

**(v) The Rules, Regulations, Instructions, Manuals And Records, Held By It Or Under Its Control Or Used By Its Employees For Discharging Its Functions;**

**THE SEEDS RULES, 1968**

**PART I - Preliminary**

**1) Short title** - These rules may be called the Seeds Rules, 1968

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

- a. "Act" means the Seeds Act, 1966 (54 of 1966)
- b. "Advertisement" means a.. representations other than those on the label, disseminated in any manner or by any means relating to seed for the purposes of the act;
- c. "certification sample" means a sample of seed drawn by a certification agency or by a duly authorized representative of a certification agency established under section 3 or recognized under section 18 of the Act;
- d. "certification tag" means a tag or label of certain design to be specified by the certification agency and shall constitute the certificate granted by the certification agency;
- e. "certified seed" means seed that fulfills all requirements for certification provided by the Act and these rules and to the container of which the certification tag is attached.
- f. "certified seed producer" means a person who grows or distributes certified seed in accordance with the procedure and standards of the certification agency;
- g. "complete record" means the information which relates to the origin, variety, kind germination and purity of seed of any notified kind or variety offered for sale, sold or otherwise supplied:
- h. "form" means a form appended to these rules:
- i. "origin" means the State, Union, Territory or foreign country where the seed is grown and in case seeds of different origin are blended the label shall show the percentage of seed of each origin;
- j. "processing" means cleaning, drying, treating, grading and other operations which would change the purity and germination of the seed and thus requiring re-testing to determine the quality of the seed, but does not include operations such as packaging and labelling"
- k. "section" means a section of the Act'

- l. "service sample" means a sample submitted to the Central Seed Laboratory or to a State Seed Laboratory for testing, the results to be used as information for seeding selling or labelling purposes;
- m. "treated" means that the seed has been subjected to an applications of a substance or process in such a manner as to reduce, control or repel certain disease organisms, insects, or any other pests attacking such seeds or seedlings growing therefrom and for other purposes.

### **PART II - Central Seed Committee**

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

- a. recommend the rate of fees to be levied for analysis of samples by the Central and States Seed Testing Laboratories and for certification by the certification agencies;
- b. advice the Central or State Governments on the suitability of seed testing laboratories;
- c. Send its recommendations and other concerning records to the Central Government;
- d. Recommend the procedure and standards for certification, tests and analysis of seeds ; and
- e. Carry out such other functions as are supplemental, incidental or consequential to any of the functions conferred by the Act or these rules.

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

- a. An official member of the committee or its sub-committee shall be entitle to draw travelling and daily allowances in accordance with the rules of the Government under which he is for the time being employed and from the same source from which his pay and allowances are drawn.
- b. A non official member shall be allowed travelling and daily allowances in accordance with the general orders issued in this behalf by the Central Government from time to time.

### **PART III - Central Seed Laboratory**

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

- a. initiate testing programmes in collaboration with the State Seed Laboratories designed to promote uniformity in test results between all seed laboratories in India ;
- b. Collect data continually on the quality of seeds found in the market and make this data available to the Committee; and
- c. Carry out such other functions as may be assigned to it by the Central Government from time to time.

#### **PART IV- Seed Certification Agency**

##### **6. Functions of the certification agency :-**

In addition to the functions entrusted to the certification agency by the Act, the Agency shall certify seeds of any notified kinds or varieties;

- a) certify seeds of any notified kinds or variety;
- b) outline the procedure of submission of applications and for growing, harvesting, processing, storage and labelling of seeds intended for certification till the end to ensure that seed lots finally approved for certification are true to variety and meet prescribed standards for certification under the Act or these rules;
- c) maintain a list of recognized breeders of seeds;
- d) verify, upon receipt of an application, for certification, that the variety is eligible for certification that the seed source used for planting was authenticated and the record of purchase is in accordance with these rules and the fees has been paid;
- e) take sample and inspect seed lots produced under the procedures laid down by the certification agency and have such samples tested to ensure that the seed conforms to the prescribed standards of certification;
- f) inspect seed processing plants to see that the admixtures of other kinds and varieties are not introduced.
- g) Ensure that action at all stages e.g. field inspection, seed processing, plant inspection, analysis of samples taken and issue of certificates (including tags, marks, labels and seals) is taken expeditiously;
- h) Carry out educational programmes designed to promote the use of certified seed including a publication listing certified seed growers and sources of certified seed;
- i) Grant certificate (including tags, marks, labels and seals etc.) in accordance with the provisions of the Act and these Rules;

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

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

#### **PART V - Marking or labelling**

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

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

**8) Contents of the mark or label :-** There shall be specified on every mark or label

- i. Particulars, as specified by the Central Government under Clause (b) of section 6 of the act.
  - ii. A correct statement of the net content in terms of weight and expressed in metric system.
  - iii. Date of testing.
  - iv. If the seed in container has been treated.
- a) a statement indicating that the seed has been treated.
  - b) The commonly accepted chemical or abbreviated chemical (generic) name of the applied substance; and
  - c) If the substance of the chemical used for treatment, and present with the seed is harmful to human beings or other vertebrate animals, a caution statement such as "Do not use for food, feed or oil purposes". The caution for mercurials and similarly toxic substance shall be the word "Poison" which shall be in type size, prominently displayed on the label in red.
  - v) The name and address of the person who offers for sale, sells or otherwise supplies the seed and who is responsible for its quality;
  - vi) The name of the seed as notified under section 5 of the act.

**9) Manner of marking or labelling the container under clause ( c ) of section 7 and clause ( b ) of section 17 :-**

- 1) The mark or label containing the particulars of the seed as specified under clause ( b ) of section 6 shall appear on each container of seed or on a tag or mark or label attached to the container in a conspicuous place on the inner most container in which the seed is packed and on every other covering in which that container is packed and shall be legible.
- 2) Any transparent cover or any wrapper, case or other covering used solely for the purpose of packing of transport or delivery need not be marked or labelled.
- 3) Where by a provision of these rules, any particulars are required to be displayed on a label on the container, such particulars may, instead of being displayed on a label be attached, painted or otherwise indelibly marked on the container.

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

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

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

**PART VI- Requirements**

**13) Requirements to be complied with by a person carrying on the business referred to in section 7:-**

- 1) No person shall sell, keep for sale, offer to sell barter or otherwise supply any seed of any notified kind or variety, after the date recorded on the container, mark or label as the date upto which the seed may be expected to retain the germination not less than that prescribed under clause ( a ) of section 6 of the Act.
- 2) No person shall alter, obliterate or deface any mark or label attached to the container of any seed.
- 3) Every person selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of notified kind or variety under Section 7, shall keep over a period of three years a complete record of each lots of seed sold except that any seed sample may be discarded one year after the entire lot represented by such sample has been disposed off. The sample of seed

kept as part of the complete record shall be as large as the size notified in the official Gazette. This sample, if required to be tested, shall be tested only for determining the purity.

**14) Classes and sources of certified seed :-**

(1) There shall be three classes of certified seed, namely, foundation, registered and certified, and each class shall meet the following standards for that class.

