

# **Seed Related Legal Mechanism and Institutions in Nepal**

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# Legal Mechanism in Seed Sector

1. National Agriculture Policy, 2061
2. National Seed Policy, 2056
3. Seed Act, 2045 ( 1<sup>st</sup> amendment, 2064)
4. Seed Regulation, 2069
5. National Seed Vision (2013-2025)

# National Agriculture Policy, 2061

- The NAP has given the focus on the local production, sale and distribution of improved agricultural resources inputs (seeds, plants, saplings, breeds, fingerlings etc.) as well as the sale and distribution shall be regulated, and quality shall be maintained in their supply.
- The supply of the main production inputs (improved livestock, fingerling, chemical fertilizer, seeds etc.) shall be guaranteed by regularly monitoring their imports, production and stocks.
- The production and use of hybrid seeds and improved breeds shall be encouraged, and the use of genetically-modified organism shall be regulated.

# National Seed Policy

## Objectives

- Bio diversity conservation and promotion of local varieties, land races and their utilization for varietal development, research.
- Ensure production, processing, availability and supply of quality seeds.
- Quality control, regulation and monitoring in seed business.

- Promotion of seed business with collaboration and active participation of concerned stakeholders.
- Self sufficiency, import substitution and export promotion.
- Promotion of national seed industry for competitiveness with international seed business.

# Seed Act, 2045 ( 1<sup>st</sup> amendment, 2064)

## Main features of the Seed Act

- ✍ Constitution/functions, duties and power of National Seed Board.
- ✍ Power to constitute sub committees under National Seed Board.
- ✍ Establishment/functions, duties and responsibilities of seed testing and certification organization.
- ✍ Power to notify the kind and varieties and prescribe the minimum level of purity and germination of notified kind varieties.
- ✍ Labeling of seed container of notified kind varieties is compulsory (Certification or Truthful label)

- ✍ Appointment/functions, duties and responsibility of CI, SS and SA in public and private sector
- ✍ Permission from NSB for import and export of notified kind varieties
- ✍ Licensing system to establish private seed testing laboratory.
- ✍ Permission from NSB is required for seed traders
- ✍ Restriction to sale un-notified kind and varieties of seeds
- ✍ Power to hear the cases.

# Provisions in seed act

## १. सूचित नभएका बीउ विजन विक्रि वितरण गर्न नपाइने

कृषि अनसन्धान प्रयोजनको लागि बाहेक कसैले पनि यस ऐन बमोजिम सूचित नभएका बीउ विजन विक्रि वितरण गर्न पाइने छैन ।

## २. अनुमतिपत्र लिनु पर्ने

कुनै व्यक्ति वा संस्थाले बीउ विजनको विक्रि वितरण संबन्धी कारोवार गर्न चाहेमा अनुमतिपत्र लिनु पर्ने ।

## ३. निकासी र पैठारी सम्बन्धी व्यवस्था

- सूचित बीउ विजन निकासी र पैठारी गर्न स्वीकृती लिनु पर्ने ।
- निकासी वा पैठारीमा रोक लगाउन सक्ने ।

## ४. वीडि विजन विक्री वितरणमा वन्देज

- किसिम वा जात छुट्टयाउन नसकिने
- तोकिएको उम्रने शक्ति तथा शुद्धताको न्युनतम हद अनुकूल नभएको
- संकेतपत्र नभएको भांडोमा राखिएको
- तोकिए वमोजिमको अन्य सर्तहरु अनुकूल नभएको
- खास क्षेत्रको लागि उपयुक्त भनि निर्धारित सुचित किसिम वा जातको वीडि विजन तोकिएको क्षेत्र वाहेक अन्य क्षेत्रको लागी विक्री गर्न गराउन नपाईने
- विषादीद्वारा उपचारीत वीडि विजन कृषि कार्य र तोकिए वमोजिमको प्रयोजनका लागि वाहेक अन्य प्रयोजनको लागि विक्री गर्न नपाईने

## ५. बाली निरीक्षक, वीउ विजन नमुना संकलक तथा वीउ विजन विश्लेषकको व्यवस्था

- वीउ विजन ऐन प्रयोजनका लागी नेपाल सरकारले बाली निरीक्षक, वीउ विजन नमुना संकलक तथा वीउ विजन विश्लेषकको नियुक्ति गर्ने व्यवस्था भएको ।
- बाली निरीक्षक, वीउ विजन नमुना संकलक तथा वीउ विजन विश्लेषकको रुपमा अनमति दिनको लागि परिक्षा लिने ।
- नेपाल सरकारले योग्यता पुगेका कुनै निजामति कर्मचारिलाइ बाली निरीक्षक, वीउ विजन नमुना संकलक तथा वीउ विजन विश्लेषकको रुपमा काम गर्न तोक्न सक्ने छ ।

