



प्राधिकरण की 32वीं बैठक की कार्यवृत्त
**Minutes of the
32nd Meeting of the Authority**

स्थान	: समितिकक्ष-2, नास, एनएएससी कॉम्प्लेक्स, दिल्ली
Venue	: Committee Room 2, NAAS, NASC Complex, Delhi
समय	: 11:00 बजेपूर्वाह्न
Time	: 11:00 AM
दिनांक	: 25 th सितम्बर, 2019 (बुधवार)
Date	: 25 September, 2019 (Wednesday)

पौधाकिस्म और कृषक अधिकार संरक्षण प्राधिकरण
Protection of Plant Varieties & Farmers' Rights Authority
कृषि सहकारिता एवं किसान कल्याण विभाग
Department of Agriculture, Cooperation & Farmers Welfare
कृषि एवं किसान कल्याण मंत्रालय, भारत सरकार
Ministry of Agriculture & Farmers Welfare, Government of India
एनएएस परिसर, डीपीएस मार्ग, टोडापुर गाँव के सामने, नई दिल्ली & 110012-
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Minutes of the 32nd Meeting of the Protection of Plant Varieties & Farmers' Rights Authority

Meeting Type	Authority Meeting	Date and Time	25 September, 2019 at 11:00 noon which was rescheduled at 12:00
Subject	32 nd Authority Meeting of the PPV&FR Authority		
Venue	Committee Room-II, NAAS, NASC, New Delhi		
Attendance	<p><u>The following members attended the meeting:</u></p> <ol style="list-style-type: none"> 1. Dr. K.V.Prabhu, Chairperson, PPV&FR Authority 2. Sh. Ashwani Kumar, Joint Secretary (Seeds), Department of Agriculture Cooperation and Farmers Welfare, DAC&FW, Krishi Bhavan, New Delhi. 3. Dr. Kuldeep Singh, Director, ICAR-National Bureau of Plant Genetic Resources, New Delhi 4. Dr. B.N.S.Murthy, Commissioner Horticulture, Ministry of Agriculture and Farmers' Welfare, Government of India 5. Dr. Sujata Arora, Adviser, Ministry of Environment & Forests and Climate Change, Govt. of India, New Delhi – 110003 6. Dr. M Prabhakar Rao, Chairman and Managing Director, Nuziveedu Seeds Pvt. Ltd., Hyderabad, Telangana-500034 7. Sh. Bihari Lal Sharma, Executive Director, Youth for Sustainable Development, Shimla-171001 8. Sh. Aruna Kumar V.K., Director, Krishi Prayoga Pariwara, Krishi Nivas, Shimoga, Karnataka-577432 9. Dr. Nikki Kumari (Hembrom), Hanuman Nagar, Kankarbagh, Patna-800020 10. Dr. R. C. Agrawal, Registrar-General, PPV&FR Authority (Member Secretary) <p>Leave of absence was given to :-</p> <ol style="list-style-type: none"> 11. Dr. S.K. Malhotra, Agriculture Commissioner, Ministry of Agriculture and Farmers' Welfare, Government of India 12. Dr. A.K.Singh, DDG, ICAR, New Delhi 13. Dr. R. C. Srivastava, Vice Chancellor, Dr. Rajendra Prasad Central Agricultural University, PUSA, Samastipur 		
Introduction	<p>At the outset, Dr. R. C. Agrawal, Member Secretary and Registrar- General, PPV& FR Authority welcomed all the members. The Chairperson also welcomed the members and thanked the Authority Members for their support and guidance</p>		

	<p>they provided to the Authority for the overall progress of the Authority. He then asked the Member Secretary to initiate the proceedings of the Authority as per the Agenda items circulated to all the Members.</p> <p>Outgoing Members were thanked by the Chairperson for their continuous support and guidance during their tenure.</p>
Declaration of Conflict of Interest by Members	There was no conflict of interest by any member on any agenda item

The members appreciated the timely receipt of the agenda through email and post.

