



सत्यमेव जयते

Minutes of the
16th Meeting of the **Authority**
(23rd May, 2012)

Venue: NAAS Committee Room-II



Protection of Plant Varieties and Farmers' Rights Authority

2nd Floor, Societies Block, NASC Complex, DPS Marg,

Opp- Todapur Village, New Delhi-110 012

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16th Meeting of the PPV&FR Authority

Meeting Type	Authority Meeting	Date and Time	23 rd May 2012, 11.30 A.M.
Subject/Function	16 th Meeting of the PPV&FR Authority	Convened by	Chairperson, PPV and FR Authority
Venue	NAAS Committee Room-II		

Attendance	<p><u>The following members attended the meeting :</u></p> <ol style="list-style-type: none">1. Dr. P. L. Gautam, Chairperson, PPV&FR Authority, NASC Complex, New Delhi2. Shri Satish Chandra, Joint Secretary & Legal Adviser, Deptt. of Legal Affairs, Ministry of Law and Justice, New Delhi3. Dr. S.N. Puri, Vice Chancellor, CAU, Imphal, Manipur4. Shri. P. Narayanan Unny, Navara Eco Farm, Chittur, Palakkad, Kerala5. Dr. D.P. Malik, Agricultural Commissioner (Crops), DAC, Delhi6. Dr. R. C. Agrawal, Registrar-General, PPV&FR Authority, NASC Complex, New Delhi <p>Leave of absence was granted to Shri Roshan Lal, Finance Commissioner & Principal Secretary (Agriculture), Chandigarh, Haryana; Dr. S. Natesh, Senior Advisor, DBT, Ministry of Science & Technology; Dr. Swapan Kumar Datta, DDG (Crop Sciences), ICAR; Shri Raju Barwale, Managing Director, MAHYCO, Mumbai; Dr. K.C. Bansal, Director, NBPGR, New Delhi and Dr. Gorakh Singh, Horticultural Commissioner, Department of Agriculture and Cooperation.</p>
Introduction	<p>At the outset, Dr. R. C. Agrawal, Registrar General, PPV& FR Authority welcomed the Chair and all the members. It was informed that the last meeting of the Authority was held on 30.01.2012 in Navara Eco Farms, Karukamani, Chittur, Palakkad, Kerala and some important developments had taken place during the intervening period. The Plant Genome Savior Community Award Function was organized on 21st May, 2012. Dr. Charan Das Mahant, Hon'ble Minister of State for Agriculture and Food Processing Industries was the Chief Guest. Prof. M.S. Swaminathan, Hon'ble Member of Parliament (Rajya Sabha) and Sh. G. C. Pati, Special Secretary, Department of Agriculture and Cooperation, were the Guests of Honour. Dr. P.L. Gautam, Chairperson, PPV& FR Authority while welcoming the participants also presented the progress of the Authority. The Chief Guest presented the Plant Genome Savior Community Awards to four communities consisting of cash prize of Rs. Ten lakhs each, memento and a citation. Prof. Swaminathan gave away the recognition certificates to seven farmers/organizations. On this occasion Deputy</p>

Director Generals; Assistant Director Generals of ICAR; visiting German delegation; Principal Scientists from ICAR, Members of the Authority, present and former officers of the Authority, President, National Academy of Agricultural Science, President of other Societies; Directors, Scientists of DUS (Distinctiveness, Uniformity and Stability) Centres, etc. graced the occasion. The Authority also convened review meeting of the DUS test centres and projects on 21-22 May, 2012. Dr. R. S. Paroda, Chairman, Haryana Kisan Ayog and former Director General of ICAR addressed the participants as Chief Guest. Dr. Gurbachan Singh, Chairman, Agricultural Scientist Recruitment Board (ASRB) and Sh. G. C. Pati, Special Secretary, Department of Agriculture and Corporation, shared their experience. Dr. P.L. Gautam, Chairperson, PPV&FR Authority also addressed the participants. An exhibition was also organized by the Authority. The DUS test centres and progressive farmers participated in the exhibition and shared the progress. The meetings of the Expert Committee on Essentially Derived Varieties (EDV) and Task Force on vegetables and Expert Committee on synergy between AICRP and DUS trials were also organized. Vacant posts of branch offices of the Authority have been filled. The Gazette notification of three species of orchids for registration with the Authority was issued.



