

**PROCEEDINGS OF THE LICENSING AUTHORITY AND ADDITIONAL  
DIRECTOR OF AGRICULTURE (SEEDS), O/o C & DA,  
ANDHRA PRADESH, GUNTUR.**

**Present: J.Ravi Kumar B.Sc(Ag)**

**Proc No.AGC02-12027(31)21/2018-Seed Sec**

**Date: -01-2019**

**Sub:** Seed Regulation Cell – Seeds Act, 1966- Seed (Control) Order, 1983-Drawl of Cotton seed sample from the premises of M/s Ankur seeds Pvt Ltd, Kurnool – produced by M/s Ankur seeds Pvt Ltd, Kurnool – DNA Lab Analytical report shows Positive to Herbicide tolerant (HT)- Show cause notice issued to M/s Ankur seeds Pvt Ltd, Kurnool – Reply furnished by the firm - Personal Hearing Conducted – Explanation submitted by the firm -Suspension of the License-Regarding.

- Ref:** 1. Analytical Report SD.ROC.No.24/17-18 dt : 08-05-2018 of ADA, DNA Finger printing & Transgenic Crops Monitoring Laboratory, Guntur.  
2. Show cause notice issued vide AGC02-12027(31)/21/2018 dt: 11-07-2018 of Additional Director of Agriculture (seeds), O/o C & DA, A.P., Guntur.  
3. Explanation to show cause notice by M/s Ankur seeds Pvt. Ltd, Kurnool dt: 21-07-2018.  
4. Personal Hearing vide Lr.NoAGC02-12027(31)/21/2018 dt: 08-10-2018 of Additional Director of Agriculture (seeds), O/o C & DA, A.P., Guntur.  
5.Explanation for personal hearing by the firm dt:24/10/2018.

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It is to inform that vide 2<sup>nd</sup> reference, a show cause notice was issued to M/s Ankur seeds Pvt. Ltd, Kurnool by Licensing Authority on HT Positive Bt Cotton samples while enclosing the results vide 1<sup>st</sup> reference.

Further vide 4<sup>th</sup> reference, the Licensing authority had also provided personal hearing with the firm M/s Ankur seeds Pvt Ltd, Kurnool on 24/10/2018 and asked to submit any further explanation in addition to the reply which was already given to the Show Cause Notice.

Vide 3<sup>rd</sup> & 5<sup>th</sup> reference, M/s Ankur seeds Pvt Ltd, Kurnool submitted an explanation to the Show Cause Notice & for the personal hearing provided by the Licensing Authority. In their explanation they have submitted the following aspects...

1. The local departmental Officers in Kurnool have taken samples from 484 lots from the bulk seeds during the period from 7<sup>th</sup> April to 17<sup>th</sup> April 2018, for

- testing and we are pleased to inform that all the samples were found to meet the standards as per the Seeds Act.
2. The sample from the lot no. AT 71-003-80450-1 taken from the bulk seeds of hybrid 4008 BG II, was found to be positive for HT gene (MON 88913) but when the sample from the same lot was tested later by us, it was found to meet the quality standards, however this lot has not been packed for sale.
  3. Further stated that the aberration found in lot no.AT71-003-804501-1 due to out-crossing from the other sources.
  4. The total 484 samples were taken by the department only one sample (i.e 0.002%) was tested positive for HT gene, in that lot also 10% seeds have shown HT Trait positive.

Before passing order, as it is to be observed that the GOI has instructed the states to inspect all the sale ,storage ,production and processing plants to curb illegal & unapproved HT Cotton with presence of CP4EPSPS gene with MON 88913 event in cotton seed at any stage in production , processing , sale & storage.

On the direction of PMO the Central Government has constituted a Field Investigation & Scientific Evaluation Committee (FISEC) to look into the illegal cultivation of HT Cotton in the Country.

The FISEC Committee has submitted its report and it confirmed that the illegal cultivation of HT cotton in India is not due to natural crossing but due to years of skilled breeding. Presence of HT is deliberate. This cannot be called as contamination. Therefore the claim of the firm that the presence of HT trait in Bt Cotton Hybrid 4008 BG II bearing lot no AT 71-003-80450-1 is due to out-crossing from the other sources is not correct and not convincing.

The analysis report obtained from the DNA fingerprinting and Transgenic Crops Monitoring Laboratory (DFTCML), Guntur is authorized and in exercise of the powers conferred by Sub-Section (1) of Section 4 of the Seeds Act, 1966 read with clause (c) of Rule 5 of the Seeds Rules, 1968, the Central Government declared the DNA Finger Printing and Transgenic Crops Monitoring Lab (DFTCML), Guntur (Andhra Pradesh) as the National Referral Laboratory, to detect the presence or absence of Living Modified Organisms and Genetically Modified Organisms, under the said act with effect from 15.11.2017 vide S.O.3604 (E) i.e., the date of publication of the notification in the official gazette.

The functions of the Central seed laboratory under rule 5 of Rules **THE SEEDS RULES, 1968 under Seed Act, 1966 (Act No. 54 of 1966)** are reproduced here under

**Functions:** - In addition to the functions entrusted to the /central Seed Laboratory by the Act, the Laboratory shall carry out the following functions, namely;

- a. Initiate testing programmes in collaboration with the State Seed Laboratories designed to promote uniformity in test results between all seed laboratories in India;
- b. Collect data continually on the quality of seeds found in the market and make this data available to the Committee; and
- c. **Carry out such other functions as may be assigned to it by the Central Government from time to time.**

The methodology being adopted in case of unapproved Herbicide tolerant Cotton is similar to the testing procedures communicated by Govt of India vide OM No.2-6/2012-SD IV dt: 16-09-2015 of GOI, MoA &FW, New Delhi in case of Bt Cotton (approved transgenic). Dip-stick Strip Test, Elisa test and PCR test are the allowed methods for detecting approved Transgenic Bt Cotton and the same methods are used for testing HT Cotton or any unapproved Transgenic Crop.

The DNA Lab report clearly showed the presence of CP4 EPSPS gene with MON 88913 Herbicide Tolerant trait which is not approved by GEAC for commercial cultivation in India.

The seed preparing to deliver of Bt Cotton hybrid 4008 BG II bearing lot no. of AT71-003-804501-1 of the M/s Ankur seeds Pvt Ltd, Kurnool the sample should be positive for Cry1Ac and Cry2Ab with MON 15985 event only as per GEAC approval. Whereas sample contain CP4EPSPS gene with MON 88913 Herbicide Tolerant Trait (HT) which is not approved by GEAC (Genetic Engineering Approval Committee) for commercial release in India.

So the reply furnished by the firm is not convincing and has contravened & violated the provisions of Section 6, 7 of Seeds Act, 1966 read with section 21, 23 and Clause 3, 8A of the Seeds (Control) Order, 1983.

Hence the explanation submitted by the firm M/s Ankur seeds Pvt Ltd, Kurnool is not convincing and is not acceptable. The Licensing Authority cum Additional Director of Agriculture (Seeds), O/o Commissioner & Director of Agriculture, Andhra Pradesh, Guntur passed the following order.

In view of the circumstances stated above there are no reasonable grounds to consider the explanation of the firm & orders are passed accordingly that the license of

**M/s Ankur seeds Pvt Ltd, Kurnool having its License No. RRD/0/ADDL.DA/CSL/2014/126 is hereby suspended for a period of one (1) year from the date of this order.**

**Additional Director of Agriculture (Seeds)  
& Licensing Authority  
O/o C & DA, AP, Guntur.**

To

M/s. Ankur seeds Pvt Ltd, D.NO. 51-15-A-5 varma complex, bellary road, Kurnool.