The Fair Labor Association (FLA) and Syngenta Seeds Inc. held a multi-stakeholder consultation in Hyderabad, India on December 3, 2008. Representatives of industry, local and international NGOs, development agencies and village-level stakeholders met to define monitoring and remedial strategies to apply the FLA’s monitoring methodology to the agricultural sector in India. Presentations were made on activities undertaken as part of the FLA – Syngenta collaboration in 2007- 2008, including the findings from Independent External Monitoring, and a working session was held to engage participants in the development of Syngenta’s remediation plan.

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Executive Summary

The Fair Labor Association (FLA) is a non-profit organization dedicated to improving working conditions worldwide. Syngenta Seeds, a Swiss multinational, is among the top five vegetable seed producers in India, accounting for almost twenty-five percent of the Indian market. The FLA has been working in partnership with Syngenta since 2004 to monitor and improve labor standards at its suppliers’ seed farms in India.

Key stakeholders have been consulted throughout the internal and external monitoring to draw on their experiences, knowledge, and skills to strengthen the program. The FLA and Syngenta jointly organized two multi-stakeholder consultations in December 2006 and November 2007. To further these interactions, a third multi-stakeholder consultation was held with a focus on remedial strategies in the agriculture sector in Hyderabad on December 3, 2008. The objectives of the consultation were: (1) To present the findings of the internal and independent external monitoring of vegetable seeds sector; (2) To discuss remedial strategies for the non-compliances; and (3) To develop working relationships and networks with key stakeholders who can play a significant role in remediation.

The purpose of the consultation was to seek advice of stakeholders in the development of a comprehensive and sustainable action plan. Participants applauded Syngenta for being the first company to openly adopt and monitor labor compliance standards at their farms. While most civil society organizations found the FLA monitoring process robust, comprehensive and demanding, they recommended some modifications to the FLA external monitoring process. For example, they suggested that benchmarks and tools better accommodate local working conditions and take into account the socio-economic conditions in India. The need for introducing key performance indicators (KPIs) in the management system was highlighted. It was established that the code elements for both monitoring and remediation needed to be prioritized. Child labor, health and safety, and payment of minimum wages and benefits emerged as the highest priority issues for monitoring. As seed companies shared internal monitoring practices, the experts highlighted some duplication of efforts and recommended following a common standard and collaborating on remedial interventions.

Remedial efforts focused on child labor and health and safety. The connection between low wages and child labor was recognized. Nevertheless, the challenge of providing minimum wages in short term was also acknowledged. Participants developed steps for: increasing awareness among growers and their family members; identifying and verifying ages of child laborers at the farm level; building awareness at the source of labor recruitment; maintaining minimum documentation requirements at the farms; assessing and intervening in cases of harassment, abuse and discrimination at farms; installing low cost, locally relevant grievance procedures; focusing on areas for health and safety; developing village level committees; creating

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2 Please find the FLA-Syngenta November 2007 Consultation Report at [http://www.fairlabor.org/images/WhatWeDo/SpecialProjects/syngenta](http://www.fairlabor.org/images/WhatWeDo/SpecialProjects/syngenta)

3 Please find the FLA Monitoring Guidance and Benchmarks for the Agriculture Document at [http://www.fairlabor.org/images/WhatWeDo/SpecialProjects/syngenta](http://www.fairlabor.org/images/WhatWeDo/SpecialProjects/syngenta)
rural schemes and incentive schemes for growers. Many voiced the critical role that the seed organizers and company supervisors can play in enhancing the program.

Introduction
The Fair Labor Association (FLA) and the seeds division of Syngenta Seeds India organized a joint consultation on labor monitoring of the agriculture sector in Hyderabad, India, on December 3, 2008. The consultation was attended by 47 experts from 24 different organizations, including six seed producing companies (multinational and national), non-government organizations (NGOs), an agriculture trade union, micro-credit financial institutions, environmental experts, a research and consultancy agency, development agencies, local and international independent monitoring agencies, and village level stakeholders. The focus of the consultation was to have a participative discussion on remediation strategies for the agriculture sector.

