall make it clear to the witnesses that their evidence shall be treated as public and is liable to be published unless they specifically desire that all or any part of the evidence tendered by them has to be treated as confidential. It shall, however, be explained to the witnesses that even though they might desire their evidence to be treated as confidential such evidence is liable to be made available to the Members of Parliament.

Now, from the Birla Institute of Scientific Research a Memorandum was received by us. Shri Kohli himself has now come before us and we would like to hear from him anything that he might like to add to what he has already said in the Memorandum.

Shri V. N. Kohli: Mr. Chairman, hon. Members of the Committee, I do not claim to be an agriculturist and my experience of seed industry is limited to the last one year only. I want to make that clear so that there may not be any misapprehension that I am going to answer any questions on technical matters. The Birlas have been dragged into this seed production by the hon. Minister of Food and Agriculture during the last one year. It was suggested that the private sector should also start taking interest in the production of high quality and pure breed seed so that the yield of crops could be increased substantially particularly when the country is facing food shortage. We started the Birla Agricultural Farm in the Punjab about one year ago and we have raised two crops there—kharif and rabi. We were faced with a number of problems.

As you all know, seed industry has not been established as yet; in fact, it is yet to be established. Therefore, I would only preface my remarks by saying that any Act that the Parliament may pass on the subject must take into consideration the fact that take into consideration the fact that industry.

Seed production was hitherto only in the domain of the Government. The private industry has yet to come into the picture. The Birlas got interested in the seed production only from the point of view of helping the agriculturists. We have even approached two or three of the Seed Corporations in America who sent their technical experts here and we had the benefit of their advice. We also gave them a copy of the Seed Bill which was then introduced in the Parliament. They have given certain suggestions which have been incorporated in the Memorandum which I submitted to you. All those points may require clarification or amplification and I shall be glad to do so.

Apart from that, there is one basic fact which has got to be remembered. The seeds trade and grains trade have got to be identified. They have got to be separate. Our experience of one year in the Birla Agricultural Farm has been that seeds cultivated under scientific conditions with proper technical guidance involve quite substantial expenditure especially when they have got to be processed and certified. Since the Birlas are not interested in making any profit out of this venture, they could afford to sell it at almost the same price or at a slightly subsidised price. But if the seed industry is to be established in the private sector, the profit aspect cannot be ignored. Therefore, it is very important that the seed and the grain must be identified. Normally, the seed costs 3 or 4 times the grain. In America sometimes it costs 8 times the price of the grain.

Secondly, if the seed industry is to be established in the private sector, apart from making some provision for profit, there should be no red tape either in certification, registration or inspection which will involve considerable time and energy. Here I will mention one small point arising out of this. There is one company which has 89 years of experience in seed production. When some representatives of that company came here, we showed them the draft of the Seeds Bill and stated that our Government want every new strain to be certified by the Government before it is put on the market. They remarked that evolving a new strain of hybrid maize or hybrid wheat takes years and years. The same company have evolved a hybrid wheat which is capable of producing almost 200 maunds per acre. They have taken four years to do that. It may be successful or may not be. If it is successful, well and good. So, if a company has to evolve high yielding strains, it should not be hedged by too many rules and regulations about certification etc. Even if it is certified, it will take the experts another five years to test the quality alone. So, that aspect has to be borne in mind. These are the preliminary remarks that I want to make. Now I will answer questions.

Shri M. L. Dwivedi: At the outset you stated that the seed industry is yet to be established in the private sector. You also stated that your experience in seed production does not go beyond one year. From what you have stated it appears that the Institute has not allowed you to travel to places where seed production is already going on in India. Because, there are lakhs of acres in the private sector under seed production. Government want to have some sort of regulation and control over the people who produce seeds so that the farmer is not cheated by the supply of bad quality seed. So, Government have framed this draft Bill. We expect you to give us some guidance on this

subject. Your memorandum does not mention any important point.

Shri V. N. Kohli: By and large, we agree with the Bill. We simply wanted to amplify some of the points.

Shri M. L. Dwivedi: In the research side of your institute are you assisted by some experts who know something on this subject? Secondly, what is the quantity of seeds produced by the Birla Institute and what is the total land under seed cultivation? Thirdly, how are they able to produce good seeds when they do not have good technical know how?

Shri V. N. Kohli: I will take them one by one. We have started our work with 1,000 acres of land which have been leased out to us by the Punjab Government exactly a year ago. We have already raised two crops on it. During the last rabi crop we have grown in 500 acres the Mexican and varieties of wheat. We have at present in the farm about 8 technical experts. The Manager is a retired Agricultural expert of the Punjab Government. We have also got agricultural graduates and engineers. Apart from working in the farm, they will have to go round and give guidance to the farmers. Besides, we are setting up a seed processing plant. As you know, Punjab has so far got only one seed processing plant of the National Seed Corporation. It is an American plant. The building is almost ready and the plant will be installed next month.

