



# प्राधिकरण की 30वीं बैठक की कार्यवृत्त Minutes of the 30<sup>th</sup> Meeting of the Authority

स्थान : बोर्ड कक्ष, एनएससी कॉम्प्लेक्स, दिल्ली  
Venue: Board Room, NASC Complex, Delhi  
दिनांक : 13<sup>th</sup> नवंबर, 2018 (मंगलवार)  
Date : 13<sup>th</sup> November 2018 (Tuesday)  
समय : 11:00 बजे पूर्वाह्न  
Time : 11:00 AM

पौधा किस्म 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  
एनएससी परिसर, डीपीएस मार्ग, टोडापुर गांव के सामने, नई दिल्ली-110012.  
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## Minutes of the 30<sup>th</sup> Meeting of the Protection of Plant Varieties & Farmers' Rights Authority

Meeting Type	Authority Meeting	Date and Time	13 November 2018 at 11:00 AM
Subject	30 <sup>th</sup> Meeting of the PPV&FR Authority		
Venue	Board Room, IGH, NASC Complex, New Delhi		
Attendance	<p><b><u>The following members attended the meeting:</u></b></p> <ol style="list-style-type: none"> <li>1. Dr. K.V.Prabhu, Chairperson, PPV&amp;FRA</li> <li>2. Dr. S.K.Malhotra, Commissioner (Agriculture), DAC&amp;FW, Ministry of Agriculture and Farmers Welfare, Krishi Bhavan, New Delhi</li> <li>3. Dr. BNS Murthy, Commissioner (Horticulture), DAC&amp;FW, Ministry of Agriculture and Farmers Welfare, Krishi Bhavan, New Delhi</li> <li>4. Dr. Kuldeep Singh, Director, ICAR-National Bureau of Plant Genetic Resources, New Delhi</li> <li>5. Sh. Aruna Kumar V.K., Director, Krishi Prayoga Pariwara, Krishi Nivas, Shivamogga, Karnataka-577432</li> <li>6. Dr. M Prabhakar Rao, Chairman and Managing Director, Nuziveedu Seeds Pvt. Ltd., Hyderabad, Telangana-500034</li> <li>7. Dr. Nikki Kumari (Hembrom), Hanuman Nagar, Kankarbagh, Patna-800020</li> <li>8. Sh. Bihari Lal Sharma, Executive Director, Youth for Sustainable Development, Shimla-171001</li> <li>9. Dr. R. C. Agrawal, Registrar-General, PPV&amp;FR Authority (Member Secretary)</li> </ol> <p>We also had representatives of Principal Secretary, Govt. of Madhya Pradesh (Dr. Ashok Kumar Singh, Prof and Head, RVSKVV, Gwalior).</p> <p>Leave of absence was given to :-</p> <ol style="list-style-type: none"> <li>10. Dr. R. C. Srivastava, Vice Chancellor, Dr. Rajendra Prasad Central Agricultural University, PUSA, Samastipur</li> <li>11. Shri Ashwani Kumar, J.S. (Seeds), DAC&amp;FW, Ministry of Agriculture and Farmers Welfare, Krishi Bhavan, New Delhi (Written submissions were made by JS on various agenda items through email which were discussed during the meeting).</li> </ol>		

	<p>12. Dr. Sujata Arora, Adviser, Ministry of Environment &amp; Forests and Climate Change, Govt. of India, New Delhi – 110003</p> <p>13. Shri R.S.Verma, Joint Secretary &amp; Legal Advisor, Ministry of Legal Affairs, New Delhi</p>
Introduction	<p>At the outset, Dr. R. C. Agrawal, Member Secretary and Registrar-General, PPV&amp; FR Authority welcomed all the members. The Chairperson welcomed the members and thanked the Authority Members for their support and guidance for the overall progress of the Authority. He then requested the Member Secretary to initiate the proceedings of the Authority as per the Agenda items including the additional agenda items circulated.</p>
Declaration of Conflict of Interest by Members	<p>The Chairman and Member Secretary did not participate in the discussion on the item No.8. There was no conflict of interest expressed by other Members on any other item.</p>

Agenda Number	Agenda description	Details
1.	Adoption of the minutes of the 29th Meeting of PPV&FR Authority held on 16th April, 2018.	The minutes of 29th meeting of PPV&FR Authority were adopted by the Authority. The item No 9 related to the NoC issue was not brought into discussion as it was <i>sub-judice</i> at Hyderabad High Court. The name of Dr. Pranjivan P Zaveri, General Secretary of NSAI was approved for inclusion in the EDV.
2.	Action Taken Report on 29th Authority Meeting	<p>It was informed that the office of the Authority has taken necessary action on all recommendations of the 29th Authority Meeting.</p> <p>Some of the points emerged during the discussion are listed below-</p> <ol style="list-style-type: none"> <li>1. The Agenda should be sent at least 7 days in advance. The notice for the Meetings should be followed as per the Rule 16.</li> <li>2. Impact analysis of the awareness programs may be carried out and presented for any strategy making and planning in the next Authority Meeting</li> <li>3. The training of Trainers should be arranged</li> </ol>

		<p>so that those trained persons become the ambassador of the PPVFRA</p> <ol style="list-style-type: none"> <li>4. The awareness programs should be planned in such a way that the farmers are able to submit their conserved varieties through the link institutions in the region to enable their submission for registration by the concerned organization to the PPVFRA branch</li> <li>5. More awareness programs should be conducted in Agro-biodiversity rich areas where the scope of farmers conserved varieties or genetic resources would be high.</li> <li>6. Copy of the general presentations about the various provisions of PPV&amp;FR Act, 2001 and Farmers' Rights in multiple languages should be uploaded on the PPVFRA website.</li> <li>7. Guidelines indicating the composition and technical contents need to be provided to each centre concerned for conducting the awareness programs which should include the details of various topics to be covered, procedure to fill up the forms, videos about the PPVFR Act etc.</li> <li>8. A training module about provisions of PPVFR Act, 2001 and registration process should be developed and made available during the awareness programs.</li> <li>9. Since the Government of India has declared year 2018 as Year of Millets to boost production of the nutrient-rich millets, PPVFRA should make a special drive to register eligible varieties in millets from Public &amp; Private sectors including the Farmers' varieties.</li> </ol>
3.	Progress of the Registry	<p>The progress of the Registry was presented by Member Secretary. He also informed the Members about the progress of the international workshops, national workshops, regional workshops held after the 29<sup>th</sup> Authority Meeting.</p> <p>The Chairperson briefed the Members about</p>

		<p>his recent visit to attend the Annual Meetings of UPOV at Geneva. The Member Secretary briefed about various visits undertaken by PPVFRA staff with experts of DUS centres to Germany during the period of report under the Indo-German bilateral program. He also informed about his visit to attend the meeting of Experts Group on Farmers Rights of ITPGRFA at Rome.</p>
4.	<p>Revised procedure for Registration of Plant Varieties w.e.f. 01.09.2018</p>	<p>To expedite and complete the registration of plant varieties as per time bound framework, the new registration process adopted by the Registry was presented by Dr. T.K.Nagarathna, Registrar. The new procedure included Seeds of candidate variety and of parental lines with specific dates for submission before the crop season and dispatch to DUS test centres which was adopted by the Registry w.e.f. 1.9.2018. Members observed to remove the point of DUS testing fee as part of the original application and introduce it in the box where Registrar gives 2 weeks time for the applicant to settle any queries. There, the Registrar can evaluate the queries within one week and then ask for DUS fee as per 29(2) giving another 2 weeks time. Then as per Rule 8-2(d), REG number shall be given the day complete fee is paid. When to conduct the test is the major matter that is clarified in the revised position which is Registrar's outlook as per Rule 29(3).</p>

		The Members appreciated the new procedure and adopted the same. The new procedure with the changes approved by the Members is enclosed at <b>Annexure I</b>						
5.	Approval of DUS test guidelines under Rule 29(9) of PPV&FR Rules, 2003	The DUS test Guidelines of Moringa ( <b><i>Moringa oleifers</i></b> ) was approved by Members under Rule 29 (9) of PPV&FR Rules, 2003 for forwarding to Central Government for notification in official gazette for registration of new varieties. The Members asked to change the number of minimum plants to be submitted for DUS testing from 20 to 30 per replication (in materials required).						
6.	Fixation of time limit for registration of extant varieties for Moringa crop specie ( <i>Moringa oleifers</i> ).	Under Rule 22(2) of PPV&FR Rules, 2003 the time limit for registration of extant varieties of the Moringa crop species ( <i>Moringa oleifers</i> ) was approved as follows:-  a) Extant Notified Variety and VCK – 6 years from the date of publication of approval of Authority in Plant Variety Journal of India. b) Farmers Variety – 10 years from the date of publication of approval of Authority in Plant Variety Journal of India.						
7.	Fixation of DUS Fee and onsite DUS test fee for Moringa crop species ( <i>Moringa oleifers</i> )	In accordance with Rule 29(1)(a) of PPV&FR Rules, 2003 proposal for DUS test fees of the Moringa crop was approved as follows-  <table border="1" data-bbox="778 1771 1458 1995"> <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>Moringa (<i>Moringa oleifers</i>)</td> <td>Rs.20,000/-</td> <td>Rs.30,000/-</td> </tr> </tbody> </table>	Name of Crop Species	DUS test fees	On-site DUS test fees	Moringa ( <i>Moringa oleifers</i> )	Rs.20,000/-	Rs.30,000/-
Name of Crop Species	DUS test fees	On-site DUS test fees						
Moringa ( <i>Moringa oleifers</i> )	Rs.20,000/-	Rs.30,000/-						

