Man is considered as the most intelligent living being, with the most advanced brain. This brain is behind all his creativities, which contribute to the added pleasures in his life as well as others'. Intellectual Property Rights (IPR) is a means for rewarding these creativities. There are various IPR like copyright, trademark, patent right, rights relating to Geographical Indications (GI) and Plant Breeders' Rights (PBR). But of all these rights, it is only in the case of PBR that, there was a need for a counter right, due to the problems it caused to a vital and fundamental fragment of any society called the farmers. The Farmers' Rights (FR) is thus the product of the need of the hour, and also the reaction of the Law as part of equity, fairness and justice. This is because, when the plant breeders are given IPR for having developed a new, distinct, uniform and stable variety, the farmers who developed, conserved and preserved various varieties which are in tune with nature, along with traditional knowledge (TK) associated with them, are not given any such rights.

The farmers' varieties are not only used by the world community for consumption, but also by the plant breeders for developing new varieties. This shows the dual role played by farmers towards food security on the one hand, and their role as contributors to agrodiversity, and thus a sustainable environment on the other. They also ensure food safety, as the varieties they conserve, preserve and develop are in tune with nature, and thus not harmful to the health of living beings. The case with new varieties is not that certain. There are arguments for and against newly developed plant varieties especially the Genetically Modified (GM) plants.
This leaves a kind of uncertainty about the safety of such food items, which is to be very carefully tackled by law. So, to compare both plant breeders and the farmers, farmers deserve more rights and protection than the breeders. However, the reality is in the reverse. Farmers are not given any substantial right like property rights in the international level, and the international documents have left the job of filling the gap with the State parties.

India being a country 70% of whose population depends on agriculture, who is very rich in plant genetic resources for food and agriculture (PGRFA), and who is the leading producer of many crops like the rice, and wheat, She has to give utmost priority to the welfare of Her farmers. So, while giving effect to the international laws, as well as while making legislations otherwise, everyone expects India to do the maximum for Her farmers. But to the great disappointment of every one, India has not even given effect to the minimum mandate given in the international laws for the protection and welfare of Her farmers. Even where certain rights are created in Her legislation, due to lack of clarity, and confusion there, it is too much to expect that these rights will be available to the farmers. Thus, there is a need to relook at the existing Indian laws in this regard to create as much rights as possible for the farmers so as to nullify the negative effects of the exclusive property right created for the plant breeders. This is more a facet of equity because modern plant breeding is possible only due to the age long efforts, and intelligence of the farmers.

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