

पौधा किस्म और
कृषक अधिकार संरक्षण प्राधिकरण



o/c
Protection of Plant Varieties and
Farmers' Rights Authority

F. No. PPV&FRA/Registrar/1-1/07
Dated 12th June, 2007

To

Dr. N.B. Singh
Agricultural Commissioner,
Government of India,
Dept. of Agriculture & Cooperation,
Ministry of Agriculture,
Krishi Bhawan, New Delhi – 110 001

I am forwarding a copy of the proceedings of the third meeting of the Protection of Plant Varieties and Farmers' Rights Authority held on 25th May, 2007 at Regional Fruit Research Station, Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Vengurla, Maharashtra under the Chairmanship of the Chairperson, PPV&FR Authority for kind information.

Yours faithfully,

(R.K. Trivedi)

Registrar

Encl: As above

**Proceedings of the Third Meeting of the Protection of Plant Varieties
and Farmers' Rights Authority held on 25th May, 2007 at Regional
Fruit Research Station, Dr. Balasaheb Sawant Konkan Krishi
Vidyapeeth, Vengurla, Maharashtra.**

Following Members were present in the Meeting:-

1. Dr. S. Nagarajan, Chairperson, PPV&FR Authority, NASC Complex, New Delhi.
2. Dr. S. Natesh, Adviser Grade – I, Government of India, Dept. of Bio-technology, New Delhi.
3. Shri D. R. Meena, Joint Secretary & GC, Department of Legal Affairs, Ministry of Law & Justice, New Delhi.
4. Dr. Roytre Christopher Laloo, Department of Botany, North Eastern Hill University, NEHU Campus, Shillong.
5. Dr. F.B. Patil, Director (Technical), M/s Ajeet Seeds Ltd., Aurangabad.
6. Dr. S.K. Sharma, Director, National Bureau of Plant Genetic Resources, New Delhi.

Member Secretary:-

1. Sh. R.K. Trivedi, Registrar, PPV&FR Authority, NASC Complex, New Delhi.

Members:- who expressed inability to attend the meeting.

1. Dr. B.S. Dhillon, Director (Research), Punjab Agricultural University, Punjab.
2. Dr. M.S. Kachole, Head, Deptt. of Biotechnology, Dr. B.R. Ambedkar Vidyapeeth, Aurangabad, Maharashtra.
3. Dr. S.P. Tiwari, Deputy Director General (Crop Sciences), Indian Council of Agricultural Research, Krishi Bhawan, New Delhi.

Members who did not attend the meeting:

1. Joint Secretary (Conservation), Government of India, Ministry of Environment & Forests, New Delhi.
2. Shri. Attanu Purakayastha, Secretary (Agriculture), Dept. of Agriculture, Govt. of West Bengal.
3. Shri. Mukesh Khullar, Secretary (Agriculture), Govt. of Maharashtra, Agriculture & Horticulture Dept., Mantralaya, Mumbai.
4. Dr. M.L. Chowdhury, Horticultural Commissioner, Department of Agriculture & Cooperation, Ministry of Agriculture, New Delhi.

5. Dr. N.B. Singh, Agricultural Commissioner, Government of India, Dept. of Agriculture & Cooperation, Ministry of Agriculture, New Delhi.
6. Joint Secretary (Seed), Department of Agriculture & Cooperation, Ministry of Agriculture, Krishi Bhawan, New Delhi.

Special Invitee:-

1. Dr. Vijay B. Mehta, Vice Chancellor, Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Dapoli, Maharashtra, attended the start of the meeting being the host institution.

The Chairperson welcomed the members of the Authority. He mentioned that after conducting two regular meetings and one especial meeting of the Authority at New Delhi, this meeting has been organized at Regional Fruit Research Station, Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Vengurla, Maharashtra so that the Members may see the research and DUS testing activities of fruit crops at field level and also witness the rich biodiversity that exists in this part of the country. He also expressed thanks to the Vice Chancellor, Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Dapoli, Maharashtra for providing all necessary helps and logistic support for holding the Authority meeting at Regional Fruit Research Station, Vengurla. The Members unanimously agreed to extend special invitation to the Vice-Chancellor, Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Dapoli, Maharashtra to present as a especial invitee in the meeting. After welcome remarks the agenda items were taken up for discussion.

