



THE SEED ACT, 1976



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THE SEED ACT, 1976.

¹ACT No. XXIX OF 1976

[11th May, 1976]

An Act to provide for controlling and regulating the quality of seeds of various varieties of crops.

WHEREAS it is expedient to provide for controlling and regulating the quality of seeds of various varieties of crops and for matters connected therewith;

AND WHEREAS the Provincial Assemblies of the Punjab, Sindh, the North-West Frontier Province and Baluchistan have passed resolutions under Article 144 of the Constitution of the Islamic Republic of Pakistan to the effect that Parliament may by law-regulate and control the quality of seeds of various varieties of crops;

It is hereby enacted as follows:—

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Seed Act, 1976.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,

¹[(i) “accredited laboratory” means any seed testing laboratory established in public sector or private sector and accredited by an appropriate organization as may be prescribed;

(ii) “approved seed” means seed true to species as approved by the Federal Seed Certification and Registration Department;”;

¹[(iii) “basic seed” means progeny of the pre-basic seed produced by any public sector or private sector organization and certified by the Federal Seed Certification and Registration Department;”];

¹[(iv) “certified seed” means seed certified by the Federal Seed Certification ²[and Registration Department];

¹[(v) “enlisted variety” means a variety enlisted by the Federal Seed Certification and Registration Department under Section 22A];

¹[(vi) “Federal Seed Certification Agency” means the Federal Seed Certification ²[and Registration Department] established under section 5];

¹[(vii) “Federal Seed Committee” means Federal Seed Committee constituted under section 221];

¹ Subs. omitted, Ins. by Act VII of 2015,s.2.

²For Statement of Objects and Reasons, see Gaz. of P., 1976, Ext., Pt. III, p. 385.

- (viii)** “genetically modified variety” means varieties which have been bred by genetic engineering involving molecular techniques that modify, recombine and transfer genes or segments of genetic material and includes recombinant deoxyribonucleic acid (DNA) techniques that transfer genes or segments of genetic material between genotype and also apply to plant varieties derived from a living modified organism;
- (ix)** “horticulture nursery” means any grounds or premises on which nursery plants are propagated, grown or procured for resale and held for sale throughout the year;
- ¹**[(x)** “hybrid” means (1) the first generation offspring of a cross between two individuals (plants) differing in one or more genes;
- (2) the progeny of a cross between species of the same genus or of different genera;
- (xi)** “misbranded seed” means a seed if—
- (i)** it is a substitute for, or resembles in a manner likely to deceive, another plant variety or hybrid of seed under the name of which it is sold, and is not plainly and conspicuously labelled so as to indicate its true nature’
- (ii)** it is falsely stated to be the product of any place or country;
- (iii)** it is sold by a name which belongs to another kind or plant variety or hybrid of seed;
- (iv)** false claims are made for it upon the label or otherwise;
- (v)** when sold in a package which has been sealed or prepared by, or at the instance of, the person engaged in seed business and which bears his name or address, the contents of each package are not conspicuously and correctly stated on the outside thereof within the limits of variability prescribed under this Act”
- (vi)** the package containing it or the label on the package, bears any statement, design or device regarding the quality or the kind or plant variety or hybrid of seed contained therein, which is false or misleading in any material particular or if the package is otherwise deceptive with respect to its contents;
- (vii)** it is not registered in the manner required by or under this Act;
- (viii)** its label contains any reference to registration other than registration number;
- (ix)** its label does not contain a warning or caution which may be necessary and sufficient, if complied with, to protect human, animal and plant life and health or to avoid serious prejudice to the environment;
- (x)** the package containing it or the label on the package bears the name of a fictitious individual or company as the dealer of the kind or plant variety or hybrid; or
- (xi)** it is not labeled in accordance with the requirements of this Act or the rules made thereunder;
- (xii)** “National Seed Council” means the National Seed Council established under section 3;
- (xiii)** “notified variety or species” means a variety or species which has been notified as such under section 10;
- ¹**[(xiv)** “person” means any natural or legal entity and includes an association of persons firm, partnership, society, group of persons, a public or private limited company, corporation, cooperative society or any other body corporate;”;
- (xv)** “post-control” means a trial to check on varietal authenticity and purity of the certified seed;
- (xvi)** “pre-basic seed” means seed of high genetic purity produced by a plant breeder];

² Subs. Ins by Act VII of 2015, s.2.

(xvii) “prescribed” means prescribed by rules;

¹**[(xviii)** “Provincial Seed Council” means a Provincial Seed Council established under section 9;

(xix) “registered grower” means a person-or group of persons engaged in producing seed and registered as such under this Act;

(xx) “registered variety” means a variety registered by the ¹[“Federal Seed Certification Department under section 22A”]

(xxi) “released variety” means a registered variety having agricultural value for growing in a Province and approved by the Provincial Seed Council;

(xxii) “rules” means rules made under this Act;

¹**[(xxiii)** “seed” means any of the branded reproductive or vegetative propagating material of the plants of field crops, vegetable crops, fruits, spices, medicinal herbs, flowers, shrubs, forest trees, other plant species and mushroom spawn used for sowing or planting the genera or species prescribed by the Federal Government;”;

(xxiv) “Seed Analyst” means a Seed Analyst appointed under section 17;

¹**[(xxv)** “seed business” means any commercial operation of seed involving production, processing, conditioning, packaging, distribution, import and export of seeds;]

(xxvi) “Seed Certification Officer” means a Seed Certification Officer appointed under section 18;

¹**[(xxvii)** “seed dealer” means any person registered as seed dealer under this Act”;

(xxviii) “Seed Inspector” means a Seed inspector appointed under section 19;

(xxix) “seed processing” means the process by which seeds and planting materials are dried, threshed, shelled, ginned or delinted (in cotton), cleaned, graded or treated;”

(xxx) “species” means a group of plants representing a crop known by a common name, such as, wheat, paddy and cotton belonging to one species sub-species or forma;[***]¹

¹**[(“xxxi)** “terminator technology” means genetic modification that includes gene or gene sequences which restrict germination of the seed produced by the plant variety or hybrid during the next subsequent year of planting;”];

¹**[(“xxxii)** “truthfully labeled seed” means seed of a registered variety or hybrid produced locally or imported and which conforms to standards as prescribed under the rules;”];

(“xxxiii) “variety” means a group of plants belonging to a species which for cropping purpose is considered as an individual unit and can be distinguished from other varieties of the same species;”;

¹**[(“xxxiv)** “variety evaluation committee” means the committee constituted for evaluation of candidate crop varieties in the country as may be prescribed.”].

¹Subs, Omitted, Ins by Act VII of 2015,s.2.