The one-day consultation was divided into two sections:

- The first part of the day was dedicated to reporting on the activities undertaken by the FLA and Syngenta in 2007–2008 with respect to labor compliance in the Indian agriculture sector.
- The second part of the day was governed by working groups that allowed the participants to look in depth on key compliance issues in the agriculture sector and develop a road map for each of the five priority areas.

Mr. Akshaya Kamath, President of Syngenta Seeds (South Asia), welcomed the participants to the consultations. Richa Mittal, FLA Projects Coordinator, opened the consultation and asked about participant expectations. The participants expected to have a clear understanding of the nature and magnitude of issues in the agriculture monitoring. The proposal was to get a balanced view of the field situation and accordingly design a realistic action plan that is attainable in a time frame of one year. Many stakeholders wished to know about Syngenta’s commitment and activities toward corporate social responsibility. Seed companies looked forward to building a shared platform for exchanging ideas, best practices, and remediation strategies, as well as for addressing challenges of monitoring labor standards on their farms.

Activities Report for 2007-2008
Two presentations were made to report on the activities undertaken in 2007–08. An additional brief was provided by an independent expert to establish the magnitude of the child labor problem in the agriculture sector. Mittal presented an overview of findings from the FLA’s independent external monitoring activities, and Mr. Revannappa Mallikarjun, General Manager for Vegetables and Flowers, Syngenta India, reported on Syngenta’s internal monitoring findings and remedial actions undertaken in 2007-2008.

1. Results of Independent External Monitoring
The FLA developed an independent external monitoring (IEM) methodology. Three unannounced IEM visits were conducted in August–October, 2008 covering 60 Syngenta hybrid vegetable seed farms in 13 villages in Gujarat, Karnataka and Maharashtra. Three regional offices of Syngenta were visited as part of the verification of the internal compliance program. Three hybrid teams from different independent external monitoring organizations were contracted for the audits.
Child labor in the field was the leading concern as the FLA and Syngenta engaged in this project. The FLA independent monitors could not find any incidents to report in the external audits; however, the existence of child labor cannot be refuted as discussed in other sections of this report.

The delayed monsoons, which impacted crop sowing and the emasculation process, meant that there were no workers in the fields at the time of our external audits. This in turn impacted the monitoring results and findings. The greatest number of noncompliances was found in health and safety, followed by wages, benefits, and hours of work. An underlying reason for many of the reported noncompliances was the lack of documentation maintained at the farms. With respect to code awareness, the external monitoring highlighted some awareness among growers, however could not establish any awareness among family members who form a large proportion of the working population. Non payment of minimum wages and gender based wage discrimination was observed in all farms.

Monitors faced many challenges during the audit process, ranging from identifying the location of farms, accessing remote farms that were several kilometres walking distance from the main roads, and dealing with other growers who wrongly believed they were producers for Syngenta. Most workers employed by farms were family members, or fellow villagers working as part of a barter system for services, and therefore records on wages, benefits and child labor were difficult to extract.

2. Syngenta’s Internal Monitoring and Remedial Actions
Syngenta developed an internal system to monitor labor standards, focusing on four key areas: code awareness, health and safety, wages and benefits, and child labor. These key areas were identified during the December 2006 multi-stakeholder consultation. The internal monitoring process was integrated with the core production activities. Production staff, organizers and supervisors were trained to monitor labor condition. A total of 1,727 farms were monitored in 2006-2007, and there are plans to increase the number of farms monitored to 2,312 farms in 2008-2009.