We have got a large number of equipments, both imported and indigenous, which we are working and which we propose to give to the farmers on loan. We have produced seeds of high-yielding varieties of hybrid maize, hybrid bajra, hybrid sargam and Mexican wheat. We get foundation seed from the National Seed Corporation or agricultural institutes. But I must make it clear that

the scheme is still in its infancy. We want to extend it as quickly as we can arrange for the equipments.

Over and above that, Government have suggested that we might try and bring some people from some seed Company who have the know-how in a foreign country which is producing good quality seeds for a number of years so that the foreign exchange element may be saved. It would be a sort of joint venture with outside companies and we have already one such arrangement. When I was in America last time I persuaded a well-known Seed Company and they recently sent four experts. That company has 89 years of experience in seed production. Naturally, they are keen to come here and help us not without profit motive.

The Rupar farm of Birlas is working on "no profit no loss" basis. We want to do all that is possible to improve agriculture. The seeds that we produce are certified by the National Seed Corporation and they are packed under their supervision. Then we sell them direct to the farmers. For the kharif season we will do it for hybrid maize, hybrid bajra and for Rabi Mexican wheat seed will be produced. That is our programme.

Shri M. L. Dwivedi: You have mentioned that you have got some equipment. Do you lend it to the farmers?

Shri V. N. Kohli: That is on the programme. We have not yet started doing that.

Shri M. L. Dwivedi: Have you actually started seed production? Have you any laboratory, seed testing equipment and all the other things?

Shri V. N. Kohli: As I explained to you just now, this farm was started only one year ago. Work on the buildings has already commenced and half the buildings have come up. They will include the laboratory

building, soil testing building, seed testing building, auditorium, training centre for agriculturists etc. Buildings under construction are for processing plants, seed store, fertiliser and equipment and so on. We have already got 9 tractors and a large number of imported as well as indigenous equipment. We have made a start, but I cannot say that we have produced any spectacular results as yet.

Shri M. L. Dwivedi: So, your seed production has not started yet. Even if it has started, the seed cannot be tested and it cannot be known whether the seed is of good quality or bad quality, unless all your equipment and laboratory functions. Therefore it is simply a sort of agriculture work going on on the farm and not seed production.

Shri V. N. Kohli: Whatever seed has been produced that has been processed at the Government plant because our plant was not ready. It has been tested in the laboratories there and has been bagged under their supervision. We only produced the seed; all the other things have been done by Government at Government level and they have certified that it is pure seed. The next crop that we are going to grow, we will do it on our own. In the next six months or so we will be fully equipped for the purpose.

Shri M. L. Dwivedi: How many seed crops have you already had?

Shri V. N. Kohli: We have had two last year, that is, hybrid maize and hybrid bajra. In this rabi crop we have had Mexican and indigenous varieties of wheat. We have thus produced four varieties so far.

Shri M. L. Dwivedi: I will request the Committee to see this farm and see whether they are doing good work.

Shri V. N. Kohli: I will be most grateful if some of you gentlemen could make it convenient to come and

we will be very glad to show you round. It was an undeveloped land which we got. It is in Rupar about 24 miles from Chandigarh.

Shri M. L. Dwivedi: What is your assignment there?

Shri V. N. Kohli: I am their industrial adviser; I am not an agriculturist. I look after the industry aspect, but we have agricultural experts there. I do not live there; I live in Delhi and sometimes I have to go abroad also.

Shri Hari Vishnu Kamath: You are on the managerial side.

Shri V. N. Kohli: We have got managers.

Shri H. C. Linga Reddy: What is the investment made in the farm?

Shri V. N. Kohli: The investment so far made is Rs. 8 lakhs and we expect to spend in the next kharif and rabi crops another Rs. 7 lakhs making a total of Rs. 15 lakhs.

Shri H. C. Linga Reddy: What is your production?

