



रजिस्ट्रार जनरल
REGISTRAR GENERAL

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कृषि मंत्रालय, भारत सरकार
पौधा किस्म और कृषक अधिकार संरक्षण प्राधिकरण
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Protection of Plant Varieties and
Farmers' Rights Authority
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F.No. PPV & FRA/13/2011/1259-73
Date: 30th June, 2011

To,

All Members of the PPV&FR Authority

Subject: Proceedings of the 13th meeting of the PPV&FR Authority held on 28th June, 2011.

Sir,

Kindly find enclosed a copy of the proceedings of the 13th meeting of the Protection of Plant Varieties & Farmers' Rights Authority held on 28th June, 2011 at 10 am in the Committee room III, NAAS, NASC Complex, New Delhi.

Your comments, if any, may kindly be communicated to the undersigned at the earliest.

Yours faithfully


(A.K. Malhotra) 30.6.11

Encl.: As above

Copy to: - PPS to Chairperson

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B
5/7/11



Proceedings of the **13th** Meeting of the **Authority** June 28th, 2011

Venue: Committee Room, NAAS, National Agricultural
Science Complex, New Delhi



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13th Meeting of the Protection of Plant Varieties & Farmers' Rights Authority
held on 28th June, 2011 at 10.00 am at NAAS, Committee Room, NASC
Complex, New Delhi

The 13th meeting of the Authority was held on the 28th June, 2011 at 10:00 a.m. in the National Agricultural Science Complex, New Delhi. The attendance of the members was as under:

S. No.	Name of the Member	Designation	Capacity
Members of the Authority			
1.	Dr. P.L. Gautam	Chairperson, Protection of Plant Varieties & Farmers' Rights Authority, NASC Complex, DPS Marg, New Delhi	Chair
2.	Dr. Swapan Kumar Dutta	Deputy Director General (Crop Science), Division of Crop Science, Krishi Bhawan	Member
3.	Dr. S.N. Puri	Vice-Chancellor, Central Agricultural University, Manipur, Imphal	Member
4.	Dr. A.K. Malhotra	Registrar General, Protection of Plant Varieties & Farmers' Rights Authority, NASC Complex, New Delhi	Member / Secretary
5.	Shri Anindo Majumdar	Joint Secretary (Seeds), Department of Agriculture & Cooperation, Krishi Bhawan, New Delhi	Member
6.	Shri Hem Pande	Joint Secretary, Ministry of Environment & Forests, CGO Complex, Lodhi Road, New Delhi	Member
7.	Shri Raju Barwale	Managing Director, Mahyco, Mumbai	Member
8.	Shri P. Narayanan Unny	Farmers' Representative, Navara Eco Farm, Karukamani Kalam, Pallakkad, Kerala	Member
Non-Member representing the Members of the Authority			
1.	Dr. D.C. Bhandari	Representing Dr. K. C. Bansal, Director, NBPGR	

The following members could not attend the meeting :

1. Dr Gurbachan Singh, Agriculture Commissioner, DoAC, Krishi Bhavan, New Delhi
2. Dr Gorakh Singh, Horticulture Commissioner, DoAC, Krishi Bhavan, New Delhi
3. Dr S Natesh, Senior Scientist (Scientist – H), Department of Biotechnology, Ministry of Science & Technology, CGO Complex, New Delhi
4. Shri Satish Chandra, Joint Secretary & Legal Advisor, Department of Legal Affairs, Ministry of Law & Justice, Shastri Bhavan, New Delhi

5. Shri V Nagireddy, Principal Secretary, Agriculture, Government of Andhra Pradesh, Secretariat Office, Hyderabad
6. Shri Roshal Lal, Finance Commissioner & Principal Secretary, Agriculture, New Haryana Secretariat Building, Chandigarh
7. Shri A C Zonunmawia, Coordinator & Chairman, Center for Environment Protection, Aizawal, Mizoram
8. Dr (Mrs.) Vanaja Ramprasad, Managing Trustee, Green Foundation, Bengaluru, Karnataka.

The Member Secretary welcomed the Chair and members of the Authority and requested the Chair to conduct the meeting. Thereafter, discussions were held on each item of the agenda and the following decisions were taken:

Agenda Item No. 1: Confirmation of the minutes of the 12th Authority Meeting held on 18th February, 2011

Considering the response of the PPV&FRA to the queries raised in respect of Items nos. 2 (points 6,7,8 &11), 4, 5, 7 and 16 by DoAC and Hon'ble members of the Authority, the minutes of the 12th meeting were confirmed.

Agenda Item No. 2: Action Taken Report on the minutes of 12th meeting of the Authority held on 18th February, 2011

Action taken in respect of Item Nos. 1 to 5, 7 to 10, 12 to 14, 16 to 19 & 21 were noted by the members with satisfaction.