Syngenta’s internal monitoring reported found the presence of child labor in its supply chain. The rate of non-compliance across all farms could range from 1% - 10% during peak season and in high risk crops (okra and hot peppers). Monitors also found children, who were enrolled in school, helping their parents on their farms. These incidents were not counted in the child labor statistics. There is a high occurrence of child labor in remote areas where company staff has low farm accessibility and the village has poor school infrastructure. Parents of child
laborers do not regard education as important. The internal monitoring also found low awareness among growers on health safety and environment (HSE) issues, and a general reluctance to buy and use personal protective equipment (PPE) during chemical exposure. The internal monitoring found the wage rate given to the workers is below the minimum wages as set by the government. There were no reported case of harassment and abuse and discrimination.

Syngenta is addressing some of the awareness issues by conducting pre-season meetings with growers to educate the growers about the code of conduct; strengthening contract agreements by incorporating social compliance clauses on all code elements with a special focus on child labor; building code awareness through door to door campaigns, post cards, cable television, posters and banners, and street dramas; and engaging with village stakeholders such as local schools, NGOs, industry colleagues. They also are in the process of preparing standard operation procedures (SOPs) for all the code elements.

3. A Snapshot of Child Labor in Agriculture
Dr. Davuluri Venkateshwarlu, a research expert from Glocal Research and Consultancy, shared his organization’s findings on the presence and magnitude of child labor in the agriculture sector in India. During recent visits to cotton seeds and vegetable seeds farms in Andra Pradesh and Karnataka, his team interviewed workers. His team identified 11% confirmed child labor cases (66/618) and 2.4% doubtful cases (15/618), in other words cases in which it was difficult to establish the age of the child and the age was borderline. According to Venkateshwarlu, child labor monitoring is increasingly becoming difficult for external monitors and researchers due to lack of cooperation by growers and companies. His data suggests that the best time to monitor is at the time of cross pollination when the demand for workers is high (up to 30 workers for 0.25 acres). The vegetable seeds that are high risk are chillies, tomatoes, okra and brinjal. Okra should be monitored September through October and chillies, October through November. There are higher health and safety issues in tomatoes and chillies. Venkateshwarlu applauded the efforts made by Syngenta in involving stakeholders at every step of the program, including development and execution, as well as their transparency in the process. However, he also mentioned that other seed companies that only focus on resolving child labor issues in the cotton seed sector also have made significant progress.

Recommendations for Monitoring Enhancements
Following the presentations, participants discussed a broad range of issues related to the monitoring process in the agriculture sector. Greater understanding and integration of regular practices on the farms is needed, including the cultural, religious and political issues that may have a direct bearing on monitoring analysis. In the absence of concrete laws for the agriculture sector, relevant national laws on child labor, minimum wages and abolition of bonded labor should be followed as benchmarks.

The FLA benchmarks related to the rural agricultural the sector and auditing tools need further refinement especially on working hours, rest area, toilets, drinking water, benefits and personal protective equipment requirements. For example, according to grassroots level organizations, a tree shade area can suffice as rest area in a rural setting. Also in many villages, no one has a toilet. If the workers are living on the farms then they should have a room that protect them from weather and animals.
Stakeholders continued to believe that monitoring hours of work and wages was important in the agriculture sector even though doing so posed many challenges for monitors and for remediation. Bartering of labor services and family labor is common on many farms, and the codes on wages and benefits should accommodate those issues. Growers cannot give the same day off to all workers, but rotating workers’ schedules so each has a day off on different days of the week would be possible. The idea of a three-shift system was ruled out by all stakeholders for the agriculture sector.

Some discussion took place regarding the type of documentation systems that the monitors can expect at the farm level for verification. Other recommendations included conducting a baseline study and analysis to determine the socioeconomic conditions of the sector was recommended, including building in key performance indicators, so that the progress can be measured over a period of time. The presence of multiple company codes at the farms often leads to different code interpretations and obligations for workers and growers, leading to duplication of efforts and confusion for all. A common set of standards for all would help improve compliance.