8.	Appeal filed by Sh. R.R. Pradhan, Legal Advisor under Rule 23(ii) of CCS (CCA) Rules, 1965 against order dated passed by appointing authority removing him from the post of Legal Advisor for not complying the order dated 09.01.2014 of Hon'ble CAT in O.A. No.1052/2014.	The Member Secretary informed that he himself was the disciplinary authority and the Chairperson was the appointing Authority in the case of Shri Pradhan, Legal Advisor. The Chairperson and Member Secretary did not participate in the discussion on the matter in view of a possible conflict of interest having taken the action represented against. Accordingly, Members decided to request Dr. S.K.Malhotra, Commissioner, Agriculture to chair the meeting for this Agenda Item. The Members asked Sh Raj Ganesh, Legal Advisor to brief them about the case. Members decided that a committee of Dr. BNS Murthy (Commissioner, Hort), Dr. Kuldeep Singh (Director, NBPGR) and Sh. Bihari Lal Sharma should look into the Appeal and submit their report to Dr. S.K.Malhotra, Commissioner, Agriculture for further decision. The decision in this regard may be taken within 4 weeks from the date of circulation of the final minutes of the 30 <sup>th</sup> Authority Meeting.
9.	Amendment of DUS test guidelines to include all characters as essential characters.	Members were informed that the Section 2(h) of PPV&FR Act, 2001 defined essential characteristics as follows:-  <i>“2(h) “essential characteristics” means such heritable traits of a plant variety which are determined by the expression of one or more genes of other heritable determinants that contribute to the principal features, performance or value of the plant variety;”</i>  Section 15(3)(b) of PPV&FR Act, 2001

		<p>provides that a variety must be distinct by at least one essential character from any other variety whose existence is a matter of common knowledge in any country at the time of filing of application. Accordingly, to become eligible for registration the thumb rule is that a variety must be distinct by at least one essential character. The essential characters have been specified in the DUS test guidelines of respective crop species by way of an asterisk namely (*). Since all, characters specified in DUS test guidelines are heritable and contribute to the principal features, performance and value of the plant variety and satisfy the definition of essential characteristics. Accordingly, all the characters in the DUS test guidelines must be considered as essential characters.</p> <p>Members approved the proposal to revise the DUS test guidelines of all crop species to the effect that all descriptor characters enumerated in the DUS test guidelines be essential characters for DUS characterization and registration.</p>
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10.	Shifting of Shivamogga Branch Office to Hyderabad and retaining the station as DUS testing and Seed Production Centre.	<p>It was informed to the Members that the Central Government vide Gazette Notification S.O. 929(E) dated 27<sup>th</sup> April, 2012 established the Branch offices of the Plant Varieties Registry at Ranchi and Guwahati and notified their jurisdiction. Again, the Central Government vide Gazette Notification S.O. No.182 dated 19.01.2017 established three more Branch Offices of the Plant Varieties Registry at Palampur, Shivamogga and Pune and notified the jurisdiction. The Branch Office for southern India has been established at Shivamogga. The Seedsmen Association has also submitted a representation dated 23.05.2017 that there must be a Branch Office at Hyderabad. The said representation was considered and accordingly an agenda was placed before the Authority in its 28<sup>th</sup> Meeting. The PPV&amp;FR Authority in its 28<sup>th</sup> Meeting decided as follows:-</p> <p><i>“As Hyderabad is the seed hub of India and most seed companies have their offices in Hyderabad, the Members recommended the request for having an additional branch office at Hyderabad. Presently, Andhra Pradesh and Telangana are under the jurisdiction of</i></p>
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		<p><i>Shivamogga Branch Office which is located in Karnataka.</i></p> <p><i>The proposal in this regard shall be submitted to nodal Ministry for further needful.”</i></p> <p>Consequently, this office forwarded a proposal to establish the Branch Office at Hyderabad vide letter No. vide letter No. PPV&amp;FRA/Legal/07/11/2820 dated 05.01.2018. While placing the same as an ATR in the 29<sup>th</sup> Meeting of PPV&amp;FR Authority, it was observed as follows:-</p> <p><i>“Regarding the opening of new branch office at Hyderabad, it was decided that at the moment, no other centre was required for the southern region while one new centre is required for northern region. Any new centre issue may be again taken up with the DAC&amp;FW once the existing five branch offices were stabilized after recruiting regular staff in each. It was decided that PPVFRA should write to all the State Departments of Agriculture and SAUs which were covered under the northern region jurisdiction for their willingness to provide the office space for PPVFRA and at least 20 acres of land for the purpose of DUS testing.”</i></p> <p>The above decision was reconsidered major planmt breeding research activities are taken</p>
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		<p>up in and around Hyderabad by public and private organizations and being a seed hub of India, most of the seed companies have their establishments in and around Hyderabad. Members decided that the branch office at Shivamogga for south India may be shifted to Hyderabad and Shivamogga should continue to function as DUS test centre and seed production centre of PPV&amp;FR Authority. A proposal under Section 12(6) of PPV&amp;FR Act, 2001 should be forwarded to Nodal Ministry for shifting of Branch Office of South India from Shivamogga to Hyderabad and consequently, the Gazette Notification S.O. No.182 dated 19.01.2017 may be amended to that effect. The Branch Office as Shivamogga will continue to function as Seed Production and DUS Test Centre of PPV&amp;FRA Authority. The Members also approved that Shivamogga Centre should also function as the extension Centre of Hyderabad as collection Centre of the application of Farmers Varieties for the area of Karnataka and Kerala.</p>
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11.	<u>Recruitment Rule for the Post of Registrar-General</u>	<p>It was informed to the Authority that the recruitment rules for the post of Registrar-General have not yet been framed. Accordingly, the recruitment rules for the post of Registrar-General has to be approved by the Authority. In the proposed Recruitment Rules, the Members inserted some changes like requirement of Ph.D. and also approved some changes in the composition of the selection committee.</p> <p>The approved amended Recruitment Rules for the post of Registrar-General are annexed herewith as <b>Annexure- II</b>.</p>
12.	Recruitment Rule for the Post of Legal Advisor.	<p>The Recruitment Rule for the post of legal advisor with incorporation of minor changes “Post Graduate Degree in Law or integrated five year graduate degree in law” in essential qualification were approved. The final amended copy is annexed herewith as <b>Annexure- III</b>.</p>
13.	Reconsideration for the approval of confirmation of probation of Sh. D. R. Choudhary, Joint Registrar, Sh. U.K. Dubey, Deputy Registrar and Dr. A. K. Singh, PVE (Previously STO).	<p>With reference to the confirmation of probation of Sh. D. R. Choudhary, Joint Registrar, Sh. U.K. Dubey, Deputy Registrar and Dr. A. K. Singh, Plant Variety Examiner (The post of PVE was previously designated as Senior Technical Officer), the Members reviewed the decision of the 19th Meeting of the Authority and grant approval to the appointing authority to implement the order dated 30.04.2013 of the Hon’ble Delhi High Court in W.P.(C) No 4239 of 2012 and W.P.(C)No 4257 of 2012 without any further delay. Accordingly, the appointing authority, the Chairperson, PPVFRA was</p>

		authorized to issue necessary orders in consultation with the nodal Ministry following procedural requirements on confirmation of the services of Sh. D. R. Choudhary, Joint Registrar, Sh. U.K. Dubey, Deputy Registrar and Dr. A. K. Singh, PVE by convening a duly constituted DPC.
14.	Approval of Annual Report 2017-18 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 was adopted by Members for onward transmission to Nodal Ministry for submission to both houses of the Parliament.
15.	Approval of Annual Accounts 2017-18 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 from 10-17 July, 2018. The reply of the paras of the CAG was submitted on 10th August, 2018. The final report has been received from CAG Office, Delhi and is placed to Authority along with the Management reply of the report submitted to CAG Office on 28 <sup>th</sup> September, 2018.