## ६. दण्ड सजायको व्यवस्था

- दफा १३ विपरित सुचित नगरेका वीउ विजन विक्री गर्ने गराउने व्यक्तिलाई दश देखि पन्ध्र हजार रुपैया सम्म जरिवाना हुने । ( Kind & Var, Prescribed std., Labeling, Description of treated seeds, Domain and other prescribed conditions,)
- दफा ९ विपरित प्रयोगशाला संचालन गरेमा पचास हजार रुपैया जरिवाना हुनेछ, (Illegal Lab operation)
- दफा ११ विपरित वीउ विजनको कारोवार गर्ने गराउने लाई दश हजार देखि बीस हजार रुपैयासम्म जरिवाना हुनेछ । (W/O Trade license and Non-notified seeds)
- कसैले उपदफा १६.३ विपरित कुनै कार्य गरेमा पच्चीस हजार रुपैया जरिवाना हुनेछ ( Fake Crop inspector, Seed sampler and Seed Analyst)
- यस बाहेक ऐन र नियमावली विपरित कुनै काम कारवाही गर्ने गराउने लाई दश हजार देखि बीस हजार रुपैयासम्म जरिवाना हुनेछ ।

## ७. स्वामित्व कायम रहने

नेपालमा परम्परादेखि नै प्रयाग गरिदै आएको स्थानिय जातको बालीको बीउ विजनमा तोकिए बमोजिम स्वामित्व कायम रहने छ ।

### द. मुद्दा तहकिकात र दायरी

- मुद्दा हेर्ने अधिकार सम्बन्धित वरिष्ठ कृषि विकास अधिकृत दिइएको
- यो ऐन अन्तरगतको मुद्दा सरकारवादी हुने
- मुद्दाको कारवाही र किनारा गर्दा तोकिएको अधिकारीले विशेष अदालत ऐन २०३१ बमोजिम कारवाही अपनाउने भनि उल्लेख भएको ।

## Progress in implementing Seed Act so far

1. Seed act, 2064 implemented in all 75 districts
2. Issuance of License to run seed lab in private sector:
  - CEAPRED Seed Lab
  - SEAN Seed Lab
3. Designation of Crop Inspector cum Seed Sampler in 75 districts
4. Registration and renewal of seed traders by District Agriculture Development Office.
5. Training to seed traders

# बीउ बिजन नियमावली २०६९ थपिएका नयाँ नियमहरू

- गुणस्तरीय बीउ आपूर्तिका लागि दुई किसिमको गुणस्तर नियन्त्रण व्यवस्था :
  - यथार्थ संकेतपत्र पद्धति: प्रजनन् बीउ - श्रोत बीउ - लेवल बीउ - उन्नत बीउ
  - प्रमाणीकरण पद्धति: प्रजनन् बीउ - मूल बीउ - प्रमाणित बीउ - उन्नत बीउ
- केन्द्र र सरकारी प्रयोगशालामा कार्यरत प्राविधिक अधिकृतहरूले बाली निरिक्षक, बीउ बिजन नमूना संकलक र बीउ बिजन विश्लेषक भै कार्य गर्न सक्ने ।
- गलत विवरण दिई बीउ बिजन बिक्रिबाट भएको हानी नोक्सानीको क्षतिपूर्ति दिनु पर्ने ।

# National Seed Vision (2013-2025)

**Vision:** Quality Seed for the well-being of farming families.

**Mission:** Produce and manage the supply of quality seeds to all farmers through a sustainable and competitive seed system.

**Goal:** To increase crop productivity, raise income, and generate employment opportunities through self sufficiency, import substitution and export promotion of quality seeds.

## **General objectives of the Seed Vision are:**

1. To enhance farmers' access to sufficient quantity of quality seeds and other planting materials.
2. To increase seed replacement rate through increased production and supply of quality seeds.
3. To promote local seed security through conservation and sustainable use of agro biodiversity.
4. To create an enabling environment for developing, producing and marketing quality seeds of improved varieties of agricultural crops.

