



सत्यमेव जयते

REGISTRAR GENERAL

रजिस्ट्रार जनरल

OFFICE COPY

GOVT. OF INDIA, MINISTRY OF AGRICULTURE

भारत सरकार, कृषि मंत्रालय

PROTECTION OF PLANT VARIETIES AND
FARMERS' RIGHTS AUTHORITY

पौधा किस्म और

कृषक अधिकार संरक्षण प्राधिकरण

NASC Complex, DPS Marg,

(Opp. Todapur Village), New Delhi-110012 (INDIA)

एन.ए.एस.सी. कॉम्प्लेक्स, डी.पी.एस. मार्ग,

(टोड़ापुर के सामने), नई दिल्ली-११००१२ (भारत)

F.No. PPV & FRA/01-10/09 / 3383

Dated: - 23rd December, 2009

To

Shri Raju Barwale,
Maharashtra Hybrid Seed Corporation Ltd. (Mahyco),
Jaina- 431203, Maharashtra

Subject: - Nomination of the Non-official member of the PPV & FR Authority

Sir

This is to inform you that vide Government of India gazette S.O. 3064 (E) dated 30.11.2009 you have been nominated as a non-official member of the Protection of Plant Varieties & Farmers' Rights Authority for a period of three years from date of notification. A copy of the letter dated December 18, 2009 from the Ministry of Agriculture in this regard is being enclosed for your kind perusal.

I take this opportunity to heartily welcome you as a member of the PPV & FR Authority and hope that with your wide experience in the agricultural/social sector, you will be able to contribute usefully during the deliberations in the Authority Meetings. I look forward to see you soon.

Meanwhile kindly find enclosed a copy each of Protection of Plant Variety & Farmers' Rights Act, latest Annual Report and copies of the two Plant Variety Journals for your kind perusal.

Dr. A.K. Malhotra
23.12.09

(Dr. A.K. Malhotra)

Encl:- As above

**Proceedings of the Ninth meeting of the PPV&FR Authority held on 12th March,
2010 in Committee Room No. II, NAAS,
NASC Complex, New Delhi-110 012**

The Ninth meeting of the PPV&FR Authority under the Chairmanship of Dr. S. Nagarajan, Chairperson of the Authority was held on 12th March, 2010 in the Committee Room-II, NAAS, NASC Complex, New Delhi-110 012.

Following members were present in the meeting:-

- 1) Dr. S. Nagarajan, Chairperson, PPV&FR Authority, Government of India, NASC Complex, New Delhi
- 2) Dr. S.N. Puri, Vice Chancellor, Central Agricultural University, Imphal Manipur- 795004
- 3) Dr. S. Natesh, Adviser Grade – I, Government of India, Dept. of Biotechnology, CGO Complex, Lodi Road, New Delhi – 110 003
- 4) Shri Satish Chandra, Joint Secretary & GC, Department of Legal Affairs, Ministry of Law & Justice, Government of India, New Delhi
- 5) Sh. A.K. Goyal, Joint Secretary, Ministry of Environment & Forest.
- 6) Dr. S. K. Sharma, Director, National Bureau of Plant Genetic Resources, New Delhi -110 012
- 7) Sh. Raju Barwale, Managing Director, Maharashtra Hybrid Seed Corporation Ltd. (Mahyco), Jalna – 431 203, Maharashtra
- 8) P. Narayanan Unny, Navara Eco Farm, Karukamani Kalam, Chittor College P.O. Distt. Pallakad, Kerala – 678 104
- 9) Dr. A.K. Malhotra, Registrar General, PPV&FR Authority, New Delhi– **Member Secretary**

The members who could not attend the meeting:-

1. Ms.Upma Chawdhry , Joint Secretary (Seeds), Department of Agriculture & Cooperation Ministry of Agriculture, Krishi Bhawan, New Delhi – 110114

2. Dr. Swapan Kumar Dutta, Deputy Director General (Crop Science)
Division of Crop Science, ICAR, Krishi Bhawan, NewDelhi-110114
3. Smt. Rachel Chatterjee, IAS, Principal Secretary, Government of Andhra Pradesh, Andhra Pradesh Secretariat, D Block, 1st Floor, Hyderabad- 500 022
4. Sh. Roshan Lal, IAS, Finance Commissioner & Principal Secretary, Agriculture Department, New Haryana Secretariat Building, Room-430, 4th floor, Sector-17, Chandigarh- 160017
5. Sh. A.C. Zonunmawia, Coordinator & Chairman, Centre for Environment Protection (CEP), B-27/1, Tuikual South, Aizawl – 796 001, Mizoram
6. Dr. (Mrs.) Vanaja Ramprasad, Green Foundation, 570/1, Padmavathi Nilaya, 4th Cross, 3rd Main, N.S. Palya, BTM 2nd Stage, Bangaluru – 560 076, Karnataka
7. Horticultural Commissioner ,Department of Agriculture & Cooperation, Ministry of Agriculture, Krishi Bhawan, New Delhi - 110001
8. Agriculture Commissioner, Department of Agriculture & Cooperation, Ministry of Agriculture. Krishi Bhawan, New Delhi-110001

With the approval of the Members present permission was taken for the following non - voting members to be present in the meeting to provide information, as and when sought.

