

ANNUAL REPORT

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सत्यमेव जयते

PROTECTION OF PLANT VARIETIES & FARMERS' RIGHTS AUTHORITY

Department of Agriculture & Cooperation

Ministry of Agriculture

Government of India

SUMMARY OF THE ANNUAL REPORT OF PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS AUTHORITY FOR THE YEAR 2008-09

India is endowed with a range of soil, climate, agricultural systems and sub-species variation of plants. Having considered these potential as vital elements of growth, the Indian Parliament passed an Act called the "Protection of Plant Varieties and Farmers' Rights Act, 2001" and rules were drafted in 2003. In exercise of the power conferred under sub-section (1) of the Section 3 of the PPV&FR Act, 2001, the Central Government vide Gazette notification No. S.O. 1589 (E) dated 11th November, 2005 established the "Protection of Plant Varieties and Farmers' Rights Authority" for the purpose of the implementation of the Act. With the joining of the Chairperson of the Authority and Gazette notification in November 2005, the Authority was made functional. The Protection and Plant Varieties and Farmers' Right Regulations were notified on 7th December, 2006. The Authority is a body corporate under the Ministry of Agriculture, Government of India. The main objectives of the Act are to provide for the establishment of an effective system for protection of plant varieties, to provide and protect for the rights of farmers and plant breeders, to stimulate investment for research and development and to facilitate growth of the seed industry, to ensure availability of high quality seeds and planting materials of improved varieties to farmers.

Highlights of the performance of the PPV&FR Authority, during the period from 1st April, 2008 to 31st March, 2009 are presented below:

Registration of Plant Varieties

The Authority satisfactorily completed the procedural details paving way for the registration of 40 extant varieties covering nine crop species viz., rice (*Oryza sativa*), maize (*Zea mays*), sorghum (*Sorghum bicolor*), pearl millet (*Pennisetum glaucum*), green gram (*Vigna radiata*), black gram (*Vigna mungo*), field pea (*Pisum sativum*), Kidney bean (*Phaseolus vulgaris*) and lentil (*Lens culinaris*). Registration certificates of these varieties were given to the concerned breeder / organization / institution by Shri Sharad Pawar, the Hon'ble Minister of Agriculture & Consumer Affairs, Food and Public Distribution, Govt. of India in a function organized by the Authority on 12th February, 2009 at the A.P. Shinde Symposium Hall, NASC Complex, New Delhi.

During 2008-09 a total of 460 applicants sought registration of varieties of different crops and filed application with PPV & FR Authority, out of which 97 were from ICAR, 67 from SAUs, 3 from farmers and 293 from private seed sector companies including both Indian and multinationals. Out of 460 applications received 171 applications were under the category of

novel varieties 260 applications were under the extant category and 3 were farmers' variety. The descriptors for sugarcane (*Saccharum spp.*), ginger (*Zingiber officinalis*) and turmeric (*Curcuma longa*) have been finalized.

National Register of Plant Varieties

Under section 13 of the PPV&FR Act, the Authority opened the National Register of Plant Varieties. In the Register, details of the registered plant varieties including name of the variety, name and address of the breeder, the rights of the breeder in respect of variety, characteristics of the varieties etc, are being maintained. So far 40 extant varieties that were registered under the Act have been entered in the National Register of Plant Varieties with specifications and details.

National Gene Bank

The National Gene Bank of the Authority, which was established in 2007 is fully functional now. The Gene Bank is located at the old campus of National Bureau of Plant Genetic Resources (NBPGR), New Delhi and is functioning under the technical guidance of NBPGR. Apart from National Gene Bank that stores "true" (orthodox) seeds of registered varieties under Medium Term storage conditions, DUS Test Repository (stores seeds of candidate varieties undergoing DUS test), seed handling area and an office complex have also been developed. Further, a manual for seed handling and storage at national gene bank is being prepared to serve as ready reference for issues relating to seed handling, storage, rejuvenation and other aspects.

DUS Test Guidelines Completed during 2008-09

As per the requirement of Section 19 of the PPV&FR Act, the DUS test procedures for new crops are being developed. The Authority constituted different task forces for framing the test guidelines for sugarcane, turmeric and ginger species. The guidelines of these crops are ready / finalized. Further, two different task forces have finalised the descriptors for the conduct of DUS test covering major oilseed crops, vegetable crops and spices crops. Guidelines for two ornamental flowering plants, some medicinal plants and mango are also ready.

Research on Essentially Derived Variety (EDV) and Other Related Issues

Development of procedure and protocol for ascertaining the EDV status in rice, wheat, maize and pearl millet" is under progress at the Division of Genetics, IARI, New Delhi with the following objectives:

To determine appropriate character combinations for declaration of EDV status in rice, wheat, maize and pearl millet based on morphological characters agronomic performance and molecular markers, to develop crop –wise threshold limits for declaration of the EDV status, to

prepare a reference manual with guidelines and protocol for EDV declaration in target crops, to conduct training programme for the benefit of breeders from both public and private sectors to generate awareness on the implications of PPV & FRA on plant breeding activities.

Development of Data base and IINDUS

The Software “Indian Information System as per DUS Guidelines” (IINDUS) and “Notified and Released Varieties of India” (NORV) for the documentation of the extant / notified varieties were developed by out sourcing the work to National Bureau of Plant Genetic Resources (NBPGR) on a project mode. This system has been designed to keep all the essential features of the DUS descriptors like grouping, essential qualitative and quantitative traits. IINDUS has the provision for storing information about the details of parentage of a variety, reference variety and that of example varieties and for picking up the relevant varieties that are to be grown with the candidate varieties in the DUS test. For this purpose a vast database was created by taking the known characters of several hundred already released varieties. The database can be searched using specific words that are distinguishing characters of a new denomination. The already known variety that is nearest to the candidate variety but is not identical can be located through an IINDUS search. Such example varieties can be grown in the DUS test plots to examine and differentiate the new variety from the earlier registered ones. The refined IINDUS version 08.1 will be made available to users on payment basis for routine surfing and to confirm the newness of the material they intent to apply.