		The annual account of the Authority 2017-18 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.
16.	PGSC Awards	<p>Members were informed that Authority received 11 applications for the Plant Genome Saviour Community Award for the year 2015-16, out of which one application was found incomplete and balance 10 applications were scrutinized and details were put-up to a committee headed by Dr. Anil Kumar Gupta on 07<sup>th</sup> June, 2018. The committee recommended five applications for the PGSC award which was adopted by the Members.</p> <p>Members were also briefed about the PGS reward/recognition for the year 2016-17.</p> <p>The Members also approved that a Joint advertisement should be issued for two years for PGSC award i.e. 2016-17 and 2017-18 to make it on par with PGS Reward and Recognition which is presently for year 2017-18.</p>
17.	Extending Period of Protection of plant varieties registered under PPV&FR Act, 2001.	Section 24(6) of PPV&FR Act, 2001 deals with period of protection of plant varieties. The period of protection for field crops is 15 years and the period of protection for trees and vines is 18 years. Members were informed that the period of protection has to be made on par with period of protection under UPOV as to make PPV&FR Act, 2001 in alignment with

		international law on the subject. Article 19 of UPOV, 1991 provides that the period of protection for field crops shall not be shorter than 20 years and the period of protection for trees and vines shall not be shorter than 25 years. The Members deferred the Agenda and asked to put up during next meeting with some more input.
18.	7th EDV Committee Meeting.	<p>The 7<sup>th</sup> Meeting of expert EDV Committee was held on 02.11.2018 and the committee recommended to register 13 applications and several applications were rejected as not suitable for registration. The details of the recommendations were presented by Dr. S. A. Desai, Registrar who is the Member Secretary of the EDV Committee. Committee approved the recommendations.</p> <p>Members were explained that the EDV registration process and procedure is under Section 23. Where EDVs are concerned, it is up to the Authority to decide as per Section 23(7) and Rule 34/35.</p> <p>The Members also approved that in those cases where IV and EDV are differing, the applicants may be given one opportunity to change the category of their application by appropriately amending the application form keeping the original application date for provision protection period and treating the recurrent variety as the reference variety for comparison only under protected condition in</p>

		the particular case of the Act of derivation being for tolerance to stresses. The approved minutes are enclosed as <b>Annexure IV</b>
19.	Upgradation of the Posts of Registrars to Matrix 14 and creation of a post of a Registrar.	Currently, there are three posts of Registrars and the said posts were created when the crop species notified for registration were less than 35. But now the number of registration of crop species and applications for registration as well as already notified crops/ to be notified for registration which are in the pipeline have all increased substantially (presently 156 crop species and 16,488 applications as on date). Since, 3504 varieties are already registered there is also need to follow up for the documentation of commercialization, royalty deposition, licensing activities, quality of seed, access and pricing of seed/seed material, etc., of the protected varieties. This process has to be initiated independent of the registration process related activities. In order to meet these requirements, Members were informed about the need for increasing the strength of Registrars from three to four on a permanent cadre along with an upgraded status for the existing positions of Registrars as demanded by gravity of responsibility to be discharged at Matrix 14 (equivalent to Professor cadre) in order to not only examining the applications on merit, but also interpreting the claims and evidences while discharging or hearing evidences on merit with sufficient expertise and experience in technically interpreting the provisions in the Act and Rules at par with other

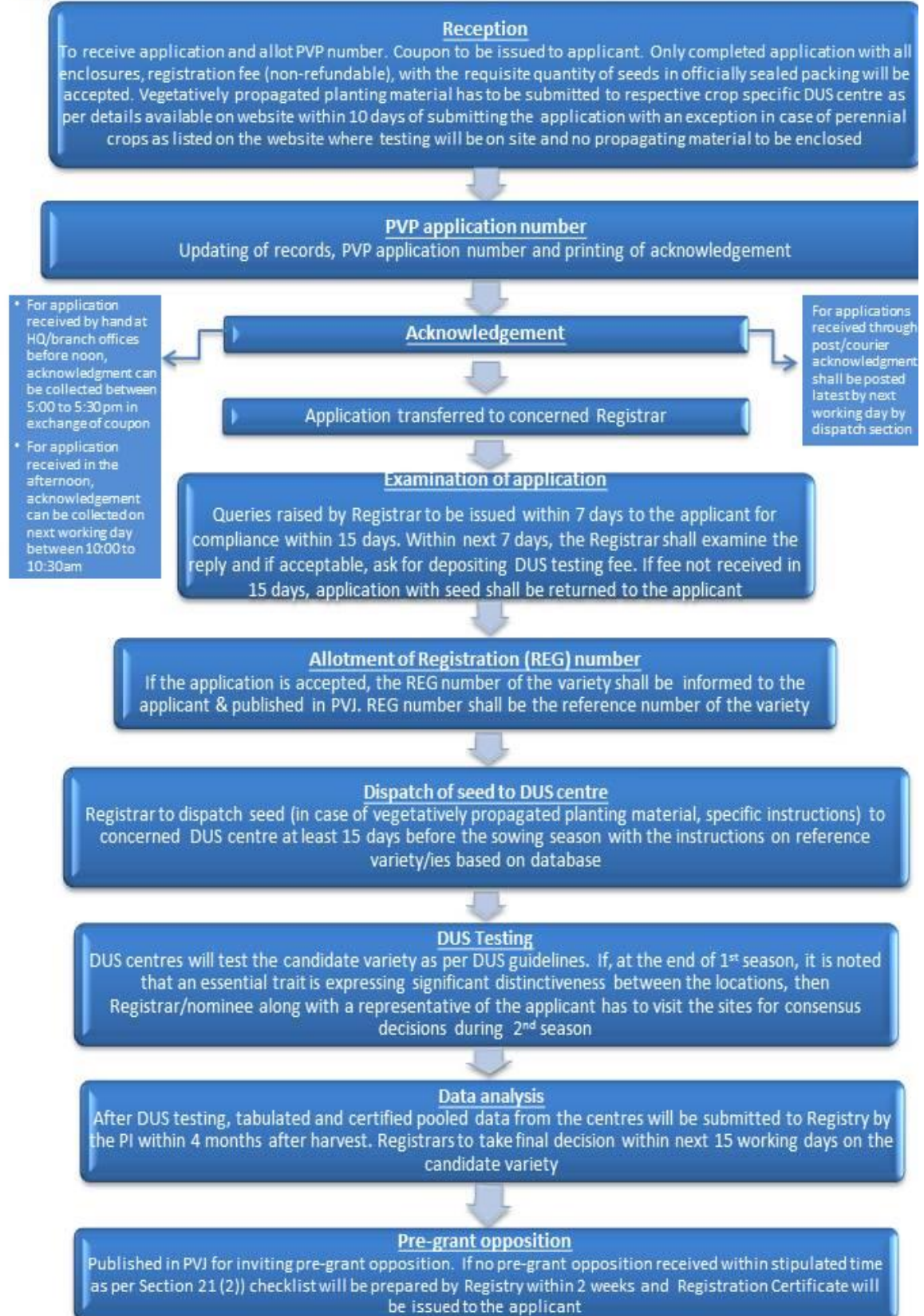


		IPR Registries. The proposal for Upgradation of the Posts of Registrars to Matrix 14 and creation of an additional post of a Registrar was approved by the Members.
20.	Additional Agenda	
	1. Approval for forwarding to Nodal Ministry proposal for Additional posts in PPV&FRA.	The proposal of the requirements of manpower positions to meet the objective of posts for PPVFRA with its branch offices for 119 were presented by Mr. Dipal Roy Chaudhary, Joint Registrar and in-charge (administration). The proposal was approved for forwarding to DAC&FW for further needful. The proposal is enclosed as <b>Annexure V</b>
	2. Proceedings and recommendations of the Standing Committee	The proceedings of 2nd meeting of the Standing Committee held on 9 November 2018 were presented by Shri Dipal Roy Chaudhary, Member Secretary of the Standing Committee. It was noted that the Standing Committee may be requested to take up issues from among those before the Authority that require in-depth inputs or expert advice so that the Authority could conclude on the basis of the recommendation by the Committee in the following Authority meeting. The recommendations were approved by the Members. The recommendations are enclosed as <b>Annexure VI</b> .
	3. Recommendations regarding the testing of the parental lines	The meeting was held on 2nd November, under Chairmanship of Dr. O.P. Yadav, Director, CAZRI, Jodhpur at PPV & FR Authority i) to develop specifications and guidelines regarding

		setting of the field dimensions, ii) to work out the modalities for testing of varieties/hybrids and iii) to finalize procedure for producing hybrid seeds at testing site of the Authority for use during the 2 <sup>nd</sup> season at DUS testing centre. Dr. Ravi Prakash, Registrar presented the recommendations which were then accepted by the Members. The recommendations are enclosed as <b>Annexure VII.</b>
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**The meeting ended with a vote of thanks to the Chair.**

## Plant Variety Protection (PVP) Registration Process



Approved on 28.11.2018

**Annexure II**

**Recruitment Rules for the post of Registrar-General in the  
Protection of Plant Varieties and Farmers' Rights  
Authority**

Sl. No.	Name of Post	Registrar-General
1	No. of post	One
2	Classification	Group "A"
3	Scale of pay	Rs. 67000-79000/- in Level 15 of 7 <sup>th</sup> CPC
4	Whether selection or non-selection post	By Selection
5	Age limit for Direct Recruits	NA
6	Educational and other qualifications required for direct recruits	NA
7	Whether age & educational qualification prescribed for direct recruits will apply in the case of promotes	Not applicable
8	Period of probation, if any	NA
9	Method of recruitment whether by direct recruitment or by deputation/transfer/short term contract	100% by deputation
10	In case of recruitment by deputation/transfer/short term contract grades from which deputation/transfer/short term contract is to be made	<p><b>Essential:-</b></p> <ol style="list-style-type: none"> <li><b>Educational qualification:</b> Doctorate degree in Plant Breeding/Genetics and Plant Breeding/Genetics with specialization in Plant Breeding/Forestry/ Horticulture/Agriculture Botany, each with specialization in Plant Breeding/Genetics and Plant Breeding.</li> <li>Master's degree in Agriculture/Forestry/ Horticulture/Agriculture Botany with specialization in Plant Breeding or Genetics/Genetics and Plant Breeding.</li> <li>Bachelor's Degree in Agriculture/Horticulture/ Horticulture &amp; Forestry.</li> </ol> <p><b>Other requirements:-</b></p> <ol style="list-style-type: none"> <li>Proven Managerial experience, or legal or Intellectual Property Rights or agricultural development experience</li> <li>Officers under Central or State Governments or Union Territories or Universities/ or Statutory or</li> </ol>