- a. Foundation seed shall be the progeny of breeder's seed, or be produced from foundation seed which can be clearly traced to breeder's seed Production shall be supervised and approved by a seed certification agency and be so handled as to maintain specific genetic purity and identity and shall be required to meet certification standards for the crop being certified.
- b. Registered seed shall be the progeny of foundation seed that is so handled as to maintain its genetic identity and purity according to standard specified for the particular crop being certified.
- c. Certified seed shall be the progeny of registered or foundation seed that is so handled as to maintain genetic identity and purity according to standards specified for the particular crop being certified.

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

**PART VII - Certification of Seeds**

**15) Application for the grant of a certificate :-** Every application for the grant of a certificate under Sub-section (1) of section 9 shall be made in Form I in accordance with the procedure outlined by the certification agency for submission of applications and contain the following particulars, namely :

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

f. mark or label of the seed

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

**17) Certificate** :- Every certificate granted under Sub Section 3) of sections 9 shall be in Form II and shall be granted by the certifications agency after making enquiries and satisfying it self in accordance with the provisions of the said sub section of the following conditions for the period to the specified by the certification agency namely

- i. The person to whom the certificate is granted under sub sections (3) of section 9 shall attach a certification tag to every container of the certified seed and shall follow the provisions in respect of marking or labelling provided by or under the act.
- ii. The certification tag shall contain the following particulars namely.
  - a. Name and address of the certification agency.
  - b. Kind and variety of the seed.
  - c. Lot no or other mark of the seed.
  - d. Name and address of the certified seed producer.
  - e. Date of issue of the certificate and of its validity.
  - f. An appropriate sign to designate certified seed.
  - g. An appropriate word denoting the class designation of the seed.
- iii) The colour of the certification tag shall be white for foundation seed purple for registered seed and blue for certified seed.
- iv) The container of the certified seed shall carry a seal of such material and in form as the certification agency may determine and no container carrying a certification tag shall be sold by the person if the tag or seal has either been tampered with or removed.
- v) The certification tag on the container shall specify.
  - a. The period during which the seed shall be used for sowing or planting.
  - b. That the use of seed after the expiry of the validity period by any person is entirely at his risk and the holder of the certificate shall not be responsible for any damage to the buyer of the seed.
  - c. That no one should purchase the seed if the seal or the certification tag has been tampered with.
- vi) The holder of the certificate shall keep record of the details of each lot of the seed which is issued for sale in such form as to be

available for inspection and to be easily identified by reference to the number of the lot as shown in the certification tag of each container and such records shall be retained in the case of a seed for which expiry date is fixed for a period of two years from the expiry of such date.

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

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

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

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

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

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

The Certification agency shall, before granting the certificate, ensure that the Seed conforms to the standards laid down in the Manual known as "Indian



Minimum Seed Certification Standards" published by the Central Seed Committee, as amended from time to time". (Amendment No.18-48/81-SD, dated 10th June, 1981).

## **PART VIII- APPEALS**

### **18. The form and manner in which and the fee on payment of which the Appeal may be preferred :-**

1. Every memorandum of appeal under sub-section (1) of section 11 shall be in writing and shall be accompanied by a copy of the decision of the certification agency against which it has been preferred and shall set forth concisely and under distinct heads the grounds of objections to such decision without any argument, or narrative.
2. Every such memorandum of Appeal shall be accompanied by a treasure receipt for sum of 100/- rupees.
3. Every such memorandum of appeal may be presented either in person or through an agent duly authorized in writing in this behalf by the appellant or may be sent by the registered post.

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

## **PART IX - Seed Analysts and Seed Inspectors**

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

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

### **21) Duties of a seed analyst :-**

1. On receipt of a sample for a analysis the Seed Analyst shall first ascertain that the mark and the seal or fastening as provided in clause (b) of the sub-section (1) of section 15 are intact and shall not the condition of the seals thereon.
2. The Seed analyst shall analyse the samples in accordance with the procedures laid down in the Seed Testing Manual published by the

Indian Council of Agriculture Research as amended from time to time.(Amendment No.7(17)/69-Seeds-Dev., dated 30-6-1973)

3. The Seed Analyst shall deliver in Form VII, a copy of report report of the result of the analysis to the persons specified in sub-section (1) of section 16, as soon as ,may be but not later than 30 days from the date of receipt of samples sent by the Seed Inspector under Sub-Section (2) of the Section 15.(Amendment No.7(17)/69-Seeds-Dev., dated 30-6-1973)

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

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

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

- a. Inspect as frequently as may be required by certification agency all places used for growing storage or sale of any seed of any notified kind or variety;
- b. Satisfy himself that the conditions of the certificates are being observed;
- c. Procedure and send for analysis, if necessary, samples of any seeds, which he has reason to suspect are being produced, stocked or sold or exhibited for sale on contravention of the provisions of the Act or these rules;
- d. Investigate any complaint, which may be made to him in writing in respect of any contravention of the provisions of the Act or these rules.
- e. Maintain a record of all inspections made and action taken by him in the performance of his duties including the taking of samples and the seizure of stocks and submit copies of such record to the Director of Agriculture or the certification agency as may be directed in this behalf.
- f. When so authorised by the State Government detain imported containers which he has reason to suspect contain seeds, import of which is prohibited except and in accordance with the provisions of the Act or these rules.
- g. Institute prosecutions in respect of breaches of the Act or these rules.
- h. Perform such other duties as may be entrusted to him by the State Government (Amendment No.7(17)/69-Seeds-Dev., dated 30-6-1973)

- 23-A Action to be taken by the Seed Inspector if a complaint is lodged with him -
- (1) If farmer has lodged a complaint in writing that the failure of the crop is due to the defective quality of seeds of any notified kind or variety supplied to him, the Seed Inspector shall take in his possession the marks or labels, the seed containers and a sample of unused seeds to the extent possible from the complaint for establishing the sources of supply of seeds and shall investigate the causes of the failure of his crop by sending samples of the lot to the Seed Analyst for detailed analysis at the State Seed Testing Laboratory. He shall thereupon submit the report of his findings as soon as possible to the competent authority.
  - (2) In case, the Seed Inspector comes to the conclusion that the failure of the crop is due to the quality of seeds supplied to the farmer being less than the minimum standards notified by the Central Government, he shall launch proceedings (Amendment No.7-15/74-SD, Dated 31 January, 1976) against the supplier for contravention of the provisions of the Act or these Rules".(Amendment No.7-15/74.SD, dated 29th April, 1975)

**PART X - Sealing, fastening, despatch and analysis of samples**

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

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

- a. serial number;
- b. name of the sender with official designation, if any;
- c. name of the person from whom the sample has been taken.
- d. Date and place of taking the sample;
- e. Kind or variety of the seed for analysis;
- f. Nature and quantity of preservative, if any, added to the sample.

**26. Manner of packing, fastening and sealing the samples** :-All samples of seed sent for analysis shall be packed, fastened and sealed in the following manner.