Agenda Number	Agenda description	Details
1.	Action Taken Report on 31 st Authority Meeting	<p>The members noted the action taken on the minutes of the 31st Authority Meeting. The observations made by the Members are as follows-</p> <ol style="list-style-type: none"> a. The Agenda Item no. 14 of the 31st Authority meeting regarding the Extending Period of Protection of plant varieties registered under PPV&FR Act, 2001 was again discussed by the Members. Members felt that the existing protection period of 18 years (Trees and vines) and 15 Years (other crops) is sufficient and the proposal passed during 31st Authority Meeting may be withdrawn. b. Members approved to record the number of votes, in case of voting on any agenda, in the minutes of the meeting. c. Whenever any amendment is proposed in any Act, Rules, Regulations, Forms etc, the Agenda

		<p>should reflect the changes incorporated in the proposal (preferably in track mode), so as to make it convenient for the Members to know the amendments in the proposal.</p> <p>d. For proposals related to changes in the registration process, the PPVFRA shall first seek the views of stakeholders by conducting meetings.</p>
2.	Approval of DUS test guidelines under Rule 29(9) of PPV&FR Rules, 2003	The DUS Test Guidelines for Crop Species Pointed Gourd (<i>Trichosanthes dioica</i> Roxb.) published in PVJ of Vol.13 No. 3 to 8 dated 19th August, 2019 and Crossandra (<i>Crossandra infundibuliformis</i> (L.) Nees.) published in PVJ of Vol.13 No. 9 dated 2 nd September, 2019 were approved by the Members for forwarding to Central Government for notification in official gazette for registration of new varieties.
3.	Fixation of time limit for registration of extant varieties for Pointed Gourd and Crossandra.	<p>Under Rule 22(2) of PPV&FR Rules, 2003 the time limit for registration of extant varieties of crop species Pointed Gourd (<i>Trichosanthes dioica</i> Roxb.) and Crossandra (<i>Crossandra infundibuliformis</i> (L.) Nees.) were approved as follows:-</p> <p>a) Extant Notified Variety and VCK – 3 years from the date of publication of approval of Authority in Plant Variety Journal of India.</p> <p>Farmers Variety – 5 years from the date of</p>

		publication of approval of Authority in Plant Variety Journal of India.									
4.	Fixation of DUS Fee and onsite DUS test fee for Pointed Gourd and Crossandra.	<p>In accordance with Rule 29(1)(a) of PPV&FR Rules, 2003 the proposal of DUS test fee of the following crop species was approved as given below:-</p> <table border="1"> <thead> <tr> <th>Name of Crop Species</th> <th>DUS test fees</th> <th>On-site DUS test fees</th> </tr> </thead> <tbody> <tr> <td>Pointed Gourd <i>Trichosanthes dioica</i> Roxb.</td> <td>Rs. 40,000</td> <td>NA</td> </tr> <tr> <td>Crossandra (<i>Crossandra infundibuliformis</i> (L.) Nees.)</td> <td>Rs. 20,000</td> <td>NA</td> </tr> </tbody> </table>	Name of Crop Species	DUS test fees	On-site DUS test fees	Pointed Gourd <i>Trichosanthes dioica</i> Roxb.	Rs. 40,000	NA	Crossandra (<i>Crossandra infundibuliformis</i> (L.) Nees.)	Rs. 20,000	NA
Name of Crop Species	DUS test fees	On-site DUS test fees									
Pointed Gourd <i>Trichosanthes dioica</i> Roxb.	Rs. 40,000	NA									
Crossandra (<i>Crossandra infundibuliformis</i> (L.) Nees.)	Rs. 20,000	NA									
5.	Revision of Annual Fee Return Form	<p>It was suggested that the Annual Fee shall be 0.2% of the benefit earned from the sales but cannot be the sale value itself. The Act itself clearly provides about sharing from the benefit and not from the sale revenue. It was suggested to be put up to the Nodal Ministry to consider for appropriate amendment. Within the existing rules, the revised Annual Fee Return Form which is only seeking details of already being provided input, was placed before the Members and was approved for publication in the next issue of the PV Journal which may be revised with the amendment whenever it is effected, with the approval of the Authority.</p>									

