



पौधा किस्म और कृषक अधिकार संरक्षण प्राधिकरण,
Protection of Plant Varieties & Farmers' Rights Authority
कृषि एवं किसान कल्याण मंत्रालय, भारत सरकार
Ministry of Agriculture & Farmers Welfare, Govt. of India
एन ए एस सी काम्प्लेक्स, डी पी एस मार्ग, निकट टोडापुर गांव, नई दिल्ली-110012
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PUBLIC NOTICE

(20 of 2019)

Sub:- Regulation 6 of PPV&FR Regulations, 2006 - Criteria of DUS for Extant Varieties Notified under Section 5 of Seeds Act, 1966

The following criteria for Distinctiveness, Uniformity and Stability for registration of Extant Varieties Notified under Section 5 of Seed Act (1966) and under Section 14, Rule 29 (4) and Regulation 6 under PPVFR Act (2001) was approved by the Members.

1. The Guidelines shall be referred to the descriptors for recording of observations of the concerned crop along with the Trial/Evaluation system of the Variety for notification under the Section 5 of Seed Act (1966).
2. The trial for evaluation (VCU) itself should either be comprised of a reference variety as claimed by the Applicant or other qualifying/check varieties be considered whose DUS data are recorded by the evaluation centres along with that on the candidate variety. This information shall be part of the application at TQ (Item No 8 Form I/II, Regulation 6).
3. DUS descriptor data shall be made available as replicated data for at least two years from two locations where the evaluation trials are organized. Certified copy/ies of such information comprising data sheet as recorded duly signed by the Trial in-Charge or copy of the printed official proceedings or e-published data from official website or d.o.i. link of the e-

version of the data record by the organization conducting the trials, shall have to be enclosed by the Applicant.

4. If there is no acceptability to the status of reference variety as defined in the Guidelines, then the Registrar shall utilize the database on DUS testing of the hitherto candidate or reference or registered varieties for declaring the Distinctiveness of the extant notified variety. This shall be reviewed by the ENVRC before recommending the decision of registrability to the Authority.
5. Since fresh seed is necessarily submitted each season for each variety promoted for testing for second and/or third year the observations of the evaluation system on absence of segregation/variants in the trials of the candidate variety shall suffice for establishing the Uniformity and Stability criteria of the variety. Certified copy/ies of such information comprising data sheet as recorded duly signed by the Trial in-Charge or copy of the printed official proceedings or e-published data from official website or d.o.i. link of the e-version of the data record by the organization conducting the trials, shall have to be enclosed by the Applicant.
6. Information submitted by the Applicant on DUS related data without link or attachment to the original documentation of the testing centres shall not be acceptable and such applications shall not be accepted for registration.
7. No application under extant notified category shall be accepted if the date of filing of the same exceeds a total period of 18 years in the case of vines and trees, and 15 years in the case of others respectively, from the date of Notification under the Seed Act (1966), or the authorised period for registration of the extant notified variety of the corresponding notified species, as notified in the Gazette of India from time to time.

There is no technical problem here since VCU is primary task, making any variety which passes that only shall come up for protection. Hence the reference

variety shall only be the other qualifiers or latest released varieties which are automatically the checks. This decision was a majority decision with one vote against.

Sd/-
(R.C. Agrawal)
Registrar-General