Shri V. N. Kohli: For the kharif crop last year we could sow only 55 acres, 50 acres of hybrid maize and 5 acres of hybrid bajra. That was disposed of at very reasonable prices. The yield was 10 quintals for hybrid maize and 5 quintals for bajra. Now we have produced the Mexican variety of wheat. We had no irrigation facility. There was no electricity there. Now electricity is likely to come. We have got heavy bulldozing equipment there. But we want to expand this further by giving our seed to the farmers and asking them to multiply it, process it in our plant and bag it under our supervision. We wish to have about 100 experts in about two years. We had those initial difficulties but just now there is no problem. But if we are successful in getting the American Seed Corporation to come

here, we will set up a new company. It will be a separate venture altogether and not part of this farm. Land will not be involved in that because we will be entering into contracts with the growers, take away their production, process it, bag it and seal it off. We will have a marketing organisation. That is why we are interested in this Bill.

I entirely agree with the main objects of the Bill. The American experts who came here also agree with the provisions of the Bill except on two or three points mentioned in my memorandum. Such Seed Act will be a safe-guard against unscrupulous people who will bag the grain and say that it is seed. There is no difference of opinion on that point. The only slight difference that we have is that the rules of the Act should be framed in such a way that there are no bottlenecks and no impediments; free hand should be given to people who know their job and know how to produce seed.

Shri Sivamurthi Swamy: How much is the Punjab Government taking for the lease of the land?

Shri V. N. Kohli: This lease is for 25 years and we are going to pay them Rs. 7½ lakhs.

Shri Sivamurthi Swamy: Have all the 1,000 acres been cultivated?

Shri V. N. Kohli: When we got this land about 700 acres was partly developed and 300 acres was not at all developed. Now almost 800 acres have been developed and our next sowing programme is for 800 acres of Mexican variety of wheat.

Shri Sivamurthi Swamy: Did you use bullocks?

Shri V. N. Kohli: No bullocks are involved. We have got all mechanical equipment. We have got the biggest seed drills in India. Wheat is sown not by hand or bullocks but by huge seed drills, as big as from where I am

sitting to the Chairman's table. The farm is worth seeing. Now electric power is expected to come. We have got 10 tubewells now and five more are being installed. They will all be energised. We have got a processing plant. All the plant is ready; it is only to be fitted there

Shri S. K. Paramsvan: Have you got canal irrigation?

Shri V. N. Kohli: It is not canal irrigation. Although the land is by the side of the river, irrigation is by tubewells.

Shri Sivamurthi Swami: Mainly you are growing maize and wheat.

Shri V. N. Kohli: We grew hybrid maize and hybrid bajra last year. Then we grew wheat. This year we are taking hybrid maize, sorghum and improved varieties of rice just to see whether it can be done there or not. All this seed we have taken from the National Seed Corporation.

Shri Sivamurthi Swami: Can you give us some idea of the sale price per quintal or per kilogram?

Shri V. N. Kohli: We sold it very cheap last year. We sold a 6½ kilo bag of hybrid maize for Rs. 10 and bajra we sold at Rs. 2.50 a kilo, as against Rs. 15 or Rs. 16 in Mysore. But money was not the point; the point was to develop something new and help the farmer.

Shri Sivamurthi Swami: Do you supply the seed to Government agencies or to the ryots?

Shri V. N. Kohli: If Government agencies want it, they are welcome to have it; we have no objection. We are selling it direct to the cultivators.

There are two more points which I would like to add. One is that in the Seed Bill there should be a specific provision so that we should be able to market seed not in any particular area but in the whole of the country.

Suppose we want to send improved varieties to Maharashtra or Madras we should be able to do so. We are getting requests from all over India. But we are precluded from doing so because there are all sorts of regulations, zones and so on.

The second point which I want to raise is that at present there is no price control on the seed. This is an important matter from the point of view of companies who want to develop this industry. That should not be there if the seed industry is to develop.

Shri H. C. Linga Reddy: Is it your ultimate aim to make this farm self-sufficient or is it your point that your cost is not the consideration at all?

Shri V. N. Kohli: This particular farm has developed but we want to develop it further. The idea is to make the seed available to the farmer at as low a price as possible and not add unnecessary profits and so on and so forth. We are not interested in the profits. But when we have a regular seed company in collaboration with a foreign company which is very much on the card, the element of profit may become an integral part of the venture as they have got to consider the aspect of profits also. The two things should be kept separately. We are still having discussions with those people and they have laid down certain terms and conditions which are being now examined by the Government.

Dr. Sarojini Mahishi: What are the difficulties that you are experiencing now in delivering seeds? You said just now that seeds cannot be delivered in different parts of the country.

Shri V. N. Kohli: We are experiencing difficulties. For example, bajra was practically unobtainable anywhere. We were luckily to get a very good yield of bajra in Punjab and everybody wanted to have small quantity. There were requests from Rajasthan, Mysore, Madhya Pradesh and

other States. They said that they would like to have small quantity and try it out. Similarly, it was so in hybrid maize. But we were told that we cannot export it without undergoing cumbersome procedures in asking the State Governments to issue permits and so on.