		<p>Central Government Autonomous Organizations or Indian Council of Agricultural Research</p> <p>(i) Holding analogous post on regular basis in the parent cadre/department; or</p> <p>(ii) Having at least three years service in the grade rendered after appointment thereto on a regular basis in the scale of pay of Rs. 37,400-67,000 (PB-4) with Grade Pay of Rs 10,000/- or equivalent.</p> <p>3. Maximum age at the time of application should not be more than 55 years.</p> <p>4. Period of deputation (including short term contract) in another ex-cadre post immediately preceding this appointment in the same or some other organisation/Department of the Central Govt. shall ordinarily not exceed five years.</p> <p>5. The maximum age limit for appointment by deputation/short term contract shall not exceed 56 years or as may be prescribed by Govt. of India as on the closing date of receipt of application</p>	
11	If a Department Promotion/Selection Committee exists, what is the composition	Secretary	Department of Agriculture, Co-operation & Farmers' Welfare (Chairman)
		Chairperson	PPV&FR Authority.
		Secretary	Department of Bio-Technology.
		Secretary	Department of Agriculture Research and Education
12	Circumstances in which UPSC is to be consulted in making recruitment	Not applicable	

## Recruitment Rules for the post of Legal Adviser in the Protection of Plant Varieties and Farmers' Rights Authority

Sl.No.	Name of Post	Legal Adviser
1	No. of post	Two
2	Classification	Group "A"
3	Scale of pay	Rs. 67700-208700/- in Level 11 of 7 <sup>th</sup> CPC Formerly Rs 15600-39100/- with Grade Pay of Rs 6600/- of 6 <sup>th</sup> CPC
4	Whether selection or non-selection post	By Selection
5	Age limit for Direct Recruits	40 years (the upper age limit is relaxable for SC/ST/OBC as per Govt. of India rules)
6	Educational and other qualifications required for direct recruits	<p><b>Essential:</b></p> <ol style="list-style-type: none"> <li><b>Educational Qualification:</b> Post Graduate Degree in Law or integrated 5 years Bachelor's degree in Law from a UGC recognized University</li> <li>Registered with Bar Council of India</li> <li><b>Experience:</b> Minimum 8 (eight years) of experience of practice (post qualification) as such and having expertise in handling cases of disputes, Intellectual Property Rights, legal documentation, drafting and notarisation</li> </ol> <p><b>Desirable</b> Bachelor's Degree in Science or Agricultural Science followed by a Degree of Law from UGC recognised Universities</p>
7	Whether age & educational qualification prescribed for direct recruits will apply in the case of promotes	Not applicable
8	Period of probation, if any	One year which may be extended at the discretion of Competent Authority
9	Method of recruitment whether by direct recruitment or by deputation/transfer/short term contract	100% by direct recruitment failing which by deputation or transfer or on short term contract
10	In case of recruitment by deputation/transfer/short term contract grades from which deputation/transfer/short term	In case candidate by direct recruitment are not available then on deputation/transfer/short term contract basis from 1. Officers under the Central/State

	contract is to be made	<p>Governments/ Union Territories/ Agricultural Universities/Recognized Research Institutions/ Autonomous Organizations/ Semi-Government organizations/ Public Sector Undertakings.</p> <p>(a) (i) Holding analogous post on regular basis in the parent cadre/department; or  a (ii) Having at least five years' service in the grade rendered after appointment thereto on a regular basis in the scale of pay of Rs 15600-39100/-+Grade pay Rs 5400/-(pre-revised) or 8 years of service in the pay scale of Rs 9300-34800/- with Grade pay of Rs 5400/-(pre-revised)</p> <p>b)possessing the educational qualifications and <b>experience</b> as prescribed for Direct Recruits</p> <p>2. Period of deputation (including short term contract) in another ex-cadre post immediately preceding this appointment in the same or some other organisation/Department of the Central Govt. shall ordinarily not exceed five years.</p> <p>3. The maximum age limit for appointment by deputation/short term contract shall not exceed 56 years or as may be prescribed by Govt of India as on the closing date of receipt of application</p>	
11	If a Department Promotion/Selection Committee exists, what is the composition	Registrar	Chairman
		An officer nominated by the <b>Joint Secretary(Seeds)</b> or by the <b>Joint Secretary &amp; Legal Adviser(Legal Affairs)</b> who should be holding a position not below the rank of Director in the grade pay of Rs 8700/- (Level 13 of 7 <sup>th</sup> CPC)	Member
		One outside Expert to be nominated by Joint Secretary (Law), who is PPVFR Authority Member	Member
12	Circumstances in which UPSC is to be consulted in making recruitment	Not applicable	

## Annexure IV

### **Minutes of 7<sup>th</sup> expert EDV committee held on 02.11.2018 at 11.00 hours, Conference Hall, NASC, complex, New Delhi under the chairmanship of Dr. A. K. Singh, Head, Division of Genetics, IARI, New Delhi with following members**

1. **Dr. A.K.Singh**, Head, Division of Genetics, IARI, New Delhi (Chairman)
2. **Dr. M. Sundaram**, IIRR, Hyderabad (Member)
3. **Dr.(Mrs.) P.Chhuneja**, PAU, Ludhiana (Member)
4. **Dr. D.Sudhakar**, Professor, Department of Biotechnology, TNAU (Member)
5. **Dr. S.K. Dasgupta**, General Manager (Res), Sungro Seeds (Member)
6. **Dr. S.A. Desai**, Registrar, PPV&FR Authority, New Delhi. (Member Secretary)

The leave of absence was granted by the chairman, EDV Committee to **Dr. B. Singh**, Director, IIVR, Varanasi.

At the outset Dr. R. C. Agrawal, Registrar General, PPV&FRA, welcomed all the members and briefly explained about the very importance of EDV and their uses in future course of time. Dr. A. K. Singh, Head, Division of Genetics, IARI, New Delhi and the Chairman of the EDV committee asked the member Secretary Dr. S. A. Desai, Registrar, PPV&FR Authority, to present EDV status before the committee. Member secretary presented the details of the EDV applications filed before PPV&FRA and briefly narrated the following procedures to sort out the EDV for registration.

#### **Guidelines for evaluation of applications for registration as EDV**

1. The applications filed for registration under EDV category were verified if their respective Initial Variety(IV) was registered under PPV&FRA or not. Only those EDVs were considered for examination whose IVs were registered.
2. The EDV and its IV were confirmed to have undergone DUS test for one year together under both protected against insect pests and unprotected conditions at two test Centres.
3. It was verified if the data for all DUS characteristics (including essential as well as other traits) were recorded as per the laid-out procedure of DUS testing for EDV.
4. All applications which fulfilled the above criteria were taken up for examination and evaluation of their suitability for registration as EDV, based on the expression of DUS characters observed at DUS centre only.
5. The DUS characterization of EDV and IVs were undertaken under both protected and unprotected conditions and the priority for the purpose of qualification for registration of EDV was given to similar DUS expression under protected and/ or unprotected condition at least at one DUS centre.



6. The EDVs showing an acceptable range of variation in DUS expression in relation to their respective IVs, at least at one location, were examined for registration as EDVs. For few candidate varieties where DUS data records were available at only one location due to circumstances beyond the control of the Registrar, the available data of one centre whose trial conduct was approved as satisfactory by the monitoring team was considered valid and assessed for the similarity and derived trait.
7. Thirteen candidate varieties/hybrids were found suitably qualifying for registration as EDV whose IVs were registered by the PPV & FRA.

S. No.	Acknowledgement No.	Registered IV Denomination & Category	Registration number and year of IV
1.	REG/2008/327	JKCH Ishwar (JKCH 634) (REG/2008/336) & Extant VCK	60 of 2015
2.	REG/2008/329	JK VARUN (2008/345) & Extant VCK	166 of 2015
3.	REG/2008/332	JKCH 226 (REG/2008/343)	53 of 2016
4.	REG/2008/479	NCS-145 BUNNY, (2008/410) & Extant notified variety	91 of 2011
5.	REG/2008/486	NCS 207 (REG/2008/411) & Extant notified variety	26 of 2011
6.	REG/2008/487	NCS-207, (2008/411) & Extant notified variety	26 of 2011
7.	REG/2008/489	NCS 913, (2009/108) & Extant VCK	330 of 2017
8.	REG/2009/250	NC-113 (2009/177) & Extant VCK	399 of 2016
9.	REG/2009/253	NC 1108, (2009/215) & Extant VCK	385 of 2016
10.	REG/2009/256	NC-126, (2009/178)& Extant VCK	210 of 2018
11.	REG/2013/455	NC-2153 (2009/230) & Extant VCK	336 of 2017
12.	REG/2013/447	AC-1207, (2012/270) & Extant VCK	388 of 2016
13.	REG/2013/88	NC-47 (GMS) (2009/165) & Extant VCK	400 of 2016

The committee deferred 83 applications whose corresponding IVs are not yet registered with PPV&FRA. Once IV will be registered, the final comparative data of IV and EDV for all essential characters will be presented once again before this EDV committee.

The committee also rejected 53 applications after thorough examination as EDV since; EDV is distinct from IV for one or more essential characters.