Stakeholders requested the company to prioritize the areas of focus. Going forward, benchmarks of high priority like child labor and HSE should be targeted and achieved first. In spite of having multiple child labor experts in the consultation a standard way to establish child labor at the farm level could not be established. The group suggested the need for separate team for production and compliance. According to them merging the two undermines the effectiveness of the results as the former concentrates on targets and profits and the latter on building sustainable social and economic goals. Both however, should work together in harmony to attain favourable goals.

Remediation Suggestions by Code Element
As part of the consultation process, participants were grouped under five groups to discuss each of the code elements in depth and develop a concrete action plan for each that could become part of Syngenta’s internal remedial strategy. A list of noncompliances identified in the internal and external monitoring under each code element was provided to each group.

1. Code Awareness

- Syngenta should continue with their existing code awareness strategy, which includes a door to door campaign, pre-season meetings with growers, village level trainings, and advertising through local cable television network. All activities should be documented with lists of attendees.
- Company field supervisors and organizers should be nominated to receive and conduct awareness training. They should be responsible for identifying key areas in the village where the code can be posted. They should also conduct periodic monitoring of posting of the code.
- Codes of Conduct should be not posted at each farm, but rather relevant messages posted or disseminated in village schools, temples, common meeting places, and offices of the local administration body (panchayat), organizers and company would be more effective.
- Audio-visual aids are more effective vehicles of communication than written material as growers and workers are increasingly an illiterate audience.
• Training should be customized for family labor farms. The grower, who is generally the head of the family, can be trained as an educator. It is imperative to involve women members (mothers/elder women) of the family in awareness programs. There is a need to develop a communication strategy for each target audience within the program: organizers, growers, family labor and hired labor.

• A peer-to-peer awareness building model (worker-to-worker, grower-to-grower, supervisor-to-supervisor, and women-to-women) and self-help groups should be established. Separate meeting should be held with women keeping in mind cultural sensitivities.

• Tools should be developed in the internal monitoring system to measure awareness.

• Syngenta should engage opinion leaders, teachers and women at the village level to form a committee that can serve as a channel for information dissemination and worker grievances. The company should take appropriate steps to publicise this grievance channel among growers and workers. The contact information of village committee members, as well as that of organizers and company supervisors, should be made available to the growers and workers. The village committee also will contact the company in case of grievances.

2. Child Labor

• Syngenta should collaborate with other seed producing companies to formulate a standard definition and uniform policy on child labor. A distinction should be made between child labor and young workers. The definition should take into account local law and the International Labour Organization (ILO) definition. In India, child labor is not entirely banned or abolished, however, is regulated and protected. In some seed production operations, children from the age of 14 – 18 years may be allowed to work but with strict vigilance and monitoring of their working hours, wages and that they are working under non-hazardous conditions. Company representatives should ensure that these children attend regular schools and have their basic priorities met first.

• Child labor awareness campaigns should be implemented in villages when labor has been sourced from that village. Company supervisors can play a part in the hiring process of labor.

• Company representatives need training on identifying child labor at farms. Ideally, a separate team within the company would be engaged for this task. Child labor needs to be monitored during regular school time. Standardized cross verification questions can be developed and asked to the workers and growers.

• External monitors should establish local assistance in identifying the problem of child labor during IEMs.

• Documentation with proof of age should be maintained at the farms especially in cases where it is difficult to distinguish child laborers from young workers. Some documents that can be obtained include medical certificates from the village secretary (who maintains the village documents of births and deaths), school enrolment documents and ration card as the last resort. The participants and experts observed found it challenging to suggest a simple tool that can be used on a farm for age verification.
• Incentives or disincentives may not always be a practical way to ensure compliance amongst workers and growers. Disincentives used by the company can lead to further deterioration of labor conditions. Nevertheless, the group suggested that at some stage the company needs to draw a line and blacklist those growers who fail to comply after repeated trainings and warnings.

