

Dr. Kalyan B. Goswami
Executive Director



Ref. NSAI/2017/005

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Shri K V Chowdary
Central Vigilance Commissioner
Central Vigilance Commission
Satarkata Bhavan, A-Block
GPO Complex, INA
New Delhi - 110 023



Respected Sir,

Sub: Monsanto's activities in India contrary to the provisions of the law

National Seed Association of India (NSAI) is the apex organization of the Indian Seed Industry, having a member base of 407 seed companies. NSAI actively contributes to seed Industry policy development, with the concerned governments, to ensure that the policies and regulation create an enabling environment, including public acceptance. NSAI also strives that its members and farmers get fair deal and are not exploited.

In this connection, we wish to bring to your kind notice about the illegal activities of Monsanto in India, which are contrary to the provisions of law, in collusion with certain officials of the Government, which has been greatly harming the 80 lakh farmers, public sector research programs and the domestic public and private sector seed industry. Monsanto conspired with few officials to loot farmers and continued this despite state government attempts to stop this through legislations by misrepresenting before Hon'ble high courts.

Monsanto with the active support of certain officials has been falsely claiming patent rights on seeds and plants, containing transgenic trait, and has been misleading the authorities and even the courts. The Indian Patent Act, as amended to comply with the TRIPS agreement, does not allow patenting of seeds and plants. The patents No. 214436 and 232681 granted to Monsanto for Bt cotton technology by the Indian Patent office in 2008 and 2009 respectively, therefore did not allow any claims to Monsanto on seeds and plants or parts thereof. The intellectual property rights for all plant varieties including transgenic varieties are accorded under Protection of Plant Varieties and Farmers Rights (PPVFR) Act which was enacted as per the provisions of Article 27(3) of the TRIPS agreement. Despite being aware of the fact that there are no patent rights granted on seeds, Monsanto made false propaganda with the help of few scientists in PPVFR Authority, Department of Biotechnology (DBT) and Genetic Engineering Appraisal Committee (GEAC) under Ministry of Environment & Forests to get certain conditions like "No Objection Certificate" (NOC) stipulated for granting GEAC approval for new hybrids developed through research by anybody including private or public institutions or even the farmers. Further for registration of such GEAC approved new hybrids by PPVFR so to obtain intellectual property protection, they got NOC stipulated by the PPVFR also. As such, such stipulations are contrary to the provisions of the

