

**GOVERNMENT OF INDIA
AGRICULTURE
LOK SABHA**

STARRED QUESTION NO:202
ANSWERED ON:16.08.2011
INTELLECTUAL PROPERTY RIGHTS IN AGRICULTURE
Premdas Shri

Will the Minister of AGRICULTURE be pleased to state:

- (a) whether the Protection of Plant Varieties & Farmers' Rights (PPV&FR) Authority is taking steps for putting in place an Intellectual Property Rights (IPR) regime in agriculture for the development of new varieties of plants and protection of rights of the farmers;
- (b) if so, the details thereof;
- (c) whether cases involving IPR in respect of Indian crops have been filed;
- (d) if so, the details thereof including the number of such crops for the last three years and the current year;
- (e) the number of cases disposed of so far and the outcome thereof; and
- (f) the steps being taken to protect the rights of the farmers in this regard?

Answer

MINISTER OF AGRICULTURE(SHRI SHARAD PAWAR)

(a) to (f): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (f) OF LOK SABHA STARRED QUESTION NO. 202 DUE FOR REPLY ON 16TH AUGUST, 2011.

(a) & (b): The Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act, 2001 was enacted by the Government of India to put in place a regime for intellectual property protection of plant varieties and for ensuring the rights of farmers and plant breeders and to encourage the development of new varieties of plants. PPV&FR Authority was established by Government of India in exercise of the powers conferred under Section 3(1) of PPV&FR Act, 2001. The steps taken by the Authority under different provisions of PPV&FR Act, 2001, inter-alia, include:-

- (i) registering new and extant plant varieties for conferring exclusive rights in respect of the said variety on the breeder/farmer;
- (ii) recognizing and rewarding farmers for the contribution made in conserving, improving and making available plant genetic resources for the development of new plant varieties;
- (iii) entitling farmers' variety for registration including new variety bred or developed by the farmer;
- (iv) developing, characterization and documentation of registered varieties;
- (v) development of data base for all varieties of crop plants; and
- (vi) maintenance of National Register of Plant Varieties.

(c) to (e): For securing Intellectual Property Rights (IPR) through registration of plant varieties in notified crops/species, the PPV&FR Authority has been receiving applications. During the last 3 years and the current year a total of 2125 applications have been received for registration under PPV&FR Act, 2001, the details of which are at Annexure-I. Of the 334 applications disposed, Certificate of Registration have been issued in respect of 274 applications and 60 applications have been withdrawn by the applicant or rejected by the Authority. The remaining applications are at different stages of examination including field testing.

(f): The PPV&FR Authority has taken following steps to protect the rights of the farmers-

- (i) Separate registration of farmers' varieties with relaxed Distinctiveness, Uniformity & Stability (DUS) Criteria.
- (ii) No fee for registration of farmers' varieties.
- (iii) Instituting, under the Gene Fund, Plant Genome Savior Community Awards to farmers/farming communities for conservation,

improvement and preservation of genetic resources of economic plants and their wild relatives.

(iv) Extension of period for registration of farmers' varieties from three to five years.

(v) Conducting awareness generation programmes on PPV&FR Act, 2001 for farmers.

(vi) Under the Act, claims attributable to the contribution of the people of a village or local community in the evolution of any variety can be filed before the PPV&FR Authority on which compensation can be granted to the claimant after following due process.

ANNEXURE-I

Applications received in PPV&FR Authority for registration under PPV&FR Act, 2001.

S.No.	Year	Applications received
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1.	2008	546
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2.	2009	605
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3.	2010	540
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4.	2011 (as on 31.7.2011)	434
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Total		2125
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