

PLANT VARIETIES PROTECTION APPELLATE TRIBUNAL (APPLICATIONS AND APPEALS) RULES, 2010.

REGD. NO. D. 1--33004/99 the Gazette of India 5281 No. 5281 1. 2. (2) 3. EXTRAORDINARY PART 11—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY 21, 2010/9.07 30, 1932 NEW DELHI, TUESDAY, SEPTEMBER 21, 2010/BHADRA 30, 1932 (3frT) 2010 2001 (2001 53) \$1 96 \$1 (2) Ox) (lxi) YNQT-(I) 2010 t I 2001 (2001 53) ; (q) "fiuq" I a, qti t, ffraq, t, (2) (1) fif*z 3RfÄ \$1 2 THE GAZETTE OF INDIA : EXTRAORDINARY (1) fr-f& 3TfEfñROT taT t (3) \$1 zrr Rrg [PART II—SEC. 3(i)] 4. 2. 3. 4. 5. 3Tfäf*u-q, 2001 56 05t (1) 56 (1) 56 (1) (70 56 (1) 56 (1) 75T gft-q-6VT 3(i)] 3 1 3Tfäfr-q, 2001 56 \$1 (1) t.... 2. 3

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2. Definitions.- (1) In these rules, unless the context otherwise requires, - (a) "Act" means the Protection of Plant Varieties and Farmers' Rights Act, 2001 (53 of 2001); (b) "rules" means rules made under the Act. (2) words and expressions use&inthese rules and not defined, but defined in the Act shall have the meanings respectively assigned to them in the Act

3. Appeals to the Tribunal.— (1) Any person aggrieved by an order or decision of the Authority or Registrar may prefer an appeal to the Tribunal within three months from the date on which the order or decision of the Authority or Registrar sought to be appealed against is communicated to such person preferring the appeal. (2) No appeal shall be admitted if it is preferred after the expiry of the period referred to in sub-rule (1): Provided that an appeal may be admitted after the expiry of the period referred to in sub-rule (1), if the appellant satisfies the Tribunal that he or she has sufficient cause for not preferring the appeal within the specified period. (3) A copy of the order or decision of the Authority or Registrar appealed against shall accompany an appeal to the Tribunal, 4. Forms for making application for appeal. - The form of making applications for appeal to the Tribunal shall be as specified in the Schedule to these rules. 8 THE GAZETTE OF INDIA : EXTRAORDINARY SCHEDULE [PART 11—SFC. 3(i)] MANNER OF MAKING APPLICATION AND FORMS FOR APPEAL Sl. No. 1 1. 2. 3

5. Section of Plant Varieties and Farmers' Rights Act, 2001 2 Clause (a) of sub-section (1) of section 56 Clause (b) of sub-section (1) of section 56 Clause (c) of sub-section (1) of section 56 Clause (d) of sub-section (1) of section 56 Clause (e) of sub-section (1) of section 56 Title 3 Appeal against order decision of Authority Registrar, relating istration of varie Appeal against order or or to or decision of the Registrar relating to registration as an agent or a licensee of a vari Appeal against order or decision of the Authority relating to claim for benefit sharin Appeal against order or decision of the Authority regarding revocation of compulsory licence or modification of com ulso licence• Appeal against order or decision of the Authority regarding payment of



Form Number 4 Form No.1 Form No.1 Form No.1 Form No.1 Form No.1 compensation, made under the Act or rules made thereunder. 3(i)] BEFORE THE PLANT VARIETY PROTECTION APPELLATE TRIBUNAL FORM No. 1 APPEAL UNDER SUB-SECTION (1) OF SECTION 56 OF THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 FILED AGAINST ORDER OR DECISION OF AUTHORITY OR REGISTRAR RELATING TO (To be filed in triplicate)

Title of the Case: 9 INDEX Sl. No. 1. 2. 3

4. Description of documents Relied upon No. of Pages Signature of the Appellant For use in the Tribunal Office Date of filing Or Date of receipt by post Registration No. Appellant (Signature of the authorized official of Tribunal) 10 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3 BEFORE THE PLANT VARIETY PROTECTION APPELLATE TRIBUNAL A.B. (add description such as full name, nationality, address, registered office...) APPELLANT C.D. (Add description such as full name, nationality, address, registered office and the residential or official address on which the service of notices is to be effected on the respondent or respondents. The details of each respondent are to be given in a chronological order). Vs. RESPONDENT DETAILS OF APPEAL: Particulars of the order against which the appeal is made: 1. (Particulars of the order giving the details like the number, date and Authority, which has passed the order against which the appeal is made.) 2. Jurisdiction of the Tribunal: The appellant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal

3. Limitation: The appellant further declares that the appeal is within the period of limitation specified in the Plant Varieties Protection Appellate Tribunal (Applications and Appeals) Rules, 2010. Facts of the case: 4. (Give here a concise statement of facts in a chronological order, each paragraph containing a separate issue or fact as neatly as possible.) 5. Grounds for relief with legal provisions: 6. Matters not previously filed or pending with any other court: The appellant further declares that he had not previously filed any appeal, writ petition or suit before any court or any other authority regarding the matter in respect of which this appeal has been made. (In case the appellant had previously filed any such appeal, writ petition or suit, the stage at which it is pending, and if decided, the list of the decisions should be given with reference to the number of Annexure to be given in support thereof.) 3(i)] 7. Relief(s) sought: In view of the facts mentioned above the appellant prays for the following relief(s): - (Specify the relief(s) sought explaining the grounds for such relief(s) and the legal provisions, if any relied upon). 11 e, 9. List of enclosures: 1. 2. 3

4. All communications relating to these proceedings may be sent to the following address in India: -
1, age contents of VERIFICATION (Name of the appellant) nationality, resident of do hereby verify
that the of to para are true to my personal knowledge and para are believed to to be true on legal
advice and that I have not suppressed any material fact.Dated, this Place: To day of 20 Signature of the
Appellant (Full name of the Signatory) 12 THE GAZETTE OF INDIA : EXTRAORDINARY [PART
IPSEC. 3(i)] BEFORE THE PLANT VARIETY PROTECTION APPELLATE TRIBUNAL



FORM No. 2 APPLICATION FOR LEAVE TO CONDONE THE DELAY IN FILING APPEAL (To be filed in triplicate together with statement of case in triplicate) In the matter of order or decision of the Authority or Registrar in I/We hereby apply for leave to condone the delay in filing the appeal. The grounds for making this application are set forth in the accompanying statement. (To be enclosed on separate sheet duly signed by the applicant) All communications relating to this application may be sent to the following address in India: - Dated this Place: To of Signature of the Applicant (Full name of the Signatory) [F. NO. 1-4/2009-SD. V] UPMA CHAUDHRY, Jt. secy. Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-1 and Published by the Controller of Publications, Delhi-110054.