• The rehabilitation of a child worker was felt as an important remedial intervention. Once a child laborer is identified at the farm, their rehabilitation is a responsibility of the company. Local child labor camps can be organized. The company can engage with local bodies like NGOs, government bodies, schools who can collaboratively work together. Engaging with the stakeholders and maintaining an on-going relationship with them will help the company build a better plan for this code element.

• A technical remediation recommendation was made to explore alternate technology for pollination that can reduce the labor intense nature of the job.

3. Harassment, Abuse and Discrimination

• A comprehensive policy on these issues needs to be developed.

• Women and adolescent girls make up a large proportion of workforce at the farms. The harassment, abuse and discrimination issues are rampant and rarely recorded or reported. Therefore, reporting of such incidences is important. There should be women on the compliance staff, who can be trained to look specifically into these issues.

• Both males and females should be provided equal wages for equal work.

• Remediation recommendations primarily revolved around building grievance mechanisms. Providing a phone number on a COC poster is not a sufficient grievance mechanism. Grievances should be handled personally. One suggestion was to assign one day per month for a company representative to deal with worker grievances.

• In case of grievances, worker anonymity should be maintained. The company should engage in building up confidence amongst the workers to report all grievances. All grievances with solutions should be documented.

• Develop system to give growers award for zero grievances.

• Empower local panchayat leaders to handle grievances along with growers, and Syngenta representative(s). There should be at least fifty percent female representation on the grievance committee.

• Build awareness programs on harassment, abuse and discrimination with the help of local schools, local doctors, lady trainers, teachers, panchayat leaders, self help groups, local social chiefs and respectable citizens.

4. Health & Safety

• Information on safety methods for chemical management needs to be imparted to the workers and growers. Informational materials such as the material safety and data sheet (MSDS), health and safety regulations, banned chemicals, chemical storage, and machine maintenance are difficult to understand in their original forms. Abstracts of the same should be made available in local languages. Emphasis should be placed on training rather than posting.
• Field standard operating procedures (SOPs) on chemical use should provide information such as the amount and frequency of chemical use, ill-effects of chemical, proper mixing and spraying and other relevant information. Frequent internal monitoring team visits should be conducted to ensure correct implementation of the procedures.

• Periodic health checks of farmers engaged in chemical usage should be conducted. A list of medicines in the first aid kit should be made available. First aid training engaging local doctors should be adopted. Information on the nearest health care facility should be made available to the growers.

• Safe drinking water is one of the main concerns on farms. Drinking water quality analysis should be done regularly. Awareness on safe drinking water and low-cost water filters should be built by the company.

• Toilets and restrooms are not legally required, and this should not be emphasized by the external monitors. The FLA benchmarks should be revised where it seeks such facilities.

• Snake bites are common in the fields. Since 70 percent of the snakes are non-poisonous, no medication should be used without a doctor being consulted. Information should be disseminated by pictures in a booklet. World Health Organization expert Dr. Ian Simpson is a consultant that can help develop procedures on snake-bite management.

• All personal protection equipment should be properly evaluated before being provided to the growers. The FLA tool to monitor the PPE usage needs revision.

• Crop Life Standards for HSE should be studied.

5. Hours of Work, Wages & Benefits

The group observed that monitoring family labor is a challenging task in the fields. Wage issues are sensitive as rates are market-driven and therefore cannot be fixed before hand. There are issues of seasonality, crop quality, production targets and social compliance in determining the wages, benefits and hours related to working on a the farm. The suggestions made by the groups under this code element were for hired labor.

• Achieving the implementation of a minimum wage at the farms would alone be a breakthrough.

• There is a gap in legal minimum wage and actual wages paid to workers. It is important to report this gap in internal monitoring. A study on wages and benefits should be undertaken to understand the causes behind the non-payment of minimum wages, whether governed by market forces, culture and regular practice, in-between contractors, etc. This will help the company develop remediation plans that address root causes.