# Strategic directions

1. Promote use of quality seeds by expanding farmers' choice including use of local genetic resources.
2. Support public, community and private enterprises in source seed production, seed multiplication, processing and conditioning through efficient seed quality services.
3. Strengthen varietal development, release, and maintenance breeding using diverse gene pool both from local and exotic sources at different agro-ecological zones of the country.
4. Enhance marketing skills of seed entrepreneurs and invest in seed related infrastructure.
5. Create enabling environment for developing efficient and effective public, community and private seed related organizations with business culture.

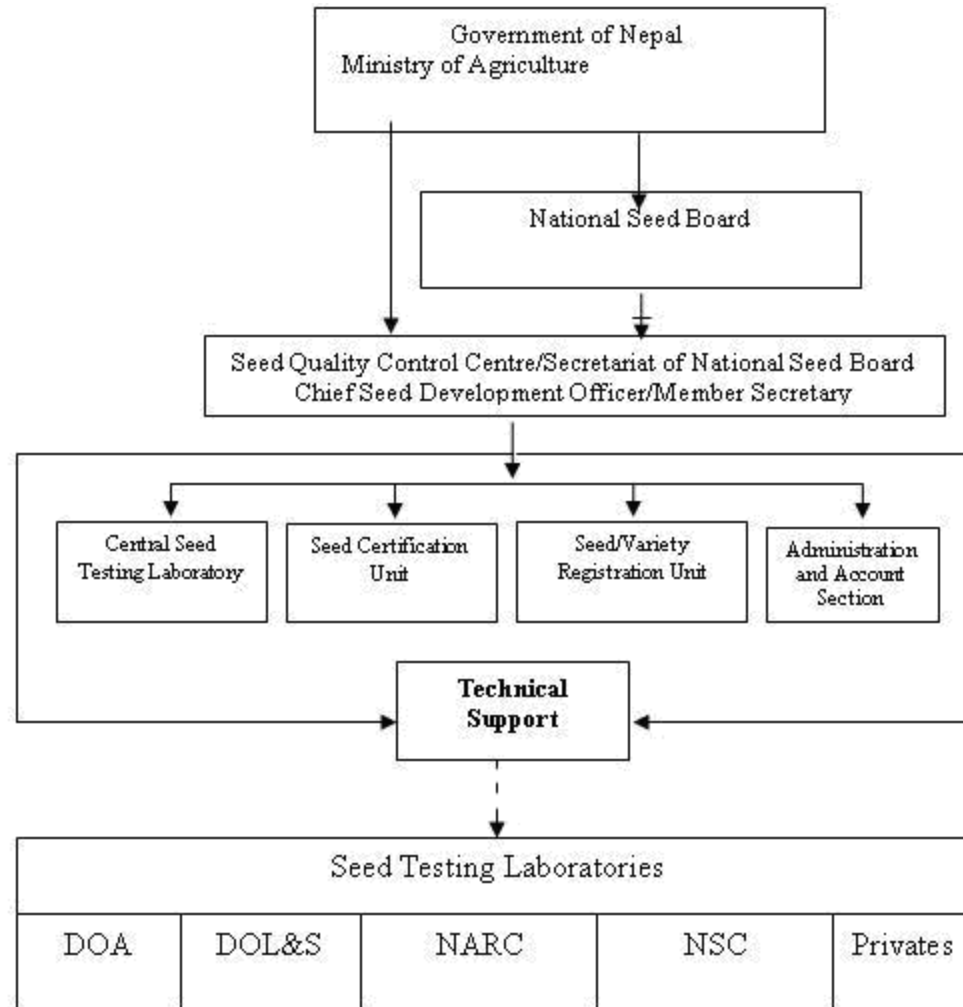
# Seed Related Institutions in Nepal

## Under the MOAD

- National Seed Board (NSB)
- Seed Quality Control Centre (SQCC)
- Nepal Agriculture Research Council (NARC)
- Department of Agriculture (DoA)
- Department of Livestock Services (DoLS)
- National Seed Company Limited