6.	Approval of draft Annual Report 2018-19 of PPV&FR Authority.	Section 85 of PPV&FR Act, 2001 provides that the government shall cause to be placed before both Houses of Parliament once a year a report regarding the performance of the Authority under the Act. Accordingly the annual report of the PPV&FR Authority for the year 2018-19 was adopted by Members for onward transmission to Nodal Ministry for submission to both houses of the Parliament.
7.	Approval of Annual Accounts 2018-19 of PPV&FR Authority.	Section 62(4) of PPV&FR Act, 2001 provides that the annual accounts of the Authority have to be forwarded to the government and the government shall cause to be placed before both Houses of Parliament the accounts of the Authority as certified by the Comptroller and Auditor General of India(CAG). Members were informed that the audit of the accounts of the office of the Authority was conducted by the CAG for the year 2018-19. The reply of the paras of the CAG was submitted on 9 th August, 2019. The final report received from CAG Office, Delhi received from CAG vide their letter number AMG-IV/SAR/PPVFRA/9-14/2019-20 dated 12 September, 2019 and was placed before Members of the Authority along with the Management reply of the report

		<p>submitted to CAG Office on 9th August 2019.</p> <p>The annual account of the Authority 2018-19 along with CAG report and management reply were adopted by Authority for onward transmission to Nodal Ministry for submission in the both houses of Parliament.</p>
8.	Recruitment Rules for the post of Financial Advisor.	<p>It was informed to the Members that the post of Financial Advisor has fallen vacant w.e.f 01st July, 2019 and it was published in employment newspaper. Only two candidates were screened for interview out of which only one appeared for interview. The interview committee found the candidate not suitable for the post of Financial Advisor. Considering the existing recruitment rules of Financial Advisor, the suitable candidates do not get the opportunity. The proposed amendments in the recruitment rules for the post of Financial Advisor were discussed and approved by Members. The approved RRs for the post of Financial Advisor are enclosed as Annexure –II.</p>
9.	Inspection of a candidate variety in the DUS test centre and fee.	<p>As per the Rule 30(2) of PPV&FR Rules, 2003, before sending a variety for DUS testing, the Registrar shall publish in the Plant Variety Journal of India for the purposes of inspection by any person, the</p>

		<p>name and location of the DUS test centre where such variety will undergo the DUS testing. Accordingly, the details of the trial with the materials under test with details of the applicants along with the DUS test centre where it will undergo DUS testing should be published in the PVJ to enable any person including the applicants or other breeders of India to file a request to the Registrar of the concerned crop for inspection of the specimen of the candidate variety during the DUS testing.</p> <p>Members decided that any person may file a request to the Registrar of the concerned crop for inspection of the specimen of the candidate variety or any other variety of other breeders during DUS testing along with a fees of Rs. 5000/- (Rupees Five Thousand Only) per trial/ per day to inspect the trial materials under DUS testing. The inspection should be allowed for three hours only.</p>
10.	Progress of Plant Varieties Registry	<p>The progress of the Registry was presented for information of the Authority by Member Secretary. He also informed the Members about the progress at other national workshops, interface meetings, regional workshops and other awareness programs conducted by the Authority held after the 30th Authority Meeting.</p>

		Members appreciated the progress of the Authority. Members were also informed about the interface meeting with the seed industry, review meeting of Kharif Crops and the availability of office space in PJTSAU, Hyderabad for PPVFRA branch office.
11.	34th Meeting of the Extant Variety Recommendation Committee (Notified).	The minutes of the thirty-fourth (34th) meeting of the Extant Variety Recommendation Committee (EVRC) for notified crops held on 2nd August, 2019 under the Chairmanship of Dr. H. S. Gupta, Former Director, IARI at PPV&FRA, New Delhi were noted by the Members.
12.	<u>Additional Agenda</u> Approval of DUS test guidelines under Rule 29(9) of PPV&FR Rules, 2003	The DUS Test Guidelines for Crop Species Cowpea (<i>Vigna unguiculata L.</i>) published on website of PPVFRA and to be published in PVJ of Vol.13 No. 10 was approved by the Members for forwarding to Central Government for notification in official gazette for registration of new varieties.
13.	Fixation of time limit for registration of extant varieties for Cowpea	Under Rule 22(2) of PPV&FR Rules, 2003 the time limit for registration of extant varieties of the Cowpea (<i>Vigna unguiculata L.</i>) was approved as follows:- b) Extant Notified Variety and VCK – 3 years from the date of publication of approval of Authority in Plant Variety