Agenda Item No. 1: Adoption of the minutes of the last meeting including that of the Special Meeting of the Authority

The proceedings of the second meeting of the Authority which was held on 20th December, 2006 were adopted with the remarks that in the proceedings the comments received from Dr. F.B. Patil, Member regarding activities to be completed for registration of plant varieties and action taken thereon would be indicated.

The proceedings of the special meeting of the Authority held on 14th February, 2007 were also adopted.

Agenda Item No. 2: Constitution of Extant Variety Recommendation Committee

As per regulation 6 of the PPV&FR Regulations 2006, the suitability for registration of extant varieties which have been notified under the Section 5 of the Seed Act 1966 shall be examined by the Extant Variety Recommendation Committee to be constituted by the Authority. The Extant Variety Recommendation Committee will be comprised of 7 Members including one farmer's representative and one seed representative. The Registrar of the Authority shall be an ex-officio Member Secretary of the Committee. The Committee has 3 years tenure.

In the light of this provision, the Chairperson of the Authority constituted the Extant Variety Recommendation Committee with following Members:-

S. No.	Name	Status	Designation/Accomplishment	Address
1.	Prof. R.B. Singh	Chairman	Former Member of NCF, Padma Bhushan and Renowned Plant Breeder, NAAS Fellow	D-1/1291, Vasant Kunj, New Delhi-110 070
2.	Dr. G. Kalloo	Member	Former DDG (CS), ICAR, NAAS Fellow	N-8-236/R-11 Ganeshdham Colony Neweda, S underpur, Varanasi-221 005 (U.P)
3.	Dr. S.K. Rao	Member	Professor, Plant Breeder	JNKVV, Jabalpur
4.	Dr. B.M. Prasanna	Member	National Fellow, NAAS Fellow	Division of Genetics, IARI, New Delhi-110 012
5.	Dr. F.B. Patil	Member	Member of the PPV&FR Authority	Ajeet Seeds Ltd. Gut No. 233 at Post Chitegoan-431105, Ta. Paithan, Dist. Aurangabad
6.	Shri M. S. Kachole	Member	President, Shetkari Sangthan and member of the PPV&FR Authority	Head Department of Biochemistry, Dr. B.R. Ambedkar Vidyapeeth, Aurangabad (Maharashtra)
7.	Mr. R.K. Trivedi	Ex-officio Member Secretary	Registrar	PPV&FR Authority

Before constituting the Extant Variety Recommendation Committee, the postal approval from the Members of the Authority had been obtained. The Authority endorsed the constitution of the Extant Variety Recommendation Committee.

The terms of reference of the Extant Variety Recommendation Committee are as under:-

- (i) Develop procedures and guidelines for registration of Extant Varieties as per the provision of the Section -14, 15, 19, 24, 27 and 28 of the PPV& FR Act, 2001 and Rules therein and Regulations-6 of the PPV&FR Regulations, 2006.
- (ii) Prepare time schedule for submission of application form and seed samples for registration of extant variety or field inspection etc. if any.
- (iii) Finalize time period for processing application, grant of certificate of registration and validity period for certificate of registration for extant varieties which are released or notified under Seed Act, 1966.
- (iv) Evaluate, assess and recommend the suitable application of Extant Varieties covered under Regulation 6 of PPV&FR Regulation 2006.
- (v) Advice on the topic of information required, supplementary evidences for evaluation of Extant Varieties and the amount of seed to be supplied, places of repository, nature and quantity of seed received and matters related thereof.
- (vi) The level of uniformity required for various categories of Extant Varieties.
- (vii) The minimum passport data that is to be published in the PVJ of India

Agenda Item No. 3: Qualification for the post of the Registrar General

It was informed that the qualification and experience for the post of Registrar General which were developed after the second meeting of the Authority were circulated to the Department of Agriculture and Cooperation and other concerned Department. After getting the response from Department of Agriculture and Cooperation the qualification and experience for the post of Registrar General are as under:-

Qualification & Experiences

1. A person having proven managerial or legal or Intellectual Property Rights or agricultural development experience.

The officers holding analogous post on regular basis in the parent cadre/department; or

Having at least five years service in the grade rendered after appointment thereto on a regular basis in the scale of pay of Rs. 18400-500-22400 or equivalent.