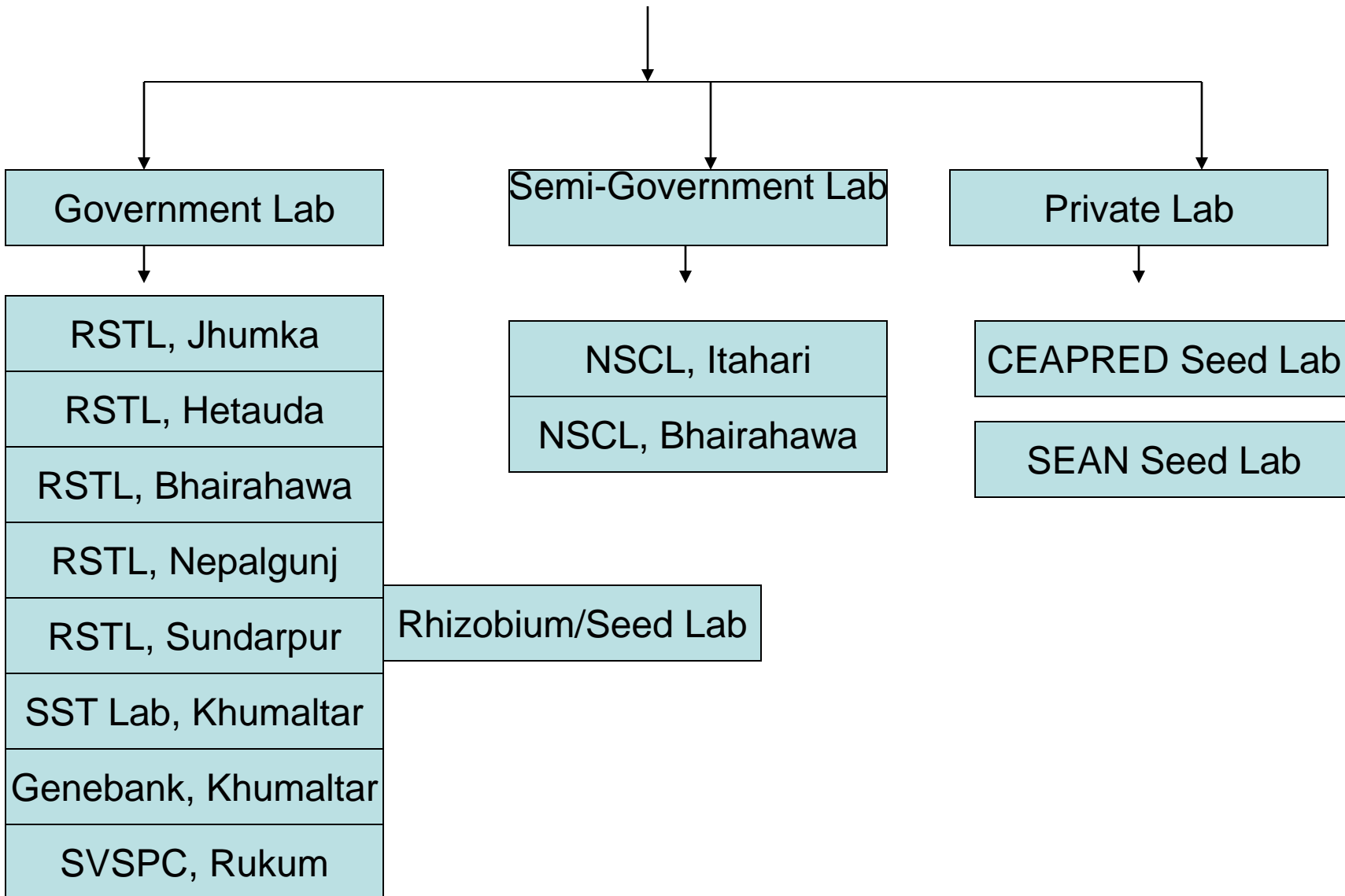
- Salt Trading Corporation
- Non Governmental Organizations (NGOs)
  - LI –BIRD
  - CEAPRED
  - FORWARD
  - Cooperatives
- Farmers Associations
- Private Sector : 17 seed companies and Agrovets

# Organogram of SQCC



# Technical Support

Central Seed Testing Laboratory, Harihar Bhawan



# National Seed Board

- National seed program planning and coordination, policy formulation and support
- Preparation of balance sheet based on national seed demand and supply.
- Guide, coordinate and provide leadership to all seed related programs. Ensuring the supply of source seeds (breeder and foundation seeds) to all seed growers.
- Release and register new varieties and denotify obsolete varieties.
- Support seed related agencies in developing needed infrastructure and human resources.