		Journal of India. Farmers Variety – 5 years from the date of publication of approval of Authority in Plant Variety Journal of India.						
14.	Fixation of DUS Fee and onsite DUS test fee for Cowpea	In accordance with Rule 29(1)(a) of PPV&FR Rules, 2003 the proposal of DUS test fee of the following crop species was approved as given below:- <table border="1"> <thead> <tr> <th>Name of Crop Species</th> <th>DUS test fees</th> <th>On-site DUS test fees</th> </tr> </thead> <tbody> <tr> <td>Cowpea (<i>Vigna unguiculata</i> L.)</td> <td>Rs. 40,000</td> <td>NA</td> </tr> </tbody> </table>	Name of Crop Species	DUS test fees	On-site DUS test fees	Cowpea (<i>Vigna unguiculata</i> L.)	Rs. 40,000	NA
Name of Crop Species	DUS test fees	On-site DUS test fees						
Cowpea (<i>Vigna unguiculata</i> L.)	Rs. 40,000	NA						
15.	Criteria for Distinctiveness, Uniformity and Stability for registration of Extant Varieties Notified	The following criteria for Distinctiveness, Uniformity and Stability for registration of Extant Varieties Notified under Section 5 of Seed Act (1966) and under Section 14, Rule 29 (4) and Regulation 6 under PPVFR Act (2001) was approved by the Members. <ol style="list-style-type: none"> The Guidelines shall be referred to the descriptors for recording of observations of the concerned crop along with the Trial/Evaluation system of the Variety for notification under the Section 5 of Seed Act (1966). The trial for evaluation (VCU) itself should either be comprised of a reference variety as claimed by the Applicant or other qualifying/check varieties be considered whose DUS data are recorded by the evaluation centres along with that on the candidate variety. This information shall be part of the application at TQ (Item No 8 Form I/II, Regulation 6). DUS descriptor data shall be made available as replicated data for at 						

		<p>least two years from two locations where the evaluation trials are organized. Certified copy/ies of such information comprising data sheet as recorded duly signed by the Trial in-Charge or copy of the printed official proceedings or e-published data from official website or d.o.i. link of the e-version of the data record by the organization conducting the trials, shall have to be enclosed by the Applicant.</p> <p>4. If there is no acceptability to the status of reference variety as defined in the Guidelines, then the Registrar shall utilize the database on DUS testing of the hitherto candidate or reference or registered varieties for declaring the Distinctiveness of the extant notified variety. This shall be reviewed by the ENVRC before recommending the decision of registrability to the Authority.</p> <p>5. Since fresh seed is necessarily submitted each season for each variety promoted for testing for second and/or third year the observations of the evaluation system on absence of segregation/variants in the trials of the candidate variety shall suffice for establishing the Uniformity and Stability criteria of the variety. Certified copy/ies of such information comprising data sheet as recorded duly signed by the Trial in-Charge or copy of the printed official proceedings or e-published data from official website or d.o.i. link of the e-version of the data record by the organization conducting the trials, shall have to be enclosed by the</p>
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		<p>Applicant.</p> <p>6. Information submitted by the Applicant on DUS related data without link or attachment to the original documentation of the testing centres shall not be acceptable and such applications shall not be accepted for registration.</p> <p>7. No application under extant notified category shall be accepted if the date of filing of the same exceeds a total period of 18 years in the case of vines and trees, and 15 years in the case of others respectively, from the date of Notification under the Seed Act (1966), or the authorised period for registration of the extant notified variety of the corresponding notified species, as notified in the Gazette of India from time to time.</p> <p>There is no technical problem here since VCU is primary task, making any variety which passes that only shall come up for protection. Hence the reference variety shall only be the other qualifiers or latest released varieties which are automatically the checks. This decision was a majority decision with one vote against.</p>
16.	Appeal to restore increments as per Disciplinary Proceedings initiated in respect of Shri. J.P. Singh, Ex. Financial Advisor	The PPV&FR Authority being the appellate authority has already passed the order in the appeal preferred by Sh. J.P. Singh, Ex-Financial Advisor. No case is made out for revision of the order passed by the PPV&FR Authority in the appeal preferred by Sh.J.P. Singh, Ex-FA. Sh Singh may be informed of this decision.
The meeting ended with vote of thanks to the Chair		