2. The Members approved a Search Committee to examine the applicants received in response to the advertisement, their qualifications and performance record. For this purpose the Members of the Authority constituted a Search Committee with three members i.e. the Chairperson, PPV&FR Authority and any of the two secretaries to the Government of India, listed below, depending on their availability:-

1. Secretary, Department of Agriculture and Cooperation
2. Secretary, Department of Bio-technology
3. Secretary, DARE
4. Secretary, Ministry of Environment and Forest

Search Committee meeting will be convened by the Chairperson, PPV&FRA. The Search Committee will examine and evaluate bio-data of the candidates and if required may invite them for a discussion with the Search Committee. The Search Committee is to score the candidates while recommending the suitable person for the post of Registrar General. This recommendation is to be placed in the Authority meeting for approval and appointment.

Agenda Item No. 4: Screening and interview procedures for various posts in PPV&FR Authority.

It was informed that in order to fill up various posts in the Authority Advertisement has been given in the Employment News. In response to this the applications have been received and are to be examined, evaluated by a Screening Committee having the following members:-

1. Registrar General/ Registrar, PPV&FR Authority
2. Two experts (subject matter specialists) to be nominated by the Chairperson out of them one person will be from SC/ST background.

The Screening Committee will evaluate and score the track records of the candidates who have applied for the post in the evaluation proforma developed by the Authority. The Screening Committee members shall submit the score card signed in a sealed envelop to the Chairperson so as to enable to call candidates at least in a 1:10 proportion. That is for one post 10 candidates or more have to be called. Wherever the candidates are less in number, those who fulfill the qualification be called.

The letter for the candidates should be despatched giving at least 15 days time. Normally the place of interview should be Delhi. In service candidates will not claim TA/DA and only those permissible under rules will be paid TA/DA by the Authority.

The Selection Committee will have following members:-

- (i) Registrar General/ Registrar (for the post below the Registrar, the Registrar will be the Member of the Selection Committee. However, for the post of Registrar, Registrar General will be a Member in the Selection Committee).
- (ii) Three outside Members to be nominated by the Chairperson.
- (iii) Representative of SC/ST and one women representative if there are more woman candidates.

Out of above members one member will be nominated as Chairman of the Committee by the Chairperson of the Authority.

After interview the Chairman of the Selection Committee will submit the recommendation of the Committee alongwith the marksheet in a sealed envelop to the Chairperson of the Authority. The offer of appointment will be extended to the candidate after getting the approval of the Chairperson. The details about the appointment of the staff shall be informed to the Members in its regular meeting.

Agenda Item No. 5: Delegation of power to the Chairperson for appointing to the Officers of the Authority up to the rank of Registrar.

The Section 6 and Section 12(4) of the PPV&FR Act, 2001 stipulates that the Authority may appoint such officers and other employees as may be necessary for the efficient performance of its functions. The Authority members considered these provisions of the PPV&FR Act 2001 and authorize the Chairperson to act in accordance with the procedures and guidelines adopted by Committee in connection with the filling up of the various posts in the Authority.

Agenda Item No. 6: Engaging Registration Assistant

It was informed that in order to handle the voluminous and time bound work for registration of plant varieties, the office of the Authority has engaged five Registration Assistants on temporary and contractual basis for a period of six months but not exceeding 12 months after adopting the set procedures. The Registration Assistant will receive consolidated pay of Rs. 10,000/- without TA/DA and other benefits. They will be engaged initially for 6 months period and their services can be extended if required. The Authority approved for engaging five Registration Assistants in the Office of the Registrar, PPV&FR Authority, as a one time provision.

Agenda Item No. 7: Report of the Finance Committee for preparing financial rules and power of the Authority

The PPV&FR Authority had constituted Finance Committee under the Chairmanship of Sh. N. Parthasarthy, Former Financial Advisor, DARE with Members Sh. R.K. Sinha, Former Secretary, Ministry of Industry, Government of India, Ms. Shaleen Raizada, Executive Director, AICBA and Mr. Suresh Pal, Principal Scientist, NCAP.

The Committee prepared its report and submitted to the Chairperson of the Authority. The report was placed before the members of the Authority for adoption. It was decided that each members will go through the report and submit their comments to the office of the Chairperson of the Authority. The comments of each member shall be circulated to all the members. After synthesizing the comments the report will be adopted by the office of the Authority for various financial activities.

Agenda Item No. 8: Progress made in receiving application forms for the 12 notified crop species.

The Authority members were informed that in the Budget Estimates of Department of Agriculture and Cooperation Rs. 5.00 crore or have been reflected under the PPV&FR Scheme for the year 2007-08.