Regarding Item No. 6 concerning DUS guidelines for additional crop species for the purpose of registration under the Act, Shri Anindo Majumdar informed that the proposal has been referred back to the Authority with some queries on the same need to be responded. He was informed that the response to the proposal has been communicated on 21st June 2011 by the Authority.

As far as Item Nos. 11 & 15 pertaining to time line for registration of Extant Varieties notified under Seed Act and Varieties of Common Knowledge (VCKs) pending for registration, Shri Raju Barwale wanted to know the time line being prescribed for such Varieties. He was informed about the provision and proposal submitted by PPV&FRA to DoAC regarding the same. He was also informed that provisions as per Act will be adhered to in respect of VCKs.

Regarding Item No. 20 concerning Annual Fee, Shri Anindo Majumdar enquired as to whether it requires DoAC approval. He was informed that necessary proposal has been submitted to DoAC as per the provisions of section 35 (2) of the Act.

After these deliberations, the Action taken report of the 12th meeting of the Authority was approved.

Agenda Item No. 3: Progress on Plant Variety Registry

Initiating the discussions, the Chair expressed his appreciation on the decisions taken in the PPV&FRA & DoAC meeting held on 30th March 2011 at Krishi Bhawan, Member Secretary informed the members of the Authority about the status of the applications and the efforts made to increase the number of registered varieties by clearing the backlog. It was stated that the status of applications, as on date, for registration is as under:

(a) Category wise number of applications received

Category	Number of applications
New Varieties	921
Extant Varieties	1390
Farmers' Varieties	143
Essentially Derived Varieties	1
Total	2455

(b) Status as per stages of processing

Description	Number of varieties
Certificate Issued	274
Under DUS tests (1 st / 2 nd year)	270
Approved for DUS tests	100
Seeds or fees awaited	220
Under first stage of examination	341
Under final stage of examination	1200
Rejected or withdrawn	50
Total	2455

From the above table, it is apparent that the situation regarding registration of new and old varieties has shown an upward trend. The Member Secretary further underscored the efforts made by the Authority in increasing the registration of Farmers Varieties. However, to accomplish this job, he requested for the initiative of

DoAC by writing to all the Principal Secretaries / Secretaries / Heads of Departments / Director of Agriculture, Horticulture and Forestry, under intimation to the Authority, with a request to fast track this process in their states. It was also mentioned that States like Odisha and West Bengal where the State Departments of Agriculture / State Biodiversity Board are taking initiative regarding registration of Farmers Varieties, the applications received have shown welcome upward trend.

Agenda Item No. 4: Status of Essentially Derived Varieties

and

Agenda Item No. 5: Constitution of Committee to recommend the registration of Essentially Derived Varieties (EDV)

The Chair informed the members of the Authority that in order to resolve the problem being faced with regard to registration of EDV (Essentially Derived Varieties) and IV (Initial Variety), a committee of experts was constituted and its recommendations have provided useful guidance for processing the applications under EDV category. Dr. Swapan Kumar Dutta mentioned that several Transgenic varieties of cotton are in the market and there may be heavy rush for registration of such varieties in near future. These registration proposals may offer both opportunities as well as complexities and problems. Hence, this sensitive issue has to be dealt with due care. He cited about a complaint received by the ICAR from a company against the other company regarding parentage and ownership on a variety notified under seeds Act and also possibly registered by PPV&FRA. The Chair requested Dr. Swapan Kumar Dutta to forward the complaint for examination of its status of registration by the PPV&FRA.

The Chair agreed with the observations of Dr. Swapan Kumar Dutta with regard to EDVs specially transgenic varieties and that the issues need to be handled with due care. Hence, the committee constituted for the purpose has suggested for case to case processing of applications for registration of EDVs. He further mentioned that on the recommendation of the experts, Item No. 5 of the agenda, has been put up by the Authority for constitution of a committee for examining the proposal for registration of EDVs. Dr. Swapan Kumar Dutta also mentioned the need for establishment and designation of repository for DNA sequences in the country with the state of art facilities. It was also mentioned by Sh. Raju Barwale that for want of such facilities they have to go overseas. Shri Hem Pande and Shri P Narayanan Unny, wanted to

know what precautions are taken before registering the transgenic varieties. It was informed that as per regulations on the subject, GEAC clearance for biosafety is a mandatory requirement for registering any transgenic variety/hybrid.

After deliberations, the members of the Authority approved the proposals under agenda items 4 and 5 including constitution of the expert committee.

Agenda Item No. 6: Status of Court Cases

The members of the Authority were informed about the status of court cases and the same was noted by the members.

Agenda item No. 7: Amendment in Act, Rules and Regulations

The Member Secretary informed that based on the experience and relevance with respect to changes and needs, a comprehensive proposal for amendment in the Act, Rules and Regulations has been submitted to DoAC after threadbare in house deliberations where the representative of the DoAC was also present.