Finally the member secretary thanked the chairman and the other members of the committee for sparing their valuable time and providing the critical scientific inputs in the meeting.

(S.A. Desai)  
Member Secretary

(A.K.Singh)  
Chairman

## Annex-I

**A total of 83 applications were rejected as its corresponding IV is not yet registered.**

S. No.	Acknowledgement Number	S. No.	Acknowledgement Number
1.	REG/2008/481	23	REG/2010/111
2.	REG/2008/485	24	REG/2010/177
3.	REG/2008/538	25	REG/2010/180
4.	REG/2009/154	26	REG/2010/211
5.	REG/2009/155	27	REG/2010/532
6.	REG/2009/156	28	REG/2010/535
7.	REG/2009/221	29	REG/2011/463
8.	REG/2009/247	30	REG/2011/467
9.	REG/2009/249	31	REG/2011/482
10.	REG/2009/254	32	REG/2011/490
11.	REG/2009/255	33	REG/2011/491
12.	REG/2009/279	34	REG/2011/492
13.	REG/2010/8	35	REG/2013/85
14.	REG/2010/9	36	REG/2013/93
15.	REG/2010/13	37	REG/2013/97
16.	REG/2010/19	38	REG/2013/102
17.	REG/2010/20	39	REG/2013/112
18.	REG/2010/22	40	REG/2013/113
19.	REG/2010/23	41	REG/2013/114
20.	REG/2010/24	42	REG/2013/127
21.	REG/2010/90	43	REG/2013/183
22.	REG/2010/91	44	REG/2013/186

**Annex-II (Contd...)**

**A total of 83 applications were rejected as its corresponding IV is not yet registered.**

<b>S. No.</b>	<b>Acknowledgement Number</b>	<b>S. No.</b>	<b>Acknowledgement Number</b>
45	REG/2013/187	67	REG/2014/448
46	REG/2013/189	68	REG/2014/455
47	REG/2013/195	69	REG/2014/456
48	REG/2013/196	70	REG/2014/457
49	REG/2013/200	71	REG/2014/458
50	REG/2013/224	72	REG/2014/461
51	REG/2013/273	73	REG/2014/462
52	REG/2013/274	74	REG/2014/464
53	REG/2013/432	75	REG/2014/465
54	REG/2013/436	76	REG/2014/466
55	REG/2013/439	77	REG/2014/467
56	REG/2013/443	78	REG/2014/468
57	REG/2013/445	79	REG/2014/471
58	REG/2013/451	80	REG/2014/473
59	REG/2013/452	81	REG/2014/474
60	REG/2013/454	82	REG/2014/475
61	REG/2013/456	83	REG/2014/477
62	REG/2013/457		
63	REG/2013/462		
64	REG/2013/463		
65	REG/2013/464		
66	REG/2014/444		

**A total of 53 applications were rejected as EDV is different from  
Corresponding IV for one or more essential character**

<b>S. No.</b>	<b>Registration Number</b>	<b>IV Details</b>	<b>Registration Certificate Number of IV</b>
1.	REG/2008/333	JKCH 99 (2008/342)	110 of 2012
2.	REG/2008/334	JKCH 666 (2008/341)	59 of 2015
3.	REG/2008/335	JKCH 1947 (2008/338)	152 of 2015
4.	REG/2008/337	JKCH 1050 (2008/340)	131 of 2015
5.	REG/2008/478	NCS-138 (2009/104)	331 of 2017
6.	REG/2008/482	NCS-145 BUNNY (2008/410)	91 of 2011
7.	REG/2008/490	NCS 1332, (2009/163)	366 of 2017
8.	REG/2008/544	NCS 108 (2009/97)	334 of 2017
9.	REG/2009/242	NC-142 (2009/173)	239 of 2018
10.	REG/2009/246	NC-1171, (2009/228)	395 of 2016
11.	REG/2009/251	NC-106, (2009/174)	391 of 2016
12.	REG/2009/252	NC-1050, (2009/211)	319 of 2017
13.	REG/2010/55	PCH-115 (2010/528)	218 of 2018
14.	REG/2010/110	PCH-115, (2010/528)	218 of 2018
15.	REG/2010/174	JKC 756, (2010/182)	214 of 2018
16.	REG/2010/178	JKC 720, (2010/173)	389 of 2018
17.	REG/2010/193	JKC 701, (2010/191)	232 of 2018
18.	REG/2010/194	JKCH 99, (2008/342)	149 of 2015
19.	REG/2011/462	NCS 913 (2009/108)	330 of 2017
20.	REG/2013/479	NC 1108, (2009/215)	385 of 2016
21.	REG/2013/184	PC-P 6107, (2012/281)	368 of 2017
22.	REG/2013/185	PC-P 3812, (2012/282)	389 of 2016
23.	REG/2013/188	PCH-225 (2012/288)	389 of 2016
24.	REG/2013/199	PC-P6507 (2012/278)	369 of 2017
25.	REG/2013/371	RC-86 (2008/283)	84 of 2013
26.	REG/2013/430	NC-152 (2009/183)	332 of 2017
27.	REG/2013/83	NC-160 (2009/190)	240 of 2018

**A total of 53 applications were rejected as EDV is different from  
Corresponding IV for one or more essential character**

<b>S. No.</b>	<b>Registration Number</b>	<b>IV Details</b>	<b>Registration Certificate Number of IV</b>
28.	REG/2013/431	NC-160 (2009/190)	240 of 2018
29	REG/2013/433	NC-113 (2009/177)	399 of 2016
30	REG/2013/434	NC-107, (2009/175)	274 of 2017
31	REG/2013/435	NC-159, (2009/189)	228 of 2017
32	REG/2013/437	NC-152 (2009/183)	332 of 2017
33	REG/2013/438	NC-106, (2009/174)	291 of 2016
34	REG/2013/440	NC-160 (2009/190)	240 of 2018
35	REG/2013/441	NC-158 (2009/188)	365 of 2017
36	REG/2013/442	NC-158 (2009/188)	365 of 2017
37	REG/2013/444	NC-1171 (2009/228)	395 of 2016
38	REG/2013/461	NC-1154 (2009/227)	321 of 2017
39	REG/2013/446	NC-170 (2009/232)	392 of 2016
40	REG/2013/448	NC-126, (2009/178)	210 of 2018
41	REG/2013/449	NC-142, (2009/173)	239 of 2018
42	REG/2013/453	NC-156, (2009/186)	414 of 2016
43	REG/2008/328	JKCH-634 (2008/344)	81 of 2015
44	REG/2013/479	NC-1108 (2009/215)	385 of 2016
45	REG/2013/272	PC-P6507 (2012/278)	369 of 2017
46	REG/2013/275	NC-160 (2009/190)	240 of 2018
47	REG/2013/276	NC-160 (2009/190)	240 of 2018
48	REG/2013/295	NC-160 (2009/190)	240 of 2018
49	REG/2013/450	NC-1154 (2009/227)	321 of 2017
50	REG/2010/189	JKC 708 (2010/192)	207 of 2018
51	REG/2013/472	NC-91 (2009/172)	384 of 2016
52	REG/2013/86	NC-47BG-I (2009/165)	400 of 2016
53	REG/2014/477	PC-P621 (2012/273)	221 of 2018

## Details of posts for PPV & FR Authority (including Plant Varieties Appellate Tribunal)

### 1. POSTS (SANCTIONED, APPROVED AND PROPOSED) AT HQ, TRIBUNAL AND BRANCH OFFICES

S. No.	Designation	Scale of Pay (6 <sup>th</sup> pay commission)	Original Sanction (2006)	Present Sanctioned Posts (2017-18)	Proposed Posts (in total)	New Scale of Pay/Financial Impact (7 <sup>th</sup> ) may be obtained from Accounts	Justification
1	Chairperson	80,000 (fixed)	1	1	1	Level 17	Existing strength as per objective  *however, these are as per existing approval. Authority, in its 29 <sup>th</sup> meeting, approved for up-gradation of these posts as per the following:  Registrar: Scale 14(GP 10000/-) Joint Registrar: Scale 13A(GP 8900/-) Deputy Registrar: Scale 12(GP 7600/-)
2	Registrar General	67,000-79,000/-	1	1	1	Level 15	
3	Registrar	37400-67000/- +GP 8700/-	3	3	3	Level 14*	
4	Financial Advisor	-DO-	1	1	1	Level 13	
5	Joint Registrar	15600-39100/- +GP 7600/-	2	2	2	Level 13A*	
6	Deputy Registrar (Tech.)	15600-39100/- +GP 6600/-	1	1	1	Level 12*	
7	Legal Advisor	15600-39100/- +GP 6600/-	2	2	2	Level 11	
8	Senior Accounts Officer	15600-39100/- +GP 6600/-	1	-	-	-	
9	Senior Technical Officer (Re-designated as Plant Variety Examiner)	9300-34800/- +GP 4600/-	3	-	3	Level 7	
10	Computer Assistant	9300-34800/- +GP 4200/-	6	5	6	Level 6	
11	Technical Assistant	9300-34800/- +GP 4200/-	1	1	1	Level 6	
<b>Sub Total A</b>			22	17	21		
<b>Approved Posts(as per 12<sup>th</sup> EFC)</b>							
12	Deputy Director (Admn)	15600-39100/- +GP 6600/-	NA	NA	1	Level 11S	Overall in-charge of all administrative work. As asked to re-designate as Deputy