• Although maintaining documents at farms is difficult, it is important. Therefore, incentives can be a way to promote record maintenance. Awareness building needs to happen around record maintenance, as this can lead to growers’ and workers’ own good.

• The company can design and provide a simple, uniform documentation system to growers which can help them in maintaining records of wages and advances.
• The practice of wage advances should continue to secure the workforce. Payment of advances should not be considered as bonded labor unless the interest is not counted on it. However, it is important that wage advances are also recorded by the growers.

• It is impractical to maintain records on overtime at the farms, but proper rest breaks can be monitored. Cultural practices should be considered with regard to working hours. As a regular practice, workers go to farm in the morning and come back in the late evening and take a break in afternoon. The typical 8-hour work schedule or half-hour rest break may not be applicable.

Syngenta’s Concluding Remarks
Dr. Juan González-Valero, Head Corporate Citizenship, Syngenta International AG, concluded the consultation by mentioning that labor monitoring in the agriculture sector has been both challenging and a learning experience for Syngenta and the FLA. He thanked the experts for their comments and suggestions and reiterated the importance of dialogue and collaboration with local stakeholders in attaining workplace compliance. He felt that Syngenta’s four years of association with the FLA has been noted by experts and the progress made since then should be acknowledged at such events. The basis of monitoring should be development based instead of policing. The understanding of the cultural aspects at the farm level is very important.

He agreed that labor monitoring at the farm level needs to take into account cultural, political and sociological conditions. The purpose of the engagement with the FLA was to get the cultural aspects embedded in the monitoring system.

He further added that no one company can solve labor problems alone. A collaborative effort across companies should be worked on to develop a uniform code of conduct and farm policies so as to avoid duplication of efforts. This will also help companies achieve common social compliance norms. There is a need for consensus on labor issues among industry experts.

Syngenta understands that there are issues relating to child labor, wages and benefits, hours of work, PPE usage and other health and safety standards, and they have been constantly endeavouring to deal with them from their end. The impact of workplace standards has been felt in the field where child labor occurs and that continuing to monitor it closely and critically is of the greatest importance.

He emphasized that the farmers who currently work with Syngenta want to continue doing so, as there are growth opportunities for them. The agriculture sector has yet to be affected by the economic slowdown. Food and agriculture are intrinsic to basic living and will remain so. The farmers associated with the company are paid well and on time. He believed providing incentives for compliance was a better approach over punishment or disincentives. It is more important to strive for cooperation in workplace standards amongst the workers, farmers and other stakeholders to achieve the desired goals.
### List of Participants

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<td><a href="mailto:savplants@yahoo.co.in">savplants@yahoo.co.in</a></td>
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<td>Zammen Organic</td>
<td><a href="mailto:deepthi@zameen.org">deepthi@zameen.org</a></td>
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<td>Dr. Juan Gonzalez Valero</td>
<td>Syngenta Switzerland</td>
<td><a href="mailto:juan.gonzalez-valero@syngenta.com">juan.gonzalez-valero@syngenta.com</a></td>
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<td><a href="mailto:akshaya.kamath@syngenta.com">akshaya.kamath@syngenta.com</a></td>
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<td>G.S. Srinivas</td>
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<td>Hanmant Jadhav</td>
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<td><a href="mailto:hhmh@rediffmail.com">hhmh@rediffmail.com</a></td>
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<td>M.R. Madhu</td>
<td>Monsanto Genetics India Ltd</td>
<td><a href="mailto:melia.radha.madhav@monsanto.com">melia.radha.madhav@monsanto.com</a></td>
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<td>Environmental Sc. Expert</td>
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<td>Richa Mittal</td>
<td>Fair Labor Association</td>
<td><a href="mailto:rmittal@fairlabor.org">rmittal@fairlabor.org</a></td>
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<td>Rituparna Majumdar</td>
<td>Fair Labor Association</td>
<td><a href="mailto:rmajumdar@fairlabor.org">rmajumdar@fairlabor.org</a></td>
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