Dr. Sarojini Mahishi: Don't you think that for maintaining the purity and the quality of the seed, there should be certain restrictions and that there should not be any adulteration in the process of their being delivered from one part to another part of the country?

Shri V. N. Kohli: By sending the seeds from Punjab to Rajasthan, would they become impure?

Dr. Sarojini Mahishi: Not necessarily. Unless the area is restricted, it may be very difficult to maintain the purity and the quality of the seed.

Shri V. N. Kohli: They are always sealed in bags. The seeds are not sold in bulk. They are put in bags and sealed and then sent to various parts of the country.

Dr. Sarojini Mahishi: Clause 17 of the Bill says:

"The Seed Inspector may take samples of any notified seed from any person selling such seed or from a purchaser or a consignee after delivery of such seed to him;"

I know some persons have taken objection to this that a sample cannot be taken from a purchaser. Even considering that it is an opinion coming from a farmer who is in the field, what is your opinion on this?

Shri V. N. Kohli: When the seller sells a seed to a farmer, the Inspector can go there and take a sample. If the purchaser is willing to give a sample, let the Inspector take it and test it.

Dr. Sarojini Mahishi: You say, if the purchaser is willing to give a sample, the Inspector can take it. Should it depend upon the will of the purchaser or the will of the Inspector to take a sample? Even if he so desires, I want to know whether there should be any provision for that.

Shri V. N. Kohli: There is the risk involved in this. If the Inspector has to take a sample, he should go to the source. Why should he go to somebody else? He should ask the purchaser as to from where he got the seed. He should take a sample from the source.

Dr. Sarojini Mahishi: I want to know whether it will be sufficient if it is checked at the source or it requires to be checked at different points.

Shri V. N. Kohli: It is sufficient if it is checked at the source.

Dr. Sarojini Mahishi: As regards the colour, you have stated that along with the label, there should be a specific colour for certified seeds. Do you mean the colour for the bags or the colour for the seeds?

Shri V. N. Kohli: Certain colour is added to the seed. Take, for example, the Mexican seed. It is to distinguish it from the grain.

Dr. Sarojini Mahishi: When the seed is put into the bag and the label is put on that, is it necessary to add the colour also to it? At the cultivator's level, it may be necessary but at the seller's level, it may not be necessary.

Shri V. N. Kohli: That is the practice in America.

Shri H. C. Linga Reddy: Have you applied some colour to the seed in your farm?

Shri V. N. Kohli: We have not applied any colour as yet.

Shri Pratap Singh: Under item 3(2)(iii) of your Memorandum, you have suggested that the word 'wholesale' should be added so that it would read 'represent wholesale dealers in seeds'. I would like to know what is your opinion on this. Do you think it proper that some representation should be given to the growers or that only the dealers should come in the picture?

Shri V. N. Kohli: That is a very moot point. The point is how many seed growers there are going to be. There may be 50 growers or 60 growers or 100 growers. If you want to give representation to growers, it will be very difficult for you. But if you want to give representation to wholesale producers of seeds, it will become comparatively easier. It would be in the interest of the seed producers themselves to produce the best quality of seed if they want to sell it. Otherwise, supposing I produce a seed and nobody purchases it because there is some prejudice against me or it is not of a pure quality, all the capital which is invested is wasted. Therefore, it is from his own stand point, from the producer's stand point that he maintains purity, quality and suitability of the seed, if he has to sell it or develop the industry. This is just like setting up a textile mill: for example, if my textile is good, then everybody will buy it; if it is not good, nobody will buy it. The seed is more or less in an analogous position. That is why it has been suggested.

Shri Hari Vishnu Kamath: Did I hear you right when you said that you were an industrial adviser to the Birla Institute?

Shri V. N. Kohli: I am not in the Birla Institute. I am a member of the Governing Body of the Birla Institute. I am an industrial adviser to Birlas.

Shri Hari Vishnu Kamath: You control the Rupar farm?

Shri V. N. Kohli: Yes; I control the Rupar farm. I give the necessary

guidance. If the technicians come and say that they want to do this, I say, 'yes'.

Shri Hari Vishnu Kamath: You live in Delhi mostly.

Shri V. N. Kohli: But I go there every week.

Shri Hari Vishnu Kamath: Off and on.

Shri V. N. Kohli: Yes.

Shri Hari Vishnu Kamath: You have no intimate knowledge of the seeds business as such?