							Director(Admn) vide Note 250102E-Coord-1/2015, dated 01.6.2015, Authority agreed to vide letter dated Sep 2, 2015
13	PPS to Chairperson	15600-39100/- + 6600/-	NA	NA	1	Level 11	Personal Staff to Chairperson
14	PS to RG	9300-34800/- + 4800/-	NA	NA	1	Level 8	Personal Staff of RG
15	Executive Assistant Admn.	9300-34800 + 4200/-	NA	NA	5	Level 6	For assisting the Administrative Officer for the administrative work
16	Executive Assistant(legal)		NA	NA	2	Level 6	For assisting the Legal Advisors in legal proceedings/ matters.
17	Accountant	9300-34800 + 4200/-	NA	NA	2	Level 6	Assist FA and Account Officer for accounts work
18	Plant Variety Examiner	9300-34800/- +GP 4600/-	NA	NA	3	Level 7	To process and examine the plant variety applications and to assist in DUS test monitoring, evaluating DUS test results
19	Technical Assistant	9300-34800/- +GP 4200/-	NA	NA	2	Level 6	To prepare the data sheets for the monitoring of the candidate varieties and various technical matters of the Registry, Chairperson, Registrar General and Farmer Cell
<b>Sub Total - B</b>					<b>17</b>		
<b>Additional Posts proposed</b>							
20	Enforcement Officer	15600-39100/- +GP 5400/-	0	0	1	Level 10	Enforcement of statutory provisions regarding breeder's rights, farmers' rights, compensation and related issues
21	System Administrator	9300-34800/- +GP 4600/-	0	0	1	Level 7	Overall supervision of software and hardware
22	Database/ Documentation Officer	9300-34800/- +GP 4600/-	0	0	1	Level 7	Huge database is to be generated & maintained for plant varieties, registered varieties, farmers' varieties, cataloguing, indexing, linkage with UPOV/GRIN/CPVO
23	Genebank Curator	9300-34800/- +GP 4600/-	0	0	1	Level 7	Maintaining seeds/planting material National Gene Bank for 15

							years require specialist handling, monitoring and evaluation of seed quality parameters
24	Plant Variety Examiner (NGB+ Registry)	9300-34800/- +GP 4600/-	0	0	8	Level 7	Passport data preparation, formatting of test results, analysis and interpretation assist JR, NGB; PVJ publication and Benefit sharing
25	Hindi Translator	9300-34800/- +GP 4200/-	0	0	1	Level 6	As per Govt policy
26	Office Assistant	5200-20200/- +GP2000/-	0	0	8	Level 3	Office assistant for Registrar(s), FA, Joint Registrars, Deputy Registrars, DD(Admn)
27	Multi-tasking (MTS)	5200-20200+GP 1800	0	0	8	Level 1	For all misc work, diary/dak/dispatch/ photocopying/file preparation(3 Registrar, 1 FA, 2 JR, 1 DR, 1 Admn Officer)
<b>Sub Total C</b>					<b>29</b>		
<b>Branch Offices (Ranchi and Guwahati)</b>							
	<b>Designation</b>	<b>Scale of Pay</b>	<b>Original Sanction</b>	<b>Present Sanctioned Posts</b>	<b>EFC Approved Posts (in total)</b>	<b>New Scale of Pay/Financial Impact</b>	<b>Justification</b>
28	Deputy Registrar	15600-39100/- +GP 6600/-	2	2	2	Level 12	Existing staff
29	Plant Variety Examiner	15600-39100/- +GP 5400/-	2	Abolished			
30	Sr. Technical Officer re-designated as PVE	9300-34800/- +GP 4600/-	2	1	2	Level 7	
31	Executive Assistant	9300-34800/- +GP 4200/-	2	-	2	Level 6	
<b>Sub -Total D</b>			<b>8</b>	<b>3</b>	<b>6</b>		
<b>Proposed additional Posts(Branch Offices: Guwahati, Ranchi)</b>							
32	Biodiversity Conservation Officer (Section 45.2.C)	9300-34800/- +GP 4600/-	0	0	2	Level 7	As per Sec 45(2): National Gene Fund: Authority may support ex situ/in situ conservation of agro-biodiversity at panchayat level and implementation of scheme for Benefit Sharing under Sec 26
33	PVE	9300-34800/- +GP 4600/-	0	0	2	Level 7	Examining applications, monitoring local



							awareness programme, implementation of national gene fund
34	Multi-tasking (MTS)	5200-20200+GP 1800/-	0	0	2	Level 1	For all misc work, diary/dak/dispatch/ photocopying/file preparation
<b>Sub Total E</b>			<b>8</b>	<b>3</b>	<b>6</b>		
<b>Tribunal(approved under XIIth plan)</b>							
35	Technical Member	67000- 79000/-	-	1	1	Level 15	Technical Member already appointed under Section 59 of the PPVFR Act 2001 for invoking transitional provision. As per the order of the Hon'ble Delhi High Court in WP(C) no. 640/2012 and 4527/2010, the technical member has been appointed
	PS	9300-34800 + GP 4600/-	-	1	1	Level 7	Supporting staff is required to operationalization the office of Technical Member. MoF note, dated Note 250102E-Coord-1/2015, dated 01.6.2015: asks posts of PS & SO to reduce to Rs 4600/- as PPV&FRA is a non secretariat office Authority agreed to reduce it to Rs 4600/- vide letter dated Sep 2, 2015
	Court Officer	9300-34800 + GP 4600/-	-	1	1	Level 7	
	Assistant	9300-34800 + 4200/	-	1	1	Level 6	
<b>Subtotal F</b>				<b>4</b>	<b>4</b>		
<b>Branch Offices(Pune, Palampur, Shivamogga, one more to be designated at North)</b>							
	Designation	Scale of Pay	Original Sanction	Present Sanctioned Posts	EFC Approved Posts (in total)	New Scale of Pay/Financial Impact	Justification
	Deputy Registrar	15,600- 39,100/- + GP 6600/-	-	Nil	4	Level 12	Overall in-charge of branch office
	Plant Variety Examiner	9300-34800 +. 4600/-	-	Nil	4	Level 7	To process and examine the plant variety applications at the branch offices, to assist in DUS test monitoring, evaluating DUS test results, liaison with Head

							Quarters, awareness programs, assistance to farmers in filing applications and any other work assigned by competent authority
	Technical Assistant	9300-34800 + 4200/-	-	Nil	4	Level 6	To prepare the data sheets for the monitoring of the candidate varieties, and various technical matters of the Registry, Chairperson, Registrar-General and Farmer cell. Also to assist in the Administrative matters, record keeping, maintenance or national register and any other work assigned by Competent Authority.
	<b>Exclusively for Shivamogga Branch Office</b>			The Authority in its 29th meeting has decided that the harvested seed of the 1st season should be used in the 2nd season for the DUS testing of New Varieties was approved. It was also approved that for hybrids, the seeds of candidate variety submitted along with seeds of parental lines shall be tested to conform the identity of the parental line, parental formula used to develop the hybrid. Where maintainer of male sterility was involved, the same would have to be used for producing the maintainer line seed also. For this purpose, the PPV&FR Authority requires following additional manpower at its Shivamogga Branch Office-			
	Principal Technical Officer	15600-39100/- +GP 7600/-	-	Nil	1	Level 13A	For overall co-ordination of the technical work at the branch office
	Sr Technical Officer	15,600- 39,100/- + GP 6600/-	-	Nil	1	Level 12	For supervision of laying of trials, recording of data, and other technical work under the secured environment
	Technical Assistant	9300-34800 + 4200/-	-	Nil	6	Level 6	Preparation of the data sheets for the monitoring of the varieties, recording of the data at various stages, day to day monitoring of the trails, harvesting of the material, seed packaging and submission of the pre-formatted data to

							Head Quarters.
	MTS	5200-20200+GP 1800	-	Nil	4	Level 1	For field work in the trails, record keeping etc.
	<b>Sub-total G</b>		-	-	24		
	<b>Proposed Additional Posts</b>						
	Biodiversity Conservation Officer (Section 45.2.C)	9300-34800/- +GP 4600/-	0	0	4	Level 7	As per Sec 45(2): National Gene Fund: Authority may support ex situ/in situ conservation of agro-biodiversity at panchayat level and implementation of scheme for Benefit Sharing under Sec 26
	PVE	9300-34800/- +GP 4600/-	0	0	4	Level 7	To process and examine the plant variety applications at the branch offices, to assist in DUS test monitoring, evaluating DUS test results, liaison with Head Quarters, awareness programs, assistance to farmers in filing applications and any other work assigned by competent authority
	Multi-tasking (MTS)	5200-20200/- +GP 1800/-	0	0	4	Level 1	For all misc work, diary/dak/dispatch/ photocopying/ file preparation
	<b>Subtotal- H</b>				<b>12</b>		
	<b>Grand Total A+B+C+D+E+F+G+H</b>				<b>21+17+29+6+6+4+24+12 =119</b>		