Review meeting of the DUS test Centres



View of the exhibition of DUS test centers

General Discussion	<p>The committee members complimented the Authority for organizing the mega event “Plant Genome Savior Community Award” on 21st May, 2012.</p> <p>The members appreciated stupendous efforts by the officers of the Authority for the excellent job. The members also appreciated extensive participation by project directors, project coordinator and other officers in the 6th review meeting of the DUS/project centers.</p> <p>Thereafter, the items as per the agenda circulated to the members were deliberated and following decisions were taken.</p>
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Agenda Item	Subject	Decision																														
1	Declaration of Conflict of Interest by Members	All the members submitted duly filled forms for the declaration of conflict of interest. There was no conflict of interest by any member on any of the agenda items.																														
2	Adoption of the minutes of the last meeting held on 30 th Jan., 2012	The minutes of the last meeting held on 30.01.2012 were adopted.																														
3	Action taken report	It was informed that the Authority took necessary action on all decisions of the last meeting held on 30.01.2012. Members noted the Action Taken Report and adopted the same.																														
4	Progress of Plant Varieties Registry	<p>Since the 15th meeting of the Authority, the Plant Varieties Registry has received additional 135 applications including that of cereals, grain legumes, oilseeds, spices, vegetables, fibre, sugar and floricultural crops. The status of applications is as under:</p> <p>(a) Category wise number of applications received</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Category of varieties</th> <th>Up to the last meeting (30/01/2012)</th> <th>As on 02/05/2012</th> </tr> </thead> <tbody> <tr> <td>New</td> <td>1010</td> <td>1048</td> </tr> <tr> <td>Extant</td> <td>1485</td> <td>1576</td> </tr> <tr> <td>Farmers'</td> <td>1079</td> <td>1085</td> </tr> <tr> <td>Essentially Derived</td> <td>02</td> <td>2</td> </tr> <tr> <td>Total</td> <td>3576</td> <td>3711</td> </tr> </tbody> </table> <p>(b) Category wise Certificates of registration issued :</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td>New</td> <td>17</td> <td>22</td> </tr> <tr> <td>Extant</td> <td>314</td> <td>334</td> </tr> <tr> <td>Farmers'</td> <td>3</td> <td>5</td> </tr> <tr> <td>Total</td> <td>334</td> <td>361</td> </tr> </tbody> </table>	Category of varieties	Up to the last meeting (30/01/2012)	As on 02/05/2012	New	1010	1048	Extant	1485	1576	Farmers'	1079	1085	Essentially Derived	02	2	Total	3576	3711	New	17	22	Extant	314	334	Farmers'	3	5	Total	334	361
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5	Status of Essentially Derived Varieties (EDV)	The second meeting of the Expert committee on registration of EDV was convened in the PPV &FRA on 21.02.2012 under the Chairmanship of Dr. B. S.																														

		Dhillon, PAU, Ludhiana. A total of 10 applications which were initially screened by the Registrar were put up to the Expert Committee for consideration. One application- VICH 5 BGII of Tetraploid Cotton- was recommended by the Committee for registration under EDV.												
6	Gazette notification of Orchids.	The Central Government based on the proposal forwarded by the Authority has notified in the Gazette of India [S.O. No.617(E) dated 27 th March, 2012) three genera of orchids namely <i>Cymbidium Sw.</i> , <i>Dendrobium Sw.</i> , and <i>Vanda Jones ex R. r.</i> for registration. Hence, 57 crop genera/ species are now eligible for registration of plant varieties.												
7	Status of Court Cases	<p>The update on the status of 20 court cases in Hon'ble A.P. and Hon'ble Delhi High courts and Hon'ble Supreme Court of India was informed. The pleadings have been filed in all the proceedings within the time granted by the Hon'ble High Courts. The court cases are monitored and contested effectively.</p> <p>The summary of twenty court cases is as follows:-</p> <table border="0"> <tr> <td>Hon'ble Supreme Court of India</td> <td>-</td> <td>04</td> </tr> <tr> <td>Hon'ble Delhi High Court</td> <td>-</td> <td>09</td> </tr> <tr> <td>Hon'ble A.P. High Court</td> <td>-</td> <td>07</td> </tr> <tr> <td>Total</td> <td>-</td> <td>20</td> </tr> </table> <p>The members noted the progress.</p>	Hon'ble Supreme Court of India	-	04	Hon'ble Delhi High Court	-	09	Hon'ble A.P. High Court	-	07	Total	-	20
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8	Establishment of Plant Varieties Protection Appellate Tribunal	The members were apprised about the progress and were satisfied about invoking the transitional provision to the effect that intellectual property appellate board will function as appellate authority in respect of orders passed by Registrar and Authority till the establishment of PVP Appellate Tribunal. The members noted the progress.												
9	Construction of PPV & FRA Campus	The three dimensional model was shown to the members which was appreciated by the Hon'ble members. Dr. Puri enquired about the provision of the water tank which was duly explained that there will be two water storage tanks, one underground with a capacity of one lakh litters (approx.) and other one will be an overhead tank with a capacity of about twenty thousand litters. The members desired that the agency should ensure for an early advertisement for pre-qualification of contractors. The progress was noted by the members.												