# NSB Contd....

- Monitoring and regulation of Genetically Modified Organism/ Living Modified Organism (GMO/LMO).
- Formulating policies for protecting breeders' rights (incentives to breeders).
- Regular monitoring of impact of seed related regulations and timely amendment.
- Buffer stock creation and management.
- Harmonization of seed related policies, regulations, and procedures among SAARC countries.
- Regulation of import and export policies, etc

# Nepal Agricultural Research Council (NARC)

- Strengthening of varietal development and maintenance breeding as per the national requirement. Identification of location specific crops/ varieties based on comparative advantages.
- Partnership in seed research<sup>7</sup> with private sector.
- Developing inbred lines and supplying to seed companies and NGOs for seed multiplication of national hybrids.
- Production of breeder and foundation seeds.

- Research on hybrid seed production technology.
- Collection, characterization and utilization of indigenous cultivars in crop breeding.
- Strengthening and operating gene bank effectively.
- Research and field testing of GMO/LMO
- Application of modern techniques including biotechnology in crop breeding.

# Regional Seed Testing Laboratories

- Seed testing and field inspection of seed crops. Monitoring quality of seeds produced in different farms and stations.
- Quality checks of seeds sold in market by the private sector.
- Testing reference seed samples, and inspection of seed stores.
- Provide trainings on seed production and quality control services and help in developing seed resource centres in the regions.
- Tagging and certification of source seeds.

# Department of Livestock Services

- Identification and zoning of forage seed production pockets.
- Providing support for source seed production.
- Preparation of norms and guidelines for forage seed production.
- Human resource development.
- Monitoring district level seed production programmes.
- Facilitating the implementation of seed regulation for forage seed production, marketing and quality control.

# National Seed Company Limited

- Production of foundation and improved seeds.
- Seed multiplication, procurement, processing, storage and distribution through its dealer networks.
- Distribute seeds to remote and rural areas where private sector is absent in seed business.
- Provision of seed storage facilities for buffer stock maintenance at different ecological regions.

# Non-government agencies

- Seed Entrepreneurs Association of Nepal (SEAN);
- Federation of Nepales Chambers of Commerce and Industry (FNCCI);
- Agro Enterprise Center (AEC)

# Role of Non-government agencies

- Contracting seed production and internal quality control.
- Educating and building capacity of their members in following quality control measures and seed regulation.
- Providing feedback to government on existing laws, regulations and procedures.
- Organizing traders for the supply of quality seed in the market.
- Representing private seed sector in different committees and task groups.
- Representing seed entrepreneurs in different national and international forums.
- Coordinating and lobbying to create enabling environment for seed sector development. Strengthening quality assurance system.
- Conducting sensitization programmes for seed law enforcement.
- Involvement in seed business, including seed production of new varieties (research and development): Open pollinated as well as hybrids.
- Organising seed related events like seminars, workshops, meetings at the national and regional level.

# Seed companies

- Seed production, processing, conditioning and marketing including research and development.
- Contract seed growers for demand based seed production.
- Follow up the contract with farmers.
- Participate in seed production and create distribution network for seed supply.
- Provide or coordinate to provide technical assistance to seed growers for quality seed production

# Other Institutions

- Trade and Export Promotion Centre (TEPC)
- Institute of Agriculture and Animal science (IAAS) and other academic institutions
- District and Village Development Committees
- Seed retailers (Agro-vets) Seed growers (seed producers' groups, cooperatives, and Individual entrepreneurs)
- Non-governmental organizations (NGO), community based organizations (CBO) and civil society organizations (CSO)
- Financial Institutions (Banks, cooperatives and insurance companies)
- Private academic institutions, universities and seed laboratories
- Consulting firms and academic research institutions.
- Seed Users, households

## वर्तमान अवस्था

- बीउ विकास तथा प्रयोगको दिशा -

विश्व:

Open pollinated – Hybrid – GMO – Terminator

नेपालमा यस्को असर:

Multinational companies – Nepalese importers  
– Agrovets – DADO/SMS – ASC

- नेपालमा बीउ आयातको अवस्था

वर्ष	परिमाण (टन)	मूल्य (रु ००० मा)
२०६८/६९	८७५	४५८५४७
२०६९/७०	१६०८	५१६५२१

## मूल उद्देश्य

बीउ बिजनको दीर्घकालीन राष्ट्रिय सोंच (२०१३ - २०२५) ले गुणस्तरीय बीउको उपलब्धता बृद्धि, आयात प्रतिस्थापन तथा निर्यात प्रवर्द्धनको माध्यमबाट बालीनालीको उत्पादन बढाउने, कृषि पेशामा संलग्नहरुको आमदानी बढाउने एवम् रोजगारीका अवसरहरुको श्रृजना गर्ने मुख्य लक्ष लिएको छ ।

Thanks