**Summary of Staff Position (Sanctioned: EFC Approved and Proposal).**

S. No	Offices	No of Posts	Status
A	HQ	21	Sanctioned Strength
B	HQ	17	<b>XIth EFC: Approved Posts</b>
C	HQ	29	<b>Additional proposal</b>
	<b>Sub total</b>	<b>67</b>	
D	Branch Offices(Ranchi +Guwahati)	6	<b>XIth EFC: Approved Posts (though many posts are now abolished/discontinued)</b>
E	Branch Offices(Ranchi +Guwahati)	6	<b>Additional proposal</b>
	<b>Sub total</b>	<b>12</b>	
F	HQ (Tribunal)	4	<b>XIth EFC: Approved Posts</b>
	<b>Sub Total</b>	<b>4</b>	
G	Branch Offices(Pune+Shivamoga+Palampur+ 1 more to be opened for north)	12	<b>XIth EFC: Approved Posts</b>
H	-do-	24	<b>Additional proposal</b>
	<b>Sub Total</b>	<b>36</b>	
	<b>Grand Total</b>	<b>119</b>	

## Final Proceedings and Recommendations of the 2<sup>nd</sup> meeting of the Standing Committee on ATR of the 1<sup>st</sup> meeting of the Standing Committee

Dated: Nov 09, 2018:  
Committee Room

10: 30 onwards

Venue: PPV&FRA

At the outset, Dr S K Malhotra, Chairman, Standing Committee, welcome the members of the Standing Committee, gave a brief background of the constitution of the Committee, genesis of WTO and TRIPs, enactment of PPV&FR Act, 2001 and related provisions of Breeder's Rights, Farmers' Rights, reward and recognition to Farmers from National Gene Fund, registration of varieties and in public and private sector. He asserted that PPV&FRA shall play a major role when the Seed Bill will be passed and farmers will be given a better choice of registered varieties.

Sh Dipal Roy Choudhury, Convenor, made a brief presentation on the Action Taken Report on the 1<sup>st</sup> meeting of the Standing Committee, held in April 2017. Brief provisions under the PPV&FR Act, 2001 were also deliberated before the members following which, detailed deliberations were made. The ATR of the first meeting held in April 2017 and new Agenda items earmarked for the 2<sup>nd</sup> meeting were discussed and recommendations are as follows:

### Sec A: ATR of the 1<sup>st</sup> meeting of the Authority

Sl No	Agenda Item	Discussion and Recommendation on ATR
1	Progress of the Registry	Detailed progress of the registry was presented before the Committee and while reviewing the progress, it came to notice that registration of new varieties are not getting much attention. It was suggested to make it mandatory for providing DUS testing data with the CVRC proposal. Chairman and Agril Commissioner, DAC&FW, suggested that Chairman PPVFRA should write a letter to DACFW and he further agreed to take up this issue and explore at CVRC level about the mechanism to conduct the DUS testing of the identified variety by the Nodal centre before var notification and subsequently the application of that variety be filed with DUS testing results to PPV&FRA seeking plant variety protection.
2	Enabling farmers/farming communities to apply for Plant Genome Saviour Farmer Reward and Plant Genome Saviour Farmer Recognition	Though the plant variety protection for the conserved varieties for which communities/farmers' claim PGSC/Farmer Reward Recognition is not mandatory, the Committee suggested that the mentoring Institute who endorsed the application for PGSC Awards/Rewards/Recognition, shall formerly devise a mechanism whereby the communities/farmers shall submit the applications for all the claimed varieties under conservation. Committee also suggested to develop a point based score card for the

		screening of the Awards/rewards/recognitions and more weightage on score card points should be given to those farmers who possess registration of such varieties prior to the awards, it will encourage farmers for more prior registration.
3	Prioritizing crops for notification	The committee examined the list of comparison with the crop species notified by the PPV&FRA vis a vis crop species notified under Seeds Act, 1966 and suggested that all such species for which DUS guidelines are not yet developed but are notified under Seeds Act, 1966, can immediately be taken up in consultation with ICAR/SAUs who are sponsoring their varieties for notification in such species. In case of medicinal and aromatic species, the Committee suggested to take up such species under NMPB/AYUSH list of highly endemic/endangered species due to commercial exploitation.
4	Developing characterization and documentation of registered varieties	Since the 1 <sup>st</sup> meeting of the standing committee was held in April 2017 which suggested that the soft copies of compendium of registered varieties published by the Authority and also be uploaded in the website of the Authority. Surprisingly the action is still pending, the members advised that the soft copies should be immediately uploaded in the website and further compendiums be prepared on half yearly basis and uploaded in the website. Authority should review the progress so that pending work is completed in the time bound manner.
5	Documenting, indexing and cataloguing of farmers' varieties and Compulsory cataloguing facilities for all varieties of plants	Though the committee appreciated the fact that Authority bring out its compendium of registered varieties including farmers' varieties, but the work on the compulsory cataloguing facility for all varieties of plants is yet to be developed/initiated as per Sec 8 (2) (c-d) of the PPV&FR Act, 2001. PPV&FRA is running into the 11 year of registration and by this time lot of data has been generated. The Committee called upon that a separate Task Force may be created to take up the work on a project mode in a time bound manner. The status of the work should be presented in next meeting including action plan on documentation and compulsory cataloguing. .
6	Collecting statistics with regard to plant varieties, including the contribution of any person at any time in the evolution or development of any plant varieties, in India or any other country, for compilation and	PPV&FRA wrote to nearly 472 seed companies(public and private) in June-July 2018, regarding details of notified varieties and area coverage as required under Sec 8(1) and (2) and in response , nearly 29 companies filed their response which are now being collated. Progress has not been that satisfactory, especially, when this has been earmarked as a general function of the Authority as per Section 8(2)(f) of the PPV&FR Act, 2001. The committee suggested that a) authority may take up to procure list of varieties for which license to commercialise was given by respective State Agriculture Departments; b)NSC can provide list of varieties for which

	publication	breeder seed indent was received from DACFW in last 10 yrs, c)sought information from commodity based research institutes for contribution of any person at any point in the evolution or development of any varieties, at least in India and finally all information may also be matched with data sought from public/private sector seed companies.
7	Issues involved in report of EDV committee constituted by PPV&FR Authority	The Standing committee noted the development as presented by Dr S A Desai, Registrar.
8	Procurement of details of regarding use of crop variety in the country and bringing the same into database(Rule 22 (5)) and Obtaining information on production and use of varieties and its characteristic and true sample (Rule 22(6))	Since the issue involves similar actionable points as in SI 6, committee recommends that above actions may be taken up.
9	Compilation and maintenance of database of all extant varieties within and outside India (Rule 22 (4))	It was informed that previous IINDUS database, developed at NBPGR, in 2006-07, has become incompatible because of rapid technological advances, thereafter IASRI was approached to develop a database which will be presented during the discussion of the Agenda items for 2 <sup>nd</sup> meeting
10	Registration of Farmers Varieties belonging to Awardees/ Rwardees of Plant Genome Saviour Community Awards/Plant Genome Saviour Farmer Reward/ Plant Genome Saviour Farmer Recognition	Committee recommends that the actionable points were already deliberated in SI No 2
11	Revision of Agro-biodiversity hotspots	The committee noted that the requirements of Agro Biodiversity hot spots were waived off through a Gazette notification.
12	Restricting DUS testing to one location instead of two locations	Committee noted that this was not accepted in the Authority meeting.

13	Payment of Annual fees for Famers variety from Authority Fund.	The Committee noted that as per recommendations, the Authority has initiated steps to deposit annual fees pertaining to farmers' varieties in the National Gene Fund from Authority account.
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Sec 2: Proceedings and Recommendations on the Agenda Items for 2<sup>nd</sup> meeting of the Standing Committee

Sl No	Agenda Items	Remarks	Recommendations
2.1	Stability Analysis of Varieties and Hybrids	Dr S A Desai, Registrar, gave a detailed presentation on the proposal of "Stability Analysis/ Hybrid Seed Production/ DUS characterization of Parental lines for Rice, oil seeds and Fiber crops". The need to initiate production of hybrid seeds, maintenance of parents and subsequent planting of hybrid seeds in the 2 <sup>nd</sup> yr at DUS centres were deliberated, methods adopted etc. discussed and a proposed outlay of Rs 217.11 lakhs were projected for a 3 year programme that includes field requirement for crop species like, Rice, Castor, Diploid Cotton, Mustard etc; technical and field workers, equipment and facilities required for security. Requirements for DNA fingerprinting were also discussed.	<p>The committee appreciated for the new initiative and it was appraised that Authority has already approved the proposal. Standing committee endorsed the decision of authority with the suggestion to follow necessary codal formalities for getting financial approvals.</p> <p>In addition to these, Dr Desai also briefed about the progress of EDV registration, outcome of the EDV committee held on Nov 2, 2018 and future plan of action.</p>
2.2	<i>Regeneration and Multiplication of Registered Varieties</i>	Sh Dipal Roy Choudhury, JR, gave a brief presentation on regeneration and multiplication of seeds of registered varieties kept in the National Gene Bank a total projected expenditure of Rs 72.48 lakhs for 3 years; explained the principle behind	Committee noted that even though there is a provision as per Sec 27 wherein breeders can be asked to deposit seeds/propagating material of registered varieties, it shall be necessary that Authority shall regenerate and multiply seeds (orthodox) seeds of registered varieties and generate