- a. The stopper shall first be securely fastened to as to prevent leakage of the containers in transit;
- b. The container shall then be completely wrapped in fairly strong thick paper. The ends of the paper shall be neatly folded in and affixed by means of gum or other adhesive.
- c. The paper cover shall be further secured by means of strong twine or thread both above and across the container, and the twine or thread shall then be fastened on the paper cover by means of sealing wax on which there shall be teast four distinct and clear impression of the seal of the sender of

which one shall be at the top of the packet, one at the bottom and the other two on the body of the packet. The knots of the twine or thread shall be covered by means of sealing wax bearing the impression of the seal of the sender.

**27) Form of order** :- The order to be given in writing by the Seed Inspector under clause (c) of sub-section (1) of section 14 shall be Form III

**28) Form of receipt of records** :- When a Seed Inspector seizes any record, register, document or any other material object under Clause (d) of Sub-section (1) of section 14, he shall issue a receipt in Form IV to the person concerned.

**29) Samples how to sent to the Seed Analyst** :- The container of sample for analysis shall be sent to the Seed Analyst by registered post or by hand in a sealed packet enclosed together with a memorandum in Form V in an outer cover addressed to the Seed Analyst.

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

**31) Addition of preservatives to samples:-** Any person taking a sample of seed for the purpose of analysis under the Act may add a preservative as may be specified from time to time to the sample the nature and quantity of the preservative added shall be clearly noted on the label to be affixed to the container.

**32) Nature and quantity of the preservative to be noted on the label: -** Whenever any preservative is added to a sample the nature and quantity of the preservative added shall be clearly noted on the label to be affixed to the container.

**33)Analysis of the sample :-** On receipt of the packet, it shall be opened either by the Seed Analyst or by an officer authorised in writing in that behalf by the Seed Analyst, who shall record the condition of the seal on the packet. Analysis of the sample shall be carried out at the State Seed Laboratory in accordance with the procedure laid down by the Central Government.

**34)Form of notice:-** The notice to be given under clause (a) of sub section (1) of section 15 to the person from whom the Seed Inspector intends to take sample shall be in Form VI.

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

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

**37) Retaining of the sample:-** The sample of any seed shall, under clause (c) of Sub-section (2) of section 15, be retained under a cool, dry environment to eliminate the loss of viability and in insect proof or rat proof containers. The containers shall be dusted with suitable insecticides and the storage room

fumigated to avoid infestation of samples by insects. The samples shall be packed in good quality containers of uniform shape and size before storage.

### **PART XI - Miscellaneous**

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

- a. stock record of seed;
- b. record of the sale of seeds;

**39. Form of Memorandum**:- The memorandum to be prepared under sub-section (4) of section 14 shall be in Form VIII.

#### **FORM I**

#### ***Form of application for Seed Production under the Seed Certification Programme***

1. Name ( in blocks letters)
2. Complete Address:-  
(In block Letters)  
Village - .....  
Post office - .....  
District - .....  
State - .....  
Telegraph office - .....  
Nearest Railway Station -...  
TelephoneNo.....
3. Nearest Town.....  
( In distance from your farm)  
Highway No or route.....
4. Name of variety / kind of seed offered for certification
5. Area under each variety / kind offered for certification
6. Class of seed desired to be produced  
Fountain /Registered/ Certified
7. Sources of seed for Item (6) above (also mentioned. Tag No. and other particulars on the tag)
8. ("Isolation distance" in meters) from other varieties of the same crop. North to south, East to West)
9. Actual or proposed date of Planting

**Signature**

**Date**

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

1. Number of field Inspections made.

Dated of inspection (Copy of inspection reports to be attached)

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

• Certificate Issued

Tag No.                      Date of Issue

Issued by

Signature

**Director,  
Seed Certification Agency**

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**FORM II**

Seed Certificate Agency.....

Tag No. ....

**Director,  
Seed Certification Agency**

Kind ..... Variety.....

Lot No .....

Germination .....% Not below %

Date of test .....

Certification valid upto.....

Minimum Pure seed %

Inert matter .....% not more than .....%

Weed Seeds (MAX)..... %

Other crop seeds ..... Not more than .....%

Producer ..... (Name and full address)

Class of seed .....

N.B. :- 1.A white tag shall be used for foundation seed.

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

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

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

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**FORM III**

To,  
(Name and address of the vendor)

.....  
.....  
.....

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

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

.....  
.....

Place :- .....

Date :- .....

Seed Inspector

Area

Details of stock of seeds

.....  
.....

Date :-.....

Seed Inspector

\*\*\*\*\*

**FORM IV**

To,

.....  
.....

The Records detailed below have this day been seized by me under the provisions of clause (IV) of subsection (1) of section 14 of the seeds act 1966 (No. 54 of 1966) from the premises of

.....  
.....

situated at .....

Place .....

Date .....

Seed Inspector

Details of Records Seized

.....  
.....  
.....

Date .....

Seed Inspector

\*\*\*\*\*

**FORM V**

Memorandum of Seed Analyst,

Serial No. of Memorandum

From :

.....  
.....

To,

The Seed Analyst.....

.....

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

1. Serial No. of the sample.
2. Date and place of collection.
3. Nature of the articles submitted for analysis/test.

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

Seed Inspector

Area .....

Date :-

\*Strike out whichever is not applicable.

**FORM VI**

To,.....

.....  
.....

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

Seed Inspector

Date:-

\*\*\*\*\*



**FORM VII**

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

Certified that the sample(s) bearing number .....purporting to be a sample of .....received on .....with Memorandum No. ....dated .....from ..... has / have been tested/analysed and that the result/ results of such test (s) / analysis is/are as stated below.  
.....

2) The condition of the seals on the packets and the outer covering on receipt was as follows :-

.....

Seed Analyst,  
Central Laboratory,  
Place :  
Date :

If opinion is required on any other matter suitable paragraph (s) may be added.

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**FORM VIII**

To,

.....

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

Seed Inspector,  
Area.....

Date:-

Details of samples taken.....

Whether cost of sample demanded?

Cost of sample Rs..... paid

Seed Inspector,  
Area .....

Date :-

(Sd) XXX

Signature of party from whose Premises samples taken and payment made.Joint Secretary to  
( S.M.H. BURNEY )  
The Government of India.

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# THE INSECTICIDES RULES, 1971

## Chapter I : Preliminary

### 1. Short title and commencement:

1. These rules may be called the Insecticides Rules, 1971.
2. They shall come into force on the 30<sup>th</sup> of October 1971.

