

AP accuses Monsanto of abusing Indian Patents Acts through JV

Banikinkar Pattanayak
New Delhi, Feb 17

ANDHRA Pradesh has accused US-based genetically modified seed giant Monsanto of abusing the Indian Patents Acts through its joint venture with Mahyco and displaying anti-competitive behaviour, apart from selling cotton seeds at much higher rates in India than in China, thus, resorting to differential pricing.

In a 13-page letter to commerce and industry minister Nirmala Sitharaman this month, Andhra Pradesh agriculture minister Prathipati Pulla Rao wants the Centre to revoke Monsanto's patent for Bollgard II under section 66 of the Patents Act in view of "public interest". He cautioned that if such a step isn't taken, farmers will be required to pay "high royalty on a technology which has lost its economic value", if reports of the Central Institute for Cotton Research and Acharya NG Ranga Agricultural University are to be believed.

"Andhra Pradesh... is seriously affected and prejudiced by the patents granted to Monsanto Technology LLC and abuse of such patent rights by the patentee, in particular as to Bollgard II technology," Rao

wrote in the letter.

Rao also wants the Centre to notify appropriate provisions under section 92 of the Patents Act so that any seed company that approaches Mahyco-Monsanto Biotech (India) Ltd (MMBL), the joint venture company, to get a sub-license to sell such cotton seeds gets it. The idea is to foster competition, which could potentially drag down prices to reasonable levels, given the high demand.

Rao is also critical of MMBL, saying it "claims that it had the license of the Bt technology from Monsanto to commercialise it in India but never produced any document in support of its claim". Moreover, Rao said, "Monsanto has in the sub-license agreement included various clauses that are not only anti-competitive and against public policy but also against the Patents Act".

He said Monsanto was charging "unreasonable trait value", which prompted Andhra Pradesh, Telegana and even Maharashtra were specifying "reasonable trait value" in their price fixation orders. Still, Monsanto "was enforcing its contract and collecting higher trait value". He said that Monsanto charges royalty to the tune of ₹40 per 450 grams of cotton seeds in China for the same technology

(Bollgard 1 and Bollgard II), while in India, the royalty is high as ₹180. "Thereby, Monsanto has adopted discriminatory practice of charging differential royalty in different countries for the same technology, even though there is no extra benefit in terms of technology to the Indian farmers."

The letter said Monsanto is cashing in on cotton farmers' over-dependence on Bt seeds. This is because there is no scope to cultivate non-Bt crop in the vicinity of Bt cotton crop, as the bollworm pest repelled from the Bt crop will be diverted to non-Bt cotton fields and cause extensive damages. So, around 95% of the country's cotton area is now under Bt seeds. "Monsanto is cashing in this situation and imposing its dominance over sub-licensee seed companies, distorting the cotton seed market which ultimately affects cotton farmers."

In January, the centre sets up a committee to fix Bt Cotton seed prices, acting on complaints of producers selling the seeds at exorbitantly high prices. The nine-member committee has been asked to decide by March 31 on the minimum support price of genetically modified Bt cotton seeds. MMBL had approached the Delhi High court in Janu-

ary against the Centre's cotton price control order and later the company had moved the court again, seeking a stay on the committee's functioning.

MMBL has affirmed that the price control regulation is contrary to law and is also against long-term interests of farmers. It also added that it contradicts the government's vision to promote ease of doing businesses as well as innovation.

Power purchase rate from units run by sugar mills hiked

Mumbai, Feb 17: The Maharashtra government has hiked the rate of electricity purchased by it from captive units of cooperative sugarcane mills which use bagasse (crushed sugarcane residue) to generate power.

Speaking to reporters at Mantralaya (secretariat) here on Wednesday, Minister for Cooperation Chandrakant Patil said the power purchase rate has been hiked by 32 paise per unit.

At present, the government pays Rs 6.27 per unit of power purchased from the mills and the rate has been

raised by 32 paise to Rs 6.59 a unit, he said.

The move will mean an additional burden of Rs 53 crore annually on the state exchequer, he said.

Patil rejected suggestions that the move favours cooperative sugar mills and said instead it was a pro-farmer decision, and would also help in meeting the energy requirements of the State.

The decision would enable the mills to pay fair and remunerative price to the sugarcane-growing farmers, the minister said.

PTI

Bosch Chassis Systems India Ltd.
Registered office : Gat No. 306, Nanekarwadi (Chakan), Tal : Rajgurunagar, Dist. : Pune 410501. Ph. : 020-30606300.
CIN : U34300PN1982PLC027224

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For Bosch Chassis System India Limited
Vijay Dighe
(Company Secretary) ACS 24377

Pune
11 February, 2016

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| Schedule of the Property | All That The Piece and Parcel of The Gat No. 240, CTS No.708, GP Property No. 691, Plot No. 66, Rupeenagar Co-op Hsg Society, Mauje-Talawade, Tal. - Haveli, Nigdi, Pune - 412 114. Admeasuring 2895 Sqft. Built Up Area. Boundaries - East: Adj Property, South: Property of Ganage, West: By Road, North: Property of Mr Danke |
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Place: Dhole Patil Road, Pune
Date: 10.02.2016

Authorised officer
Vijaya Bank

CCI orders anti-trust probe against Monsanto arm

fe Bureau

New Delhi, Feb 17: The Competition Commission Of India (CCI) has ordered a probe into the alleged abuse of dominance by Mahyco Monsanto Biotech India Limited (MMBL), a joint venture between Mahyco and US-based Monsanto, as it found prima-facie violation of the Competition Act.

The order came after complaints by the agriculture ministry as well as three domestic seed companies, which had alleged MMBL was abusing dominance in the Bt cotton seeds market. The order was passed by six out of seven CCI members, including its chairman. The CCI has asked the director general (DG) of its investigation arm to complete the

probe within 60 days.

The agriculture ministry had pointed at MMBL's "abuse of dominant position by charging unreasonably high trait fees (royalty) for Bt cotton seeds". MMBL also faced allegations that it was exploiting the government permissions to market Bt cotton technology by "creating a monopoly through restrictive agreements for unjust enrichment.

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