

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE AND FARMERS WELFARE
DEPARTMENT OF AGRICULTURE AND FARMERS WELFARE

RAJYA SABHA
UNSTARRED QUESTION No. 1121
TO BE ANSWERED ON 16/12/2022

PROTECTION TO FARMERS AGAINST PPV&FR ACT

1121. SHRI ANEEL PRASAD HEGDE:

Will the Minister of AGRICULTURE & FARMERS WELFARE be pleased to state:

- (a) whether it is a fact that American Multi National Company (MNC) PepsiCo India has stated in an affidavit that it would sue Indian farmers due to infringement of some exclusive right obtained by it under Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act;
- (b) whether Government has put into place any measures to protect farmers' right as given in Section 39(1)(iv), given that companies like PepsiCo have tried to intimidate farmers; and
- (c) if so, the details thereof?

ANSWER

MINISTER OF AGRICULTURE & FARMERS WELFARE

(SHRI NARENDRA SINGH TOMAR)

(a): A revocation application under Section 34 of Protection of Plant Varieties and Farmers' Rights (PPVFR) Act, 2001 has been filed to revoke the registration granted to PepsiCo India Holdings Pvt. Ltd., in respect of FL-2027 Potato Variety. The Protection of Plant Varieties and Farmers' Rights Authority (PPV&FRA) in exercise of its civil court powers under Section 11 of PPVFR Act, 2001 passed an order dated 03.12.2021 in the said matter. The said order has been challenged before Hon'ble Delhi High Court in C.A. (COMM.-IPD/PV) No.2 of 2022. Hence, the issue is sub judice and no interim order has been passed till date.

(b)&(c): The PPVFR Act, 2001 provides rights under Section 39(1)(iv) to the farmer who has bred or developed a new variety. Accordingly, she/he shall be entitled for registration and other protection as a breeder of the variety under this Act. The rights of farmers are fully protected. As per the provision of Section 39(1)(iv), a farmer shall be deemed to be entitled to save, use, sow, re-sow, exchange, share or sell his farm produce including seed of a variety protected under this Act in the same manner as he was entitled before the coming into force of this Act. Provided that the farmer shall not be entitled to sell branded seeds of a variety protected under this Act.

The Farmers Rights are also enshrined under PPVFR Act, 2001 and applicable all over India.