### 2. Definitions: In these rules, unless the context otherwise requires:

(a) "Act" means the Insecticides Act, 1968 (46 of 1968);

(c) "expiry date" means the date that is mentioned on the container, label or wrapper against the column 'date of expiry';

(d) "form" means a form set out in the First Schedule

(e) "laboratory" means the Central Insecticides Laboratory

(f) "schedule" means a schedule annexed to these rules

(h) "Pests" means any insects, rodents, fungi, weeds and other forms of plant or animal life not useful to human beings;

(i) "primary package" means the immediate package containing the insecticides;

(j) "principal" means the importer or manufacturer of insecticides, as the case may be;

(k) "registration" includes provisional registration

(l) "rural area" means an area which falls outside the limits of any Municipal Corporation or Municipal Committee or a Notified Area Committee or a Cantonment;

(m) "Schedule" means a Schedule annexed to these rules;

(n) "secondary package" means a package which is neither a primary package nor a transportation package;

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

(p) "testing facility" means an operational unit where the experimental studies are being carried out or have been carried out in relation to submission of data on product quality or on safety or on efficacy, or on residues or on stability in shortage of the insecticides for which an application for registration is made;

(q) "transportation package" means the outer most package used for transportation of insecticides"

### Chapter II: Functions of The Board, Registration Committee & Laboratory

#### 3. Functions of the Board:

The Board shall, in addition to the functions assigned to it by the Act, carry out the following functions, namely;

- a. advise the Central Government on the manufacture of insecticides under the Industries (Development and Regulation) Act, 1951 (65 of 1951);
- b. specify the uses of the classification of insecticides on the basis of their toxicity as well as their being suitable for aerial application;
- c. advise tolerance limits for insecticides, residues and an establishment of minimum intervals between the application of insecticides and harvest in respect of various commodities;

- d. specify the shelf-life of insecticides;
- e. suggest colorization, including colouring matter which may be mixed with concentrates of insecticides, particularly those of highly toxic nature;
- f. carry out such other functions as are supplemental, incidental or consequential to any of the functions conferred by the Act or these rules.

4. Functions of Registration Committee:

The Registration Committee shall, in addition to the functions assigned to it by the Act, perform the following functions, namely;

- a. specify the precautions to be taken against poisoning through the use or handling of insecticides;
- b. carry out such other incidental or consequential matters necessary for carrying out the functions assigned to it under the Act or these rules.

5. Functions of Laboratory:

The functions of the Laboratory shall be as follows:

- a. to analyse such samples of insecticides sent to it under the Act by any officer or authority authorized by the Central or State Governments and submission of certificates of analysis to the concerned authority;
- b. to analyse samples of materials for insecticides residues under the provisions of the Act;
- c. to carry out such investigations as may be necessary for the purpose of ensuring the conditions of registration of insecticides;
- d. to determine the efficacy and toxicity of insecticides;
- e. to carry out such other functions as may be entrusted to it by the Central Government or by a State Government with the permission of the Central Government and after consultation with the Board.

Chapter III: Registration of Insecticides

6. Manner of Registration:

1 (a) An application for registration of an insecticide under the Act shall be made in Form I and the said Form including the verification portion, shall be signed in case of an individual by the individual himself or a person duly authorised by him; in case of Hindu Undivided Family, by the Karta or any person duly authorised by him; in case of partnership firm by the managing partner; in case of a company, by any person duly authorised in that behalf by the Board of Directors; and in any other case by the person incharge of responsible for the conduct of the business. Any change in members of Hindu Undivided Family or partners or the Board of Directors or the person in charge, as the case may be, shall be forthwith intimated to the Secretary, Central Insecticides Board and Registration Committee and the Licensing Officer.

(b) The Registration Committee may, if necessary direct inspection of the "testing facility" for establishing the authenticity of the data.

2. An application form duly filled together with a treasury challan evidencing the payment of registration fees for rupees one hundred shall be sent to the Registration Committee, Insecticides Act, Department of Agriculture, Government of India, New Delhi.

3. The registration fee payable shall be paid by a demand draft drawn on the State Bank of India, Faridabad, in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine and Storage, Faridabad, Haryana.

4. The certificate of registration shall be in Form II or Form II-A, as the case may be and shall be subject to such conditions as specified therein.

6-A. Issue of duplicate certificate of registration: A fee of rupees five shall be paid for a duplicate copy of a certificate of registration if the original is defaced, damaged or lost.

7. Appeal:

- 1. An appeal against any decision of the Registration Committee under Sec.9 shall be preferred in writing (in Form II-B in duplicate) to the Central Government in the Department of Agriculture.
- 2. The appeal shall be in writing and shall set out concisely and under distinct heads the grounds on which the appeal is preferred.
- 3. Every appeal shall be accompanied by a treasury challan evidencing the payment of a fee of rupees ten and a copy of the decision appealed against.
- 4. [The fees payable for preferring an appeal shall be paid by a demand draft drawn on the State Bank of India, Faridabad, in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine and Storage, Faridabad, Haryana].

8. Manner of publication of refusal to register or cancellation of the certificate of registration:

A refusal to register an insecticide or a cancellation of the certificate of registration of an insecticide shall also be published in any two English and Hindi newspapers which have circulation in a substantial part of India and in any of the journals published by the Department of Agriculture of the Government of India.

Chapter IV: Grant of Licences

9. Licences to manufacture insecticides :

1. Application for the grant of renewal of a licence to manufacture any insecticide shall be made in Form III or Form IV, as the case may be to the licensing officer and shall be accompanied by a fee of rupees fifty for every insecticide for which the licence is applied, subject to a maximum of rupees five hundred.
2. If an insecticide is proposed to be manufactured at more than one place, separate applications shall be made and separate licences shall be issued in respect of every such place.
3. [ A licence to manufacture insecticides shall be issued in Form V and shall be subject to the following conditions namely;
  - i. The licence and any certificate of renewal shall be kept on the approved premises and shall be produced for inspection at the request of an Insecticide Inspector appointed under the Act or any other officer or authority authorized by the licensing officer.
  - ii. Any change in the expert staff named in the licence shall forthwith be reported to the licensing officer.
  - iii. If the licensee wants to undertake during the currency of the licence to manufacture for sale of additional insecticides, he shall apply to the licensing officer for the necessary endorsement in the licence on payment of the prescribed fee for every category of insecticides.
  - iv. An application for the renewal of a licence shall be made as laid down in Rule 11.
  - v. The licensee shall comply with the provisions of the Act and the rules made thereunder for the time being in force. ]
4. (A) licencing officer may after giving reasonable opportunity of being heard, to the applicant, refuse to grant any licence.  
(4-A) No licence to manufacture an insecticide shall be granted unless the licensing officer is satisfied that necessary plant and machinery, safety devices and first-aid facilities etc., exist in the premises where the insecticide is proposed to be manufactured. ]
5. A fee of rupees five shall be paid for a duplicate copy of a licence issued under this rule, if the original is defaced, damaged or lost.

10. Licence for sale, etc. of insecticides:

(1) Applications for the grant or renewal of a licence to sell, stock or exhibit for sale or distribute insecticides shall be made in Form VI or Form VII, as the case may be, to the licensing officer and shall be accompanied by the fees specified in sub-rule (2).