Non members from the Authority

1. Shri R. K. Trivedi, Registrar (FC), PPV&FR Authority, New Delhi
2. Dr. Manoj Srivastava, Registrar (Horti), PPV&FRA
3. Dr. P.K. Singh, Registrar, PPV&FRA
4. Shri Rajeev Talwar, SAO, PPV&FRA

Non member official from the State Govt.

1. Sh. Surinder Pal Singh, Joint Director, Agriculture (Haryana) representing Finance Commission and Principal Secretary (Agriculture) Govt. of Haryana.

At the outset, the Chairperson enquired about the fulfillment of the requirement of the quorum for conducting the meeting. The Registrar General informed that the number of

Members required for the quorum were present in the meeting. There on the Chairperson directed to conduct the meeting. The Registrar General presented the agenda items.

Agenda Item No. 1 Welcome to the New Members of the Authority

The Chairperson welcomed the appointment of four new Members i.e. Sh. Raju Barwale, representative from Seed Industry, Sh. A.C. Zonunmawia, representative from Tribal organization, Sh. P. Narayanan Unny, representative from farmers organization and Dr. (Mrs.) Vanaja Ramprasad, representative from women's organization who have been recently notified as Members of the Authority. The Chairperson also appreciated and acknowledged the contribution made by those Members who have recently completed their term of three years in the Authority.

Agenda Item No. 2 Confirmation of the minutes of the 8th meeting of the Authority held on 29th September, 2009 and Special Meeting of the Authority held on 7th December, 2009

The minutes of the 8th meeting of the Authority held on 29th September, 2009 were circulated vide Authority's letter No.PPV& FRA/Reg/1-09/08/2659 dated: 27th October, 2009. In response to this, the Joint Secretary (Seeds) Department of Agriculture & Cooperation had made following points:-

- (i) Department may be consulted before notifying the enhanced sitting charges for consultants and experts as recommended in the 8th Authority meeting.
- (ii) The proposed medical coverage for employees of the Authority should be in consonance with the instruction of Ministry of Health and Family Welfare.
- (iii) The Recruitment Rules for creation of new posts in the Authority may be routed to Ministry of Finance through Department of Agriculture & Cooperation.

As regards Point No. 1 The Members were of the view that as provided under Rule 18 (3) of PPV&FR Rules, 2003, a consultation may be sought from DoAC on this issue. While

referring this matter to DoAC, it must be brought to their notice, that the Authority had endorsed the enhanced fee for consultation and experts in its 9th Meeting held on 12th March, 2009.

Regarding Point No. 2 It was clarified by the Registrar General that the new health insurance scheme of the Government has not yet been finalised and that the same will be adopted after its finalization. The provision as approved by the Authority in its 8th meeting will be applicable for the intervening period starting from 1st September, 2009. The Members endorsed the above view.

Regarding Point No. 3 The Registrar General informed that the office of the Authority had already sent the draft Recruitment Rules for various new posts to the DoAC for getting approval from Ministry of Finance.

With these observations, the Members confirmed the minutes of the 8th Authority meeting held on 29th September, 2009. The Members also confirmed the minutes of special meeting of Authority held on 7th December, 2009.

Agenda Item No. 3 Action taken report on the minutes of 8th meeting of the Authority held on 29th September, 2009 and special meeting of the Authority held on 7th December, 2009

The action taken report on the proceedings of the 8th Meeting of the Authority held on 29th September, 2009 and special meeting of the Authority held on 7th December, 2009 were noted and approved by the members. Regarding item No. 5 of ATR the Members desired that the use of gmail account for official email of the Authority may be discontinued from 1st April, 2010, and Registrar III (Dr. P.K. Singh), in charge of systems maintenance to take necessary action.

Agenda Item No. 4 Progress of Plant Varieties Registry

The updated position of the applications received, examined and conducting of DUS test of candidate varieties in the Plant Varieties Registry was noted by the Members.

It was informed by the Registrar (FC) that so far 1644 applications for registration in 19 notified crop species have been received, out of which, 627 are from ICAR, 789 from Private Sector, 177 from State Agricultural University and 51 from farmers. The Registry has issued Registration Certificates for 168 varieties and 19 applications have been rejected. Thus the actual numbers of applications in hand in Plant Varieties Registry were 1457. It was also informed that besides issuing the Certificate of Registration for Extant Varieties under the category of varieties notified in Seed Act 1966, the Certificate of Registration have also been issued for two new varieties and three farmers varieties. Out of total 168 Certificate of Registration issued so far, 144 were issued to the ICAR, 16 to Private Sector, 5 to State Agricultural Universities and 3 to farmers. During Kharif 2008 seeds of 54 candidate varieties and during Kharif 2009, 57 candidate varieties had been sent for DUS tests. During Rabi 2009, seeds of two new and one farmers variety have been sent for DUS tests. The passport data of the candidate varieties had also been published in the Plant Variety Journal for filing objection/opposition by the interested parties. The Members expressed satisfaction with the progress of the Plant Varieties Registry.