The proposal as submitted including annexure thereof was approved by the Authority.

Agenda Item No. 8: Branch offices of the Authority and Registry

The Member Secretary informed that the branch offices of PPV&FRA at Ranchi and Guwahati has been made operational by posting regular / contractual staff. He sought the help of Dr. S. N. Puri as Vice Chancellor, Central Agricultural University in locating suitable candidate for posting as Deputy Registrar for Ranchi office. The members of the Authority also expressed gratitude to the Vice Chancellors of Birsa Agricultural University and Assam Agricultural University for the help and co-operation extended by them in opening these offices. The Universities have been kind enough in providing suitable space for the office in their campuses for a long term lease on nominal charges.

The members expressed satisfaction and complemented the efforts of the Authority in commissioning the office.

Agenda Item No. 9: Construction of Office Building of PPV&FRA

The members were apprised about the latest position of the office building of PPV&FRA. The Chair informed about the formal allotment letter of allotment of land from IARI and ICAR after the approval of the Hon'ble Agriculture Minister. It was further informed that the formal foundation stone laying ceremony for the office building has been fixed for 8th July, 2011 wherein Hon'ble Agriculture Minister will do the honour.

The members expressed their appreciation for the progress and expressed gratitude to the Hon'ble Agriculture Minister, DG / Secretary, DARE, Secretary, ICAR and Director, IARI for their interest and role.

Agenda Item No. 10: Plant Genome Saviour Community Award 2009-10

The Member Secretary informed about the finalization of the Plant Genome Saviour Community Awards for 2009-10 which have been recommended by a high level selection committee headed by Dr. M.V. Rao, Former Special Secretary, DARE and Special DG, ICAR. He further informed that two communities one from Koraput, Odisha and other from Gadag, Karnataka have been selected for this award. The award is to be given by Hon'ble Prime Minister on 16th July, 2011 during the Foundation day of ICAR. Shri Hem Pande, suggested to give a wide publicity to this award including availing the services of Doordarshan and All India Radio.

The members of the Authority expressed their appreciation for the progress on the matter.

Agenda Item No. 11: Change in Staff Position

The members of the Authority were informed of Dr. P.K. Singh's repatriation to his parent department after completion of his tenure and also of the resignation of Shri Rajeev Talwar. The joining of Dr Tejbir Singh as the new Registrar was also informed.

The committee noted the information.

Agenda Item No. 12: Any other item with the permission of the Chairperson

12 (1) Revision of Recruitment Rules for various posts in PPV&FRA and providing promotional avenues for the staff.

The Recruitment Rules as approved by the Authority in the earlier meetings needed some revision so as to provide promotional avenues for the staff and to make them in consonance with various directions of the DoPT and the provisions of the PPV&FR Act. The revised Recruitment Rules prepared by an expert committee constituted for the purpose under the Chairmanship of Shri K. K. Bajpai has submitted their report which was perused by the members of the Authority. Dr. S.N. Puri observed that the committee had very experienced persons and it has done commendable work in submitting comprehensive recommendations. Shri Hem Pande suggested that in view of the problem of promotional avenues for solitary posts, possibility for broad based qualification may also be explored in future so that the avenues for promotion are open in such cases.

After deliberations, the agenda item including detailed Recruitment Rules as annexed with the agenda were approved.

12 (2) Filling up of the post of Sr. Accounts Officer in PPV&FRA

The item as contained in the agenda was discussed in details. Dr. Raju Barwale and Dr. S.N. Puri observed that the officers like Shri Rajeev Talwar are assets to the new organizations like PPV&FRA and should be encouraged to serve the Authority. The members also noted the information and the circumstances of the case concerning Shri Rajeev Talwar as mentioned in the agenda. It was also suggested by some members that before giving a firm offer to Shri Rajeev Talwar, the outcome of the selection committee meeting for interviewing the candidates for the post of SAO scheduled for 30th June, 2011 may be also be taken note of.

In view of the facts that the post of SAO is included in schedule IV of PPV&FRA Rules, over which the Authority has exclusive jurisdiction, the proposal as per agenda was approved.

In view of the comments received from JS (Seeds) vide their letter No. 1-12/2008/SD.V dated 11th July, 2011 regarding granting of five additional increments to Shri Rajeev Talwar, Sr. Accounts Officer. The agenda item no. 12 (2) was deferred.

12 (3) Citizen's charter for PPV&FRA

The members of the Authority noted with satisfaction the draft enclosed and approved the same with a suggestion of Shri Hem Pande that emails, telephone numbers, website etc., should also be included in the citizen charter.

12 (4) Venue for the next meeting of the Authority

Shri P Narayanan Unny proposed for holding the next meeting of the Authority in South. The proposal was agreed to in principle.

The meeting ended with a vote of thanks to the Chair.