

R K Trivedi
Executive Director



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April 29, 2022

To
Shri Kamal Patel,
Honorable Minister, Farmers Welfare and Agriculture Development,
Government of Madhya Pradesh
Vallabh Bhawan, Mantralaya,
Bhopal, Madhya Pradesh, Pin Code: 462004

Shri K C Gupta
Principal Secretary (Agriculture),
Government of Madhya Pradesh
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Shri Shailendra Singh
Additional Chief Secretary and Commissioner, Agricultural Production,
Government of Madhya Pradesh
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Shrimati Priti Maithil
Director Agriculture, Government of Madhya Pradesh
Directorate of Farmer Welfare & Agriculture Development
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Shri Alok Meena
Joint Director Agriculture
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Sub: Requirement of yearly license for marketing of *Bt* hybrid cotton seeds in Madhya Pradesh State

Respected Sir/Madam,

The National Seed Association of India (NSAI) is an apex body of seed companies and allied sector with around 500 members. Being the apex body representing the seed industry, NSAI engages partners and assists various governmental, regulatory and scientific entities in enabling a favourable policy and creating conducive environment for the growth of the seed industry in India. The members of NSAI develop highly potential hybrids/varieties of various crops including cotton suiting to the requirements of farmers across the country including Madhya Pradesh State.

To ensure timely supply of quality seeds, the Central Government has put in place central statutes like, the Seeds Act, 1966 to regulate the quality of seeds put in the market, the Seeds (Control) Order, 1983, issued under section 3 of the Essential Commodities Act, 1955, to regulate both seed quality and trading activity. Apart from the above two statutes, the *Bt* cotton hybrids are governed by the Environment (Protection) Act, 1986 (EP Act) and Rules for the Manufacture, Use/Import/Export and Storage of hazardous microorganisms/Genetically engineered organisms or cells, 1989 (1989 Rules), issued under the EP Act.

As you may be well aware, since the first commercialization of Bt-1 cotton hybrids in 2002, the Genetic Engineering Appraisal Committee (GEAC), a Competent Authority constituted under 1989 Rules, had been according approval for commercial release of Bt-1 cotton hybrids and subsequently Bt-2 cotton hybrids also. It is pertinent to further submit that the GEAC, as per the decision taken at Agenda No. 7.2 of its 132nd meeting, held on 11-08-2016, has transferred the matter of *Bt* cotton hybrids approval from the Standing Committee to Ministry of Agriculture/ICAR, which are the right authorities under the Seeds Act, 1966. (Copy of Decisions of GEAC taken in its 132nd meeting is enclosed). The Department of Agriculture of all the cotton growing states has adopted the mechanism of conducting trials of Bt cotton hybrids by ICAR in their respective States and thereby granting commercial approval for the said *Bt* cotton hybrids. This system was put in place by the Central Government as per GEAC's decision taken in its 132nd meeting.

It is pertinent to state that, barring a few States including MP, with whom NSAI is taking up the matter, every other cotton growing state is following the above procedure, put in place by the Central Government. The said procedure ensures that the *Bt* hybrid cotton seeds meet the quality parameters and labeling requirements, prescribed under Section 6 of the Seeds Act, 1966, read with Clause 8A of the Seeds (Control) Order, 1983. As specified under Clause (c) of Section 6 of the Seeds Act, 1966, name of the States "Recommended for cultivation" are also incorporated in the on the label of the seed container. Under rule 12 of the Seed Rules, 1968, the seed company is liable to be responsible for the statement made under the Seeds Act on the label.

Notwithstanding such robust mechanism put in place by the Central Government, the Department of Agriculture in Madhya Pradesh, requires conducting of three year trials, additionally, for evaluating performance of *Bt* cotton hybrids, despite the fact that the said Bt cotton hybrids had already been tested and granted commercial approval by GEAC/ICAR.

Based on three years SAU trials, if the hybrid is significantly superior to the Check the commercial approval is given to the company as per company's sales plan. However, the said hybrid requires yearly renewal by the Department of Agriculture for conducting sales each year. Such yearly renewal bears no logic and requires unnecessary persuasion and paper work. The approval of the hybrid should be for five years as laid down under clause 6 of the Seeds (Control) Order, 1983.

We may further submit that if the hybrid is significantly superior to the Check for two years and at par with Check in one year, the commercial approval is given to the company only for 50% of the company's sales plan and the company will have to submit the said hybrid for SAU trial for the fourth year or even in subsequent years till it records significantly superior to the Check.

We submit that requirement of additional trials is not only imposing huge cost on the seed companies but causing uncertainty and confusion for planning production and marketing of Bt hybrid cotton seeds for the State of Madhya Pradesh. It is to be noted that the Central Government is fixing Maximum Sale Price (MSP) for Bt hybrid cotton seeds every year under the provisions of the Cotton Seeds Price (Control) Order, 1983 the said MSP is applicable across the country including Madhya Pradesh. Therefore, bearing the expenses of requirements of additional evaluation trials for Madhya Pradesh or any State by the seed companies, for obtaining marketing permission for GEAC/ICAR approved Bt cotton hybrids, is beyond their means due to the fixation of MSP.

It is therefore requested that, due to huge financial burden and time factor, the GEAC/ICAR approved Bt cotton hybrids may be exempted from multi-location trials by the SAU and full-fledged permission be given as per Clause 6 of the Seeds (Control) Order, 1983. We reiterate that apart from additional financial burden on the seed companies due to requirement of additional trials by the Department of Agriculture in M.P., it is causing uncertainty and confusion in obtaining yearly permission and, thereby, delay in processing, quality testing, packing and thereafter marketing of the said Bt hybrid cotton seeds. Because of this, ultimately farmers are being affected getting the seeds of their choice on time.

We, therefore, request to kindly consider the above facts and accord full-fledged permission based on the GEAC/ICAR approved Bt cotton hybrids, by dispensing with the present requirement of any further trials at the State Level, in as much as the said hybrids had already undergone the said trials under the supervision of GEAC/ICAR.

We earnestly request for an early favorable decision in the matter in the interest of Indian seed industry and the farmers.

Thanking you,

Yours faithfully,



R K Trivedi