10	Plant Genome Savior Award 2010-11	<p>The members applauded the Authority for the grand function of conferring the Plant Genome Savior Community Award for the year 2010-11. The members also appreciated the efforts of the Authority for initiating the efforts for conferring the award for the year 2011-12.</p>  <p style="text-align: center;">Farming communities receiving the award</p>
11	Guidelines for supporting the conservation and sustainable use of Plant Genetic Resources (PGR) for <i>in-situ</i> and <i>ex-situ</i> conservation and for strengthening the capability of the Panchayats in carrying out such conservation and sustainable use.	It was decided that the guidelines for supporting the conservation and sustainable use of Plant Genetic Resources (PGR) for <i>in-situ</i> and <i>ex-situ</i> conservation and for strengthening the capability of the Panchayats through BMCs should be combined for the purpose of financial support. The guidelines as per Annexure-1 were also approved.
12	Guidelines for capacity building on <i>ex-situ</i> conservation at the level of the local body particularly in regions identified as agro-biodiversity and for supporting the <i>in-situ</i> conservation	Same as above
13 Implementation of e-Governance in PPV & FR Authority		
	A. Development of Portal of the Authority	Sahara Next, a NICSI empanelled firm, which is developing the online system for application submission and payment processing for registration process of plant varieties for the Authority, has been considered for designing and development of portal of the PPV & FR Authority. The proposal of web portal of the Authority contains Content Management Features having design features such as XHTML and CSS compliant, auto generated menu, theme based user login, design protected from content editors and multiple content

		areas on one page, facilities of dynamic content search, polls, picture album, thumbnail, news. It will also have the Search Engine Optimization (SEO) of friendly URLs which will enable us to popularize the Authority's activities. Installation of Drupal CMS and its customization, designing of templates for PPV & FRA Portal and development of its website will have multiple features/display such as crop guidelines, image maintenance, provision of user login, e-journal, downloads etc. The members noted and appreciated the efforts.																												
	B. Online filing of Application	Sahara Next (Empanelled in NICSI) has developed the software for "Online Submission of Applications for Registration of Plant Varieties" with the PPV & FR Authority. The online filing of applications was formally launched by Dr. Charan Das Mahant, Hon'ble Minister of State for Agriculture and Food Processing Industries on 21 st May, 2012 during the Plant Genome Savior Community Award function. The members noted and appreciated the progress.																												
14	Filling of the vacant posts of the Authority	<p>It was informed to the house that there are 22 sanctioned posts at the headquarters of the Authority and 8 sanctioned posts at the Branch Offices of the Authority at Ranchi and Guwahati. It was also informed that the following staff has joined recently.</p> <table border="1"> <thead> <tr> <th>S. No</th> <th>Name</th> <th>Designation</th> <th>Place</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Dr. Ravi Prakash</td> <td>Registrar</td> <td>Head quarter</td> </tr> <tr> <td>2.</td> <td>Dr. Manoj Kumar</td> <td>Deputy Registrar</td> <td>Ranchi</td> </tr> <tr> <td>3.</td> <td>Dr. Satya Pal Singh</td> <td>Plant Variety Examiner</td> <td>Ranchi</td> </tr> <tr> <td>4.</td> <td>Dr. Amit Dixit</td> <td>Plant Variety Examiner</td> <td>Guwahati</td> </tr> <tr> <td>5.</td> <td>Dr. (Ms.) Padminie Das</td> <td>Senior Technical Officer</td> <td>Ranchi</td> </tr> <tr> <td>6.</td> <td>Mrs. Shaptadwipa Bhattacharya</td> <td>Senior Technical Officer</td> <td>Guwahati</td> </tr> </tbody> </table> <p>Applications for the vacant post of SAO are being scrutinized and the interview for the post of Computer Assistant has been fixed on 4th June, 2012.</p>	S. No	Name	Designation	Place	1.	Dr. Ravi Prakash	Registrar	Head quarter	2.	Dr. Manoj Kumar	Deputy Registrar	Ranchi	3.	Dr. Satya Pal Singh	Plant Variety Examiner	Ranchi	4.	Dr. Amit Dixit	Plant Variety Examiner	Guwahati	5.	Dr. (Ms.) Padminie Das	Senior Technical Officer	Ranchi	6.	Mrs. Shaptadwipa Bhattacharya	Senior Technical Officer	Guwahati
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15	Guidelines for Engagement of Consultants	<p>The Member Secretary apprised the Members about the proposal and need for engaging Consultants by the Authority from time to time to look after various items of works. The Members were also informed that in Technical, Administration and Finance no sufficient posts have so far been sanctioned. Pending sanction of regular posts, the work is being carried out by engaging expert consultants in the various fields. One of the Members, Dr. S. N Puri expressed the view that although the consolidated emoluments proposed in the agenda for the Consultants are not adequate but it is good if the Authority is able to attract Expert Consultants with the prescribed consolidated emoluments. The Members also acknowledged the increasing work/activities of the Authority and the need for additional manpower. It was suggested that creation of the regular posts recommended in the EFC of the 11th Five Year Plan should be expedited and additional posts as per the requirement for smooth functioning of the Authority be included in the EFC of the 12th Plan. With these observations, the guidelines for engaging Consultants, as contained in the agenda note were approved. It was also decided that till these guidelines are operationalized, the Consultants already working on existing terms and conditions may continue in the interest of work. If needed, the work may also be got done by outsourcing of additional services.</p>
16	Procedure for release and accounting of DUS Test Fee	<p>The members were informed about the existing accounting policy for release of DUS test fee. To further streamline the process, the Performa regarding the DUS test report was proposed which would vitiate the necessity of a separate utilization certificate against the fee released for conduct of DUS test by the notified centers.</p> <p>The proposal for release of full DUS test fee i.e. 100% of the 70% of DUS Test fee to the DUS test centres was agreed and approved. It was also decided that no utilization certificate will be required for accounting purpose.</p>