(2) The fee payable under sub-rule(1) for the grant or renewal of the license shall be rupees twenty for every insecticide for which the licence is applied, subject to a maximum of rupees three hundred. There shall be a separate fee for each place, if any insecticide is proposed to be sold, stocked or exhibited for sale at more than one place:

Provided that the maximum fee payable in respect of insecticides commonly used for household purposes and registered in such shall be rupees ten for every place:

A Provided further that if the place of sale is established in the rural areas, the fee shall be one-fifth of the fee specified in this sub-rule )

3) If any insecticide is proposed to be sold or stocked for sale at more than one place, separate applications shall be made and separate licences shall be issued in respect of every such place. [and for every insecticides].

(4)[ A license to sell, stock or exhibit for sale or distribute insecticides shall be issued in Form VIII and shall be subject to the following conditions namely ;

- i. The licence shall be displayed, in a prominent place in the part of the premises open to the public.
- ii. The license shall comply with the provisions of the Act and the rule made thereunder for the time being in force].
- iii. [where the licensee wants to sell, stock or exhibit for sale or distribute any additional insecticides during the currency of the licence, he may apply to the licensing officer for necessary endorsement on the licence on payment of fees specified in sub-rule(2) ].

4 -A(i) Every person shall along with his application for grant or renewal of a licence to undertake, operations or shall, stock or exhibit for sale or distribute insecticides, file a certificate from the principal whom he represents or desires to represent.

ii) The certificate to be issued by the principal shall be addressed to the licensing officer of the concerned area and shall contain full particulars of the principal including their registration and manufacturing licence numbers,

full name and address of the person proposed to be authorised and also the type of formulations to be used in commercial pest control operations, sold, stocked or exhibited for sale or distribution.

iii) In order to verify the genuineness or otherwise of the certificate, the principal shall send to the licensing officer of the State where he intends to sell his products an adequate number of copies of the specimen signature or the specimen signatures of the persons authorised in writing to issue the principal's certificate.

iv) In case of suspension, revocation or cancellation of the certificate, the principal shall forthwith intimate the licensing officer having jurisdiction. ]

5. [ A licensing officer may, after giving a reasonable opportunity of being heard to the applicant refuse to grant any licence. ]

6. A fee of rupees five shall be payable for a duplicate copy of a licence issued under this rule if the original is defaced, damaged or lost.

10-A. Segregation and disposal of date-expired pesticides :

- a. Immediately after the date of expiry all such stocks after being segregated and stamped ";not for sale" or ";not for use" or ";not for manufacture", as the case may be, shall be kept by the licensee in a separate place specially demarcated for the purpose with a declaration date-expired insecticide, to be exhibited on the conspicuous part of the place.
- b. All such stocks then shall be disposed off in such a manner as may be specified from time to time by the Central Government in consultation with the Central Insecticide Board.

10-B. Special provision with regard to sulphur:

In regard to insecticides sulphur and its formulations, all licensees shall:

- a. observe all precautions to prevent its theft;
- b. report any such theft to the nearest police authorities promptly and;
- c. maintain a separate register showing names and addresses of all the persons to whom it has been sold or distributed and the quantities to be sold or distributed.

10-C. Prohibition against sale or storage of insecticides in certain places:

No person shall manufacture, store or expose for sale or permit the sale or storage of any insecticide in the same building where any articles consumable by human beings or animals are manufactured, stored or exposed for sale.

Explanation: Nothing contained in this rule will apply to the retail sales of household insecticides from the building wherefrom other articles consumable by human beings or animals are usually sold provided such household insecticides have been registered as such and are packed and labelled in accordance with these rules.

]

11. Duration of licences;

(a) Any licence issued or renewed under this chapter shall, unless sooner suspended or cancelled, be in force for a period of two calendar years.

Provided that the licence to manufacture insecticides, if any, issued on the basis of provisional registration granted under sub-section (3-B) of Sec. 9 of rule 10 or under sub-rule (3) of rule 10-A shall expire or be renewable along with the main licence.

Provided further that the licence granted by endorsement on main licence under Clause (iii) of sub rule(8) of Rule 9 under Clause (iii) of Sub rule 4 of Rule 10 or under subrule 3 of rule 10A shall expire or be renewable alongwith main licence.

(b) An application for the renewal of a licence shall be made before its expiry and if such an application is made after the date of expiry but within three months from such date, a late fee of -;

- i. rupees fifty for the first month or part thereof, rupees one hundred for the second month or part thereof and rupees one hundred and fifty for the third month or part thereof in the case of licence to manufacture insecticides or to carry pest control operations;
- ii. rupees ten for the first month or part thereof, rupees twenty for the second month or part thereof and rupees thirty for the third month or part thereof, in case of any other licence shall be paid along with the application for renewal.

Provided that where the main pest control operation unit or the place of sale is located in the rural areas, the late fee shall be one-fifth of the said late fee;

Provided further that in case of death or disability of the licensee the licensing officer may, after recording reason in writing, exempt the applicant from payment of the late fee.

Explanation -

(1) Where an application for renewal is made before the expiry of the licence and the order regarding refusal or renewal is passed after the expiry of the licence, the applicant shall be deemed to have been carrying on his business in accordance with the expired licence till the date of communication of the final order on that application.

(2) Where an application for renewal is made after the expiry of the licence with late fee, the applicant shall be deemed to have been carrying on his business in accordance, with the expired licence (from the date of expiry) till the date of communication of the final order on that application.

(c) The licence shall continue to be in force until it is renewed or revoked or where an appeal is preferred under Sec. 15, until the disposal of appeal.

(d) A licensing officer may, after giving an opportunity of being heard, refuse to renew the licence [for reasons to be recorded in writing].

12. Conditions of licence-

(a) Subject to conditions laid down in sub-rule (3) of rule 10 under sub-rule (4) of rule 10, a licence shall not be granted to any person under this chapter unless the licensing officer is satisfied that the premises in respect of which licence is to be granted are adequate and equipped with proper storage in respect of which the licence is granted.

(b) In granting a licence, the licensing officer shall have regard, among other things to -

- i. the number of licenses granted in the locality during any year; and
- ii. the occupation, trade or business carried on by the applicant.

13. Varying or amending a licence. -

(1) The licensing officer may either on an application made by the licensee or if he is satisfied that the conditions under which a licence has been granted under this chapter have been changed that it is necessary so to do, vary or amend a licence, [after satisfying himself that the Registration Committee has amended the registration certificate and] after giving an opportunity of being heard to the person holding the licence.

14. Transfer of licence-

(1) The holder of a licence may, at any time, before the expiry of the licence, apply for permission to transfer the licence to any other person.

(2) The application under sub-rule (1) shall be accompanied by a fee of rupees five.

(3) The licensing officer may, after such inquiry as he thinks fit accord permission to transfer the licence and on such permission being given an endorsement to that effect shall be made in the licence.

(4) If the permission to transfer a licence is refused, the fee paid there for shall be refunded to the applicant.

15. Issuing cash memo and maintenance of records -

(1) All sales of insecticides shall be made by a bill or cash memo in the form prescribed under any law.