		the need for regeneration of seeds stored under medium term storage.	DUS data of these varieties. The committee approved the project in principle, however, recommended that crop species wise expenses may be worked out and included in the proposal.
2.3	Database Development for Varieties of Common Knowledge	<p>Dr Sudip Marwaha, IASRI, gave a presentation on Knowledge Management System for DUS Characteristics of Crops: on line platform for database of notified, varieties of common knowledge &amp; registered varieties with the projected requirement of Rs 18.25 lakhs for the implementation and the following objectives:</p> <ul style="list-style-type: none"> <li>➤ Design and Development of Web Based Knowledge Management System for DUS Characteristics of Crops</li> <li>➤ Implementation of System in PPVFRA and DUS Centers.</li> <li>➤ Maintenance and support of DUS Portal.</li> </ul>	<p>The committee reviewed the present status of the databases and also a presentation for development of database was given by Dr Sudip Marwaha, IASRI. Because the Authority is facing severe technical constraints due to a lack of any form of databases and reference varieties are not being identified for DUS testing or the DUS data is not being used in a proper manner to examine distinctness in comparison with all other varieties of common knowledge, the Committee advised that the development of database shall be taken up and implemented in next 6-9 months and afterwards it shall be put for user acceptance testing at PPV&amp;FRA and DUS centre level with the onset of Kharif season in 2019.</p> <p>The committee noted that a template is already available which was developed at IASRI in-house (ICAR) in consultation with IIMR, Ludhiana regarding DUS characterization and database of Maize and hence customization will only be required for incorporation of forms and other details of notified crop species.</p> <p>The committee recommended the proposal in principal and advised that the TOR may be examined from technical and legal angle; fund requirement may be vetted and a detailed System requirement specification must be developed and submitted to PPV&amp;FRA in</p>



			consultation with a core team of Users from PPV&FRA and selected DUS centres. Development of the database may be supervised by an Independent Committee headed by a subject matter specialist and if possible, one private sector Expert in database development can be made a member so that future requirements of software development/upgradation and system compatibility are taken into consideration. The Committee advised that the SRS must be finalized by 15 <sup>th</sup> Feb, 2019 and first phase of UAT must be in place before beginning of Kharif season so that test data shall be fed in the system by selected DUS centres in major field crops.
2.4	Licensing platform for Farmers' varieties	--	The agenda was deferred to be deliberated for the next meeting
2.5	List of Prioritized crop species	A comparison of Seednet notified varieties and crop species notified by PPV&FRA	The committee examined the list and recommended that the following crops/species, which are notified under Seeds Act, 1966 but DUS guidelines are yet to be developed by PPV&FRA, can be taken up immediately. <u><b>Millets:</b></u> Little millet <u><b>Pulses:</b></u> Indian bean and winged bean <u><b>Oilseeds:</b></u> Niger <u><b>Fibre crops:</b></u> Sunhemp <u><b>Sugar and Starch crops:</b></u> Sugarbeet <u><b>Forage Crops:</b></u> Bajra Napier Hybrid, Berseems, Anjan grass, Dinanath Grass, Dhara grass, Golden Timothy, Indian Clover/Sweet Clover, Lucerne, Marvel Grass, Napier Grass, Persian Clover, Rice bean, Setaria grass, Sudan grass, White clover,

			<p>Tall Fescue, Teosinte</p> <p><b><u>Cucurbits:</u></b>          Bush squash, Indian Squash, Long melon(Kakri), Ribbed gourd, Smooth gourd, Sponge gourd, Summer squash(veg marrow)</p> <p><b><u>Tubers and Rhizomes:</u></b> Lesser yam, White Yam</p> <p><b><u>Cole crops:</u></b> Chinese cabbage, Knol khol(Ganth gobi)</p> <p><b><u>Root vegetable:</u></b>          Turnip</p> <p><b><u>Medicinal and Aromatic:</u></b>          Opium poppy</p> <p><b>This was placed before the Authority meeting held on 12 Nov, 2018. Authority recommended that if no new projects are recieved in these crop species under PAC, these may be advterised and projects may be invited from ICAR/SAUS/CSIR /MoEF Institute to develop DUS test guidelines. It was recommended that in case minimal descriptors are available, only one season validation and next six months for finalisation of the DUS guideline may be given with some financial support.</b></p>
2.6	Any other Items	-	<p>The Standing Committee, advised that an overall presentation and detailed discussion may be done on activities of the Authority, Farmers' Rights in the next meeting and issues related to <i>Access to seed, Compensation and Benefit sharing</i>, action plan may be taken in focus with specific initiatives, if any.</p>

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

Members Present:

- Dr S K Malhotra, Agril Commissioner and Chairman, Standing Committee
- Sh V K Gaur, CMD, NSC and Member, Standing Committee

- Prof V S Sohu, PAU and Member, Standing Committee
- Sh Pritam Singh, YFA and Member, Standing Committee
- Sh Dipal Roy Choudhury, Convenor, Standing Committee

Invited Persons:

- Dr Sudip Marwaha, Principal Scientist, IASRI
- Dr Ravi Prakash, Registrar, PPV&FRA
- Dr S A Desai, Registrar, PPV&FRA

## Annexure VII

### **Proceedings of the Meeting of the Expert Group held on 2<sup>nd</sup> November, 2018 at 10:00 AM in Committee Room of PPV & FR Authority, NASC Complex, New Delhi**

The meeting was held on 2<sup>nd</sup> November, under Chairmanship of Dr. O.P. Yadav, Director, CAZRI, Jodhpur at PPV & FR Authority Committee Room, i) to develop specifications and guidelines regarding setting of the field dimensions, ii) to work out the modalities for testing of varieties/hybrids and iii) to finalize procedure for producing hybrid seeds at testing site of the Authority for use during the 2<sup>nd</sup> season at DUS testing centre along with the hybrid seeds submitted by the applicant.

The following officials attended the meeting:-

#### **Committee**

- |   |                  |
|---|------------------|
| 1. Dr. O.P. Yadav, Director, CAZRI, Jodhpur                                   | Chairman         |
| 2. Dr. Vilas Tonapi, Director, Indian Institute of Millet Research, Hyderabad | Member           |
| 3. Dr. D.K. Agarwal, Director of IISS, Mau                                    | Member           |
| 4. Dr. A. T. Sadashiva, Principal Scientist, IIHR, Bengaluru                  | Member           |
| 5. Dr Ravi Prakash, Registrar, PPVFRA   | Member Secretary |

#### **Officials from PPV & FRA**

- |                       |                     |
|-----------------------|---------------------|
| 1. Dr. R.C. Agrawal   | Registrar-General   |
| 2. Dr. T.K. Nagrathna | Registrar           |
| 3. Shri U.K. Dubey    | Deputy Registrar    |
| 4. Dr. D.S. Paliana   | Technical Assistant |
| 5. Dr. Jasbir Madan   | Registry Assistant  |
| 6. Dr. Jyoti Jaiswal  | Registry Assistant  |

At the outset, Dr. Ravi Prakash, Registrar welcomed Chairman and Members of Committee and briefed about the subject of the meeting.

Dr. R.C. Agrawal, Registrar-General also welcomed all the experts and briefed about the need for such guidelines required for testing of varieties/hybrids as an integral part of the DUS testing and need to confirm stability and identity of parental lines and formula used to multiply the hybrid submitted by the applicants so that, in the event of grant of compulsory licensing, the seeds of parental line submitted by the applicant can be used for the production of hybrid seed.

Meeting started with the remarks of the Chairman of the Committee Dr. O.P. Yadav, the committee has to deliberate on modalities of DUS testing, field dimensions for

multiplying seed and procedure to use of seeds of parental lines to produce hybrid seed for use in the second season. After detailed discussion and deliberations, the committee suggested following points for consideration of PPVFRA:

1. In case of hybrids, applicant should be asked to submit the specified and required quantity of seeds of genetically pure parental lines (inbreds, A line, B line, R line etc. depending upon the nomenclature used in different crops) of hybrids along with claimed DUS descriptors. The applicant should also inform the Authority about detailed method, along with any specific requirement, used for producing seed of hybrid. The information on flowering time of parental lines would be critically required in order to ensure of male and female parental lines by staggered sowing in seed multiplication plots, if the need be.
2. During first year of DUS testing, the hybrid seeds submitted by applicant should be tested at DUS centres along with suitable reference varieties. Simultaneously, the parental lines submitted by the applicant should be grown at the testing site of the Authority to produce the F1(hybrid) seeds.
3. The quantity of inbred seeds to be submitted by applicant depends on the seed size (test weight) of crop, seed multiplication ratio and quantity of F1 seed required for DUS testing of hybrid in second year of testing.
4. The plot size of parental lines for producing hybrid seed for 2nd year of testing shall be governed by the quantity of seed material required for DUS testing and also for storing at gene bank of the Authority.
5. The quantity of F1 hybrid seeds to be produced by Authority depends on the plot size of DUS test in target crop. In the second year, the F1(hybrid) seeds produced by the Authority will be sent to DUS centre for testing along with the hybrid seeds submitted by the applicant to ensure the claimed genuineness of parental combination of hybrids.
6. If the hybrid seeds submitted by the applicant is confirmed to be similar to seeds produced by the Authority by using supplied parental lines, it will confirm the identity of the parents and parental formula used to develop hybrid variety.
7. In case of DUS test of VCK (hybrid), F1 seeds should be produced at testing site of the Authority using parental lines supplied by the applicant in the first season and DUS testing should be carried out in the next season at the designated DUS centres.

Meeting ended with the vote of thanks to the Chairman and all members.