17	Budget Estimate for the Financial Year 2012-13 and projected budget outlay for 12th Five Year Plan.	<p>The members were apprised about the budget estimate which is Rs.35 crores for the current Financial Year 2012-13 as per details below:</p> <table border="1" data-bbox="784 184 1502 1150"> <thead> <tr> <th>S. No.</th> <th>Component</th> <th>Amount (Rs. In Lakhs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Operation cost of head office</td> <td>500</td> </tr> <tr> <td>2</td> <td>Establishment of branch office</td> <td>60</td> </tr> <tr> <td>3</td> <td>Construction of Authority campus</td> <td>1800</td> </tr> <tr> <td>4</td> <td>Maintenance of reference varieties and other related activities</td> <td>400</td> </tr> <tr> <td>5</td> <td>Development of DUS guidelines</td> <td>150</td> </tr> <tr> <td>6</td> <td>Establishment/Strengthening of Gene bank facilities</td> <td>120</td> </tr> <tr> <td>7</td> <td>Support to referral laboratories</td> <td>100</td> </tr> <tr> <td>8</td> <td>Establishment of network system and management of database information system</td> <td>30</td> </tr> <tr> <td>9</td> <td>Establishment of library, outsourcing of publications, awareness and training / capacity building</td> <td>200</td> </tr> <tr> <td>10</td> <td>Establishment of Appellate Tribunal</td> <td>5</td> </tr> <tr> <td>11</td> <td>Contribution to Gene Fund</td> <td>60</td> </tr> <tr> <td>12</td> <td>Attending International Meetings, Seminars/Contribution to International Organizations</td> <td>75</td> </tr> <tr> <td></td> <td>Total</td> <td>3500</td> </tr> </tbody> </table> <p>Total budget outlay for XIIth Five Year Plan (2012-13 to 2016-17) has been projected and proposed for Rs.220 crores in the EFC document.</p> <p>It was recommended that the proposal for the financial outlay of Rs 220 crores in the XIIth Five Year Plan may be reflected in the EFC.</p> <p>It was decided that the Annual Accounts of the Authority may be finalised within the stipulated time and authorized the Chairperson of the Authority to approve the Annual Accounts before sending it to CAG. It was also decided that enhancement in the budget allocation for the year 2012-13 may be taken up with the Ministry.</p>	S. No.	Component	Amount (Rs. In Lakhs)	1	Operation cost of head office	500	2	Establishment of branch office	60	3	Construction of Authority campus	1800	4	Maintenance of reference varieties and other related activities	400	5	Development of DUS guidelines	150	6	Establishment/Strengthening of Gene bank facilities	120	7	Support to referral laboratories	100	8	Establishment of network system and management of database information system	30	9	Establishment of library, outsourcing of publications, awareness and training / capacity building	200	10	Establishment of Appellate Tribunal	5	11	Contribution to Gene Fund	60	12	Attending International Meetings, Seminars/Contribution to International Organizations	75		Total	3500
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18	Opening of New Branch Offices at CSK Himachal Pradesh Krishi Vishwavidyalaya	The members were pleased to know about the approval of the Board of Management of CSK HPKVV, Palampur for opening of branch office. It was desired by the members that the appreciation of the members may be conveyed to Dr. S.K. Sharma, Vice-Chancellor, CSK HPKVV, Palampur. It was further suggested to expedite opening of the other branch offices at Pune, Lucknow and Coimbatore during this plan.
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Supplementary Agenda		
19.	Registration of Essentially Derived Variety (EDV)	The members were informed about the progress made in registration of Essentially Derived Varieties (EDV) which has conducted two meetings under the Chairmanship of Dr. B.S. Dhillon, Vice Chancellor, PAU, Ludhiana on 5 th December 2011 and 21 st February 2012 in the Authority office respectively. The Expert Committee examined ten applications for consideration under the EDV category but only one application of tetraploid cotton having denomination VICH 5 BGII (Reg/2010/210) filed by M/s Vikram Seeds Private Limited, Ahmedabad was recommended by the Committee for the purpose of registration as EDV under the Act. Recommendations of the Committee were approved by the Authority and the members appreciated the role of expert committee on EDV for timely guidance and support to the Authority.
20.	Exemption of farmers from annual fee and renewal fee	The members deliberated on the proposal submitted by Sh. P. Narayanan Unny, Member of the PPV&FR Authority representing the farmers' organization. After due deliberation by the members, the following decisions were taken a) The proposal for amendment in the Act regarding exemption of farmers from paying annual and renewal fee may be sent to the DAC Ministry of Agriculture. b) It was decided that till the amendment in Act is made, an amendment regarding reducing of annual fee to a fixed amount of Rs.100/- (Rupees one hundred only) may be sent to the Ministry. c) It was also decided that an amendment may be done in Second Schedule of the PPV&FR Rules, 2003 to reduce the renewal fee in case of varieties developed by farmers to fixed amount of Rs.10/- (Rupees ten only) per year. The members unanimously agreed and suggested to take necessary step in this regards.
Vote of Thanks		The members acknowledged the outstanding contribution, support and guidance by Shri V. Venkatachalam, Special Secretary, Department of Agriculture & Cooperation, Government of India, New Delhi and Shri S.K.G. Rahate, Joint Secretary (Seeds), DAC during their tenure as members of the Authority. The Authority members placed on record sincere services rendered by both these officers. The meeting ended with a vote of thanks to the chair.