Shri V. N. Kohli: Actually we have not yet established it fully. We propose to place a highly qualified scientist at the top. We are already negotiating with the people. We have asked the Punjab Government to give a suitable officer; when he comes, he will be the controller of the entire area, but that may take time. Meanwhile, we are carrying on like this.

Shri Hari Vishnu Kamath: I was only wondering why the Birla Institute—of course, I do not question your capacity or ability—did not depute some one else to discuss matters with the Select Committee on the Seeds Bill, considering that you are not in intimate touch with seeds.

Shri V. N. Kohli: The Birlas have got experts on farms, but this Bill which has been circulated does involve certain amount of technical experience or knowledge...

Shri Hari Vishnu Kamath: Of which you are somewhat ignorant...

Shri V. N. Kohli: This is more a sort of procedure, i.e., how this Bill is going to be framed. We have discussed this Bill at great length with the Americans who sent two teams here and they welcomed the idea of the Bill and suggested some points which I am bringing to your notice. The Farm Manager would not have

added anything more. What we have put down is based on the discussion that we had with the Americans who have a tremendous amount of experience in that field. They were given copies of the Bill and they studied it and said "yes, we welcome the idea because it will stop unscrupulous seed producers from selling their seeds and hoodwining the cultivators". There were certain points which arose during the discussion and they have been embodied in the Memorandum that has been given to you.

Shri Hari Vishnu Kamath: I think, you have been here only for the past one year.

Shri V. N. Kohli: Yes, I have been in the farm for the past one year. As I told you earlier, this is a new thing altogether. Birlas have started with all good intentions....

Shri Hari Vishnu Kamath: Until the contrary is proved, we have to assume that they have good intentions.

Shri V. N. Kohli: We have got farm managers and technical experts, and we expect them to produce results.

Shri Hari Vishnu Kamath: 1,000 acres are very little for you. You said that you wanted more....

Shri V. N. Kohli: We do not want land. This is enough for us. We want to develop it with growers. We send our agricultural inspectors; they go to the farm and give our seed and then process it further.

Shri Hari Vishnu Kamath: How much does one kilo of hybrid maize seed cost now? I think you said Rs. 10 or so.

Shri V. N. Kohli: We have sold 6½ kilos of hybrid maize for Rs. 10. That is meant for one acre. We have also sold 2½ kilos of *bajra*.

Shri Hari Vishnu Kamath: Do you think that the price can be reduced further, later on?

Shri V. N. Kohli: It is not possible to reduce it further. We have given it at practically lower than the cost price.

Shri Hari Vishnu Kamath: Are they rock-bottom prices?

Shri V. N. Kohli: Yes. It may be of interest to you to know that the price of the National Seeds Corporation is still slightly higher. Of course, that is not the point. We have no profit margin. We give it almost at the cost price.

Shri Hari Vishnu Kamath: Who does the certification of the seed?

Shri V. N. Kohli: It is done by the National Seeds Corporation.

Shri Pratap Singh: A regards price, you are selling on no-profit-no-loss basis. Is that so?

Shri V. N. Kohli: Yes.

Shri Pratap Singh: That is, the actual price?

Shri V. N. Kohli: Yes. To that price, we have not added depreciation; we have not added any interest on capital. If we add up all these, then it will be higher, but we are not interested in that.

Shri Gajraj Singh Rao: Do you think that this Bill will be in the interest of growers?

Shri V. N. Kohli: I should think so. It will be very much in the interest of growers.

Shri Gajraj Singh Rao: Do you appreciate all the main principles of the Bill?

Shri V. N. Kohli: Yes.

Shri Gajraj Singh Rao: Do you not think that while it will avoid the evil for which this Bill is brought, it will create so many other evils, for instance, the difficulties that you have

with the Civil Supply Department when you start a new industry. In other words, have you any experience by reading news or otherwise as to what the Civil Supply Department has been doing in various other fields? Would it not be worse here?

Shri V. N. Kohli: My experience is in foreign countries and I assure you that it works very well.

Shri Gajraj Singh Rao: I am confining myself to India. You have been emphasizing Americanism, but I emphasize the local conditions of India on production as well as on certification.

Shri V. N. Kohli: If you ask for my personal opinion, I feel that this certification and the precautions which have been envisaged in the Bill are very necessary.

Shri Gajraj Singh Rao: The experience which the public men here have got with the Civil Supply Department is not good. Would it not be worse here?

Shri V. N. Kohli: What is the alternative to this?

Shri Gajraj Singh Rao: I ask you. You are the witness. Whatever opinion we hold, we would express at the appropriate time. I want to know your opinion. With so many inspectors and others going round, it may be confined to a few capitalists who can just manage them—2½ acres are the average holding in Punjab.