(2) All sales of insecticides made to a licensed manufacturer (formulator or packer), stockist, distributor, dealer, retailer or to a bulk consumer shall be entered insecticide-wise, in a register in Form XIII and a state-wise monthly return of all sales to actual consumers shall be sent to the licensing officer, in Form XIV within 15 days from the close of the month.

(3) Every importer of manufacturer of insecticide shall maintain in a stock register in Form XV for technical grade insecticides and in Form XVI for formulated insecticides.

(4) Without prejudice to the foregoing, the Central Government or the State Government or any other person authorised by it may, by notice in writing require any importer or manufacturer or any other person dealing in insecticides to furnish within the time specified in the notice, such information with respect of any insecticides or any batch thereof, including the particulars of all persons to whom it has been sold or distributed, as it may consider necessary.

## CHAPETER-V-Packing and Labelling

16. Prohibition of sale or distribution unless packed and labelled. -

No person shall stock or exhibit for sale or distribute [or cause to be transported] any insecticide unless it is packed and labelled in accordance with the provisions of these rules.

17. Packaging of insecticides-

(1) Every package containing the insecticides shall be of a type approved by the Registration Committee.

(2) Before putting any insecticide into the primary package, every batch thereof shall be analysed as per the relevant specifications of the manufacture thereof, in accordance with the approved methods of analysis and the result of such an analysis shall be recorded in the register maintained for the purpose. If any insecticide is put in the package it shall be presumed that it is fit and ready for sale, distribution or use for which it is intended, notwithstanding the fact that any further steps are still required to be taken to make it marketable.

18. Leaflet to be contained in a package-

(1) The packing of every insecticide shall include a leaflet containing the following details, namely:

- a. the plant disease, insects and noxious animals or weeds for which the insecticide is to be applied, the adequate direction concerning the manner in which the insecticide is to be used at the time of application;
- b. particulars regarding chemicals harmful to human beings, animals and wild life, warning and cautionary statements including the symptoms of poisoning suitable and adequate safety measures and emergency first-aid treatment where necessary;
- c. cautions regarding storage and application of insecticides with suitable warning relating to inflammable, explosive or other substance harmful to the skin;
- d. instructions concerning the decontamination or safe disposal of used containers;
- e. a statement showing the antidote for the poison shall be included in the leaflet and the label;
- f. if the insecticide is irritating to the skin, nose, throat, or eyes, a statement shall be included to that effect.
- g. Common name of the insecticide as adopted by the International Standards Organisation and where such a name has not yet been adopted such other name as may be approved by the Registration Committee.

[(2) Two copies of the leaflets duly approved by the Registration Committee and signed by the Secretary, Registration Committee, shall be returned to the manufacturer and one copy thereof to the State-licensing officer]

### 19. Manner of labelling

1. The following particulars shall be either printed or written in indelible ink on the label of the innermost container of any insecticide and on the outer most covering in which the container is packed.
  - i. Name of the manufacturer (if the manufacturer is not the person in whose name the insecticide is registered under the Act, the relationship between the person in whose name the insecticide has been registered and the person who manufacturers, packs or distributed or sells shall be stated).
  - ii. Name of insecticide (brand name or trade mark under which the insecticide is sold).
  - iii. Registration number of the insecticide.
  - iv. Kind and name of active and other ingredients and percentage of each. (Common name accepted by the International Standards Organization or the Indian Standards Institutions of each of the ingredients

- shall be given and if no common name exists, the correct chemical name which conforms most closely with the generally accepted rule of chemical nomenclature shall be given).
- v. Net content of volume (The net content shall be exclusive of wrapper or other material. The correct statement of the net content in terms of weight, measure, number of units of activity, as the case may be, shall be given. The weight and volume shall be expressed in the metric system).
  - vi. Batch number.
  - vii. Expiry date, i.e. up to the date the insecticide shall retain its efficiency and safety.
  - viii. Antidote statement.
- 2) The label shall be so affixed to the container that it cannot be ordinarily removed.
- 3) The label shall contain in a prominent place and occupying not less than one-sixteenth of the total area of the face of the label, a square, set at an angle of 45° (diamond shape). The dimension of the said square shall depend on the size of the package on which the label is to be affixed. The said square shall be divided into two equal triangles, the upper portion shall contain the symbol and signal word specified in sub-rule (4) and the lower portion shall contain the colour specified in sub-rule(5).
- 4) The upper portion of the square, referred to in sub-rule (3) shall contain the following symbols and warning statements :
- i. insecticides belonging to Category I (Extremely toxic) shall contain the symbol of a skull and cross-bones and the word "POISON" printed in red;  
The following warning statements shall also appear on the label at appropriate place, outside the triangle -;
    - a. "KEEP OUT OF THE REACH OF CHILDREN"
    - b. "IF SWALLOWED, OR IF, SYMPTOMS OF POISONING OCCUR CALL PHYSICIAN IMMEDIATELY"
  - ii. insecticides in Category II (highly toxic) will contain the word "POISON" printed in red and the statement "KEEP OUT OF THE REACH OF CHILDREN"; shall also appear on the label at appropriate place, outside the triangle.
  - iii. Insecticides in Category III (moderately toxic) shall bear the word "DANGER" and the statement "KEEP OUT OF THE REACH OF CHILDREN", shall also appear on the label at suitable place, outside the triangle,
  - iv. Insecticides in Category IV (slightly toxic) shall bear the word "CAUTION".
- 5) The lower portion of the square referred to in sub-rule (4) shall contain the colour specified in column (4) of the table below, depending on the classification of the insecticides specified in the corresponding entry in column (1) of the said table.



## महाराष्ट्र फळांचे रोपमळे नियमन सुधारणा नियम १९७८ (मार्च १९७८ पर्यन्त सुधारीत )

### महाराष्ट्र फळांचे रोपमळे (नियमन) अधिनियम १९६९

(महाराष्ट्र राज्यामध्ये फळांच्या रोपमळ्यांना अनुज्ञापित देण्याची व त्याचें नियमन करण्याची तरतुद करण्यासाठी अधिनियम)

ज्या अर्थी महाराष्ट्र राज्यात फळांच्या रोपमळ्यांना अनुज्ञापित देणे व त्याचें नियमन करणेतसेच तत्संबंधित बाबीसाठी तरतुद करणे इष्ट आहे, त्याअर्थी भारतीय गणराज्यांच्या विसाव्या वर्षी, याद्वारे पुढीलप्रमाणे अधिनियम करण्यात येत आहे :--

१. व्याप्ति व प्रारंभ :--

(१) या अधिनियमास महाराष्ट्र फळांचे रोपमळे (नियमन) अधिनियम १९६९ असे म्हणता येईल.

(२) तो संपुर्ण महाराष्ट्र राज्याला लागू असेल.

(३) राज्य शासन शासकीय राजपत्रातील अधिसूचनाद्वारे नियुक्त करील अशा

तारखेस तो अंमलात येईल

२. व्याख्या :--संदर्भानुसार दुसरा अर्थ अपेक्षित नसेल तर या अधिनियमात ..