The various activities taken by the Office of the Registrar of the PPV&FR Authority for handling the Varieties registration activities were noted by the Members of the Authority. The members desired that in the next meeting the progress made by the Authority should be present through PPT presentation. The milestones set in the Authority for the next six months may also be covered in the presentation.

The Authority members desired that the agro-climatic regions of the country which are rich in agro-biodiversity and suitable for growing many fruits and plantation crops may be taken up for financial assistance by the Authority under Grant-in-aid Scheme for establishing as a Plant Variety Repository and Centers for developing descriptors for DUS testing. Initially for western and regions such repository may be made at Vengurla respectively Ranchi. Later on such repositories may also be established in other part of the country.

Agenda Item No. 9: Establishment of Plant Varieties Registry

The Committee endorsed for the establishment of Plant Varieties Registry in the Office of the Registrar of the PPV&FR Authority.

Agenda Item No. 10: Filling up the regular post of Registrar in the Authority

The Committee approved the appointment of Sh. R.K. Trivedi as Registrar in PPV&FR Authority on deputation and absorption basis w.e.f 14-11-2005.

Agenda Item No. 11: Training of Professionally Qualified (PQ) persons on PPV&FR Act 2001

It was informed that a project to train the Professionally Qualified (PQ) persons to handle the PPV&FR Act was approved for Division of Seed Science and Technology, IARI, New Delhi. The main activities under the project are as under:-

- To provide in-depth training to generate professionally qualified (PQ) personnel, both from the public and private sectors, who can conduct and assist in the DUS Testing and related activities for the grant of protection to plant varieties. (Duration 10 Weeks)
- To create scientific manpower with advanced trainings to under take studies on various issues related to DUS Testing and protection of plant varieties. (Duration 4 Weeks)
- To impart basic knowledge about the procedures of PVP to the Farmers, NGOs, Extension workers and other Public and Private agencies. (Duration 3-5 Days)

The Authority members desired that training programme may also be organised by one or two Agriculture Universities on regional basis, so that there is a wider understanding about the Act. The Authority approved the programme prepared by the Division of Seed Science and Technology to train the Qualified Persons (QP) for implementation.

Agenda Item No. 12: Annual Report of the Authority

The Authority endorsed the Annual Report of the Authority for submitting to the Central Government to place before both the houses of Parliament.

Agenda Item No. 13: Standing Committee

It was informed that as per the provision of Section 3(7) of the PPV&FR Act, 2001 the Chairperson of the Authority has constituted a Standing Committee with the following Members:-

- (i) Mr. Manvendra Kachole, Head, Dept. of Biotechnology, Dr. B.R. Ambedkar Vidyapeeth, Aurangabad (Maharashtra).
- (ii) Dr. S.K. Sharma, Director, National Bureau of Plant Genetic Resources, New Delhi.
- (iii) Dr B. S. Dhillon, Director of Research, Punjab Agricultural University, Punjab
- (iv) Shri D.R. Meena, Joint Secretary & Legal Advisor, Department of Legal Affairs, Ministry of Law & Justice, New Delhi.

(v) Dr. N.B. Singh, Agriculture Commissioner, Ministry of Agriculture, Department of Agriculture & Cooperation, New Delhi.

The term of the Standing Committee will be for 3 years from the date of its constitution. The Authority members have taken note for constitution of the Standing Committee and opined that no specific term of reference may be given to the Standing Committee. As and when require any particular issue may be referred to the Standing Committee by the Authority.

Agenda Item No. 14: Security for cost of proceedings by the person neither resides nor carries on business in India for making application or opposition under PPV&FR Act 2001

Section 21 (8) PPV&FR Act, 2001 prescribes that where a person giving notice of opposition or an applicant sending a counter statement after receipt of a copy of such notice neither resides nor carries on business in India, the Registrar may require him to give security for the cost of proceedings.

The Authority approved the following security amount may be asked to be deposited in the Office of the Registrar as security.

New Variety/Extant Variety	US\$ 1,200/-
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EDV	US\$ 1,000/-
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If the Registrar in certain cases has reasons to believe that the amount is to be higher in such cases he may in consultation with Registrar General and Chairperson arrive at a realistic amount payable as security fee under Rule 8 (a), and place it before the Authority along with the reasons thereof for endorsement by the Authority.

The Meeting ended with a vote of thanks to the Chairperson and Members of the Authority, with a special thanks to Dr. Vijay B. Mehta, Vice Chancellor, Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Dapoli, Maharashtra.