Farmers’ Rights

The PPV&FR Act, 2001 provides for the recognition, reward and award for the biodiversity conservers, who have shared material for the development of new varieties. The Authority, as a mark of recognition for the selfless effort in the conservation of genetic resources, awarded Plant Genome Savior Community Recognition to Vrihi Beej Binimoy Kendra, Bankura (West Bengal), Kuruchiya and Kuruma Tribal Communities, Wayanad (Kerala), Farming and Tribal Communities, Ranchi (Jharkhand) under community category and Shri P. Narayanan Unny, a progressive farmer from Pallakad (Kerala) under individual category.

Awareness Programme

The Authority organized several popularization meetings of one to two days duration in different parts of the country. Short term training courses were also arranged for qualified persons serving in SAUs, seed agencies etc. The Centre for Research on Plant Varieties and Farmers’ Rights Protection and Training in North India was established at PAU, Ludhiana (Punjab) with an objective of creating awareness about PPV&FR Act by using mass media,

personal contacts programmes, training camps, publication of bi-lingual write-ups, TV/ Radio talks and farmers' fair. A seminar on IPR issues entitled "Protection of Plant Varieties – Procedures and Methodologies" was jointly organised by NAARM and ICAR in association with the Farm and Rural Science Foundation, Hyderabad from 23-26 February, 2009.

National Gene Fund

The National Gene Fund has been established as per provisions of section 45 of the PPV&FR Act, 2001. The PPV & FR Authority has received an amount of Rs. 50 lakh from DoAC for the operation of National Gene Fund. As as on 31st March, 2009 National Gene Fund account has Rs. 56, 01,988.00, which will be utilized once the Authority develops a procedure to reward and recognize farmers/farming communities in the agro biodiversity hot spots and elsewhere for their efforts in conserving, protecting material that are relevant to the development of new plant varieties.

Authority Meetings

Authority which means the PPV & FR Authority established under sub-section 1 of Section 3 of the Act. It consists of 15 Members and the Chairperson is the CEO and the Registrar General is the *ex officio* Member Secretary of the Authority. As contained in Section 4 of the Act, the Authority meets from time to time to transact official business. Sixth meeting of the PPV & FR Authority was held on 5th September, 2008 and seventh meeting on 27th March, 2009 at New Delhi and decisions regarding important matters concerning the recruitment of staff, fee structure for registration of varieties, procedure for refund of DUS testing fee, award of Plant Genome Savior Community Recognition, approval of Grant-in-Aid Schemes and various other issues related with the normal functioning of the Authority were taken.

The Chairperson constituted a 8 member Scientific Advisory Committee (SAC) as per the provision of Section 3(1) of the Act to advise the Authority on all issues including the farmers' rights. Two meetings i.e. 3rd SAC Meeting on 12th June, 2008 and 4th SAC Meeting on 1st December, 2008 were held at New Delhi. The SAC organized two seminars at GBPUA&T, Pantnagar and JNKVV, Jabalpur to assist the Authority in finalizing the criteria for registration of varieties of common knowledge.

The SAC recommended that PPV & FR Authority should constitute a Technical Group for finalization of molecular parameters under special test and if the need arises, such test may be undertaken in the laboratories to be designated for this purpose.

The committee suggested that the Authority may involve Agricultural Universities, KVKs and State Agriculture Departments for documentation and cataloguing of all landraces, folk varieties, traditional varieties etc., and include them in the farm Agro-biodiversity.

The SAC endorsed the establishment of live repositories for Mango, Cashew, Jamun, Jack fruit, Aonla, Pine Apple, Litchi etc., at CTCRI, Kasargod, BAU Ranchi and Regional Fruit Station, Vengrula.

Budget and Expenditure

The total budget provision of the PPV & FR Authority during 2008-09 was Rs.700 lakh. The Authority utilized the funds for various components like recurring and non-recurring expenditures, strengthening of DUS test centers, developing test guidelines of crops, awareness programmes, consultancies etc.

A sum of Rs.92, 200.00 was collected as application fees during 2008-09 which was deposited in the Authority Fund raising the total to Rs. 2,38,47,223.70 as on 31st March, 2009. During the period under report, the Authority utilized a sum of Rs. 5,53,84,975.30 under various heads.

Agro Biodiversity Hot spot

The PPV & FR Authority constituted a Task Force to identify the Agro-biodiversity Hot spots in India, under the Chairmanship of Dr. M.P. Nayar, Former Director, Botanical Survey of India with Dr. A.K. Singh, Former Head, Germplasm Conservation Division, NBPGR and Dr. K.K. Nair, Scientist, NBRI, Lucknow as members. They reviewed the identified hot spots on the basis of richness of floristic diversity, crop diversity, endemism of plants of Agro-biodiversity importance and their association with agro-ecosystems, local tribes and culture and based upon all these identified 22 hot spots distributed over seven Agro-geographical zones in the country.

Auditing of Accounts for the Year 2008-09

The audit work of the Authority was completed by an audit team from the office of the CAG from 12th August, 2009 to 16th September, 2009. The audit certificate for placing the same before the Parliament will be submitted to the DoAC as soon as it is received.