MINISTRY OF AGRICULTURE

(Department of Agriculture and Co-operation)

NOTIFICATION

New Delhi, the 27th October, 2009

G.S.R. 783(E).—In exercise of the powers conferred by sub-section (2) of Section 96 of the Protection of Plant Varieties and Farmers' Rights Act, 2001 (53 of 2001), the Central Government hereby makes the following rules further to amend the Protection of Plant Varieties and Farmers' Rights Rules, 2003, namely :—

1. These rules may be called the Protection of Plant Varieties and Farmers' Rights (Second Amendment) Rules, 2009.

2. They shall come into force on the date of their publication in Official Gazette.

3. In the Protection of Plant Varieties and Farmers' Rights Rules, 2003, for rule 24, the following rule shall be substituted, namely :—

"**24. Registration of extant plant varieties under sub-section (2) of Section 15.**—(1) The Registrar shall register every farmers' variety which is an extant variety within five years from the date of its notification under the Act, with respect to the genera and specie eligible for registration subject to conformity to the criteria of distinctiveness, uniformity and stability as laid down under the regulations.

(2) The Registrar shall register other extant variety within three years from the date of it notification under the Act with respect to the genera and species eligible for registration subject to conformity to the criteria of distinctiveness, uniformity and stability as laid down under the regulations :

Provided that the Registrar may, for reasons to be recorded in writing register a farmers' variety and other extant variety after the expiry of the said period of five years or three years as the case may be."

[F. No. 2-1/2009/SD-V]

UPMA CHAWDHRY, Jt. Secy.

Note :—The principal rules were published in the Gazette of India, *vide* G.S.R. 738(E), dated the 12ᵗʰ September, 2003 and subsequently amended *vide* G.S.R. 843(E) dated the 30ᵗʰ December, 2004 and G.S.R. 731(E) dated the 14ᵗʰ October, 2008 and G.S.R. 319(E) dated the 11ᵗʰ May, 2009.