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 Protection of Plant Varieties & Farmers' Rights Authority
 कृषि एवं किसान कल्याण मंत्रालय, भारत सरकार
 Ministry of Agriculture & Farmers Welfare, Govt. of India
 एन ए एस सी कॉम्प्लेक्स, डी पी एस मार्ग, निकट टोडापुर गांव, नई दिल्ली-110012
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ANNUAL FEE RETURN FORM
 (Section 35 and 24(6) read with Rule 22)

Year: _____

1. NAME OF REGISTERED BREEDER _____
2. PAN OF REGISTERED BREEDER _____
3. Crop _____
4. Denomination of Registered Variety _____
5. Category: NEW/VCK/ENV/FARMER _____
6. Registration Number _____
7. Certificate Number _____
8. Date of Registration _____ VALID UPTO _____

Category	Total seed available for sale during the financial year {including carry-over of revalidated seed of previous year} (Kg or no.)	Seed sold during the financial year _____ - _____ (Kg or no.)	Seed in stock as on 31 st March (2-3) (Kg or no.)	Average selling price (Rs./unit)	Sale Value (3x5) (In Rs.)	Annual Fee on sale (% of 6) (In Rs.)	Royalty, if any received during the F.Y. (In Rs.) Name of agent and licensee to be enclosed separately	Annual fee on royalty (% of 8) (In Rs.)	Total Annual Fee paid (7+9) (In Rs.)
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Breeder Seed									
Foundation Seed									
Certified									

Seed									
Labelled Seed									
Any other									
Grand Total of Annual Fee Paid to the Authority (give details of deposits)									

(in /kg/No. of units.)

Certified that the above information is true and correct.

Name with Signature of Regd. Breeder/Agent/Licencee

Date:
Place:

ANNUAL FEE

EXTANT NOTIFIED VARIETY -	RS.2000/
VCK -	Rs.2000/+0.1% of sale value +0.5% of Royalty.
NEW VARIETY -	Rs.2000/ +0.2% of sale value +1% of Royalty.
FARMERS VARIETY	Rs. 10/

RENEWAL FEE

PROVISIONAL RENEWAL FEE	TO BE FILED DURING 4 ½ TO 5 YEAR OF REGISTRATION - AVERAGE ANNUAL FEE FOR THIRD YEAR OF REGISTRATION TO BE PAID FOR 4, 5 AND 6 YEAR OF REGISTRATION.
FINAL RENEWAL FEE	BASED ON AVERAGE ANNUAL FEE FOR 5 AND 6 YEAR OF REGISTRATION MULTIPLIED BY REMAINING YEARS OF REGISTRATION.
BASED ON FINAL RENEWAL FEE, PROVISIONAL FEE WILL BE REFUNDED OR DEFICIT PROVISIONAL FEE WILL BE COLLECTED.	

DETAILS OF RTGS/NEFT PAYMENT TRANSFER TO PPV&FR AUTHORITY

Account Name	:	PPV & FRA Gene Fund (Annual Fees, Sale Value and Royalty)
Name of Bank	:	State Bank of India
Account No.	:	30175298446
IFSC Code	:	SBIN0005389
Branch Name	:	NSC Beej Bhawan New Delhi

Account Name	:	PPV & FRA (Registration fee DUS Fees & Renewal Fees)
Name of Bank	:	State Bank of India
Account No.	:	30200604773
IFSC Code	:	SBIN0005389
Branch Name	:	NSC Beej Bhawan New Delhi

NB: The last date for filing of annual fee return form is three months from the date the annual fee has fallen due in a particular year under Rule 22(8) of PPV&FR Rules, 2003.