Guidelines for supporting the conservation, sustainable use of Plant Genetic Resources (PGR) and capacity building

The Protection of Plant Varieties and Farmers' Rights Act, 2001 under section 45 (2) (c) and Rule 70(2)(b) of PPV&FR Rules, 2003 envisage the expenditure for supporting the conservation and sustainable use of Plant Genetic Resources (PGR) for *in-situ* and *ex-situ* conservation, for strengthening the capability of the Panchayats and local bodies in carrying out such conservation and sustainable use and for capacity building on ex-situ conservation in agro-biodiversity hotspots.

The Gene Fund shall be applied for meeting such expenditures. The Biodiversity Management Committees (BMC) is engaged in the above-said task. Accordingly, National Biodiversity Authority may recommend the BMCs which satisfy the criteria laid down under Section 45(2)(c) of PPV&FR Act, 2001 and Rule 70(2)(b) of PPV&FR Rules, 2003, the fund ranging from ₹1.00 lakhs to ₹3.00 lakhs will be allotted by PPV&FRA through SBBs to the concerned BMCs.

The funding and the monitoring shall be as under

1. PPV&FR Authority after disbursing the funds to BMC through State Biodiversity Board will require timely receiving of Audited Utilization Certificate (AUC) with technical reports and work done by BMCs through State Biodiversity Boards at the end of every financial year.
2. Representative of PPV&FR Authority shall also visit the respective sites of BMCs.
3. The BMCs in consultation with the State Biodiversity Board shall convene a meeting to review the physical and financial progress and work done during six months and also submit the reports to the PPV&FR Authority at the end of financial year through respective State Biodiversity Board.