(अ) 'सक्षम अधिकारी' म्हणजे कलम ३ अन्वये नेमण्यात आलेले सक्षम अधिकारी .

(ब) 'फळांचा रोपमळा' म्हणजे ज्या ठिकाणी नित्याचा व्यवसाय त्म्हणुन फळांच्या रोपांची पैदास करण्यात येते आणि प्रतिरोपणासाठी त्यांची विक्री करण्यात येते असे कोणतेही ठिकाण परंतु त्यात शासनाच्या मालकीच्या किंवा शासनाकडुन व्यवस्था ठेवण्यात येणाऱ्या फळांच्या रोपमळ्यांचा समावेश होणार नाही.

(क) 'फळांचे रोप' म्हणजे खाद्य फळे किंवा कवचधारी फळे देणारे कोणतेही रोप आणि त्यात डोळे असलेली फांदी,बीजरोप कलमे, दाबकलमे, बी कंद शोषक कंडे, आणि अशा कोणत्याही रोपांची छाट कलमे यांचा समावेश असेल.

(ड) फळांच्या रोपमळ्यांच्या संबधात 'मालक' म्हणजे अशा फळांच्या कारभारावर जिचे किंवा ज्याचे अंतिम नियंत्रण असेल अशी व्यक्ती किंवा असे प्राधिकरण आणि उक्त कारभार व्यवस्थापक ,व्यवस्थापन संचालक किंवा व्यवस्थापन अभिकर्ता याकडे सोपविण्यात आला असेल त्या बाबतीत व्यवस्थापक, व्यवस्थापन संचालक किंवा व्यवस्थापन अभिकर्ता फळांचा रोपमळ्यांचा मालक असल्याचे मानण्यात येईल-

(इ) 'विहित' म्हणजे या अधिनियमाखालील नियमाद्वारे विहित.

(फ) 'मुलकांड' म्हणजे ज्याच्यावर फळांच्या रोपाच्या कोणत्याही भागाचे कलम केले असेल किंवा ज्याचा डोळा भरण्यात आला असेल असे फळांचे रोप किंवा त्याचा भाग

(ग) 'कलम' म्हणजे मुलकांडावर ज्याचे कलम करण्यात आले असेल किंवा ज्याने मुलकांडाच्या डोळा भरण्यात आला असेल अशा फळांच्या रोपांचा भाग.

३. सक्षम अधिकाऱ्यांची नियुक्ती :-

राज्य शासनास शासकीय राजपत्रातील अधिसूचनाद्वारे

(अ) त्यास योग्य वाटतील अशा शासनाचे राजपत्रीत अधिकारी असणाऱ्या व्यक्तीची या अधिनियमाच्या प्रयोजनासाठी सक्षम अधिकारी म्हणून नियुक्ती करता येईल. आणि

(ब) ज्या क्षेत्र मर्यादेत या अधिनियमाद्वारे किंवा तदन्वये सक्षम प्राधिकऱ्यास प्रदान करण्यात आलेल्या शक्तीचा तो वापर करू शकेल आणि सोपविलेली कर्तव्ये पार पाडुशकेल ती क्षेत्र मर्यादा निर्धारित करता येईल.

४. प्रत्येक फळांच्या रोपमळ्यांच्या मालकाने लायसन घेणे :

फळांच्या रोपमळ्याचा कोणताहीमालक या अधिनियमाच्या प्रांरभाची तारीख किंवा तो ज्या तारखेस अशा रोपमळ्याचा मालकहोईल. ती तारीख यापैकी जी नंतरची असेल अशा तारखेपासुन सहा महिने संपल्यानंतर याअधिनियमाच्या आणि त्याखाली करण्यात आलेल्या नियमाच्या उपबंधान्वये त्याने घेतलेल्या लायसन अन्वये आणि त्यास अनुसरुन असेल त्याखेरीज फळांच्या रोपमळ्याचा धंदा चालविणार नाही किंवा करणार नाही.

स्पष्टीकरण : एखादया मालकाचे फळाचे एकापेक्षा अधिक रोपमुळे असतील मग ते त्यास नगरात किंवा गावात असोत अगर निरनिराळया नगरामध्ये किंवा गावामध्ये असोत. तेव्हा तोफळांच्या अशा प्रत्येक रोपमळयासाठी वेगवेगळी लायसन घेईल.

५. लायसनच्या मंजुरीसाठी व त्याचे नवीकरण करण्याकरिता अर्ज :

(१) निकटपुर्वीच्या कलमामध्ये निर्दिष्ट केलेली लायसन घेण्याची इच्छा असणारा कोणताही मालक विहित करण्यात येईल अशा नमुन्यात आणि अशा रीतीने सक्षम प्राधिकऱ्याकडे लेखी अर्ज करील आणि त्यासोबत जी पन्नास रुपयापेक्षा अधिक नसेल असे विहित करण्यात येईल इतकी फी देईल.

(२) असा अर्ज मिळाल्यावर सक्षम अधिकारी त्यास योग्य वाटेल अशी चौकशी करील

(अ) ज्या फळांच्या रोपमळ्याच्या संबधात लायसनसाठी अर्ज करण्यात आला असेल तो रोपमळा फळांच्या रोपाच्या उचित पैदासासाठी योग्य आहे

(ब) अर्जदार असा फळांच्या रोपमळा चालविण्यास सक्षम आहे.

(क) अर्जदाराने विहित करण्यात आलेली लायसनस फी दिली आहे.

(ड) पैदास करण्यात येणा-या रोपांच्या दर्जा आणि त्याची वाजवी दराने विक्री सुनिश्चीत करणाऱ्या पिहित करण्यात येतील अशा शर्ती अर्जदार पुऱ्या करीत आहे किंवा त्या पुऱ्या करण्याची हमी देत आहे या बद्दल सक्षम अधिकऱ्याची खात्री होईल ता अर्जदारास लायसन मंजुर करील. सक्षम अधिकारी प्राधिकऱ्याची तशी खात्री न झाल्यास त्यास आपली बाजु मांडण्याची वाजवी संधी अर्जदारास दिल्यानंतर आणि नाकारण्याचा कारणांचे संक्षिप्त निवेदन नमुद केल्यानंतर लायसन मंजुर करण्यास नकार देता येईल. आणि अशा निवेदनाची एक प्रत अर्जदाराला देता येईल आणि त्याने दिली असेल अशी लायसन फी त्यास परत करण्यात येईल

(३) या कलमान्वये मंजुर करण्यात आलेला प्रत्येक लायसन त्यात विनिर्दिष्ट करण्यात आलेल्या मुदती पर्यन्त विधिग्राह असेल आणि सक्षम अधिकऱ्याकडे अर्ज करण्यात आल्यावर विहित करण्यात येईल असे मुदतीकरीता आणि विहित करण्यात येईल अशी फी दिल्या नंतर आणि अशा शर्तीवर वेळोवेळी त्याचे नवीकरण करण्यात येईल लायसनच्या नवीकरणास सक्षम अधिकारी नकार देईल त्या बाबतीत तो अशा नकाराबाबतच्या कारणांचे संक्षिप्त निवेदन नमुद करील आणि त्याची प्रत अर्जदारास देईल.परंतुअर्जदारास आपली

बाजु मांडण्याची वाजवी संधी दिल्याशिवाय लायसनच्यानवीकरणासनकार देणारा कोणताही आदेश काढता कामा नये.