Shri V. N. Kohli: Seed production will not be on 2½ acres.

Shri Gajraj Singh Rao: Even with half an acre, he enters into an enterprise and produces a better seed. Would he be able to carry on that considering the experience with the Civil Supply Department?

Shri V. N. Kohli: If I understood it correctly, the idea of the Bill seems to be that it should control the seed pro-

duction under which the seed-producers should be registered and the seed production should be confined to those people who have the requisite experience, knowledge, know-how and resources to do so. A man having 2½ acres of land, whatever he produces, he consumes it himself and he cannot seeds?

Shri Gajraj Singh Rao: From our experience and also from the statistics we have collected from all over India, the best producer of the best seed has been the small peasant proprietor. Do you think that a small man with a small holding cannot produce better seeds?

Shri V. N. Kohli: I am not suggesting that he cannot. He can produce, but that seed requires grading, drying; it requires processing and it requires packing and it requires certification. All that he cannot do.

Shri Gajraj Singh Rao: Because of all this paraphernalia would it not have the effect of discouraging a small producer who produces good seeds?

Shri V. N. Kohli: I cannot answer that question.

Shri Gajraj Singh Rao: For a particular crop a particular soil is suited, with particular quality of water and certain experience and of course, hard labour. Do you think that the Rupar farm has soil suited to Bajra?

Shri V. N. Kohli: Yes,

Shri Gajraj Singh Rao: And the experience goes, if you see the records the sandy soil of Bikaner has been producing the best seeds so far. The soil at Rupar I have seen...

Shri V. N. Kohli: That is also sandy.

Shri Gajraj Singh Rao: On that soil only the bajra was sown.

Shri V. N. Kohli: That is the soil where we produced bajra last year.

Shri Gajraj Singh Rao: You are talking about last year. If I were to say that certain other kinds of soil are more suitable to *bajra* like the Rajasthan area, the Hariana area, would it be incorrect? Again I would say that for seed potato Himachal Pradesh is most suited for a better quality of seed potato.

Shri V. N. Kohli: We are only experimenting what would be the best crop that can be produced there.

Shri Gajraj Singh Rao: To concentrate on one single farm all these things we cannot have better seeds. Only by soil testing and other things we can know what is the best crop and where the best kind of seeds can be grown.

Shri V. N. Kohli: That is what we are trying to plan to do.

Shri Gajraj Singh Rao: Have you tested the Australian *bajra*?

Shri V. N. Kohli: No, we have not yet.

Shri Gajraj Singh Rao: That gives the maximum yield if I may tell you and you can just find it out from the records of the Punjab Government. In Gurgaon we have got 44" stalk. What quality of *bajra* have you sown in your farm?

Shri V. N. Kohli: That was the hybrid *bajra*.

Shri Gajraj Singh Rao: Hybrid means the process and not the quality. The seeds are known by other names. So, do you think that the foreign *bajra* is better than the Indian *bajra*?

Shri V. N. Kohli: I do not think so.

Shri Gajraj Singh Rao: Have you seen the Indian seed?

Shri V. N. Kohli: Yes, we have seen. We have got it from the National Seeds Corporation, from their farm in Ludhiana.

Shri Gajraj Singh Rao: Have you seen the agricultural statistics of these places. What is the yield of *Bajra* there? What is the specific quality of that *bajra* in Ludhiana? In your laboratory have you got statistics called out from the normal gazette about the grades? Have you studied them? You have given instances from America and you may be expert in that. But have you made a study of the agricultural statistics of Punjab? There are complete statistics.

Shri V. N. Kohli: We were advised by the Director, Agriculture, Punjab that this is the best *bajra*.

Shri Gajraj Singh Rao: My question is: have you studied the agricultural statistics of Punjab or the settlement reports or so many other books on agricultural production.

Shri V. N. Kohli: We do. But we were given particular type of seeds to grow there and we grew.

Shri Gajraj Singh Rao: Then as an expert and I say you are becoming an expert, you say that you were given certain quality and therefore you grew it. Is that an answer?

Shri V. N. Kohli: We have not evolved any strain of our own. We were given the seeds that they were the seeds most suitable and we grew them. That was the first year. As we progress, we will probably evolve our own strain.

Shri Gajraj Singh Rao: I do not want the testimony of your farm. The The question before us is this: so you have been doing as they said 'Do this or do that.'

Shri V. N. Kohli: That is all.

Shri Gajraj Singh Rao: But on your own expert knowledge of the soil and the production quality, quantity in Punjab, now in the Hariana part of it, that this should be done with the expert knowledge of the local people who have been growing and with that scientific knowledge you can do anything—have you gone on that line?