Annexure-II

Recruitment Rules for the post of Financial Advisor in the Protection of Plant Varieties and Farmer's Rights Authority

1.	Name of Post	Financial Adviser
2.	Number of Post	One *(2019) *Subject to variation dependent on work load
3.	Classification	Central Civil Services Group "A" Gazetted, Ministerial
4.	Scale of Pay	Level-13 Rs. 123100-215900 Pay matrix
5.	Whether Selection Post or non-selection post	Not applicable
6.	Age limit for direct recruits	Not exceeding 50 years 1. Relaxable for Government servant upto five years in accordance with the instructions or orders issued by the Central Government 2. The crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Ladhak and Sipti District and Pangi Sub-division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island or Lakshdweep.
7.	Educational and other qualifications required for direct recruits	1. Essential: (i) A bachelor's degree in Commerce/Finance, Accounting from a recognized University or equivalent, <p style="text-align: center;">Or,</p> Chartered Accountant /MBA (Finance)/ICWA from a recognized University/Institute or equivalent (ii) Minimum 12 years of experience in group A {10 years in case of holding qualification at (ii) above} in Group A of experience of which 2 years experience of working in level-12 (Rs. 78800-209200) or 6 years experience in level -11 (Rs. 67700-208700) of the pay matrix or equivalent in financial or accounts management in the government or any institutes/organization of the government; 2. Desirable: (i) Master degree in Commerce, Finance, Accounting, or business Administration from a recognized University or equivalent (ii) Experience of MS Office and accounting software. Note: 1 Qualifications are relaxable at the

		<p>discretion of the PPV&FR Authority for reasons to be recorded in writing in case of candidates otherwise well qualified.</p> <p>Note: 2 The qualifications regarding experience is/are relaxable at the discretion of the PPV&FR Authority in the case of candidates belonging to Scheduled Castes or Scheduled Tribes if at any stage of selection, the PPV&FR Authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.</p>
8.	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Not applicable
9.	Period of Probation, if any	One year
10.	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods	100% by direct recruitment failing which by deputation (including short-term contract).
11.	In case of recruitment by promotion/ deputation / absorption grades from which promotion/ deputation/ absorption to be made	<p>Officers under central/State Government/Union Territories/Autonomous Organization/Semi-Government or statutory organization/Public Sector Undertaking,</p> <ol style="list-style-type: none"> 1. Holding analogous post on regular basis in the parent cadre/department; or 2. Possessing at least 5 years experience in the grade rendered after appointment thereto on a regular basis in level-12 (Rs. 78800-209200) or equivalent in the parent cadre/department; 3. Possessing at least 8 years combined experience in the grade rendered after appointment thereto on a regular basis in level-11 (Rs. 67700-208700) or equivalent of which two years in level-12 in the parent cadre/department. <p>3. Essential:</p> <ol style="list-style-type: none"> (i) A bachelor's degree in Commerce, Finance, Accounting from a recognized University or equivalent, or, (ii) Chartered Accountant /MBA (Finance)/ICWA from a recognized University/Institute or equivalent. <p>Note: Period of deputation (including short term contract) In another ex-cadre post immediately preceding this appointment in the same or some other organization/Department of the Central Government shall ordinarily not exceed five years. The maximum age limit for appointment by deputation (including short term contract)</p>

		shall not be exceeding 56 years as on the closing date of receipt of application.
12.	If a Departmental Promotion Committee exists, what is the composition	Not applicable
13.	Circumstances in which Union Public Service Commission to be consulted in making recruitment	The PPV&FR Authority is a statutory body established as per sub-section (3) of section (1) of the PPV&FR Act, 2001 (53 of 2001), and hence the recruitment will be made by the Authority. The consultation of UPSC is not required.