६. लायसनधारकाची कर्तव्ये :

या अधिनियमाखालील प्रत्येक लायनसधारकास

(अ) सक्षम प्राधिकऱ्याकडून निदेशित करण्यात येईल त्याप्रमाणे कलम किंवा मुलकांड यांच्या संबंधात पैदाशीकरिता किंवा विक्रीकरिता लायसनमध्ये निर्दिष्ट केलेल्या फळांच्या रोपांच्या प्रकारांचे केवळ वापर करण्याची हमी देईल.

(ब) प्रत्येक मुलकांड व प्रत्येक प्रत्येक कलम यांचा उगम किंवा उत्पत्ती या बदलची संपुर्ण माहिती ठेवील व तीन पुढील गोष्टी दर्शविण्यात येतील.

(एक) वापरण्यात आलेल्या मुलकांडाचे कोणतेही स्थानिक नाव असेल तर त्यासह त्याचे वनस्पतीशास्त्रातील नांव

(दोन) फळांची रोपे वाढविताना वापरलेल्या कलमाचे कोणतेही स्थानिक नाव असेल तर त्यासह त्याचे वनस्पतीशास्त्रातील नावं.

(क) फळांची रोपे वाढविताना वापरण्यात आलेल्या प्रत्येक मुलकांडाच्या आणि कलमाच्या झाडाची जागा दर्शविणारा आराखडा ठेवील.

(ड) रोपांचे वाफे तसेच फळांच्या पैदासाठी वापरण्यात आलेली जनक झाडे विनाशी किटक व वनस्पती रोग यापासुन मुक्त ठेवील

(ई) सक्षम प्राधिकाऱ्याकडून निदेश देण्यात येतील अशा रीतीने फळांची रोपे तयार करण्याची हमी देईल.

(फ) विक्रीचा उद्देश असलेल्या कोणत्याही पुढक्यात बंद केलेल्या फळांच्या रोपांच्या प्रत्येक प्रकाराचे नांव विहित रीतीने ठरविण्यात आलेले त्याचे वय आणि अशा प्रत्येक फळांच्या रोपांच्या कलमांच्या नांवासह मुलकांडाचे नांव ठळक रीतीने खुण चिठीवर विनिर्दिष्ट करील.

(ग) कोणत्याही प्रकाराची विनाशी किटक किंवा वनस्पती रोग या पासुन संपुर्णपणे मुक्त असतील अशीच फळांची रोपे विक्रीसाठी व वाटपासाठी देण्यात येतील याची हमी देईल.

(ह) कोणत्याही व्यक्तीला विकलेल्या फळांच्या रोपांचे नांव त्याचे रोपांचे वय मुलकांड आणि कलम याचे नांव आणि ते खरेदी करणाऱ्या व्यक्तीचे नांव व पत्ता दर्शविणारी एक नोंदवही सक्षम प्राधिकाऱ्याकडून विनिर्दिष्ट करण्यात येईल अशा नमुन्यात ठेवील.

७. विवक्षित फळांच्या रोपांची आयात निर्यात किंवा परिवहन याचें नियमन करण्याची किंवा मनाई करण्याची राज्य सरकारची शक्ती. :

राज्याच्या कोणत्याही भागात पैदास करण्यात येणाऱ्या फळांच्या रोपांचा दर्जा टिकविण्याच्या किंवा त्याचें हानिकारक विनाशी किटकांपासुन किंवा रोगापासुन संरक्षण करण्याच्या प्रयोजनाकरिता राज्य शासनास शासकीय राजपत्रातील अधिसुचनाद्वारे राज्य शासन घालील अशा निर्बंधास आणि शर्तीस अधिन राहुन अज्ञात अभिजातीच्या कोणत्याही फळांचे रोप किंवा कोणत्याही संक्रामक किंवा सांसर्गिक किड किंवारोग याची बाधा झालेल्या फळांचे रोप केंद्र सरकारने निर्धारित केल्याप्रमाणे सीमाशुल्क सरहद्दीवर नेआण वगळता राज्यात किंवा त्याच्या कोणत्याही भागात आणणे किंवा

त्यामधुन ते बाहेर नेणे किंवा राज्यातील त्याचे परिवहन करणे याचें नियमन करता येईल किंवा त्यास मनाई करता येईल.horttophorttop

८. लायसन रद्द करण्याची किंवा निलंबित करण्याची शक्ती:

(१) सक्षम प्राधिकाऱ्यास या अधिनियमान्वये देण्यात आलेल्या किंवा नवीकरण करण्यात आलेला कोणताही लायसन पुढीलपैकी कोणत्याही एका किंवा अधिक कारणामुळे निलंबित किंवा रद्द करता येईल.

(अ) त्याने फळांच्या रोपमळ्यावारल त्याचे नियंत्रण पूर्णत किंवा अंशत सोडुन दिले असेल किंवा अशा फळांचा रोपमळा चालविणे किंवा तो धारण करणे त्याने अन्यथा बंद केले असेल.

(ब) राज्य शासनाने शासकीय राजपत्रातील अधिसूचनाद्वारे कोणत्याही फळांच्या रोपांच्या कोणत्याही प्रकारच्या कमाल दर किंवा किमंत केलेली असेल त्या बाबतीत त्याने फळांचे असे कोणतेही रोप अधिक दराने किंवा किमतीस विकले असेल.

(क) त्याने लायसनच्या अटी व शर्तीपैकी कोणत्याही अटीचे व शर्तीचे किंवा सक्षम प्राधिक-याने कायदेशीररीत्या दिलेल्या कोणत्याही निदेशांचे अनुपालन करण्यात योग्यकारणाशिवाय कसुर केली असेल किंवा त्याने हा अधिनियम किंवा त्या अन्वये केलेले नियम यांच्या कोणत्याही उपबंधाचे उल्लंघन केलेले असेल.

(ड) कोणत्याही इतर विहित कारणावरून

(२) सक्षम प्राधिकाऱ्यास लायसनच्या संबंधात पोटकलम (१) अन्वये तो रद्द करण्याचा आदेश होईपर्यन्त लायसन निलंबित करता येईल.

(३) पोट कलम: (१) अन्वये आदेश देण्यापुर्वी सक्षम प्राधिकारी ज्या कारणामुळे कारवाई करण्याचे ठरविले असेल ती कारणे लायसनधारकाला कळवील आणि अशा कारवाई विरुद्ध कारण दाखविण्याची वाजवी संधी त्याला देईल.

(४) पोटकलम (१) किंवा (२) अन्वये देण्यात आलेल्या प्रत्येक आदेशाची एक प्रत लायसनधारकाला ताबडतोब पाठविण्यात येईल.