Shri V. N. Kohli : We have not gone on that line. That stage has not yet come. We have not reached that stage but when we reach that in the course of the next few years, then we will do.

Shri Gajraj Singh Rao : Then you suggest that there should be big seed farms. But no man in Punjab, even the biggest landlord, can have more than 30 acres and if they were to go in competition and want to produce best seeds, would they be able to do that with all the paraphernalia; can they produce and come in the market?

Shri V. N. Kohli : That is a question of opinion. I am not expressing any opinion on that subject.

Shri Gajraj Singh Rao : 30 acres is the maximum allowed according to law. Punjab is a land of peasant proprietors where the holding was about 2½ acres in 1940; it may be much less now. How do you think if the Rules-making body takes into its head that the peasant proprietors should be encouraged to produce seed in competition, what facilities would you suggest they should be given?

Shri V. N. Kohli : We would give them all facilities we have got. In fact they should be given facilities by the Government. They should be given good seeds.

Shri Gajraj Singh Rao : You in turn want to be an expert adviser to them?

Shri V. N. Kohli : We have not been given any facilities. We have created the facilities ourselves for the good of the people. We have not got one paisa from the Government. We are setting up laboratories at a cost of Rs. 7 or 8 lakhs with our own funds.

Shri Gajraj Singh Rao : What is your cost of production as compared to ordinary cultivator? I am talking of the seed--the high-quality foodgrain which I would call the seed.

Shri V. N. Kohli : Our cost will be higher because we will be providing

for all this processing and various other things which the cultivator will not do.

Shri Gajraj Singh Rao : What is the ratio if you have studied it in your laboratory? You say that there is a Corporation of yours. If you have these figures, what is the cost of production of the same quality of seed—you might call foodgrain—by ordinary cultivator in that locality and in your farm?

Shri V. N. Kohli : I have not got the figures.

Shri Gajraj Singh Rao : Because if you were to advise us, we would tell you that there cannot be any comparison between your cost of production and the ordinary cultivator's because you get so many subsidies from the Government and other facilities. It means the extinction of the ordinary cultivator from this seed production where I would submit the ordinary cultivator is the best producer. In Lyallpur which was a worse area, the land was given to a military man who was demobilised and he produced one-fifth of the foodgrains of the whole of Punjab. And there was no mechanical farming. The seed has been sent to the whole of Europe...

Shri V. N. Kohli : Lyallpur irrigation facilities are not available in Rupar.

Shri Gajraj Singh Rao : Your irrigation facilities are better. I have seen the facilities in Lyallpur in those days. Now because of electricity, they are a little better. Even in the early days of Lyallpur, we could send to the whole of Europe our foodgrains as seed.

Shri V. N. Kohli : This is a very controversial point, whether a cultivator can produce cheaper seed than a capitalist; that is a different issue.

Shri Gajraj Singh Rao : I didn't say that; I would only ask you as to how you want an honest and hardworking cultivator to be in competition in seed production with the big capitalist.

Shri V. N. Kohli: We are not competing, we are only supplementing.

Mr. Chairman: What are the functions of this Birla Institute of Scientific Research? What is the work they are doing? Why have they taken up this work? Who is financing these operations?

Shri V. N. Kohli: This Birla Institute of Scientific Research has been created to propagate the sciences in agriculture, in horticulture, in farming and in various other things. This is a foundation created by the Birlas, in the same way as we have got the Hindustan Charitable Trust, the Pilani Institute, the Ranchi Technological College and various other institutions. The Institute is without any profit motive and it was established about three years ago with the object of helping the country in whatever small way it can. They are just beginning to develop these ideas and to give whatever help they can. Beyond that we have not gone. The main function is to do service. There is no profit motive involved because we are precluded under the constitution of the foundation from making any profit. Whatever is got has to be put back into the Institute. There is no profit; loss, of course there can be.

Mr. Chairman: Subsidy is given?

Shri V. N. Kohli: Yes. It is not a business foundation. It is just that Birla thought "well, the need of the country is to have development in scientific agriculture; let us do something for that." That is what they are doing. But if it comes to business foundation, which we expect to have in course of time, then it becomes a different issue. No land is involved. The company will contract with the growers, take their produce at the market value, process it, dry it, bag it and sell it to the cultivators who are interested.

Mr. Chairman: You have suggested that certification should be optional.

Then how can the farmers be supplied with genuine seeds, if there is no certification either by the Government or by some institutions?