Agenda Item No. 5 Issue of various Gazette notifications relating to PPV&FR Act, 2001

The Members noted the Gazette notifications (copies of which were annexed with agenda note) in respect of extension of time for registration of farmers variety from three to five years and third amendment of PPV&FR Rules, 2009.

Agenda Item No. 6 Status of Court Cases

The Members noted the detailed information about the various cases filed in the different High Courts against PPV&FR Authority.

Agenda Item No. 7 Important quasi judicial proceedings pending in the Plant Varieties

Registry

The members noted contents of the detailed list of opposition pending before Registrar in quasi judicial proceedings in respect of various applications.

Agenda Item No. 8. Important decision in quasi-judicial proceedings before the

Registrar

The Members noted the various decisions taken by Registrar in quasi judicial proceedings on various applications/petitions. The Members were of view that various decisions taken may be digitalized and kept in archive for future reference by the legal cell of the Authority.

Agenda Item No.9 DUS test fees for common knowledge varieties (VCK)

The Members endorsed the DUS test fee for new and extant variety (common knowledge variety) for 19 crop species that have already been earlier Gazette notified. The recommended fee structure was approved.

Agenda Item No.10 Recruitment Rules for the new posts sanctioned in the EFC meeting of 11th Plan

The Members observed that in the draft Recruitment Rules the period of deputation for each post and position of feeder cadre should also be mentioned. In case if a post is not filled on deputation basis the alternative mode of recruitment should also be indicated in the RR. The draft RR be accordingly get corrected.

Agenda Item No. 11 Period of DUS testing for trees and plantation crops

The Members observed that period for DUS testing for trees and plantation crops is an important aspect and this issue has to be critically examined while finalizing DUS guidelines as

well as DUS testing procedure for various crops. The ultimate objective should be to give a verdict on the application filed within the stipulated time based on verified information.

Agenda Item No. 12 Disclosure of information under RTI Act, 2005

It was agreed that the office may at present handle RTI matters as per the provision of section 8 (2) of RTI Act for providing information about the activities of the Authority. However, as Authority is dealing with Intellectual Property matters, separate detailed lists containing areas where information can be divulged to RTI applicant and areas where information cannot be divulged with a view to protect the interest of the third party who has applied to the Authority for registration of their plant varieties may be prepared. On that classification of information views of Ministry of Law may also be taken and placed before the next meeting of the Authority.

Agenda Item No. 13. Budget Estimates for Financial Year 2010-11

The Authority endorsed the budget estimated for the financial year 2010-11 as given in the Agenda Note.

Agenda Item No. 14 Change in the account policy regarding depreciation

The Authority approved the change in account policy regarding depreciation as per Income Tax Act, 1961. This change will be effective for financial year 2010-11. However, the depreciation would be calculated from the years of purchase of the item.

Agenda Item No. 15 Formation of a committee for the career advancement of the employees of the Authority

The PPV & FRA is an Autonomous organization and can have CAS. The Members opined that the inclusion of details of feeding cadres in Recruitment Rules may itself take care of the career advancement policy. Yet, if required a Committee for carrier advancement of the employees and full details submitted by them may be formed in the Authority.

Agenda Item No. 16 **Return for Annual Fee**

The Authority approved the form for return to be submitted along with the annual fees payable under section 35 of PPV&FR Act, 2001 read with rule 22 (8) of PPV&FR Rules, 2003.

Agenda Item No. 17 **Management of National Gene Fund**

The Members approved the administrative procedure for the management of National Gene Fund. Members also opined that from the Gene Fund more creative activities may be taken particularly with respect to the capacity building in the plant biodiversity hot spot areas.

Agenda Item No. 18 **Audit report details & store verification for information**

The members noted the action taken on the observations of the audit report submitted by the CAG on annual account for the year 2008-09 and store verification of assets of the Authority.

Agenda Item No. 19 **Progress on Regional office and construction of new campus**

The members noted the progress so far made for setting up of regional offices and construction of new campus of the Authority.

Agenda Item No. 20 **Awareness Training funded by the Authority**

The members noted about various training activities so far being under taken by the Authority under PPV&FR Act, 2001.

Agenda Item No. 21 **Forwarding of proposal to Ministry of Law and Justice through Ministry of Agriculture to engage Government Counsels to file and defend the cases on behalf of the Registry and Authority**

This agenda item was withdrawn by the Registrar General based on the information provided by the members representing the Department of Legal Affairs.

Before concluding the meeting the Members recommended that the next meeting of the Authority may be held at Aizawl (Mizoram) by the end of April 2010 so that North Eastern region of the country may also get sensitized about the PPV&FR Act, 2001. The Honourable VC, CAU kindly agreed to provide the local facilitation needed for the meeting.

The meeting ended with a vote of thanks to the Chairperson and Members of the Authority.