Shri V. N. Kohli: I will explain to you the reason. If I produce good quality seed and if I give it to the cultivator and that results in a higher yield, the cultivator will surely come back and ask for that seed again. But if the quality is bad, the cultivator is not going to touch it with a pair of tongs. You can even sell it at half the price; he won't touch it. If the seed is of good quality and gives a higher yield, the cultivator will take to it. So, whether you certify or don't certify, it does not make any difference. Certification leads, as some Hon'ble Member suggested, to a lot of paraphernalia, inspectors, civil supplies staff, etc. It is better to leave it to the company which produces the seed. If the seed is found to be good by the cultivators, he can run his business. Otherwise, he will be forced to close down the show. That is my personal opinion.

Dr. Sarojini Mahishi: If the whole process of growing the seeds and supplying them depends upon the honesty and sincerity of the people, where is the necessity for this Bill, Sir?

Shri M. L. Dwivedi: You have said that certification should be optional. But clause 8 of the Seed Bill says that "the State Government may establish a certification agency for the State to carry out the functions entrusted to the certification agency by or under this Act." Here, "may" does not mean "option". It has the force of "shall", that is compulsory. So, your interpretation is not correct. You may know that the Government of India has passed an Act where it is said that "English may continue to be used in addition to Hindi...." There, "may" has the force of "shall".

Shri Hari Vishnu Kamath: I will, if I may, supplement the Chairman's question. We are glad to learn, Mr.

Kohli, that Birlas are actuated by the no-profit motive in this enterprise. Is the Committee to understand that this is a solitary instance in Birlas or that there are other enterprises also that they have launched in this country wherein they are actuated by similar noble motives?

Shri V. N. Kohli: There are so many institutions. We have got one in Hyderabad. We have set up a small farm to improve the yield there. Then we have got the educational institutes; e.g. the Pilani Institute and the Birla Institute of Technology in Ranchi. There is a hospital coming up. If you like, I will send you a complete list.

Shri Hari Vishnu Kamath: There is no profit involved in all these?

Shri V. N. Kohli: Where is the profit in running a college? Where is the profit in running a hospital or a school?

Shri Hari Vishnu Kamath: In answer to the Chairman's question, you said there was no profit, no loss...

Shri V. N. Kohli: I didn't say "no loss". What I said was that there is no profit motive involved.

Shri Hari Vishnu Kamath: The prices of the the Seed Corporation are higher than their prices...

Shri V. N. Kohli: Our price does not include overhead charges, etc.

Representative of the Seed Corporation:

The Seed Corporation does not grow its own seeds. It only buys from the growers, processes it and sells it to the State Governments. Now the price of hybrid seeds varies from State to State, as it must have relationship with grain price. Now Mr. Kohli's firm is located in Punjab. Therefore, I will confine myself only to the price in Punjab. The National Seed Corporation last year in kharif had entered into an agreement with the growers to purchase seeds from Rs. 85 to Rs. 100 per quintal i.e. 85 paise to

Rs. 1 per kilogram. It was unprocessed seed. And thereafter the Corporation spent some money on processing, bagging up and certifying it, and roughly our cost of production had worked out to about 1.50 per kilogram. That included all items of expenditure. Another big firm in Punjab which is Agricultural Association is dealing on a very large scale in hybrid seeds. Now I do not remember the exact figure, but they have also been selling the hybrid maize seed at almost the same price about Rs. 10 or Rs. 10.50 per bag of 6½ kilograms.

Shri M. L. Dwivedi: They have also spent the same thing as the Government National Corporation has done i.e. near about 1.50 per k. g. Birlas are also supposed to have spent the same money.

Representative of Seed Corporation: There is a little difference, in the sense the Corporation did not grow its own seeds. It is correct that the Corporation prices are higher, because, in fact, the Corporation does not sell at Rs. 1.50 but is selling at a much higher rate. The reason for this is, production in Punjab, which the Corporation had procured, was so small compared with the demand that it went in for large scale procurement in Maharashtra and Mysore. Now in Maharashtra, the State Government fixed the price of hybrid maize at Rs. 3:50 per kg. and in Mysore it was Rs. 5 per k.g. These were the prices that were fixed by the State Governments and what the Corporation did was that it procured these seeds from the different regions, pooled a price, so that because mostly it was supplying to North Indian States where there is no production in winter of this maize etc. and the pooled price is about 3.5 nP per k.g. that is why Mr. Kohli said the Corporation prices are higher than his prices.

Shri Hari Vishnu Kamath: What has been just now said creates the impression—I may be wrong—that to the poor Kisan, the National Seed Corporation appears as a profiteer.